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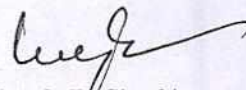
	STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY (SEIAA)-DELHI OFFICE OF DELHI POLLUTION CONTROL COMMITTEE 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI 110006 Visit us at http://dpcc.delhigovt.nic.in
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F.No. DPCC/SEIAA/2017/44/ 5488 - 5496

Dated: 02.03.2017

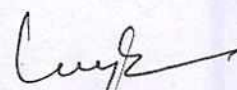
MINUTES OF MEETING

Please find enclosed the minutes of meeting of 44th meeting of the State Environmental Impact Assessment Authority (SEIAA) held on 02.03.2017 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, HauzKhas, 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 HauzKhas, 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. **PS to Member Secretary, DPCC**- for kind information.
9. **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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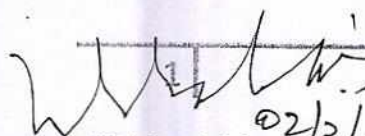
Minutes of the 44th meeting of State Level Environmental Impact Assessment Authority (SEIAA) held on 02.03.2017 at 11.30 am in the Conference Room of Delhi Pollution Control Committee.

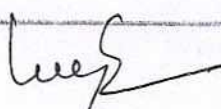
The 44th meeting of the State Level Environmental Impact Assessment Authority (SEIAA) was held on 02.03.2017 in the Conference Room of Delhi Pollution Control Committee, ISBT Building, Kashmiri Gate, Delhi-06.

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.


(Krishna Mohan Sahni)
Chairman, SEIAA


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


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

Agenda No:01

Case No: 205(offline) :

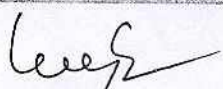
Name of the Project	Expansion on LaxmipatSinghanian Medical Foundation "PushpawatiSinghanian Research Institute" Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi
Project Proponent	Mr. U.K. Gupta, Owner, M/s LaxmipatSinghanian Medical Foundation, Link House (4 th Floor), 3, Bahadur Shah Zafar Marg, New Delhi-110002.
Project Consultant	M/s Grass Roots Research & Creation India (P) Ltd.
Date of Application	03.04.2014 in DPCC

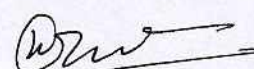
The proposal was for the grant of Environmental Clearance for the "Expansion of LaxmipatSinghanian Medical Foundation's "PushpawatiSinghanian Research Institute" at Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi - 110002. The total plot area is 8,000 sq.mt. The total built-up area proposed was 24,302.12 sq.mt. (Existing: 9,048.92 sq.mt.; Proposed Expansion: 15,057.55 sq.mt.).

SEAC in its 65th meeting held on 30.04.2014 found that while presenting the proposal by the project proponent, it was found that the terms and conditions mentioned in the land allotment and perpetual lease are different from the present use of the land by the project proponent – the land was allotted to the project proponent for the establishment of a Hospital only but the project proponent established PushpawatiSinghanian Research Institute of M/s LaxmipatSinghanian Medical Foundation. The Committee, therefore, decided to defer the project till a clarification is obtained from DDA regarding the land use. It was also decided that the Member Secretary should get the clarification from the Land Department of DDA on the original land use and the present land use by the project proponent, and a three member committee make a site visit to assess the status of the Institute.

However PushpawatiSinghanian Research institute's, submitted a letter dated 08.05.2014 before issuance of the minutes of 65th SEAC meeting dated 30.04.2016 wherein project proponent requested for withdrawal of Environmental Clearance application, claiming that the built-up area of the project is less than 20000 sq.mt. The said letter was examined in next 66th SEAC meeting held on 22.05.2014 and the committee suggested that built up area may be verified by the team already constituted for the purpose of inspection of this project vide 65th SEAC meeting dated 30.04.2014.


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The reconstituted SEAC in its 73rd meeting dated 17.10.2015 and 74th meeting dated 12.12.2015 decided to get the inspection conducted. Project Proponent submitted a letter on 16.02.2016 again requesting to consider the request for Environmental Clearance of the proposed new project stating that, earlier it was envisaged that proposed construction would be less than 20,000 Sq. mts therefore, they had requested for the withdrawal of application dated 3rd April 2014 for environmental clearance. However, over a period of time, and with more joint consultations with clinical consultants of existing hospital proponent realized that their proposed construction will go beyond 20,000 sq. mts..

In pursuance of decisions taken by SEAC, inspection was conducted on 07.04.2016 and found that construction work going on. Details and plan w.r.t. construction was neither provided nor shown during inspection. Unit was asked to provide details in SEAC meeting scheduled to be held on 09.04.2016.

SEAC in its 78th meeting held on 09.04.2016 recommended to defer the case as the project proponent appeared before the committee and requested to defer the case.

The SEAC in its 79th meeting held on 16.04.2016 decided that a letter be issued to the Project Proponent and DDA to provide the details of FAR & Non-FAR area as per building plan sanctioned for which the construction is being under taken by M/s Laxmipat Singhania Medical Foundation for Pushpawati Singhania Research Institute at Press Enclave Marg Sheikh Sarai, Phase-II, New Delhi – 02. Project Proponent be instructed not to go ahead with construction work if the total built-up area (including FAR & Non FAR area of both existing & proposed building) exceeds 20,000 sqm.

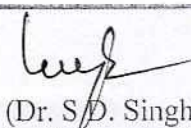
As decided letter issued on 29.04.2016 to DDA to provide the details of FAR & Non-FAR area as per building plan sanctioned for which the construction is being under taken with a copy to project proponent with directions as decided.

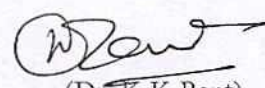
The SEAC in its 80th meeting held on 28.05.2016 the PP did not turn up and SEAC recommended to issue reminder letter. Accordingly reminder letter was issued on 10.06.2016.

In the meantime PP submitted a reply on 07.06.2016 w.r.t earlier letter issued on 29.04.2016 claiming that Environmental Clearance is not required in view of unified building bye laws for Delhi 2016 notified on 22.03.2016. It was also stated that initially their plan was to have built up area not exceeding 20,000 Sq.m and their projected building plan will now have built-up area of about 24,000 Sq.m

The Project Proponent did not come to present its case in SEAC's 81st meeting held on 16.07.2016 however Committee deliberated on the issue and it was observed that no exemption of Environmental Clearance is applicable to the project as per extant position of law. The committee recommended that a final opportunity be provided to the project proponent to come-up with the details of the proposed built-up area and the details of the


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building plan sanctioned along with the present status of construction. Accordingly letter dated 04.08.2016 was issued to Project proponent.

In response to SEAC letter dated 10.06.2016 letter received from DDA on 01.08.2016 stating the area statement as per drawing submitted by M/s Laxmipat Singhania Medical Foundation for the said project and site inspection done by DDA. The said letter indicates that total built-up area of the project as 21177.08 sqm.

The Project Proponent replied on 12.08.2016 stating that they have to appoint a new consultant and requested to consider the case in mid-September 2016.

The case was considered in 82nd SEAC meeting held on 20.8.2016 and committee recommended that as evident from the reply received from DDA the project proponent has carried out the construction work beyond the threshold limit of 20,000 sqm built-up area without taking prior EC and it is a clear case of violation, and recommended the case to SEIAA for taking legal action against the Project Proponent for aforesaid violation.

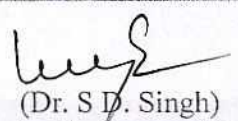
The SEIAA deliberated on the matter in view of proceedings of SEAC meetings and observed that regarding such violation cases, OM's dated 12.12.2012 and 27.06.2013 issued were earlier declared as ultra vires the provisions of the Act of 1986 and the Notification of 2006 by Hon'ble NGT in O A NO. 37 OF 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 was taken into account by SEIAA and after due deliberation SEIAA in its 38th meeting held on 05.10.2016 on the matter SEIAA decided as follows:

1. The case be delisted in pursuance of OM dated 12.12.12
2. 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.
3. Member Secretary, SEIAA will file the prosecution u/s 19 of the EP Act, 1986 for the violations of EIA notification dated 14.09.2006 as recommended by SEAC.
4. 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& Delhi Police

Accordingly, in compliance of above decision, letters were issued on 14.10.2016 to all concerned including directions u/s 5 of EP Act, 1986 by the Member Secretary,


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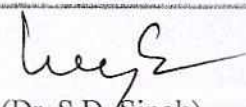
SEIAA for suspending and effective stoppage of the construction activities at the existing level which will inter alia include the directions to DJB, DISCOM & SDM& Delhi Police. Representations received on 9.11.2016 & 16.11.2016 from the PP regarding resolution passed by governing body etc. The case was forwarded to legal cell of DPCC in view of notification S.O.No. 3999 (E) dated 09.12.2016.

The SEIAA in its 43rd meeting decided to request DPCC to inspect the premises at its early convenience with a view to establish whether, consequent upon SEIAA's order dated 14.10.2016 further construction on the premises has since being stopped by the proponents. Accordingly reminder issued on 10.02.2016 to all agencies for ATR on the direction issued on 14.10.2016 and DPCC has been requested to inspect the premises.

The file with legal opinion from legal cell received however the opinion is not in reference to the further action warranted by SEIAA in view of the notification S.O.No. 3999 (E) dated 09.12.2016. Subsequent to the aforesaid notification the State Level Environment Impact Assessment Authority (SEIAA), Delhi in its meeting held on 15.12.2016 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. The aforesaid decision was taken in view of the fact that Delhi Development Authority has already notified the Unified Building Bye Laws (UBBL) for Delhi vide notification S.O. No. 1191 (E) after getting the concurrence of MOEF & CC, GOI and notifying that there will be no need for seeking EC for buildings with BUA>20,000 Sq.m and upto 1,50,000 Sq.m after the notification is issued by MOEF & CC, GOI empowering Local Bodies of Delhi to approve building plans after ensuring that the required environmental safeguards are met. The aforesaid UBBL for Delhi-2016 have been adopted and made applicable to the area under jurisdiction of Local Bodies vide notification No. F.5 (189)/AD/LB/2016/5396-5403 dated 17.06.2016

SEIAA deliberated on the issue and decided that in view of MOEF & CC Notification referred above, SEIAA is no longer concerned with the subject matter of this case which appropriately, should immediately be transferred to the concerned local body for further course of action.


(Krishna Mohan Sahni)
Chairman, SEIAA
02/3/17


(Dr. S D Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

Agenda No.02

Case No: 20

Name of the Project	"Environmental Clearance for renovation of M/s Hotel Queen Road Pvt. Ltd., 19, Ashoka Road, New Delhi.
Project Proponent	M/s Hotel Queen Road Pvt. Ltd., 19, Ashoka Road, New Delhi.

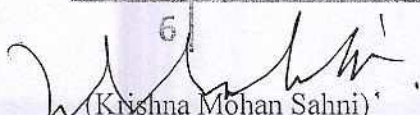
The issue was deliberated in the earlier meetings of SEIAA and the Authority observed that the decision to grant the Environmental Clearance has been taken the erstwhile SEIAA however the same has not been issued in view of the action to be concluded in accordance with the OMs issued by MoEFCC w.r.t. such violation cases. It was gathered that the said OMs remained under the scrutiny of law in Hon'ble NGT and Hon'ble Supreme Court. Further issues raised are quite complex and require details deliberations of its legal aspects including present legal status of the OMs in view of quashing of OMs by Hon'ble NGT and consequent appeal in Hon'ble Supreme Court.

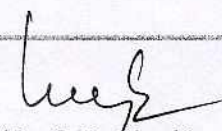
As decided in the previous meeting, Law Officer of DPCC was invited for discussion. It was deliberated that the OMs of MoEF&CC dated 12.12.2012 & 27.06.2013 were quashed by Hon'ble National Green Tribunal, vide its judgment dated 07.07.2015 in OA No. 37 of 2015. Later on, Hon'ble Supreme Court stayed the aforesaid judgment of NGT in Civil Appeal No. 7191 of 2015 on 24.09.2015.

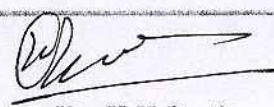
In the present case, the Authority was of the view that such incidences of going ahead and completing the project without prior EC should be restrained with deterrence.

Keeping in view the aforesaid, it was decided to seek legal opinion from appropriate section of DPCC to consider further course of action in the present matter apropos of relevant court orders, as also OMs / notifications issued by MoEF&CC on the subject and subsequently in the 30th SEIAA meeting held on 30.03.2014 the Authority desired that the required opinion be arranged by 15.04.2016 for its consideration in next meeting.

The opinion of law office of DPCC inter-alia states that OMs 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. It further states that SEIAA has to file prosecution in first instance, before issuance of EC.


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


(Dr. K.K Pant)
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In view of above authority in its 31st meeting dated 19.04.2016 decided that complaint for filing the prosecution by SEIAA be prepared by the legal cell of DPCC accordingly.

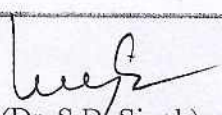
File was forwarded to legal cell and on draft complaint prepared is to be finalised by legal cell in accordance with the decision of SEIAA. Subsequent to the preparation of draft complaint, the SEIAA in its 38th meeting held on 05.10.2016 decided to refer the case to SEAC. And SEAC after considering the matter in its meeting held on 15.10.2016 and 22.10.2016 decided to refer the matter to legal cell of DPCC for examining the ground for prosecution in view of applicability of Environmental Clearance narrated in a letter of MoEF issued to project proponent. The SEAC in its 85th meeting dated 17.12.2016 decided to expedite the opinion from legal cell of DPCC.

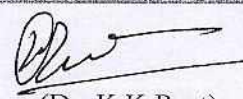
The opinion from legal cell was received on 21.02.2017 and as desired by MS, SEIAA the case was considered by SEIAA.

The file with legal opinion from legal cell received however the opinion is not in reference to the query of SEAC raised in the 84th meeting of SEAC held on 17.12.2016. Subsequent to the notification S.O.No. 3999 (E) dated 09.12.2016. the State Level Environment Impact Assessment Authority (SEIAA), Delhi in its meeting held on 15.12.2016 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. The aforesaid decision was taken in view of the fact that Delhi Development Authority has already notified the Unified Building Bye Laws (UBBL) for Delhi vide notification S.O. No. 1191 (E) after getting the concurrence of MOEF & CC, GOI and notifying that there will be no need for seeking EC for buildings with BUA>20,000 Sq.m and upto 1,50,000 Sq.m after the notification is issued by MOEF & CC, GOI empowering Local Bodies of Delhi to approve building plans after ensuring that the required environmental safeguards are met. The aforesaid UBBL for Delhi-2016 has been adopted and made applicable to the area under jurisdiction of Local Bodies vide notification No. F.5 (189)/AD/LB/2016/5396-5403 dated 17.06.2016

SEIAA deliberated on the issue and decided that in view of MOEF & CC Notification referred above, SEIAA is no longer concerned with the subject matter of this case which appropriately, should be immediately transferred to the concerned local body for further course of action.


(Krishna Mohan Sahni)
Chairman, SEIAA


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


(Dr. K.K Pant)
Member, SEIAA

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AGENDA NO: 03

Draft complaint received from 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 YatriNiwas built by India Tourism Development Corporation Ltd. & Akshardham" at NH-24, Off Nizamuddin Bridge, AkshardhamSetu, 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:

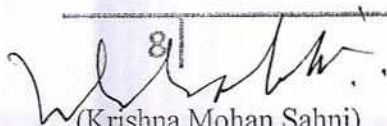
1. Hotel Project "Dusit D2" A Bird Hotel at Asset No.10, Hospitality District, IGI Airport, New Delhi.
2. "MID Market Hotel" Project at Asset-5A, Delhi Aerocity, Indira Gandhi International Airport, New Delhi.
3. New Ward Block & Diabetic Centre at G.T.B Hospital, Shahdra, Delhi.
4. Commercial Complex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

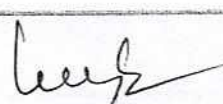
The case was considered in the 39th meeting held on 27.11.2016 and decided that all the above 5 cases be referred to the DPCC law officer looking after NGT cases for specific examination of the case for which EC has been issued after issuance of O.M. dated 12.12.2016.

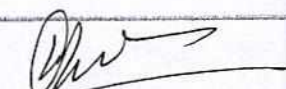
Accordingly cases were referred to the DPCC law officer.

The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and 41st and 42nd meeting held on 15.12.2016 and 05.01.2017.

The SEIAA in its 43rd meeting deliberated the issue and decided that the case of M/S Shanti Niketan Buildwell Limited. Plot No-D-3, P-3B, Saket, New Delhi be referred to the Sh. Rally counsel engaged by DPCC, for commenting on the opinion of legal cell of DPCC. Clarification in remaining two cases (at Sr.No. 1&4 above) be expedited from Law Officer


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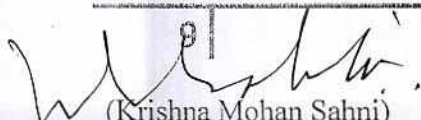

(Dr. S D Singh)
Member Secretary, SEIAA

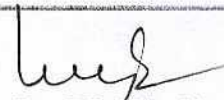

(Dr. K.K Pant)
Member, SEIAA

looking into NGT cases, specifically w.r.t the pointed queries raised by SEIAA in each case (at Sr.No. 1 to 4 above) .

SEIAA considered the matters in view of the notification S.O.No. 3999 (E) dated 09.12.2016. Subsequent to the aforesaid notification the State Level Environment Impact Assessment Authority (SEIAA), Delhi in its meeting held on 15.12.2016 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. The aforesaid decision was taken in view of the fact that Delhi Development Authority has already notified the Unified Building Bye Laws (UBBL) for Delhi vide notification S.O. No. 1191 (E) after getting the concurrence of MOEF & CC, GOI and notifying that there will be no need for seeking EC for buildings with BUA>20,000 Sq.m and upto 1,50,000 Sq.m after the notification is issued by MOEF & CC, GOI empowering Local Bodies of Delhi to approve building plans after ensuring that the required environmental safeguards are met. The aforesaid UBBL for Delhi-2016 have been adopted and made applicable to the area under jurisdiction of Local Bodies vide notification No. F.5 (189)/AD/LB/2016/5396-5403 dated 17.06.2016

SEIAA deliberated on the issue and decided that in view of MOEF & CC Notification referred above, SEIAA is no longer concerned with the subject matter of these cases which appropriately, should immediately be transferred to the concerned local body for further course of action.


(Krishna Mohan Sahni)
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(Dr. S D Singh)
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Agenda: 04

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 SukhDukhKeSathiSanstha, 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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(Krishna Mohan Sahni)
Chairman, SEIAA

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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.

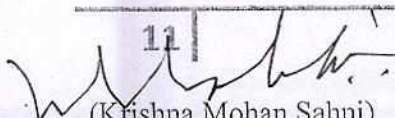
No reply received from MoEF & CC, GOI. The issue was taken up in 36th SEIAA meeting held on 14.09.2016 and it was decided that the case be listed again in the next meeting of the authority with replies received if any from Project Proponent and MoEF & CC, GOI.

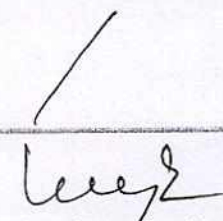
The issue was taken up in 38th SEIAA meeting held on 05.10.2016 and it was decided that the reply of project proponents will be reviewed in next meeting and SEIAA in its 39th meeting held on 27.10.2016 decided that reminders be issued to the project proponent who have not responded to the letter sent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

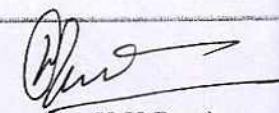
The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and 41st meeting held on 15.12.2016 and was decided to defer the Case for next meeting.

The SEIAA in its 42nd meeting held on 05.01.2017 decided that the project falling in category 'B' of item No. 8(b) as per notification S.O.No. 3999 (E) dated 09.12.2016 may be identified and segregated for further review. SEIAA in its 43rd meeting deferred the matter.

SEIAA deliberated on the issue and observed that this issue has already been taken up in SEIAA meetings and joint meeting of SEIA-SEAC held on 22.10. 2016, for further projects DJB observations would be taken by SEAC while scrutinising their technical analysis for projects already awarded EC, issue of compliance of EC conditions including permission from DJB are being taken care in agenda, mechanism of compliance of EC hence this agenda will be clubbed with and will no more exist.

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(Krishna Mohan Sahni)
Chairman, SEIAA
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(Dr. S D. Singh)
Member Secretary, SEIAA


(Dr. K.K Pant)
Member, SEIAA

AGENDA NO: 05

Issue related to mechanism for Compliance of EC conditions

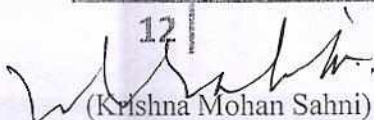
The SEIAA decided that with immediate effect, all the clearances given till date by the SEIAA w.e.f 28.02.2014 (i.e the date of notification delegating power u/s 5 of EPA to SEIAA) will be reviewed with regard to the status of implementation of terms & conditions imposed, by Authority on each project 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.

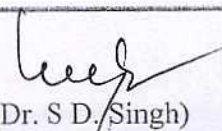
As decided in 33rd meeting of SEIAA held on 07.06.2016 and 34th meeting of SEIAA held on 05.07.2016 letters to 55 projects have been issued on 17.06.2016/21.07.2016 to whom Environment Clearances were issued after 28.02.2014 by SEIAA, Delhi.

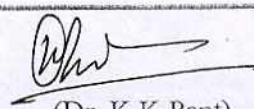
The issue was deliberated in 35th meeting held on 19.08.2016 and it was decided that six monthly report/status of projects as per Environmental Clearance granted, be obtained from all the Project Proponents to whom it has been granted in NCT of Delhi irrespective of issuing authorities (SEIAA- Delhi/ 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.

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(Krishna Mohan Sahni)
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(Dr. S D. Singh)
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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.

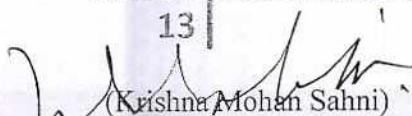
The issue was taken up in 40th SEIAA meeting held on 15.11.2016 and 41st meeting held on 15.12.2016.

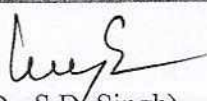
The SEIAA in its 42nd meeting held on 05.01.2017 decided that the project falling in category 'B' of item No. 8(b) as per notification S.O.No. 3999 (E) dated 09.12.2016 may be identified and segregated for further review.

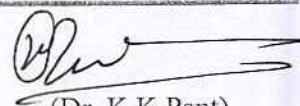
Accordingly the cases were segregated. However, in around 110 nos. of cases the status couldn't be found as no record available as most of the ECs issued from MOEF&CC. SEIAA in its 43rd meeting deferred the matter.

SEIAA decided that the inspection be conducted w.r.t to ESIC Hospital, Basai Darapur and Mega Housing Project at Vasant Kunj, New Delhi to ascertain the completion status of the project in which EC were issued in Year 2009, it was further decided in the cases which are under jurisdiction of SEIAA, Delhi as per notification dated 09.12.2016 the letter received undelivered be served through special messenger and reminder be issued to the project which have not responded.

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(Dr. S D. Singh)
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(Dr. K.K Pant)
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AGENDA NO: 06

Gazette Notification issued vide S.O No. 3999 (E) dated 09.12.2016

The SEAC in its 85th meeting held on 17.12.2016 recommended that "the Gazette Notification issued vide S.O No. 3999 (E) dated 09.12.2016 and the observation of SEIAA in its 41st meeting dated 15.12.2016 deciding that with immediate effect only the building and construction projects falling under Category B of item No. 8 (b) be dealt with by SEIAA & SEAC, Delhi were deliberated in the meeting. The committee proposed to seek the clarification from MoEF & CC, GOI regarding the modalities for dealing with the cases which are already under consideration of SEIAA/SEAC- Delhi or accepted on OSEMC by SEIAA- Delhi for appraisal by SEAC-Delhi prior to 09.12.2016".

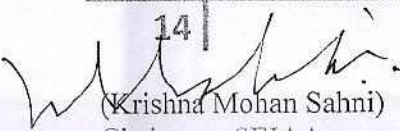
SEIAA deliberated in the matter in its 42nd meeting held on 05.01.2017 and it was decided to convey a joint meeting of SEIAA & SEAC on 07.01.2017 at 12:30 pm discussion on the issue.

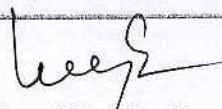
In the joint meeting of SEIAA with SEAC the notification S.O No. 3999 (E) dated 09.12.2016 discussed at length and it was acknowledged that the matter is before Hon'ble NGT in O.A No. 677/2016 which was last heard on 05.01.2017. The members of SEIAA & SEAC also took cognizance of news item published in Hindustan Times on 07.01.2017 reporting that the Green Tribunal Bench has desired not to act under the aforesaid new notification otherwise the Hon'ble NGT will stay the notification. In view of above it was decided to take a view in this matter after examining the orders of Hon'ble NGT.

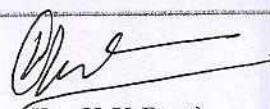
Member Secretary, SEIAA in 43rd meeting of SEIAA held on 2.2.2017 apprised Chairman and other members of SEIAA that he contacted Joint Secretary, MOEF & CC, GOI and discussed EC Notification dated 09.12.2016. Joint Secretary clarified that the State Government shall inform the MOEF & CC, GOI regarding adoption of new notification as such or needs certain modification. For any modification, MOEF & CC, GOI may consider suggested modifications and then issues specific orders w.r.t concerned state. In the aforesaid 43rd meeting SEIAA, Delhi decided that its earlier decisions in the matter dated 15.12.2016 be communicated to the concerned Deptt. of Govt. of Delhi for intimating course of action thereon to the MOEF & CC, GOI.

Accordingly, a letter has been issued on 10.02.2017 to the Director (Local Bodies), GNCTD with a copy to Vice Chairman, DDA, Joint Secretary (Impact Assessment Division), Ministry of Environment, Forest & CC, Secretary, Department of Environment, Commissioner, North Delhi Municipal Corporation, Commissioner, East Delhi Municipal Corporation, Commissioner, South Delhi Municipal Corporation, Chairman, New Delhi Municipal Corporation Council.

In view of above, for the cases falling under category A of Sr.No. 8b, on OSMEC portal EDS are being forwarded clarifying the extant position of law in view of notification dated

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Chairman, SEIAA


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


(Dr. K.K Pant)
Member, SEIAA

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09.12.2016. A view is required to be taken for case submitted by CPWD(proposal no.SIA/DL/MIS/62431/2017) on OSMEC portal following under Sr. No. 8a of the schedule on 15.12.2017.

Regarding the above said case of CPWD the SEIAA decided that following be communicated on OSMEC portal as well as the hard copy:

⁶In view of Gazette Notification issued vide S.O No. 3999 (E) dated 09.12.2016, the SEIAA in its 41st meeting has 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.

As the Built -Up Area of your project is less than 1,50,000 sq.m, your project falls in the category B at Sr. No. 8 (a) of the scheduled as amended vide the said notification dated 09.12.2016.

You are accordingly advised to kindly get in touch with the concerned local body of NCT of Delhi for taking up the matter further. In your case, the concerned local body is South Delhi Municipal Corporation, whose address is indicated below:

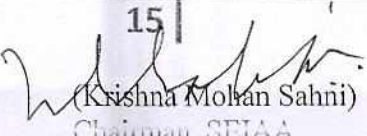
The Commissioner, South Delhi Municipal Corporation, 4th floor, Dr. S.P.M. Civic Centre, JLN Marg, New Delhi-110002.

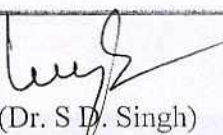
A copy of this letter is also being endorsed to the concerned Municipal Corporation, for information and necessary action. ²

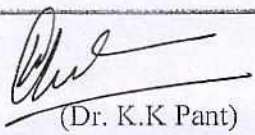
The tentative date of next meeting will be 22.03.2017 at 11.30A.M.

Meeting ended with vote of thanks to Chair.

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(Krishna Mohan Sahni)
Chairman, SEIAA


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


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

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