

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)-DELHI
OFFICE OF DELHI POLLUTION CONTROL COMMITTEE
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006

F.No. DPCC/SEIAA-IV/C-395(ToR)/DL/2022 / 4526-29

Date: 22/09/2022

To,

M/s Tirupati Building and Offices Pvt. Ltd.
Plot No-3, District Centre,
Sector-10, Dwarka, New Delhi-110075

Subject: Terms Of Reference (ToR) under violation category for an Expansion of "Existing Hotel Building" at Plot no. 3, sector-10, Dwarka, New Delhi by M/s Tirupati Buildings & Offices Pvt. Ltd.

Sir,

This has reference to the online application filed on 28.04.2022 vide proposal no-SIA/DL/MIS/72149/2022 under violation category for an Expansion of "Existing Hotel Building" at Plot no. 3, sector-10, Dwarka, New Delhi by M/s Tirupati Buildings & Offices Pvt. Ltd you on PARIVESH PORTAL for seeking Terms of Reference (ToR) for the above mentioned project.

The requirements of the projects have been taken into account by SEAC during the appraisal of the project in its 103rd meeting held on 07.05.2022, 104th meeting held on 21.05.2022, 107th meeting held on 01.07.2022, 108th meeting held on 09.07.2022, 110th meeting held on 08.08.2022 and 112th meeting held on 26.08.2022. The SEIAA took into account of the discussions and environmental conditions imposed during the consideration of the project in the SEAC Meeting held on 26.08.2022.

The Proposal is for grant of TOR under violation category for an Expansion of "Existing Hotel Building" at Plot no. 3, sector-10, Dwarka, New Delhi by M/s Tirupati Buildings & Offices Pvt. Ltd. The details of the Proposed Project are as under:

1. The project is located at **Latitude: 28°34'45.29"N, Longitude: 77° 3'21.61"E.**
2. **Area Details:** As per information submitted by the project proponent after the proposed expansion, the total plot area will remain the same i.e 13,603.00 sqm .The Total Built up Area constructed as per completion is in excess of area contained in previous Environment Clearance i.e. 55550.169 sqm. Additionally, Non-FAR of 2769.63 sqm has been constructed and 19275.944 sqm of Non FAR Area is proposed to be constructed.
3. **Water Details :**
During construction phase: Total water requirement will be 10 KLD out of which 5 KLD Water will be sourced through treated water from STP for construction activities. For domestic use, 5 KLD water will be sourced through tankers. Existing toilet facilities will be used for the labourers during the construction phase. Regular cleaning shall be done and hygiene conditions shall be maintained.
During Operation phase:
Existing Operational: Total water requirement is 178 KLD out of which fresh water requirement is approx. 87 KLD which is being supplied by Delhi Jal Board and tanker supply. Rest of the water requirement i.e 91 KLD of treated water is being sufficed from on-site STP. Total waste water generated is 101 KLD which is being treated in on-site STP of 200 KD

capacity. Treated water (91 KLD) is being used in flushing (30 KLD), gardening (8 KLD) and Cooling (53 KLD). It is a ZLD complex.

After Expansion: Total water requirement will be 315 KLD out of which 153 KLD will be from fresh water which will be met by Delhi Jal Board and tanker supply. 162 KLD of treated water will be met from on-site STP. Total waste water generated will be 180 KLD which will be treated in an existing STP of 210 KLD and reused for flushing (54 KLD), gardening (8 KLD) and Cooling (100 KLD). It will be a ZLD complex.

Total 3 no. of rainwater harvesting pits of size 4m dia and 4.5m depth have already been provided with a total capacity of 169.56 cum. Runoff from roof top, landscape area, Open and road area will be connected to rain water harvesting pits.

4. Solid and Hazardous Waste Management:

During Construction Phase: Total 15 kg/day of waste will be generated from labourers out of which 9 kg/day will be biodegradable waste which shall be treated in existing Organic waste converter & 6 kg/day of non-biodegradable waste will be given to authorized recycler.

During Operation Phase: At present, total solid waste of 514 kg/day is being generated, Out of which the biodegradable waste of 308 kg/day is being generated which is being treated in an organic waste converter of 700kg capacity. Non-biodegradable waste of 206 kg/day is being given to approved recyclers.

After expansion approx. 649 kg/day of solid waste will be generated from the project out of which 389 kg/day of Biodegradable waste will be treated in already installed OWC and 260 kg/day of non-biodegradable waste will be given to the approved recycler.

5. **Power Details:-** At present, the total Sanctioned Load of the project is 3333 kVA & connected load is 2000 kVA, which is being met by the BSES Rajdhani. 2 no. of D.G. sets of capacity 1250 kVA each are already installed which have been operated during power cut only. No new DG will be installed for expansion. After Expansion- There sanctioned and connected load will remain same.

6. Parking facility:

During Construction Phase: Proper parking provisions for construction vehicles will be provided. Proper space for loading and unloading of building material and pickup of waste debris will be defined.

During Operation Phase: Presently approx 613 ECS have been provided in the basement and at the surface. Parking will remain same for expansion.

7. **Eco-Sensitive Areas:** There is no Wildlife Sanctuary within 10 Km of Buffer zone.
8. **Plantation:** The green area of 2720 m² (20 % of total plot area) has been developed all along the periphery of the project site. 78 trees have already been planted at the site.
9. **Cost of the project:** The Proposed cost for expansion is 75 Crore and total cost after expansion will be Rs. 482.88 Crore.

SEAC has deliberated that the Builtup Area of 58877.09 sqm indicated in DDA sanction plan is exceeding by 3326.92 sqm over the areas contained in the Environmental Clearance (55550.169 sq.mt.). Therefore the violation with respect to previous EC dated 08.07.2008 stands established as follows:

1. Constructed Builtup Area exceeding by 3326.92 sqm.
2. No. of Floors exceeds from G+10 to G+12.

and with respect to the further expansion of 22045.574 sqm (19275.944 + 2769.63 sqm) proposed in existing operational building the violation with respect to EIA Notification 2006 is that the PP has constructed 2769.63 sqm Builtup area without obtaining Environmental Clearance for the proposed expansion. The project proponent submitted the undertakings confirming the stoppage of the operation of

the 11th and 12th Floor to the extent of 3326.92 sqm Built up Area and for stoppage of active construction work for the expansion of 2769.63 sqm built-up area during the appraisal by SEAC.

After due deliberations, the SEAC in its 112th Meeting held on 26.08.2022 recommended the damage assessment, penalty for violation of EIA notification, Action under section 15 read along with section 19 of EPA, 1986 be initiated by SEIAA Delhi against the project proponent for violation of EIA Notification 2006 and Directions under section 5 of EPA, 1986 be issued by SEIAA Delhi to Project Proponent for mandating payment of Rs. 13.87 Lakhs (Rupees Thirteen Lakhs Eighty Seven Thousands only) towards penalty for violation of EIA Notification 2006 as envisaged in OM F.No 22-21/2020-IA.III dated 07th July, 2021 and keep operation of 3326.92 sqm at 11th and 12th Floor stopped and not to restart/start any construction with respect to further proposed expansion of 22045.574 sqm without obtaining valid Environmental Clearance and the Terms of reference (ToR).

The SEIAA during its meeting dated 07.09.2022 approved the recommendations made by SEAC Delhi in its meeting dated 26.08.2022 as follows:

1. Damage assessed by SEAC and issuance of Terms Of Reference (ToR) to complete impact assessment studies and submit Environment Impact Assessment report and Environment Management Plan alongwith revised Remediation Plan and Natural Community Resource Augmentation Plan as per damage assessed and to apply for Environmental Clearance within 60 days.
The amount of Bank Guarantee equivalent to the amount of Remediation Plan and Natural Community Resource Augmentation Plan will be finalized at the stage of appraisal of EC application taking into account the revised proposal.
2. Action under section 15 read along with section 19 of EPA, 1986 against the project proponent by SEIAA for violation of EIA Notification 2006 with respect to previous EC dated 08.07.2008 in constructing and operating 3326.92 sqm at 11th and 12th Floor and with respect to the construction of 2769.63 sqm built up area out of further proposed expansion of 22045.574 sqm in existing operational building without obtaining Environmental Clearance for the proposed expansion.
3. Issuance of directions under section 5 of EPA, 1986 by SEIAA Delhi to Project Proponent for mandating payment of Rs. 13.87 Lakhs (Rupees Thirteen Lakhs Eighty Seven Thousands only) towards penalty for violation of EIA Notification 2006 as envisaged in OM F.No 22-21/2020-IA.III dated 07th July, 2021 and keep operation of 3326.92 sqm at 11th and 12th Floor stopped and not to restart/start any construction with respect to further proposed expansion of 22045.574 sqm without obtaining Environmental Clearance for expanded portion and proposed expansion.

In view of above and as approved by the State Level Environment Impact Assessment Authority, Delhi (SEIAA-Delhi) in its 64th Meeting held on 07.09.2022 following **Terms of Reference** are hereby being accorded as per provisions of Environment Impact Assessment Notification (EIA), 2006 and its subsequent amendments for conducting Environment Impact Assessment Study and information to be included in EIA/EMP report for an Expansion of "Existing Hotel Building" at Plot no. 3, sector-10, Dwarka, New Delhi by M/s Tirupati Buildings & Offices Pvt. Ltd:

1. *Remediation Plan and Natural Community Resource Augmentation Plan and quantification of liability shall be included as specific chapter which should be minimum of Rs. 20 Lakhs (Rupees Twenty Lakhs only) as per total damage assessed.*
2. *The proof of submission of penalty amounting to Rs. 13.87 Lakhs (Rupees Thirteen Lakhs Eighty Seven Thousands only) with DPCC shall be enclosed with as Annexure with the EIA report.*
3. *Examine details of land use as per Master plan and land use around 10km radius of the project site. Analysis should be made base on latest satellite imagery for land use with raw images.*

Share the elevation range of the site (minimum and maximum elevation above mean sea level) and the 10 year, 50 yr and 100 yr flood maps for the area and whether it is within the flood zone or directly on the flood plain of any river.

4. *Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.*
5. *Examine baseline environmental quality along with projected incremental load due to the project.*
6. *Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.*
7. *Submit a copy of the contour plan with slopes, drainage pattern and low-lying area of the site and surrounding area. If there is any obstruction of the drainage lines and low-lying area proposed by the project, then the rationale for the same may be stated along with any mitigation measures.*
8. *Submit the present land use and permission required for any conversion such as forest, agriculture etc. Submit the land type (kism) of each of the khasra numbers/plots of the site as per the revenue record/last jamabandi of the site. Is the site recorded as a low-lying area, waterbody, gairmumkinpahar, forest in the revenue record ?*
9. *Submit Roles and responsibility of the developer etc for compliance of Environmental regulations under the provisions of EP Act.*
10. *Ground water classification (whether over exploited, critical, semi-critical or safe) as per the Central Ground Water Authority*
11. *Examine the details of Source of Water, water requirement, use of treated waste water and prepare a water balance chart. Segregated figures for potable and non potable water requirement during construction and operation phase.*
12. *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.*
13. *Rain Water Harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water, Examine details.*
 - a. *Calculate runoff from (a) roof top, (b) other paved areas, and (c) green areas separately.*
 - b. *Recent/Enhanced peak rainfall runoff data be used in the runoff calculation for designing storm water retention capacity, to make the site future ready – given the experience of last 5 years with extreme rainfall events and likely increase in frequency of such extreme events due to climate change.*
 - c. *Prepare management strategy for runoff for each of these (a) roof top, (b) other paved areas, and (c) green areas*
 - d. *Design natural storm water retention capacity in the green areas by marginal lowering, and gradient management to enhance natural retention and percolation, and indicate the natural retention capacity created in cubic metres.*
 - e. *Indicate rainfall retention capacity created via storage tanks/percolation pits*
 - f. *Rain water harvesting/ retention plan needs to be revised with RWH pits, taking into account the recent higher flash rain data along with actual percolation rate of the soil at site or min. 1 Recharge bore per 5000 sqm of Built up Area whichever is more along with*

the storage capacity of min. 1 day of total fresh water requirement along with layout and location plan.

14. *Examine soil characteristics and depth of ground water table for rain water harvesting along with actual percolation rate of soil at site.*
15. *Examine details of solid waste generation treatment and its disposal*
16. *Examine and submit details of use of solar energy and alternative source of Energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.*
17. *DG sets likely to be used during construction and operational phase of the Project. Emissions from DG sets must be taken into consideration while estimation the impacts on air environment. Examine and submit details.*
18. *Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analyzed with measures for preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.*
19. *A detail traffic and transportation study should be made for existing and projected passenger and cargo traffic. Traffic Management Plan should take into consideration the latest traffic scenario. Detailed calculation of roads, bicycle paths, pedestrian spaces should be provided.*
20. *Examine the details of transport of materials for construction which should include source and availability.*
21. *Examine separately the details for construction and operation phases both for Environmental Management plan and Environment Monitoring Plan with cost and parameters*
22. *Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.*
23. *Details of litigation pending against the project, if any, with direction/order passed by any Court of Law against the Project should be given.*
24. *The Cost of the project (Capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.*
25. *The Project Proponent should include a specific chapter for control of Dust Pollution during construction phase in the Environmental Management Plan incorporating the steps as per MoEF Notification No. GSR 94 (E) dated 25.01.2018/Hon'ble National Green Tribunal order in O.A. No.21 of 2014 and O.A. No. 95 of 2014 in the matter of Vardhaman Kaushik Vs. Union of India & others and Sanjay Kulshreshtha Vs Union of India & others, CAQM/CPCB/DPCC extant statutory orders/guidelines/directions issued time to time including registration on Dust Pollution Control Self Assessment Portal with provision of video fencing and low cost sensors for monitoring PM 2.5, PM 10.*
26. *Detail of Parking (ECS) as per requirement of Building Bye Laws/ EIA Manual.*
27. *In case the project involves diversion of forests land, guidelines under OM dated 20.03.2013 may be followed and necessary action taken accordingly.*
28. *Submit details of the trees to be conserved and preferably no tree is to be felled / removed, by ground coverage, and trees to be removed for other paved areas for the project including their species and whether it also involves any protected or endangered species.*
29. *Prepare and submit an existing tree inventory of the site listing each tree along with its species name and girth, and a tree layout plan showing the location of each tree on the site and within 10 m of the site. Submit the details of compliance of Delhi Transplantation Policy, 2020 and Details of compensatory plantation if any.*

30. Explore the possibilities of utilizing the debris/waste materials available in and around the project area.
31. Submit Environmental Management and Monitoring Plan for all phases of the project viz. construction and operation.
32. Submit NOC of Airport Authority of India for proposed height of the building.
33. Detail of water requirement during construction phase and its source. Project Proponent is required to clarify the arrangement for reusing the STP treated water/similar other source along with the mechanism proposed for making this water fit for use in construction phase.
34. Outlet parameters of proposed STP during operation phase needs to be checked for the feasibility of its reuse in flushing, horticulture, HVAC etc.
35. Justification to achieve the standards with the proposed technology of STP is required to be given.
36. Proposal should be included for a provision of toxic gas (Combustible gas, Carbon dioxide and Hydrogen sulphide) detectors for STP area.
37. The cost of environmental monitoring projected in the proposal should be commensurate with the environmental safe guard proposed.
38. Details of all the outlets from the proposed building including the outlet of STP required to be submitted with a proposal to install flow-meters at each of the outlets.
39. Project is required to quantify the no. of labours and the detailed plan for the proposed labour camps and amenities for housing them during construction phase.
40. Landscape details to be provided with a measured impact on the micro-climate. Green area should be demarcated as per building bye laws and 25% green area and consolidated area of minimum 15 % of plot area should be kept as soft green area, so that there should be sufficient recharging of ground water.
41. Air quality pollution load and its negative impacts to be clarified along with mitigation options during the construction and lifetime of the project.
42. Give Typical Floor Plans with dimensions to demonstrate how natural ventilation & day lighting is being achieved supported with screenshots of suitable software based out puts.
43. Proportion wise step diagram to be provided showing the amount of Reduction in Net per capita Energy Demand achieved as compared to base case scenario, through (i) Load Reduction Strategies, (ii) Passive Strategies, (iii) Renewables, and (iv) Energy Recovery strategies. Atleast 2 % of total energy demand to be sourced from Renewables. Percentage reduction through each of the aforesaid strategies to be provided in a consolidated diagram format for easy comprehension.
44. Proposal for provisioning the energy audit during operation phase.
45. Proportion wise Step Diagram showing the amount of reduction in Net Per Capita Water Demand achieved through (1) Each Demand reduction strategy (eg. Low flow fixtures, Xeriscaping etc.), (2) Recycling and Reuse.
46. Elaborated effects of the building activity in altering the microclimates with self- assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects.
47. Give plan for managing, conserving the top soil excavated during construction and for its reuse. Give the extent of total soil excavation (in m3) proposed and where the excavated soil will be gainfully used.
48. Proposal should include provision for electric charging of the e-Vehicles as per Building Bye Laws.

49. *Typical Floor Plans with dimensions to demonstrate how natural ventilation & day lighting is being achieved supported with screenshots of suitable software based outputs. Energy Simulation Modeling for the entire complex using appropriate softwares to be submitted along with the proposal.*
50. *The PP is required to work upon the inventory of the demolition waste likely to be generated from the existing building with a specific reference to Hazardous waste along with its safe disposal plan.*
51. *Ideally the environmental clearance application along with EIA study should be submitted after preliminary 'In Principle Approval' from the local bodies duly rooted through development authorities in accordance with approved master plan*
52. *Simulated Model study for Air and Water impact and its mitigation measures is to be included in EIA Report.*
53. *Any Further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model TOR available on Ministry website <http://moef.nic.in/Manual/Townships>.*

GENERAL GUIDELINES

1. *The EIA document shall be printed on both sides, as far as possible.*
2. *All documents should be properly indexed, page numbered.*
3. *Period/date of data collection should be clearly indicated.*
4. *Authenticated English translation of all material provided in Regional languages.*
5. *The letter/application for EC should quote the MOEF & CC file no. and also attach a copy of the letter prescribing the TOR.*
6. *The copy of the letter received from the SEAC on the TOR prescribed for the project should be attached as an annexe to the final EIA-EMP Report.*
7. *The final EIA-EMP report submitted must incorporate the issues in TOR. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP report where the specific issue raised have been incorporated.*
8. *Grant of TOR does not mean grant of EC.*
9. *The status of accreditation of the EIA consultants with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.*
10. *On the front page of EIA/EMP reports, the name of the consultant/ consultancy firm along with their complete details including their accreditation, if any shall be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed TORs (TOR proposed by the project proponent and additional TOR given by the MOEF) have been complied with and the data submitted is factually correct (Refer MOEF office memorandum dated 4th August, 2009).*
11. *While submitting the EIA/EMP reports, the name of the experts associated with/involvement in the preparation of these reports and the laboratories through which the samples have been got analyzed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MOEF office memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.*

12. As stipulated in amendment notification No. S.O. 751(E) dated 17th February, 2020, the above ToR would be valid for a period of four years from the date of issue. The project proponent shall submit detailed final EIA Report and EMP prepared as per above ToR within the stipulated period of four years.
13. The consultants involved in the preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/Laboratories including their status of approvals etc. vide notification of the MOEF dated 19.07.2013.
14. The Prescribed ToR would be valid for a period of four years for submission of the EIA/EMP Reports.
15. The EIA-EMP report submitted must incorporate the construction and demolition waste management plan with identification of waste disposal/ recycling site.

You are required to submit the detailed final EIA/EMP prepared as per ToR to the SEAC for considering the proposal for environmental clearance. The General guidelines shall also be considered for preparation of EIA/EMP.


(Dr. K.S. Jayachandran)
Member Secretary, SEIAA- Delhi

Copy to:

1. Member Secretary, Delhi Pollution Control Committee, 5th Floor, I.S.B.T. Building, Kashmere Gate, Delhi-110006.
2. Member Secretary, SEAC-Delhi, Delhi Pollution Control Committee, 5th Floor, I.S.B.T. Building, Kashmere Gate, Delhi-110006.
3. Master file EIA, DPCC.


(Dr. K.S. Jayachandran)
Member Secretary, SEIAA- Delhi