

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

APPEAL NO. 17 of 2021

IN THE MATTER OF

UNIVERSITY OF DELHI

APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE & ORS

RESPONDENTS

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Dated :- 18.01. 2022
New Delhi

Filed by:-



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**REPLY ON BEHALF OF MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE**

MOST RESPECTFULLY SHOWETH:-

I, Dr. Dharmendra Kumar Gupta, working as Scientist "F" in the Ministry of Environment, Forest and Climate Change (MoEF&CC), at New Delhi the deponent herein do hereby solemnly affirm and state on oath as under:-

1. That, I am competent to swear the present counter affidavit on behalf of MoEF&CC and I am aware of the facts and circumstances of the case based on record.



2. That, I have perused the contents of the above captioned application filed by the applicant and I am duly authorized to depose by way of the present affidavit.

3. That, the Ministry is not replying to the present appeal in para-wise manner, however, craves leave to file a detailed affidavit as and when necessary and required by this Hon'ble Tribunal.

4. The present appeal has been filed by the University of Delhi against the Environment Clearance (EC) dated 21.05.2021 granted to M/s Young Builder Private Limited (Project Proponent) for the construction of Group Housing with Built up area of 1,37,879.64 sq.mtr. at 1,3 Cavlry Lane & 4 Chattra Marg Near Vishwavidyalay Metro Station, New Delhi by the answering respondent. (The project/activity is covered under category B of Item 8(a) Building and Construction Project of the schedule).

5. That, the answering respondent has issued an Environmental Impact Assessment Notification number S.O. 1533 E dated 14, September 2006 superseding the Environmental Impact Assessment Notification 1994. The EIA Notification, 2006 regulates developmental projects provided in the schedules.



6. That, the EIA Notification, 2006 covers 39 project/activity in its Schedule which inter-alia, includes different types of infrastructure projects viz. Airports, Ports, Highways, Building & Construction Projects etc. as specified and categorized in the said schedule.

7. That, as per the EIA Notification, 2006, the projects or activities, as given in the schedule to the said notification, shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment, Forest and Climate Change for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule. That the EIA Notification, 2006 also specifies that a SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member-Secretary; to be nominated by the State Government or the Union Territory Administration concerned. The Member-Secretary shall be a serving officer of the concerned State Government or Union Territory administration familiar with environmental laws.

8. It is submitted that under the provisions of the EIA Notification, 2006, Environment Clearance for Building and Construction Projects & Township and Area Development Projects are covered under entry 8 (a) & (b) of the Schedule to the EIA Notification, 2006. The entry 8(a) and 8(b) of the Schedule of EIA Notification 2006 provides as follows;

“8(a): Building and Construction projects - ≥ 20000 sq. mtrs and < 150000 sq. mtrs of built-up area require EC.

8(b): Townships and Area Development projects - Covering an area ≥ 50 ha. and or built up area >150000 sq. mtrs of built up area require EC

9. That, the aforementioned entries under item 8(a) and 8(b) are qualified as category 'B' projects under the EIA Notification, 2006 and requires appraisal by the State Level Expert Appraisal Committees (SEACs) and approved by the State Level Environment Impact Assessment Authorities (SEIAAs). It is further submitted that under the provisions of the EIA Notification, 2006 as amended time to time, if the total built up area is 20,000 sq. mtrs. or more prior Environmental Clearance is required to be obtained from concerned SEIAA. Further, that as per the EIA Notification, 2006, in the absence of a duly constituted SEIAA/SEAC, a category 'B' project shall be considered at the Central Level as category 'B' project.

10. That the project in question is covered under category 'B' of item 8 (a) Building and Construction projects of the schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at State Level. However, as stated in para 9 above, due to the non-existence of SEIAA in Delhi, the proposal require appraisal at Central Level by Sectoral EAC.

11. That the Appellant University of Delhi had previously filed an Appeal No. 112 of 2018 before the NGT, PB, ND against the EC Dated 23.02.2018 given by the SEIAA Delhi to the M/s Young Builders. Wherein, the Hon'ble Tribunal vide its order dated 27.02.2020 had constituted a committee for independent evaluation to ascertain the viability of the project vis-a-vis its environmental impact and Member Secretary CPCB was directed to be the nodal agency for compliance and coordination. In compliance of this, the Committee filed its report titled "Rapid Indicative Environment" and suggested the following measures for implementation:

- The project proponent must ensure that all necessary approvals have been obtained and are valid.
- It is noted that the project proponent has calculated the proposed STP capacity as 200 KLD based on the assumption of @4 persons per household. However, based on Census data, 2011,



Delhi's average population density is @4.75 persons per household (range 4.6 – 4.9). Thus, the corresponding sewage generation of 225 KLD during the occupancy phase will exceed the proposed STP capacity. Therefore, the project proponent is advised to upgrade STP capacity to 225 KLD or restrict water supply so that peak sewage generation must not exceed 200 KLD.

- Considering that the project area is part of groundwater discharge zone, it is advised to restrict construction to only one underground basement and one stilt parking, instead of the proposed two. The parking plan may accordingly be revised and necessary approvals obtained.
- An undertaking may be submitted that no groundwater will be extracted during the construction phase.
- NOC may be obtained from the District Advisory Committee on Ground Water of Govt. of NCT Delhi before de-watering during construction.
- An inlet digital flow meter shall be installed at DJB freshwater supply line.
- All environmental norms should be strictly adhered to during construction and occupancy phase of the project.



In view of the impact analysis, the project seems viable as environmental impacts, including impact on traffic congestion and urban infrastructure/services, are minimal/nominal.

That the same has been disposed of on 20.01.2021 as the the matter became infructuous due to withdrawal of the impugned EC dated 23.03.2018. The order dated 20.01.2021 is reproduced below:

"That the said report alongwith the objections to the said report of the Appellant was taken up by this Hon'ble Tribunal, however, the counsel of Project Proponent submitted that they are withdrawing their EC dated 23.03.2018. Considering the same this Hon'ble Tribunal passed its final order wherein all the contention raised the Appellant herein were recorded and the matter was disposed of an becoming infructuous due to withdrawal of the Impugned EC. However, it was clarified by that the appeal is being disposed of without prejudice to the rights and remedies of the parties in accordance with law."

12. In this regard, the project proponent i.e. M/s Young Builders Pvt. Ltd., 43, Babar Road, Near Bengali Market, New Delhi, Delhi-110001 had applied vide proposal No. IA/DL/MIS/197084/2021 dated 15th February, 2021 for grant of Environmental Clearance with

Answering Respondent. The proposal has been discussed and appraised by the Expert Appraisal Committee (Infrastructure-II) in its 62nd meeting held on 1st March, 2021 (**A Minutes of Meeting dated 1st March, 2021 is Annexed herewith as Annexure-1**). The EAC recommended deferring the decision on the project and asked the Project Proponent to furnish the following information:

- i. Clarification for the proposal of 2 basements with reference to recommendation of the committee constituted by NGT and Supreme Court order.*
- ii. Analyse the discrepancies and resubmit the conceptual plan after making the necessary revisions. Water balance flowchart needs to be revised.*
- iii. Air Pollution Management in the context of graded action Plan for Delhi & NCR.*
- iv. Point-wise replies to representation made by Delhi University.*

That, the aforesaid recommendations of the Expert Committee were duly checked in the in 64th Meeting held on 12-13 April, 2021, the same may be shown in the tabular chart given below:



Rapid Indicative Environment Assessment'	On 64th Meeting held on 12-13 April, 2021 the queries asked to PP.
1. The project proponent must ensure that all necessary approvals have been obtained and are valid.	The EAC found the response to the queries as satisfactory.
2. It is noted that the project proponent has calculated the proposed STP capacity as 200 KLD based on the assumption of @4 persons per household. However, based on Census data, 2011, Delhi's average population density is @4.75 persons per household (range 4.6 – 4.9). Thus, the corresponding sewage generation of 225 KLD during the occupancy phase will exceed the proposed STP capacity. Therefore, the project proponent is advised to upgrade STP capacity to 225 KLD or restrict water supply so that peak sewage generation must not exceed 200 KLD.	As proposed, waste water shall be treated in an onsite STP of total 210 shall be recycled and re-used for flushing (52 KLD), gardening (12 KLD, etc. PP shall reuse of excess treated water for horticulture use in nearby areas or HVAC cooling etc. No wastewater shall be discharge into the sewer line, common online monitoring system shall be installed in the STP and data for its quality and quantity shall be shared and linked with DPCC.
3. Considering that the project area is part of groundwater discharge zone, it is advised to restrict construction to only one underground basement and one stilt parking, instead of the proposed two. The parking plan may accordingly be revised and necessary approvals obtained.	The project proponent shall obtain suitable measures for controlling ground water backing up around the basements as committed.
4. An undertaking may be submitted that no groundwater will be extracted during the construction phase. 5. NOC may be obtained from the District Advisory Committee on Ground Water of Govt. of NCT Delhi before dewatering during construction.	The Project Proponent shall obtain the necessary permission for dewatering of ground water from Central Ground Water Authority (CGWA).



6. An inlet digital flow meter shall be installed at DJB freshwater supply line.	Fresh water requirement from DJB shall not exceed 158 KLD during operational phase.
7. All environmental norms should be strictly adhered to during construction and occupancy phase of the project.	The Environmental Clearance to the project is issued under the provisions of EIA Notification, 2006. The Project Proponent is under obligation to obtain approvals/ clearances under any other Acts/Regulations or Statutes as applicable to the project.
8. In view of the impact analysis, the project seems viable as environmental impacts, including impact on traffic congestion and urban infrastructure/services, are minimal/nominal.	A detailed Traffic Management and Traffic decongestion plan shall be drawn and implemented to ensure that service of the roads near project site ma not get adversely impacted after the implementation of the project. The plan should stipulate, inter-alia, the path and appropriate time for the movement of vehicles to and from site. The plan shall be vetted by concerned Agency in the State Government.

Thereafter, in the 64th Meeting held on 12-13 April, 2021 (A Minutes of Meeting dated 12-13 April, 2021 is Annexed herewith as Annexure-2). The EAC after detailed deliberations, during the meeting, recommended the project for grant of Environment Clearance with Specific and General conditions.



13. It is submitted that the Answering Respondent upon recommendation of EAC, granted the Environmental Clearance vide letter dated 21.05.2021 to M/s Young Builders Pvt. Ltd., 43, Babar Road, Near Bengali Market, New Delhi, Delhi-110001 subject to stipulation of various environmental safeguards. **A copy of Environmental Clearance dated 21.05.2021 is annexed as Annexure-3.**

14. It is submitted that the project proponent is obligated to comply with the specific conditions. The compliance of these conditions is strictly assessed/ evaluated/monitored by the concerned authorities at the State and Central level. The project proponent has to submit status of compliance report every six months which will be published on the website and monitored by the Ministry. If there is any non-compliance of the Environmental Clearance conditions, effective action in accordance with law is taken by the Competent Authorities against the project proponent.

15. It is submitted that the Environmental Clearance dated 21.05.2021 for the projects in question has been granted by the Ministry in accordance with law and this Answering Respondent has followed the due procedure for appraisal of the Project as prescribed under the EIA



Notification, 2006 and subsequent amendments and subject to stipulation of various environmental safeguards

16. It is submitted that the present counter affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

17. That other/ancillary issues raised in the appeal under reply do not pertain to the answering respondent. The Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.

VERIFICATION

Verified at New Delhi on 17/01/2022 this day of January, 2022 that the contents of the above affidavit are correct to my knowledge and belief based on official records and nothing material has been concealed therefrom.


 (Dr. DHARMENDRA KUMAR GUPTA)
 DEPENDENT
 भारतीय वन/वातावरण और जलवायु विभाग
 Ministry of Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi


 DEPENDENT
 (Dr. DHARMENDRA KUMAR GUPTA)
 भारतीय वन/वातावरण और जलवायु विभाग
 Ministry of Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi

MINUTES OF 62nd MEETING OF EXPERT APPRAISAL COMMITTEE (INFRASTRUCTURE-2) HELD ON 1st March, 2021.**VENUE: Through Video Conferencing****DATE: 1st March, 2021****PROCEEDINGS**

62.1 Opening Remarks of the Chairman: The Chairman and Members extended warm welcome to each other and other participants of the meeting. Thereafter, the meeting was opened to start proceeding as per the agenda adopted for this meeting.

62.2 Confirmation of Minutes of 61st Meeting of Expert Appraisal Committee (Infrastructure-2) held on 8th February, 2021.

The Expert Appraisal Committee (Infrastructure-2), hereinafter called the EAC, was informed that Secretariat in the Ministry did not receive any representation from the project proponents of projects considered in 61st meeting. Minutes of 61st Meeting of EAC held on 8th February, 2021 were confirmed. The typo errors, if any noticed during processing of these cases may be corrected in the light of facts and figures provided by the respective Project Proponent.

62.3 Consideration of Proposals: The EAC considered proposals as per the agenda adopted for the 62nd meeting. The details of deliberations held and decisions taken in the meeting are as under:

AGENDA ITEM NO. 62.3.1

Construction of Group Housing with built up area of 137879.64 Sqm at 1,3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station New Delhi by M/s Young Builders Pvt. Ltd. - Environment Clearance

(IA/DL/MIS/197084/2021; F. No. IA3-21/15/2021-IA.III)

1.The PP (M/s.Young Builders Pvt. Ltd.) along with his consultant 'M/s. Ind Tech House Consult' made a presentation on the key parameters and salient features of the project to the EAC (Infra-2). The Committee took note of the following key parameters and salient features of the project presented during the meeting and as provided in the brief and application for this project:

- i. The project is located at 28°41'39.79" N Latitude and 77°12'52.00" E Longitude.
- ii. The project is a New project.
- iii. The total plot area is 20000 sqm, FSI area is 49976.12 sqm and total construction (Built-up) area of 137879.64 sqm. The project will comprise of 05 Nos. Buildings/ blocks. Total 446 flats shall be

developed. Maximum height of the building is 145.3 m. The details of building are as follows:

S. No.	Buildings Blocks	Max. No. of Floors
1	Block-A	2 Podium + Stilt + 2 Fire Check Floors + 38
2	Block-B	2 Podium + Stilt + 2 Fire Check Floors + 38
3	Block-C	2 Podium + Stilt + 2 Fire Check Floors + 38
4	EWS	Ground +1 Fire Check Floors + 28
5	Community Block	Lv. 1 & 2
6	No. of Basement	02

- iv. During construction phase, total water requirement is expected to be approx. 280 million litre which will be met by treated water from tanker supply. During the construction phase, soak pits and septic tanks will be provided for disposal of waste water. Temporary sanitary toilets will be provided during peak labour force.
- v. During operational phase, total water demand of the project is expected to be 222 KLD and the same will be met by 158 KLD fresh water from Delhi Jal Board (DJB) and 64 KLD Recycled Water. Wastewater generated (175 KLD) will be treated in 01 STP of total 210 KLD capacity. 64 KLD of treated wastewater will be recycled and reused (52 KLD for flushing, 12 KLD for gardening etc.). About 96 KLD will be disposed in to municipal drain.
- vi. About 1.40 TPD solid waste will be generated in the project. The biodegradable waste (0.85 TPD) will be processed in OWC and the non-biodegradable waste generated (0.55 TPD) will be handed over to authorized local vendor.
- vii. The total power requirement during construction phase is 500 KW and will be met from Tata Power Delhi Distribution Limited (TPDDL) and total power requirement during operation phase is 2791 KW and will be met from TPDDL.
- viii. 06 Nos. of RWH pits are proposed for ground water recharge.
- ix. The ground water depth in the project site varies from 8.45 m to 10.20 m below ground level (as per soil test report by Ground Engineering Limited – March 2018). Construction of basement will lead to excavation up to a depth of 12.45 m below ground level. Dewatering will be required up to a depth of additional 1.0 m i.e., total depth 13.45 m BGL.
- x. Parking facility for 860 is proposed to be provided against the requirement of 858 ECS (according to local norms).
- xi. Proposed energy saving measures would save about approx. 4.46% of power.
- xii. The project is not located in Critically Polluted area.
- xiii. The project is not located within 10 km of Eco Sensitive areas. NBWL Clearance is not required.
- xiv. Forest Clearance is not required.
- xv. Court case pending against the project: At present no case is pending against the project. Earlier case details are given as below:

Writ PetitionNo.	Name of Court	Status of court case
3135/2010	Hon'ble Delhi High Court	Writ Petition No. 3135/2010 was disposed-off on 18.05.2011 allowing 200 FAR and no height restriction to the project.
2743/2012	Hon'ble Delhi High Court	Writ Petition No. 2743/2012 was dismissed in Hon'ble Delhi High Court on 27.04.2015. Follow through LPA No. 89/2018 was again dismissed by the Delhi High Court on 29.10.2018. SLP No. 5581/2019 finally dismissed by Hon'ble Supreme Court on 17.12.2019
8675/2011	Hon'ble Delhi High Court	Association of Metro Commuters challenged land auction by DMRC on ground of parking requirements at Vishwavidyalaya Metro Station - Writ Petition No. 8675/2011 was dismissed in Delhi High Court on 14.12.2011
6624-6625/2012	Hon'ble Delhi High Court	Lessee's challenged land auction by DMRC on ground of wrongful acquisition/public purpose - Writ Petition No. 6624-6625/2012 was dismissed in Delhi High Court on 10.09.2013. Follow through SLP No. 5014/2014 was also dismissed by the Hon'ble Supreme Court on 14.02.2014.
112 of 2018	Hon'ble NGT, New Delhi	Appeal No. 112 of 2018 was dismissed on 20.01.2021. YBPL requested to seek fresh EC approval due to change in overall project layout because of certain change in Unified Building Bye Law (UBBL) 2016. Hon'ble NGT dismissed the appeal as infructuous and directed YBPL to make a fresh application as per law.

- xvi. Tree cutting is not involved in this project. 6113 sqm area is earmarked for green belt development.
- xvii. Undertaking to the effect that no activity has since been taken up-Affidavit in this regard is submitted to EAC (Infra-II).
- xviii. Expected timeline for completion of the project- 31.12.2024
- xix. Investment/Cost of the project is Rs. 494.2 Crore (land + Construction cost)

- xx. Employment potential: The project is leading to development of the area by providing employment of the local people during construction and operation phase. 300 Laborers will be employed during the construction phase of the project.
- xxi. Benefits of the project: The project is leading to development of the area by providing employment of the local people during construction phase. Providing Housing facility for all sections of the society including Economically weaker section.

2. The EAC (Infra-2) noted that the project/activity is covered under category 'B' of item 8(a) 'Building and Construction projects' of the Schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at State level. However, due to non-existence of SEIAA in Delhi, the proposal is appraised at Central level by sectoral EAC.

3. The EAC observed that the PP has earlier obtained EC twice for the same project vide letter no. DPCC/SEAC/50/SEIAA/1/2012 dated 13/08/2012 and vide letter no. SEIAA-D/C-353/EC-350/2018 dated 23/03/2018 due to increase in FAR area of the project and revision in the project planning. Now, the PP has re-applied for EC in connection with order passed by Hon'ble NGT, Principle Bench, Delhi on 20.01.2021 on Appeal no. 112/2018 in the matter of University of Delhi vs MoEF&CC.

4. The EAC noted certain discrepancies in the Conceptual plan submitted by the PP regarding the disposal of treated water. In the Conceptual plan, as per the section on Environmental Management Plan, the PP has proposed that entire treated sewage will be reused for toilet flushing and horticulture, while as per the water balance diagram and table on water requirement, it has been stated that about 96 KLD will be disposed in to municipal drain. Also, the PP has not provided any information on the dewatering required for basement construction in the Conceptual Plan.

5. The EAC also noted that a Committee was appointed in terms of order of NGT dated 27.2.2020 and the Hon'ble Supreme Court vide its order dated 10.06.2020, and has given its report dated 10.12.2020. One of the suggestions of the Committee was that, 'considering that the project area is part of groundwater discharge zone, it is advised to restrict construction to only one underground basement and one stilt parking, instead of the proposed two. The parking plan may accordingly be revised and necessary approvals obtained.' However, the PP has still proposed 2 basements in the current proposal.

6. During processing, Ministry is in receipt representation dated 02.03.2021 from the Pro-Vice-Chancellor, University of Delhi expressing concerns on the construction of building in DU area. Representation, however, could not be discussed in the meeting of EAC. The EAC was of the opinion to take point-wise replies from PP to the representation so that the same could be discussed in forthcoming meeting.

7. The EAC (Infra-2), based on the information submitted and clarifications provided by the Project Proponent and detailed discussions held that the submissions made by the PP require certain revisions as mentioned above. In view of the foregoing, the EAC recommended to defer the decision on the project and asked the PP to provide the following information:

- i. Clarification for the proposal of 2 basements with reference to recommendation of the committee constituted by NGT and Supreme Court Order.
- ii. Analyse the discrepancies and resubmit the conceptual plan after making the necessary revisions. Water balance flowchart needs to be revised.
- iii. Air pollution management in the context of Graded Action Plan for Delhi & NCR.
- iv. Point-wise replies to representation made by Delhi University

AGENDA ITEM NO. 62.3.2

Expansion of Rajasthan Co-operative Group Housing Society at plot no. 36, sector 4, Dwarka, New Delhi by M/s. Rajasthan CGHS Ltd. - Environment Clearance

(IA/DL/MIS/197825/2021; F.No. IA3-21/16/2021-IA.III)

1. The PP (M/s Rajasthan CGHS Ltd.) along with his consultant 'M/s. Ind Tech House Consult' made a presentation on the key parameters and salient features of the project to the EAC (Infra-2). The Committee took note of the following key parameters and salient features of the project presented during the meeting and as provided in the brief and application for this project:

- i. The project is located at plot no. 36, sector 4, Dwarka, New Delhi with co-ordinates 28°36'08.40" N Latitude and 77°03'06.77" E longitude.
- ii. The proposal is a case of 'Expansion'.
- iii. The Project site was leased out to Rajasthan Co-operative Group Housing Society (CGHS) by Delhi Development Authority (DDA) on 20/03/1996 for plot area 14000 sqm. The construction of the project was completed by 01.04.2004. The Occupancy Certificate of the project was obtained dated 15.05.2006 for built up area of 24613.375 sqm. As the construction of the project was completed before EIA Notification, 2006 and the amendment of 2004 to EIA Notification, 1994; the project was outside the purview of Environmental Clearance. As such, there is no previous / existing EC for the project. Accordingly, the application is submitted for Fresh EC.
- iv. The current proposal is for the addition of one room, one bathroom and one balcony in each flat and adding area in community block. This increase is due to increase in FAR. Due to this expansion there would be no increase in population, water demand and waste generation.

- and reuse of treated water, efficiency of treatment systems, quality of treated water being supplied for flushing (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
- iv. The solid waste shall be duly segregated into biodegradable and non-biodegradable components and handled in separate area earmarked for segregation of solid waste. As committed, biodegradable waste shall be composted by use of OWC. Bio-Medical waste shall be segregated and disinfected and handed over to authorised agency. Inert waste shall be dumped to authorized site. The recyclable waste shall be sold to resellers.
 - v. Area for greenery shall be provided as per the details provided in the project document i.e., area under plantation/greenery will be 631.10 sqm and 328.9 sqm of terrace area shall be developed with ornamental species. As proposed, at least 75 trees to be maintained during the operation phase of the project. The landscape planning should include plantation of native species. A minimum of 01 tree for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
 - vi. The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. As proposed, 2 nos. of RWH pits shall be maintained for rainwater harvesting after filtration.
 - vii. Anti-Smog gun shall be provided to curb air pollution during construction phase.
 - viii. The PP shall also provide electric charging points in the parking areas for e-vehicles as committed.
 - ix. PP should explore enhancing energy conservation up to at least 5% through use of solar energy.
 - x. The Environmental Clearance to the project is primarily under provisions of EIA Notification, 2006. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes as applicable to the project.

AGENDA ITEM No. 64.4.3

Construction of Group Housing with built up area of 137879.64 Sqm at 1,3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station, New Delhi by M/s Young Builders Pvt. Ltd. – Reconsideration for Environment Clearance

(IA/DL/MIS/197084/2021;F.No.IA3-21/15/2021-IA.III)

1. The EAC noted that the proposal was earlier examined in its 62nd Meeting held on 1st March, 2021. The PP was asked for following additional information:

- i. Clarification for the proposal of 2 basements with reference to recommendation of the committee constituted by NGT and Supreme Court Order.
- ii. Analyse the discrepancies and resubmit the conceptual plan after making the necessary revisions. Water balance flowchart needs to be revised.
- iii. Air pollution management in the context of Graded Action Plan for Delhi & NCR.
- iv. Point-wise replies to representation made by Delhi University

2. The EAC asked PP to provide the aforesaid information. The PP (M/s. Young Builders Pvt. Ltd.) along with his consultant 'M/s. Ind Tech House Consult' made a presentation and provided the following information:

- i. Regarding Construction of 2 Basements: Ground water backing up around the basements and impacting neighbouring areas is a general consequence of basement construction below ground water levels. There are measures widely implemented in such situations and if correctly designed and constructed there should not be any significant ground water back up around the basement. This, however, does not form a critical concern in the National Building Code or in the guidelines of the Ministry of Urban affairs. A number of projects involving construction below the ground water levels are either constructed or under implementation in the vicinity of the project where basements are below the ground level and which have been cleared by the regulatory bodies. Since dewatering is also employed in the construction of sub water level structures and since prior permission for dewatering is a regulatory prerequisite, therefore the project proponents will take necessary permission from the competent Authority for dewatering for two basements as proposed and comply with all such conditions as may be imposed. The project has already planned to take suitable measures for controlling basement backup and would ensure that:
 - a. All necessary conditions in the permissions for dewatering for basement construction are complied with.
 - b. The excavation is kept dry.
 - c. The basement design includes protection against ground water ingress to the finished development. Designs, to the satisfaction of the competent Authority, will afford sufficient protection in the event of ground water flooding.
 - d. The basement design includes ground water drainage systems/ French Drains to prevent ground water backing up around the development and thereby protect neighbouring properties from impact.
 - e. Footing drains, sloping away from the basement and discharging into recharge structures or land, as necessary, are

also be provided with the concurrence of the competent authority, completely around the basement along with drains beneath the basement floor. The basement floor will rest on a bed of gravel, and the gravel will have perforated drain pipes laid in to prevent any water from accumulating beneath the basement floor. The drains will be perforated pipes, usually PVC or some other type of thermoplastic and laid on several inches of gravel at the base of the footings and covered by gravel. The gravel, being much more permeable than the soils, allows water to rapidly drain into the perforated pipes and channelled away before it can even contact the basement wall.

- f. Soil drains such as a French drain are installed, if necessary, to reduce the build-up of moisture in areas upstream of the basement.
 - g. All basement construction projects follow the requirements of the British standard BS 8102:2009 code of practice for the protection of below ground structures against water from the ground.
 - h. The Basement construction follows IS:3067(1988). Code of practice for general design details and preparatory work for damp proofing of building.
 - i. The basement construction follows IS:12251(1987). Code of practice for drainage of building basements.
 - j. The basement construction follows the guidelines given in IS 1742-1983 regarding disposal of Surface and subsoil waters
- ii. Conceptual plan has been revised and resubmitted with revised water balance flowchart. During operational phase, total water demand of the project is expected to be 222 KLD and the same will be met by 158 KLD fresh water from Delhi Jal Board (DJB) and 64 KLD Recycled Water. Wastewater generated (175 KLD) will be treated in 01 STP of total 210 KLD capacity. 64 KLD of treated wastewater will be recycled and reused (52 KLD for flushing, 12 KLD for gardening etc.). About 96 KLD will be disposed in to municipal drain.
 - iii. Air pollution management plan has been prepared in the context of Graded Action Plan for Delhi & NCR and submitted.
 - iv. Point wise reply to representation made by Delhi University has been submitted.

3. The EAC observed that the PP has proposed STP in the 2nd basement of the building and was of the opinion that PP should explore the option of moving it to a higher level for energy conservation and operational efficiency. The PP agreed to the observation and committed to shift the STP to 1st basement.

4. *The EAC found the response to the queries as satisfactory. The EAC (Infra-2), based on the information submitted and clarifications provided by the Project Proponent and detailed discussions held on all the issues, recommended granting environmental clearance to the project subject to the following specific conditions and other Standard EC Conditions as specified*

by the Ministry vide OM dated 4th January, 2019 for the said project/activity, while considering for accord of environmental clearance:

- i. A STP for pre-treatment of wastewater shall be installed for construction phase. Only treated wastewater shall be used for construction purposes. As committed, no groundwater abstraction shall be done during construction as well as operation phase of the project.
- ii. Fresh water requirement from DJB shall not exceed 158 KLD during operational phase.
- iii. As proposed, waste water shall be treated in an onsite STP of total 210 KLD capacities. At least 64 KLD treated water from the STP shall be recycled and re-used for flushing (52 KLD), gardening (12 KLD), etc. PP shall reuse of excess treated water for horticultural use in nearby areas or HVAC cooling etc. No wastewater shall be discharge into the sewer line. Continuous online monitoring system shall be installed in the STP and data for its quality and quantity shall be shared and linked with DPCC.
- iv. Ready-mix concrete shall be used to the larger extent to minimize dust emissions at site. Concreting activity shall be scheduled to avoid traffic congestion at the site in view of institutional zone. Photographs of site in this regard shall be shared in 6 monthly report as required to be submitted by PP to respective IRO, MoEF&CC.
- v. Project Proponent should install a continuous online AAQ Monitoring stations in the project area in consultation with Delhi Pollution Control Committee (DPCC) before the start of demolition work. Online Monitoring should cover parameters e.g. PM10, PM2.5 along with Nox, Sox. during the construction period. Periodical monitoring of AAQ shall also be carried out through certified laboratory in order to validate the data. Data so generated should be displayed digitally on site for public display.
- vi. The project proponents would commission a third-party study on the implementation of conditions related to quality and quantity of recycle and reuse of treated water, efficiency of treatment systems, quality of treated water being supplied for flushing (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
- vii. The solid waste shall be duly segregated into biodegradable and non-biodegradable components and handled in separate area earmarked for segregation of solid waste. As committed, biodegradable waste shall be composted by use of OWC. Inert waste shall be dumped to authorized site. The recyclable waste shall be sold to resellers.
- viii. Area for greenery shall be provided as per the details provided in the project document i.e., area under plantation/greenery will be 6113 sqm. As proposed, at least 286 trees and green belt of 02 meters along the boundary to be maintained during the operation phase of the project. The landscape planning should include plantation of native species. A minimum of 01 tree for every 80 sqm of land should be

- planted and maintained. The existing trees will be counted for this purpose. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- ix. The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. As proposed, 6 nos. of RWH pits shall be maintained for rainwater harvesting after filtration.
 - x. A detailed traffic management and traffic decongestion plan shall be drawn and implemented to ensure that the service of the roads near project site may not get adversely impacted after the implementation of the project. The plan should stipulate, inter-alia, the path and appropriate time for the movement of vehicles to and from site. The Plan shall be vetted by concerned agency in the State Govt.
 - xi. Noise barriers of adequate efficiency shall be provided during construction phase.
 - xii. Anti-Smog gun (2 nos) shall be provided to curb air pollution during construction phase.
 - xiii. Project Proponent shall obtain the necessary permission for dewatering of ground water from Central Ground Water Authority (CGWA).
 - xiv. Project Proponent shall adopt suitable measures for controlling ground water backing up around the basements as committed.
 - xv. Project Proponent shall explore the adoption of green building techniques to avoid the formation of heat island effect in the area.
 - xvi. Project Proponent shall also provide electric charging points (6 nos.) in the parking areas for e-vehicles as committed.
 - xvii. PP should implement for enhancing energy conservation up to at least 8% through use of solar energy.
 - xviii. The Environmental Clearance to the project is primarily under provisions of EIA Notification, 2006. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes as applicable to the project.

AGENDA ITEM No. 64.4.4

Development of Heliport at Khasara no. 72,74,75,76,77,78 in Village Kambakshpur, Sector 151A, Noida, Gautam Budh Nagar, Uttar Pradesh by M/s Noida Okhla Industrial Development Authority - Terms of Reference

(IA/UP/MIS/203758/2021; F. No. 21-23/2021-IA.III)

1. The PP (M/s. Noida Okhla Industrial Development Authority) along with his consultant M/s. RITES Ltd. made a presentation before EAC (Infra-2) on

F. No. IA3-21/15/2021-IA.III
 Government of India
 Ministry of Environment, Forest and Climate Change
 (IA.III Section)

Indira Paryavaran Bhawan,
 Jor Bagh Road, New Delhi - 110003

May 21st, 2021

To,

Shri. Rajiv Ranjan Sharma,
 Vice President
 M/s Young Builders Pvt. Ltd.
 43, Babar Road, Near Bengali Market,
 New Delhi, Delhi - 110001
 Email: young.builders@aol.com
 rajivranjan@youngbuilders.in

Subject: Environmental Clearance for Construction of Group Housing with built up area of 137879.64 Sqm at 1, 3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station, New Delhi by M/s. Young Builders Pvt. Ltd. - Regarding

Sir,

This has reference to your Application/Proposal No. IA/DL/MIS/197084/2021; received on 15th February, 2021 through Parivesh Portal for Environmental Clearance (EC) for Construction of Group Housing with built up area of 137879.64 Sqm at 1, 3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station, New Delhi by M/s. Young Builders Pvt. Ltd.

2. As per the provisions of the Environment Impact Assessment (EIA) Notification, 2006; as amended and notified under the Environment (Protection) Act, 1986 (29 of 1986), the above-mentioned project/activity is covered under category 'B' of item 8(a) 'Building and Construction projects' of the Schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at State level. However, due to non-existence of SEIAA in Delhi, the proposal required appraisal at Central level by sectoral EAC.

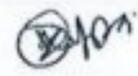
3. Accordingly, the abovementioned proposal for Environmental Clearance has been examined by the Expert Appraisal Committee (Infra-2) first in its 62nd meeting held on 1st March, 2021 and thereafter in its 64th meeting held during 12-13 April, 2021.

4. The details of the project, as per the application and documents submitted by the project proponent, and also as informed during the above-mentioned meetings of EAC (Infra-2) are as under:

- i. The project is located at 28°41'39.79" N Latitude and 77°12'52.00" E
- ii. Longitude.
- iii. The project is a New project.
- iv. The total plot area is 20000 sqm, FSI area is 49976.12 sqm and total construction (Built-up) area of 137879.64 sqm. The project will comprise of 05 Nos. buildings/blocks. Total 446 flats shall be developed. Maximum height of the building is 145.3 m. The details of building are as follows:

S. No.	Buildings Blocks	Max. No. of Floors
1	Block-A	2 Podium + Stilt+ 2 Fire Check Floors + 38
2	Block-B	2 Podium + Stilt+ 2 Fire Check Floors + 38
3	Block-C	2 Podium + Stilt+ 2 Fire Check Floors + 38
4	EWS	Ground +1 Fire Check Floors + 28
5	Community Block	Lv. 1 & 2
6	No. of Basement	02

- v. During construction phase, total water requirement is expected to be approx. 280 ML which will be met by treated water from tanker supply. During the construction phase, soak pits and septic tanks will be provided for disposal of waste water. Temporary sanitary toilets will be provided during peak labour force.
- vi. During operational phase, total water demand of the project is expected to be 222 KLD and the same will be met by 158 KLD fresh water from Delhi Jal Board (DJB) and 64 KLD Recycled Water. Wastewater generated (175 KLD) will be treated in 01 STP of total 210 KLD capacity. 64 KLD of treated wastewater will be recycled and reused (52 KLD for flushing, 12 KLD for gardening etc.). About 96 KLD will be disposed in to municipal drain.
- vii. About 1.40 TPD solid waste will be generated in the project. The biodegradable waste (0.85 TPD) will be processed in OWC and the non-biodegradable waste generated (0.55 TPD) will be handed over to authorized local vendor.
- viii. The total power requirement during construction phase is 500 KW and will be met from Tata Power Delhi Distribution Limited (TPDDL) and total power requirement during operation phase is 2791 KW and will be met from TPDDL.
- ix. 06 Nos. of RWH pits are proposed for ground water recharge.
- x. The ground water depth in the project site varies from 8.45 m to 10.20 m below ground level (as per soil test report by Ground Engineering Limited - March 2018). Construction of basement will lead to excavation up to a depth of 12.45 m below ground level. Dewatering will be required up to a depth of additional 1.0 m i.e., total depth 13.45 m BGL.
- xi. Parking facility for 860 is proposed to be provided against the requirement of 858 ECS (according to local norms).
- xii. Proposed energy saving measures would save about approx. 4.46% of



- power.
- xiii. The project is not located in Critically Polluted area.
- xiv. The project is not located within 10 km of Eco Sensitive areas. NBWL Clearance is not required.
- xv. Forest Clearance is not required.
- xvi. Court case pending against the project: At present no case is pending against the project. Earlier case details are given as below:

Writ Petition No.	Name of Court	Status of court case
3135/2010	Hon'ble Delhi High Court	Writ Petition No. 3135/2010 was disposed-off on 18.05.2011 allowing 200 FAR and no height restriction to the project.
2743/2012	Hon'ble Delhi High Court	Writ Petition No. 2743/2012 was dismissed in Hon'ble Delhi High Court on 27.04.2015. Follow through LPA No. 89/2018 was again dismissed by the Delhi High Court on 29.10.2018. SLP No. 5581/2019 finally dismissed by Hon'ble Supreme Court on 17.12.2019
8675/2011	Hon'ble Delhi High Court	Association of Metro Commuters challenged land auction by DMRC on ground of parking requirements at Vishwavidyalaya Metro Station - Writ Petition No. 8675/2011 was dismissed in Delhi High Court on 14.12.2011
6624 6625/2012	Hon'ble Delhi High Court	Lessee's challenged land auction by DMRC on ground of wrongful acquisition/public purpose - Writ Petition No. 6624-6625/2012 was dismissed in Delhi High Court on 10.09.2013. Follow through SLP No. 5014/2014 was also dismissed by the Hon'ble Supreme Court on 14.02.2014.

112 of 2018	Hon'ble NGT, New Delhi	Appeal No. 112 of 2018 was dismissed on 20.01.2021. YBPL requested to seek fresh EC approval due to change in overall project layout because of certain change in Unified Building Bye Law (UBBL) 2016. Hon'ble NGT dismissed the appeal as infructuous and directed YBPL to make a fresh application as per law.
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- xvii. Tree cutting is not involved in this project. 6113 sqm area is earmarked for green belt development with plantation of 286 trees.
- xviii. Expected timeline for completion of the project- 31.12.2024
- xix. Investment/Cost of the project is Rs. 494.2 Crore (land + Construction cost)
- xx. Employment potential: The project is leading to development of the area by providing employment of the local people during construction and operation phase. 300 Labourers will be employed during the construction phase of the project.
- xxi. Benefits of the project: The project is leading to development of the area by providing employment of the local people during construction phase. Providing Housing facility for all sections of the society including economically weaker section.

5. The EAC observed that the PP has earlier obtained EC twice for the same project vide letter No. DPCC/SEAC/50/SEIAA/1/2012 dated 13/08/2012 and vide letter No. SEIAA-D/C-353/EC-350/2018 dated 23/03/2018 due to increase in FAR area of the project and revision in the project planning. Now, the PP has re-applied for EC in connection with order passed by Hon'ble NGT, Principle Bench, Delhi on 20.01.2021 on Appeal No. 112/2018 in the matter of University of Delhi vs MoEF&CC.

6. The EAC (Infra 2), based on information and clarifications provided by the project proponent and detailed discussions held on the issues, has recommended granting of Environment Clearance to the project. The aforesaid recommendation of EAC (Infra-2) is subject to certain specific conditions, as stipulated during its 64th meeting held during 12-13 April, 2021.

7. Based on recommendations of EAC (Infra-2), the Ministry of Environment, Forest and Climate Change hereby accords Environmental Clearance to the project for Construction of Group Housing with built up area of 137879.64 Sqm at 1, 3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station, New Delhi by M/s. Young Builders Pvt. Ltd., under the provisions of the EIA Notification, 2006 and amendments/circulars issued thereon, and subject to the following specific and standard conditions:

A. Specific Conditions:

- i. A STP for pre-treatment of wastewater shall be installed for construction phase. Only treated wastewater shall be used for construction purposes. As committed, no groundwater abstraction shall be done during construction as well as operation phase of the project.
- ii. Fresh water requirement from DJB shall not exceed 158 KLD during operational phase.
- iii. As proposed, waste water shall be treated in an onsite STP of total 210 KLD capacities. At least 64 KLD treated water from the STP shall be recycled and re-used for flushing (52 KLD), gardening (12 KLD), etc. PP shall reuse of excess treated water for horticultural use in nearby areas or HVAC cooling etc. No wastewater shall be discharge into the sewer line. Continuous online monitoring system shall be installed in the STP and data for its quality and quantity shall be shared and linked with DPCC.
- iv. Ready-mix concrete shall be used to the larger extent to minimize dust emissions at site. Concreting activity shall be scheduled to avoid traffic congestion at the site in view of institutional zone. Photographs of site in this regard shall be shared in 6 monthly report as required to be submitted by PP to respective IRO, MoEF&CC.
- v. Project Proponent should install a continuous online AAQ Monitoring stations in the project area in consultation with Delhi Pollution Control Committee (DPCC) before the start of demolition work. Online Monitoring should cover parameters e.g. PM10, PM2.5 along with NOx, SOx. during the construction period. Periodical monitoring of AAQ shall also be carried out through certified laboratory in order to validate the data. Data so generated should be displayed digitally on site for public display.
- vi. The project proponents would commission a third-party study on the implementation of conditions related to quality and quantity of recycle and reuse of treated water, efficiency of treatment systems, quality of treated water being supplied for flushing (specially the bacterial counts), comparative bacteriological studies from toilet seats using recycled treated waters and fresh waters for flushing, and quality of water being supplied through spray faucets attached to toilet seats.
- vii. The solid waste shall be duly segregated into biodegradable and non-biodegradable components and handled in separate area earmarked for segregation of solid waste. As committed, biodegradable waste shall be composted by use of OWC. Inert waste shall be dumped to authorized site. The recyclable waste shall be sold to resellers.
- viii. Area for greenery shall be provided as per the details provided in the project document i.e., area under plantation/greenery will be 6113 sqm. As proposed, at least 286 trees and green belt of 02 meters along the boundary to be maintained during the operation phase of the project. The landscape planning should include plantation of native species. A minimum of 01 tree for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The species with heavy foliage, broad leaves and wide canopy

- cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
- ix. The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. As proposed, 6 nos. of RWH pits shall be maintained for rainwater harvesting after filtration.
 - x. A detailed traffic management and traffic decongestion plan shall be drawn and implemented to ensure that the service of the roads near project site may not get adversely impacted after the implementation of the project. The plan should stipulate, inter-alia, the path and appropriate time for the movement of vehicles to and from site. The Plan shall be vetted by concerned agency in the State Govt.
 - xi. Noise barriers of adequate efficiency shall be provided during construction phase.
 - xii. Anti-Smog gun (2 Nos.) shall be provided to curb air pollution during construction phase.
 - xiii. Project Proponent shall obtain the necessary permission for dewatering of ground water from Central Ground Water Authority (CGWA).
 - xiv. Project Proponent shall adopt suitable measures for controlling ground water backing up around the basements as committed.
 - xv. Project Proponent shall explore the adoption of green building techniques to avoid the formation of heat island effect in the area.
 - xvi. Project Proponent shall also provide electric charging points (6 nos.) in the parking areas for e-vehicles as committed.
 - xvii. PP should implement for enhancing energy conservation up to at least 8% through use of solar energy.
 - xviii. The Environmental Clearance to the project is primarily under provisions of EIA Notification, 2006. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes as applicable to the project.

B. Standard Conditions:

I. Statutory compliance:

- i. The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
- ii. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc. as per National Building Code including protection measures from lightening etc.
- iii. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1980, in case of the diversion of forest land for non-forest purpose involved in the project.
- iv. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.

- v. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
- vi. The project proponent shall obtain the necessary permission for drawl of ground water / surface water required for the project from the competent authority.
- vii. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
- viii. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
- ix. The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016, shall be followed.
- x. The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.

II. Air quality monitoring and preservation:

- i. Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
- ii. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
- iii. The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM₁₀ and PM_{2.5}) covering upwind and downwind directions during the construction period.
- iv. Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
- v. Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
- vi. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.

- vii. Wet jet shall be provided for grinding and stone cutting.
- viii. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- ix. All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Management Rules 2016.
- x. The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise emission standards.
- xi. The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
- xii. For indoor air quality the ventilation provisions as per National Building Code of India.

III. Water quality monitoring and preservation:

- i. The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.
- ii. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- iii. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- iv. A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- v. At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
- vi. Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.



- vii. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
- viii. Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
- ix. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- x. Rain water harvesting recharge pits/storage tanks shall be provided for ground water recharging as per the CGWB norms.
- xi. A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.
- xii. All recharge should be limited to shallow aquifer.
- xiii. No ground water shall be used during construction phase of the project.
- xiv. Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
- xv. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
- xvi. Sewage shall be treated in the STP with tertiary treatment.
- xvii. No sewage or untreated effluent water would be discharged through storm water drains.
- xviii. Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.
- xix. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
- xx. Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.



IV. Noise monitoring and prevention:

- i. Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
- ii. Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
- iii. Acoustic enclosures for DG sets, noise barriers for ground-run bays, earplugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

V. Energy Conservation measures:

- i. Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.
- ii. Outdoor and common area lighting shall be LED.
- iii. Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.
- iv. Energy conservation measures like installation of CFLs/ LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
- v. Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
- vi. Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.

VI. Waste Management:

- i. A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
- ii. Disposal of muck during construction phase shall not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.

- iii. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
- iv. Organic waste compost/Vermiculture pit/Organic Waste Converter within the premises with a minimum capacity of 0.3 kg/person/day must be installed.
- v. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
- vi. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- vii. Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
- viii. Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
- ix. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.
- x. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.

VII. Green Cover:

- i. No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
- ii. Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
- iii. Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.

VIII. Transport

- i. A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized,

public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.

- a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
 - b. Traffic calming measures.
 - c. Proper design of entry and exit points.
 - d. Parking norms as per local regulation.
- ii. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.
 - iii. A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

IX. Human health issues:

- i. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
- ii. For indoor air quality the ventilation provisions as per National Building Code of India.
- iii. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- iv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- v. Occupational health surveillance of the workers shall be done on a regular basis.
- vi. A First Aid Room shall be provided in the project both during construction and operations of the project.

X. Miscellaneous:

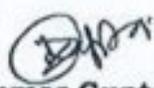
- i. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has

- been accorded environment clearance and the details of MoEF&CC/SEIAA website where it is displayed.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
 - iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
 - iv. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
 - v. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions. The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and / or shareholder's/stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
 - vi. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.
 - vii. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report
 - viii. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
 - ix. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
 - x. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
 - xi. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during their presentation to the Expert Appraisal Committee.

- xii. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forest and Climate Change (MoEF&CC).
- xiii. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xiv. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xv. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xvi. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xvii. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xviii. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

8. The Environmental Clearance is being granted to M/s. Young Builders Pvt. Ltd. for Construction of Group Housing with built up area of 137879.64 Sqm at 1, 3 Cavalry Lane & 4 Chhatra Marg Near Vishwavidyalaya Metro Station, New Delhi.

9. This issues with the approval of the Competent Authority.


(Dr. Dharmendra Kumar Gupta)
Director (S)

Copy to:

1. Principal Secretary (Environment and Forest) cum Chairperson (DPCC), Department of Environment, Government of NCT of Delhi, 6th Floor, C Wing, Delhi Secretariat, I P Estate, Delhi-110002
2. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Jaipur Camp Office, 5th Floor, Sector "H" Aliganj, Lucknow - 226020
3. Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
4. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
5. Guard File/ Record File/ Notice Board/MoEF&CC website.



(Dr. Dharmendra Kumar Gupta)
Director (S)



Proof of Service

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Kumar Rajesh Singh <adv.kumarrajeshsingh@gmail.com>

Appeal No.17/2021 Univ. of Delhi Vs Moef & Ors (Reply by Moef -respondent no.1)

1 message

Kumar Rajesh Singh <adv.kumarrajeshsingh@gmail.com>
To: salik@eldfindia.com, accounts@mdoverseas.com

Tue, Jan 18, 2022 at 3:23 PM

Please find enclosed herewith the copy of reply By Moef- Respondent No.1 in the aforesaid appeal.

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Thanks & Regards :-

Kumar Rajesh Singh, Advocate

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Supreme Court of India,

New Delhi - 110001

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