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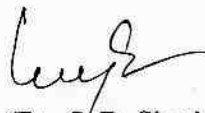
	STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY (SEIAA)-DELHI OFFICE OF DELHI POLLUTION CONTROL COMMITTEE 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI 110006 Visit us at http://dpcc.delhigovt.nic.in
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F.No. DPCC/SEIAA/2016/41/ 5303- 5310/ 5310

Dated: 15/12/2016

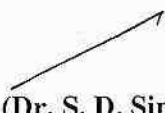
MINUTES OF MEETING

Please find enclosed the minutes of meeting of 41st meeting of the State Environmental Impact Assessment Authority (SEIAA) held on 15.12.2016 in the Conference Room of DPCC, at 5th Floor, ISBT Building, Kashmere Gate, Delhi – 110006, for information and necessary action, if any.


(Dr. S. D. Singh)
Member Secretary

To:

1. **Sh. Krishna Mohan Sahni, IAS Rtd. (Chairman, SEIAA)**, House No.38, Pkt 2, Jasola Vihar, Behind Apollo Hospital, New Delhi-11002.
2. **Dr. Kamal K Pant (Professor) (Member, SEIAA)**, Department of Chemical Engineering IIT Delhi, Hauz Khas, New Delhi-110016
3. **Director, Mahatma Gandhi Institute of Combating Climate Change (MGICCC)(Member Secretary, SEIAA)**, Department of Environment, Government of National Capital Territory of Delhi, Pall-Bakthawarpur Road, Alipur, New Delhi, Delhi-110036.
4. **Additional Principal Chief Conservation of Forest (C)**, Regional Office (Central), Ministry of environment & Forest, Regional Office, Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow-226024.
5. **Dr. Mukesh Khare (Professor) (Chairman, SEAC)**, Department of Civil Engineering, Indian Institute of Technology, Delhi Hauz Khas, New Delhi-110016.
6. **Director (Environment), (Secretary, SEAC)**, Department of Environment, Government of NCT of Delhi.
7. **PS to Secretary (Environment) cum Chairman, DPCC**- for kind information.
8. **IT Cell** for placing the minutes on website.


(Dr. S. D. Singh)
Member Secretary

STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY (SEIAA)-DELHI
OFFICE OF DELHI POLLUTION CONTROL COMMITTEE
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Minutes of the 41st meeting of State Level Environmental Impact Assessment Authority (SEIAA) held on 15.12.2016 at 11.30 am in the Conference Room of Delhi Pollution Control Committee.

The 41st meeting of the State Level Environmental Impact Assessment Authority (SEIAA) was held on 15.12.2016 in the Conference Room of Delhi Pollution Control Committee, ISBT Building, Kashmire Gate, Delhi-06.

The meeting was held under the Chairmanship of Sh. Krishna Mohan Sahni. The following were present in the meeting:

- 1) Sh. Krishna Mohan Sahni - Chairman
- 2) Dr. Kamal K Pant - Member
- 3) Dr. S. D Singh - Member Secretary

Sh. Pankaj Kapil, SEE, DPCC & S.K. Goyal, EE, DPCC assisted the Authority during the meeting.

The Authority took the note of Gazette Notification issued vide S.O No. 3999 (E) dated 09.12.2016 and decided that with immediate effect only the building and construction projects falling under Category B of item No. 8 (b) will be dealt with SEIAA & SEAC, Delhi.



15/12/16

(Krishna Mohan Sahni)
Chairman, SEIAA



(Dr. S D. Singh)
Member Secretary, SEIAA



15-12-16

(Dr. K.K Pant)
Member, SEIAA

Agenda: 01

Case No. C-307

Name of the Project	Revision of Environmental Clearance of "Office Complex at Plot No. 5A & 5B, VasantKunj Phase – II, Delhi
Project Proponent	M/s Oil and Natural Gas Corporation Ltd. at JeevanBharti Building, Tower – II, 7 th and 8 th Floors, 124, IndraChowk, New Delhi – 110001.
Proposal No.	SIA/DL/NCP/41536/2016
File No.	DPCC/SEIAA-III/C-307/DL/2016

The Proposal is for grant of Revision of Environmental Clearance of "Office Complex". Earlier Environmental Clearance was granted by MoEF vide letter no F.No.3-19/2006-IA.III & F.No.3-20/2006-IA.III on 28.11.2006 for construction of Corporate Office by M/S ONGC Videsh Limited and ONGC Ltd at Plot No. 5A & 5B, VasantKunj Phase II, New Delhi on a plot area of 36340 sq.m.. The building plan included the office building with G+5 floors and 2 level basements. Total built up area proposed was **46900 sq.m.(excluding basement area of 58790 sq.m.)** with open area of 26140 sq.m. A provision for 1370 car parking and estimated power and water demand were **4086 kw** and **484 kld** respectively were projected in the earlier Environmental Clearance dated 28.11.2006.

Oil and Natural Gas Corporation Limited (ONGC) applied for revision in Environmental Clearance on OSMEC portal of MoEF&CC, GOI on 01.03.2016. The project is located at 28°32'39.98"N Latitude and 77° 9'26.19"E Longitude.

Project considered by SEAC in its 79th meeting held on 16.04.2016 and the committee decided to seek the information from the project proponent and site visit was conducted by SEAC on 09.05.2016. During the visit the SEAC members made observation regarding slight decrease in Built Up Area(excluding basement), basement area and total built up area compare to those mentioned in Environment Clearance(EC), substantial decrease(200KLD) in the projected water requirement compared to that mentioned in Environment Clearance dated 28.11.2006, registration with USGBC under LEED in 2006, presentation given by the project authorities regarding measures adopted during the construction activity like top soil preservation, site barricading ,sprinkling for dust suppression and storages provided for construction material proposal to capture 100 % storm water with the provision of 18 recharge chambers and tanks to store 325 KL of rain water from terrace, design of Building for having sufficient day light, installation of Gas based power generation Sets and special provision are being made for cyclers by providing cyclers bath facilities, and charging points for BOV to conserve the fossil fuel etc.

The details of the project are as under:

Area detail: The total plot area of the project is 36340 sq.m(same as per earlier EC). The total built-up area is 104286.19 sq. m (FAR-46735.57, basement area-56100.36, Non FAR-

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1450.26). The project comprises of 2 numbers of towers which consists of 2 Basement + Ground + 5 Floors. The total permissible FAR is 46900 sq.m and achieved FAR is 46735.57 sq. m. The permissible ground coverage is 10200 sq.m. The proposed ground coverage is 10180.88 sq.m.. Maximum height of the proposed building is 28.5 m and permissible height as per approval of AAI is 30.5 m.

Water details: During operational phase water requirement as per application was projected as 359 KLD and fresh water requirement as 197 KLD (Form I) and 210 KLD (Water Balance of Environment Report) with recycling of 149 KLD treated water. **However during the appraisal the total water requirement was proposed as 284 KLD which will be met through fresh water of 45 KLD, 90 KLD through tanker supply of STP treated water and rest 149 KLD through treated water of onsite STP. Waste water generation will be 150 KLD which will be treated in STP of 180 KLD capacity based on MBBR Technology.** 149 KLD of treated water is proposed to be used for flushing(105 KLD), DG Cooling(12 KLD) and gardening(32KLD) The source of water supply during construction phase and during operational phase is tanker water supply. The project proponent has submitted the DJB letter dated 01.10.2014 permitting the filling of water tankers for drinking purpose from filling point situated at CWG village with the restriction of 50 KLD. Number of RWH pits proposed are 18.

Solid waste: About 900 kg/day of municipal solid waste will be generated. The biodegradable waste 630 kg/day will be processed at site using OWC and 270 kg/day non- biodegradable waste will be handed over to authorized local vendor/ Municipal Corporation.

Power: The total power requirement is 4469 kVA and will be met from BSES, own generated by Gas turbines & through Solar PV. Two number of Natural Gas Based Generator sets of capacity 1400 KVA each have been proposed for backup and two DG set of capacity 2500 KVA are proposed to be kept in standby keeping in view the need for uninterrupted power supply to the complex as the same has strategic importance for the control operations of the company. Photovoltaic power generation of 263 KVA is proposed which is about 5% of the building demand.

Parking facility: The total parking facility of 1370 ECS is proposed to be provided against the requirement of 1370 ECS.

Eco-Sensitive areas: The shortest aerial distance of the project from Asola wildlife sanctuary 7.2 Km & from Okhla Bird Sanctuary is 14.10 Km respectively. The project authorities have applied to Wild Life Division of MoEF &CC for Wild Life Clearance on 28.04.2016.

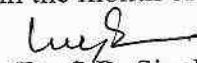
Plantation: Total numbers of new trees to be planted are 454 trees.

Cost of the project: The cost of the project is Rs. 838.7 Cr. (Including Land cost)

The SEAC in its 80th meeting held on 28.05.2016 subsequent to site visit ,sought the additional information from the Project Proponent for its further consideration as follows:

1. Any document of third party construction audit certifying the details of construction completed in November 2011 i.e. in the month of expiry of EC.


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(Dr. S.D. Singh)
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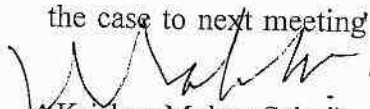

(Dr. K.K. Pant)
Member, SEIAA
15-12-16

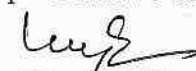
Minutes of 41st SEIAA meeting dated 15.12.2016

2. Documents certifying the date of registration with LEED.
3. Copy of the letter written to MOE&F by the project proponent and its response received from MOE&F w.r.t. reduced water demand calculations while obtaining the EC in 2006.
4. Photographs of the site showing the status of construction in chronological manner with due indication of dates.

The project proponent submitted the information and the case was considered in 81st meeting of SEAC held on 16.07.2016. The committee observed that the Project Proponent has not applied for expansion of the project but for revision/ amendment in the environmental clearance issued. The committee felt that major environmental safeguards are required to be complied with at the time of starting the construction work and carrying out the construction activity and the aforesaid phase of the project was undertaken substantially during the validity of Environmental Clearance & the project is proposed to be made operational ensuring sustainable environmental management. The committee also took notice of the fact that the project got itself registered with US Green Building Council on 22.12.2005 ie even before obtaining the Environmental Clearance dated 28.11.2006. The committee deliberated on the reduced water demand of 284 KLD during operational phase. The source of water supply during construction phase and during operational phase is tanker water supply. In this regard the letter dated 01.10.2014 issued by EE (South-I) allowing the supply of 50 KLD of water through tankers from filling point situated at CWG village was taken into account. As per water mass balance submitted fresh water requirement for domestic use is 45 KLD and rest of the water requirement for HVAC cooling (90 KLD), Flushing water (105 KLD), DG Cooling (12 KLD) & Gardening (32 KLD) is proposed to be met with through STP treated water. During operational phase waste water generation of 150 KLD will be treated in STP of 180 KLD capacity through MBBR technology. Total 149 KLD of treated waste water will be recycled (105 KLD for flushing, 32 KLD for gardening, 12 KLD DG cooling) & 90 KLD for HVAC cooling water demand will be met through STP treated water through tanker water supply. The committee observed that the proposed project is on the basis of the Green Building concept and it has already received LEED preliminary review from USGBC earning 38 points out of 59 points attempted in first review. After due deliberation based on the information furnished, presentation made and further discussions held, the SEAC in its above said 81st meeting held on 16.07.2016 recommended that the project proponent be asked to give the revised presentation on the details of the construction completed supported with the statement of expenditure incurred for the work done till November, 2011 and the Project Proponent to confirm the sources for the all kind of water requirement.

The case was considered in 82nd meeting of SEAC held on 20.08.2016 and committee decided to invite the representative of MoEF&CC in next meeting for further deliberation in the matter. Accordingly the representative of MoEF was invited vide letters issued to MoEF & CC, GOI on 21.09.2016 & 04.10.2016 for the 83rd meeting of SEAC dated 15.10.2016. However the concerned official could not attend the meeting and committee decided to defer the case to next meeting however the representative of MoEF could not attend 84th meeting


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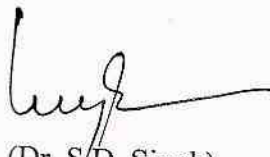
also and the SEAC took a note of information provided during the meeting by the Project Proponent about the current status of LEED review from USGBC earning 54 points out of total attempted 57 points enough for platinum rating.

After due deliberation the SEAC in its 84th meeting held on 22.10.2016 based on the information furnished, presentation made and further discussions held, recommended the case to SEIAA for grant of revised amended Environmental Clearance along with the specific conditions with the observation that SEIAA may take a view for consultation of MoEF & CC if felt necessary:

The case was considered in 40th meeting of SEIAA held on 15.11.2016 and deliberated extensively in the case, and decided to call the Secretary SEAC, representative of MoEF & CC, GOI and project proponent in its next meeting for explaining how the project went ahead despite of EC having lapsed, as also other issues like potable water etc. Accordingly letter to call the Secretary SEAC, representative of MoEF & CC, GOI and project proponent were issued.

SEIAA deliberated in the meeting and decided to refer the matter to MoEF & CC, GOI in view of the fact that no condonation for delay is to be granted for any application for extension filed 90 days after validation period of EC as per para (9) (iii) (b) of EIA Notification, 2006. This Authority besides, now finds its hands tied to proceed in this matter, in view of the MoEF & CC, GOI Notification No. S.O. 3999 (E) dated 09.12.2016. Hence the Authority decided at its meeting today, while acknowledging the positive features of this project to refer the matter to the Central Government (MoEF & CC, GOI) to take a view there on.


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(Dr. S/D. Singh)
Member Secretary, SEIAA


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Agenda: 02

Complaint regarding allegedly Fraudulent/False Claim made in EIA Reports submitted to the EAC (MoEF)/ SEIAA & SEAC (Delhi) for Environmental Clearance

In reference to the representation of Sukh Dukh Ke Sathi Sanstha, B-45, Sadhbhawna Apartments, received vide email dated 25.04.2016, the DJB was requested to provide comments to SEIAA, vide letter dated 17.05.2016 in pursuance of decision taken in 32nd meeting of SEIAA.

A letter dated 22.06.2016 received from Chief Engineer, Planning, DJB giving reference to Meeting held in chamber of Hon'ble Minister of Water, Delhi deciding that Environmental Clearance of all such project cleared without Consent of Delhi Jal Board should be reviewed again after consultation with DJB and in future same practice may be followed. In the aforesaid letter the DJB has informed that 5 projects have been approved by DJB, 3 projects are under scrutiny, 10 projects have not submitted the proposal and 2 projects pertain to NDMC.

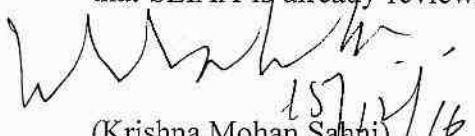
In this regard the Authority observed that the Environmental clearances are issued with certain conditions, one of them is seeking clearance from DJB also. SEIAA is already reviewing the status of compliance of these conditions by seeking the periodical compliance report to be submitted on 1st June & 1st December of calendar year as per provision of EIA Notification, 2006.

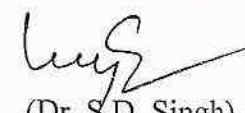
As decided in 33rd meeting of SEIAA held on 07.06.2016 and 34th meeting of SEIAA held 05.07.2016 letters to 55 projects have been issued on 17.06.2016/21.07.2016 to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi.

The SEAC in its 81st meeting held on 16.07.2016 recommended as follows:

The committee is of the view that appraisal of any project is related to the environmental impact of the activities being undertaken and mitigation measures to be adopted to minimise the impact by sustainable environment management. The conditions in Environment Clearance are imposed accordingly. The Environment Clearance is supposed to be issued at the conceptual stage of the project even before preparation of the land. The environment clearance is independent of other statutory permissions required to be obtained by the project proponent. In view of Delhi Jal Board letter dated 22.06.2016 the conditions decided to be imposed in Environmental Clearances being issued by SEAC/SEIAA be vetted legally keeping in view MoEF&CC Office Memorandum No. 21-270/2008-IA.III dated 19.06.2013 read with MoEF&CC Office Memorandum No. 22-154/2015-IA.III dated 10.11.2015, stating that the project will be regulated by the concerned local Civic Authorities under the relevant provisions of the MPD-2021, Building Control Regulations and Safety Regulations.

A letter dated 2.08.2016 has also been issued to Chief Engineer (Planning), DJB apprising that SEIAA is already reviewing the status of compliance of these conditions by seeking the


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(Dr. S.D. Singh)
Member Secretary, SEIAA


(Dr. K.K. Pant)
Member, SEIAA

periodical compliance report to be submitted on 1st June & 1st December of calendar year as per provision of EIA Notification, 2006.

The issue was deliberated in the 35th meeting held on 19.08.2016 and it was observed that six monthly compliance are not categorical about the status of water supply permission from the concerned authority. Therefore the authority decided that the project proponent be specifically asked to furnish the status of permission/assurances obtained from DJB/NDMC or through authorized sources for meeting out the water supply requirement during the construction as well as operational phase of the project. It was also observed that there are 13 Environmental Clearances which were issued by MoEF & CC in absence of constitution of SEAC & SEIAA Delhi in year 2014-2015. Therefore the compliant may be forwarded to the MoEF & CC, GOI for taking a view in this matter and under intimation to SEIAA-Delhi on the proposal forwarded by DJB vide letter dated: 22.06.2016.

Letter to MoEF and CC has been issued on 06.09.2016 and letters to 55 Project Proponent to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi have been issued on 08.09.2016 to furnish the status of permission/assurances obtained from DJB/NDMC or through authorized sources for meeting out the water supply requirement during the construction as well as operational phase of the project.

No reply received from MoEF & CC, GOI. The issue was taken up in 36th SEIAA meeting held on 14.09.2016 and it was decided that the case be listed again in the next meeting of the authority with replies received if any from Project Proponent and MoEF & CC, GOI.

The issue was taken up in 38th SEIAA meeting held on 05.10.2016 and it was decided that the reply of project proponents will be reviewed in next meeting and SEIAA in its 39th meeting held on 27.10.2016 decided that reminders be issued to the project proponent who have not responded to the letter sent by SEIAA.

The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and it was decided to defer the Case for next meeting.

Matter be deferred.

AGENDA NO: 03

Issue related to mechanism for Compliance of EC conditions

The SEIAA decided that with immediate effect, all the clearances given till date by the SEIAA w.e.f 28.02.2014 (i.e the date of notification delegating power u/s 5 of EPA to SEIAA) will be reviewed with regard to the status of implementation of terms & conditions imposed, by Authority on each project proponent who are to submit the same twice a year, namely, 1st of June and 1st of December, as prescribed under para 10 (ii) of EIA Notification, 2006.

As decided in 33rd meeting of SEIAA held on 07.06.2016 and 34th meeting of SEIAA held 05.07.2016 letters to 55 projects have been issued on 17.06.2016/21.07.2016 to whom Environment Clearances, were issued after 28.02.2014 by SEIAA, Delhi.


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Member, SEIAA

The issue was deliberated in 35th meeting held on 19.08.2016 and it was decided that six monthly report/status of projects as per Environmental Clearance granted, be obtained from all the Project Proponents to whom it has been granted in NCT of Delhi irrespective of issuing authorities (SEIAA- Delhi/ Govt. Of India). The issue was again deliberated in 36th meeting of SEIAA held on 07.09.2016 and observing that further action for implementation of the decision is under process, it was decided the letter be issued to Project Proponents for reporting the present status of six monthly compliance as on 1st June 2016, those who have already submitted may reply along with the soft copy.

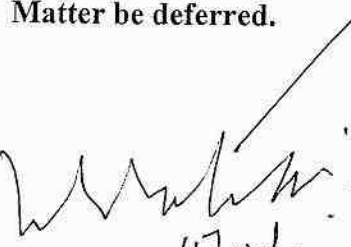
Status of 32 projects to whom letters were issued in pursuance of decision taken in 33rd meeting of SEIAA held on 07.06.2016 was reviewed individually in 37th Meeting of SEIAA held on 14.09.2016 and it was noticed that most of the Project proponents have responded to the letter issued on 17.06.2016, the Authority further decided that:

1. Reminder for submission of Six monthly report be issued to the projects who have not submitted the requisite report.
2. Letter be issued to the project proponents who have not started or which are under construction should start plantation of trees along boundary as per landscape plan submitted while obtaining Environmental Clearance in order to take care of rising air pollution and other benefits of trees growth.
3. Letter be issued to the Project Proponents which are operational or have completed the construction, to provide the status of green area, soft area & hard top area.
4. Decision in two cases i.e., EC Case No. 207 & 237 deferred as the matter are under scrutiny.
5. Status of construction be clarified from the project whose stage of construction is not clear as per Response submitted
6. All projects are required to submit the report of Ground water with respect to report on groundwater quality and level of groundwater table prior to start of construction, prior to start of operation & during operation phase.

In view of 37th meeting held on 14.09.2016 as decided above, letters to 30 project proponent have been issued vide letter dated 30.09.2016. In view of 35th meeting held on 19.08.2016 & 36th meeting held on 07.09.2016, 259 project proponents have been asked to submit the requisite compliance report vide letters dated 21.10.2016 and 36 projects are remaining for want of better particulars.

The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and it was decided to defer the Case for next meeting.

Matter be deferred.


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Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

AGENDA NO: 4

Draft complaint received by Legal cell of DPCC

SEIAA in its 36th meeting held on 07.09.2016 deliberated on the draft complaint to be finalised by the legal cell of DPCC in accordance with the decision during erstwhile SEIAA, it was discussed that there were 7 cases in which complaints to be prepared as per decision taken previously. It was decided that the concerned legal cell of DPCC be directed to report the status of all these 7 cases to the Authority's information. The Authority was of the view that these matters be henceforth assigned to a single lawyer well versed with NGT matter.

Accordingly legal cell has forwarded the status of 7 cases stating that in 4 cases draft compliant had not been put up earlier because of NGT orders dated 07.07.2015 and its stay by the Apex court and in 1 case the compliant has been redrafted in the name of MS, SEIAA.

Out of these 7 cases 2 cases namely Hotel Ashok Yatri Niwas built by India Tourism Development Corporation Ltd. & Akshardham" at NH-24, Off Nizamuddin Bridge, Akshardham Setu, New Delhi are being considered by the SEIAA in their respective agendas.

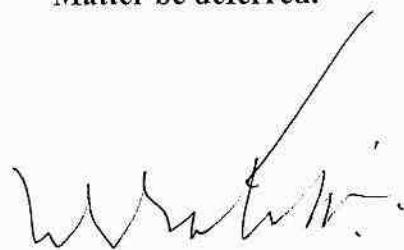
The names of the remaining 5 cases in which the draft complaints have been received are as following:

1. Hotel Project "Dusit D2" A Bird Hotel at Asset No.10, Hospitality District, IGI Airport, New Delhi.
2. "MID Market Hotel" Project at Asset -5A, Delhi Aerocity, Indira Gandhi International Airport, New Delhi.
3. New Ward Block & Diabetic Centre at G.T.B Hospital, Shahdra, Delhi.
4. Commercial Complex at Plot No. 9, Jasola Distt. Centre, New Delhi.
5. Shanti Niketan Buildwell Limited. Plot No-D-3, P-3B, Saket, New Delhi.

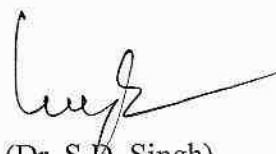
The case was considered in the 39th meeting of SEIAA held on 27.11.2016 and decided that all the above five cases be referred to the DPCC law officer looking after NGT cases for specific examination of the case for which EC has been issued after issuance of O.M dated 12.12.2012.

Accordingly cases were referred to the DPCC law officer.

Matter be deferred.



15/12/16
(Krishna Mohan Sahni)
Chairman, SEIAA



(Dr. S D. Singh)
Member Secretary, SEIAA


15-12-16
(Dr. K.K Pant)
Member, SEIAA

Agenda No: 5

Case No: 239

Name of the Project	"Human Health Care Charitable Hospital at Sec-6, Dwarka, New Delhi.
Project Proponent	Mr.SanjeevBharti, Executive Director, Sector-6, Dwarka, New Delhi-110075, New Delhi.

The proposal was for the grant of Environmental Clearance of Human Health Care Charitable Hospital at Sec-6, Dwarka, New Delhi. The total plot area is 9545 Sq.m. The total built-up area is 46963.96Sq.m. Constructed built up area is 39110.766 sqm.

Since the construction work was commenced and is in advance stage, without taking prior EC and it was a clear case of violation, the SEAC in its 74th meeting held on 12.12.2015 recommended the case to SEIAA to take a view on the matter.

After due deliberation on the matter SEIAA in its 28th meeting held on 14.01.2016 decided as follows:

1. The matter relating to violation by the Project Proponent be put up to the Board of Directors/ Managing Committee of its Company/ Trust for consideration of its environment related policy/ plan of action and to submit a written commitment in the form of a formal resolution to ensure that violations will not be repeated. A time limit of 60 days be given to the Project Proponent for submission of said resolution, failing which it will be presumed that he is no longer interested in pursuing the project further and the file will be closed.
2. Member Secretary, SEIAA will file the prosecution u/s 19 of the EP Act, 1986 for the violations of EIA notification dated 14.06.2006.
3. Directions u/s 5 of EP Act, 1986 be issued by the Member Secretary, SEIAA for suspending and effective stoppage of the construction activities at the existing level which will inter alia include the directions to DJB, DISCOM & SDM.

Legal opinion from legal section of DPCC was sought and during the meeting of SEIAA held on 19.04.2016 it was observed that opinion of the Law Officer, inter-alia mentioned the time lines of EIA notification and suggested that in view of the notification of MOEF delegating power of Section 5 of the E(P) Act, 1986 to SEIAA, hence letters/ notice, if any, be issued by

(Krishna Mohan Sami)
Chairman, SEIAA

(Dr. S. D. Singh)
Member Secretary, SEIAA

(Dr. K.K Pant)
Member, SEIAA

SEIAA only, MS, DPCC has no authority to do so. The opinion further states that OM's dated 12.12.2012 and 27.06.2013 issued in respect of violation cases which were earlier declared as ultra vires the provisions of the Act of 1986 and the Notification of 2006. by Hon'ble NGT in O A NO. 37 OF 2015 [S.P. Muthuraman VS Union of India and Others] and OA no. 213 of 2015 [Manoj Mishra Versus Union of India] vide order dated 07.07.2015 which was challenged in the Hon'ble Supreme Court, and Hon'ble Apex Court has stayed the order passed by the NGT.

The legal position & opinion was taken into account by SEIAA and the authority in its 31st meeting held on 19.04.2016 decided that the case may be delisted in pursuance of OM dated 12.12.2012 and letter to Project Proponent for obtaining the requisite commitment, directions for suspending and effective stoppage of the construction activities at the existing level be issued by MS, SEIAA and Complaint for filing the prosecution by SEIAA be prepared by the legal cell of DPCC.

In pursuance of above decision direction u/s 5 of Environment Protection Act 1986 was issued to Project Proponent vide letter dated 06.05.2016 and letter for seeking the resolution from the Board of Directors was also issued on 06.05.2016 mentioning the delisting of the case the case was delisted as per letter dated 06.05.2016 issued to Project Proponent. Subsequently the Project Proponent filed an appeal before Hon'ble NGT u/s 16 of NGT Act 2010 impugning the letter dated 06.05.2016 on 27.05.2016.

Hon'ble National Green Tribunal (NGT) pronounced its judgement on 26.07.2016 in the matter of the appeal no. 30 of 2016 filed on 27.05.2016 by the proponent i.e., M/S Human Care Charitable Medical Trust, Sector -6, Dwarka, New Delhi, praying to quash and stay the operation of letters issued by the State Environment Impact Assessment Authority (SEIAA), Delhi vide dated 06.05.2016.

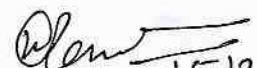
In pursuance to the Hon'ble NGT judgement dated 26.07.2016, the site inspection of the M/S Human Care Charitable Medical Trust Hospital was scheduled on 17.08.2016 at 9 am. Accordingly, the members of the committee conducted physical inspection of the afore-said project on 17.08.2016.

The report of the committee was filed before Hon'ble NGT on 06.09.2016 which was listed as OA No.485/2016 and stands disposed off vide Hon'ble NGT order date 07.10.2016.

The case was considered in 39th meeting of SEIAA held on 27.10.2016 and decided that the Project Proponent be informed to submit the requisite commitment in the form of formal resolution to ensure that violation will not be repeated and he will abide by the order of Hon'ble NGT, along with the request to reconsider its application for Environmental Clearance.


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S D Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

Minutes of 41st SEIAA meeting dated 15.12.2016

Accordingly the letter was issued to the Project Proponent. PP submitted its representation on 08.12.2016.

The Authority decided to refer the matter to SEAC for further necessary action in the matter.

Date of next meeting: 05.01.2017 at 11:30 AM.

Meeting ended with vote of thanks to Chair.


(Krishna Mohan Sahni)
Chairman, SEIAA


(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA