

State Environment Impact Assessment Authority (SEIAA),
Haryana

Minutes of 159th Meeting of State Environment Impact Assessment Authority (SEIAA), Haryana, held on 15.06.2023, under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, SEIAA, Haryana at Bay's No. 55-58, 1st Floor, Paryatan Bhawan, Sector-2, Panchkula, Haryana.

List of Participants

1. **Prof. R. Baskar,** **Expert Member, SEIAA**
FGGS School of Sciences.
IGNOU, Delhi

(Attended the 159th Meeting through “VC”)

2. **Shri Pardeep Kumar, IAS** **Member Secretary, SEIAA**
Director, Environment & Climate Change
Department, Haryana

At the outset, the Chairman, State Environment Impact Assessment Authority, Haryana (SEIAA), (hereinafter refer to as, The Authority), welcomed the Members and requested the Member Secretary to give a brief background of the Items, listed in the Agenda Note of **159th meeting, being held on 15.06.2023.**

**“Minutes of the 158th Meeting of SEIAA held on 02.06.2023 & 03.06.2023
“CONFIRMED” as part of the proceedings of 159th Meeting”.**

Agenda Items as listed in 159th Meeting of SEIAA were discussed and the following decisions were taken, as detailed below:

Item No. 159.01: Environment Clearance for Expansion of Residential Plotted Colony at Village Kabri, Faridpur, Ratipur and Mehmampur, Sector 36-39, Panipat, Haryana by M/s TDI Infratech Limited

1.	Proposal	<u>Grant of Expansion of EC dated 07.01.2008.</u>
2.	Project Proponent	<u>M/s TDI Infratech Limited</u>
3.	Location & Category of the Project	Village Kabri, Faridpur, Ratipur and Mehmampur, Sector 36-39, Panipat, Haryana 8(b)
4.	Project Cost	<u>₹ 152 Crore,</u> as per Form (I & IA).
5.	Project Consultant	M/s Perfect Enviro Solutions Pvt. Ltd.
6.	NABET, ACCREDITATION	(No. NABET/EIA/1922/SA 0143 Valid upto : 28-08-2023)

The said Proposal was submitted to the Authority, (SEIAA) vide online Proposal No. **SIA/HR/MIS/80813/2021 dated 16.07.2022** for Grant of Environmental Clearance (EC) under Category 8 (b) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ Rs. 2,00,000/- vide DD No. 980763 dated 27.05.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

The said case was taken up during 246th & 256th meetings of SEAC held on 22.08.2022 & 01.12.2022 and the Appraisal Committee (SEAC) made recommendations to the Authority for Grant of Environment Clearance for Expansion by incorporating & considering the **proposed changes in the Existing Environment Clearance dated 07.01.2008 for the Project.**

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the case was considered during 157th Meeting of SEIAA held on 11.05.2023, Project Proponent vide Email dated 10.05.2023 sought to defer the case for the next meeting. The Authority decided to consider the request of the Project Proponent accordingly.

Now, the matter was again taken up during 159th Meeting of SEIAA held on 15.06.2023.

After having gone through the details placed on file alongwith considering the recommendations of the Appraisal committee and perusal of Site Inspection Report of the Sub-committee, **besides hearing the submissions made by the Project Consultant on 15.06.2023, the Authority made the following observations:**

1. Proposal pertains to Expansion.
2. Out of the Total Plot Area 16,10,646.30 Sqmtrs (original) of the Project, now there is decrease of Area by 4,29,949.91 Sqmtr, whereas Built up area increasing to 266844.210 Sqmtrs, needs clarification.
3. The Project Proponent has applied for additional License from the Directorate of Town and Country Planning, Haryana vide License No. 121 of 2012 dated 13.12.2012 for an area of 27.918 acres and vide No. 05 of 2017 dated 07.02.2017 for an area of 42.415 acres which are stated to be pending with the concerned department. Therefore, without valid license & approved plans for the project, Proposal stands incomplete, at this stage.
4. 759 KLD of excess treated water is to be released into external sewer. Carrying capacity of sewer?
5. Haryana State Pollution Control Board has filed prosecution against the Project before the Environment Court (Proceedings pending) for violations & irregularities.
6. Clarity with regard to Occupation Certificate is required to be made by the Project Proponent before the Appraisal Committee.

In view of the above, the Authority after due deliberations, **decided to Refer Back the case to the Appraisal Committee (SEAC)** with the directions to re-look / examine all the observations listed above at Sr. No. 1 to 6, besides any other issue, related to Environment, which comes to the notice of the Appraisal Committee.

Accordingly, the case is referred back to SEAC.

Item No. 159.02: Environment Clearance for construction of Residential Plotted Colony measuring 97.773 Acres at Village Kasba Karnal, Sector-36, Karnal, Harana by M/s Ansal Housing & Construction Ltd.

The Project Proponent submitted the case for obtaining Environmental Clearance to the SEIAA, Haryana on 08.08.2014. The Terms of Reference were approved during 111th meeting of the SEAC held on 08.09.2014 and conveyed to the project proponent vide letter No. 1631 dated 12.09.2014.

The Project Proponent submitted the EIA report on 20.01.2015 on the basis of Terms of Reference approved by the Committee. The case could not be taken up in the SEAC as the term of SEIAA/SEAC was elapsed on 21.03.2015.

Therefore, the case was transferred to Ministry of Environment and Forest, Government of India in the month of March, 2015. This case could not taken up by the MoEF and was again transferred to SEIAA on 31.08.2015 after the reconstitution of SEIAA/SEAC on 21.08.2015.

Thereafter, the case was taken up for appraisal during 120th meeting of the SEAC held on 06.11.2015. The Project Proponent requested for adjournment and the same was discussed in the meeting. The Committee acceded to the request and decided to issue 30 days notice to the PP. The observations of the 120th meeting were conveyed to the project proponent vide letter No. 193 dated 16.11.2015. The PP submitted the reply vide letter dated 04.02.2016.

Thereafter, the case was taken up for appraisal during 129th meeting of the SEAC held on 14.03.2016. During discussion, it was revealed that Project Proponent has already started construction work which amounts to violation of Environmental Protection Act, 1986 in compliance of EIA Notification dated 14.09.2006. It was observed by the Committee that the project proponent has not given the exact status of the construction so far carried out at site. Therefore, PP was directed to submit an affidavit from the Director of the Company giving the exact status of the Construction with graphical details of the same along with the Resolution of Board of Directors as per the Office Memorandum No. J-11013/41/2006.IA.II(I) dated 16th November, 2010 issued by Ministry of Environment and Forest, Government of India.

Further the Project Proponent was directed to stop the construction at site immediately in compliance of the Office Memorandum No. J-11013/ 41/ 2006.IA.II(I) dated 27.06.2013 issued by the MoEF, GOI.

The observations of 129th meeting were issued to the PP vide letter No. 780 dated 25.03.2016. Final Show Cause Notice was issued to the project proponent vide letter No. 2156 dated 16.08.2017. The PP their letter dated 18.09.2017 requesting for delisting of their case as under:

"It is submitted that the project lies under para 8(b) Township and Area Development project as per MoEF Notification dated 14.09.2006, wherein EC is required to be taken, if the area of the project is greater than 50 hectares. The subject project covers an area of 97.773 Acres of land, which is less than 50 hectares. Hence EC for the project is not required to be obtained as per MoEF Notification dated 14.09.2006.

Thereafter, the case was taken up during 160th meeting of the SEAC held on 06.11.2017. It was decided to constitute a Sub-Committee for site visit: The sub-committee will consist of the following:

1. Sh. G.R. Goyat, Chairman
2. Sh. A.K. Bhatia, Member (Coordinator)

The site has since been visited by the Sub-Committee had submitted its report on 18.06.2018. Thereafter, the case was taken up during 174th meeting of the SEAC to be held on 07.08.2018. The brief of the case is that the PP applied for Environment Clearance on 7.8.14 for an built up area of 289577.58 Sq. Meters and terms of reference was approved in the 111th meeting of the SEAC held on 08.09.14 and the same were conveyed to the project proponent vide letter No.1631 dated 12.9.14. On the basis of Terms of Reference approved by the SEAC, Haryana, project proponent submitted the EIA/EMP on 20.1.15 for an area of 261430.265 Sq. Meters.

It was revealed from the site visit report that PP is not submitting details/desired information even after repeated directions by Sub-Committee and assurances given by him and the area constructed/to be constructed by the project proponent is more than the required for exemption and the PP requires Environmental Clearance.

The brief of the site visit report is as under:

1. The PP has started development and construction of plotted colony without getting EC from the competent authority on the pretext that the area of the project (plotted colony) is less than 50 hectares.
2. The PP has already constructed the commercial complex-1 and remaining are proposed to be constructed. The total area of all the commercial complexes are 15459 Sq. Meters as per EIA Report. The PP has already constructed the flats and details as provided by PP is 12699 Sq. Meters (Copy of which placed on the case file from CP-30-64).

3. The total area under common facility like school, community centre, religious building, taxi stand is 50360 Sq. Meters as mentioned in EIA Report are supposed to be constructed by PP. Although PP has given assurance that no further construction will be done but could not provide credible documents to support the claim.
4. The PP has obtained the approval for construction of various sites, plots and other facilities from other from DTCP, the documents provided include O/C for 14934 Sq. Meters and approval for construction in 17 plots (enclosed). In addition, the construction activity has been done on other plots for which PP was unable to supply the records. It was promised by Sh. N.P. Sharma that remaining information/documents will be sent within one week time. But after repeated telephone calls and written request, the information was not provided. Final notice was sent to PP to provide all the information No. 583 dated 06.06.2018. After lapse of 26 days, no response was received from the PP.

Therefore, the PP has violated the conditions of EIA Notification dated 14.09.2006 by starting the construction without getting the EC (**Original site visit report placed on file at CP-30-31**).

The Committee after detailed discussion was of the unanimous view that the case be referred to the SEIAA for initiating prosecution action as per EIA Notification, 2006.

Findings and Decision of THE AUTHORITY (SEIAA):

The said Case was taken up during **159th Meeting of SEIAA held on 15.06.2023**.

The Authority after having gone through the details & record, placed on the file alongwith perusing the recommendations made by the Appraisal Committee, arrived at the conclusion that this is a clear cut case of violation under EIA Notification dated 14.09.2006. The Authority observed as under:

1. Total Cost of the Project as disclosed by the Project Proponent in application Form-I & IA is **Rs. 137.06 Crore**.
2. The Project Proponent has constructed a Commercial Complex having Built Up Area of 15459 Sq. Meters and Residential flats having Built Up Area of 12699 Sq. Meters at site. Thus, total construction i.e. (15459 Sqmtr +12699 Sqmtr = 28158 Sqmtrs (302980 Sqfts) at site has been made by the Project proponent **“without obtaining valid Environment Clearance”**. This is in utter violation of EIA Notification dated 14.09.2006 (Environment (Protection) Act, 1986).

The Authority, further concluded after due deliberations that out of the total Built up area of **289577.58 Sqmtr** of the project (out of which common facilities infrastructure including school, community centre, nursing home, dispensaries etc) were proposed to be constructed, besides a commercial complex and a residential complex. No prior clearance as required under the relevant provisions was obtained by the Project Proponent.

Therefore, the Authority is not only surprised but also seriously concern to understand that a project of this magnitude (Rs. 137.06 Crore) was being developed without obtaining Environment Clearance. Thus, Authority in all fairness has decided to proceed to take action within the scope & meaning of EIA Notification dated 14.09.2006 / Environment (Protection) Act, 1986. Such reckless and irresponsible acts on the part of the Project Proponent, not only put the buyers under stress, tension & uncertainty besides escalations of cost of the Project due to non-compliances and indulgence in violation.

Such, misadventures on the part of the Project Proponent can not be pardon or overlooked. Therefore, appropriate & stern action for such violations within the scope & meaning of EIA Notification dated 14.09.2006 is must to uphold the sanctity & spirit of Environment Protection / Conservation Laws.

In view of the above, the Authority decided to impose Environment Compensation Cost & Penalty for the violations made by the Project Proponent i.e. unauthorized construction (i.e. 28158 Sqmtrs both Commercial & Residential (302980 Sqfts) without valid EC, in the light of the observations / directions made by the Hon'ble Courts in the Cases, mentioned below:

1. *Hon'ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018.*

2. Hon'ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.
3. Hon'ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.
4. Hon'ble NGT in Original Application No. 661 of 2018 titled as Mr. Praveen Kakkar Versus Ministry of Environment, Forest & Climate Change & Ors.
5. Hon'ble NGT in Original Application No. 976 of 2019 titled as Gurinder Singh Versus Union of India.
6. Hon'ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.
7. Hon'ble NGT in Misc Application No. 28 of 2023 titled as Aashish Sardana Versus Union of India.

Accordingly, the above referred Cases have been taken as guidance & reference for calculation of Environment Damage Compensation Cost & Penalty in the instant Case for the violations / non-compliances EIA Notification dated 14.09.2006 & other aspects observed from the record / material available on file.

TABLE-1

Environment Compensation Cost & Penalty

1	2	3	4	5
Sr. No.	<u>(in Sqmtr)</u>	<u>(₹ In Crore)</u>	<u>(₹ In Crore)</u>	<u>Penalty</u>
	<u>Unauthorized Construction</u> (Commercial & Residential Both) without valid Environment Clearance	Project Cost	Environmental Compensation Cost @ <u>5 %</u> of the Project cost i.e. 137.06 Crore	
1.	<u>28158</u>	<u>137.06</u>	<u>6.85 Crore</u>	<u>₹ 65 Lakh</u>
2.	<u>Total (Environment Compensation Cost & Penalty)</u>		<u>(₹ 6.85 Crore + ₹ 65.00 Lakh) = ₹ 7.50 Crore</u>	

In view of the above, the Authority deemed it appropriate to direct the Project Proponent to deposit Compensation for Damage to Environment & Penalty, so imposed i.e. **₹ 7.50 Crore in this case, within 30 days** from the receipt of the Order *in accordance with the directions issued by MOEF & CC, GOI vide Office Memorandum No. F. No. IA3-22/30/2022-IA.III(182415) dated 28.07.2022.*

The Authority decided to direct the Project Proponent to submit a proposal for TOR under Violation Category for the said Project. The Authority further clarifies that application for grant of TOR / Environment Clearance will be considered only, after deposit of the Environmental Compensation Cost of ₹ 7.50 Crore, imposed in this case.

In case of failure to comply with the above directions, the Authority may contemplate to initiate action under Section 5 of the Environment (Protection) Act, 1986 to issue directions against the unauthorized/ illegal construction, made by the Project Proponent for demolition of the structure alongwith, other measures to recover the above mentioned Environmental Compensation Cost & Penalty at the risk & cost of the Project Proponent.

Accordingly, case is disposed of.

Item No. 159.03: Expansion of Residential Colony “Vatika India Next” M/s Vatika Limited Sector – 81, 82, 82A, 83, 84 & 85, Village- Sihi, Sikhopur, Badha, Sikanderpur Badha & Kherki Daula, District- Gurugram, Haryana be M/s Vatika Limited.

The Project was initially submitted to SEIAA, Haryana on 24.09.2014; whereas, Terms of Reference were approved and communicated to the PP vide letter dated 16.02.2015.

The EIA/EMP report was submitted on 04.11.2016. Thereafter, the PP sought adjournments; in the meanwhile a sub-committee comprising of Dr. Punit Ghai, Member SEIAA, and Sh. Hitender Singh, Member SEAC was constituted by SEIAA vide order dated 06.04.2017; wherein, the Sub-Committee reported that Earlier Environment Clearance to the project was accorded for 281.557 Acres; whereas, the PP has initiated the construction activity beyond 281.557 Acres.

Thereafter, the PP has applied for Approval of Terms of Reference (under violation category). The Proposal was considered by SEAC during its 174th meeting held on 07.06.2018 and recommended to SEIAA for approval of Terms of Reference.

The Terms of References were approved by SEIAA and communicate to the PP vide letter dated 20.08.2018.

Thereafter, the Project Proponent has requested to extend validity of ToR for one year as per Office Memorandum F. No. J-11015/109/2013-IA.II (M) dated 12.01.2017; which was considered during 226th meeting of SEAC held on 18.11.2021 and recommended for grant Extension of Validity of ToR for further one year.

The recommendations of SEAC were considered during 137th meeting of SEIAA held on 25.03.2022 and it was decided to agree with the recommendation of SEAC.

Findings and Decision of THE AUTHORITY (SEIAA):

The said Case was taken up during 159th Meeting of SEIAA held on 15.06.2023.

The Authority after having gone through the details placed on the file and further upon perusal of the recommendations made by the Appraisal Committee and Sub-committee's Report dated 06.04.2017, arrived at the conclusion that this is clear cut case of violation under EIA Notification dated 14.09.2006. Further, upon examination of the record, the Authority observed as under:

1. Earlier, the Project Proponent have obtained Environment Clearance dated 04.09.2013 for the Development of Residential Colony over an AREA of 281.577 Acres; whereas, the Project Proponent has started development activity over an AREA of 477 Acres (beyond the prescribed limit of the EC dated 04.09.2013).
2. The construction at the project site was initiated prior to grant of Environment Clearance dated 04.09.2013 (as per Sub-committee's Report dated 06.04.2017).
3. Total Cost of the Project as disclosed by the Project Proponent in application Form-I & IA is Rs. 494 Crore.

The Authority after due deliberations arrived at conclusion that Project Proponent has indulged to develop and construct the project, without obtaining valid Environment Clearance as required under EIA Notification dated 14.09.2006 (emanating from Environment (Protection) Act, 1986).

This amounts to a clear cut violation within the meaning & scope of EIA Notification dated 14.09.2006 and Environment (Protection) Act, 1986. By doing so, the Project Proponent has rendered himself liable for action under the relevant Act & Rules applicable thereto.

The Authority having relied upon the Sub-committee report dated 06.04.2017 and thereafter, non-compliances, after having been granted Terms of Reference (TOR) dated 20.08.2018, no room is left for consideration beyond that Project Proponent has indulged in blatant violations under EIA Notification dated 14.09.2006 by carrying out construction and development at the project site.

Therefore, the Authority decided to proceed to impose Environmental Compensation Cost & Penalty for the violations committed in this case.

In the light of observations & directions made by the Hon'ble Courts in the Cases mentioned below:

1. **Hon'ble Supreme Court of India in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers India Pvt. Ltd Versus Union of India alongwith Civil Appeal No. 10901 of 2016 & Civil Appeal No. 5157-5158 of 2018.**

2. *Hon'ble Supreme Court of India in Civil Appeal No. 5016 of 2016 titled as Mantri Technozone Pvt. Ltd Versus Forward Foundation & Ors.*
3. *Hon'ble NGT in Appeal No. 54 of 2018 titled as H.P. Ranjanna Versus Union of India & Ors.*
4. *Hon'ble NGT in Original Application No. 661 of 2018 titled as Mr. Praveen Kakkar Versus Ministry of Environment, Forest & Climate Change & Ors.*
5. *Hon'ble NGT in Appeal No. 2 of 2023 titled as VSR Infratech Pvt. Ltd Versus State of Haryana & Ors.*
6. *Hon'ble NGT in Misc Application No. 28 of 2023 titled as Aashish Sardana Versus Union of India.*
7. *Hon'ble NGT in Original Application No. 976 of 2019 titled as Gurinder Singh Versus Union of India.*

MOEF & CC, GOI vide Notification No. S.O. 804 (E) dated 14.03.2017 & S.O. 1030 (E) dated 08.03.2018, provided an opportunity to all the Project Proponents to seek remedy & disposal of Cases, pertaining to the Violations made under the scope & meaning of EIA Notification dated 14.09.2006, as time bound window, so that issue of old and pending violations cases can be addressed.

Whereas, in the instant case, Project Proponent applied much before the violation window period, provided for such violation cases. Thus, Project Proponent is eligible to get the proceedings decided under the scope & meaning of SOPs dated 07.07.2021, issued by MOEF & CC, GOI.

Accordingly, Environment Compensation Cost & Penalty is calculated in the light of directions passed by Hon'ble NGT in OA No. 976 of 2019 & Appeal No. 2 of 2023 as well as SOPs dated 07.07.2021, issued by MOEF & CC, GOI.

Penalty & Environmental Compensation Cost calculated as under:

Sr. No.	Particular	Cost in Rs. In (lacs)	% age
1	Project Cost (<u>As disclosed by the Project Proponent</u>)	₹ 494.00 Crore	
2	1% Penalty as per SOP 7 th July 2021, Clause No 12.a (ii) on Rs 494 Crore	₹ 494.00	1 % <u>(Being not in the voluntarily disclosure Category)</u>
3	Additional 0.25 % Penalty as per SOP 7 th July 2022 on Rs 494 Crore	₹ 123.50	0.25 % <u>(Deemed to have been occupied)</u>
4	Environmental Compensation Cost	₹ 988.00	2 %
	Total Amount	₹ 1605.50	

The Project Proponent to pay :

(a) Penalty	:	₹ 617.50 Lakh
(b) Environmental Compensation Cost	:	₹ 988.00 Lakh

Total	:	₹ 1605.50 Lakh

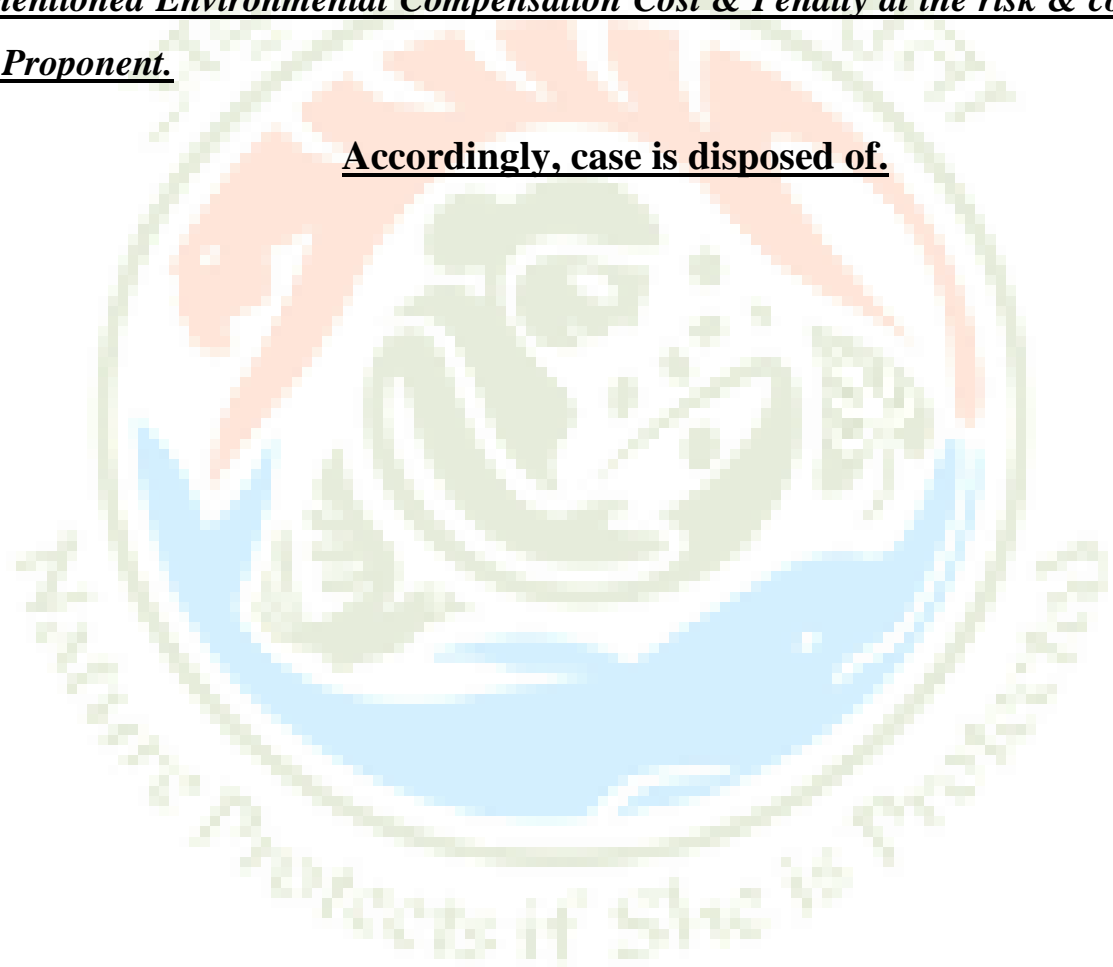
It is relevant to mention that **Hon'ble NGT** vide Order dated 21.10.2022 in **OA No. 976/2019 & M.A. No. 74/2022** (Gurinder Singh & Ors Versus Union of India & Ors.) made directions that **PENALTY & ENVIRONMENTAL COMPENSATION COST** recovered from Project Proponent on account of Violations / Non-compliances ***"is to be utilized for RESTORATION, PROTECTION & CONSERVATION of Environment through State/ District Environment Plans"***.

In view of the above, the Authority directs the Project Proponent to deposit the **PENALTY & ENVIRONMENTAL COMPENSATION COST**, so assessed in the said case i.e. **₹ 1605.50 Lakh** within **30 days** from the date of Order ***in accordance with the directions issued by MOEF & CC, GOI vide Office Memorandum No. F.No. IA3-22/30/2022-IA.III(182415) dated 28.07.2022.***

The Authority further directed to the Project Proponent to submit EIA / EMP report in compliance with approval of Terms of Reference (ToR) dated 20.08.2018 alongwith the proof of deposit of PENALTY & ENVIRONMENTAL COMPENSATION COST

In case of failure to comply with the above directions, the Authority may contemplate to initiate action under Section 5 of the Environment (Protection) Act, 1986 to issue directions against the unauthorized/ illegal construction, made by the Project Proponent for demolition of the structure alongwith, other measures to recover the above mentioned Environmental Compensation Cost & Penalty at the risk & cost of the Project Proponent.

Accordingly, case is disposed of.



Item No. 159.04: Addendum to Environment Impact Assessment Report for Modification and Expansion of Group Housing Project “Atharva at Sector 109, Village Pawala Khusrupur, Gurugram, Haryana by M/s Raheja Developers Limited.

The case was taken up for appraisal during 170th meeting of the SEAC held on 07.06.2018 for approval of Terms of Reference under violation Notification dated 14.03.2017 and 08.03.2018 respectively.

The Term of References were approved by SEIAA during 115th Meeting, conveyed vide letter dated 07.08.2018. The Project Proponent submitted the EIA Report on 04.04.2019 and the case was taken up during 180th meeting in SEAC and PP presented his project but unable to produce any evidence about the prosecution launched by any competent authority as recommended by the SEAC in its earlier 170th meeting.

Thereafter, the SEAC decided that the PP shall produce the evidence of prosecution launched by the competent authority before appraisal and file was sent back to SEIAA for taking the action as per the minutes of 170th meeting.

Thereafter, the case was taken up during 118th meeting of SEIAA, Haryana held on 12.06.2019 and Public consultation was exempted.

Thereafter, the case was taken up during 202nd meeting of the SEAC held on 30.08.2020 and recommended to SEIAA for grant of EC under Violation Category with an amount of Rs.26,70,400/- towards Remediation plan and Natural and Community Resource Augmentation plan to be spend within a span of three years.

The recommendation of SEAC was considered during 125th meeting of SEIAA held on 07.10.2020 and It was observed that the budgetary amount of Rs.26,70,400/- seems to be very less & certain activities mentioned under the Plan is on the periphery or inside the project which is not allowed as per guidelines. PP is under statutory obligation to provide the Budget of Augmentation and Remediation Plan outside area of Project to preserve Environment. The Budget for the Remediation Plan & Resource Augmentation Plan of the Project is to be as per the guidelines of “CPCB” given in this regard.

Further, the project proponent should submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of environmental clearance and will be

released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, State Expert Appraisal Committee and approval of the Authority.

After detailed discussions; the Authority decided to approve in principle on the submission of Re-calculated Budget for the “Remediation Plan, Natural & Community Resource Augmentation Plan.

The Case was again taken up during 129th meeting of SEIAA held on 12.10.2021; the Authority decided to issue a Show-Cause Notice to the PP to submit bank guarantee within next 15 days failing which action under the various provisions of Environment (Protection) Act, 1986 would be taken.

The matter was again considered during 135th meeting of SEIAA held on 25.01.2022 and the Authority observed that PP has not submitted the reply to “Show cause notice” nor submitted any bank-guarantee.

After detailed deliberations; the Authority decided to send the case to SEAC to recalculate the “Damage Assessment” & “Penalty” as per the provisions of SOP dated 07.07.2021 issued by MoEF& CC in regard to violation cases.

The case was taken up during 235th meeting, the PP requested vide letter dated 28.03.2022 for deferment which is considered and acceded by SEAC after discussion.

Now, the case was again taken up during 242nd Meeting of SEAC held on 24.06.2022. The reply of the Show Cause notice still not submitted by the PP nor submitted any Bank Guarantee. Further, neither PP nor consultant has appeared before the Committee and it has been decided that the case be deferred for submission of reply by PP and be taken up in next meeting.

The case taken up during 251st meeting of SEAC, Haryana held on 11.10.2022. During scrutiny of documents, it was observed that the prescribed scrutiny fee has not been deposited by the PP in this case. During the meeting, consultant appeared before the committee but PP has not attended. The committee after deliberation **decided to send the case to SEIAA for directing project proponent to deposit prescribed scrutiny fees and reply of the Show Cause Notice issued by the SEIAA for submission of Bank Guarantee.**

The recommendations of SEAC were taken up during **149th meeting of SEIAA held on 08.11.2022.**

The Authority after examination relevant record and due deliberations; observed that the **PP has not submitted required Scrutiny fee** in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021, besides this, PP has also not complied with the directions made in regard to submission of Bank Guarantee in the earlier sequence of proceedings in this case. The Authority unanimously feels that PP has not only shown scant concern, but utter defiance to the ongoing proceedings, despite adequate opportunity in this case. Therefore, the Authority decided to refer this case back to calculate the violations and damage caused to Environment by working out the remedial compensation and penalties within norms & scope of SoPs dated 07.07.2021 in the manner and methodology as employed in the case of M/s G.P. Realtors Pvt. Ltd in OA No. 976 of 2019, besides other relevant action as may be applicable and due in this case.

The case was taken up during 256th meeting held on 01.12.2022. PP has not appeared before the committee. The committee took it seriously and directed PP through their consultant to submit the reply of observations raised by SEIAA during 149th meeting. The PP shall also submit **scrutiny fee** as prescribed in Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021. The PP is directed to submit reply within 15 days, thereafter, the case shall be taken as and when reply of PP is received.

The case was taken up during 262nd meeting held on 14.03.2023. Neither PP nor any representative on his behalf has appeared before the committee to represent the case. The committee has taken a serious view in this regard and decided that PP may be given one more opportunity to appear before the SEAC to represent their project either themselves or through their authorized representative and shall also submit the relevant documents in support of their case.

The committee further decided to communicate the decision of committee to PP through their official email as well as speed post and deferred the case for next meeting.

The case was taken up during 266th meeting held on 28.04.2023. The PP appeared before the Committee and submitted a letter wherein it is stated that they were directed to deposit Bank Guarantee of Rs.39.00 Lacs to Haryana State Pollution Control Board but they are unable to deposit the same due to financial crunch and liquidity problems. It is further submitted in letter that they have been granted licences by Town & Country Planning Department during the Month

of February, 2023 and their project is expected to launch by 31.07.2023 and requested to grant them permission to deposit Bank Guarantee by 31.08.2023.

The Committee held due deliberation on the request made by PP and decided that **the case be sent to SEIAA for further necessary action.** However, PP is also directed to submit **scrutiny fee** as prescribed in Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021.

Findings and Decision of THE AUTHORITY (SEIAA):

The case was taken up during 159th Meeting of SEIAA held on 16.05.2023 and after having gone through the details placed on the file, the Authority observed that the **Scrutiny fee as required, (as per Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021) has not been paid by Project Proponent.**

Accordingly, **the Project Proponent is directed to deposit the same within 4 weeks positively.** Thereafter, further proceedings shall be taken up, accordingly.

Item No. 159.05: Environmental Clearance for Residential Plotted Colony located at Sector-51, Near Samaspur Village Gurugram, Haryana by M/s Orchid Infrastructure Developers Pvt. Ltd.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>M/s Orchid Infrastructure Developers Pvt. Ltd.</u>
3.	Category of the Project	8(a)
4.	Project Cost	<u>₹ 271.68 Crore</u> , as per Form (I & IA).
5.	Project Consultant	M/s Perfect Enviro solutions Pvt. Ltd.
6.	NABET, ACCREDITATION	(No. NABET/EIA/1922/SA 0143 Valid upto : 28-08-2023)

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/INFRA2/421717/2023 dated 16.03.2023** for Grant of Environmental Clearance (EC) under Category 8 (a) within the scope and meaning of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ Rs. 2,00,000/- vide DD No. 515510 dated 27.02.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 267th meetings of SEAC held on 16.05.2023 and **SEAC recommended the Project to SEIAA for Grant of Environment Clearance.***

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the recommendations of SEAC were taken up during **158th Meeting of SEIAA held on 02.06.2023.**

After detailed deliberations, the Authority decided to defer the case for verification of facts relating to the case

Now, the matter was again taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority having perused the details placed on the record alongwith considering the recommendations made by the Appraisal Committee (SEAC) and further holding discussions, made the observations as under:

1. Status of the license to develop the said project requires clarification from the competent authority.
2. Project Proponent has mention to achieve Zero Liquid Discharge. PP needs to elaborate on this claim.
3. Project Proponent needs to produce a copy of the proposal submitted to DTCP for Occupation Certificate, has Project Proponent made & completed the construction for which OC has been applied and sought from DTCP?
4. Structure stability certificate is not from a reputed & authorized agency.
5. Khasra Details as mentioned in the Aravali NOC & license from DTCP appears to be mismatching.
6. For High Tension Line, proposal for passage is required.

In view of the above, the Authority decided to Refer Back the case to the Appraisal Committee to re-look and examine the observations at Sr. No. 1 to 6, accordingly.

Accordingly, the case is referred back to SEAC.

Item No. 159.06: Environmental Clearance for Revision in Commercial Colony Project at Village Gurugram, Sector 104, Gurugram, Haryana by M/s Value Buildcon Pvt Ltd.

1.	Proposal	<u>Grant of Revision in EC</u>
2.	Project Proponent	<u>M/s Value Buildcon Pvt Ltd.</u>
3.	Category of the Project	8(a)
4.	Project Cost	<u>₹ 120 Crore,</u> as per Form (I & IA).
5.	Project Consultant	M/s Grass Roots Research & Creation India (P) Ltd.
6.	NABET, ACCREDITATION	(No. NABET/EIA/2124/RA 0213 Valid upto : 15-02-2024)

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIN/233526/2021 dated 31.03.2022** for Grant of Environmental Clearance (EC) under Category 8 (a) within the scope and meaning of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ Rs. 2,00,000/- vide DD No. 006050 dated 12.11.2021** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 267th meetings of SEAC held on 16.05.2023 and **SEAC recommended the Project to SEIAA for Grant of Environment Clearance w.r.t. 237th MoM.***

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the recommendations of SEAC were taken up during **158th Meeting of SEIAA held on 03.06.2023.**

After detailed deliberations & considering the request of PP, the Authority decided to defer the case for further verification of facts pertaining to the case.

Now, the matter was again taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the record & upon perusal of the recommendations made by the Appraisal Committee, **decided to depute Sh. Rajbir Singh Bondwal, IFS (Retd.), Member SEAC and Regional Officer of the concerned area to visit the Project site and submit a detailed report on all relevant issues within 10 days, positively.** As there appears to be gaps and loose connect between the recommendations and presentation / status, mention by the Project Proponent and the Consultant in their submissions.

Appraisal Committee is also requested to give their comments / opinion on the written submissions made by Project Proponent before the SEIAA on 15.06.2023. Copy of the submissions is forwarded to the Appraisal Committee in this regard.

Accordingly, the case is referred back to SEAC.

Item No. 159.07: Environmental Clearance for Proposed Expansion-cum-Revision of Mixed Land Use Colony Under TOD Policy on Land Measuring 16.113 Acres in the Revenue Estate of Village Chauma, Sector-113, Gurgaon Manesar Urban Complex, Gurugram, Haryana by M/s Starcity Realtech Pvt. Ltd.

1.	Proposal	<u>Grant of Expansion-cum-Revision</u>
2.	Project Proponent	<u>M/s Starcity Realtech Pvt. Ltd.</u>
3.	Category of the Project	8(b)
4.	Project Cost	<u>₹ 1227 Crore,</u> as per Form (I & IA).
5.	Project Consultant	M/s Ind Tech House Consult
6.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/INFRA2/420712/2023 dated 02.03.2023** for Grant of Environmental Clearance (EC) under Category 8 (b) within the scope and meaning of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ Rs. 2,00,000/- vide DD No. 514158 dated 27.12.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 265th & 268th meetings of SEAC held on 12.04.2023 & 31.05.2023 and **SEAC recommended the Project to SEIAA for Grant of Environment Clearance.***

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the recommendations of SEAC were taken up during **157th Meeting of SEIAA held on 10.05.2023** and the Authority deemed it appropriate to Refer Back this case to SEAC with the directions to look into the observations minutely particularly the issue of freezed area under Natural Conservation Zone (NCZ).

Thereafter, the case was taken up during 268th meeting of SEAC held on 31.05.2023. The PP submitted the reply of observations raised by SEIAA in the form of an affidavit dated 31.05.2023 stating therein as under:

- That we have applied the application offline for the permission for Right of Way (RoW) permission for the use Revenue Rasta falls in the project and submitted the initial fees for the same. Copy of receipt is attached as **Annexure 1**.
- That as per reply of RTI vide memo No. DTP(G)/2023/4317 dated 30.05.2023, the License No. 106 of 2022 out of which killa no. 1/5(7-14), 6(8-0), 7(4-14), 15(8-0), 16(8-0), 25 (8-0) do not fall under NCZ and therefore killa No. 2//10/1/2/2/1(0-14), 10/1/2/2/2(1-8) are in compact block, so total 46K-10Mor 5.8125 acres does not fall any category of NCZ areas. Copy of RTI letter from concerned authority is attached as **Annexure-2**.
- That the Forest and Aravali NOCs had been obtained in revenue estate of village Chauma on land admeasuring 206.258 acres by Mask Realcon Pvt Ltd and its 22 associate companies. Starcity Realtech Pvt Ltd and Aspis Buildcon Pvt LTD are the part of 22 associate companies. (List of 22 associate companies is attached as **Annexure-3**). Khasra No. of License No. 106 of 2022 are also fall in forest and Aravali NOCs and these khasra nos. do not attract Aravali Notification.
- That Earlier Nos of towers were proposed 18. However in proposed layout plan Nos. of towers are 20 (18 residential + 1 commercial + 1 EWS) therefore dwelling units are increased due to TDR (Copy of TDR is attached as **Annexure-4**) and increase in Floor Area Ratio and decreased one floor.

The committee considered the document submitted by PP and found it in order. After deliberation, the committee was of the unanimous view that this case be sent to SEIAA and further reiterated the recommendations conveyed vide 265th MoM.

Now, the matter was again taken up during 159th Meeting of SEIAA held on 15.06.2023.

The Authority after having gone through the details placed on the file alongwith perusal of recommendations made by the Appraisal Committee (SEAC) deemed it appropriate to Refer this case back to SEAC with the observation that the evidence and other referred documentary support, based on RTI Information is not adequate, good enough to handle and appraise such sensitive issues, where area has been freeze being Natural Conservation Zone (NCZ). The Authority deemed it appropriate to further direct the Appraisal Committee to capture relevant information with precedents, if any from the concerned Authorities and then make

merit based recommendations, stating clearly whether the development & construction activities within & adjoining to the Natural Conservation Zone (NCZ) could be a viable and appropriate move in the larger interest of Environment Protection / Conservation.

Recommendation made by the Appraisal Committee (SEAC) appears to be is far from being satisfactory and convincing. The Appraisal Committee needs to re-look into this issue carefully & appraised the Project, accordingly.

- That Earlier Nos of towers were proposed 18. However in proposed layout plan Nos. of towers are 20 (18 residential + 1 commercial + 1 EWS) therefore dwelling units are increased due to TDR and increase in Floor Area Ratio and decreased one floor.

Therefore, the Authority refer this back to Appraisal Committee to re-examine all the observation raised & conveyed by the SEIAA during 157th Meeting held on 10.05.2023, beside any other relevant Environmental concerning issues comes to the notice of Appraisal Committee.

Accordingly, the case is Referred back to SEAC.

Item No. 159.08: Environmental Clearance for Proposed Residential Colony under NILP on land measuring 53.3833 Acres in the revenue estate of village Naurangpur, Sector-79 & 79B, Gurugram, Haryana by M/s Loon Land Development Limited.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>M/s Loon Land Development Limited</u>
3.	Category of the Project	8(b)
4.	Project Cost	<u>₹ 2733 Crore,</u> as per Form (I & IA).
5.	Project Consultant	M/s Ind Tech House Consult
6.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0174 Valid upto : 29-04-2023)

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/INFRA2/422756/2023 dated 21.03.2023** for Grant of Environmental Clearance (EC) under Category 8 (b) within the scope and meaning of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ Rs. 2,00,000/- vide DD No. 500919 dated 23.01.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 265th & 268th meetings of SEAC held on 12.04.2023 & 31.05.2023 and **SEAC recommended the Project to SEIAA for Grant of Environment Clearance.***

Findings and Decision of THE AUTHORITY (SEIAA):

Earlier, the recommendations of SEAC were taken up during **157th Meeting of SEIAA held on 10.05.2023** and the Authority deemed it appropriate to Refer Back this case to SEAC with the directions to look into the observations minutely particularly the issue of freezed area under NCZ.

Thereafter, the case was taken up during 268th meeting held on 31.05.2023. The PP submitted the reply of observations raised by SEIAA in the form of an affidavit dated 31.05.2023 stating therein as under:

- That, total licensed area of the project is 53.3833 Acres, Earlier we proposed to develop the entire area as the collaboration agreement were done. Now we have revised our proposal and proposed to develop 36.642 acres as per zoning. Comparative statement for revised proposal is given below.

Comparative Statement					
Sr. No.	Description	As per previous Proposal	As per revised Proposal	Difference	Unit
1.	Total License Area	216034.208	216034.208	No change	SQM
2.	NET PLANNED AREA (NPA)	216034.208	148284.678	-67749.53	SQM
3.	Proposed Built Up Area	1074699.122	760019.64	-314679.482	SQM
4.	Total no of Dwelling Units	4284	2819	-1465	NOS
5.	Max Height of Building (Upto Mumty/OHT)	116.15	116.15	No change	M
6.	Max No of Floors	2B+G+33	2B+G/St+33	2B+G/St+3 3	NOS
7.	Expected Population	42328	25965	-16363	PERSON
8.	Cost of Project	2733	1940	-793	CRORES
9.	Proposed Total Ground Coverage Area	28180.21	16219.71	-11960.5	SQM
10.	Permissible Total FAR Area	559528.6	384057.315	-175471.285	SQM
11.	Proposed Total FAR Area	559513	379594.771	-179918.229	SQM
12.	Total Water Requirement	3032	1798	-1234	KLD
13.	Fresh water requirement	1935	1134	-801	KLD
14.	Treated Water Requirement	1097	664	-433	KLD
15.	Waste water Generation	2324	1380	-944	KLD
16.	Proposed Capacity of	2910	1750	-1160	KLD

	STP				
17.	Treated Water Available for Reuse	2092	1242	-850	KLD
18.	Treated Water Recycled	1097	664	-433	KLD
19.	Surplus treated water to be discharged in public sewer with prior permission	995	578	-417	KLD
20.	No of RWH of Pits Proposed	55	37	-18	NOS
21.	Total Parking Required as / Building Bye Laws	6426	4229	-2197	ECS
22.	Proposed Total Parking	6773	5278	-1495	ECS
23.	Surface Parking	605	302	-303	ECS
24.	Basement Parking	6168	4976	-1192	ECS
25.	Required Green Area	32405.131	22242.702	-10162.429	SQM
26.	Proposed Green Area	45422.665	33204.409	-12218.256	SQM
27.	Total Solid Waste Generation	11.13	9.6	-1.53	TPD
28.	Organic waste	6.19	3.84	-2.35	TPD
29.	Quantity of Sludge Generated from STP	272	101.5	-170.5	KG/Day
30.	Total Power Requirement	29405	20800	-8605	KVA
31.	D G set Power backup	25000	17500	-7500	KVA

- That we have applied the application offline for the permission for Right of Way (RoW) permission for the use Revenue Rasta passing through the project and submitted the initial fees for the same. Copy of receipt is attached as **Annexure 1**.

The committee considered the documents submitted by PP and found it in order. After deliberation, the committee was of the unanimous view that this case be sent to SEIAA and further reiterated the recommendations conveyed vide 265th MoM.

Now, the matter was again taken up during **159th Meeting of SEIAA held on 15.06.2023**.

The Authority after having gone through the details placed on the file alongwith perusal of recommendations made by the Appraisal Committee (SEAC) observed that the Project Proponent made his representation before the Appraisal Committee and submitted revised comparative statement to develop 36.642 acres **without revising his original proposal through PARIVESH Web Portal**. Which is not good enough to handle and appraise such sensitive issues, where area has been freezed being **Natural Conservation Zone (NCZ)**. The Authority deemed it appropriate to further direct the Appraisal Committee to capture relevant information with precedents, if any from the concerned Authorities and then make merit based recommendations, stating clearly whether the development & construction activities within & adjoining to the Natural Conservation Zone (NCZ) could be a viable and appropriate move in the larger interest of Environment Protection / Conservation.

Recommendation made by the Appraisal Committee (SEAC) below, is far from being satisfactory and convincing. The Appraisal Committee needs to re-look into this issue carefully & made recommendations, accordingly.

Accordingly, the case is Referred back to SEAC.

Item No. 159.09: Environment Clearance for Implementation of Remediation and Reclamation and construction, operation and maintenance of Sanitary Landfill at Meghpur village, Palwal, Haryana, (“Sanitary Landfill Site”) by M/s PATHEYA.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>M/s PATHEYA</u>
3.	Category of the Project	7(i) Common Municipal Solid Waste Management Facility (CMSWMF)
4.	Project Cost	<u>₹ 1.26 Crore</u> , as per Form (I & IA).
5.	Project Consultant	Amaltas Enviro Industrial Consultants Ltd
6.	NABET, ACCREDITATION	No. NABET/EIA/1821/RA 0141 (Rev.01) Valid upto: 18/07/2023

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/INFRA2/427395/2023 dated 27.04.2023** for Grant of Environmental Clearance (EC) under Category 7(i) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 50,000/- vide DD No. 255142 dated 03.05.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

The said case was taken up during 268th meetings of SEAC held on 31.05.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was again taken up during **159th Meeting of SEIAA held on 15.06.2023.**

After detailed deliberations, the Authority decided to Grant Environment Clearance (EC) to the project under Category 7(i) within the scope & meaning of EIA Notification dated 14.09.2006 with the following additional stipulations:-

1. In order to maintain Air Quality; PP shall develop green wall / plantation all along the Boundary of the project site.
2. PP shall make efforts to neutralize the sting / bad odour by carrying regular spray and other corrective measures.
3. PP shall ensure that no damage occurs to the Ground Water. i.e. will attend & manage the issue of leachate properly.
4. PP shall ensure that no burning of garbage and waste material is allowed at the site.

Accordingly, the case is disposed of.



Item No. 159.10: Environment Clearance for Mining of Sand (Minor Mineral) from the Riverbed of Markanda River in Gadauli-Ambli Block (BGS) with 15,00,000 MT/ year production over an area of 39.636 ha located at Village Gadauli-Ambli, Tehsil Naraingarh, District Ambala & State Haryana by Sh. Rajender Bansal And Sons HUF.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>Sh. Rajender Bansal And Sons HUF</u>
3.	Category of the Project	1 (a) Mining of Minerals
4.	Project Cost	<u>₹ 13.66 Crore</u>
5.	Project Consultant	Parivesh Environmental Engineering Services
6.	NABET, ACCREDITATION	NABET/EIA/2124/IA 0092 (Rev.02) Validity: 11/11/2024

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIN/429333/2023 dated 16.05.2023** for Grant of Environmental Clearance (EC) under Category 1(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 1,50,000/- vide DD No. 000466 dated: 07.02.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 268th meetings of SEAC held on 31.05.2023 and SEAC recommended the Project to SEIAA for **Grant of Environment Clearance under Category B1, 1(a) for one year, under EIA Notification dated 14.09.2006 issued by the Ministry of Environment and Forest, Government of India for Mining of Sand (Minor Mineral) from the Riverbed of Markanda River in Gadauli-Ambli Unit (BGS) with 15,00,000 MT/year production as mentioned in LOI/Mining Plan/EIA Report/ToR/DSR/Replenishment Report for plan period with maximum depth upto 3.0 m as mentioned in Replenishment Study Report approved by Director Mines & Geology, Haryana and for quantity of 15,00,000 TPA.***

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the details placed on the file alongwith perusal of recommendations made by the Appraisal Committee (SEAC); observed as under:

1. SEAC has recommended this project for Grant of Environment Clearance for **One year upto the depth of 03 Meter**; for want of gird based/drone based replenishment study; whereas, the replenishment Study Report has already been approved by the Mines & Geology Department.
2. PP has applied for approval of Wild life conservations Plan to PCCF & CWLW, Panchkula vide letter dated 10.03.2023; the same has not been approved, yet.
3. Public Hearing was conducted by the HSPCB under the Chairmanship of Deputy Commissioner; wherein, 03 questions were not answered; whereas, the Appraisal Committee obtained an affidavit from the Project Proponent.
4. Plantation will be done within 05 Ha under social forestry; whereas, the PP has proposed that the Green Belt will be developed wherever possible.
5. The Appraisal Committee has not mentioned Green Area in the details; whereas, a specific conditions has been imposed that the PP shall create community Area in 03 ha in nearby village.
6. The Ministry of Environment Forest & Climate Change in compliance of NGT Order dated 07.12.2022 in OA No. 142 of 2022 titled as Jayant Kumar v/s MoEF & CC, issued Office Memorandum dated 28.04.2023; wherein, it is clearly mentioned that **District Survey Report (DSR) Approved by SEIAA as per Ministry's Notification dated 25.07.2018 shall be considered.**

The Appraisal Committee needs to re-look into this issue carefully & appraise the project, accordingly.

Accordingly, the case is Referred back to SEAC.

Item No. 159.11: Environment Clearance for Mining of Sand (Minor Mineral) from the Riverbed of Yamuna River (Sultanpur Unit) with 10,80,000 MT/ year production over an area of 33.42 Ha located at Village Sultanpur & Atwa, Tehsil & District Palwal and State Haryana by M/s M.M Traders.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>M/s M.M Traders</u>
3.	Category of the Project	1 (a) Mining of Minerals
4.	Project Cost	<u>₹ 10.18 Crore</u>
5.	Project Consultant	Parivesh Environmental Engineering Services
6.	NABET, ACCREDITATION	NABET/EIA/2124/IA 0092 (Rev.02) Validity: 11/11/2024

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIN/428049/2023 dated 15.05.2023** for Grant of Environmental Clearance (EC) under Category 1(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 1,50,000/- vide DD No. 571049 Dated: 05.11.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 268th meetings of SEAC held on 31.05.2023 and SEAC recommended the Project to SEIAA for **Grant of Environment Clearance under Category B1, 1(a) for one year, under EIA Notification under Category B1, 1(a) dated 14.09.2006 issued by the Ministry of Environment and Forest, Government of India for Mining of Sand (Minor Mineral) from the Riverbed of Yamuna River in Sultanpur Unit with 10,80,000 MT/year production as mentioned in LOI/Mining Plan/EIA Report/ToR/DSR/Replenishment Report for plan period with maximum depth upto 3.0 m as per Replenishment Study Report approved by Director Mines & Geology, Haryana and for quantity of 10,80,000 TPA.***

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the details placed on the file alongwith perusal of recommendations made by the Appraisal Committee (SEAC); observed as under:

1. SEAC has recommended this project for Grant of Environment Clearance for **One year upto the depth of 03 Meter**; for want of gird based/drone based replenishment study; whereas, the replenishment Study Report has already been approved by the Mines & Geology Department.
2. PP has applied for approval of Wild life conservations Plan to PCCF & CWLW, Panchkula vide letter dated 10.01.2023; the same has not been approved, yet.
3. Plantation will be done within 02 Ha under social forestry; whereas, the PP has proposed that the Green Belt will be developed wherever possible.
4. The Appraisal Committee has not mentioned Green Area in the details; whereas, a specific conditions has been imposed that the PP shall create community Area in **03 ha in nearby village.**
5. The Ministry of Environment Forest & Climate Change in compliance of NGT Order dated 07.12.2022 in OA No. 142 of 2022 titled as Jayant Kumar v/s MoEF & CC, issued Office Memorandum dated 28.04.2023; wherein, it is clearly mentioned that **District Survey Report (DSR) Approved by SEIAA as per Ministry's Notification dated 25.07.2018 shall be considered.**

The Appraisal Committee needs to re-look into this issues listed above as observations of the Authority & make recommendations, accordingly.

Accordingly, the case is Referred back to SEAC.

Item No. 159.12: Environment Clearance for warehouse project in the revenue estate of village Pathrari, Gurgaon by M/s Sunsat Infotech Pvt. Ltd.

Appraisal & Recommendations of SEAC:

The case was taken up during 131st SEIAA meeting held on 03.12.2021; after going through the report of the sub-committee the Authority decided to defer this case for the next meeting and before that a self- contained note mentioning all the facts of the case will be submitted in the next meeting. The matter was again considered during 135th meeting of SEIAA held on 25.01.2022 and after detailed deliberations; the Authority opined that this is a clear-cut case of violation and to ascertain the facts a committee of Mr. V.K. Gupta (Chairman, SEAC) and Mr. A. K. Mehta (Member, SEAC) is being constituted. The committee will submit the report within next 7 days. Since the authority was dissolved on 29.01.2022, the sub-committee constituted by SEIAA could not visit the site.

Thereafter, the case was taken up during 136th meeting of SEIAA held on 02.03.2022 and it was observed that since the term of SEIAA had got expired, therefore, the sub-committee constituted earlier could not visit the site and submit the report. The Authority decided to request Member Secretary, HSPCB to nominate concerned RO, HSPCB (Convener of sub-committee) along with Dr.Rajbir Singh Bondwal, IFS (Retd.) to carry out the spot inspection to get the current status of project & submit report within 10 days. Accordingly, the case is referred back to SEAC to make the recommendations after appraising the report of sub-committee as and when received.

The case was taken up during 235th meeting and neither PP nor consultant appeared before the committee. It is informed by sub-committee member that no orders have been received

The case was taken up during 242nd meeting. After detailed deliberations, the committee decided that SEIAA may be requested to take up with HSPCB to depute concerned RO for site visit. Dr.Rajbir Singh, Member SEAC may also be requested to carry out the inspection and submit the report before SEAC and decided to take up after the receipt of sub-committee report.

The case was taken up during 256th meeting held on 30.11.2022. Dr.Rajbir Singh, Member SEAC has been replaced with Dr.Sandeep Kumar, Member, SEAC in the sub-committee vide order dated 20.10.2022. The site inspection report of sub-committee still not been received. The sub-committee member has been requested to visit the site and submit the report. The PP has also not **submitted scrutiny fee as prescribed**. The case was deferred for the next meeting after receiving site inspection report.

Thereafter, the case was taken up during 258th meeting held on 03.01.2023. The site inspection report has been received by the sub-committee and circulated among all the members. The report be also sent to PP and consultant. Both, PP and Consultant are directed to remain present in the next meeting to explain the clear situation/status of the project.

The case was taken up during 267th meeting held on 17.05.2023. The comments of PP on the report of sub-committee not received till date. After detailed discussion, the committee unanimously decided that **final opportunity** may be given to PP

and report be again circulated to the PP/Consultant directing them to submit their comments on the site-inspection report submitted by sub-committee. The case will be taken up after the receipt of comments, in this regard, from PP/Consultant on the next date. The PP is also further directed **submit scrutiny fee as prescribed.**

The case was taken up during 269th meeting held on 13.06.2023. The PP presented the case before the committee. PP has submitted the following facts of project

- a) PP has submitted application for Environmental Clearance (EC) to SEIAA, Haryana on 30.08.2013 for plot area 73,930.85 sqm.
- b) After that their planning got changed and they intent to built area less than 20,000 sqmtr which was not covered under EIA notification 14th September, 2006.
- c) Accordingly PP got the plan sanctioned for built up area of 18,243.62 sqm and also PP has obtained Occupational Certificate (OC) from Town & Country Planning Department, Haryana, Chandigarh though memo no.G-2519/SD (BS)/2016/17859 on dated: 26.08.2016 for plot area 73,930.85 sqm and built-up area of 18,243.62 sqm
- d) PP intended to go for an expansion in built up area so PP applied for Fresh EC though proposal no.SIA/HR/MIS/98417/2019 on 09.03.2019 for the plot area of 73,930.85 sqm. and 43,927.42 sqm.(18,243.62 sqm+25,683.80 sqm).
- e) PP submitted that vide proposal (SIA/HR/MIS/98417/2019) the existing constructed area was not covered under EC is 18,243.62 sqm. and applied for an addition or expansion of the project for area measuring 25,683.80 sqm., thus the proposed construction resulted in a total built-up area of 43927.42 sqm., which require prior EC as per existing MoEF EIA notification dated 14/09/2006.
- f) PP has requested on 25.04.2019 to close their earlier file as EC (submitted offline to SEIAA on dated: 30.08.2013) was not applicable to their warehouse project.
- g) PP has obtained Environmental Clearance (EC) from SEIAA Haryana vide letter no. SEIAA/HR/2019/306 dt. 06.09.2019 for total built-up area of 43,927.42 sqm.(18,243.62 sqm+25,683.80 sqm)

The PP submitted that they have obtained the EC for their project and also as per OM of MoEF&CC dated 04.10.2022 warehouse building up to the built up area of 1,50,000 sqm. is exempted from obtaining EC. PP has submitted copy of OM dated 04.10.2022 of Ministry of Environment, Forest and Climate Change in support of this fact. PP has also requested the committee to de-list their file which was submitted on dated: 30.08.2013 for EC for above mentioned project.

The committee after having a detailed discussion and the circumstances of the case as well as keeping in view the above mentioned instructions issued by the MoEF&CC, unanimously decided to send the case to SEIAA for **delisting of the case.**

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was again taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the details placed on the file alongwith perusal of recommendations made by the Appraisal Committee (SEAC); decided to agree with the recommendations of the Appraisal Committee to **de-list the present proposal**; however, the Project Proponent is directed for **strict compliance with the stipulations imposed in the Environment Clearance letter dated 06.09.2019.**

Accordingly, the case is disposed of.



Item No. 159.13: ToR (Under Violation) for Proposed Residential Group Housing Project at Sector 99, Village Dhankot, District Gurgaon, Haryana by M/s Assotech Moonshine Urban Developer Pvt. Ltd.

1.	Proposal	For Approval of Terms of Reference under violation Category
2.	Project Proponent	<u>M/s Assotech Moonshine Urban Developer Pvt. Ltd</u>
3.	Category of the Project	8(a)
4.	Project Cost	<u>₹ 480.10 Crore</u> , as per Form (I & IA).
5.	Project Consultant	P & M Solution
6.	NABET, ACCREDITATION	Certificate No.: NABET/EIA/1922/IA0053 Validity:01/09/2023

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/INFRA2/417687/2023 dated 10.02.2023** for approval of Terms of Reference (ToR) (under Violation) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 2,00,000/- vide DD No.031899 Dated 18.01.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

*The said case was taken up during 269th meetings of SEAC held on 12.06.2023 and **SEAC recommended the Project to SEIAA for Grant of Terms of Reference and additional Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP).***

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendations of SEAC were taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the details & record placed on the file alongwith considering the recommendations of the Appraisal Committee (SEAC),

decided to approve the Terms of Reference (TOR) in the instant case under Violation Category.

Accordingly, TOR Granted & case is disposed of.



Item No. 159.14: Environment Clearance for Proposed Mine (ML Area: 79.32 ha) with Production Capacity Quartz: 0.14 MTPA, Feldspar: 0.52 MTPA, Barites: 0.001 MTPA, Quartzite & Stone (Road Metal & Masonry Stone): 8.42 MTPA & Soil: 1.0 MTPA; (Total Excavation: 10.081 MTPA) along with 4 Mobile Crushers with (4 x 300) TPH Capacity at Village: Musnota, Tehsil: Narnaul, District: Mahendragarh, Haryana by M/s Satish Kumar Garg.

1.	Proposal	Grant of New EC
2.	Project Proponent	<u>M/s Satish Kumar Garg.</u>
3.	Category of the Project	1(a)
4.	Project Cost	<u>₹ 22.00 Crore,</u>
5.	Project Consultant	J. M. Environet Pvt. Ltd.
6.	NABET, ACCREDITATION	Certificate No.: NABET/EIA/2023/SA 0172 Validity: 07/08/2023

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIN/429215/2023 on 11.05.2023** for Grant of Environmental Clearance (EC) under Category 1(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 1,50,000/- vide DD No. 208783 dated 23.05.2023** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

The said case was taken up during 269th meetings of SEAC held on 12.06.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance till the validity of Mining Plan i. e. for five years as per Mining Plan approved vide letter dated 02.02.2021 by Director General, Mines & Geology Department, Haryana.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was again taken up during 159th Meeting of SEIAA held on 15.06.2023.

The Authority after having gone through the details & record placed on the file, besides considering the recommendations of the Appraisal Committee (SEAC), observed as under:

1. That Production Capacity as submitted by the **Project Proponent (10.081 MTPA)** and recommended by the **Appraisal Committee (9.081 MTPA in basic details at Sr. No. 14)** reflects variations.
2. Issue regarding **1.0 MTPA soil requires clarification.**
3. Observations / directions made by Hon'ble Punjab and Haryana High Court in **CWP No. 4450 of 2019 titled as Satish Kumar Garg & Company Versus State of Haryana & Others vide Order dated 08.04.2019.**
4. Current status and standing of the **CWP No. 4450 of 2019 titled as Satish Kumar Garg & Company Versus State of Haryana & Others** in the light of proceedings before the Hon'ble Supreme Court of India (**SLP Diary No. 14442 of 2021**) for condonations of delay in filing.
5. Clear cut commentary & recommendation on the issue of validity of the Environment Clearance in the light of MOEF & CC, GOI Notification dated 12.04.2022.
6. Appraisal Committee (SEAC) needs to look into the distance of proposed Mining Site from the closest inhabitation and clear cut view on the same, whether this could not be a source of inconvenience and threat to Environment around.
7. Clear cut demarcation of route and passage to be used for transportation of Mining material / activities.

The Appraisal Committee needs to re-look into this issues listed above as observations of the Authority & make recommendations, accordingly.

Accordingly, the case is Referred back to SEAC.

Item No. 159.15: Environment Clearance under Violation Category for Proposed Industrial Estate project in Sector-37 at Karnal, Haryana by M/s HSIIDC Karnal.

1.	Proposal	<u>Grant of New EC</u>
2.	Project Proponent	<u>M/s HSIIDC Karnal</u>
3.	Category of the Project	8(b)
4.	Project Cost	<u>₹ 364.97 Crore,</u>
5.	Project Consultant	M/s Vardan Environet
6.	NABET, ACCREDITATION	(No. NABET/EIA/2023/SA 0158 Valid upto : 05/04/2026.

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. **SIA/HR/MIS/78835/2022 on 25.06.2022** for **Grant of Environment Clearance** under **violation category** within the scope and meaning of **category 8(b)** of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of **₹ 2,00,000/- vide DD No. 701138 dated 09.11.2021** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

Appraisal & Recommendations of SEAC:

The said case was taken up during 269th meetings of SEAC held on 12.06.2023 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance with Environment Compensation Cost & Damage Cost of Rs. 1,097.82 Lakh.

Findings and Decision of THE AUTHORITY (SEIAA):

The recommendation of SEAC was again taken up during **159th Meeting of SEIAA held on 15.06.2023.**

The Authority after having gone through the details & record placed on the file along-with perusing the recommendations of the Appraisal Committee (SEAC), observed that more clarity is required regarding the actual status & quantum of violations at the project site with current status, to enable the authority to understand the factual position.

Accordingly, the case is referred back to the Appraisal Committee (SEAC).

The meeting ended with a vote of thanks.
