

Proceedings of 193rd meeting of State Environment Impact Assessment Authority (SEIAA) held on 10.11.2021 (Wednesday) in the Conference Hall no. 1 (Room No 311), 2nd Floor of MGSIPA at 11:30 AM, MGSIPA Complex, Sector-26, Chandigarh.

The meeting was attended by the following members:

- 1) Sh. Hardeep Singh Gujral,
Chairman, SEIAA
- 2) Sh. Rajesh Dhiman, IAS
Member Secretary, SEIAA
- 3) Dr. Adarsh Pal Vig, Member SEIAA -cum
Chairman, Punjab Pollution Control Board, Patiala

Er. Parveen Saluja, Environmental Engineer SEIAA and Sh. Aushwinder Singh, Scientist-B along with other supporting staff also attended the meeting.

Item No. 01: Confirmation of the proceedings of 192nd meeting of State Environment Impact Assessment Authority held on 01.11.2021.

The proceedings of 192nd meeting of State Environment Impact Assessment Authority (SEIAA) held on 01.11.2021 were circulated through E-mail on 09.11.2021. Since no observations have been received from any member of SEIAA, the Proceedings of the 192nd meeting as circulated stand confirmed.

ItemNo.02: Action taken on the proceedings of 192nd meeting of State Environment Impact Assessment Authority held on 01.11.2021.

SEIAA was apprised that action on the proceedings of 192nd meeting of State Environment Impact Assessment Authority (SEIAA) held on 01.11.2021 is being taken and action taken report will be placed in the next meeting of SEIAA.

SEIAA directed that Action Taken on the proceedings shall be completed at the earliest and Action Taken Report of the same be placed in the next meeting of SEIAA.

Item no. 193.01: Application for Environmental Clearance under EIA notification dated 14.09.2006 for the establishment of residential project namely "Falcon View" located at Sector-66A, Mohali, Distt. SAS Nagar, Punjab by M/s JLPL (SIA/PB/MIS/61019/2018 and SIA/PB/NCP/10626/ 2013).

SEIAA observed as under:

The project proponent had filed an application for obtaining Environment Clearance under EIA notification, 2006 in November 2013 for establishment of residential project namely "Falcon View" located at Sector 66A, Mohali, SAS Nagar (Punjab). The project is a part of Super Mega Mixed Use Integrated Industrial Park at Sector 82, 83 and 66A, SAS Nagar Mohali developed by M/s JLPL for which the EC was granted vide no. 8257 dated 16.12.2015.

In this regard, it is mentioned here that the project proponent had filed writ petition, CWP 21351 of 2016 in the Hon'ble Punjab and Haryana High Court praying that EC was not required for the Falcon View Project since it was part of the Super Mega Mixed Use Integrated Industrial Park at Sector 82, 83 and 66A, SAS Nagar Mohali developed by M/s JLPL for which the EC was granted by SEIAA Punjab vide no. 8257 dated 16.12.2015.

The application submitted by the project proponent was, therefore not accepted and was kept pending at the scrutiny stage since the project proponent was taking dual stand by on one hand approaching the Hon'ble Punjab and Haryana High Court for getting exemption for obtaining EC for the project and on the other hand applying for the EC to the SEIAA.

1.0 Deliberations during 198th meeting of SEAC held on 05.04.2021

The case was considered by SEAC in its 198th meeting held on 05.04.2021. SEAC observed that since the matter is sub-judice in the Punjab & Haryana High Court, no action is required to be taken in this regard at this stage.

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

*"The application of the Project Proponent for obtaining Environment Clearance for the project namely "Falcon View" located at **sector 66A, SAS Nagar (Punjab)** in the Super Mega Mixed Use Integrated Industrial Park at Sector 82, 83 & 66A, SAS Nagar Mohali submitted vide proposal no. SIA/PB/MIS/61019/2018 be returned to the Project Proponent as the matter is sub-judice."*

2.0 Deliberations during 180th meeting of SEIAA held on 26.04.2021.

The case was considered by SEIAA in its 180th meeting held on 26.04.2021 through Video Conference, which was attended by Sh. Hardeep Singh, Deputy Chief Engineer of JLPL and Dr. Sandeep Garg, M/s Eco Laboratories & Consultants Pvt. Ltd., Environmental Consultant on behalf of the promoter company.

SEIAA was apprised that the project proponent had earlier submitted offline application on 20.11.2013 for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for development of a residential project namely 'Falcon View' at Sector-66 A, Distt. Mohali, which was made available online bearing Proposal No. SIA/PB/NCP/10626/2013 on 10.03.2016.

The SEIAA in its 132nd meeting held on 10.05.2018 decided to accept the recommendations of SEAC and issue the specific ToRs as recommended by the SEAC. It was also decided that the pending application of 'Falcon View' for obtaining environmental clearance would be appraised and decided after the receipt of revised EIA report incorporating the compliance of aforesaid specific ToRs in accordance with the provisions of EIA notifications dated 14.03.2017 and amendment dated 08.03.2018 issued by the MoEF&CC, New Delhi. The project proponent has not submitted the revised EIA report and proposal no. SIA/PB/NCP/10626/2013 is therefore lying pending with JLPL.

SEIAA was further apprised that JLPL has taken two different stands in this matter. On the one hand they have instituted a CWP No 21351 of 2016 in the Hon'ble High Court, of Punjab and Haryana, Chandigarh, with a prayer that no separate Environmental Clearance is required for their Falcon View project as they had obtained the Environmental Clearance for their area development "Super Mega project" whereas, on the other hand, they have submitted a fresh application bearing proposal no. SIA/PB/MIS/61019/2018 for obtaining Environmental Clearance under the EIA Notification, 14.09.2006 for the Falcon View project.

To a query by SEIAA regarding two different applications bearing proposal no. SIA/PB/NCP/10626/2013 and proposal no. SIA/PB/MIS/61019/2018 submitted to SEIAA by the Project Proponent, Environmental Consultant informed that both the applications are identical. SEIAA observed that project proponent is required to pursue his earlier application bearing proposal no. SIA/PB/NCP/10626/2013, which is pending with him for want of revised EIA report in accordance with the provisions of EIA Notifications dated 14.03.2017 and amendment dated 08.03.2018.

To another query by SEIAA as to whether the promoter company wanted to pursue their application with SEIAA for grant of Environmental Clearance for the project "Falcon View" by withdrawing the CWP 21351 of 2016 pending before the Hon'ble High Court or whether they wished to continue with the stand taken by them in No CWP 21351 of 2016, Project Proponent informed that Sh. Kulwant Singh, Managing Director of JLPL was presently out of the city and held up due to Covid-19. He requested for some time to obtain the decision of the Managing Director in this regard and requested that the case be deferred for the next meeting of SEIAA.

After detailed deliberations, SEIAA decided to accept the request of the project proponent and deferred the case till the next meeting. However, it was made clear to the project proponent that the next meeting of SEIAA should be attended by the Managing Director

personally or by a senior officer from the company who was duly authorized to make / convey the decision of the Project Proponent regarding withdrawal of the High Court case as also address any further queries by SEIAA in this regard.

SEIAA further decided that the application bearing proposal no. SIA/PB/MIS/61019/2018 be returned to the project proponent since identical application bearing proposal no. SIA/PB/NCP/10626/2013 is pending with the project proponent on the PARIVESH portal.

In compliance with the aforesaid decision, the project proponent has been informed vide email dated 05.05.2021 as above and the case is placed before SEIAA for consideration.

3.0 Deliberations during 181st meeting of SEIAA held on 10.05.2021.

The case was considered by SEIAA in its 181st meeting held on 10.05.2021 through Video Conference, which was attended by Sh. Hardeep Singh, Deputy Chief Engineer of JLPL and Dr. Sandeep Garg, M/s Eco Laboratories & Consultants Pvt. Ltd., Environmental Consultant on behalf of the promoter company.

Environmental Consultant and Project Proponent informed that the promoter company now wishes to withdraw CWP No 21351 of 2016 instituted by them regarding their Project "Falcon View" which is pending before the Hon'ble High Court of Punjab and Haryana, Chandigarh. They further informed that Project Proponent now wants to pursue their application for grant of Environmental Clearance for their said 'Falcon View' Project.

Further, to a query by SEIAA, project proponent informed that construction will be stopped at site and will be recommenced only after grant of Environmental Clearance from SEIAA. To another query by SEIAA, project proponent informed that they are willing to take additional remedial measures to compensate for the violation.

Keeping the aforesaid in view, SEIAA directed the project proponent to submit a notarized affidavit stating that the CWP No 21351 of 2016 filed before the Hon'ble High Court, will be withdrawn and that construction will be stopped at site till grant of Environmental Clearance from SEIAA. The affidavit should also state the additional remedial measures proposed to be undertaken by the Project Proponent to compensate for the violation so that the same may be considered / approved by SEAC / SEIAA.

After detailed deliberations, SEIAA decided to defer the case and ask the project proponent to submit the duly notarized affidavit as above along with the aforesaid commitments and information within 15 days so that further action in the matter can be taken.

In compliance with the aforesaid decision, JLPL submitted a letter no. 1707 dated 12.05.2021 (Annexure-9) wherein it has been mentioned that they are submitting an affidavit stating that no construction to be taken up at the project site till the grant of Environmental Clearance. Further, they are willing to continue their previous application bearing proposal no.

SIA/PB/NCP/10626/2013 wherein revised EIA report has been submitted and application bearing proposal no. SIA/PB/MIS/61019/2018 will be withdrawn from the Parivesh Portal.

As such, it has been requested to kindly consider their application bearing proposal no. SIA/PB/NCP/10626/2013 for the grant of Environmental Clearance.

4.0 Deliberations during 182nd meeting of SEIAA held on 24.05.2021.

The case was considered by SEIAA in its 182nd meeting held on 24.05.2021 through Video Conference, which was attended by Sh. Hardeep Singh, Deputy Chief Engineer of JLPL and Dr. Sandeep Garg, M/s Eco Laboratories & Consultants Pvt. Ltd., Environmental Consultant on behalf of the promoter company.

SEIAA perused the affidavit of Sh. Hardeep Singh, Deputy Chief Engineer, submitted on behalf of JLPL vide letter no. 1707 dated 12.05.2021 wherein it was mentioned as under:

- (i) That no construction activity is being carried out within the site presently and same will not be restarted before getting Environmental Clearance.
- (ii) That they are withdrawing the court case pending before Hon'ble High Court i.e., CWP 21351 of 2016.

SEIAA took the letter no. 1707 dated 12.05.2021 and affidavit dated 11.05.2021 of Sh. Hardeep Singh, Deputy Chief Engineer on record.

SEIAA observed that though the affidavit has been submitted for withdrawing the application but no request has been made for withdrawal of case before the Hon'ble High Court, Chandigarh. To this, project proponent stated that JLPL will submit withdrawal request of CWP 21351 of 2016 online to the Hon'ble High Court, Chandigarh, and the receipt of the same will be submitted to SEAC.

After detailed deliberations, SEIAA decided to remand the application bearing proposal no. SIA/PB/NCP/10626/2013 to SEAC for appraisal and for sending its detailed recommendations to SEIAA after obtaining the receipt of withdrawal of CWP 21351 of 2016 from the Hon'ble High Court of Punjab and Haryana, Chandigarh.

5.0 Deliberations during 202nd meeting of SEAC held on 21.06.2021.

The meeting was attended by the following:

1. Sh. Hardeep Singh, Deputy Chief Engineer of JLPL.
2. Sandeep Garg, EIA Coordinator, M/s Eco Laboratories & Consultants Pvt. Ltd.

SEAC was apprised that the Project Proponent vide letter no. 2457 dated 18.06.2021 has submitted the receipt of withdrawal of CWP 21351 of 2016 from the Hon'ble High Court of Punjab and Haryana, Chandigarh. SEAC perused the said receipt and found appropriate.

After detailed deliberations, SEAC decided to accept the online application submitted by the project proponent after scrutinizing the documents and the case will be placed in the meeting, accordingly.

6.0 Deliberations during 204th meeting of SEAC held on 20.07.2021.

SEAC observed that MoEF vide OM dated 07.07.2021 has laid down the Standard Operating Procedure (SoP) for dealing with the violation cases. The said case was perused as per the provisions OM dated 07.07.21. After detailed deliberations, SEAC decided to recommend the case to SEIAA with following actions:

1. The project proponent has not submitted the compliance of directions issued by SEIAA vide letter no. 3425 dated 27.09.16 u/s 5 of the Environment (Protection) Act, 1986 to the Project Proponent for immediately stopping the construction activities and further stop creating the third-party interests. The SEIAA may consider issuing further direction to the project proponent as per provisions of OM dated 07.07.21 issued by MoEF&CC.
2. The project proponent may be requested to submit year wise details of the percentage of construction completed viz-a-viz occupancy of the project. Further, the project proponent may also submit details of the total project cost incurred up to the date of filing of application along with EIA/EMP report and the total turnover during the period of violation to decide upon the penalty for violation as per the provisions of OM dated 07.07.21.
3. Punjab Pollution Control Board may again be requested to intimate the status of prosecution launched against the Project Proponent u/s 15, read with section 19 of the Environmental (Protection) Act, 1986, as requested vide letter no. 862 dated 22.08.2019. Further, PPCB may be requested to work-out the amount payable by the Project Proponent for damaging the environment based on Polluters Pay Principle.
4. As per OM dated 29.08.2017, the baseline data should not be older than 3 years at the time of submission of the proposal for grant of Environment Clearance. As per the EIA report submitted by the project proponent used the baseline monitoring data of Quark City, without getting the approval from SEAC, which is more than 3 years old. Thus, the Project Proponent may be asked to carryout fresh baseline monitoring of the project site as per the protocol.

7.0 Deliberations during 187th meeting of SEIAA held on 09.08.2021.

The case was considered by SEIAA in its 187th meeting held on 09.08.2021, which was attended by the following through Video Conference:

- (i) Sh. Hardeep Singh, Deputy Chief Engineer, JLPL.
- (ii) Dr. Sandeep Garg, EIA Coordinator and Ms. Priyanka Madan from M/s Eco Laboratories & Consultants Pvt. Ltd.

Environmental Consultant of the promoter company informed that SEAC has considered their case as per the OM dated 07.07.2021 of the MOEF&CC whereas Madurai Bench of Madras

High Court vide its order of 15.07.2021 has ordered an interim stay on the operation of OM dated 07.07.2021. A copy of the directions of the Madurai Bench of the Hon'ble High Court of Madras vide which the operation of MOEF&CC guidelines dated 07.07.2021 has been stayed were taken on record.

Environmental Consultant further requested that they had applied for EC in this case on 20.11.2013 and specific ToRs were issued to the Project on 10.05.2018. Furthermore, they had withdrawn CWP No 21351 of 2016 instituted by them in the Hon'ble High Court of Punjab and Haryana. Therefore, their case is covered under and is required to be dealt with as per the Notifications issued by the MoEF dated 14.03.2017 as amended on 08.03.2018 and further clarifications made vide OM's dated 16.03.2018 and 09.09.2019.

SEIAA perused the history and records of the case and observed the brief summary of this case which has been pending since almost 8 years as under:

- i) M/s JLPL (Project Proponent) applied offline for EC for their Falcon View Project on 20.11.2013. However, they commenced large scale construction activities without obtaining prior EC in violation of the EIA Notification and other directions under the Act. M/s JLPL also applied for grant of EC for their "Super Mega Mixed Use Integrated Industrial Park at Sector 66-A, 82 and 83 SAS Nagar Mohali" on 17.10.2013. After the EC for this area development Project was granted by SEIAA on 16.12.2015, M/s JLPL submitted request on 12.03.2016 for withdrawal of their application dated 20.11.2013 for grant of EC for the Falcon View Project by taking the plea that separate EC for Falcon View Project was not necessary as it was a part of the Area Development Project for which EC had already been granted.
- ii) When this plea was not accepted by SEIAA / SEAC and their request dated 12.03.2016 for withdrawal of their EC application dated 20.11.2013 was rejected, M/s JLPL instituted CWP No 21351 of 2016 in the Hon'ble High Court of Punjab and Haryana praying that a separate EC was not required for this Project because it was part of the "Super Mega Mixed Use Integrated Industrial Park at Sector 82, 83 and 66A, SAS Nagar Mohali" for which the EC was granted vide no. 8257 dated 16.12.2015.
- iii) SEIAA / SEAC contested the plaint of M/s JLPL and held that a separate EC was required for the Falcon View Project. PPCB was also requested by SEIAA to initiate appropriate action in respect of the violations made by the Project Proponent by commencing construction without obtaining prior EC.
- iv) Prosecution was launched by the PPCB against the persons responsible for the violations but the matter remained pending (sub-judice) with no progress in grant of EC till 2018 when during course of hearing in the case, counsel for SEIAA committed in the Hon'ble High Court that on receipt of application from Union of India, the same shall be decided within next 04 weeks. Thereupon SEAC in its 164th meeting held on 10.04.2018 inter alia recommended issuing special terms of reference (TORs) to the Falcon View Project under the "Window" category of violation cases.

- v) SEIAA in its 132nd meeting held on 10.05.2018 accepted the recommendations of SEAC and issued specific terms of reference to the Project proponent in this case on the basis of MOEF&CC Office Memorandum dated 14.03.2017 along with subsequent amendments / clarifications. While accepting the recommendations of SEAC, SEIAA recorded as under:
- “The SEIAA after having detailed deliberations upon the matter decided to accept the recommendations of SEAC and to issue the above-mentioned specific ToRs as recommended by the SEAC. The pending application of 'Falcon View' for obtaining environmental clearance will be appraised and decided after the receipt of revised EIA report incorporating the compliance of aforesaid specific ToRs in accordance with the provisions of EIA notifications dated 14.03.2017 and amendment dated 08.03.2018 issued by the MoEF&CC, New Delhi”.*
- vi) SEIAA also observed that though the instant proposal for grant of EC was submitted offline on 20.11.2013 (well before the “violations window” of 2017-2018), MOEF&CC has clarified vide its OM dated 09.09.2019 that proposals received prior to the violations window can be taken up for consideration under the violation guidelines of 14.03.2017 and subsequent clarifications.
- vii) No further progress was made in this case after issue of specific ToRs in 2018 since M/s JLPL did not submit the requisite EIA report addressing the specific TORs under the pretext of pendency of CWP No 21351 of 2016 in the Hon’ble High Court.
- viii) SEAC in its 198th meeting held on 05.04.2021 recommended to SEIAA that the matter being sub-judice, the fresh application for grant of EC submitted by M/s JLPL in 2018 may be returned to the Project Proponent.
- ix) SEIAA in its 180th meeting held on 26.04.2021 decided that since the applications for grant of EC of 2013 and 2018 were identical, the earlier application of 2013 was required to be processed as specific TORs had already been issued for the same and the matter was pending due to non-submission of revised EIA report. As the Project Proponent had not submitted the requisite amended EIA report despite long period of 3 years having lapsed since the specific TORs were issued on 10.05.2018, SEIAA enquired from the Project Proponent whether they wished to submit the pending EIA report and pursue the case for grant of EC or they wanted to continue with the stand taken in the Hon’ble High Court that separate EC for Falcon View Project was not required. Project Proponent submitted that a decision in this regard would be taken shortly by their top management. Subsequently, M/s JLPL has withdrawn their pending CWP No 21351 of 2016 and have expressed willingness to pursue their application for grant of EC for their Falcon View Project.

SEIAA was of view that since the EC application of the Project Proponent of 20.11.2013 was not permitted to be withdrawn by SEIAA / SEAC and as specific TOR’s have already been issued in this case by SEIAA as per recommendations of SEAC (on basis of an commitment given in the Hon’ble High Court by then standing counsel that a decision in the matter would be taken within 4 weeks) and interim stay on the operation of OM dated 07.07.2021 by Madurai Bench of Madras High Court, this case should continue to be dealt with in accordance with the directions of the MoEF&CC dated 14.03.2017 (and subsequent amendments / clarifications on the subject).

Keeping the foregoing position and the recommendations of SEAC in view, after detailed deliberations, it was decided as under:

1. Punjab Pollution Control Board be requested to intimate the status of prosecutions launched against the Project Proponent and other responsible persons u/s 15 read with section 19 of the Environmental (Protection) Act, 1986, as requested vide letter no. 862 dated 22.08.2019 and other communications on the subject.
2. The project proponent shall submit report in respect of the compliance of directions issued by SEIAA vide letter no. 3425 dated 27.09.16 u/s 5 of the Environment (Protection) Act, 1986 for stopping the construction activities and not creating the third-party interests in the Project directly to SEAC so that appraisal of their project can be carried out as per the procedure defined in Notification dated 14.03.2017 as amended on 08.03.2018.
3. The Project Proponent shall submit baseline monitoring data of the project site not older than 3 years as per the OM dated 29.08.2017 directly to SEAC so that application of the EC can be considered.
4. Case be remand to SEAC with a request to conduct its appraisal as per the MoEF &CC Notification dated 14.03.2017 as amended on 08.03.2018 after getting status of prosecution from PPCB and compliance of decision no's 2 & 3 mentioned above from project proponent.

8.0 Deliberations during 205th meeting of SEAC held on 21.08.2021.

The case was attended by the following:

- (i) Sh. Hardeep Singh, Deputy Chief Engineer, JLPL.
- (ii) Dr. Sandeep Garg, EIA Coordinator and Ms. Priyanka Madan from M/s Eco Laboratories & Consultants Pvt. Ltd.

SEAC observed that the action in the matter could be taken only after receipt of report from Punjab Pollution Control Board & submission of reply by the Project Proponent.

After deliberations, SEAC decided to defer the matter till the receipt of report from Punjab Pollution Control Board & reply by the Project Proponent.

The Punjab Pollution Control Board vide letter no. 5358 dated 17.09.2021 has intimated that it had already launched two prosecutions against the Project Proponent and its responsible persons vide no. COMA/184/2015 and vide no. COMA/40/2017, u/s 15, 16 read with section 19 of the Environmental (Protection) Act, 1986.

Reply from Project Proponent w.r.t decision no. 2 & 3 taken by SEIAA in its 187th meeting of SEIAA held on 09.08.2021 is awaited.

9.0 Deliberations during 207th meeting of SEAC held on 07.10.2021.

The case was attended by the following:

- (i) Sh. Hardeep Singh, Deputy Chief Engineer, JLPL.
(ii) Dr. Sandeep Garg, EIA Coordinator and Ms. Priyanka Madan from M/s Eco Laboratories & Consultants Pvt. Ltd.

SEAC observed that SEIAA after deliberating the case in its 187th meeting held on 09.08.2021 decided to revert back the case to SEAC to conduct its appraisal as per MoEF&CC Notification dated 14.03.2017 as amended on 08.03.2018 after getting the requisite details as mentioned in the proceedings. The point wise comments are detailed as under:

Sr. no.	Observation raised by SEAC	Reply
1.	Punjab Pollution Control Board be requested to intimate the status of prosecutions launched against the Project Proponent and other responsible persons u/s 15 read with section 19 of the Environmental (Protection) Act, 1986, as requested vide letter no. 862 dated 22.08.2019 and other communications on the subject.	Punjab Pollution Control Board vide letter no. 5358 dated 17.09.2021 has intimated that it has already launched two prosecutions against the Project Proponent and its responsible persons vide no. COMA/184/2015 and vide no. COMA/40/2017, u/s 15, 16 read with section 19 of the Environmental (Protection) Act, 1986. The next date of hearing in these cases is 20.12.2021 as informed by the Project Proponent.
2.	The project proponent shall submit report in respect of the compliance of directions issued by SEIAA vide letter no. 3425 dated 27.09.16 u/s 5 of the Environment (Protection) Act, 1986 for stopping the construction activities and not creating the third-party interests in the Project directly to SEAC so that appraisal of their project can be carried out as per the procedure defined in Notification dated 14.03.2017 as amended on 08.03.2018.	The Project Proponent has submitted an Affidavit dated 04.10.2021, duly attested by the Notary that, "The construction activity has been totally stopped at site. Furthermore, no construction activity has been going on at site and will only be started after getting the Environmental Clearance. Further, that no third-party interest has been created in the project post receipt of SEIAA letter no. 3425 dated 27.09.2016."
3.	The Project Proponent shall submit baseline monitoring data of the project site not older than 3 years as per the OM dated 29.08.2017 directly to SEAC so that application of the EC can be considered.	The Project Proponent submitted the baseline study considered in buffer zone of project i.e., Green Lotus Utsav (October-December, 2020).

SEAC allowed the Environmental Consultant of the Project Proponent to submit salient features of the project with details as under:

Sr. no.	Description	Details
1.	Name & Location of the project	Residential Pocket 1 namely "Falcon View" located within Super Mega Mixed Use Integrated Industrial Park, Sector- 66A, District SAS Nagar (Mohali), Punjab by M/s Janta Land Promoters Pvt. Ltd.
2.	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	The project falls under Schedule 8(b) - 'Township and Area Development Project' Category B as the built-up area of project is 4,99,964.385 sq.m.
3.	Copy of duly signed Layout plan	Approved site Plan submitted with application.
4.	Copy of Memorandum of Article & Association/ partnership deed/ undertaking of sole proprietorship/ list of Directors and names of other persons responsible for managing the day-to-day affairs of the project.	Copy of MOA along with current list of directors of M/s Janta Land Promoters Pvt. Ltd. have been submitted.
5.	Proposed ToRs (based on the standard ToRs)	Additional ToR has been issued by SEIAA, Punjab vide Letter No. SEIAA/2018/609 dated 11.05.2018
6.	Does it attract the General Conditions? If yes, please specify	No
7.	Whether the proposal involves approval/clearance under the Forest (Conservation) Act, 1980	No. The project does not involve any forest land.
8.	Does the project cover under PLPA, 1900?	No
9.	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 National Board for Wild Life (NBWL).	Yes a. City Bird Sanctuary: Approx. 8.5 km. However, project lies outside the eco-sensitive zone of City Bird Sanctuary. b. NBWL clearance is not required as project lies outside the eco-sensitive zone of City Bird Sanctuary.
10.	Classification/Land use pattern as per Master Plan	The project is a part of Super Mega Mixed Use Integrated Industrial Park.Super Mega Mixed Use

		Integrated Industrial Park falls within the Industry & Warehouse zone as per Master Plan of SAS Nagar (Mohali).							
11.	Cost of the project	The total estimated cost of the project including land & construction work is Rs. 881.50 Crores.							
12.	Processing Fee details (Amount/NEFT no./dated)	Processing fees for Environmental Clearance application has been calculated @ Rs. 1 / sqm of Total built up area. Thus, Rs. 5,00,000/- has been paid by RTGS vide UTR No. PUNBR5202107151 2893063 dated 15.07.2021.							
13.	Detail of various components								
	S.no.	Description	Particulars					Unit	
	1.	Plot Area (34.17 acres)	1,38,280					sq. m.	
	2.	Built-up Area	4,99,964.385					sq. m.	
	3.	Number of Building Blocks	2 Pockets: - • Pocket A: 25 Residential towers + community centre • Pocket B: 6 Residential towers					-	
	4.	Total No. of Dwelling Units	1602 No					-	
14.	Breakup of Water Requirements & source in Operation Phase (Summer, Rainy, Winter):								
	S.No	Season	Freshwater		Reuse water			Total (KLD)	
			Domestic (KLD)	Others (KLD)	Flushing (KLD)	Green area (KLD)	HVAC (KLD)		Sewer (KLD)
	1.	Summer	741	25	376	199	-	301	1,117
	2.	Winter	741	-	376	65	-	435	1,117
	3.	Rainy	741	25	376	18	-	512	1,117
	S.No.	Description			Source of water				
	1.	Domestic			Common Tube Wells of Super Mega Mixed Use Integrated Industrial Park				
	2.	Flushing purposes			Treated water from STP				
	3.	Green area			Treated water from STP				
15.	Details of acknowledgement of application filed to CGWA/ Competent Authority for obtaining permission for abstraction of ground water.	The source of water during operation phase will be common tube wells of Super Mega Mixed Use Integrated Industrial Park.							
16.	Specify block of project site as per CGWA norms	Common tube wells of Super Mega Mixed Use Integrated Industrial Park. The Project Proponent has already obtained							

	(Notified/ Non-Notified)	permission from CGWA for Super Mega Project vide letter no. 637 dated 18.04.2013.																				
17.	Details of Wastewater generation, Treatment facility & its Disposal arrangements in Construction Phase	During Construction Phase, wastewater generation will be treated in already installed 100 KLD STP within the project site.																				
18.	Details of Wastewater generation, Treatment facility & its Disposal arrangements in Operation Phase and if wastewater being disposed in MC sewer then also mention the details of NOC from competent authority	<p>During Operation Phase, the wastewater generation will be 906 KLD which will be treated in 2.8 MLD STP within Super Mega Mixed Use Integrated Industrial Park project.</p> <p>The details of the breakup of the utilization of treated wastewater are as under: -</p> <table border="1"> <thead> <tr> <th>Season</th> <th>Flushing (KLD)</th> <th>Green area (KLD)</th> <th>HVAC (KLD)</th> <th>GMADA Sewer (KLD)</th> </tr> </thead> <tbody> <tr> <td>Summer</td> <td>376</td> <td>199</td> <td>-</td> <td>301</td> </tr> <tr> <td>Winter</td> <td>376</td> <td>65</td> <td>-</td> <td>435</td> </tr> <tr> <td>Monsoon</td> <td>376</td> <td>18</td> <td>-</td> <td>512</td> </tr> </tbody> </table>	Season	Flushing (KLD)	Green area (KLD)	HVAC (KLD)	GMADA Sewer (KLD)	Summer	376	199	-	301	Winter	376	65	-	435	Monsoon	376	18	-	512
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Summer	376	199	-	301																		
Winter	376	65	-	435																		
Monsoon	376	18	-	512																		
19.	Details of Rainwater recharging/ Harvesting (m ³ /hr) proposal & technology proposed to be adopted	Total 17 nos. of Rain water recharging pits are being proposed for rain water recharging within the project premises. However, at present 3 Rain Water Recharging pits have already been constructed within the project premises.																				
20.	Details of Solid waste generation (Qty), treatment facility and its disposal arrangement	<p>a) 3,364 kg/day</p> <p>b) The solid waste shall be duly segregated into biodegradable, non-biodegradable and non-hazardous waste components as per SWM Rules, 2016.</p>																				
21.	Details of Hazardous Waste & E-Waste generation (Qty.), Treatment facility and its disposal arrangement	Used oil from DG set will be generated which will be sold to authorized vendor. E-waste generated from the project will be handled as per E-Waste (Management) Rules, 2016 & its amendments.																				
22.	Detail of DG sets	Total 16 number of DG sets i.e., 8 DG sets of 500 kVA capacity each; 4 DG set of 380 kVA, 2 DG sets of 125 kVA each, 1 DG set of 320 kVA and 1 DG set of 250 kVA have been proposed for power back up. Out of which, 3 DG sets of capacity 500 kVA, 380 kVA and 250 kVA have been provided within the project for power backup.																				
23.	Air pollution control device details	DG set shall be with in-built acoustic enclosure as approved by CPCB and conforming to MoEF, GoI Notification.																				

24.	Energy Requirements & Saving	8,111 KW from Punjab State Power Corporation Limited (PSPCL). LED lights & solar street lights have been proposed in the project.			
25.	Details of Environmental Management Plan				
	Sr. No.	Title	Construction Phase		Operation Phase
			Capital Cost (lacs)	Recurring Cost (Lacs/annum)	Recurring Cost (Lacs/annum)
	1.	Air Pollution Control (Tarpaulin sheets, water sprinklers etc.)	43 (23 already spent)	2	1
	2.	Water Pollution Control	283	10	25
		Septic tank (Construction phase)	20 (Already spent)	10 (Already spent)	
		100 KLD STP	63 (already spent)		
		2.8 MLD CETP in super mega project	200		25
	3.	Noise Pollution Control (Acoustic enclosures etc.)	5	0.5	1
	4.	Landscaping/ green belt	132.50 (Already spent)	5 (in addition, Rs. 17.5 lacs already spent on maintenance)	5
	5.	Solid Waste Management (Mechanical composters-2 No.)	45 (Rs. 20 lacs already spent)	2	12
	6.	Rain Water Recharging – 14 Pits	50 (Rs. 10 lacs already spent on 3 pits)	2	5

7.	Energy Conservation (3000 LED fixtures, 100 solar street lights etc.)	25	2	5
8.	Environmental Monitoring (Ambient Air, Noise, Soil, Water, STP outlet etc.)	5	5	5
9.	Miscellaneous	10	5	7.5
	Total	598.5	33.5	66.5
26.	<p>Details of green belt development shall include following:</p> <p>a) No. of tree to be planted against the requisite norms.</p> <p>b) Percentage of the area to be developed.</p>	<p>a) No. of trees required = 1 Tree per 80 sq.m. of plot area = $1,38,280/80 = 1729$ trees</p> <p>b) 2498 trees have already been planted within the project.</p> <p>c) Green Area proposed = 36,254.117 sq.m. (@ 26.2% of Total area)</p> <p>d) Native spaces such as cassia fistula (golden shower), saraca asoca (Ashoka Tree), schleicheria oleosa (Kusum Tree) etc. have been planted inside the premises</p>		

The reply submitted by the Project Proponent vide Memo No. JLPL/809/2021/4470 dated 04.10.2021 has taken on record.

The Project Proponent has informed that it has already spent **Rs. 286 lacs** on air pollution control, development of green area including maintenance, water pollution control (100 KLD STP) & septic tank, 3 No. rain water researching pits and solid waste management. Further, no economic benefit has been derived due to violation. A total of **Rs. 79.05 lacs** have been allocated towards environment improvement due to violation. Out of Rs. 79.05 lacs, **Rs. 39.05 lacs** have already been paid as environmental compensation to Punjab Pollution Control Board vide order dated 15.07.21. The Project Proponent has submitted Natural & Community Resource Augmentation Implementation Plan to spend the remaining **Rs. 40 lacs** with details as under:

Sr. no.	Description	Budget (Rs. in Lacs)
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1.	Develop greenery in vicinity of project site along external roads., greenbelts, parks, etc in consultation with local authorities.	2
2.	Maintenance of building, toilets and provision of clean drinking water coolers & RO Plants, Rainwater harvesting wells at schools in villages Chanchu Majra, Saini Majra, Chilla, Badarpur & Rurka.	38
Total		Rs. 40 Lacs

It was also informed that the Project Proponent that **Rs. 68 lacs** have already been spent on construction/ maintenance of toilets (girls & boys) as well as maintenance of classrooms in schools of villages such as Kambala, Kandala, Lakhnaour, Mouli Baidwan, Mataur, Phase-3B2, 9 & 10.

SEAC raised following observations to the Project Proponent:

Sr. No.	Observation	Reply
1.	The Project Proponent shall submit Bank Guarantee of Rs. 40 lakhs (equivalent to the amount mentioned in the remediation plan) to Punjab Pollution Control Board, in compliance with the provisions of MoEF Notification dated 14.03.2017 as amended on 08.03.2018	The Project Proponent agreed to the same and assured to submit the Bank Guarantee within next 15 days.

SEAC was satisfied with the presentation and the reply submitted by the Project Proponent and took a copy of the same on record.

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 the establishment of residential project namely "Falcon View" having built-up area 4,99,964.385 Sqm, located at Sector-66A, Mohali, Distt. SAS Nagar, Punjab, subject to submission of Bank Guarantee of Rs. 40 Lakhs with the Punjab Pollution Control Board, 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 and subject to the following conditions: -

Additional Conditions:

- i. The project proponent shall submit a Bank Guarantee of amount Rs. 40 Lakhs (equivalent to the amount mentioned in the remediation plan) with the Punjab Pollution Control Board in compliance with the provisions of MoEF notification dated 14.03.2017 as amended on

08.03.2018. The Bank Guarantee shall be deposited prior to the grant of Environmental Clearance and will be released after successful implementation of remediation plan.

I. Statutory compliance:

- i) The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building bye laws.
- ii) The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment, etc. as per National Building Code including protection measures from lightning, etc.
- iii) The project proponent shall obtain forest clearance under the provisions of the Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- iv) The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- v) The project proponent shall obtain Consent to Establish / Operate under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board / Committee.
- vi) The project proponent shall obtain the necessary permission for drawl of ground water/ surface water required for the project from the competent authority.
- vii) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
- viii) All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
- ix) The provisions of the Solid Waste (Management) Rules, 2016, E-Waste (Management) Rules, 2016, Construction & Demolition Waste Rules, 2016 and the Plastics Waste (Management) Rules, 2016 shall be followed.
- x) The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.
- xi) The project site shall confirm to the suitability as prescribed under the provisions laid down under the master plan of respective city/ town. For that, the project proponent shall either to submit the NOC/ land use conformity certificate from Deptt. of Town and Country Planning or other concerned Authority under whom jurisdiction, the site falls.
- xii) Besides above, the project proponent shall also comply with siting criteria / guidelines, standard operating practices, code of practice and guidelines if any prescribed by the SPCB/CPCB/MoEF&CC for such type of projects.
- xiii) The project proponent shall get the layout plans approved from the Competent Authority for the activities / establishments to be set up at project site in consonance of the project proposal for which this environment clearance is applied.

II. Air quality monitoring and preservation

- i) Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
- ii) A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii) The project proponent shall install system to carryout Ambient Air Quality monitoring for common /criterion parameters relevant-to the main pollutants released (e.g., PM₁₀ and PM_{2.5}) covering upwind and downwind directions during the construction period.
- iv) Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
- v) Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 m height or 1/3rd of the building height and maximum up to 10 m). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
- vi) No Excavation of soil shall be carried out without adequate dust mitigation measures in place.
- vii) No loose soil or sand or construction & demolition waste or any other construction material that causes dust shall be left uncovered.
- viii) No uncovered vehicles carrying construction material and waste shall be permitted
- ix) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- x) Grinding and Cutting of building material in open area shall be prohibited. Wet jet shall be provided for grinding and stone cutting.
- xi) Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- xii) All construction and demolition debris shall be stored at the site within earmarked area and road side storage of construction material and waste shall be prohibited. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.
- xiii) The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
- xiv) The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust

pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.

- xv) For indoor air quality the ventilation provisions as per National Building Code of India.
- xvi) Roads leading to or at construction site must be paved and blacktopped (i.e., metallic road)
- xvii) Dust Mitigation measures shall be displayed prominently at the construction site for easy public viewing.
- xviii) Construction and Demolition Waste Processing and Disposal site shall be identified and required dust mitigation measure be notified at the site.

III. Water quality monitoring and preservation

- i) The natural drain system should be maintained for ensuring unrestricted flow of water.
- ii) No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.
- iii) Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iv) The total water requirement for the project will be 1,117 KL/day, out of which fresh water demand of 741 KL /day shall be met through common borewells of Super Mega and remaining through recycling of treated wastewater from common STP of 2.8 MLD to be installed within the Super mega project. 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 924 KL/day, which will be treated in installed common STP of 2.8 MLD to be installed within the Super mega project. As proposed, reuse of treated wastewater shall be as under: -

Sr. No.	Season	For Flushing purposes (KLD)	Green Area (KLD)	GMADA Sewer KLD
1.	Summer	376	199	301
2.	Winter	376	65	435
3.	Monsoon	376	18	512

- b) Storage tank of adequate capacity shall be provided for the storage of treated wastewater and all efforts shall be made to supply the same for construction purposes.
- c) During construction phase, the project proponent shall ensure that the waste water being generated from the labour quarters/toilets shall be treated and disposed in environment friendly manner. The project proponent shall also exercise the option of modular bio-toilets or will provide proper and adequately design septic tanks for the treatment of such waste water and treated effluents shall be utilized for green area/plantation.

- vi) The project proponent shall ensure safe drinking water supply to the habitants. Adequate treatment facility for drinking water shall be provided, if required.
- vii) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- viii) A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- ix) At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
- x) Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc. and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.
- xi) The respective project proponent shall discourage the installation of R.O. plants in their projects in order to save the wastage in form of RO reject. However, in case the requirement of installing RO plant is utmost necessary then the rejected stream from the RO shall be separated and shall be utilized by storing the same within the particular component or in a common place in the project premises.
- xii) The project proponent shall also adopt the new/innovating technologies like less water discharging taps (faucet with aerators)/urinals with electronic sensor system /water less urinals / twin flush cisterns/ sensor based alarming system for overhead water storage tanks and make it a part of the environmental management plans / building plans so as to reduce the water consumption/ground water abstraction in their Building Construction & Industrial projects.
- xiii) The project proponent will provide plumbing system for reuse of treated wastewater for flushing/other purposes etc. and colour coding of different pipe lines carrying water/wastewater from different sources / treated wastewater as follows:

Sr. No	Nature of the Stream	Color code
a)	Fresh water	Blue
b)	Untreated wastewater from Toilets/ urinal & from Kitchen	Black
c)	Untreated wastewater from Bathing/shower area, hand washing (Washbasin / sinks) and from Cloth Washing	Grey
d)	Reject water streams from RO plants & AC condensate (this is to be implemented wherever centralized AC system and common RO has been proposed in the Project). Further, in case of individual houses/establishment this proposal may also be implemented wherever possible.	White

e)	Treated wastewater (for reuse only for plantation purposes) from the STP treating black water	Green
f)	Treated wastewater (for reuse for flushing purposes or any other activity except plantation) from the STP treating grey water	Green with strips
g)	Storm water	Orange

- xiv) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- xv) 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 plot 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, 17 no. rain water recharge pits have already been proposed for ground water recharging as per the CGWB norms. The ground water shall not be withdrawn without approval from the Competent Authority.
- xvi) All recharge should be limited to shallow aquifer.
- xvii) No ground water shall be used during construction phase of the project. Only treated sewage/wastewater shall be used. A proper record in this regard should be maintained and available at site.
- xviii) Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
- xix) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- xx) Sewage shall be treated in the STP with tertiary treatment. STP shall be installed in a phased manner viz a viz in the module system designed in such a way so as to efficiently treat the wastewater with an increase in its quantity due to rise in occupancy. The treated effluent from STP shall be recycled/reused for flushing and gardening. No treated water shall be disposed of into the municipal storm water drain.
- xxi) No sewage or untreated effluent water would be discharged through storm water drains. Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. Treated waste water shall be reused on-site for landscape, flushing, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by the Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.
- xxii) Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.

- xxiii) Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.

IV. Noise monitoring and prevention

- i) Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/SPCB.
- ii) Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
- iii) Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

V. Energy Conservation measures

- i) Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
- ii) Outdoor and common area lighting shall be LED.
- iii) Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased. day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof U-values shall be as per ECBC specifications.
- iv) Energy conservation measures like installation of LEDs for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
- v) Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
- vi) Solar power by utilizing at least 30% of the roof top area shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher.

VI. Waste Management

- i) A certificate from the competent authority handling municipal solid waste, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
- ii) Disposal of muck during construction phase shall not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- iii) Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
- iv) Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed for treatment and disposal of the waste.
- v) All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi) Any hazardous waste generated during construction phase, shall be disposed of as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- vii) Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
- viii) Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
- ix) Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
- x) Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.

VII. Green Cover

- i) No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
- ii) At least single line plantation all around the boundary of the project as proposed shall be provided. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous species/variety. The project proponent shall ensure planting of 2498 trees in the project area at the identified location, as per proposal submitted, with plants of native species preferably having broad leaves. The size of the plant thus planted should not be less than 3 ft and each plant shall be

protected with a fence and properly maintained. The project proponent shall make adequate provisions of funds to ensure maintenance of the plants for a further period of three years. The plants shall be protected and maintained by the project proponent or Residents Welfare Association, as the case may be, even after three years. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. The plantation should be provided as per SEIAA guidelines

- iii) Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1: 10 (i.e., planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
- iv) Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
- v) The project proponent shall not use any chemical fertilizer /pesticides /insecticides and shall use only Herbal pesticides/insecticides and organic manure in the green area.
- vi) The green belt along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for commercial land use.

VIII. Transport

- i) A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.
 - a) Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
 - b) Traffic calming measures.
 - c) Proper design of entry and exit points.
 - d) Parking norms as per local regulation.
- ii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.
- iii) A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the

implementation of components of the plan which involve the participation of these departments.

- iv) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.

IX. Human health issues

- i) All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
- ii) For indoor air quality the ventilation provisions as per National Building Code of India.
- iii) Emergency preparedness plan based on the Hazard identification and Risk Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- iv) Occupational health surveillance of the workers shall be done on a regular basis.
- v) A First Aid Room shall be provided in the project both during construction and operations of the project.

X. Environment Management Plan

- i) The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- ii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- iii) 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. 598.50 Lacs towards the capital cost and Rs. 33.5 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. 66.5 Lacs/annum towards the 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/person 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.

XI. Validity

- i) This environmental clearance will be valid for a period of seven years from the date of its issue or till the completion of the project, whichever is earlier.

XII. Miscellaneous

- i) **The project proponent before allowing any occupancy shall obtain completion and occupancy certificate from the Competent Authority and submit a copy of the same to the SEIAA, Punjab.**
- ii) The project proponent shall comply with the conditions of CLU, if obtained.
- iii) The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEF&CC/SEIAA website where it is displayed.
- iv) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- v) The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- vi) The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at Environment Clearance portal.
- vii) The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- viii) The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- ix) The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- x) The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.

- xi) No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xii) Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xiii) The SEIAA/Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiv) The SEIAA/ Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xv) The Regional Office of this Ministry and Punjab Pollution Control Board shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data/information/monitoring reports.
- xvi) The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvii) Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

10.0 Deliberations during 192nd meeting of SEIAA held on 01.11.2021.

The case was considered by SEIAA in its 192nd meeting held on 01.11.2021 which was attended by the following:

- (i) Sh. Hardeep Singh, Deputy Chief Engineer, JLPL.
- (ii) Dr. Sandeep Garg, EIA Coordinator and Ms. Priyanka Madan from M/s Eco Laboratories & Consultants Pvt. Ltd.

SEIAA was apprised regarding the brief history of the case as recorded in the 187th meeting of SEIAA held on 09.08.2021. It was also informed that Hon'ble NGT vide order dated 04.01.2021 has dismissed the Appeal OA No. 19/2020 made by the JLPL against the PPCB similar to the CWP 21351 of 2016 titled JLPL vs. UOI & Ors. filed in the Hon'ble High Court, Chandigarh. The said CWP 21351 of 2016 was later on withdrawn by the JLPL as they wanted to peruse the case for grant of EC with SEIAA, Punjab.

SEAC has now sent the case recommending grant of Environmental Clearance in this violations category case by adopting the procedure provided for dealing with such cases in the MoEF&CC Notification dated 14.03.2017 as amended on 08.03.2018. A specific Natural & Community Resource Augmentation Implementation Plan of Rs 40 Lakhs has also been recommended by SEAC.

Environmental Consultant of the promoter company submitted a copy of the presentation

of the salient features of the project, which was taken on record by SEIAA.

Member Secretary SEIAA drew attention to para 2 of the deliberations made by SEAC in its meeting held on 20.07.2021 reproduced below:

“The project proponent may be requested to submit year wise details of the percentage of construction completed viz-a-viz occupancy of the project. Further, the project proponent may also submit details of the total project cost incurred up to the date of filing of application along with EIA/EMP report and the total turnover during the period of violation to decide upon the penalty for violation as per the provisions of OM dated 07.07.21”.

Member Secretary SEIAA observed that this information had not been furnished by the Project Proponent and this aspect appeared to have been overlooked by SEAC while recommending grant of EC to the Project. On query regarding this, Environmental Consultant clarified that as specifically mentioned by SEAC in its aforementioned deliberations the additional information was being sought by SEAC only to decide upon the penalty for violation under the provisions of MOEF&CC OM dated 07.07.2021. Since a decision had already been taken by SEIAA that this violation case is to be processed as per earlier violation guidelines of 14.03.2017 / 08.03.2018, SEAC had not erred in recommending the case without obtaining the additional information - which would have been relevant only in case the procedure stipulated under the Guidelines dated 07.07.2021 was to be adopted.

Project Proponent further informed that all the construction activities were done before the directions issued u/s 5 by the SEIAA vide letter no. 3425 dated 27.09.2016 and no construction has been undertaken thereafter. Further, an affidavit in this regard has already been submitted by them. Project Proponent also requested that the EC may be granted expeditiously since they were suffering huge losses due to the long delay.

SEIAA desired that the following additional information be submitted by the Project Proponent:

1. *Year wise details of the percentage of construction completed viz-a-viz occupancy of the project.*
2. *Details of the total project cost incurred up to the date of filing of application along with EIA/EMP report and the total turnover during the period of violation.*
3. Occupancy Certificate/Completion Certificate issued by the Competent Authority.
4. Detailed analysis of the Environmental loss on the basis of which the Natural and Community Resource Augmentation Plan has been prepared and basis for submitting that no economic benefit has accrued to the Project Proponent on account of the violations.
5. Revised Natural and Community Resource Augmentation Plan for provision of Solid Waste Composter and restoration of Village Pond to be implemented within 6 months.

Project Proponent assured that the requisite information would be supplied expeditiously. MS, SEIAA desired that above information should be thoroughly examined before considering the case of Environmental Clearance.

After detailed deliberations, SEIAA decided to defer the matter and to take it up in its next meeting after submission of the above information by the Project Proponent.

In compliance with the aforesaid decision, additional details as above were sought from the project proponent on 08.11.2021 through Parivesh portal.

The project proponent submitted the reply to the said observation which is annexed as Annexure-1 of the agenda for kind perusal please.

11.0 Deliberations during 193rd meeting of SEIAA held on 10.11.2021.

The case was considered by SEIAA in its 193rd meeting held on 10.11.2021 which was attended by the following:

- (i) Sh. Hardeep Singh, Deputy Chief Engineer, JLPL.
 - (ii) Dr. Sandeep Garg, EIA Coordinator and Ms. Priyanka Madan from M/s Eco Laboratories & Consultants Pvt. Ltd.
1. SEIAA perused the reply submitted by the Project Proponent in detail attached as Annexure-1 of the agenda and after examination, it was observed as under:
 - (i) 2,17,210 sqm built up area out of total planned Project area of 499964.385 sqm has been constructed as on 09.11.2021.
 - (ii) An expenditure of Rs 100.95 crores was incurred on the project up to November 2013 (prior to submission of application for grant of EC) as per CA certificate dated 09.11.2021 wherein it has been certified that total construction cost incurred till November, 2013 on project Falcon View was Rs 51.03 Crores. Value of land falling under the project as per books of accounts was Rs 49.92 crores and Total Project expenditure up to November 2013 was Rs 100.95 Crores (Cost of land + Construction).
 - (iii) Partial completion certificates have been issued by GMADA for Tower nos. 9,10,11,12,17,18, A, C and C' of the Group Housing Project namely 'Falcon View' Pocket 1 of Super Mega Mixed Use integrated Industrial Park at Sector 82-83 and Sector 66-A, SAS Nagar. This permission was granted on the basis of report dated 02.02.2018 duly signed and recommended by the inspection committee formulated under the provisions of notification no. 4966 CTP (Pb/ sp-458-Vol-5 dated 02.09.2014.
 - (iv) No economic benefit has been derived by the Project proponent as per CA certificate dated 09.11.2021 wherein it has been certified that as per the Books of Accounts of Janta Land Promoters Private Limited, the Company has suffered a loss of Rs. 9.04 Crores on the project Falcon View till 31.03.2021.
 2. Environmental Engineer, SEIAA apprised the Authority that Falcon View project was visited by him on 09.11.2021 as per the direction of the competent authority to check the latest construction status of the project. SEIAA perused the visit report dated 09.11.2021 and observed that Project had constructed approx. 2,17,210 sqm built-up area, which is same as submitted by the project proponent in its reply. Environmental Engineer, SEIAA also informed the Authority that during visit, no construction was ongoing nor any fresh construction was evident.
 3. SEIAA also perused the minutes of 207th meeting of SEAC held on 07.10.2021 in detail in which it was observed as under: -

- (i) Project Proponent has undertaken to implement an Environmental Management Plan with a capital outlay of Rs 598.50 Lakhs and annual Recurring expenditures of Rs 33.5 Lakhs and Rs 66.5 Lakhs during Construction and Operation phases respectively and has already spent Rs. 286 lacs on air pollution control, development of green area including maintenance, water pollution control (100 KLD STP) and septic tank, 3 No. rain water researching pits and solid waste management.
- (ii) No economic benefit has been derived due to the violation. A total of Rs. 79.05 lacs have been allocated towards environment improvement due to violation. Out of Rs. 79.05 lacs, Rs. 39.05 lacs have already been paid as environmental compensation to Punjab Pollution Control Board vide order dated 15.07.21 and a Natural & Community Resource Augmentation Implementation Plan of remaining amount i.e Rs 40 Lacs has been submitted.
- (iii) Rs. 68 lacs have already been spent by the Project Proponent on construction/maintenance of toilets (Girls & Boys) as well as maintenance of classrooms in schools of villages such as Kambala, Kandala, Lakhnaour, Mouli Baidwan, Mataur.

4. SEIAA also perused the OM dated 07.07.2021 - the operation of which has been stayed by the Hon'ble High Court of Madras (Madurai Bench). SEIAA noted that the challenge to the MOEF&CC OM dated 07.07.2021 vide which Guidelines had been issued for regularising fresh violation cases through the implementation of Remediation Plans and imposing of penalties was on a legal principle and contention that the original EIA notification of 2006 did not envisage or prescribe any procedure for dealing with violations and hence the OM dated 07.07.2021 was against the very spirit of the Notification. On the other hand, even though the operation of OM Dated 07.07.2021 has been stayed by the Hon'ble Madurai Bench of the High Court of Madras, there are a large number of other decisions of the Hon'ble NGT, various Hon'ble High Courts and the Hon'ble Supreme Court itself that violations are required to be regularised keeping in view the "Polluter Pays" principle. These directions of various Courts including those of the Hon'ble Supreme Court are also required to be kept in view despite the fact that operation of OM dated 07.07.2021 has been stayed by the Madurai Bench. SEIAA also observed that the Petitioner has not challenged or disputed the methodology or formula for computing the penalty to be paid for the violations prescribed by the MOEF&CC in the said OM dated 07.07.2021 which is as under:

a. For new projects:

- i. *Where operation has not commenced: 1 % of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs. 1 lakh for project cost of Rs. 1 Cr]*
- ii. *Where operations have commenced without EC: 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr*

project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr. = Rs.1.25 Cr]”

5. SEIAA observed that the instant case related to a very old violation in which EC application had been submitted in 2013 and the case was being processed by SEIAA / SEAC in accordance with the earlier Guidelines of the MOEF&CC on the subject dated 14.03.2017 and 08.03.2018 (which have not been challenged in the Madurai High Court case and which are therefore still valid for old windows category applications under process). The operative parts of the Guidelines of 14.03.2017 are reproduced below:

OM dated 14.03.2017: (Para 12.5): *“...the Projects under this category will be prescribed the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan. Further, the Expert Appraisal Committee will provide a specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in in the Environment Impact Assessment Report by the accredited consultants. The collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board ----”*

OM dated 14.03.2017: (Para 12.6): *“...The Expert Appraisal Committee shall stipulate the implementation of Environmental Management Plan comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance”.*

Vide OM dated 08.03.2018, State Expert Appraisal Committees were also authorised to deal with such violation cases by adopting the aforementioned procedure prescribed in the OM dated 14.03.2017.

SEIAA further observed that SEAC had duly processed this case by adopting the above prescribed procedure including issue of specific TORs, assessment of ecological damage (assessed as Nil), determining economic benefits derived by the project due to violation (again determined as Nil since Project had incurred a substantial loss) and preparation of natural and community resource augmentation plan by a NABET approved Laboratory / Consultant. Thereafter, SEAC having concurred with the assessment and plans submitted by the NABET accredited consultant had recommended the case to SEIAA conditional to the implementation of a natural and community resource augmentation plan of Rs 40 Lakhs by the Project Proponent.

Though largely in agreement with SEAC in the methodology adopted in this case, SEIAA was of the opinion that the NABET accredited consultant had not provided any basis for arriving at the figure of Rs 40 Lakhs for the Natural and Community Resource Augmentation Plan. In fact, when both the ecological damage and economic benefit derived by the Project on account of the violation had been determined as Nil by the Consultant, no remediation Plan at all should have been prescribed which is clearly unfeasible since such violations cannot be regularised without any cost or penalty.

SEIAA, therefore, was of the opinion that a uniform formula was required to be adopted to calculate the amount to be spent on Natural & Community Resource Augmentation Implementation Plan for those projects which had already applied prior to or during the violation window and in which no ecological damage has been assessed and no economic benefit derived due to the violation.

After detailed deliberations, SEIAA decided to adopt the aforesaid formula prescribed by the MOEF&CC in OM dated 07.07.2021 to calculate the amount to be spent for implementation of Natural & Community Resource Augmentation Implementation Plan equivalent to the penalty. SEIAA observed that in the current project, application was submitted prior to the violation window, no ecological damage has been assessed and no economic benefit derived due to the violation. As such, amount to be spent for implementation of Natural & Community Resource Augmentation Implementation Plan may be prescribed as equivalent to penalty as per formula in OM dated 07.07.2021 calculated as under:

$$\begin{aligned} &= 1\% \times (100.95 \text{ Crores}) + 0.25\% \times [217210 \text{ sqm (built-up area)} \times 10.28 \text{ (factor for conversion from Sq m to Sq ft)} \times 1200 \text{ Rs/sq ft (construction cost)}] \\ &= \text{Rs } 167.94 \text{ Lacs [Rs } 100.95 \text{ lakhs (1 \% of expenditure incurred till filing of application in Nov 2013) + Rs } 66.99 \text{ Lakhs (0.25 \% of Turnover during period of violation)}] \\ &= \text{or say Rs } 168 \text{ Lakhs} = 1.68 \text{ Crores} \end{aligned}$$

6. Project proponent requested that the amount of Rs. 68 lacs already spent by them on construction/ maintenance of toilets (Girls & Boys) as well as maintenance of classrooms in schools of villages such as Kambala, Kandala, Laknaur, Mouli Baidwan, Mataur, Phase 3B2, 9 & 10, etc. should be taken into consideration and deducted from the aforesaid penalty amount of Rs 168 Lakhs. Proof of having incurred this expenditure was also submitted by the Project Proponent which was examined and found satisfactory by the Authority and taken on record. Besides this, Project Proponent also submitted that the amount of Rs. 39.05 lacs paid as Environmental Compensation against the PPCB order dated 15.07.21 should also be deducted from the above calculated penalty amount of Rs 168 Lakhs.
7. After considering the request of the Project proponent, SEIAA decided as under:
 - a) Amount of Rs. 68 lacs may be deducted from the computed penalty amount of Rs. 168 Lakhs.

- b) Amount of Rs 39.05 Lakhs paid by the Project Proponent as environment Compensation cannot be deducted from the outlay for the Natural and Community Resource Augmentation Plan as this penalty has been imposed by PPCB vide its orders dated 15.07.2021 on account of other violations committed by m/s JLPL and has been deposited by PPCB in a separate fund and is not available for implementing the specific Natural & Community Resource Augmentation Plan prescribed for the Project Proponent.
- c) Revised Natural & Community Resource Augmentation Implementation Plan of amount of Rs. 1 crore (Total computed penalty of Rs 168 Lakhs less deduction of Rs 68 Lakhs for Community CSR activities already undertaken = Rs 1 Crore) shall be submitted along with the bank guarantee of equivalent amount for a period of 1 year as per the provision of EIA Notification 14.03.2017 as amended on 08.03.2018.

8. To this, the project proponent submitted as under:

- i) Revised Natural & Community Resource Augmentation Implementation Plan of amount Rs. 1 crore in the meeting as under:

Sr. No.	Description of activities	Amount (in lakhs)	Timeline
1.	Instalment of Solid Waste Mechanical Composters at Sector 82, 83 & 66 A	50	06 Months
2.	Pond Adoption and its maintenance in Village Bakarpur, Mohali, Distt. SAS Nagar, Punjab	50	06 Months
Total Amount to be spent		Rs. 1 Crore	06 months

Tentative timeline for implementation of aforesaid activities is as under:

Sr. No.	Description of activities	Timeline
1.	Tendering and allotment	: 1.5 Month
2.	Delivery of equipment/ machinery	: 3 Month
3.	Commissioning and Testing	: 1.5 Month
4.	Total Time	: 6.0 Months

- ii) Undertaking dated 10.11.2021 was submitted to the effect that a copy of the receipt of bank guarantee of Rs. 1 Crore having validity of 1 year as per the provision of EIA Notification 14.03.2017 as amended on 08.03.2018 shall be submitted with the Regional Office, Punjab Pollution Control Board, Mohali, within 15 days under intimation to SEIAA Punjab.

SEIAA took the aforesaid documents on record.

During discussions, the representative of the promoter company agreed to fully comply with all the conditions proposed by SEAC as also undertake the activities of Rs 1.0 Cr as per revised Remediation and Natural & Community Resource Augmentation plan within six months' time.

The SEIAA observed that the case stands recommended by SEAC and the Committee has awarded 'Silver Grading' to the project proposal. The SEIAA looked into the details of the case and was satisfied with the same.

After detailed deliberations, SEIAA decided to accept the recommendations of SEAC and grant Environmental Clearance for the establishment of residential project namely "Falcon View" located at Sector-66A, Mohali, Distt. SAS Nagar, Punjab by M/s JLPL having built up area of 4,99,964.385 sqm in a plot area of 1,38,280 sqm as per the details mentioned in the application and subsequent presentation /clarifications made by the project proponent and his consultant, with proposed measures, conditions as recommended by SEAC and additional conditions as under:

1. Amount of Rs. 1 Cr shall be spent on the activities to be undertaken under the Remediation and Natural & Community Resource Augmentation plan of the proposed project within a period of 6 months as per the details given as under:

Sr. No.	Description of activities	Amount (Rs in lakhs)	Timeline
1.	Installation of Solid Waste Mechanical Composters at Sector 82,83 & 66 A, Mohali.	50	06 Months
2.	Pond Adoption and its maintenance in Village Bakarpur, Mohali, Distt. SAS Nagar, Punjab	50	06 Months
	Total Amount to be spent	Rs. 1 Crore	-

Tentative timeline for breakup of aforesaid activities is listed as under:

Sr. No.	Description of activities	:	Timeline
i)	Tendering and allotment	:	1.5 Month
ii).	Delivery of equipment/ machinery	:	3 Month
iii).	Commissioning and Testing	:	1.5 Month
iv).	Total Time	:	6.0 Months

2. Bank Guarantee of Rs 1 Crore will be deposited by the Project Proponent with the Regional Office, Punjab Pollution Control Board, Mohali having validity of one year as an assurance to complete the activities prescribed in the remediation plan and Natural and Community Resource Augmentation Plan and copy of the receipt of the same shall be submitted to SEIAA Punjab, within 15 days. The Bank Guarantee will be released by SEIAA after successful implementation of the activities prescribed and approved in the Remediation and Natural & Community Resource Augmentation plan on the recommendations of Regional Office, MoEF&CC, Chandigarh or SEIAA /SEAC Committee.
3. This Environmental Clearance is liable to be revoked without any further notice to the Project Proponent in case of failure to comply with conditions (i), and (ii) above.

4. Project Proponent shall ensure that the natural drainage channels in the project site including streams, drains, choes, creeks, rivulets etc are not disturbed so that the natural flow of rain water / other drainage channels is not impeded or disrupted in any manner.

Item no.193.02: Application for grant of Environment Clearance for expansion of group housing project namely "Homeland Heights" at Sector 70, SAS Nagar, by M/s Homeland Buildwell Pvt. Ltd. (Proposal No. SIA/PB/MIS/175313/ 2020).

SEIAA observed as under:

Earlier, the Project Proponent was granted Environmental Clearance for development of group housing project namely "Homeland Heights" at Sector 70, SAS Nagar vide letter no. SEIAA/2014/5863 dated 24.01.2014. The said Environment Clearance was granted for development of project having total built up area of 50,837.37 Sqm.

Thereafter, the Project Proponent applied for expansion in the said Environment Clearance for total built up area of 84448.397 sqm as violation case vide proposal no. IA/PB/NCP/68564/2017 on 13/09/2017 to MOEF&CC, for issuance of TORs for obtaining Environmental Clearance for expansion of residential project located at Sector-70, SAS Nagar (Mohali), Punjab. Later on, in accordance with amended notification No S.O.1030 (E) dated 08/03/2018 MoEF&CC, New Delhi has transferred proposal no. IA/PB/NCP/68564/2017 dated 13.09.2017 to SEIAA vide proposal no. SIA/PB/NCP/22978/2018 on 28/03/2018 for appraisal of the project in compliance to the amended notification dated 08.03.2018. In connection with said application, the Project Proponent was issued Additional Specific ToR vide letter no. SEIAA/2018/906 dated 16.07.2018.

Now, the Project Proponent has submitted the EIA report. The Project Proponent has deposited Rs. 1,27,667/- through NEFT dated 18.09.2020 & Rs. 42,556/- has been paid through NEFT dated 30.07.2021 as verified by SEIAA.

Earlier, the Regional Office MoEF&CC was requested vide this office letter no. 4126 dated 13.05.2021 to send the certified compliance report of the conditions of Environment Clearance granted to the Project Proponent, earlier. However, it was informed by the Regional Office MoEF&CC that their office was not carrying out the field visits due to COVID-19 pandemic. Accordingly, in compliance to the OM dated 07.09.2017, Punjab Pollution Control Board was requested vide this office letter no. 4212 dated 21.05.2021 to send the certified compliance report. A complaint was also received by SEIAA against the Project Proponent and was forwarded to the Punjab Pollution Control Board vide letter no. 4448 dated 25.06.2021 to conduct an enquiry regarding the contents of the complaint. The complaint was made w.r.t. the following:

- 1) STP of capacity 200 KLD was not working properly to its capacity and no arrangement has been made for utilizing the treated water for flushing purposes.
- 2) Rain water harvesting pits were non-functional.
- 3) 18 no. commercial shops were constructed illegally by utilizing green area in place of four utility shops.

Punjab Pollution Control Board vide letter no. 4037 dated 20.07.2021 has sent consolidated report covering the contents of the complaint as well as the compliance report of the conditions of Environment Clearance granted to the Project Proponent earlier. The said report is attached as Annexure – A. The report of the Punjab Pollution Control Board w.r.t. the contents of the complaint are reproduced as under:

1. During visit, STP was in operation and effluent sample from outlet and inlet of STP was collected and send to Punjab Pollution Control Board HO Lab for analysis and result are awaited. The Project Proponent has installed STP of 200 KLD capacity based on MBBR Technology. The Project Proponent has installed EMF meter over the outlet of STP, treated water line leading to flushing and treated water line leading to plantation. The reading of the same was 20564 Kwh. The Project Proponent was advised to maintain sludge generation and disposal record. On average basis, 140-190 KLD water is being treated in the STP. The treated wastewater is presently being used in flushing, green areas water into flushing and green area w.e.f. 01.07. 2021. The Project Proponent has provided cemented overhead tanks of capacity 50,000 Ltr capacity on each tower for supplying STP treated water in flushing activities.
2. The Project Proponent has provided 5 no. rain water recharging pits which were in functional condition.
3. "The work regarding construction of 5 towers and 18 commercial shops have been completed. As per the representative, in the 5 towers, 298 flats & 18 SCOs have been constructed, out of which all the flats have been sold out, but approx.150-250 families are living in the towers. Further, out of 18 shops, 6 shops have been occupied. Further, a club and restaurant has been constructed at ground floor of tower no. 05. The layout plan of the 18 SCOs have been approved by GMADA vide letter no. 54508 dated 30.11.2018 and the SCOs have not been built up in the green area as per the layout plan.
4. The representative informed that fresh water is extracted from the ground by using 1 no. borewell. The reading of EMF meter installed over the fresh water line was 2739.439 m³. The Project Proponent is maintaining record of consumption of fresh water. As per record, on average basis 180-210 KLD fresh water is extracted from ground. The Project Proponent has provided sand filter followed by activated carbon filter for cleaning the raw water before supplying in the towers for domestic purposes.
5. The Project Proponent has made agreement with M/s B.N. Concast Pvt. Ltd., Plot no. 18, HSIIDC Complex, Barwala, Panchkula valid till 31.032026 for lifting of hazardous waste of category 5.1.
6. The Project Proponent has installed 5 KW solar plant for lighting of basement common area.

7. The Project Proponent has obtained CTO under water Act, 1974 vide no. CTOW/Fresh/SAS/2021/14576336 dated 21.04.2021 expired on 08.05.2021 and CTO under Air Act, 1981 vide no. CTOA/Fresh/SAS/2021/14576303 dated 21.04.2021 expired on 08.05.2021 for 276 flats and 4 shops (built up area of 50,837.34 sqm).”

Further, Punjab Pollution Control Board has filed complaint against the Project Proponent u/s 15, 16 of the Environment (Protection) Act, 1986 for violation of the provisions of the EIA notification, 14.09.2006 and the same has been conveyed Punjab Pollution Control Board letter no. 1368 dated 06.05.2021 and e-mail dated 11.08.2021. The Project Proponent has also submitted a certified copy of the said complaint.

1.0 Deliberations during 205th meeting of SEAC held on 21.08.2021

The meeting was attended by the following:

1. Mr. Puneet Bhandari on behalf of the Project Proponent.
2. Dr. Sandeep Garg and Ms. Priyanka, EIA Coordinator, M/s Eco laboratories Pvt Ltd.

SEAC allowed the Environmental Consultant to the Proponent to present salient features of the project which he presented as under:

Sr. no.	Description	Details
1.	Name & Location of the project	Group Housing Project namely “Homeland Heights” located at Site No. 5, Sector 70, SAS Nagar (Mohali), Punjab by M/s Homeland Buildwell Pvt. Ltd.
2.	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	The project falls under S. No. 8(a) - ‘Building & Construction Project’ as the built-up area of the project is 85,111.5 sq.m.
3.	Copy of the Master plan duly marked with the project site	Project falls within the residential zone as per Master Plan of Mohali.
4.	Proof of ownership of land mentioning Khasra no. & ownership details (Latest Jamabandi or Registry)	Allotment letter from GMADA has been submitted.

5.	Copy of Memorandum of Article & Association/ partnership deed/ undertaking of sole proprietorship/ list of Directors and names of other persons responsible for managing the day-to-day affairs of the project.	Memorandum of Article & Association of the company and current directors has been submitted along with EIA report.
6.	Proposed ToRs (based on the standard ToRs)	Submitted along with EIA report.
7.	Does it attract the general condition? If yes, please specify	No
8.	Whether the proposal involves approval/clearance under the Forest (Conservation) Act, 1980	The project does not involve any forest land as land has been allotted by GMADA.
9.	Does the project cover under PLPA, 1900	Same as above
10.	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 National Board for Wild Life (NBWL)	a) As per proposal, Project is situated at a distance of approx. 7.5 km from City Bird Sanctuary and approx. 12 km from Sukhna Wildlife Sanctuary. b) As per proposal, the project is located outside of the eco-sensitive zone of the City Bird Sanctuary and Sukhna Wildlife Sanctuary; thus, there is no need of obtaining NBWL clearance.
11.	Classification/Land use pattern as per Master Plan	As per Master Plan of Mohali, project falls within the residential zone.

12.	Cost of the project	Total expenditure incurred till 31 st October, 2019 is Rs. 268.81 Crores. While, expenditure incurred on the project till 31 st March, 2021 is Rs. 297.59 Crores.				
13.	Processing Fee details (Amount/NEFT no./dated)	<p>Built-up area of the project = 85111.5 sq.m. Total processing fees applicable for EC = Rs. 2 per sq.m. of built-up area = 85,111.5 * 2 = Rs. 1,70,223/-</p> <ul style="list-style-type: none"> • Rs. 1,27,667/- has been deposited vide NEFT No. N262201248817110 dated 18.09.2020. • Rs. 42,556/- has been paid vide UPI transaction reference no. 121166948753 dated 30.07.2021. 				
14.	Detail of various components					
15.	S. No	Description	Particulars			
			EC Accorded	Total (After expansion)		
	1.	Plot Area (4.6019 acres)	18,623.325			
	2.	Built-up Area	50,837.34 sq. m.	85,111.5 sq. m.		
	3.	Number of Building Blocks	276 DUs, Club house	303 DUs, 18 Shops, Club House, Restaurant		
	4.	Total no. of Saleable DU's	276 DUs	303 DUs		
	5.	Max. No. of Floors	Residential (S+17)	Residential (S+17) & Shops (G+1)		
	6.	Expected Population	1380 Persons	1400 Persons		
16.	Breakup of Water Requirements & source in Operation Phase (Summer, Rainy, Winter):					
	S. No	Season	Fresh water	Reuse Water		Total
			Domestic (KLD)	Flushing (KLD)	Green area (KLD)	KLD water
	1.	Summer	124	62	16	202
	2.	Winter	124	62	5	191
	3.	Rainy	124	62	2	188

	S. No.	Description	Source of water																
	1.	Domestic	Borewell																
	2.	Flushing purposes	Treated water from STP																
	3.	Green area	Treated water from STP																
17.	Details of acknowledgement of application filed to CGWA/ Competent Authority for obtaining permission for abstraction of ground water		Permission has already been obtained from CGWA; copy submitted with EIA report. NOC has also been obtained from Punjab Water Regulation & Development Authority (PWRDA) for seeking permission regarding abstraction of ground water.																
18.	Details of Wastewater generation, Treatment facility & its Disposal arrangements in Operation Phase and if waste water being disposed in MC sewer then also mention the details of NOC from competent authority		<p>During Operation Phase, total wastewater generation from the project on full occupancy is 149 KLD which is being treated in already installed STP of capacity 200 KLD based on MBBR technology. Total 146 KLD of treated wastewater will available after STP.</p> <p>The details of the breakup of the utilization of wastewater are as under: -</p> <table border="1"> <thead> <tr> <th>Season</th> <th>Flushing (KLD)</th> <th>Green area (KLD)</th> <th>Excess Disposal * (KLD)</th> </tr> </thead> <tbody> <tr> <td>Summer</td> <td>62</td> <td>16</td> <td>68</td> </tr> <tr> <td>Winter</td> <td>62</td> <td>5</td> <td>79</td> </tr> <tr> <td>Monsoon</td> <td>62</td> <td>2</td> <td>82</td> </tr> </tbody> </table> <p>Excess to already laid GMADA sewer.</p>	Season	Flushing (KLD)	Green area (KLD)	Excess Disposal * (KLD)	Summer	62	16	68	Winter	62	5	79	Monsoon	62	2	82
Season	Flushing (KLD)	Green area (KLD)	Excess Disposal * (KLD)																
Summer	62	16	68																
Winter	62	5	79																
Monsoon	62	2	82																
19.	Details of Rainwater recharging/Harvesting (m ³ /hr) proposal & technology proposed to be adopted		5 rain water recharging pits are already constructed within project premises in order to recharge the ground water.																
20.	Details of Solid waste generation (Qty), treatment facility and its disposal arrangement		During Operation Phase, on full occupancy about 553 kg/day (@ 0.40 kg/capita/day for residential and @ 0.2 kg/capita/day for floating) of solid waste will be generated. Letter has been obtained from GMADA recently regarding management of solid waste and enclosed with EIA report. Biodegradable waste is being treated in mechanical composter of 300 kg capacity & 12 nos. daily dumps and manure generated is being																

		utilized within the project for landscaping. Recyclable waste is being recycled through authorized recyclers. Inert waste is being disposed at its own cost to approved dumping site or disposal site of MC located at Industrial Area, Phase VIII B, Mohali, While, domestic hazardous waste is being handed over to authorized vendors approved by PPCB. Thus, solid waste is being managed as per provision of Solid Waste Management Handling Rules, 2016 & amendments thereof.			
		S. No.	Description	EC accorded	Total (After expansion)
		1.	Solid waste Generation	554 kg/day	553 kg/day
21.	Details of Hazardous Waste & E- Waste generation (Qty), Treatment facility and its disposal arrangement	Used oil from DG set is being generated and given to authorized vendor. E-waste generated from the project will be handled as per E-Waste (Management) Rules, 2016 & its amendments.			
22.	Detail of DG sets	S. No.	Description	Earlier EC	Total (After expansion)
		1.	Power load	2,400 KW	3,861 KVA
		2.	DG set details	4 DG sets of total 550 KVA (i.e., 1 DG of 240, 2 DG of 125 & 1 DG of 60 KVA)	2 DG sets of capacity 500 KVA each (Already installed)
23.	Energy Requirements & Saving	LEDs have been provided instead of CFLs. 5KW solar energy system has been provided.			
24.	Details of Environmental Management Plan	S. No	Environmental Protection Measures	Capital Cost Rs. Lakh	Recurring Cost Rs. Lakh
		1.	Construction Phase	Already incurred	Already incurred
		2.	Operational Phase	--	7

25	<p>a. Details of Corporate Environmental Responsibility (CER) indicating various activities to be undertaken as per the provision of OM dated 01.05.2018</p> <p>b. Details of NOC from the village Sarpanch, Certificate from the School Principal & concerned Govt. Departments etc.</p>	<p>Various Corporate Social Responsibility (CSR) activities are being done. Details of the same are given below:</p> <ul style="list-style-type: none"> • Rs. 10 Lakhs has been paid to 'Dr. Narayan Dutt Shrimali Foundation International Charitable Trust Society' through RTGS mode vide UTR No. HDCFR 52018070284628539 dated 02.07.2018. • Donation of Rs. 2,51,000/- has been given to Anubhuti Sewa Samiti Charitable Society vide dated 22.08.2019, focusing on providing relief and disaster management to flood and earthquake affected areas, organizing health camps throughout India and provide education & vocational training to underprivileged youth. • Maintenance of Green belts in financial year 2017-18 at the entry of Airport & Banur Road Crossing Triangles and an amount of approx. Rs. 4,68,000/- has been spent thereon through a professional horticulturist firm namely Shri Ajit Nursery.
26	<p>Details of green belt development shall include following:</p> <p>a) No. of tree to be planted against the requisite norms.</p> <p>b) Percentage of the area to be developed.</p>	<p>a) Plot area: 18,623.325 sq.m No. of trees required: 233 trees (1 tree per 80 sq.m of plot area) No. of trees existing: 441 trees</p> <p>b) Total organized green area measures 2,855.16 sq.m i.e., 15.33% of the total project area which is area covered under parks within the project premises.</p>

SEAC observed that:

- (i) GMADA vide letter no. 3372 dated 18/07/2013 has allowed the project proponent the water supply and sewer connection for the project. Further, it has also certified to take care of the solid waste to be generated from the project.

- (ii) The project proponent has submitted satisfactory report on the Additional ToR issued vide letter no. SEIAA/2014/5863 dated 20.01.2014.
- (iii) The Project Proponent was complying with all the conditions of Environment Clearance issued vide letter no. SEIAA/2014/5863 dated 24.04.2014.
- (iv) The Project Proponent is complying with all the points highlighted in the complaint, as per report submitted by the Punjab Pollution Control Board vide letter no. 4037 dated 20.07.2021.
- (v) GMADA vide memo no. 1638 dated 01.11.2018 has certified that the number of Dwelling Units (DUs) has been changed from 276 to 303.
- (vi) Permission from PWRDA has been obtained for abstraction of 124 kld ground water vide permission no. PWRDA/07/2021/L2/177 dated 29.07.21. A copy of the same was also submitted.
- (vii) GMADA vide letter no. 79435 dated 06.08.21 has certified that the total built-up area of the project is 85111.5 sqm.

The Project Proponent informed that the impact due to construction of 5th tower on environmental parameters such as air, water, noise, land and ecological environment is low. An amount of Rs. 59.7 lacs have already been spent on the environment protection measures during the construction phase as capital expenditure. Thus, no additional action/ work is required to be done from the pollution angle. However, as the 5th tower has been constructed without obtaining environmental clearance, few activities have been proposed in Natural & Community Resource Augmentation Plan on the basis of need-based assessment of the affected area.

SEAC raised following observations to the Project Proponent:

Sr. No.	Observation	Reply		
2.	The Project Proponent shall revise the cost of Natural & Community Resource Augmentation Implementation Plan.	The Project Proponent submitted that same with details as under:		
		Sr. No.	Description	Budget
		1	Develop greenery in vicinity of project site along external roads, roundabouts, greenbelts, parks, etc. in consultation with local authorities	Rs. 4 lakhs

		2	Providing rain water harvesting in Govt. School, Sohana	Rs. 1 lakh
		3	Provision of water cooler in nearby bus shelter	Rs. 1 lakh
			Total	Rs. 6 lakhs
3.	The Project Proponent shall submit Bank Guarantee of Rs. 6 lakhs (equivalent to the amount mentioned in the remediation plan) to Punjab Pollution Control Board, in compliance with the provisions of MoEF Notification dated 14.03.2017 as amended on 08.03.2018	The Project Proponent agreed to the same and assured to submit the Bank Guarantee within next 15 days.		

SEAC was satisfied with the presentation submitted by the Project Proponent.

After detailed deliberations, SEAC decided to award 'Silver Grading' to the project proposal under category B2, Activity 8 (a) and to forward the application to SEIAA with the recommendations to grant Environmental Clearance **for expansion of group housing project namely "Homeland Heights" at Sector 70, SAS Nagar, by M/s Homeland Buildwell Pvt. Ltd.,** subject to submission of Bank Guarantee of Rs. 6 Lakhs with the Punjab Pollution Control Board, as per the details mentioned in the application & subsequent presentation /clarifications made by the project proponent & his consultant and conditions are as under:

Additional Conditions:

- i. The project proponent shall submit a Bank Guarantee of amount Rs. 6 Lakhs (equivalent to the amount mentioned in the remediation plan) with the Punjab Pollution Control Board in compliance with the provisions of MoEF notification dated 14.03.2017 as amended on 08.03.2018. The Bank Guarantee shall be deposited prior to the grant of Environmental Clearance and will be released after successful implementation of remediation plan.

I. Statutory compliance:

- i) The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building bye laws.

- ii) The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment, etc. as per National Building Code including protection measures from lightening, etc.
- iii) The project proponent shall obtain forest clearance under the provisions of the Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- iv) The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- v) The project proponent shall obtain Consent to Establish / Operate under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board / Committee.
- vi) The project proponent shall obtain the necessary permission for drawl of ground water/ surface water required for the project from the competent authority.
- vii) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
- viii) All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
- ix) The provisions of the Solid Waste (Management) Rules, 2016, E-Waste (Management) Rules, 2016, Construction & Demolition Waste Rules, 2016 and the Plastics Waste (Management) Rules, 2016 shall be followed.
- x) The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.
- xi) The project site shall confirm to the suitability as prescribed under the provisions laid down under the master plan of respective city/ town. For that, the project proponent shall either to submit the NOC/ land use conformity certificate from Deptt. of Town and Country Planning or other concerned Authority under whom jurisdiction, the site falls.
- xii) Besides above, the project proponent shall also comply with siting criteria / guidelines, standard operating practices, code of practice and guidelines if any prescribed by the SPCB/CPCB/MoEF&CC for such type of projects.
- xiii) The project proponent shall get the layout plans approved from the Competent Authority for the activities / establishments to be set up at project site in consonance of the project proposal for which this environment clearance is applied.

II. Air quality monitoring and preservation

- i) Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
- ii) A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii) The project proponent shall install system to carryout Ambient Air Quality monitoring for common /criterion parameters relevant-to the main pollutants released (e.g., PM10 and PM2.5) covering upwind and downwind directions during the construction period.
- iv) Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
- v) Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 m height or 1/3rd of the building height and maximum up to 10 m). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
- vi) No Excavation of soil shall be carried out without adequate dust mitigation measures in place.
- vii) No loose soil or sand or construction & demolition waste or any other construction material that causes dust shall be left uncovered.
- viii) No uncovered vehicles carrying construction material and waste shall be permitted
- ix) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- x) Grinding and Cutting of building material in open area shall be prohibited. Wet jet shall be provided for grinding and stone cutting.
- xi) Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- xii) All construction and demolition debris shall be stored at the site within earmarked area and road side storage of construction material and waste shall

be prohibited. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.

- xiii) The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
- xiv) The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
- xv) For indoor air quality the ventilation provisions as per National Building Code of India.
- xvi) Roads leading to or at construction site must be paved and blacktopped (i.e., metallic road)
- xvii) Dust Mitigation measures shall be displayed prominently at the construction site for easy public viewing.
- xviii) Construction and Demolition Waste Processing and Disposal site shall be identified and required dust mitigation measure be notified at the site.

III. Water quality monitoring and preservation

- i) The natural drain system should be maintained for ensuring unrestricted flow of water.
- ii) No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.
- iii) Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iv) The total water requirement for the project will be 186 KL/day, out of which fresh water demand of 124 KL /day shall be met through borewell and remaining through recycling of treated wastewater from the already installed STP of 200 KLD within the project. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
- iv) a) The total wastewater generation from the project will be 149 KL/day, which will be treated in already installed STP of 200 KLD within the project. As proposed, reuse of treated wastewater shall be as under: -

Sr. No.	Season	For Flushing purposes (KLD)	Green Area (KLD)	GMADA Sewer KLD
1.	Summer	62	16	68

2.	Winter	62	5	79
3.	Rainy	62	2	82

- b) Storage tank of adequate capacity shall be provided for the storage of treated wastewater and all efforts shall be made to supply the same for construction purposes.
- c) During construction phase, the project proponent shall ensure that the waste water being generated from the labour quarters/toilets shall be treated and disposed in environment friendly manner. The project proponent shall also exercise the option of modular bio-toilets or will provide proper and adequately design septic tanks for the treatment of such waste water and treated effluents shall be utilized for green area/plantation.
- vi) The project proponent shall ensure safe drinking water supply to the habitants. Adequate treatment facility for drinking water shall be provided, if required.
- vii) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- viii) A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- ix) At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
- x) Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc. and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.
- xi) The respective project proponent shall discourage the installation of R.O. plants in their projects in order to save the wastage in form of RO reject. However, in case the requirement of installing RO plant is utmost necessary then the rejected stream from the RO shall be separated and shall be utilized by storing the same within the particular component or in a common place in the project premises.
- xii) The project proponent shall also adopt the new/innovating technologies like less water discharging taps (faucet with aerators)/urinals with electronic sensor system /water less urinals / twin flush cisterns/ sensor based alarming system for overhead water storage tanks and make it a part of the environmental

management plans / building plans so as to reduce the water consumption/ground water abstraction in their Building Construction & Industrial projects.

- xiii) The project proponent will provide plumbing system for reuse of treated wastewater for flushing/other purposes etc. and colour coding of different pipe lines carrying water/wastewater from different sources / treated wastewater as follows:

Sr. No	Nature of the Stream	Color code
a)	Fresh water	Blue
b)	Untreated wastewater from Toilets/ urinal & from Kitchen	Black
c)	Untreated wastewater from Bathing/shower area, hand washing (Washbasin / sinks) and from Cloth Washing	Grey
d)	Reject water streams from RO plants & AC condensate (this is to be implemented wherever centralized AC system and common RO has been proposed in the Project). Further, in case of individual houses/establishment this proposal may also be implemented wherever possible.	White
e)	Treated wastewater (for reuse only for plantation purposes) from the STP treating black water	Green
f)	Treated wastewater (for reuse for flushing purposes or any other activity except plantation) from the STP treating grey water	Green with strips
g)	Storm water	Orange

- xiv) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- xv) 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 plot 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 5 no. rain water recharge pits have already been constructed for ground water recharging as per the CGWB norms. The ground water shall not be withdrawn without approval from the Competent Authority.
- xvi) All recharge should be limited to shallow aquifer.
- xvii) No ground water shall be used during construction phase of the project. Only treated sewage/wastewater shall be used. A proper record in this regard should be maintained and available at site.

- xviii) Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
- xix) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- xx) Sewage shall be treated in the STP with tertiary treatment. STP shall be installed in a phased manner viz a viz in the module system designed in such a way so as to efficiently treat the wastewater with an increase in its quantity due to rise in occupancy. The treated effluent from STP shall be recycled/reused for flushing and gardening. No treated water shall be disposed of into the municipal storm water drain.
- xxi) No sewage or untreated effluent water would be discharged through storm water drains. Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. Treated waste water shall be reused on-site for landscape, flushing, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by the Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.
- xxii) Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
- xxiii) Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.

Noise monitoring and prevention

- i) Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/SPCB.
- ii) Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

- iii) Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

V. Energy Conservation measures

- i) Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
- ii) Outdoor and common area lighting shall be LED.
- iii) Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased. day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof U-values shall be as per ECBC specifications.
- iv) Energy conservation measures like installation of LEDs for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
- v) Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
- vi) Solar power by utilizing at least 30% of the roof top area shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher.

VI. Waste Management

- i) A certificate from the competent authority handling municipal solid waste, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
- ii) Disposal of muck during construction phase shall not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- iii) Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.

- iv) Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed for treatment and disposal of the waste.
- v) All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi) Any hazardous waste generated during construction phase, shall be disposed of as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- vii) Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
- viii) Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
- ix) Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
- x) Used CFLs and TFLs should be properly collected and disposed of/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.

VII. Green Cover

- i) No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
- ii) At least single line plantation all around the boundary of the project as proposed shall be provided. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous species/variety. The project proponent shall ensure planting of 441 trees in the project area at the identified location, as per proposal submitted, with plants of native species preferably having broad leaves. The size of the plant thus planted should not be less than 3 ft and each plant shall be protected with a fence and properly maintained. The project proponent shall make adequate provisions of funds to

ensure maintenance of the plants for a further period of three years. The plants shall be protected and maintained by the project proponent or Residents Welfare Association, as the case may be, even after three years. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. The plantation should be provided as per SEIAA guidelines.

- iii) Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1: 10 (i.e., planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
- iv) Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
- v) The project proponent shall not use any chemical fertilizer /pesticides /insecticides and shall use only Herbal pesticides/insecticides and organic manure in the green area.
- vi) The green belt along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for commercial land use.

VIII. Transport

- i) A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.
 - a) Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
 - b) Traffic calming measures.
 - c) Proper design of entry and exit points.
 - d) Parking norms as per local regulation.
- ii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.

- iii) A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.
- iv) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.

IX. Human health issues

- i) All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
- ii) For indoor air quality the ventilation provisions as per National Building Code of India.
- iii) Emergency preparedness plan based on the Hazard identification and Risk Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- iv) Occupational health surveillance of the workers shall be done on a regular basis.
- v) A First Aid Room shall be provided in the project both during construction and operations of the project.

X. Environment Management Plan

- i) The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest /

wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

- ii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- iii) 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. 7 Lacs towards the 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/person 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.

XI. Validity

- i) This environmental clearance will be valid for a period of seven years from the date of its issue or till the completion of the project, whichever is earlier.

XII. Miscellaneous

- i) The project proponent before allowing any occupancy shall obtain completion and occupancy certificate from the Competent Authority and submit a copy of the same to the SEIAA, Punjab.
- ii) The project proponent shall comply with the conditions of CLU, if obtained.
- iii) The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEF&CC/SEIAA website where it is displayed.
- iv) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.

- v) The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- vi) The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at Environment Clearance portal.
- vii) The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- viii) The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- ix) The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- x) The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- xi) No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xii) Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xiii) The SEIAA/Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiv) The SEIAA/ Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xv) The Regional Office of this Ministry and Punjab Pollution Control Board shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data/ information/monitoring reports.

- xvi) The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvii) Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

2.0 Deliberations during 189th meeting of SEIAA held on 13.09.2021

The case was considered by SEIAA in its 189th meeting held on 13.09.2021 which was attended by the following:

- (i) Mr. Puneet Bhandari, on behalf of the Project Proponent.
- (ii) Dr. Sandeep Garg and Ms. Priyanka, EIA Coordinator, M/s Eco laboratories Pvt. Ltd.

Before allowing the presentation by the project proponent, to a query by SEIAA, Environmental Consultant informed that the amount of Rs 6 lakhs proposed for remediation and Natural and Community resource Augmentation Implementation Plan has been calculated on the following basis:

- a) The project was already granted Environmental Clearance for the built-up area of 50837.37 sqm and most of the conditions of Environmental Clearance are being complied with. Hence negligible ecological damage was observed and the same was limited to construction phase only. Project proponent had also taken the adequate measures to reduce Air, Water and Noise pollution during the construction phase.
- b) The amount of Rs 6 lacs has, therefore, been proposed for the activities to be carried out under community resources augmentation plan such as developing greenery in the vicinity of the project, rain water harvesting for nearby Govt. School and provision of Water Cooler nearby Bus Shelter.

SEIAA was not satisfied with reply of the Environmental Consultant due to the following reasons:

- (i) The actual built-up area of 85111 sqm is about 68% more than the permissible built-up area of 50,837 sq mts for which Environmental Clearance has been granted. Considering the fact that the total cost of the project is Rs 297.59 Crores, the proposed amount of just Rs. 6 lacs to be incurred on cost of Natural & Community Resource Augmentation Implementation plan is prima facie inadequate.
- (ii) As per the EIA Notification dated 14.03.2017 as amended on 08.03.2018, Economic Benefits derived due to the violation have also to be taken into consideration while determining the Natural & Community Resource Augmentation Implementation plan

which does not appear to have been considered in this case. Moreover, no scientific basis/defined methodology has been adopted to arrive at the aforementioned figure of Rs 6 lakhs proposed by the Environmental Consultant.

(iii) SEIAA therefore asked the Environmental Consultant to re-submit the proposal for the Remediation and Natural & Community Resource Augmentation Implementation plans by adopting a scientific approach/defined methodology as per the letter and spirit of MOEF&CC OMs dated 14.03.2017 and 08.03.2018 on the subject which clearly state that the scale of violations and economic benefits derived are to be taken into consideration while preparing the plan.

To this, Environmental Consultant sought some time to prepare and re-submit the proposal for Remediation and Natural & Community Resource Augmentation Implementation plans.

After deliberations, SEIAA decided to accept the request of the Environmental Consultant and defer the case till Environmental Consultant re-submits the proposal for Remediation and Natural & Community Resource Augmentation Implementation plans.

In compliance with the aforesaid decision, Additional Details sought on 21.09.2021 from the project proponent on the Parivesh portal.

Accordingly, project proponent submitted the reply to the aforesaid observation, which is annexed as Annexure-3 of the Agenda for kind perusal please.

3.0 Deliberations during 191st meeting of SEIAA held on 11.10.2021

The case was considered by SEIAA in its 191st meeting held on 11.10.2021 which was attended by the following:

- (i) Mr. Puneet Bhandari, on behalf of the Project Proponent.
- (ii) Dr. Sandeep Garg and Ms. Priyanka, EIA Coordinator, M/s Eco laboratories Pvt. Ltd.

During the meeting, Environmental Consultant of the promoter company informed that revised proposal of Rs 25 Lakhs for Remediation and Natural & Community Resource Augmentation Implementation plans (against the earlier proposal of Rs 6 Lakhs submitted to and recommended by SEAC) has been submitted in compliance of directions of SEIAA issued in its meeting held on 24.09.2021. SEIAA perused the detailed methodology provided in Annexure-3 of the agenda and observed that activities proposed under the Natural & Community Resource Augmentation Implementation plan are given as under: -

S.No.	Description	Implementation Budget (in Rs. lakhs)
1.	Develop greenery in vicinity of project site along external roads, roundabouts, greenbelts, parks, etc. in consultation with local authorities	6
2.	Provision of 2 rain water recharging pits & solar panel in Govt. School, Sohana	10
3.	Provision of water cooler in nearby bus shelter and Maintenance of surroundings	4
4.	Maintenance of Gaushala	5

Total	Rs. 25 lakhs
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Environmental Consultant further certified that Balance Sheets of M/s Homeland Heights prepared by Sh. Deepak Kainth, Chartered Accountants of the Firm which depicted that the Project as a whole had incurred losses of over Rs 9.40 crores from the Assessment Year 2014-15 to 2019-20, had been personally checked by them. Project Proponent and their Environmental Consultant also stated that the increase in Built up area from 50,837 sqm to 85,111 sqm was only on account of inadvertent clerical exclusion of the built-up areas of the 5th Tower and of non-FAR basement area in the original EC.

In support of this submission, they drew attention to the fact that the number of Flats had only increased marginally from 276 to 303 (on account of conversion of some large flats to smaller units) and total project population had also increased to only 1400 persons against 1380 persons as per original EC. Environmental Consultant, therefore, stressed that no significant increase in pollution load had occurred, most of the conditions of Environmental Clearance were being complied with. Hence negligible ecological damage was observed and the same was limited to construction phase only. Moreover, M/s Homeland Heights had also not derived any economic benefits as the Project as a whole had incurred substantial loss.

SEIAA took note of the submissions made by the PP and their Environmental Consultant but was not fully satisfied with the proposed outlay of Rs 25 Lakhs for the Remediation plan.

After careful consideration of the proposal of the Environmental Consultant (Annexure 3 of the agenda) and other relevant issues, it was decided that keeping in mind the increase of 68% in the built-up area and the outlay of Rs 59.7 Lakhs EMP of the original EC, the outlay of the Remediation and Natural & Community Resource Augmentation plan needs to be pro rata enhanced by the same factor of 68% to Rs 40 Lakhs.

SEIAA therefore directed Project Proponent and their Environmental Consultant to submit revised Remediation and Natural & Community Resource Augmentation plan with an outlay of Rs 40 Lakhs for approval of SEIAA by 05.11.2021. The plans should be site specific with clearly stipulated and measurable works to be undertaken and completed within 6 months.

SEIAA further directed that Bank Guarantee equivalent to amount of Remediation and Natural & Community Resource Augmentation plan i.e. Rs 40 Lakhs be deposited by the Project Proponent with PPCB in place of the Bank Guarantee of Rs 6.0 Lakh in compliance with MoEF&CC Notification dated 14.03.2017 as amended on 08.03.2018 as an assurance to complete activities which will be released on the recommendations of Regional Office, MoEF&CC, Chandigarh or SEIAA /SEAC Committee.

Thereafter, SEIAA allowed the Environmental Consultant to present the compliance report of the conditions of Environmental Clearance granted to the project and salient features of the project. A copy of the presentation submitted by the project proponent was taken on record.

To a query by SEIAA, it was informed that bank guarantee of amount of Rs. 40 lacs in place of Bank Guarantee amounting to Rs.6.0 Lacs as an assurance to complete activities of remediation plan and Natural and Community Resource Augmentation Plan shall be

submitted to the Environmental Engineer, Regional Office, Mohali, within 15 days and copy of the receipt of the same shall be submitted to SEIAA Punjab.

An undertaking submitted with respect to the above was taken on record.

During discussions, the representative of the promoter company agreed to fully comply with all the conditions proposed by SEAC as also undertake the activities of Rs 40 Lakhs as per Remediation and Natural & Community Resource Augmentation plan to be submitted by them and approved by SEIAA.

The SEIAA observed that the case stands recommended by SEAC and the Committee has awarded 'Silver Grading' to the project proposal. The SEIAA looked into the details of the case and was satisfied with the same.

After detailed deliberations, SEIAA decided to accept the recommendations of SEAC and grant Environmental Clearance for the expansion of the Project "Homeland Heights" having total built-up area of 85,111.5 sqm in land area of 18,623.325 located at Sector 70, SAS Nagar by M/s Homeland Buildwell Pvt. Ltd. as per the details mentioned in the Form 1, 1A, EMP and subsequent presentations /clarifications made by the project proponent and his consultant with proposed measures and subject to additional conditions as under: -

Additional Conditions:

- i) The project proponent shall submit revised Remediation and Natural & Community Resource Augmentation plan of Rs 40 Lakhs to SEIAA, Punjab, by 05.11.2021.
- ii) Amount of Rs. 40 lacs shall be spent on the activities taken under the Remediation and Natural & Community Resource Augmentation plan of the proposed project (to be submitted by the PP by 05.11.2021 for consideration / approval of SEIAA) and said plan shall be implemented within a period of 6 months.
- iii) Bank Guarantee of Rs 40 Lakhs will be deposited by the Project Proponent with the Regional Office, Punjab Pollution Control Board, Mohali in place of Bank Guarantee amounting to Rs.6.0 Lacs as an assurance to complete activities taken under remediation plan and Natural and Community Resource Augmentation Plan and copy of the receipt of the same shall be submitted to SEIAA Punjab by 05.11.2021. The Bank Guarantee will be released by SEIAA after successful implementation of the activities prescribed and approved in the Remediation and Natural & Community Resource Augmentation plan on the recommendations of Regional Office, MoEF&CC, Chandigarh or SEIAA /SEAC Committee.
- iv) This Environmental Clearance is liable to be revoked without any further notice to the Project Proponent in case of failure to comply with conditions (i), (ii) and (iii) above.

In compliance with the aforesaid decision, Environmental Clearance was granted to the project proponent vide letter no. 4824 dated 18.10.2021 with the aforesaid additional conditions.

Now, the project proponent submitted compliance of the condition no. (i) to (iii) as mentioned above as per the details given as under:

- (i) The project proponent submitted revised Remediation and Natural & Community Resource Augmentation plan of Rs 40 Lakhs to SEIAA, Punjab, vide letter dated

06.11.2021. A copy of the same is attached as **Annexure-2** of the agenda for kind perusal please.

- (ii) Bank Guarantee of Rs 40 Lakhs issued by HDFC bank having **expiry date 01.05.2022** (with claim date 01.05.2023) by the Project Proponent with the Regional Office, Punjab Pollution Control Board, Mohali in place of Bank Guarantee amounting to Rs.6.0 Lacs as an assurance to complete activities taken under remediation plan and Natural and Community Resource Augmentation Plan and a copy of the receipt of the same is attached as **Annexure-3** of the agenda for kind perusal please.

Observation: Bank Guarantee should be valid for the period of minimum one year i.e., more than date of completion of activities (31.05.2022).

4.0 Deliberations during 193rd meeting of SEIAA held on 10.11.2021.

The case was considered by SEIAA in its 193rd meeting held on 10.11.2021 which was attended by the following:

- (i) Sh. Narender Vaid, Legal Advisor on behalf of Project proponent.
(ii) Dr. Sandeep Garg and Ms. Priyanka, EIA Coordinator, M/s Eco laboratories Pvt. Ltd.

SEIAA perused the Annexure-2 & 3 attached with agenda and it was observed as under:

- (i) The project proponent submitted the details of the activities and breakup of Rs. 40 las which are reserved under Remediation and Natural & Community Resources Augmentation plan as per table given below:-

Sr. No.	Activities	Amount (Rs in lakhs)	Tentative Time Completion of the Activities
1.	Rainwater Water Harvesting shall be carried out by adopting a Village Pond located at Village Khizrabad Hatli Patti SAS Nagar (Mohali). For this, the Stream carrying the waste water of the village shall be diverted in one corner of Phytoid Plants Trench (designed based on the technology developed by CSIR-NEERI's) divided into different parts, the overflow of each chamber shall be allowed to enter into another chamber which will ultimately lead to the purification of the water and collected into the pond to avoid any contamination of ground water aquifer.	Rs. 20	31.05.2022
2.	Solar Panels of 10 Kilo Watt System shall be installed in the Government Primary School Building situated at Village Khizrabad Hatli Patti SAS Nagar (Mohali)	Rs. 10	31.05.2022

3.	Bio Toilets in the Government Primary School Building situated at Village Khizrabad Hatli Patti SAS Nagar (Mohali)	Rs. 5	31.05.2022
4.	Repair, cleaning and whitewash of the Government Primary School Building situated at Village Khizrabad Hatli Patti SAS Nagar (Mohali)	Rs. 5	31.05.2022
Total		Rs. 40 lakhs	

- (ii) Project proponent has submitted bank guarantee of Rs. 40 lakhs valid up to 01.05.2022 to the PPCB as an assurance to complete activities to be implemented under the Remediation Plan and Natural and Community Resource Augmentation Plan in compliance with the provisions of MoEF&CC Notification dated 14.03.2017 as amended on 08.03.2018.

To a query by SEIAA, project proponent informed that bank guarantee of Rs. 40 lakh was deposited with PPCB for a period of six months. This is to ensure that the activities specified under Remediation and Natural & Community Resource Augmentation plan will be completed within a period of 6 months' time. In case the said activities are not completed within 6 months' time, then bank guarantee shall be extended by them for another period of 6 months. SEIAA accepted the request of the project proponent and took the undertaking in this regard on record.

After detailed deliberations, SEIAA decided to approve the revised Remediation and Natural & Community Resource Augmentation plan of Rs 40 Lakhs with following additional conditions to be imposed in the earlier granted EC:

Additional Conditions:

- i) The project proponent shall submit the quarterly progress report of implementation of the above revised Remediation and Natural & Community Resource Augmentation plan of Rs 40 Lakhs on 14.02.2022 and then on 14.05.2022.
- ii) The validity of the bank guarantee amounting to Rs 40 Lakhs shall be extended and submitted to Regional Office, Punjab Pollution Control Board, Mohali as an assurance to complete the activities to be implemented under the remediation plan and Natural and Community Resource Augmentation Plan one month before its expiry i.e. by 01.04.2022 and a copy of the receipt of the same will be submitted to SEIAA Punjab. The Bank Guarantee will be released by SEIAA after successful implementation of the activities prescribed and approved in the Remediation and Natural & Community Resource Augmentation plan on the recommendations of Regional Office, MoEF&CC, Chandigarh or SEIAA /SEAC Committee.
- iii) This Environmental Clearance is liable to be revoked without any further notice to the Project Proponent in case of failure to comply with conditions (i), (ii) above.

Item No.193.03: Representation against the illegal acts of the Builder Omaxe Chandigarh Extension Developers Private Limited.

Facts of the matter as under:

It is submitted that a representation dated 07.08.2021 has been received against M/s Omaxe Chandigarh Extension Developers Pvt. Ltd., from Sh. Sandeep Singh S/o Sukhpal Singh, R/o village Gandhon Kalan, VPO Rangilpur, Tehsil and District Rupnagar, Punjab. The said representation is addressed to the following which is annexed as Annexure-9 of agenda:

1. The Chairman (Sh. Hardeep Singh Gujral),
SEIAA, Punjab.
2. The Chairman (Sh. Yogesh Gupta)
SEAC, Punjab.
3. The Chairman, PPCB
Patiala.
4. The Principal Secretary,
Department of Science, Technology & Environment
Punjab Civil Secretariat-2, Chandigarh.

Complainant made against the alleged illegal acts of the builders Omaxe Chandigarh Extension developer Pvt. Ltd. being in gross violation of the provisions of the Environment Impact Assessment Notification, 2006 during the development of its integrated Residential Township in the name of Chandigarh Extension, as well as Objections against the Application for Expansion in Environment Clearance dated 15.07.2021 submitted by Omaxe Chandigarh Extension Developers Private Limited, not disclosing that they without prior EC have already carried out substantial construction of the new project sites which is in the violation of the Environment Impact Assessment notification 2006 and thus automatically calls for initiation of prosecution proceedings against the builder before even consideration of their Application for expansion of Environmental Clearance.

In this regard, it is pertinent to mention here that earlier, the project of M/s Omaxe Chandigarh Extension Developers Pvt. Ltd. located in the revenue estate of Village Kansal, Rani Majra, Dhode Majra, Rasoolpur in Mullanpur (LPA), District SAS Nagar was granted Environment Clearance vide letter no. SEIAA/2015/1878 dated 25.03.2015 for development of residential township namely "Chandigarh Extension" in an area of 592.463 acres having total built up area 2,89,325 Sqm.

Thereafter, Project Proponent was issued Terms of References (ToRs) by MoEF&CC vide no. 21-94/2020-IA.III dated 10.12.2020 for expansion of the project under category 8 (b) Township and Area Development project.

Recently, a representation has been received on 10.08.2021 from Sh. Sandeep Singh S/o Sukhpal Singh R/o Village Gandhon Kalan, VPO Rangilpur, Tehsil & District Rupnagar, Punjab, wherein it was alleged as under:

1. That the Project Proponent added around 60 acres of land in the area for which earlier Environment Clearance was obtained and started construction of seven different projects in newly added land. Out of 7 projects, excavation was completed in 1 project, plotted development (Roads, sewerage etc.) completed in 2 projects, external structure development completed in 2 projects and external structure upto 9th floor completed in 2 projects.
2. That the STP installed by the Project Proponent for treating the wastewater from the present population (1500 residential apartments) is not operational and untreated wastewater is being discharged into the River Siswan.
3. That the Project Proponent has installed 2 no. RMC plants at villages Bharounjian and village Ranimajra without obtaining statutory approval from Punjab Pollution Control Board.
4. That the Project Proponent has also not taken adequate measures for storage of construction material lying at the site in compliance of Construction and Demolition Waste Management Rules, 2016.
5. That the Project Proponent has not obtained separate Environment Clearance for the project namely "The Lake" as the same was not included in the Environment Clearance application of the "Chandigarh Extension".

The complainant has requested not to grant expansion in the Environment Clearance to M/s Omaxe New Chandigarh Developers Pvt. Ltd and initiate action under the provision of EIA Notification 14.09.2006 due to alleged aforesaid violations.

Further, it is pertinent to mention here that M/s Omaxe New Chandigarh Developers Pvt. Ltd. submitted application for obtaining Environment Clearance bearing proposal no. SIA/PB/MIS/62162/2014 submitted on 15.07.2021 for expansion of a township project namely "Omaxe Chandigarh Extension" in an area of 805.611 acres having total built up area 2145325 sqm located at Kansala, Ranimajra, Dhodemajra, Rasoolpur, Salamatpur, Raul, Bharonjian, Ghandouli, Bhagat Majra, Saini Majra, Bansepur, Paintpur, Chahar majra, Sanglan, in Mullanpur (LPA), Punjab, which was considered by SEAC in its 204th meeting held on 20.07.2021. SEAC raised certain observations, which were conveyed to the applicant on 27.07.2021.

As a copy of the representation has also been addressed to Chairman, SEAC, the representation shall be considered in 205th meeting of SEAC scheduled on 21.08.2021.

1.0 Deliberations during 188th meeting of SEIAA held on 23.08.2021.

The matter was considered by SEIAA in its 188th meeting held on 23.08.2021. During the meeting, SEIAA was apprised as under:

- 1) Govt. of Punjab, Department of Science, Technology & Environment vide Memo no. 234434 dated 23.08.2021 has constituted 02 members Committee of Sh. Paramjit Singh, SEE, Mohali and Sh. R K Ratra, SEE, Head office Patiala. A copy of the representation has

been forwarded to said Committee with a direction to conduct enquiry / field verification into the allegations in the complaint and send its inspection report to the State Government within 07 days.

- 2) The said representation was also considered by SEAC in its 205th meeting held on 21.08.2021 while appraising the application for obtaining expansion in Environmental Clearance under EIA notification dated 14.09.2006 for the expansion of a township project namely "Omaxe Chandigarh Extension" located at Kansala, Ranimajra, Dhodemajra, Rasoolpur, Salamatpur, Raul, Bharonjian, Ghandouli, Bhagat Majra, Saini Majra, Bansepur, Paintpur, Chahar majra, Sanglan, in Mullanpur (LPA), Punjab submitted by M/s Omaxe New Chandigarh Developers Pvt. Ltd. wherein after deliberation, SEAC decided to defer the case till above mentioned enquiry / field inspection report of 02 members committee is received.

SEIAA observed that the representation was also addressed to the Principal Secretary, STE, Govt of Punjab and taking cognizance of the same, PSSTE has constituted a committee of two officers of the PPCB for enquiry / field verification. As such, there is no need to constitute a fresh committee to check the ground reality w.r.t allegations made by the complainant in his representation. However, a copy of the Representation should be sent to M/s Omaxe Ltd for seeking their reply within 10 days regarding the various allegations made against them in the representation.

After detailed deliberations, SEIAA decided that the matter be deferred till the report of the enquiry committee and reply of M/s Omaxe Ltd. are received.

In compliance with the aforesaid decision, a copy of the Representation was sent to M/s Omaxe Ltd vide letter no. 4734 dated 02.09.2021 with a request to send reply within 10 days regarding the various allegations made against them in the representation.

Accordingly, Omaxe New Chandigarh Developers Pvt. Ltd. formerly M/s Omaxe Chandigarh Extension Developers Pvt. Ltd. vide letter 14.09.2021 has sent the reply which is annexed as Annexure-C of Agenda for kind perusal please.

Meanwhile, a second Representation has also been received from the same applicant against M/s Omaxe Chandigarh Extension Developers Pvt. Ltd regarding alleged illegal activities in the construction of "The Lake" Project etc. which has also been sent by State Government for enquiry to the same 2 member Committee of PPCB officers to which enquiry of the first representation was entrusted by State Government. As per decision taken in 189th meeting of SEIAA held on 13.09.2021, a copy of this 2nd representation is also being sent to M/s Omaxe for submitting their reply to the same. Furthermore, the Applicants have also instituted OA No 222 of 2021 in Hon'ble NGT with substantively the same allegations as in the aforementioned two representations submitted to SEIAA, Punjab, and others. Hon'ble NGT vide its orders dated 13.09.2021 in this OA has inter alia directed the constitution of a 5-member Committee of CPCB, PPCB, SEIAA, MoEF and District Magistrate Mohali to enquire into the matter and submit the requisite report within 2 months.

2.0 Deliberations during 190th meeting of SEIAA held on 24.09.2021.

The matter was considered by SEIAA in 190th meeting held on 24.09.2021 wherein SEIAA was apprised as above. SEIAA observed that report of the enquiry Committee of PPCB officials appointed by State Government is still awaited. Member Secretary, SEIAA informed that enquiry report is likely to be received before the next meeting of SEIAA. SEIAA has deputed its Member Secretary to the 5-member Committee constituted by Hon'ble NGT to enquire into the matter.

After deliberations, SEIAA decided to defer the matter till the reports of the 5-member enquiry Committee appointed by the Hon'ble NGT and 2-member committee appointed by State Government are received. The matter be placed in the next meeting of SEIAA after receipt of these enquiry reports.

A report of 2-member committee appointed by State Government was received through Whatsapp message. A copy of the same was attached as Annexure-1 of the Agenda of the 192nd meeting of SEIAA.

3.0 Deliberations during 192nd meeting of SEIAA held on 01.11.2021.

The matter was placed in the 192nd meeting held on 01.11.2021 but could not be taken up due to paucity of time. The SEIAA decided to defer the matter and the same be placed in the agenda of next meeting of SEIAA scheduled on 08.11.2021.

A report of 2-member committee appointed by State Government received through Whatsapp message, is attached as **Annexure-4** of the Agenda for kind perusal please.

It is pertinent to mention here that first meeting of 5-Member Committee constituted by the NGT in which Member Secretary SEIAA is one of the Members was held on 29.10.2021 at 3:30 pm in the Conference room of District Administrative Complex, SAS Nagar, wherein it was decided to conduct 2nd meeting on 12.11.2021 at 3:00 pm in the office of ADC (D), SAS Nagar and call the following officers in the meeting for clarity in the matter:

- a. District Town Planner, SAS Nagar, along with the relevant record relating to the project (M/s Omaxe Chandigarh Extension Developer Pvt. Ltd.)
- b. Chief Engineer, GMADA may be requested to depute any senior Officer, who is well conversant with all the facts related to the project (M/s Omaxe Chandigarh Extension Developer Pvt. Ltd.)
- c. Naib Tehsildar, Majri Block, Kharar along with the concerned Kanungo & Patwari of the area along with the revenue record relating to the project (M/s Omaxe Chandigarh Extension Developer Pvt. Ltd.)

4.0 Deliberations during 193rd meeting of SEIAA held on 10.11.2021.

The matter was considered in the 193rd meeting held on 10.11.2021 wherein SEIAA was apprised as above. SEIAA perused the report of 02-member committee appointed by the State Government which was attached as Annexure-4 of the Agenda. SEIAA further observed

that Hon'ble NGT has also appointed a 5-Member Committee in the matter in which Member Secretary, SEIAA is also one of the members.

After detailed deliberations, SEIAA decided to defer this item till the report of 5-Member Committee appointed by the Hon'ble NGT is received.

Item No 193.04 to 193.10: General Discussion/Offline Items

Item no.193.11: Application for issuance of ToR for clinker grinding unit with cement production capacity of 5 million TPA at Village Deh- Kalan, Tehsil & District Sangrur, Punjab by M/s Shree Punjab Cement Plant (Proposal No. SIA/PB/IND /66130/2021).

Facts of the case are as under:

The Project Proponent has applied for issuance of ToR for establishment of stand-alone Clinker Grinding Unit with Cement production capacity of 5.0 Million TPA and DG Sets of 1250 KVA (1000 KVA or (2X500 KVA (1000 KVA or (2X500 KVA) & 250 KVA) at Village Deh- Kalan, Tehsil & District Sangrur, Punjab. Project is covered under activity 3(b) & Category 'B1' as per EIA Notification, 2006. The Project cost is 671 Cr.

The project proponent has submitted the Form I, Pre-feasibility report and other additional documents on online portal. He had also deposited the requisite fee amounting Rs. 16,77,500/- through UTR no. SBIN521210163124 dated 29.07.2021, as verified by supporting staff SEIAA. The Project Proponent has deposited 25% of the total fee prescribed for the Environmental Clearance being at ToR stage and the remaining 75% of the fee i.e., Rs. 50,32,500/- will be paid at the time of applying for Environmental Clearance.

The project proponent submitted an undertaking that the project site does not cover under the Forest Conservation Act, 1980 or Punjab Land Preservation Act, 1900, Wildlife area under Wildlife (Protection) Act, 1972. Further no litigation against the project is pending in any Court of Law and no construction activity relating to the project has been started. The project site neither fall in Eco-sensitive Zone nor in the boundary of critical polluted area. The project does not attract the generation condition and specific condition.

The project proponent during the presentation to the Committee be asked to present the applicability of General Conditions, suitability of site, land details etc.

1.0 Deliberations during 205th meeting of SEAC held on 21.08.2021

The meeting was attended by the following:

1. Dr. Anil Kumar Trivedi, behalf of on the Project Proponent.
2. Ms. Ekta Arora, EIA Coordinator, M/s J.M. Environet Pvt Ltd., Environmental Consultant of the Project Proponent.

SEAC allowed the Environmental Consultant of the Project Proponent to present salient features of the project which he presented as under:

Sr. no.	Item	Details
1.	Name and Location of the project	Shree Punjab Cement Plant (Clinker Grinding Unit) with Cement Production Capacity of 5.0 Million TPA

		and D.G. Sets of 1250 KVA {1000 KVA or (2 x 500 KVA) & 250 KVA} along with Railway Siding at Village: Deh-Kalan, Tehsil & District: Sangrur (Punjab) by Shree Cement North Private Limited
2.	Project/activity	Category "B", Project or Activity '3(b)' Cement Plants
3.	Whether the project is in critically polluted area or not.	No
4.	If the project involves diversion of forest land. If yes, Extent of the forest land. Status of the forest clearance.	No. Undertaking submitted.
5.	Is the project covered under PLPA, 1900, if No but located near to 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. Is the project covered under PLPA, 1900, if yes then Status of the NOC w.r.t PLPA, 1900.	No. Undertaking submitted.
6.	If the project falls within 10 km of Eco sensitive area/ National park/Wild Life Sanctuary. If yes, Name of Eco sensitive area/ National park/Wild Life Sanctuary and distance from the project site. Status of clearance from National Board for Wild Life (NBWL).	Bir Aishwan wildlife Sanctuary is located at a distance of 8.5 Km in South East direction from the project boundary and as per MoEF&CC notification S.O. 3313 dated 24 th October, 2016 the extent of Eco-sensitive zone is up to 100 meters from the boundary of the Bir sensitive zone i.e., at a distance of approx. 8.5 km.

7.	Inter - district boundary	None
8.	Classification/Land use pattern as per Master Plan	The proposed project site falls under Agricultural land as per the master plan.
9.	Cost of the project	Rs. 671 Crores
10.	Area details (in ha)	Total Land -28.16 ha Plantation & Greenbelt (Approx. 33 %) – 9.29 ha
11.	Source of Water	Ground water through bore wells

SEAC was satisfied with the presentation submitted by the Project Proponent.

The Project Proponent further informed SEAC that they had already carried out Environmental Baseline Study for Winter season (Dec., 2020 to Feb., 2021) and requested to allow them to utilize the same for preparation of EIA report. SEAC observed that as per OM dated 29.08.2017, the baseline data used for preparation of EIA/EMP reports may be collected at any stage, irrespective of the request for ToR or the issue thereof. However, such a baseline data and the public consultation should not be older than 3 years, at the time of submission of the proposal, for grant of Environmental Clearance, as per ToRs prescribed. As such, SEAC allowed the Project Proponent to utilize Environmental Baseline Study for Winter season (Dec., 2020 to Feb., 2021 for preparation of EIA report.

After detailed deliberations, it was decided to categorize the project under Activity 3(b); B-1 with public consultation as required for the project. The Committee approved the Terms of Reference for establishment of stand-alone Clinker Grinding Unit with Cement production capacity of 5.0 Million TPA and DG Sets of 1250 KVA (1000 KVA or (2X500 KVA (1000 KVA or (2X500 KVA) & 250 KVA) at Village Deh- Kalan, Tehsil & District Sangrur, Punjab as per the details mentioned in the application & subsequent presentation /clarifications made by the project proponent & his consultant and conditions are as under:

A. STANDARD TERMS OF REFERENCE (TOR)

1) Executive Summary

2) Introduction

- i. Details of the EIA Consultant including NABET accreditation
- ii. Information about the project proponent
- iii. Importance and benefits of the project

3) Project Description

- (i) Cost of project and time of completion.

- (ii) Products with capacities for the proposed project.
- (iii) If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
- (iv) List of raw materials required and their source along with mode of transportation.
- (v) Other chemicals and materials required with quantities and storage capacities
- (vi) Details of Emission, effluents, hazardous waste generation and their management.
- (vii) Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
- (viii) Process description along with major equipment and machineries, process flow sheet
- (ix) (quotative) from raw material to products to be provided
- (x) Hazard identification and details of proposed safety systems.

Expansion/modernization proposals:

- (i) Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MOEF/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment and Forests as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing existing operation of the project from SPCB shall be attached with the EIA-EMP report.
- (ii) In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.

4) Site Details

- (i) Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
- (ii) A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
- (iii) Details w.r.t. option analysis for selection of site
- (iv) Co-ordinates (lat-long) of all four corners of the site.
- (v) Google map-Earth downloaded of the project site.
- (vi) Layout maps indicating existing unit as well as proposed unit indicating storage area,

plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.

- (vii) Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- (viii) Land-use break-up of total land of the project site (identified and acquired), government/ private - agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- (ix) A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- (x) Geological features and Geo-hydrological status of the study area shall be included.
- (xi) Details of Drainage of the project up to 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- (xii) Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- (xiii) R&R details in respect of land in line with state Government policy

5) Forest and wildlife related issues (if applicable):

- (i) Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable)
- (ii) Land-use map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (in case of projects involving forest land more than 40 ha)
- (iii) Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- (iv) The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden-thereon.
- (v) Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State
- (vi) Government for conservation of Schedule I fauna, if any exists in the study area
- (vii) Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the
- (viii) Standing Committee of the National Board for Wildlife

6) Environmental Status

- (i) Determination of atmospheric inversion level at the project site and site-specific micro- meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.

- (ii) AAQ data (except monsoon) at 8 locations for PM10, PM2.5, SO₂, NO_x, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- (iii) Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- (iv) Surface water quality of nearby River (100m upstream and downstream of discharge point) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- (v) Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC, if yes give details.
- (vi) Ground water monitoring at minimum at 8 locations shall be included.
- (vii) Noise levels monitoring at 8 locations within the study area.
- (viii) Soil Characteristic as per CPCB guidelines.
- (ix) Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
- (x) Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule- I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
- (xi) Socio-economic status of the study area.

7) Impact and Environment Management Plan

- (i) Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- (ii) Water Quality modelling - in case of discharge in water body
- (iii) Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor- cum-rail transport shall be examined.
- (iv) A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed

standards of discharge under E(P) Rules.

- (v) Details of stack emission and action plan for control of emissions to meet standards.
- (vi) Measures for fugitive emission control
- (vii) Details of hazardous waste generation and their storage, utilization and management. Copies of MOU regarding utilization of solid and hazardous waste in cement plant shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- (viii) Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- (ix) Action plan for the green belt development plan in 33 % area i.e., land with not less than
- (x) 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
- (xi) Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
- (xii) Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
- (xiii) Action plan for post-project environmental monitoring shall be submitted.
- (xiv) Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

8) Occupational health

- (i) Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers
- (ii) Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far
- (iii) & Near vision, colour vision and any other ocular defect) ECG, during pre-placement and periodical examinations give the details of the same. Details regarding last month analysed data of above-mentioned parameters as per age, sex, duration of exposure and department wise.
- (iv) Details of existing Occupational & Safety Hazards. What are the exposure levels of hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,

- (v) Annual report of health status of workers with special reference to Occupational Health and Safety.

9) Corporate Environment Policy

- (i) Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
 - (ii) Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
 - (iii) What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
 - (iv) Does the company have system of reporting of non - compliances / violations of environmental norms to the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism shall be detailed in the EIA report
- 10)** Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.
- 11)** Enterprise Social Commitment (ESC)
- i. Adequate funds (at least 2.5 % of the project cost) shall be earmarked towards the Enterprise Social Commitment based on Public Hearing issues and item-wise details along with time bound action plan shall be included. Socio-economic development activities need to be elaborated upon.
- 12)** Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
- 13)** A tabular chart with index for points wise compliance of above TOR.

B. SPECIFIC TERMS OF REFERENCE FOR EIA STUDIES FOR CEMENT PLANTS

1. Limestone and coal linkage documents along with the status of environmental clearance of limestone and coal mines
2. Quantum of production of coal and limestone from coal & limestone mines and the projects they cater to;
3. For large Cement Units, a 3-D view i.e., DEM (Digital Elevation Model) for the area in 10 km radius from the proposal site.
4. Present land use shall be prepared based on satellite imagery. High-resolution satellite image data having 1m-5m spatial resolution like quickbird, Ikonos, IRS P-6 pan sharpened etc. for the 10 Km radius area from proposed site. The same shall be used for land used/land-cover mapping of the area.
5. If the raw materials used have trace elements, an environment management plan shall also

be included.

6. Plan for the implementation of the recommendations made for the cement plants in the CREP guidelines must be prepared.
7. Energy consumption per ton of clinker and cement grinding
8. Provision of waste heat recovery boiler
9. Arrangement for use of hazardous waste.

2.0 Deliberations during 189th meeting of SEIAA held on 13.09.2021

The case was considered by SEIAA in its 189th meeting held on 13.09.2021 which was attended by the following:

- (i) Dr. Anil Kumar Trivedi, Head Environment & Authorised Signatory on behalf of Project Proponent.
- (ii) Ms. Ekta Arora, EIA Coordinator, M/s J.M. Environet Pvt Ltd., Environmental Consultant of the Project Proponent.

Environmental Consultant of the Promoter Industry presented the salient features of the project and requested for issuance of TORs.

During discussions, the project proponent agreed to prepare detailed EIA on the basis of Terms of Reference as recommended by the SEAC and to submit the final EIA report incorporating the issues related to the Public Consultation process (to be held) as a separate chapter i.e. tabular chart with financial budget (capital and revenue) along with time-schedule of implementation for complying with the commitments made to the Public during aforesaid consultation.

The SEIAA observed that the SEAC has categorized the project into B-1 category (activity listed at S No 3 (b) of the schedule) with public consultation as required for the projects not located in notified industrial parks / estates and has recommended specific TORs for undertaking detailed EIA & EMP for the project.

The SEIAA looked into the details of the case and was satisfied with the same. Therefore, the Authority decided to accept the recommendations of SEAC and issue the Terms of Reference for undertaking detailed EIA & EMP as recommended by SEAC.

In compliance with the aforesaid decision, Terms of Reference were issued vide letter no. 4746 dated 28.09.2021 to the project proponent.

The project proponent has now submitted a representation vide letter no. 8264 dated 15.10.2021 with a request to issue the addendum of TOR letter for deleting a Terms of Reference mentioned in sub para (i) of Para 12 Enterprises Social Commitments (ESC) in Standard TOR given on page no. 8 of TOR letter regarding "Adequate funds (at least 2.5% of

the project cost) shall be earmarked towards the Enterprise Social Commitment based on Public Hearing issues and item wise issues with time bound action plan shall be included Socio economic development activities need to be elaborated upon” in view of the office memorandum issued by the Ministry on 30.09.2020 (**Annexure-13**) in supersession of the OM dated 01.05.2018 and further amended on 20.10.2020 (**Annexure-14**) and 25.02.2021 (**Annexure-15**). A copy of the said representation is enclosed as **Annexure-12** of the agenda for kind perusal please.

3.0 Deliberations during 193rd meeting of SEIAA held on 10.11.2021.

The matter was considered by SEIAA in its 193rd meeting held on 10.11.2021. During the meeting, SEIAA was apprised as above.

After detailed deliberations, SEIAA decided to accept the request of the Project Proponent and amend the earlier issued TOR by deleting the TOR no. (i) of Para 12 of Enterprises Social Commitments (ESC) and substitute the same with the following TOR:

Substitute TOR

The project proponent shall propose activities in lieu of Corporate Environmental Responsibility (CER) in the Environmental Management Plan as per the provisions of OM dated 25.02.2021 issued by the MoEF&CC.

Meeting ended with a vote of thanks to the Chair
