

Proceedings of the item no. 190.04 & 190.05 of 190th meeting of State Expert Appraisal Committee held on 27.06.2020 at 10:30 am through video conferencing/ in the Conference Hall of PSCST at 2nd Floor, MGSIPA Complex, Sector-26, Chandigarh.

The 190th meeting of SEAC was held on 27.06.2020 through video conference on VIDYO APP in light of COVID 19. In the meeting, the following members were present:-

Sr. No.	Name of SEAC Member	Designation in SEAC
1.	Er. Yogesh Gupta	Chairman
2.	Sh. Pardeep Garg	Secretary
3.	Dr. Adarsh Pal Vig	Member, through online mode
4.	Er. Parminder Singh Bhogal	Member, through online mode
5.	Er. Nirmal Singh Kahlon	Member
6.	Sh. A.K. Bhatia	Member
7.	Dr. Pawan Krishan	Member, through online mode
8.	Dr. Harpreet Kaur	Member
9.	Sh. KL Malhotra	Member
10.	Dr. Sandeep S Viridi	Member, through online mode
11.	Sh. Deepak Sethi	Member, through online mode

At the outset, Secretary, SEAC welcomed the members of the State Expert Appraisal Committee (SEAC) and informed that the detailed agenda of the meeting and presentations of various items have already been circulated to all the members through e-mail. Thereafter, the agenda was taken up item wise for consideration.

Item No 190.04 Application for issuance of TOR for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for the establishment of Mega Residential Project "The Palm" located at Villages Mullanpur Garibdas, Dhanauran & Mastgarh, New Chandigarh, Mohali, S.A.S Nagar, Punjab by M/s Manohar Infrastructure & Constructions Pvt. Ltd. (Proposal No. SIA/PB/NCP/34917/2019).

SEAC observed as under:

1.0 Background

The project proponent has applied for issuance of TORs for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for establishment of Mega Residential Project "The Palm" located at Villages MullanpurGaribdas, Dhanauran & Mastgarh, New Chandigarh, Mohali, S.A.S Nagar, Punjab.

Environmental Engineer, PPCB, Nodal Office, Mohali was requested vide email dated 14.10.2019 and again on 16.02.2020 to send the construction status of the project site. However, the report is yet awaited. SEAC was apprised that the Environmental Engineer, PPCB, Nodal Office, Mohali vide letter no. 1235 dated 19.02.2020 has sent the latest status report and the contents of the letter are reproduced as under:

"In reference to your e-mail under reference, it is intimated that the site of the subject cited project was visited by AEE of this office on 12.02.2020 and Mr. Pawan Sharma, Architect of the project site was contacted and it was observed as under:

1. That the project is adjoining to the already existing project Curo North Square, Village Mullanpur, Garibdass by M/s Curo India Pvt., Limited at the front side of the project.
2. The project proponent had earlier obtained NOC for the project vide no. CTE/Exp/SAS/2018/7069127 dated 23.05.2018 valid upto 31.03.2020 for an area of 192.459 acres (net planned area 118.04 acre) having 862 residential plots, 11 public building, EWS flats in an area of 6.84 acre and commercial area of 2.04 acre with the conditions that:-

(a) The promoter shall ensure the compliance of provisions (including providing of 15 meter green belt towards air pollution industries) contained in notification no. 3/6/07-STE(4)2274 dated 25.07.2008 notified by the Government regarding siting policy/guidelines for the establishment of residential colonies, commercial establishments like shopping malls, multiplexes in the State of Punjab, before starting any development/construction activities at the site.

- (b) *The promoter shall immediately stop construction activities in the township and restart only after obtaining environmental clearance under the provision of the EIA Notification dated 14.09.2006.*
- (c) *The promoter shall submit the approved layout plan for the total area before starting any construction/development activities in the additional area of 74.4 acres.*
3. About 50 plots owned by individuals are either under construction or have been constructed. Further, 34 plots having G+2 configuration are being constructed by the promoter company. However, all of this construction has taken place in the land for which the earlier layout plan was approved. In the land added by the promoter company, no construction activity has been started and only the boundary wall has been constructed in few plots.

As per the boundary limits site shown by the representative of the promoter company during the visit, there is no MAH industry within a radius of 250 m from the boundary of the proposed site of the project. There is no rice sheller/ saila plan/stone crushing/ screening cum washing unit/ hot mix plant within a radius of 100m from the boundary of the project. There is a brick kiln namely M/s Dilbagh Singh brick kiln, village Mullanpur, the boundary of which is located at a distance of about 60m from the boundary of the residential project, as such, the promoter company is required to provide 15m green belt of the broadleaf trees towards the said brick kiln, to comply with the stipulations of the order dated 25.07.2008 as amended on 30.10.2009. Further, the Board while sending comments to the Department of Housing and Urban Development vide letter no. 1409 dated 10.03.2016, had also imposed a condition that the promoter company shall develop 15 m green belt of broadleaf trees towards the brick kiln namely M/s Dilbagh Singh brick kiln, village Mullanpur, to attenuate the air pollution being generated from this brick kiln.

This is for information and further necessary action please."

1.1 Deliberation during 187th meeting held on 26.02.2020

The case was considered by SEAC in its 187th meeting held on 26.02.2020 and was attended by the following on behalf of the project proponent:

- i) Sh.Surinder Talwar, Manager, on behalf of the promoter company.
- ii) Ms. Priyanka Madan, M/s Eco Laboratories and Consultants Pvt. Ltd.

SEAC was apprised that as per the visit report sent by EE, Mohali, no construction has been started by the project proponent for the proposal for which expansion has been

sought. Thereafter, SEAC allowed the Project proponent to present the salient features of the project and the Environmental Consultant of the same presented as under:

S.No.	Item	Details
1.	Online Proposal No.	SIA/PB/NCP/34917/2019
2.	Name and Location of the project	Mega Residential Project "The Palm" Villages Mullanpur Garibdas, Dhanauran & Mastgarh, New Chandigarh, Mohali, S.A.S Nagar, Punjab developed by M/s Manohar Infrastructure & Constructions Pvt. Ltd.
3.	Latitude & Longitude	Corners coordinates A: 30.464307 N & 76.435618 E B: 30.470816 N & 76.435250 E C: 30.474981 N & 76.447546 E D: 30.475319 N & 76.445784 E E: 30.470424 N & 76.452656 E
4.	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	S.No. 8(b); 'Township and Area Development'
5.	Whether the project is in critical polluted area or not.	No
6.	Does the project involve the diversion of forest land?	No. Project does not involve any diversion of forest land.
7.	Does the project covered under PLPA, 1900, if No but located near to the PLPA area then the project proponent is required to submit NOC from the concerned DFO to the effect that project area does not fall under the provision of PLPA Act,1900.	The project is not covered under PLPA 1900. However, NOC has also been obtained from DFO, S.A.S Nagar for the complete project.
8.	If the project falls within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary. If yes, a. Name of eco-sensitive area/ National park/Wild Life Sanctuary and distance from the project site. b. Status of clearance from the	Sukhna Wildlife Sanctuary and City Bird Sanctuary are located at a distance of 5.6 km and 6.8 km respectively from the project location and application has been submitted for NBWL clearance.

	National Board for Wild Life (NBWL).																																						
9.	Classification / Land use pattern as per Master Plan	Residential zone as per the Master plan of Mullanpur. CLU was obtained for 131.55 acres of land and later on, additional CLU of 60.909 acres has been obtained																																					
10.	Cost of the project	Rs. 914.20 Crores																																					
11.	Total Plot Area, Built-up Area, and Green area	The details of the project are as under: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr. No.</th> <th style="width: 60%;">Description</th> <th style="width: 30%;">Area</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Plot area (Total scheme area)</td> <td>6,11,439.536 m² (or 151.09 acres)</td> </tr> <tr> <td>2.</td> <td>Built-up area</td> <td>8,53,320.49 m²</td> </tr> <tr> <td>3.</td> <td>Green area</td> <td>34,034.0625 m²</td> </tr> </tbody> </table>	Sr. No.	Description	Area	1.	Plot area (Total scheme area)	6,11,439.536 m ² (or 151.09 acres)	2.	Built-up area	8,53,320.49 m ²	3.	Green area	34,034.0625 m ²																									
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11 a	EC fee details	Rs 213330/- Vide R. No 4365 dated 03.10.2019 submitted through DD No 040438 dated 07.09.2019																																					
12.	Population (when fully operational)	Estimated population:21,200 Persons.																																					
13.	Water Requirements&source in Construction Phase	20KLD of water will be required during the construction phase which will be met by Private water tankers.																																					
14.	Breakup of Water Requirements &source in Operation Phase (Summer, Rainy, Winter):																																						
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15.	Treatment & Disposal arrangements of wastewater in Construction Phase	Mobile STP of capacity of 10 KLD Treated water from mobile STP will be 8 KLD out of which 3 KLD will be used for dust suppression and 5 KLD will be used for the																																					

		green area of 506 sqm																
16.	Disposal Arrangement of Wastewater in Operation Phase	<p>Total wastewater generation will be 2,598 KLD which will be treated in proposed STP of 3 MLD based on MBBR technology to be installed within project premises. The details of the breakup of the utilization of wastewater is as under:-</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Season</th> <th>Flushing (KLD)</th> <th>Green area (KLD)</th> <th>MC Sewer (KLD)</th> </tr> </thead> <tbody> <tr> <td>Summer</td> <td>924</td> <td>187</td> <td>1,243</td> </tr> <tr> <td>Winter</td> <td>924</td> <td>61</td> <td>1,369</td> </tr> <tr> <td>Monsoon</td> <td>924</td> <td>17</td> <td>1,137</td> </tr> </tbody> </table>	Season	Flushing (KLD)	Green area (KLD)	MC Sewer (KLD)	Summer	924	187	1,243	Winter	924	61	1,369	Monsoon	924	17	1,137
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17.	Rainwater recharging detail	16,467 m ³ /hr of rainwater will be collected in 132 no. of recharging pits with 172 overall bores which will be provided.																
18.	Solid waste generation and its disposal	<p>a) 8,279 kg/day b) Solid waste will be duly segregated (at source by providing bins) into recyclable, Bio-degradable Components and non-bio-degradable. c) 3,725 kg/day of Bio-degradable will be processed by 4 Mechanical composters of size 1000 kg each. d) 4,387 kg/day recyclable waste will be sold to authorized recyclers. e) Inert waste will be dumped to a designated dumping site</p>																
19.	Hazardous Waste&E- Waste	<p>Used oil from DG sets will be sold to registered recyclers.</p> <p>E-waste will be disposed of as per the E-waste(Management) Amendment Rules 2018.</p>																
20.	Energy Requirements & Saving	<p>a) 11,888 KW from PSPCL. b) 2 x 62.5 KVA capacity each (silent DG sets)</p> <p><u>Energy-saving measures:</u> a) LEDs will be used in place of CFL b) Solar lights will be used for lighting the streets</p>																
21.	CER activities along with budgetary break-up and responsibility to implement Mr. Tarinder Singh will be responsible for the implementation of the CSR activities. The																	

estimated cost of the project is Rs. 914.20 Crores; out of which; Rs. 514.29 Crores have been incurred till 31.03.2019. Thus, Rs. 2 Crores (@ 0.50% of remaining cost i.e. Rs. 399.91) is required for C.E.R activities as per Office Memorandum vide F. No. 22-65/ 2017-IA.III dated 01.05.2018. However, Rs. 1 Crore has been spent on CSR. The following activities have been proposed to be covered under CER

S.No.	CER Activities	Fund allocated (Lakhs)	Time schedule	
			Start	Completed
1.	Maintenance of School Building, Construction of Toilets, and Installation of RO system at Govt. Senior Secondary School, Mullanpur Garibdass.	85	After Grant of EC	7 Years
2.	Adoption of pond in Village Mastgarh	30	After Grant of EC	7 Years
3.	Installation of solar lights in Villages of Mastgarh and Mullanpur Garibdass	15	After Grant of EC	7 Years
4.	Health Facilities like provision of ambulance, wheelchairs and health checkup camps in nearby villages	50	After Grant of EC	7 Years
5.	Promoting tree plantation & maintenance in nearby surrounding areas	20	After Grant of EC	7 Years
	Total	200		

SEAC raised following queries to the project proponent and the project proponent replied as under:

Sr. No.	Observations	Reply submitted by the project proponent
1.	What is the present construction status?	Construction work on about 50 plots is undergoing. The said plots are part of the project for which previous Environmental Clearance was obtained.
2.	Whether any proposal has been made regarding the Environmental Management Plan?	The same will be submitted at the time of application for obtaining Environmental Clearance.

SEAC took a copy of the presentation given by the project proponent and his environmental consultant on record.

3.0 Recommendations of SEAC

After detailed deliberations, SEAC decided to recommend SEIAA as under:

1) To issue Terms of References (ToRs) for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for the establishment of Mega Residential Project "The Palm" located at Villages Mullanpur Garibdas, Dhanauran & Mastgarh, New Chandigarh, Mohali, S.A.S Nagar, Punjab as per the Annexure-II of the proceedings of SEAC and additional TORs as under:-

28) Submit the layout plan of the project after making the provision of 15m green belt of the broadleaf trees towards the brick kiln (M/s Dilbagh Brick kiln), in compliance with Govt. Notification dated 25.07.2008 as amended on 30.10.2009.

2) Northern Regional Office, MoEF Chandigarh be requested to send compliance report of the conditions of Environmental Clearance granted to the project proponent earlier in compliance to the OM dated 07.09.2017

4.0 Deliberations during 163rd meeting of SEIAA held on 29.05.2020

The meeting was attended by the following through online video conference:

- i) Sh. S.K Talwar, Manager of the promotor company
- ii) Dr. Sandeep Garg, EIA Coordinator, M/s ECO Laboratories & Consultants Pvt. Ltd.

SEIAA perused the report sent by Environmental Engineer vide letter no. 1235 dated 19.02.2020 and observed that as per the said report 50 plots owned by individuals were either under construction or had been constructed. Also, 34 plots having G+2 configuration were being constructed by the promoter company. As per the report, all of this construction had taken place in the land for which the earlier layout plan was approved. In the land added by the promoter company, no construction activity was started and only the boundary wall was constructed in a few plots.

SEIAA observed that project was never accorded Environmental Clearance in the past and the construction had already been carried out at various location within the existing project site and MoEF&CC, New Delhi vide letter dated 25.03.2019 had clarified that as on date, projects with a land area less than 50 ha but built-up area more than 20,000 sqm may be appraised as per the provisions of schedule 8(a) of the EIA notification,2006 as amended from time to time. As such, why the project is not to be considered a violation case.

In reply, the project proponent submitted as under: -

- i) Initially, CLU was obtained vide memo no 1151 CTP (Pb) SP-432 (M) dated 25.03.2015 for an area of 112.04 acres and vide Memo No. 1142 CTP (PB) SP-432(M) dated 25.03.2015 for an area of 19.51 acres i.e total area 131.55 acres of land; out of which, the net planned area was 118.04 acres (or 47.77 Ha),

which was less than 50 Ha for which EC is not applicable. Subsequently, Consent to Establish was obtained from PPCB for net planned area of 118.04 acres comprising of 11 nos. of Public Buildings, Plots @ 862 nos., Commercial area 2.04 acres and EWS 6.84 acres vide application No. 2971554 dated 30.11.2015. CTE extension was granted for the project vide Certificate no. CTE/Ext/SAS/2017/5075196 valid till 29.11.2017

- ii) Later on, CLU was obtained vide Memo No. 1027 CTP(PB) SP-432(M) dated 15.03.2017 for additional 60.909 acres of land. Also, CTE for expansion was obtained for a total area of 192.459 acres for development work including construction of 34 Residential plots having a built-up area of 17,301.84 sqm vide Certificate No. CTE/Exp/SAS/2018/7069127 dated 23.05.2018 valid up to 31.03.2020 and further extended up to 30.6.2020.
- iii) He submitted a letter no 2515 dated 03.06.2016 issued by SEIAA and informed that SEIAA had already accepted their request regarding the withdrawal of Environmental Clearance application for the Area Development Project "The Palms" (Proposal No. SIA/PB/NCP/3715/2015) subject to the special condition that the project shall apply afresh for obtaining environmental clearance under EIA Notification 14.09.2006 If, the plot area is though less than 50 hectares but the total built-up area of individual houses/projects combined together based on permissible ground coverage and FAR exceeds the threshold limit of 1.5 lacs sqm on the project site. A copy of the said letter submitted by the project proponent was taken on record.
- iv) Now, the overall project has a net planned area of 139.20 acres (or 56.33 Ha) which is more than 50 ha, thus, the project falls under Schedule 8(b) Category 'B1' and requires EIA study as per EIA Notification, 2006 and its amendments

SEIAA was not satisfied with the reply of the project proponent. NOC granted by the PPCB is subject to the condition that the promoter shall immediately stop construction activities in the township and restart only after obtaining environmental clearance under the provision of the EIA Notification dated 14.09.2006.

SEIAA observed that the issue of the violation of the existing project is required to be properly examined by the SEAC in light of the report sent by the PPCB, latest clarification given by the MOEF&CC on 25.03.2019 and reply submitted by the Project proponent.

After deliberations, SEIAA decided to remand the case to SEAC for examining in light of the aforesaid observation.

5.0 Deliberations during 190th meeting of SEIAA held on 27.06.2020

The case was considered by SEAC in its 190th meeting held on 27.06.2020 through video conference and was attended by the following:

1. Sh. S.K Talwar, Manager of the promoter company.
2. Sh. Sandeep Garg, EIA Co-ordinator, M/s Eco Laboratories & Consultants Pvt. Ltd.

SEAC was apprised that earlier the project proponent had applied for obtaining environmental clearance for its project vide proposal no. SIA/PB/NCP/3715/2015. However, at that time the project proponent requested the SEIAA for withdrawal of the said application.

The contention of the project proponent at the time of withdrawal of the older application was that the total plot area of the project was less than 50 hectares and built-up area less than 150000 sqm. Therefore, the project does not fall in the category of 8(b) i.e. Township & Area Development Project and thus, the project did not require Environmental Clearance.

SEIAA in its 107th meeting held on 27.05.2016 observed that earlier SEIAA and SEAC in its 10th combined meeting had decided that all such projects whose plot area may be less than 50 hectares but the total built-up area of individual houses/projects though less than 20,000 sqm for a single project but the total built-up area based on permissible ground coverage and FAR exceeds the threshold limit of 1,50,000 sqm on the area development project site, then the said area development project is also covered under provisions of EIA Notification, 2006.

In light of the said fact, after deliberations, SEIAA decided to allow the project proponent to withdraw his application for obtaining environmental clearance under EIA notification, 2006 for area development project namely "The Palms" in the revenue estate of Village Mullanpur Garibdas, Dhanauran & Mastgarh, Distt. SAS Nagar **subject to a special condition that the project proponent shall apply afresh for obtaining environmental clearance under EIA notification, 2006 if, the plot area is though less than 50 hectares but the total built-up area of individual houses/projects combined together based on permissible ground coverage and FAR exceeds the threshold limit of 1,50,000 sqm on the project site.**

Accordingly, the said application submitted by the project proponent was treated as withdrawn vide letter no. 2515 dated 03.06.2016.

SEAC was apprised that a clarification was received from the MoEF&CC vide letter no.22-8/2019-IA-III dated 25.03.2019, wherein it was clarified that as on date, projects with a land area less than 50 ha but built-up area more than 20,000 sqm may be appraised as per the provisions of schedule 8(a) of the EIA notification,2006 as amended from time to time.

SEAC was further apprised that the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Mohali vide letter no. 1235 dated 19.02.2020 had submitted the latest construction status of the project as under:

1. PPCB had granted NOC to the project proponent vide letter no. CTE/Exp/SAS/2018/7069127 dated 23.05.2018 valid up to 31.03.2020 for an area of 192.459 acres (net planned area 118.04 acre) having 862 residential plots, 11 public building, EWS flats in an area of 6.84 acre and commercial area of 2.04 acre subject to one of the conditions that the promoter shall immediately stop construction activities in the township and restart only after obtaining environmental clearance under the provision of the EIA Notification dated 14.09.2006.
2. About 50 plots owned by individuals were either under construction or had been constructed. Further, 34 plots having G+2 configurations were being constructed by the promoter company. However, all of this construction had taken place in the land for which the earlier layout plan was approved. In the land added by the promoter company, no construction activity had been started and only the boundary wall had been constructed in few plots.

SEAC observed the following observations: -

- i) As per MoEF Clarification dated 25.03.2019, projects with land area less than 50 ha but the built-up area and more than 20,000 sqm may be appraised as per the provisions of schedule 8(a) of the EIA notification, 2006 as amended from time to time.
- ii) The promoter company was granted NOC by the PPCB subject to the condition that he will stop the construction and restart only after obtaining environmental clearance under the provision of the EIA Notification dated 14.09.2006.
- iii) As per NOC granted by the Board, the promoter company was required to obtain Environmental Clearance for the project. Further, it was also clear that the project proponent was carrying out construction activities at the time of the grant of NOC by the PPCB.
- iv) The project proponent had carried out a significant amount of construction at the site without obtaining prior Environmental Clearance.

In view of the above facts, SEAC observed that the case falls in the category of a violation case. However, before arriving at the conclusion, SEAC felt that the project proponent be asked to submit the following information within 15 days: -

- i) Details of the application submitted for obtaining the Environmental Clearance having proposal no. SIA/PB/NCP/3715/2015 mentioning total land area & built-up area of all the proposed units considering the FAR allowed to the project.

- ii) Details of the application submitted for the Environmental Clearance having proposal no. SIA/PB/NCP/34917/2019 mentioning the total land area & built-up area of all the proposed units considering the FAR allowed to the project.
- iii) Submit the comparison between the aforesaid projects.
- iv) Explain why the project proponent had not applied for obtaining Environmental Clearance after withdrawal of proposal no. SIA/PB/NCP/3715/2015.
- v) Clarify that how the existing project as well as proposed expansion project is not in violation of the EIA Notification 14.09.2006 considering the FAR allowed to the project, in view of the clarification received from MoEF vide their letter dated 25.03.2019 stating that projects with a land area less than 50 ha but built-up area more than 20,000 sqm may be appraised as per the provisions of schedule 8(a) of the EIA notification, 2006 as amended from time to time.

6.0 Recommendation of SEAC

After detailed deliberations, SEAC decided to defer the case and ask the project proponent to submit the reply to the aforesaid observations.

Item No. 190.05: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for the expansion of group housing project namely "Hero Homes" located at Sector 88, SAS Nagar, Mohali (Punjab) by M/s Hero Realty Pvt. Ltd. (Proposal No. SIA/PB/NCP/42719 /2018).

SEIAA observed that:

1.0 Background

The project proponent was issued Terms of References (TORs) for obtaining Environmental Clearance under the EIA Notification dated 14.09.2006 for the expansion of group housing project namely "Hero Homes" located at Sector 88, SAS Nagar, Mohali (Punjab) vide letter no 735-737 dated 22/08/2019.

Further Northern Regional Office, MOEF&CC, Chandigarh was requested vide letter no 738-739 dated 22/08/2019 to re-verify the action taken report of the compliances made by the Project Proponent w.r.t. the earlier observations raised by it and send the report within one month. No report was received from the Northern Regional Office of MoEF&CC till 20/09/2019. Further, in compliance to the decision taken in case of non-receipt of the report from the Northern Regional Office of MoEF&CC, Regional Office of PPCB, Mohali has also been requested vide letter no 901 dated 01.10.2019 asked to re-verify the compliance of the aforesaid observations and send the report as per MoEF& CC circular dated 07.09.2017.

Essential details were sought from the project proponent online on 21.12.2019 and 16.01.2020 to which he replied on 26.12.2019 and 18.01.2020, respectively

The project proponent submitted the revised EIA report on 18.01.2020.

The project proponent has also deposited EC fee amounting to Rs 2,70,220/- vide DD No. 541652/- dated 23.09.2019 as per the Govt. order dated 27.06.2019. The project proponent has also submitted the report issued by the MoEF& CC vide letter no 357 dated 11.11.2019 regarding the re-verification of compliances made by him w.r.t the earlier observation raised in certified monitoring report dated 01.02.2019 and copy of the same was enclosed as Annexure of the instant agenda.

1.1 Deliberation during 187th meeting held on 26.02.2020

The case was considered by SEAC in its 187th meeting held on 26.02.2020 and was attended by the following on behalf of the project proponent:

- i) Sh.Sandeep Sehgal, V.P. (Projects) on behalf of the promoter company.
- ii) Ms. Sadhna Singh, M/s GRC India Pvt. Ltd.

To a query of SEAC regarding the action taken report on the non-compliance of the condition of the earlier granted environmental clearance to it, the project proponent presented the compliance of all the observations raised by MOEF& CC. SEAC observed that the project proponent has now complied with the said observations. The project proponent has carried out the monitoring of PM_{2.5}, PM₁₀, and CO and observed that analysis results of said parameter in the study of May 2019 are within permissible limit except the concentration of PM_{2.5} at 02 locations for which he suggested mitigation measures to be taken during the construction phase. SEAC was satisfied the same.

Thereafter, SEAC allowed the Project proponent to present the salient features of the project and the Environmental Consultant of the same presented as under:

S.No.	Item	Details															
1.	Online Proposal No.	SIA/PB/NCP/29524/2018															
2.	Name and Location of the project	Expansion of group housing project namely "Hero Homes" located at Sector 88, SAS Nagar, Mohali (Punjab) by M/s Hero Realty Pvt. Ltd.															
3.	Latitude & Longitude	Corners Coordinates: <table border="1" data-bbox="737 877 1365 1073"> <thead> <tr> <th>Corner</th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td>Corner-A</td> <td>30°41'20.98"N</td> <td>76°41'32.63"E</td> </tr> <tr> <td>Corner-B</td> <td>30°41'17.29"N</td> <td>76°41'27.02"E</td> </tr> <tr> <td>Corner-C</td> <td>30°41'7.02"N</td> <td>76°41'35.80"E</td> </tr> <tr> <td>Corner-D</td> <td>30°41'10.62"N</td> <td>76°41'41.36"E</td> </tr> </tbody> </table>	Corner	Latitude	Longitude	Corner-A	30°41'20.98"N	76°41'32.63"E	Corner-B	30°41'17.29"N	76°41'27.02"E	Corner-C	30°41'7.02"N	76°41'35.80"E	Corner-D	30°41'10.62"N	76°41'41.36"E
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4.	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	The project falls under Sr .No. 8(b) Township & Area Development Projects.															
5.	Whether the project is in critical polluted area or not.	The project does not fall in the critically polluted area. General condition does not apply to Construction projects.															
6.	Does the project involve the diversion of forest land?	No. Project does not involve any diversion of forest land.															
7.	a) Does the project covered under PLPA, 1900, if No but located near to the PLPA area then the project proponent is required to submit NOC from the concerned DFO to the effect that project area does not fall under the provision of PLPA Act,1900.	The project is not covered under PLPA, 1900.															
8.	If the project falls within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary. If yes, a.Name of eco-sensitive area/ National park/Wild Life Sanctuary and distance from the project site.	City Bird Sanctuary – 8.75 KM – ENE Direction The Eco-sensitive Zone varies from 80 to 125 meters from the City Bird Sanctuary comprising an area of 12.0 hectares approximately															

	b. Status of clearance from the National Board for Wild Life (NBWL).	Not Required																											
9.	Classification/Land use pattern as per Master Plan	Residential zone as per the Master plan of SAS Nagar.																											
10.	Cost of the project	Rs. 233 Crores																											
11.	Total Plot Area, Built-up Area, and Green area	The details of the project are as under:																											
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12.	Population (when fully operational)	Estimated population: 12,180 Persons.																											
		Residents	6905																										
		Visitors	690																										
		Staff	110																										
		Community Building:																											
		Visitors	4351																										
		Convenient Shopping:																											
		Visitors	124																										
13.	Water Requirements & source in Construction Phase	Breakup of Water Requirements & source in Operation Phase (Summer, Rainy, Winter):																											
		The total water requirement for the project after expansion will be 1139 KLD; out of which freshwater requirement will be 680 KLD. Break-up of the same is given below:																											
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			demand (Summer Season)															
		4 (b)	Green area water demand (Winter Season)	34		GMADA's STP												
		4 (c)	Green area water demand (Rainy Season)	10		GMADA's STP												
14.	Breakup of Water Requirements & source in Operation Phase (Summer, Rainy, Winter):																	
	S.No.	Season	Freshwater		Reuse water		Total (KLD)											
			Domestic (KLD)	Others	Flushing (KLD)	Green area (KLD)	HVAC (KLD)											
	1.	Summer	680	-	365	94	-	1139										
	2.	Winter	680	-	365	34	-	1079										
	3.	Rainy	680	-	365	10	-	1055										
	S.No.	Description			Source of water													
	1.	Domestic			GMADA													
	2.	Others			-													
	3.	Flushing purposes			Treated waste water													
	4.	Green area			Treated waste water													
	5.	HVAC			-													
15.	Treatment & Disposal arrangements of waste water in Construction Phase	Wastewater generated will be treated in the STP of GMADA.																
16.	Disposal Arrangement of Waste water in Operation Phase	<p>A total of 885 KLD wastewater will be generated, which will be discharged into GMADA sewer and the same will be treated in STP of GMADA.</p> <p>The details of treated waste water collected from STP of GMADA for flushing and horticulture purpose is as under:-</p> <table border="1"> <thead> <tr> <th>Season</th> <th>Flushing(KLD)</th> <th>Green area (KLD)</th> </tr> </thead> <tbody> <tr> <td>Summer</td> <td>365</td> <td>94</td> </tr> <tr> <td>Winter</td> <td>365</td> <td>34</td> </tr> <tr> <td>Monsoon</td> <td>365</td> <td>10</td> </tr> </tbody> </table>					Season	Flushing(KLD)	Green area (KLD)	Summer	365	94	Winter	365	34	Monsoon	365	10
Season	Flushing(KLD)	Green area (KLD)																
Summer	365	94																
Winter	365	34																
Monsoon	365	10																
17.	Rain water recharging detail	2,047.5 m ³ /hr rain water will be collected in 11 no. of Rain water recharging pits.																
18.	Solid waste generation and its disposal	<p>a) 4,256 kg/day</p> <p>b) Solid wastes will be appropriately segregated (at source by providing bins) into recyclable, Bio-degradable Components and non-biodegradable.</p>																

		<p>c) Separate areas will be earmarked for the segregation of solid waste. d) Bio-degradable waste will be composted by the use of Organic Waste Converter. e) Recyclable waste will be sold to recyclers.</p>																		
19.	Hazardous Waste & E-Waste	<p>Used oil from DG sets will be stored in HDPE drums in the isolated covered facility and will be disposed of as per the Hazardous Waste (Management & Transboundary Movement) Rules, 2016. E-waste will be disposed off as per the E-waste (Management) Amendment Rules 2018.</p>																		
20.	Energy Requirements & Saving	<p>The details of the energy are given below and the source will be PSPCL.</p> <table border="1"> <thead> <tr> <th>S. No.</th> <th>Description</th> <th>Existing</th> <th>After expansion</th> <th>Total (Existing + Expansion)</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Power load</td> <td>5550 kVA</td> <td>2313.12 kVA</td> <td>7863.12 kVA</td> </tr> <tr> <td>2.</td> <td>D.G sets</td> <td>3 DG sets (1* 500 kVA+1 *1000 KVA +1*1500 kVA)</td> <td>3 DG sets (1*500 kVA+ 2*1000 kVA)</td> <td>6 DG sets of combined capacity 5500 kVA(3*1000 kVA + 1*1500 kVA + 2*500 kVA)</td> </tr> </tbody> </table> <p>Energy-saving measures for expansion phase: i) 23.98 % energy will be saved by the use of LEDs in place of GLS lamp. 2.64 % energy will be saved by the use of Solar power plant.</p>				S. No.	Description	Existing	After expansion	Total (Existing + Expansion)	1.	Power load	5550 kVA	2313.12 kVA	7863.12 kVA	2.	D.G sets	3 DG sets (1* 500 kVA+1 *1000 KVA +1*1500 kVA)	3 DG sets (1*500 kVA+ 2*1000 kVA)	6 DG sets of combined capacity 5500 kVA(3*1000 kVA + 1*1500 kVA + 2*500 kVA)
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21.	Environment Management Plan along with Budgetary break-up phase-wise and responsibility to implement	<table border="1"> <thead> <tr> <th>Description</th> <th>Capital cost (lakhs)</th> <th>Recurring cost (lakhs)</th> <th colspan="2">Monitoring of Air, Noise, water (per annum) (lakhs)</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>30.5</td> <td>7.62</td> <td colspan="2">7.0</td> </tr> <tr> <td>Operation</td> <td>68.0</td> <td>27.7</td> <td colspan="2">9.0</td> </tr> </tbody> </table>				Description	Capital cost (lakhs)	Recurring cost (lakhs)	Monitoring of Air, Noise, water (per annum) (lakhs)		Construction	30.5	7.62	7.0		Operation	68.0	27.7	9.0	
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22.	<p>CER activities along with budgetary break-up and responsibility to implement</p> <p>Sandeep Sehgal (VP-Project) of the promoter company will be responsible for the implementation CER Activities. An amount of Rs. 174.75 Lacs [@ 0.75 % of total project cost for Expansion] will be earmarked under Corporate Environment Responsibility (CER) for the following activities:</p>																			

S.No.	CER Activities	Year-wise Implementation budget in Lacs (INR)			Total budget in Lacs (INR)
		1 st year	2 nd year	3 rd year	
	• Electrification	6.99	15.73	19.22	41.94
	• Rain water Harvesting	1.75	3.48	5.24	10.47
	• Avenue Plantation	13.98	18.35	26.22	58.55
	• Drinking Water Supply	6.99	11.36	13.11	31.46
	• Sanitation & Health Education	8.74	12.23	11.36	32.33
		Total			174.75

SEAC raised following queries to the project proponent and the project proponent replied as under:

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
i)	What is the proposal for the project proponent for installing the STP?	<p>The project proponent informed that allotment letter indicates that water & sewerage connection will be provided by GMADA.</p> <p>GMADA shall provide domestic water connection and the tertiary effluent to the allottee for use in flushing & gardening purposes.</p> <p>The allottee shall be entitled to the sewer & stormwater connection in the main sewer & storm network developed by GMADA.</p> <p>Thus, the project proponent is not required to install its own STP.</p>
ii)	The project proponent is required to submit revised no. of rainwater harvesting pits along with calculations of the same.	The project proponent submitted the revised calculations for the collection of the rain water harvesting pits, which was taken on record by the SEAC. As per the said calculations, total Runoff in Cum/hr is 1487279.66, and a total of 19 pits will be provided by the project proponent.

iii)	Submit Revised CER as per OM dated 01.05.2018	Revised CER submitted by the project proponent is as under: -					
S.No.	CER Activities	Year-wise implementation budget in Lacs (INR)					Fund allocated (Lakhs)
		1 st year	2 nd year	3 rd year	4 th year	5 th year	
	• Electrification	3.75	3.75	3.75	3.74	3.74	18.73
	• Rain water Harvesting	2.09	2.09	2.09	2.09	2.09	10.47
	• Avenue Plantation	4.05	4.05	4.05	4.05	4.05	20.25
	• Drinking Water Supply	2.00	2.00	2.00	2.00	2.00	10.00
	• Sanitation & Health Education	3.06	3.06	3.06	3.06	3.06	15.30
	• Development of 4 ponds in nearby villages		25.0	25.0	25.0	25.0	100.0
	Total	14.95	34.95	34.95	34.94	34.94	174.75

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendations

After detailed deliberations, SEAC decided to award 'Silver Grading' to the project proposal and to forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for expansion of the project namely "Hero Homes" having built-up area 2,70,219.69 sqm (after Expansion) in a total land area of 74826.2565 sqm located at Sector 88, SAS Nagar, Mohali (Punjab), as per the details mentioned in the Form 1, 1A, EMP & subsequent presentation /clarifications made by the project proponent and his consultant with, proposed measures, conditions prescribed in Annexure-I of the proceedings of SEAC subject to following additions amendments and deletions and special conditions given as under:-

Conditions to be added in the Annexure-I as under :

Condition no. xxiv) of III. Water quality monitoring and preservation

- xxiv) The wastewater generated from swimming pool(s) shall not be discharged and the same shall be reused within the premises for purposes such as horticulture, HVAC, etc.

Conditions to be amended in the Annexure-I as under: -

Condition no. iv), v-a) & xv) of III. Water quality monitoring and preservation

- iv) The total water requirement for the project will be 1139 KL/day, out of which fresh water demand of 680 KL /day shall be met through GMADA supply and remaining through recycling of treated waste water from the STP of GMADA. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
- v) a)The total wastewater generation from the project will be 885 KL/day, which will be treated in STP provided by GMADA outside the project premises. As proposed, reuse of treated wastewater obtained from GMADA STP shall be as under:-

Sr. No.	Season	For Flushing purposes (KLD)	Green Area (KLD)
1.	Summer	365	94
2.	Winter	365	34
3.	Rainy	365	10

- xxv) The CGWA provisions on rain water harvesting should be followed. A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built-up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. As per the proposal submitted by the project proponent 19 no. rain water harvesting recharge pits /storage tanks shall be provided for ground water recharging as per the CGWB norms. The ground water shall not be withdrawn without approval from the Competent Authority.

X. Condition no. i) & iv) of X Corporate Environment Responsibility

- i) The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as

applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least a minimum amount of Rs.174.75 Lacs [@ 0.75% of total project cost for expansion towards following CER activities. The details are given below: -

S. No	CER Activities	Year-wise implementation budget in Lacs (INR)					Fund allocated (Lakhs)
		1 st year	2 nd year	3 rd year	4 th year	5 th year	
i)	Electrification	3.75	3.75	3.75	3.74	3.74	18.73
ii)	Rain water Harvesting	2.09	2.09	2.09	2.09	2.09	10.47
iii)	Avenue Plantation	4.05	4.05	4.05	4.05	4.05	20.25
iv)	Drinking Water Supply	2.00	2.00	2.00	2.00	2.00	10.00
v)	Sanitation & Health Education	3.06	3.06	3.06	3.06	3.06	15.30
vi)	Development of 4 ponds in nearby villages		25.0	25.0	25.0	25.0	100.0
	Total	14.95	34.95	34.95	34.94	34.94	174.75

- iv) Action plan for implementing EMP and environmental conditions along with the responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year-wise funds earmarked for environmental protection measures shall be kept in separate accounts and not to be diverted for any other purpose. The project proponent shall spend the minimum amount of Rs 30.5 Lacs towards the capital cost and Rs 14.62 Lacs/annum towards recurring cost in the construction phase of the project including the environmental monitoring cost and shall spend the minimum amount of Rs 68.0 Lacs/annum towards the capital cost and Rs 36.7 lacs/year towards recurring cost in operation phase of the project including the environmental monitoring cost. The entire cost of the environmental management plan will continue to be borne by the project proponent until the responsibility of the environmental management plan is transferred to the occupier/residents society under proper MOU under intimation to SEIAA, Punjab. Year-wise progress of implementation of the action plan shall be reported to the Ministry/Regional Office along with the Six-monthly Compliance Report.

4.0 Deliberations during 163rd meeting of SEIAA held on 29.05.2020

The meeting was attended by the following through online video conference :

- i) Sh.Sandeep Sehgal, V.P. (Projects) on behalf of the promoter company.
- ii) Ms. Sadhna Singh, M/s GRC India Pvt. Ltd.

Before allowing the presentation, SEIAA queried the project proponent regarding the compliance of additional TOR no 2 and requirement of installation of adequate & appropriate individual sewage treatment plant as it is mandatory as per the direction passed by the Hon'ble NGT on 24.07.2017 in CA No. 199 of 2014 titled as Almitra H. Patel & Anr. Vs. Union of India & Ors. & Kudrat Sandhu Vs. Govt. of NCT & Ors and office order no. 315 dated 05.07.2018 issued by Punjab Pollution Control Board. The relevant part of the both the orders is reproduced as under:-

i) Order passed by Hon'ble NGT on 24.04.2017

"Therefore, we hereby direct that no plans for the building of constitution over 10,000 Sqm area which will cover for construction of any commercial, industrial and even residential area would be sanctioned by any legal authority in the entire country unless such sanction plan duly provided for setting up of an STP which shall bring sewage and domestic discharge within the prescribed parameters. "

ii) Order passed by Punjab Pollution Control Board on 05.07.2018

- a) If the residential colony/commercial complex/construction project is proposed to be established within the municipal limits of a City/Town of the State and it proposes to discharge its entire sewage into the municipal sewer, then the promoter of the residential colony shall install adequate and appropriate individual sewage treatment plant. The project proponent shall make arrangements to re-use the treated effluent for flushing purposes and/or for watering of green areas in the project premises. Only the surplus treated wastewater shall be discharged into the MC sewer.
- b) If the residential colony/commercial complex/construction project is proposed to be established outside the municipal limits of a City/Town of the State or jurisdiction of any other development authority, then the individual colonizer shall provide adequate and appropriate STP to treat its wastewater and shall make arrangements to reuse the treated wastewater for flushing purposes and to discharge the remaining treated effluent onto land for plantation/irrigation purposes.

In response, the project proponent replied as under:-

- i) The site no. 1 for GH was allotted to M/s Hero Realty Pvt. Ltd. through an auction process as a developed land parcel of 18.49 acres vide letter no. 31342

dated 03 .08.2015 for a total consideration of Rs.181.00 crores including all developmental charges.

- ii) They had paid all the dues to GMADA towards the cost of the land parcel which includes all the development charges for the necessary external infra required to be developed by GMADA.
- iii) As per the allotment condition no v and sub condition xi & xii, GMADA shall provide the tertiary treated effluent to the allottee for use in the flushing and gardening purposes. Also, the allottee shall be entitled for sewer and stormwater connection in the main sewer and storm network developed by GMADA.
- iv) They did not need to develop STP within their premises because all costs towards setting up individual STP were inbuilt in the cost of the said plot.
- v) As submitted, they had already paid all necessary dues to GMADA and now they are not in a position for any further expenditure towards infra development i.e. installation of STP.
- vi) It is requested to consider their request & recommendation of SEAC and grant environmental clearance for the expansion of the group housing project "HERO HOMES "at sector-88, SAS Nagar, Mohali.

A copy of the reply submitted by the project proponent was taken on record by SEIAA.

SEIAA was not satisfied with the reply of the project proponent in view of directions passed by Hon'ble NGT in OA no. 199 of 2014 titled as Almitra H. Patel &Anr. Vs. Union of India &Ors. & Kudrat Sandhu Vs. Govt. of NCT & Ors, on 24.04.2017, order passed by Punjab Pollution Control Board on 05.07.2018 and compliance of Additional TOR no 2.

After detailed deliberations, SEIAA decided to remand the case to SEAC for examining the above issue in the light of aforesaid observations.

5.0 Deliberations during 190th meeting of SEAC held on 27.06.2020

The case was considered by SEAC in its 190th meeting held on 27.06.2020 through video conference. SEAC went through the observations forwarded by the SEIAA in its 163rd meeting held on 29.05.2020.

Committee perused that the observations of SEIAA are relating to the requirement of installation of STP by the project proponent in light of direction passed by the Hon'ble NGT on 24.07.2017 in CA No. 199 of 2014 titled as Almitra H. Patel & Anr. Vs. Union

of India & Ors. & Kudrat Sandhu Vs. Govt. of NCT & Ors and PPCB office order no. 315 dated 05.07.2018.

SEAC also perused the allotment letter issued by GMADA to the project proponent vide Memo No. 31342 dated 03.08.2015. The Committee observed that the relevant condition imposed therein as under:

- i) GMADA shall provide domestic water connection and the tertiary treated effluent to the allottee or use in flushing & gardening purposes. The allottee shall ensure the installation of Dual piping system in the apartments for this purpose subject to inspection by JE before issuance of Occupation Certificate.
- ii) The allottee shall be entitled for the Sewer & storm water connection in the main Sewer and Storm network developed by GMADA.

Further, GMADA was granted Environmental Clearance vide letter no. SEIAA/2016/3404 dated 27.09.2016 for area development project in Sector- 88, 89, SAS Nagar, Distt. Mohali in an area of 15,90,414.574 sqm (393 acres) and having built-up area as 3,75,255.36 sqm in Sector- 88,89 Distt. SAS Nagar (Mohali), Punjab, subject to one of the conditions that the total wastewater generation from the project (3.68 MLD) will be treated in STP of capacity 10 MLD.

The proposed project of "Hero Homes" is now part of that GMADA project for which the waste water generation and treatment had already been considered and approved at the time of granting the Environmental Clearance to the GMADA Project. Therefore, the need for providing separate STP by "Hero Homes" and then putting the treated waste water into the GMADA sewer carrying untreated waste water does not seem to be justified.

Hon'ble NGT vide order dated 24.04.2017 emphasized the provision of setting up of an STP for the building of the constitution over 10,000 Sqm area. GMADA will treat the wastewater generated from the Group Housing Project namely "Hero Homes" and supply the tertiary treated wastewater for flushing & gardening purposes. Thus, the order of the NGT has been complied with.

SEAC was the view of that PPCB order No 2728 dated 12.04.2019 is not binding on it as the objective of treating the wastewater and reusing the same to the maximum extent has been achieved.

6.0 Recommendation of SEAC

After detailed deliberations, SEAC decided that the case may be forwarded to SEIAA with the same recommendations as proposed earlier in its 187th meeting held on 26.02.2020.