

Minutes of 150th meeting of SEIAA, Haryana, held on 25.11.2022 under the Chairmanship of Sh. Sameer Pal Srow, IAS (Retd.), Chairman, State Environment Impact Assessment Authority (SEIAA), Haryana at Bay's No. 55-58, 1st Floor, Paryatan Bhawan, Sector-2, Panchkula, Haryana.

(Prof. R. Baskar joined the 150th meeting through "Video Conference")

List of participants is annexed as Annexure-A.

At the outset, the Chairman SEIAA welcomed the Member and Member Secretary of the SEIAA and requested the Member Secretary to give a brief background of the items listed as the Agenda of 150th meeting.

"Minutes of the 149th Meeting of SEIAA are confirmed".

Project Proposals along with recommendations received from SEAC and Agenda Items as listed in 150th Meeting of SEIAA were discussed and following decisions were taken:

Item No. 150.01: EC for Proposed Max Super Specialty Hospital at Sector 56, Gurgaon, Haryana by M/s Max Healthcare Institute Ltd.

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/271568/2022 dated 06.05.2022** for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 564883 dated 04.05.2022 (in compliance of Haryana Government, Environment & Climate Change, Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 484.84 Crore by the Project Proponent.

Earlier, the recommendations of SEAC were taken up during 149th meeting of SEIAA held on 08.11.2022.

After having gone through the details & record placed on the file and upon considering the recommendations of SEAC, the Authority decided to defer this case for further understanding on the issues listed in the Meeting.

Thereafter, the Project Proponent vide letter dated 18.11.2022 submitted his reply stating that:

Sr. No.	Observation	Reply
1.	Layout plan submitted by the PP vide communication dated 18.08.2022, requires clarity which bears the mention of only Affordable Plotted Colony measuring 11.3625 Acres instead of the Max Super Specialty Hospital. This needs clarify.	We checked our records but couldn't find any documents showing 11.3625 acres of land for affordable plotted colony submitted by us. However, if inadvertently we have submitted any such documents other than our proposed Hospital Plot of 5.25 acres of land at Gurgaon Sector 56, we humbly request you to ignore such documents and consider the data mentioned in EC application as Form 1, land documents and building plans. Copies of these documents are attached as annexure 1.
2.	Having heard of recent disaster/accident incidents in the Hospital establishment in bigger cities, a clear cut evacuation plan in case of Emergency.	We assure you that the hospital building is being designed as per applicable NBC 2016 and Fire Safety Norms. We will ensure building is constructed in accordance with such laws/codes. Building Evacuation plan is attached as annexure-02; Fire Tender Movement & fire-fighting plan is attached as annexure-02a. A declaration from architect too is attached as annexure-3.
3.	Clarity on the issue of disposal & handling of Hazardous, Biomedical Waste (agreement with the authorized/approved agency holding EC), in case PP establishment is not setting up in-house incinerator.	We got the assurance letter from authorized waste disposal facility for lifting and disposal of Hazardous & Biomedical waste Copy of approval issued by State Pollution Control Board of these facilities are attached with the assurance letters.
4.	For high rise building establishment with future possibilities of Horizontal and Vertical expansion, in house infrastructure like high rise building ladders etc. to meet out the emergency situation or supplementary support system to the Fire Department.	In view of possibility of horizontal and vertical expansion in future, following measures have already been included in hospital design to meet emergency situations and supplementary support to Fire department: <ol style="list-style-type: none"> 1. Adequate capacity of Fire water tank has been planned as per NBC 2016. 2. External fire hydrants have been planned in line with latest IS code and NBC 2016. 3. All floors have been provided with Smoke detection and alarm

		<p>system with future provisions.</p> <p>4. All floors have been provided with sprinklers and hydrants with future provisions.</p> <p>5. Smoke extraction system and pressurization system has been considered with future provisions.</p> <p>6. As suggested, building ladders shall also be provided.</p> <p>A declaration from architect is attached as annexure-3.</p>
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The case was again listed during **150th Meeting of SEIAA held on 25.11.2022** and after having gone through the reply submitted by Project Proponent, recommendations of SEAC & further perusal of details placed on the file; **the Authority decided to Grant Environment Clearance (EC) to the project under Category 8(a) within the scope & meaning of EIA Notification dated 14.09.2006 with the following additional stipulations:-**

1. PP shall maintain 30.31% of the Plot area as Green Area i.e. 6440 Sqm (as offered in the proposal & committed the same at the time of presentation before the Appraisal Committee). The same shall not be reduced/ modified or put to use for any other use / purpose.
2. PP shall make efforts to develop **“Miyawaki Forest”**, in all corners of the Project Land/ Area.
3. PP shall make arrangements for the **“Quick and Safe disposal of Anti-biotic Waste”** by following the relevant guidelines.
4. PP shall submit an “Affidavit” that no litigation is pending before any Court(s) relating to the project, within 30 days, from the Grant of Environment Clearance.

Non-compliance of the same will lead to the withdrawal of Environment Clearance, so granted for the said project.

Item No. 150.02: EC for Expansion of Shopping/Commercial Building on 32.36 acres (DLF Downtown formally known as Mall of India) to 36.36 acres at Sector 25A, Gurugram, Haryana by M/s DLF Limited.

The Project was submitted to the SEIAA, Haryana vide online Proposal No. **SIA/HR/MIS/78846/2022** dated **09.09.2022** for obtaining Environmental Clearance for Expansion under Category 8(b) of EIA Notification

14.09.2006. The Project Proponent has deposited, due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 520991 dated 25.07.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 3563 Crore by the Project Proponent.

The case was taken up during 250th meeting of SEAC held on 28.09.2022 for the appraisal and Appraisal Committee recommended to SEIAA for grant of EC (Environment Clearance) for Expansion including Amalgamation & Transfer of EC.

Earlier, the recommendations of SEAC were taken up during 148th meeting of SEIAA held on 28.10.2022 and The Authority after detailed discussions & perusal of relevant records; decided to defer this case for further examination & verification of the facts relating to the case.

The case was again taken up during **150th Meeting of SEIAA held on 25.11.2022** and after having gone through the relevant record and details placed on the file, the Authority understands that Environment Clearance can be transferred from one legal entity to another legal entity “only”, if the following parameters / Conditions as provided in Para (11) of the Environment Impact Assessment Notification dated 14.09.2006 are fulfilled:

1. Environment Clearance, once granted can be transferred only during its **validity period** (Environment Clearance granted for the Project has to be within its validity period, when EC transfer is sought by the PP).
2. Transferee or transferor has to apply for “**NO OBJECTION CERTIFICATE**” (NOC) before the Regulatory Authority (SEIAA).
3. The EC will be transferred on the same terms & conditions under which the original EC was granted, (without making any change in the original validity/ Development Plan).
4. Both transferee and transferor, has to be legal entities for all intent and purposes.

As gathered from the details mentioned in the proposal, PP intend to change/ alter the character of the earlier project i.e. from the **Multi Level Car Parking to Other Commercial Establishment**, by seeking transfer and amalgamation of the Environment Clearance of two separate projects having two separate licenses and ownership/ entities. The Authority further observed that, no specific directions have been made by any Competent Court(s) of the jurisdiction or the Competent Authority to do so i.e. to carry out the process of amalgamation / merger of the two separate Projects.

In view of the discussion made above, Authority concluded that the instant Proposal is out of the scope & meaning of the relevant Provisions of EIA Notification dated 14.09.2006.

It is pertinent to place on the record that under the scope & meaning of EIA Notification dated 14.09.2006, there are two clear cut provisions:

- 1. TRANSFER of EC under Para (11).**
- 2. SURRENDERING OF ECs (within the scope & meaning of Guidelines and directions issued by MoEF & CC, GoI vide Office Memorandum No. IA-J-11013/103/2021-IA.II(I)[E169446] Dated 29.03.2022).**

- There is no clear cut provision for **AMALGAMATION** of two separate Projects.

In the light of discussions made above, the Project Proponent may proceed within the scope & meaning of **Guidelines and directions issued by MoEF & CC, GoI vide Office Memorandum No. IA-J-11013/103/2021-IA.II(I)[E169446] Dated 29.03.2022** to address the Proposal of Expansion, as may deem appropriate & suitable.

Upon consideration of the relevant facts & due deliberations, the Authority decided to decline the instant Proposal of PP.

Accordingly, the case is disposed of and de-listed.

Item No. 150.03: EC of Revision & Expansion of Commercial Colony (6.79375 acres) in the revenue estate of Village Bajghera, Sector 114, Gurugram, Manesar, Haryana by M/s Chintels India Ltd.

The Project was submitted to the SEIAA, Haryana vide online Proposal No. SIA/HR/MIS/246115/2021 for obtaining Environmental Clearance for Expansion under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited Scrutiny fee of Rs. 1,50,000/- vide DD. No. 508025 dated 14.12.2021 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 201.01 Crore by the Project Proponent.

The said case was taken up during 232nd meeting of SEAC held on 18.01.2022 and SEAC recommended the Project to SEIAA for grant of Revision and Expansion in existing EC (Environment Clearance) dated 20.08.2018.

Earlier, the case was considered during 135th meeting of SEIAA held on 25.01.2022, the Authority observed some glaring mismatch of details with regard to the “Green Area” as mentioned in the EC letter & the office record, which created some doubts and foul play & mishandling of the record.

After detailed deliberations, Authority decided to constitute a Sub-committee headed by M.S SEIAA, Joint Director (Tech.), SEIAA and ADA to ascertain the factual position. The said Sub-committee submitted a detailed report on this issue on 22.11.2022.

The case was again taken up during **150th Meeting of SEIAA held on 25.11.2022** and the Authority after having gone through the details placed on the file, taking into the account the recommendations of Appraisal Committee & further Report dated 22.11.2022 of the Sub-Committee, arrived at the following conclusions:

1. The Project Proponent has not deposited “**Scrutiny fee**” as per Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). **PP has deposited Rs.**

**1,50,000/- instead of due & applicable Scrutiny Fee i.e. Rs. 2,00,000/-
(less by Rs. 50,000/-)**

2. Upon perusal of relevant record pertaining to the Case, the Authority observed that as per the **Condition No. [g] of the Operational Phase** stipulated in the **original EC dated 20.02.2015,**

“PP was required to maintain Green Area @30% of the Project Area”.

The Authority further observed that Green Area of 30% (as per the Original EC dated 20.02.2015) got reduced to 25% Green Area, when proposal for Expansion of the said project was appraised & finalized in the year 2018. This error might have struck, inadvertently or due to a typographical error, since, no reason have been recorded / placed on the file in regard to reduction of Green Area from the Original 30% Green Area to 25% Green Area.

As per the **Minutes of 115th Meeting of SEIAA held on 25.07.2018, details reproduced below :-**

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Details	EC Existing	Granted/ Expansion	Proposed
Plot Area	25140.90 Sqmtr (6.21 Acres)	+2352.1 Sqmtr (0.58 Acres)	27493 Sqmtr (6.79 Acres)
Green Area	7542.27 Sqmtr (30%)	-669.02 Sqmtr	6873.25 Sqmtr (25%)

From the above, it is clear that upon Expansion, 2352.1 Sqmtr, was to be added to the pre-expansion plot area i.e. 25140.90 Sqmtr, so as to consider the **total plot area of the project at 27493 Sqmtr, (which was calculated correctly), but while calculating the green area the errors were made, as the green area was calculated on the pre-expanded area of the Project at 25140.90 Sqmtr and further, green area was reduced by 5% i.e. from 7542.27 Sqmtr (30%) to 6873.25 Sqmtr (25%).**

“Whereas the green area should have been calculated on 27493 Sqmtr (6.79 Acres) at 8247 Sqmtr. (30% Green Area) for the said Project”.

3. In view of the Govt. Notification No. 08/04/2021-ICI dated 01.06.2021 issued by Department of Urban Local Bodies, Haryana and subsequently Notification No. 391-ARIC-I-2021/6273 dated 25.11.2021 issued by Revenue & Disaster Management Department, Haryana;

Right of Way (RoW) for use of Revenue Rasta, is required to be obtained by the PP from the Competent Authority.

4. Since, the present Proposal has been applied for **“Revision and Expansion”**; before proceeding further, Certified Compliance Report from the Regional Officer, Action Taken Report by the PP and the detailed commentary of the SEAC on both is required.
5. Clarification regarding Status of Sewerage Permission for the disposal of treated water is required.

After detailed discussions and deliberations, the Authority decided to refer back this case to SEAC with the directions to re-look into the above made observations, carefully alongwith any other deficiency / lapses come into their notice.

Item No. 150.04: EC for Commercial Cum Residential Colony (Mix Land Use), at Sector 79, Omaxe City Centre, Faridabad, Haryana by M/s Robust Buildwell Pvt. Ltd.

The Project was submitted to the SEIAA, Haryana vide online Proposal No. SIA/HR/MIS/121687/2019 dated 31.10.2019 for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD. No. 011246 dated 04.12.2021 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 102.78 Crore by the Project Proponent.

Earlier, the matter was taken up during 147th Meeting of SEIAA, Haryana held on 10.10.2022 and the Authority referred back this case to SEAC with the directions that the Members of Appraisal Committee will follow the methodology and uniformity adopted in the matter of M/s G.P. Realtors Pvt. Ltd. (in the matter of O.A. No. 976 of 2019 titled as Gurinder Singh & Ors V/s Union of India & Ors.); while examining/appraising the violation cases within the purview and scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

Thereafter, the said case was taken up during 254th meeting of SEAC held on 31.10.2022 and SEAC observed that the order passed in project M/s G.P. Realtors Pvt. Ltd. by NGT is not related to this project in any way as the above mentioned case was an individual legal case decided by NGT on NBWL issue, so this project does not come within purview of said order. The PP also submitted that no Notification/ Office Memorandums/Guidelines has been issued by MoEF&CC to follow directions issued in M/s G.P. Realtors Pvt. Ltd. It is further submitted by PP that they agreed to follow the scope of Standard Operating Procedures (SOPs) dated 07.07.2021 issued by MOEF & CC, GOI.

The committee discussed on the given information and Cumulative Budget for Remediation, Natural & Community Resource Augmentation Plan submitted by PP. After detailed discussion, the committee found the information in order and decided to recommend the case to SEIAA to grant Environment Clearance (**under violation category**) as recommended vide MoM 241st of SEAC.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

The Authority after perusal of record and considering the recommendation of SEAC, observed that the cost of the project as conveyed and used as basis for calculation of penalty within the scope and meaning of SoPs dated 07.07.2021 **is factually incorrect and wrong.**

Whereas, the proposal submitted, initially by the PP (Year 2016) indicates the **“cost of the Project @ Rs 168 Crore”** and at the time of calculation of penal action under SOPs dated 07.07.2021, **cost of the Project was used as Rs.**

102.78 Crore. This is quite baffling and bemusing to understand as why the cost of the project has been truncated and used on the lower side for calculating the penalty. Beside this it is more strange and confusing at the stage as why the cost of the project which was initially declared at Rs. 168 Crore in the year 2016 has not escalated, despite steep increase in the cost of the manufacturing tools and inputs. This facts needs to be examined in detail to arrive at the correct and factual cost of the project for the purpose of correct implementation of provision of SOPs dated 07.07.2021. For the fair proceedings, cost of the project needs to be calculated on the day of obtaining of Occupation Certificate (completion certificate).

The Authority deemed it appropriate to consider the Cost of the Project as its stands on the date of OC as **CORRECT COST OF THE PROJECT** for all such purposes. Appraisal Committee may apply & adopt the same as uniform / consistent criteria for the future references.

The Authority further observed that PP at the time of submission of project, voluntary offered 30% green area of the plot area. The plan of the project, so submitted at the time of presentation, confirmed and indicated the same. This needs to be understood as why the Green Area was cut down/ reduced to 25.40% from 30% without any substantive / cogent reasons on the file.

It is deemed appropriate to refer back this case to SEAC to re-look & examine in the light of following **observations:-**

1. Why the green area should not be treated & revised to 30% of the plot area. (as initially offered by the Project Proponent at time of submission of project), whether the 5% area as reduced from the earlier green area have been used or put to use by the PP for commercial gains and benefits, should be treated as encroachment on green area ?
2. SEAC is required to calculate the penalty amount on the date of OC, treating the cost of the projects as its stand on that date.

Item No. 150.05: EC of Proposed Expansion of Commercial Complex Project at Sector-66, Gurugram, Haryana by M/s Gentle Realtors Pvt. Ltd.

The Project was submitted to the SEIAA, Haryana vide online Proposal No. **SIA/HR/MIS/278736/2022 dated 17.06.2022** for obtaining Environment Clearance for Expansion under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 500349 Dated 03.12.2021 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 225 Crore by the Project Proponent.

Thereafter, the case was considered during 246th meeting of SEAC held on 22nd and 23rd August 2022 and recommended to SEIAA for grant of Environment Clearance.

The recommendation of SEAC was considered during 145th meeting of the SEIAA held on 08.09.2022. After detailed discussions and examination of facts on record; the Authority decided to constitute a sub-committee consisting of Sh. V.K. Gupta, Chairman, SEAC and Sh. Sandeep Gupta, Member, SEAC to visit the site and submit report in regard to actual status of the construction/project. Regional Officer, Gurgugam (North) will assist the committee.

Accordingly, the case was referred back to SEAC.

Then, the case was lastly taken up during 254th meeting held on 31.10.2022. In its 145th meeting, Authority constituted a sub-committee to visit the site and submit report in regard to actual status of the construction/project. The site inspection report was presented during the meeting. A detailed discussion was held on the report of sub-committee. After due deliberations, the committee unanimously decided to recommend the case to SEIAA along with original site visit report for granting Environment Clearance as recommended vide MoM 246th of SEAC.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(a) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

1. **PP shall maintain 25% of the Plot area as Green Area i.e. 4712 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**
2. **PP shall submit an Affidavit that no litigation is pending before any Court relating to the project, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to withdrawal of Environment Clearance granted to the PP.

3. **PP shall submit Structure Stability Certificate along-with the Compliance Report.**

Item No. 150.06: EC for Proposed Residential Plotted Development Colony Under DDJAY Scheme on Land Measuring 45.15490 Acres Situated In the Revenue Estate of Village Naurangpur, Sector-79 & 79 B, Gurugram, Haryana by M/s Loon Land Development Limited & Others.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/MIS/72452/2022** for obtaining Environment Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 500494 dated 29.04.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 1450 Crore by the Project Proponent.

The case was considered during 255th meeting of SEAC held on 14.11.2022 and recommended to SEIAA for grant of Environment Clearance.

The recommendations of SEAC were taken up during 150th meeting of SEIAA held on 25.11.2022.

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(b) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

1. **PP shall maintain 20% of the Plot area as Green Area i.e. 36494.75 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**
2. **Whereas, the PP has produced a proof of submission of application for obtaining the Right of Way (RoW) for the project.**
Whereas, PP is required to submit the proof of submission of fee for permission of Right of Way from the competent authority within 30 days, positively, otherwise the EC granted shall be withdrawn without any further notice.
3. **PP shall submit an Affidavit that no litigation is pending before any Court relating to the project site, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to the withdrawal of Environment Clearance granted to the PP.

Item No. 150.07: EC for Residential Plotted Colony under Deen Dayal Jan Awas Yojana (DDJAY) over land area measuring 30.82 acres in Sector 35, Village Mohammadpur Gujjar, Tehsil Sohna, District Gurugram, Haryana by M/s Faith Buildtech Private Limited.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/INFRA2/402541/2022 dated 17.10.2022** for obtaining Environment Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 053748 dated 01.09.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 224.14 Crore by the Project Proponent.

The case was considered during 255th meeting of SEAC held on 14.11.2022 and recommended to SEIAA for grant of Environment Clearance.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(b) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

1. **PP shall maintain 15% of the Plot area as Green Area i.e. 18706 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**
2. **PP shall submit an Affidavit that no litigation is pending before any Court relating to the project, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to withdrawal of Environment Clearance granted to the PP.

Item No. 150.08: ToR (under violation) for IT Building on Plot No. 412-415, Udyog Vihar Phase IV, Gurgaon, Haryana by M/s Interpress Publishers Private Limited.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/INFRA2/403396/2022 dated 17.10.2022** for approval of Terms of Reference under violation category 8(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 1,50,000/- vide DD No. 077549 dated 09.09.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 50.70 Crore by the Project Proponent.

The said case was taken up during 255th meeting of SEAC held on 14.11.2022 and the Committee discussed the case under Violation Category and after detailed deliberations on the information presented by the

project proponent, unanimously decided to recommend the case to SEIAA for Grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP).

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

On examination of relevant record placed on the file, the Authority observed certain glaring mismatch in regard to details emanating from the Occupation Certificate (OC) issued by HSIIDC on 15.06.2018 for 27807.35 Sqmtr and Consent to Operate (CTO) issued by HSPCB on 03.07.2019 for 17,000 Sqmtrs. Further, the Authority observed that cost of the project as indicated in the CTO is at Rs. 51.65 Crore (03.07.2019) and Rs. 50.70 Crore in the application Form I submitted on 10.09.2022. This mismatch and variation indicates wrong disclosure in regard to total cost of the project.

In view of the observations made above, case is referred back to SEAC for detailed examination and appraisal of all the relevant points.

Item No. 150.09: Environmental Clearance for "Commercial Colony in Sector-89 Gurugram by M/s Receptive Buildwell LLP.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/MIS/283695/2022 dated 16.07.2022** for obtaining Environment Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 1,50,000/- vide DD No. 203722 dated 13.07.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 91.0 Crore by the Project Proponent.

The case was considered during 255th meeting of SEAC held on 14.11.2022 and recommended to SEIAA for grant of Environment Clearance.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(a) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

1. **PP shall maintain 15% of the Plot area as Green Area i.e. 1437.89 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**
2. **PP shall install d-centralised Sewerage Treatment Plant to treat Waste Water at the project site.**
3. **PP shall submit an Affidavit that no litigation before pending in any Court relating to the project, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to withdrawal of Environment Clearance granted to the PP.

Item No. 150.10: EC for Proposed Residential Plotted Colony under DDJAY Scheme on land measuring 8.7465 acres situated in the revenue estate Village Naurangpur, Sector 79 & 79 B, Gurugram, Haryana by M/s Loon Land Development Limited.

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/72456/2022 dated 08.06.2022** for obtaining Environment Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of **Rs. 2,00,000/- vide DD No. 500493 Dated: 29.04.2022** (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the **APPLICATION FORM** is at **Rs. 285 Crore by the Project Proponent.**

The case was taken up during 245th & 247th meeting of SEAC, Haryana held on 25.07.2022 & 09.07.2022, respectively and recommended the case to SEIAA for granting Environmental Clearance.

The recommendations of SEAC were taken up during 146th meeting of SEIAA held on 20.09.2022. However, Authority referred back the case to SEAC with certain observations.

The PP submitted the reply of the observations raised by SEIAA vide letter dated 29.10.2022 as under:

Sr. No.	Observations	Reply
1	The project proponent has mentioned that 105 KLD treated water will be disposed of in the nearby construction activities as well as Green belt of HUDA which appears not to be feasible & practical.	PP has revised the water balance and stated that Excess treated water will be discharged into public sewer and assurance of GMDA attached as Annexure 1 .
2	Assurance with regards to discharge of excess treated water.	PP has submitted Sewer assurance obtained by GMDA vide memo no. GMDA/SEN/2022/1210 dated 27/10/2022 and attached as Annexure 2 .
3	Clear-cut status of license indicating that the Project Proponent (PP) is owner and has possession of ^l the land/ right to use.	PP had applied for License under DDJAY policy and at present PP has obtained LOI vide memo no. LC-4210-JE(DS)-2022/32029 dated 20/10/2022 and attached as Annexure 3 .
4	Approved Zoning Plan.	PP has submitted that Currently the project has applied for license under DDJAY scheme and LOA has been granted to the project. Only after obtaining license we can obtain the zoning Approval.
5	Status of Revenue Rasta (Within or outside the project boundary).	PP submitted that Revenue Rasta falls outside of the project boundary.

Thereafter, the case was taken up during 255th meeting held on 14.11.2022. The PP presented the case before the committee. The Committee

discussed at length the reply submitted by PP vide letter dated 25.10.2022. After detail deliberation, the Committee reiterated the previous recommendation conveyed to SEIAA vide MoM of 247th SEAC meeting for granting EC.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(a) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

- 1. PP shall maintain 20% of the Plot area as Green Area i.e. 7079.16 Sqm including 400 sqm under Miyawaki plantation; as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**
- 2. PP shall maintain qua the status of the Revenue Rasta for the use of Public (as the same although does not cross from within the project site, but just abutting to the outer boundary of the project).**

Item No. 150.11: EC for Affordable Group Housing Colony Project at Village Dhanwapur, Sector 104, Gurugram, Haryana by M/s Apricus Hills Private Limited.

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/MIS/261786/2022 dated 15.03.2022** for obtaining Environment Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 322308 dated 11.03.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 233 Crore by the Project Proponent.

The said case was taken up during 249th meeting of SEAC held on 22.09.2022 and SEAC recommended the Project to SEIAA for Grant of Environment Clearance.

The recommendations of the SEAC were taken up during 148th meeting of SEIAA held on 27.10.2022.

The Authority after due deliberations and perusal of record observed that RoW (Right of Way) in regard to the Revenue Rasta passing through the Project area is without NOC/Permission from the Competent Authority. The request of Project Proponent regarding laying of separate utility services across the Revenue Rasta can't be allowed by the said Authority without permission from the Competent Authority (as the ownership of the land revenue rasta vest in Govt. Departments).

Further, perusal of records reflects variation in the Khasra Nos mentioned in Aravali NOC and land details mentioned in the license issued by the Town & Country Planning Department, Haryana.

In view of the above, the case was referred back to SEAC with the advice to re-look into the above mentioned points.

Thereafter, the case was taken up during **255th meeting held on 14.11.2022**. The PP submitted the reply to the observation raised by SEIAA, Haryana.

Sr. No.	Query	Reply
1.	The Authority after due deliberations and perusal of record observed that RoW (Right of Way) in regard to the Revenue Rasta passing through the Project area is without NOC/Permission from the Competent Authority. The request of Project Proponent regarding laying of separate utility services across the Revenue Rasta can't be allowed by the said Authority without permission from the Competent Authority (as the ownership of the land revenue rasta	We would like to inform you that we are not encroaching or laying services across the revenue rasta passing through the project site. We have proposed separate services for the project. We have already submitted affidavit stating the same. Copy of the same is enclosed as Annexure I . Water calculation along with separate water balance is enclosed as Annexure II .

	vest in Govt. Departments).	<p>Site Plan showing separate services is enclosed as Annexure III.</p> <p>Zoning Plan is also approved and same is enclosed as Annexure IV.</p>
2.	Further, perusal of records reflects variation in the Khasra Nos mentioned in Aravali NOC and land details mentioned in the license issued by the Town & Country Planning Department, Haryana.	<ul style="list-style-type: none"> • As per the Aravali records complete Killa No. 11 (7-0) is granted NOC whereas we, Apricus Hills Pvt. Ltd. has acquired only part i.e. Killa No. 11 min (0-10) which is mentioned in the report of Deputy Conservator of Forests vide letter no. 2336-G dated 10.12.2021 and same in licence granted by DTCP. Affidavit stating that we will only use Killa No. 11 min (0-10) out of Killa No. 11 (7-0) as per licence granted which is enclosed as Annexure V. • Khasra no's of project site are Rect No. 18; Killa No. 11 min, 19/2, 20, 21/1, 12/2/2, 13, 18/1, 19/1, 18/2/2 for total plot area 5.0375 acres. Licence showing the same is enclosed as Annexure VI. • Copy of Aravali NOC is enclosed as Annexure VII.

The committee discussed the reply. The PP has submitted that they have not encroached upon or laid services across the revenue rasta which is passing through the revenue rasta and separate services have been proposed. The PP has also submitted an affidavit in this regard. The revised water calculation, site plan and zoning plan has also been submitted.

It is also submitted that the PP has only acquired part i.e. Killa No. 11 min (0-10) which is mentioned in the report of Deputy Conservator of Forests which is also mentioned in the licence issued by DTCP. Affidavit has also been submitted by PP in this regard.

After detailed discussion, the Committee re-iterated the previous recommendation conveyed to SEIAA vide MoM of 249th SEAC meeting for granting EC.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and also considering the recommendations of SEAC, the Authority decided to defer this case for want of status pertaining to the permission of Revenue Rasta. The PP is required to obtain RoW (Right of Way) permission from the Competent Authority.

Item No. 150.12: EC for Proposed Commercial Complex “GR Corporate Tower” coming up at Plot No. 7 B, Sector 18, Maruti Industrial Complex, Gurugram (IT/ITEs), Haryana by M/s G R Infraprojects Limited.

The project was submitted to the SEIAA, Haryana vide online proposal No.SIA/HR/MIS/271393/2022 dated 05.05.2022 as per check list approved by the SEIAA/SEAC for obtaining Environmental Clearance under Category 8(a) of EIA Notification 14.09.2006.

The case was taken up in 244th meeting of SEAC, Haryana held on 08.07.2022 but deferred on request of PP. The case was taken up again in 251st meeting of SEAC, Haryana held on 10.10.2022. However, an email dated 10.10.2022 received vide which the consultant made a request to defer the case. The committee acceded with the request and defer the case for next meeting.

A withdrawal request dated 12.10.2022 received from PP stating therein that due to some technical changes in the project, they would like to withdraw their application. Then the case was taken up in 253rd meeting held on 21.10.2022. However, the case was deferred on request of PP.

The case was taken up in 255th meeting held on 14.11.2022. The PP along with consultant appeared before the Committee and submitted a letter dated 14.11.2022 to the effect that they have revised the details of project proposal No.SIA/HR/MIS/271393/2022 and intend to withdraw the said application. The committee discussed thoroughly on the submission made by the PP and recommended the case to **SEIAA for delisting** this proposal as PP has separately applied for the same project vide proposal number SIA/HR/INFRA2/402200/2022 for grant of Environment Clearance.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendation to de-list this proposal.

Item No. 150.13: EC for Proposed Commercial Complex Project “G R Corporate Tower” coming up at Plot No. 7B, Sector 18, Maruti Industrial Complex, Gurugram (IT/ITEs), Haryana by M/s G R Infraprojects Limited.

The Project was submitted to the SEIAA, Haryana vide **online Proposal No. SIA/HR/INFRA2/402200/2022 dated 08.10.2022** for obtaining Environment Clearance under Category 8(a) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 005698 dated 16.09.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 152.84 Crore by the Project Proponent.

The said case was taken up during 255th meeting of SEAC held on 14.11.2022 and SEAC recommended the Project to SEIAA for grant of Environment Clearance.

The recommendations of SEAC were taken up **during 150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(a) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

- 1. PP shall maintain 25.34% of the Plot area as Green Area i.e. 2465 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**

2. **PP shall submit an Affidavit that no litigation is pending before any Court relating to the project, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to withdrawal of Environment Clearance granted to the PP.

Item No. 150.14: EC for Proposed Residential Group Housing Colony in the Revenue Estate of Village Pawala Khusrupur, Sector-106, Gurgaon Manesar Urban Complex, Haryana by M/s Airmid Developers Ltd and Others.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/INFRA2/402402/2022 dated 29.10.2022** for obtaining Environment Clearance under Category 8(b) of EIA Notification 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 061146 dated 30.08.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 1124 Crore by the Project Proponent. Auto ToR has been granted by SEIAA Haryana vide letter on 14.09.2022.

The said case was taken up during 255th meeting of SEAC held on 14.11.2022 and SEAC recommended the Project to SEIAA for grant of Environment Clearance.

The recommendations of SEAC were taken up **during 150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to Grant Environment Clearance (EC) to the project under Category 8(b) within the scope of EIA Notification dated 14.09.2006 with the following **additional stipulations:-**

1. **PP shall maintain 25.21% of the Plot area as Green Area i.e. 24587.9630 Sqm as offered in the proposal and the same shall not be reduced/ modified or put to any other use / purpose.**

2. **PP shall submit an Affidavit that no litigation is pending before any Court relating to the project, within 30 days from the Grant of Environment Clearance.**

Non-compliance of the same will lead to withdrawal of Environment Clearance granted to the PP.

3. **A buffer zone of 15 meters on both sides of HT line shall be created, no construction to be carried out within the said zone.**

Item No. 150.15: ToR under violation category for the Expansion of Commercial Project ‘AIPL Joy Street’ at Sector 66, Gurugram, Haryana by M/s Landmark Apartments Private Limited.

The Project was submitted to the SEIAA, Haryana vide online **Proposal No. SIA/HR/MIS/78164/2022 dated 10.06.2022** for approval of Terms of Reference under Violation Category 8(a) of EIA Notification dated 14.09.2006. The Project Proponent has deposited due Scrutiny fee (as applicable) of Rs. 2,00,000/- vide DD No. 844061 Dated: 02.06.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021). Cost of the Project as mentioned in the APPLICATION FORM is at Rs. 260 Crore by the Project Proponent.

Thereafter, the case was considered during 246th meeting of SEAC held on 22nd and 23rd August 2022 and recommended to SEIAA for approval of Terms of Reference.

The recommendations of SEAC were considered during 145th meeting of SEIAA held on 09.09.2022. After going through the facts of the case; the Authority decided to refer back the case to SAEAC and constituted a sub-committee consisting of Sh. V.K. Gupta, Chairman, SEAC and Sh. Rajbir Singh Bondwal, IFS (Retd.), Member, SEAC is constituted to check the current status of construction and submit a comprehensive report to the SEAC within 15 days. Further Regional Officer, Gurugram (North) will assist the Committee.

Through vide SEIAA order dated 20.10.2022 that Dr. Sandeep Kumar Gupta, Member SEAC is nominated in place of Shri Rajbir Bondwal during his leave period to carry out the site visit.

The case was taken up during 255th meeting held on 14.11.2022. The sub-committee visited the site on 05.11.2022 and submitted the report. The report of sub-committee was discussed in the meeting and committee decided that case along-with the original report be sent to SEIAA for granting ToR (under violation category) as already recommended vide MoM of 246th SEAC meeting.

The recommendations of SEAC were taken up during **150th meeting of SEIAA held on 25.11.2022.**

After having gone through the details & record placed on the file and along with considering the recommendations of SEAC, the Authority decided to agree with the recommendations of SEAC to approve the Terms of Reference (ToR) and also decided to initiate Prosecution Action against the Project Proponent.

The meeting ended with a vote of thanks.

List of Participants

1. Prof. R. Baskar, Expert Member
FGGS School of Sciences.
IGNOU, Delhi
2. Shri Pardeep Kumar, IAS Member Secretary
Director, Environment & Climate Change
Department, Haryana

