

F. No. 23-96/2018-IA-III(V)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 3

Date: 27th December, 2018

To,

M/s Hotel Leelaventure Ltd
The Leela Palace New Delhi, Diplomatic Enclave,
Chanakyapuri, New Delhi- 110023
E Mail: km.bansal@theleela.com

Sub: Expansion of Leela Hotel at Diplomatic Enclave, Africa Avenue, Netaji Nagar, Chanakyapuri, New Delhi by M/s Hotel Leela Venture Ltd - Terms of Reference - reg.

Sir,

This refers to your online proposal No. IA/DL/NCP/67057/2017 dated 31st July, 2017 along with the details in prescribed Form-1 for consideration in terms of the provisions of this Ministry's Notification S.O.804 (E) dated 14th March, 2017 and for prescribing terms of reference (ToRs) accordingly.

2. M/s Hotel Leelaventure Ltd has enhanced the built-up area of Leela Hotel at Diplomatic Enclave, Africa Avenue, Netaji Nagar, Chanakyapuri, New Delhi-110023. The project has been developed on the total plot area of 12,140 sqm. The total built up area has been enhanced to 62,985.83 sqm. The development is done in accordance with Delhi Building Bye Laws, 1983. M/s Hotel Leelaventure Ltd has been allotted the land vide allotment cum conveyance Deed Registration No. 3682 dated 4th April, 2008. The project is currently in operational phase. The project has been granted Consent to Establishment (CTE) by Delhi Pollution Control Committee (DPCC) vide Consent Order No. DPCC/CMC/2009/19968 dated 31st March, 2009.

3. The project has been granted Consent to Operate (CTO) by Delhi Pollution Control Committee vide Certificate No. O-014412 dated 10th December, 2010. The CTO was renewed vide Certificate No. O-021814 dated 31st January, 2014. The application for renewal of CTO has been submitted to DPCC on 20th September, 2018. The Leela Palace Hotel has also been granted Platinum Rating in Indian Green Building Rating System by Indian Green Building Council. The Project is designated under Category "B" and falls under Item 8(a) (Building & Construction) of the Environmental Impact Assessment (EIA) Notification of 14th September, 2006 and its amendments.

4. The Ministry has issued a Notification vide S.O. 804 (E) dated 14th March, 2017 for appraisal of projects for grant of Terms of Reference / Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance, or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006.

5. The proposal was considered by the Expert Appraisal Committee, constituted in the Ministry for appraisal of the proposals for ToR/EC in pursuance of the Ministry's Notification dated 14th March, 2017, in its 15th meeting held on 27-29 November, 2018. The EAC, after deliberations on the proposal in terms of the provisions of the Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in **Annexure**.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the SEAC and finalized by the concerned regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the concerned regulatory authority.

(vii) Certified compliance report of earlier EC to be submitted.

(viii) Certificate from Chief Wildlife Warden that the distance from the project site to Okhla Bird Sanctuary and Asola Wildlife Sanctuary.

6. Based on recommendations of the EAC, the Ministry of Environment, Forest and Climate Change, in pursuance of the provisions of its Notification dated 14th March, 2017, hereby accords approval to the Terms of Reference for Expansion of Leela Hotel at Diplomatic Enclave, Africa Avenue, Netaji Nagar, Chanakyapuri, New Delhi by M/s Hotel Leela Venture Ltd. for undertaking Environment Impact Assessment (EIA) and preparation of Environment Management Plan (EMP) as enumerated in **Annexure** for consideration of the proposal of Environmental Clearance to the project.

7. The ToRs are valid for a period of three years, which can be extended for a maximum period of one year provided an application in this regard is submitted by the project proponent, well before expiry of the validity period.

8. Further, based on recommendations of the EAC and the statutory provisions, the Ministry has also approved the following:-

- (i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.
 - (ii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
 - (iii) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
 - (iv) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.
 - (v) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the SEAC and finalized by the concerned regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the concerned regulatory authority.
 - (vi) Certified compliance report of earlier EC to be submitted.
 - (vii) Certificate from Chief Wildlife Warden that the distance from the project site to Okhla Bird Sanctuary and Asola Wildlife Sanctuary.
9. This issues with the approval of the competent authority.


(Kushal Vashist)
Director

Copy to:

- 1) The Secretary, Department of Environment, Government of Delhi, New Delhi.
- 2) The Addl. Principal Chief Conservator of Forests (C), Ministry of Environment, Forests and Climate Change, Kendriya Bhavan, 5th Floor, Sector-H, Aliganj, Lucknow - 226024.
- 3) The Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
- 4) The Member Secretary, Delhi Pollution Control Committee, Department of Environment, Government of N.C.T. Delhi, 4th Floor, ISBT Building, Kashmere Gate, Delhi.
- 5) Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
- 6) Guard File/ Record File/ Notice Board.
- 7) MoEFCC website.


(Kushal Vashist)
Director

Terms of Reference for EIA and preparation of Environment Management Plan

1. Project description, its importance and the benefits.
2. Project site details (location, toposheet of the study area of 10 km, coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage).
3. Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Development Authorities, Local Body, Water Supply & Sewerage Board, etc.
4. Land acquisition status, R&R details.
5. Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km – Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986.
6. Baseline environmental study for ambient air (PM₁₀, PM_{2.5}, SO_x, NO_x & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at Minimum 5 locations in the study area of 10 km.
7. Details on flora and fauna and socio-economic aspects in the study area.
8. Likely impact of the project on the environmental parameters (ambient air, surface and ground water, land, flora and fauna and socio-economic, etc).
9. Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc.
10. Waste water management (treatment, reuse and disposal) for the project and also the study area.
11. Management of solid waste and the construction & demolition waste for the project vis-avis the Solid Waste Management Rules, 2016 and the Construction & Demolition Rules, 2016.
12. Energy efficient measures (LED lights, solar power, etc) during construction as well as during operational phase of the project.
13. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
14. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
15. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

Contd... (Annexure)


Page 4 of 6

All the building projects including hotels, hospitals shall be prescribed with the following additional ToR points along with Specific ToR enumerated for study of ecological damages, remediation including above mentioned points for EIA and preparation of Environment Management Plan:

- (i) The EIA would study the impact of dewatering and draw up an action plan for disposal of the excess water.
- (ii) The EIA would study the impact of Demolition and conformance to the Construction and Demolition Rules under the E.P. Act, 1986.
- (iii) Certified Compliance Report issued by the MoEF&CC, Regional Office or concerned Regional Office of Central Pollution Control Board or the Member Secretary of the respective State Pollution Control Board for the conditions stipulated in the earlier environmental clearance issued for the project along with an action taken report on issues which have been stated to be partially complied or non/not complied.
- (iv) The Air Quality Index shall be calculated for base level air quality.
- (v) A detailed report on compliance to ECBC-2017 norms.
- (vi) A certificate from the local body supplying water, specifying the total annual water availability with the local authority, 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.
- (vii) An assessment of the cumulative impact of all development and increased inhabitation being carried out or proposed to be carried out by the project or other agencies in the core area, shall be made for traffic densities and parking capabilities in a 2 kms radius from the site. A detailed traffic management and a traffic decongestion plan drawn up through an organization of repute and specializing in Transport Planning shall be submitted with the EIA and the plan to be implemented to the satisfaction of all the concerned state departments and implementing agencies.
- (viii) The permission of the CGWA for abstraction of ground water if any and for basement/excavation dewatering if applicable.
- (ix) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project.
- (x) A certificate from the competent authority for discharging treated effluent/ untreated effluents into the Public sewer/ disposal/drainage systems along with the final disposal point.
- (xi) A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project.
- (xii) The Air Quality Index shall be calculated for base level air quality.

For Hospitals Only (In addition to above)

- (i) As per prescribed WHO guidelines, the proposal has to ensure that the Indoor Air Quality is maintained as per prescribed standards.

- (ii) Proposals to ensure that the parking areas are secure and do not permit entry of vehicles within the Hospital campus. Only ambulances and emergency vehicles shall be provided access into the hospital through dedicated emergency and exit gates. Battery operated vehicles shall be provided for internal movement of patients and attendants.
- (iii) A management plan for handling and disposal of biomedical wastes to the satisfaction of the State Pollution Control Board shall be drawn up in conformance to the Biomedical Waste Management Rules, 2016.
- (iv) Silence zones under the Noise Rules shall be demarcated and maintained in consultation with the District Administration. Proposals should be submitted in this regards.
- (v) Laboratory wastes shall be managed in accordance to the BMW Rules, 2016 and the Atomic Energy Commission regulations as applicable. Proposals may be submitted in this regards.

