



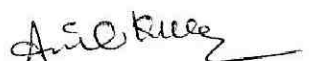
**STATE LEVEL EXPERT APPRAISAL COMMITTEE
(SEAC)-DELHI
OFFICE OF DELHI POLLUTION CONTROL COMMITTEE
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI 110006
Visit us at <http://dpcc.delhigovt.nic.in>**

F.No. DPCC/SEAC/2018/93/6566-6580

Dated: 25/01/2018

MINUTES OF MEETING

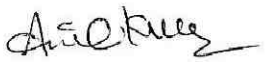
Please find enclosed herewith the minutes of meeting of 93rd meeting of the State Level Expert Appraisal Committee (SEAC) held on 13.01.2018 in the conference room of DPCC, at 5th Floor, ISBT Building, Kashmere Gate, Delhi – 110006 for information and necessary action if any.


(Dr Anil Kumar)
Secretary,
SEAC- Delhi

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-Bakhtawarpur Road, Alipur, New Delhi, Delhi-110036.
4. **Dr. Mukesh Khare (Professor) (Chairman, SEAC)**, Department of Civil Engineering, Indian Institute of Technology, Delhi Hauz Khas, New Delhi-110016.
5. **Director (Environment), (Secretary, SEAC)**, Department of Environment, Government of NCT of Delhi.
6. **Dr. Naveen Kumar (Professor and Head) (Member, SEAC)**, Mechanical Engineering Department, Delhi Technology University, Delhi-110042.
7. **Dr. S. K. Singh (Professor) (Member, SEAC)**, Civil and Environmental Engineering Department, Delhi Technology University, Delhi-110042.
8. **Dr. Mrs. Rita Kumar (Emeritus Scientist), (Member, SEAC)**, Environmental Biotechnology Division, Institute of Genomics and integrative Biology DU North Campus, Mall Road, Delhi-110007.
9. **Dr. Sanjay Gupta (Professor) (Member, SEAC)**, Department of Transport Planning, School of Planning and Architecture, 4-Block-B, Indraprastha Estate, New Delhi-110002.

10. **Dr. Suman Lakhanpaul** (Professor) (Member, SEAC), Department of Botany, University of Delhi, North Campus, University Road Faculty of Science, University Enclave Delhi-110007.
11. **Dr. Amarjeet Kaur** (Professor) (Member, SEAC), Centre of Disaster Management Studies, Guru Gobind Singh, Indraprastha University, E-Block, 106 and 107, Sector-16 C, Dwarka, New Delhi.
12. **Dr. Anupam Chattopadhyay**, (Member, SEAC), Department of Geology, University of Delhi, 34, Chattra Marg Delhi-110007.
13. **Mrs. Meenakshi Dhote** (Member, SEAC), Department of Environment Planning, School of Planning and Architecture, 4 Block B, IP Estate, New Delhi
14. **PS to Secretary (Environment) cum Chairman, DPCC-** for kind information.
15. **IT Cell** for placing the minutes on website.


(Dr Anil Kumar)
Secretary,
SEAC- Delhi

STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC)-DELHI
OFFICE OF DELHI POLLUTION CONTROL COMMITTEE
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006

Minutes of the 93rd meeting of State Level Expert Appraisal Committee (SEAC) held on 13.01.2018 at 10:00 A.M. in the Conference Room of DPCC at 5th Floor, ISBT, Kashmere Gate, Delhi-06.

The 93rd meeting of State Level Expert Appraisal Committee (SEAC) was held on 13.01.2018 in the Conference Room of DPCC under the Chairmanship of Dr Mukesh Khare. The following members of SEAC were present in the meeting:

- | | | |
|-----------------------------|---|-----------|
| 1. Dr. MukeshKhare | - | In -Chair |
| 2. Dr. S.K. Singh | - | Member |
| 3. Dr. Sanjay Gupta | - | Member |
| 4. Dr. Suman Lakhanpaul | - | Member |
| 5. Dr. Naveen Kumar | - | Member |
| 6. Dr. Anupam Chattopadhyay | - | Member |
| 7. Dr. Meenakshi Dhote | - | Member |
| 8. Dr. Anil Kumar | - | Secretary |

Dr. Amarjeet Kaur, and Dr Rita Kumar, Members SEAC, could not attend the meeting. Shri Pankaj Kapil (SEE), DPCC & Sh. S.K. Goyal (EE), DPCC assisted the Committee.

The minutes of 92nd meeting of SEAC held on 04.11.2017 were confirmed by the members.



Agenda No. 01**Case No. C- 321**

Name of the Project	E.C for Barapullah Elevated Road (Phase-III) From Sarai Kale Khan to MayurVihar(Phase-I), New Delhi.
Project Proponent	Public Works Department (Govt. of NCT of Delhi)
Proposal No.	SIA/DL/NCP/18496/2016
File No.	DPCC/SEIAA-III/C-343/DL/2017

In OA no. 479/2015 filed by Sh. Manoj Kumar Mishra, Hon'ble NGT, as per order dated 26.10.2015 had stayed the construction activity of Construction of Elevated Road over BarapullahNallah starting from Sarai Kale Khan to MayurVihar, New Delhi (Phase-III) for want of Environmental Clearance.

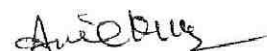
The representation dated 10.11.2015 was considered in the meeting of SEIAA held on 24.11.2015 and Authority decided to refer the matter to SEAC for suitable examination and comments. SEAC in its 75th meeting held on 16.12.2015 & 76th meeting held on 30.01.2016 decided that the legal opinion from Legal Cell of DPCC be obtained.

The legal cell of DPCC has noted that "Bridge" is not covered under the EIA Notification of 2006 and the entry related to High Way is similar to the Roads/ Bridge. It has further been commented that the Hon'ble Green Tribunal vide its judgement dated 12.02.2015 in the matter of "Vikrant Kumar Tongad Vs Delhi Tourism & Transport Corporation and ors" held as follows:

1. We hold that construction of a bridge or similar activity covering a buildup area $\geq$ 150000 sq. mtrs and/or covering an area of $\geq$ 50 hectares, would be covered under Entry 8(b) of the schedule of the Regulations 2006.
2. The legal cell of DPCC has opined that PWD has to apply for Environmental Clearance for this project in view of the above judgments of the NGT dated 12.02.2015 and matter has been received back from DPCC with the comment that a copy of the judgment of Hon'ble NGT may be send to MOEF with a request to take necessary action for amendment to provide clarity and to bring ease of doing business with respect of construction of bridges.

As decided by SEAC in its 77th meeting held on 27.02.2016 referred the matter to SEIAA with the recommendation that Project authorities be directed to apply for Environment Clearance under entry 8(b) of the schedule of EIA Notification, 2006 and copy of the judgement of Hon'ble NGT dated 12.02.2015 be sent to MOEF with a request to take necessary action for amendment to provide clarity and to bring ease of doing business with respect of construction of bridges and. As decided by SEIAA in its 30th meeting held on 30.03.2016 the project proponent was directed to apply for EC under entry 8(b) of the schedule of EIA Notification, 2006 and copy of the judgement of Hon'ble NGT, vide office letter dated 12.04.2016.

The Project Proponent submitted a proposal for grant of Terms of Reference for Proposed project "Barapullah Elevated Road (Phase-III) From Sarai Kale Khan to MayurVihar(phase-I), New Delhi.

After due deliberations, the SEAC in its 83rd meeting held on 15.10.2016 decided to issue ToR as for conducting Environment Impact Assessment study and information to be included in EIA/EMP report. Accordingly TOR has been issued vide letter dated 10.11.2016.

Subsequently the project proponent submitted its application on OSMEC portal on 16.03.2017 for grant of Environment Clearance

The hard copy/EIA report submitted during meeting of 88th SEAC held on 01.04.2017. During the discussions Project Proponent informed that construction was started in April'2015.

The SEAC in its 88th meeting held on 01.04.2017 recommended as the development has been started in April 2015 without seeking EC, the Project Proponent is required to apply for EC to MOEF & CC, GOI in view of Notification S.No. 804(E) dated 14.03.2017. Further clarification from MOEF & CC& GOI be sought whether the action u/s 19 of EPA, 1986 is also to be initiated against the project authority in view of the fact that applicability of EIA notification 2006 on Bridges was made clear by Hon'ble NGT vide its order dated 12.02.2015 in OA no 137/2014 in the matter of "Vikrant Kumar Tongad Vs Delhi Tourism & Transport Corporation and ors"

SEIAA in its 46th meeting held on 10.04.2017 deliberated the issue and resolved to obtain a legal opinion from Legal Officer, DPCC dealing with NGT cases on SEAC's recommendation. Subsequently the project proponent submitted its representation regarding the decision taken by SEAC in its meeting dated 01.04.2017.

The SEIAA in its 47th meeting held on 04.05.2017 decided that the representation received from the project proponent be also forwarded to the legal cell for giving the consolidated opinion before next SEIAA meeting.

Accordingly the representation of the project proponent was forwarded to the legal cell of DPCC.

As the Legal opinion remained awaited, SEIAA in its 48th meeting held on 29.05.2017 desired that the matter be brought with legal opinion in next meeting.

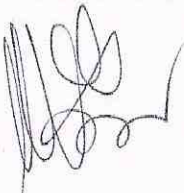
SEIAA in its 49th meeting held on 04.07.2017 decided to defer the case for want of receipt of legal advice and subsequently the Legal opinion with the approval of Chairman DPCC was received with an advice that the SEIAA & SEAC may consider the project in hand for processing the EC in view of Facts and circumstances of the case. As desired by the MS, SEIAA the matter was in 90th SEAC meeting dated 29.07.2017.

The TOR was issued vide letter dated 10.11.2016 .

The project proponent has submitted its application on OSMEC portal on 16.03.2017 for grant of Environment Clearance.

In WPC No. 1396/2016 debarment order dated 09.02.2016 issued by MoEF&CC regarding the M/s Mantec Consultants Pvt. Ltd was stayed and MoEF again issued debarment order on 23.08.2016 which has again been stayed by Hon'ble High Court vide its order dated 5.9.2016 in WPC no.7756/2016 till next date of hearing. Interim order to continue and case was listed on 25.10.2016, 28.02.201, 31.03.2017 and during the meeting dated 23.09.2017 a judgement dated 21.08.2017 was handed over directing to set aside the impugned order dated 23.08.2016 of MoEF.

Information submitted as per application of Environment clearance is as under:



Area Details: Length of the stretch: 3.5 Kms. Built-up Area: 1,50,238 m² including modernization of existing UP Link Road at MayurVihar junction

Water Details: Total water requirement of Proposed project will be 75 KLD, which includes 20 KLD for domestic water requirement and 55 KLD for batching plant. The above mentioned quantity of water shall be met by ground water for which permission from the Delhi Jal board is already taken. The total number of workers i.e. 800 people shall generate around 16 KLD of sewage which shall be treated in septic tanks connected to water recycling chambers. The recycled water hence generated shall be used for greenbelt development and dust suppression. There will be no discharge of untreated sewage on land or into water bodies. Adequate treatment of sewage will be carried out in septic tanks, proposed within the project premises. Treated sewage will be re-used for flushing, landscaping and DG cooling. External facility will be provided to discharge the excess treated water as per The Water (Prevention and Control of Pollution) Act, 1974.

Solid waste: Approximately 120 kg/day domestic solid waste is estimated to be generated from the construction activity; this will be collected from designated locations and segregated into inorganic and organic wastes. The inorganic non biodegradable wastes will be sold to authorized vendors for recycling and the biodegradable wastes will be disposed according to MSW (Management & Handling) Rules, 2000 and Amendment, 2008. **Plantation;** The project shall involve cutting of 530 trees and as per guidelines of the Forest Department 10 times of the same compensatory plantation out of which M/s PWD is required to plant 2650 trees and the rest shall be done by the forest department. Compensatory plantation to be carried out by PWD is 2650 plants/trees which shall cover an area of 17,650 sq.m. Plantation would be of large leaf trees that provide adequate shade and will range from evergreen to semi-evergreen

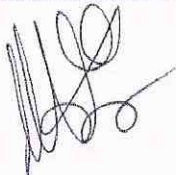
Power Details: The total demand load is estimated at 1500 KVA. Power requirement for the Elevated road Project will be supplied by BSES (permission already taken). The power backup shall also be provided by 3 number of DG sets (500 KVA capacity each)

Eco-Sensitive areas The project is 11Km from Asola Wildlife Sanctuary & 4.1 Km from the Okhla Bird Sanctuary.

Cost of project: 1260.63 Crore.

Based on information furnished, and discussions held, the SEAC in its 90th meeting held on 29.07.2017 recommended that case be defer for want of better presentation in next SEAC meeting. The SEAC in its 91st meeting held on 23.09.2017 observed that the presentation given by the project proponent is not satisfactory and the SEAC suggested that the presentation w.r.t compliances of ToR should be more specific and elaborative. Further the SEAC in the aforesaid meeting decided that the project proponent is required to incorporate the following information in its presentation/reports:

1. Data w.r.t incremental load of PM 2.5 is required to be submitted.
2. Windrose diagrams with details and number of station and prominent upwind and downwind direction(s) is required to be submitted.
3. Detail of the drainage pattern of the site and surrounding area is required to be resubmitted.
4. Environmental attributes and their impact on the environment is required to be analyzed and incorporated in EIA report including the socio-economic and health impact analysis.
5. Selection of noise monitoring station should be revised in a more strategic manner keeping in view the location of upcoming development and fresh noise monitoring data should be incorporated in the report.



The SEAC in its 92nd meeting held on 04.11.2017, based on the information furnished, documents shown & submitted, presentation made by the project proponent sought the following information:

1. Upper meteorological data source to be clarified in the air mode view.
2. Details of the tree cut and to be replanted and indicating the type and number of trees.
3. Historical meteorological data used in the impact assessment is very old. Latest data is to be incorporated.
4. Impact on noise environment due to upcoming development is required to be predicted during construction as well as operation stage of project.
5. Health impact analysis report is required to be submitted.
6. Traffic simulation study with respect to change in traffic flow is required to be resubmitted.
7. Detail of aquatic ecology is required to be presented.
8. The water and air data be presented with its measuring units.
9. Details of RMCs and their requisite permissions to be provided.
10. Detail of Corporate Social Responsibility (CSR) to be provided.

In addition to above the SEAC decided to conduct the site visit of the project and point wise presentation of ToR to be taken up on site during visit /in next SEAC meeting.

In accordance with the decision taken on 04.11.2017 the SEAC members reached the site on 13.01.2018 and presentation was held at PWD office located near site. During the presentation the SEAC observed that the project proponent has not come up with satisfactory information desired by SEAC in its meeting dated 04.11.2017 as planting pattern of the trees to be planted and plantation status, as on date, incorporating the plantation of PWD and horticulture department together, impact on noise environment, traffic simulation study, health impact analysis etc. have not been addressed properly. Traffic simulation study w.r.t change in traffic flow has not at all been conducted. In view of aforesaid state of affairs the SEAC decided to give a last opportunity to project proponent to resubmit the information/data desired by SEAC, failing which the SEAC will be compelled to recommend the delisting of case for want of desired information.

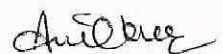
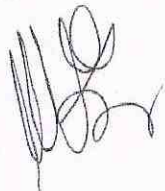
Agenda No. 02

Review of Case No 37

M/s Unison Hotels Ltd, Nelson Mandela Road, Vasant Kunj, New Delhi

Environment Clearance was granted to the Project proponent namely M/s Unison Hotels Ltd, Nelson Mandela Road, Vasant Kunj, New Delhi on 01.08.2014 for expansion of Hotel "The Grand" which was applied before erstwhile SEIAA/SEAC on 12.03.2012.

In the matter of Dr. C.V Singh Vs UOI & Ors. before the Hon'ble National Green Tribunal, OA No 380/2015 inter alia states that the main grievance of the applicant vide the present application relates to development works within 10 km radius of the Asola Wild life Sanctuary, New Delhi. The Central Govt. has not notified Eco-Sensitive Zone so far and in the absence of specific notification, the projects lying within 10 KM s radius of the Sanctuary has to take Wild Life Clearance.



Member Secretary, SEIAA has filed an affidavit in the matter before NGT in January 2016 indicating the grant of EC to the project proponent.

The matter was taken up in the 28th meeting of SEIAA held on 14.01.2016. SEIAA decided to refer the matter to SEAC to re-examine the case of M/s Unison Hotel, Nelson Mandela Road, New Delhi in reference to its location from Asola Wildlife Sanctuary. Till the time a decision is taken in the matter and issue is resolved by Competent Authority, the Project Proponent (M/s Unison Hotel) will not start any construction work for the proposed expansion as per EC obtained on 01.08.2014. Directions u/s 5 of EP Act be issued by the Member Secretary, SEIAA accordingly.

As decided by the Authority, Directions u/s 5 of EP Act issued on 25.02.2016 to M/s Unison Hotel to not to start any construction work for the proposed expansion as per EC obtained on 01.08.2014 till the time a decision is taken in the matter and issue is resolved by Competent Authority.

SEAC in its 78th meeting held on 09.04.2016 decided to defer the case as per the request letter dated 07.04.2016 submitted by the Project Proponent & in 79th SEAC meeting held on 16.04.2016 nobody appeared before committee, therefore case deferred.

Nobody appeared before committee in its 80th meeting held on 28.05.2016 and case was deferred for next meeting with the instructions that a letter may be issued to the project proponent to appear before SEAC in its next meeting to be scheduled on 01.07.2016 without fail. The Project Proponent submitted the reply on 04.07.2016 enclosing the draft notification dated 15.06.2016 issued for Asola Wild Life Sanctuary and claiming that the project do not fall with 100 m from the notified boundaries.

In SEAC's 81st meeting held on 16.07.2016 the representative of the Project Proponent appeared before the committee however the exact distance from the Asola Wild Life Sanctuary was not confirmed to the committee. The SEAC observed that no benefit be given to Project Proponent on the basis of draft notification issued for Wild Life Sanctuary, therefore Project Proponent be asked to confirm distance of project from Asola Wild Life Sanctuary and to explain the status of NBWL clearance which is applicable for the projects falling within 10km distance of the boundaries of wild life sanctuaries.

Accordingly Project Proponent was asked to take necessary action vide letter dated 04.08.2016.

In the meantime a letter was also received from PP on 29.07.2016 stating that they will not commence any work for expansion on their hotel till the final notification by central government in respect of the Asola Bhatti Wildlife Sanctuary.

The case was considered in 82nd meeting of SEAC held on 20.08.2016 and committee recommended that the project proponent may again be directed to present its case in the next meeting of the SEAC failing with the withdrawal of the Environmental Clearance granted to the project proponent will be recommended. As decided letter dated 21.09.2016 was issued to Project Proponent. The representative of the project proponent handed over a letter dated 14.02.2016 again undertaking that they will not commence any work for expansion on their hotel till the final notification by central government in respect of the Asola Bhatti Wildlife Sanctuary.

The SEAC in its 83rd meeting held on 15.10.2016 recommended to refer to the legal section of DPCC for ascertaining the status of NGT matter i.e. OA No 380/2015.

Subsequent to filing of the affidavit by Member Secretary, SEIAA, the Matter O.A No. 380 /2015. The matter was listed before Hon'ble NGT on 18.01.2016, 19.02.2016, 30.03.2016 & 03.05.2016 for filing the replies by respondents. Thereafter matter was adjourned for 25.05.2016 & 28.07.2016, 06.09.2016, 20.10.2016, 28.11.2016 & 11.01.2017. The matter has

been listed for directions on 18.01.2017, 01.03.2017 & now for 17.04.2017. Directions are yet to be issued by Hon'ble NGT.

SEAC in its 88th meeting held on 01.04.2017 recommended to defer the case for next meeting. The SEAC in its 89th meeting held on 29.04.2017 recommended that the case be brought in next meeting with status of NGT case.

The Hon'ble NGT vide its order dated 29.06.2017 directed the Ministry of Environment, Forest & Climate Change shall finalize the Notification and take all other necessary steps within two weeks from today as prayed. In the event of default, the Ministry would be liable to pay cost. List this matter on 18.07.2017 and matter was subsequently deferred for 04.08.2017

The SEAC in its 90th meeting held on 29.07.2017 recommended to defer the case for next meeting.

The case was listed before Hon'ble NGT on 04.08.2017, 31.08.2017, 06.10.2017 and now listed for 06.11.2017.

SEAC in its 91st meeting held on 23.09.2017 & 92nd meeting held on 04.11.2017 deferred the matter for next SEAC meeting.

The project proponent has submitted a letter dated 14.11.2017 stating that Ministry of Environment, Forest and Climate Change has issued the notification dated. 11.09.2017 in exercise of the powers conferred by sub-section (1) and clauses (v) and xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Rules, 1986 (29 of 1986) read with sub-rules (3) of rule 5 of the Environment (Protection) Rules, 1986 notifying an area with an extent up to one kilometer from boundary of the Asola Bhatti Wildlife Sanctuary in the NCT of Delhi as the Asola Bhatti Wildlife Sanctuary Eco-sensitive zone and therefore confirming that the project is very much outside the area of one kilometer notified as Eco-sensitive zone in respect of Asola Bhatti Wildlife Sanctuary. Therefore in view of above mentioned notification the work of proposed expansion of hotel can be started as per EC granted to project as on 01.08.2014.

The SEAC deliberated in the matter and decided that present status of construction in respect of Environmental Clearance issued on 01.08.2014 be ascertained by Delhi Pollution Control Committee.

Agenda No. 03

Representation received regarding issuance of clarification w.r.t Environmental Clearance at Plot No. 2B2, Twin Distt. Centre, Sector-10, Rohini, New Delhi.

M/s Ambience Pvt. Ltd has submitted a representation dated 23.08.2017 addressed to M.S, SEIAA, requesting for issuance of clarification w.r.t Environmental Clearance at Plot No. 2B2, Twin Distt. Centre, Sector-10, Rohini, New Delhi. Project Proponent requested to clarify that no revision in Environmental clearance is required for increasing the number of floors with requisite permission from Delhi Development Authority and Airport Authority of India in view of no change in parameters /requirements with regards to water consumption, Sewage Water Generation, power Requirements etc., and Project Proponent informed that they have constructed 8320 sq.m in three level basements and 13203sq.m upper floor in Ground floor + 9 Floors.

SEIAA deliberated in the matter in its 51st meeting held on 14.09.2017 and decided that representation be examined by SEAC for further necessary action on the part of SEIAA.

The project proponent submitted one more representation vide letter dated 21.09.2017 enclosing the Environmental Clearance dated 30.04.2010 issued for the proposed office complex at Plot No. 2B2, Twin Distt. Centre, Sector-10, Rohini, New Delhi inter-alia



clarifying the area in upper floors as 13503 Sqm in ground Floor plus Nine floors resulting in wider area for recirculation and more open areas at ground level.

The SEAC in its 91st meeting held on 23.09.2017 recommended that since the Environmental clearance to the project proponent was issued by SEIAA-Delhi the committee decided that the project proponent be called in next SEAC meeting for clarifying the use of Built-up area vis-a-vis impact on Environmental parameters supported by the report from Environmental consultant accredited by MoEF & CC, GOI.

The Project Proponent requested vide letter dated 02.11.2017, asking time of 2 weeks for submitting the requisite report. The SEAC in its 92nd meeting held on 04.11.2017 deliberated on the issue and directed that the Project Proponent will clarify the issue in next meeting.

The project proponent gave presentation before SEAC and also submitted the floor wise use of the building. It was observed that there is no additional impact on relevant environmental parameters e.g., water consumption/ waste water generation/ solid waste generation/ECS and rain water harvesting/ power requirement etc., in comparison of the appraisal done at the time of grant of previous environmental clearance in view of no increase in built-up area and present floor use submitted by the project proponent. DDA has already issued the occupancy certificate dated 17.03.2016 for the increased floors. In view of aforesaid facts the SEAC recommended that environmental safeguards stipulated by SEIAA, Delhi in environmental clearance dated 01.08.2014 still hold good.

Table Agenda No.01

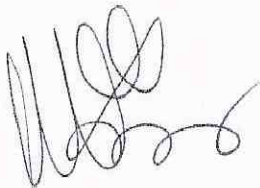
Hon'ble National Green Tribunal Judgment dated 08.12.2017 w.r.t Ministry of Environment, Forest & Climate Change Notification dt. 09.12.2016 of S.O No. 3999 (E).

In reference to the notification S.O. No. 3999 (E) dated 09.12.2016 issued by MOEF & CC, GOI 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 were 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.

The above decision of SEIAA, Delhi was apprised to Director (Local Bodies), Government of National Capital Territory of Delhi, Vice Chairman, Delhi Development Authority, 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 and Chairman, New Delhi Municipal Corporation Council, vide letter No. F.NO. DPCC/SEIAA/2017/43/5471-5478 dated 10.02.2017.

Hon'ble National Green Tribunal vide its Judgment dated 08.12.2017 in OA. No. 677 of 2016, O.A. No. 01 of 2017, O.A No. 7 of 2017, O.A No. 55 of 2017 and O.A No. 67 of 2017 with respect to the Notification dated 09.12.2016 of MoEF & CC, GOI has directed as follows:

“



1. *We hold and declare that this Tribunal has jurisdiction to examine the legality, validity and correctness of a Notification issued by the competent forum in exercise of its power of subordinate legislation with regard to acts stated in Schedule-I to the National Green Tribunal Act, 2010.*
2. *We hold and declare that (i) clause 14(8), (ii) the provisions relating to exclusion of Consent to Operate and Consent to Establish under Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in clause 14 of the impugned Notification; (iii) Appendix-XVI relating to constitution and functioning of Environmental Cell, cannot be sustained and are liable to be quashed for the reasons afore-stated. Thus, we direct MoEF&CC to re-examine its Notification dated 9th December, 2016 and take appropriate steps to delete, amend and rectify the clauses of the said Notification in light of this judgement.*
3. *As a result of the above, the byelaws amended by the DDA vide its Notification dated 22nd March, 2016 can also not be given effect to, unless the Notification dated 9th December, 2016 is amended in terms of this judgement.*
4. *Till the time the Ministry comply with the above directions and notify the amended provisions of Regulations of 2006, it will not implement the impugned Notifications. However, once the amended regulations are notified, MoEF&CC/SEIAA /Local Authorities can give effect to that, without any further reference to the Tribunal.*
5. *MoEF&CC shall, particularly take care that the laudable social cause of 'providing Housing to the poor' does not get defeated by business, economic profitability with reference to 'ease of doing business', while particularly protecting the environment.*

”

The SEIAA in its 54th meeting held on 10.01.2018 deliberated and took note of the above said judgement dated 08.12.2017. It was decided that with immediate effect the SEIAA will entertain all the applications seeking prior Environmental Clearance for the Building and Construction projects and Townships/ Area Development projects having the built-up area more than 20,000 Sq.m as per EIA Notification, 2006 amended vide Notification S.O No. 3252 (E) dated 22.12.2014 in respect of these project/activity as being done prior to EIA, Notification dated 09.12.2016.

SEAC acknowledged the decision taken by SEIAA

Table Agenda No.02

U.No.DPCC/(3)(9)(154)/Vig./174000 dated 27.12.2017 received from Geeta Grover, Vigilance officer, Delhi Pollution Control Committee.

The SEAC deliberated on U.O letter No. U.No.DPCC/(3)(9)(154)/Vig./17000 dated 27.12.2017 enclosing the representation dated 16.10.2017 received from Sh. N.C Lakra, reporter, India Against Corruption, Chokandi Village, New Delhi-110018. SEAC decided that minutes of the SEAC meeting dated 29.07.2017 and SEIAA meeting dated 15.09.2017 along with the letters for delisting of the projects be forwarded to Vigilance Officer, DPCC which are self-explanatory.

Meeting ended with vote of thanks to the Chair.