

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 558/2025

IN THE MATTER OF:

Sunil Kumar Nigam & Ors.

...Applicant(s)

Versus

State of Haryana & Ors.

...Respondent(s)

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PLACE *New Delhi*

DATE *9-2-2026*

THROUGH


Suhasini Sen
Advocate, MoEF&CC

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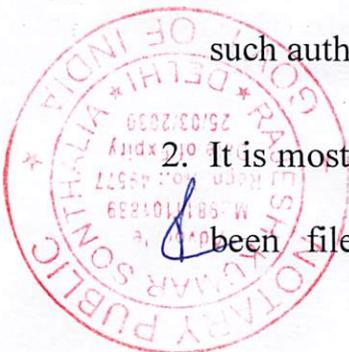
...Respondent(s)

COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE.**MOST RESPECTFULLY SHOWETH:**

I, Dr. S. Prabhu, S/o. Shri. K. Subramani aged about 44 years, presently working as Scientist 'D' in the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India having its Office at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003 do solemnly affirm and declare as under:

1. That I, in my official capacity in the Ministry of Environment, Forest and Climate Change, in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.

2. It is most respectfully submitted that the present Original Application has been filed stating violation of the Environmental Clearance dated



27.12.2012 by Respondent No. 8, the Project Proponent, in respect of the project "Windchants Condominium" situated at Sector 112, Gurugram, Haryana. The applicants have, inter alia, stated non-compliance with the conditions of the said Environmental Clearance relating to maintenance of the stipulated 30% green area, encroachment upon the notified green belt, construction of over-ground HSD tanks, deviations from the approved layout and building plans, reduction of the sanctioned green cover, alteration of circulation roads and parking layout, and other environmental and planning issues.

3. It is submitted that the answering respondent has issued Environmental Impact Assessment (EIA) Notification number S.O. 1533 (E) dated 14th September, 2006. which requires certain projects to obtain prior Environmental Clearance ("EC") before any construction work in case of new projects or expansion and modernization of existing projects or activities. The Schedule to the Notification details the categories or Projects or Activities which require prior Environmental Clearance.
4. That, in exercise of the powers conferred upon the Central Government under sub section (3) of section 3 of the Environment (Protection) Act, 1986 and as per the procedures specified in the EIA Notification, 2006, State Expert Appraisal Committee (SEACs) / State Environment Impact Assessment Authority (SEIAAs) have been constituted in different



States/UTs to discharge the functions of the regulatory authorities for the respective States/UTs.

5. That, it is respectfully submitted that the EIA Notification, 2006 as amended covers 38 projects/activities in its Schedule which inter-alia includes different types of infrastructure projects such as Airports, Ports, Highways, and Building & Construction Projects etc. as specified and classified in the schedule of the said notification. All such projects/activities shall require prior Environmental Clearance from the concerned regulatory authority, e.g., MoEF&CC in the Central Government for matters falling under Category 'A' in the Schedule and the State Environment Impact Assessment Authority (SEIAA) at State level for matters falling under Category 'B' in the said Schedule, before starting any construction work. Broadly, the following categories projects/activities are covered under the ambit of EIA Notification, 2006 as amended:

- a. All new projects or activities listed in the Schedule to this notification;
- b. Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects



or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

c. Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

6. That under the provisions of the EIA Notification, 2006 as amended, 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. m and <150000 sq. m of built-up area require EC.”

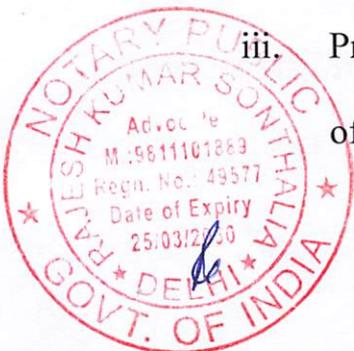
“8(b): Townships and Area Development projects - Covering an area >50 ha. And or built up area >150000 sq. m- require EC.”

7. 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). Further, that as per the EIA Notification, 2006, in the absence of a duly constituted SEIAA or SEAC, a category ‘B’ project shall be considered at the Central Level as category ‘B’ project.” It is most respectfully submitted that the requirement of taking Environment



Clearance for any building construction project is governed by the aforesaid provisions, stated in paras above.

8. That, the Ministry vide notification no. S.O. 637 (E) dated 28.02.2014 delegated the power to SEIAA to issue show cause notice to project proponents in case of violation of the conditions of the Environmental Clearances (EC) issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such EC in abeyance or withdrawing them, if required, for violations. A true copy of the notification S.O. 637 (E) dated 28.02.2014 are marked and annexed herein as **Annexure- R11/1**.
9. It is further submitted that the Ministry has issued O.M. dated 29.03.2022 setting out those activities that can be undertaken by the Project Proponent prior to the grant of Environmental Clearance subject to certain conditions set out therein. These activities are:
 - i. Fencing of the project site by boundary wall using civil construction, barbed wire or precast/prefabricated components;
 - ii. Construction of temporary sheds using pre-fabricated/modular structure, for site office/guards and storing material and machinery;
 - iii. Provision of temporary electricity and water supply for site officer/guards only.



A true copy of the OM dated 29.03.2022 is marked and annexed herein as **ANNEXURE- R11/2.**

10.It is respectfully submitted that the project in question, as described in the Original Application, pertains to a building construction/township and area development activity, which is covered under Item 8(a) and 8(b) of the Schedule to the Environmental Impact Assessment Notification, 2006. Such projects are categorised as Category 'B' projects under the EIA Notification, 2006.

11.It is further submitted that appraisal and grant of Environmental Clearance in respect of Category 'B' projects fall within the jurisdiction of the State Level Expert Appraisal Committee (SEAC) and the State Environment Impact Assessment Authority (SEIAA) concerned, in accordance with the procedure prescribed under the EIA Notification, 2006, where a duly constituted SEIAA exists.

12.It is respectfully submitted that the State Environment Impact Assessment Authority, Haryana, after due deliberation, granted the Environmental Clearance dated 27.12.2012 in accordance with the Environmental Impact Assessment Notification, 2006. A true copy of the Environmental Clearance dated 27.12.2012 is marked and annexed herein as

ANNEXURE- R11/3.



13. It is submitted that in view of the foregoing facts and submissions, this Hon'ble Tribunal may be pleased to take the present affidavit on record and pass such other order(s) as may be deemed fit in the interest of justice, which the answering respondent shall duly comply with.

14. The answering Respondent craves liberty to file additional information, if any, till *pendente lite*.

VERIFICATION

Verified at _____ on this **09 FEB 2026** day of _____, 2026 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

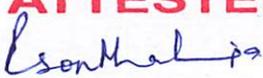
09 FEB 2026


DEPONENT
 (Dr. S. PRABHU)
 वैज्ञानिक 'डी'/Scientist 'D'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Min. of Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi


DEPONENT
 (डॉ. एस. प्रभु)
 (Dr. S. PRABHU)
 वैज्ञानिक 'डी'/Scientist 'D'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Min. of Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi

I Identify the deponent who has
Signed / Put his / her presence



ATTESTED

 RAJESH KUMAR SONTALIA, Advocate
 SUPREME COURT OF INDIA
 Email id: advocat_sonthalia@gmail.com
 MOBILE NO. 9811101889

09/02/26



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, मंगलवार, मार्च 4, 2014/फाल्गुन 13, 1935

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NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 637(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलापों को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (T)]

AJAY TYAGI, Jt. Secy.

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 638(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनसे प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 638(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

S. No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

F. No. IA3-22/10/2022-IA.III [E 177258]

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 29th March, 2022

OFFICE MEMORANDUM

Subject: Clarification regarding activities which can be undertaken for securing the land prior to grant of Environmental Clearance-regarding.

As per the provisions of Environment Impact Assessment (EIA) Notification 2006, the project or activities [New/Expansion/ Modernization/ change of product-mix or raw material mix] listed in the Schedule to the said Notification would require prior Environment Clearance (EC) from the concerned Competent Authority before undertaking any construction work or preparation of land by the project proponent, except for securing the land.

2. In this regard, Office Memorandum No. J-11011/41/2006-IA.II(I) dated 19/08/2010 clarified that while securing the land, no activity relating to any project covered under EIA Notification, 2006 including civil construction can be undertaken at the site without prior EC except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s).

3. Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz., use of pre-fabricated structures, pre-cast compound wall etc. Further, in order to secure the land, the project proponent may need to have water and electricity connection. In view of the same, it has been decided by the Competent Authority in the Ministry to explicitly clarify that following activities can be undertaken by the project proponent for securing the land.

- i. Fencing of the project site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
 - ii. Construction of temporary sheds using pre-fabricated / modular structure, for site office/guards and storing material and machinery.
 - iii. Provision of temporary electricity and water supply for site office/guards only.
4. The above activities shall be undertaken subject to the following:

- i. The land should be in the legal possession of the project proponent and all statutory approvals in respect of the project site should have been obtained.
- ii. In case of involvement of any forest land, no activity shall be initiated at the site till the Stage II Forest Clearance is obtained under the relevant provisions of Forest (Conservation) Act, 1980. In case of applicability of Wildlife Clearance, necessary permission from Standing Committee for National Board for Wildlife (SCNBWL) shall be obtained under the provisions of Wildlife Protection Act, 1972.
- iii. In case of felling of trees if any, requisite permission from the Forest Department/Statutory Authorities of the concerned State Government shall be obtained.
- iv. The investment made by the Project Proponent on the above, in anticipation of the applicable clearances under the relevant provisions of the Acts/Rules, shall be entirely at the cost and risk of the proponent.

5. However, the above dispensation would not entitle the project proponent to claim ***fait accompli*** with regard to grant of EC or any other applicable permission from any concerned statutory authority and further, the works of the aforesaid nature shall have no bearing on appraisal of the project for grant of EC which shall follow the due process and procedure as laid down in EIA Notification 2006, as amended.

6. This O.M. is being issued in supersession of the earlier O.M. dated 19/08/2010 and with the approval of the Competent Authority.


 (A.K. Agrawal)
 Director

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DG (FC) & SS
5. PPS to AS(TK) / AS (NPG)/ AS(RS)
6. PPS to JS (SKB)
7. Website, MoEF&CC/Guard file.

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 24

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No. 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

No. SEIAA/HR/2012 488

Dated: 27-12-12

To

M/S EXPERION Developers Pvt. Ltd
Regd. Office: 03-04, A- Tower,
Unitech Business park Sector-41, Gurgaon

Subject: Environmental Clearance for proposed Group Housing
Complex located in the revenue estate of village- Chauma at
Sector-112, Gurgaon, Haryana.

Dear Sir,

This has reference to your application no. G-RE/PC/112GH/ENV/GOVT/12 Nil dated 11-11-2011 addressed to Director IA-(III), MoEF GoI received on 11-11-2011 and transferred to M.S. SEIAA on 18-05-2012 and subsequent letters dated 19-06-2012, 19-07-2012, 10-05-2012 & 27-05-2012 seeking prior Environmental Clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Form1-A & Conceptual Plan, Proposed TORs, EIA/EMP on the basis of approved TORs and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MOEF, GOI vide their Notification 23.3.2012, in its meetings held on 22-08-2012 & 10-10-2012 awarded "Gold" grading to the project.

[2] It is inter-alia, noted that the project involves the construction of a group housing project at village- Chaurna at Sector-112, Gurgaon, Haryana on a total plot area of 94821.74 sqmt. The total built-up area is 243005 sqmt. The Maximum height of the building will be 91 mts and they have taken the permission for Airport Authority. The Group Housing buildings will have Basements + G + 7 Floors G+27Floors. The total population of the complex will be 3553 including residents, staff and visitors. The project proponent has proposed to develop apartments villas Town Houses, EWS, Convenient shopping, Community building and Nursery School. The total water

requirement will be 645 KLD and the fresh water requirement shall be 303 KLD which will be met from HUDA water supply. The 380 KLD of waste water shall be treated in the STP of 475 KLD. 342 KLD of treated waste water shall be recycled and reused for flushing horticulture DG cooling etc. leading to zero exit discharge. The total power requirement will be 4.5 MVA which will be supplied by DHBVN. The Project Proponent has proposed to develop green belt on 30% of project area (20% for tree plantation + 10% for landscaping). The Project Proponent proposed to construct 24 no. of rain water harvesting pits. The solid waste generation will be 1508 kg per day. The bio-degradable waste will be converted to compost in the project area and manure produced will be used for horticulture and green belt development. The total parking spaces proposed are 1602 ECS. The total cost of the project is about 250 crores.

[3] The State Expert Appraisal Committee, Haryana after due consideration of the relevant documents submitted by the project proponent and additional clarification furnished in response to its observations have recommended the grant of environmental clearance for the project mentioned above subject to compliance with the stipulated conditions. Accordingly, the State Environment Impact Assessment Authority in its meeting held on 17-11-2012 decided to agree with the recommendations of SEAC to accord necessary environmental clearance for the project under Category 8(b) of EIA Notification 2006 subject to the strict compliance with the specific and general conditions mentioned below:-

PART A-

SPECIFIC CONDITIONS:-

Construction Phase:-

- [1] "Consent for Establishment" shall be obtained from Haryana State Pollution Control Board under Air and Water Act and a copy shall be submitted to the SEIAA, Haryana before the start of any construction work at site.
- [2] A first aid room as proposed in the project report shall be provided both during construction and operational phase of the project.
- [3] Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. Open defecation by the labourers is strictly prohibited. The safe

disposal of waste water and solid wastes generated during the construction phase should be ensured.

- [4] All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- [5] Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed off taking necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- [6] Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water and any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approval of the Haryana State Pollution Control Board.
- [7] The diesel generator sets to be used during construction phase should be of low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- [8] The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.
- [9] Ambient noise levels should conform to the residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase, so as to conform to the stipulated residential standards.
- [10] Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and as amended on 27th August 2003.
- [11] Ready mixed concrete must be used in building construction.
- [12] Storm water control and its re-use as per CGWB and BIS standards for various applications should be ensured.

- [13] Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices as referred.
- [14] In view of the severe constrains in water supply augmentation in the region and sustainability of water resources, the developer will submit the NOC from CGWA specifying water extraction quantities and assurance from HUDA/ utility provider indicating source of water supply and quantity of water with details of intended use of water – potable and non-potable. Assurance is required for both construction and operation stages separately. It shall be submitted to the SEIAA / R.O. MOEF, Chandigarh before the start of construction.
- [15] Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- [16] Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is desirable for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
- [17] The approval of the competent authority shall be obtained for structural safety of the building on account of earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightening etc. If any forest land is involved in the proposed site, clearance under Forest Conservation Act shall be obtained from the competent Authority.
- [18] Overexploited groundwater and impending severe shortage of water supply in the region requires the developer to redraw the water and energy conservation plan. Developer shall submit details of good practices that have been included in the project to reduce the overall footprint of the proposed development including a detailed water balance along with source and quantities of potable and non-potable water requirement (including water requirement during construction phase) incorporating water efficiency / savings measures as well as water reuse/recycling within 3 months to the SEIAA, Haryana and R.O. MOEF, GOI, Chandigarh before the start of construction.

- [19] The Project Proponent shall construct 24 nos. rain water harvesting pits for recharging the ground water within the project premises. Rain water harvesting pits shall be designed to make provisions for silting chamber and removal of floating matter before entering harvesting pit. Maintenance budget and persons responsible for maintenance must be provided. Care shall also be taken that contaminated water do not enter any RWH pit.
- [20] The Project Proponent shall provide minimum one hydraulic ladder of sufficient length for escape of people in case of fire.
- [21] The Project Proponent shall submit assurance from the DHBVN for supply of 4.5 MVA of power supply before the start of construction. In no case project will be operational solely on generators without any power supply from any external power utility.
- [22] Detail calculation of power load and ultimate power load of the project shall be submitted to DHBVN under intimation to SEIAA Haryana before the start of construction Provisions shall be made for electrical infrastructure in the licensed area.
- [23] The Project Proponent shall obtain NOC from nearest fire station before the start of construction.
- [24] The Project Proponent shall not raise any construction in the natural land depression / Nallah/water course and shall ensure that the natural flow from the Nallah/water course is not obstructed.
- [25] The Project Proponent shall keep the plinth level of the building blocks sufficiently above the level of the approach road to the Group Housing Project as per prescribed by-laws. Levels of the other areas in the Group Housing Projects shall also be kept suitably so as to avoid flooding.
- [26] Construction shall be carried out so that density of population does not exceed as approved by Director General Town and Country Department Haryana.
- [27] The Project Proponent shall submit an affidavit with the declaration that ground water will not be used for construction and only treated water should be used for construction.

- [28] The project proponent shall not cut any existing tree and project landscaping plan should be modified to include those trees in green area.
- [29] The project proponent shall provide helipad facility as required under NBC norms. *for tower having height more than 60meters*
- [30] The project proponent shall ensure that ECBC norms for composite climate zone is met. In particular building envelope, HVAC service water heating, pumping, lighting and electrical infrastructure must meet ECBC norms.
- [31] The project proponent shall install dust screen during construction.
- [32] The project proponent shall obtain permission of Air Port Authority regarding height clearance before the start of construction.
- [33] The project proponent shall keep the plinth level of the building above the HFL (High Flood Level) of the said Najafgarh Jheel/ drain attained in the last 100 years.
- [34] The project proponent shall obtain NOC from HUDA as well as Irrigation Department before the start of construction, regarding possible adverse effect of project proposal on the said Najafgarh Jheel.
- [35] The project proponent shall provide mobile sulabh toilets instead of soak pit during construction phase for disposal of sullage.

Operational Phase:

- [a] The Sewage Treatment Plant (STP) shall be installed for the treatment of the sewage to the prescribed standards including odour and treated effluent will be recycled to achieve zero exit discharge. The installation of STP should be certified by an independent expert and a report in this regard should be submitted to the SEIAA, Haryana before the project is commissioned for operation. Tertiary treatment of waste water is mandatory. Discharge of treated sewage shall conform to the norms and standards of HSPCB, Panchkula.
- [b] Separation of the grey and black water should be done by the use of dual plumbing line. Treatment of 100% grey water by decentralized treatment should be done ensuring that the re-circulated water should have BOD maximum upto 10 ppm and the recycled water will be used for flushing, gardening and DG set cooling and running of fountain in the water body to achieve zero exit discharge.
- [c] For disinfection of the treated wastewater ultra-violet radiation or ozonation process should be used.

- [d] The solid waste generated should be properly collected and segregated. Bio-degradable waste shall be decomposed at site and dry/ inert solid waste should be disposed off to approved sites for land filling after recovering recyclable material.
- [e] Diesel power generating sets proposed as source of back-up power for lifts, common area illumination and for domestic use should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The location of the DG sets should be in the basement as promised by the project proponent with appropriate stack height i.e above the roof level as per the CPCB norms. The diesel used for DG sets should be of low sulphur contents (maximum upto 0.25%).
- [f] Ambient Noise level should be controlled to ensure that it does not exceed the prescribed standards both within and at the boundary of the Proposed Residential Complex.
- [g] The project proponent should maintain at least 20 % as green cover area for tree plantation especially all around the periphery of the project and on the road sides preferably with local species so as to provide protection against particulates and noise. The 10% open spaces inside the plot should be preferably landscaped and covered with vegetation/grass, herbs & shrubs. Only locally available plant species shall be used.
- [h] Weep holes in the compound front walls shall be provided to ensure natural drainage of rain water in the catchments area during the monsoon period.
- [i] Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre- treatment through sedimentation tanks must be done to remove suspended matter, oil and grease. The bore well for rainwater recharging shall be kept at least 5 mts. above the highest ground water table. Care shall be taken that contaminated water do not enter any RWH pit.
- [j] The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- [k] There should be no traffic congestion near the entry and exit points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be utilized.

- [l] A report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Haryana in three months time.
- [m] Energy conservation measures like installation of CFLs/TFLs for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. 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. Use of solar panels must be adapted to the maximum extent possible for energy conservation.
- [n] The solid waste generated should be properly collected and segregated as per the requirement of the MSW Rules, 2000 and as amended from time to time. The bio-degradable waste should be composted by vermi-composting at the site ear marked within the project area and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- [o] The provision of the solar water heating system shall be as per norms specified by HAREDA and shall be made operational in each building block.
- [p] The traffic plan and the parking plan proposed by the PP should be adhered to meticulously with further scope of additional parking for future requirement. There should be no traffic congestion near the entry and exit points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be used.
- [q] The Project shall be operationalized only once HUDA will provide domestic water supply system in the area.
- [r] Operation and maintenance of STP, solid waste management and electrical Infrastructure shall be ensured even after the completion of sell.
- [s] Different type of wastes should be disposed off as per provisions of municipal solid waste, biomedical waste, hazardous waste, e-waste, batteries & plastic rules made under Environment Protection Act, 1986.

- [t] Standards for discharge of environmental pollutants as enshrined in various schedules of rule 3 of Environment Protection Rule 1986 shall be strictly complied with.
- [u] Water supply shall be metered to different residential units and different utilities.

PART-B. GENERAL CONDITIONS:

- [i] The Project Proponent shall ensure the commitments made in Form-1, Form-1A, EIA/EMP and other documents submitted to the SEIAA for the protection of environment and proposed environmental safeguards are complied with in letter and spirit.
- [ii] Six monthly compliance reports should be submitted to the HSPCB and Regional Office, MOEF, GOI, Northern Region, Chandigarh and a copy to the SEIAA Panchkula, Haryana.
- [iii] The SEIAA, Haryana reserves the right to add additional safeguard measures subsequently, if found necessary. Environmental Clearance granted will be revoked if it is found that false information has been given for getting approval of this project. SEIAA reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF.
- [iv] The Project proponent shall not violate any judicial orders/pronouncements issued by the Hon'ble Supreme Court/High Courts.
- [v] All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972, Forest Act, 1927, PLPA 1900, etc. shall be obtained, as applicable by project proponents from the respective authorities prior to construction of the project.
- [vi] The Project proponent should inform the public that the project has been accorded Environment Clearance by the SEIAA and copies of the clearance letter are available with the State Pollution Control Board & SEIAA. This should be advertised within 7 days from the date of issue of the clearance letter at least in two local newspapers that are widely circulated in the region and the copy of the same should be forwarded to

SEIAA Haryana. A copy of Environment Clearance conditions shall also be put on project proponent's web site for public awareness.

- [vii] Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the Project Proponent if it was found that construction of the project has been started before obtaining environmental clearance.
- [viii] Any appeal against the this Environmental Clearance 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.
- [ix] The project proponent shall put in place Corporate Environment Policy as mentioned in MoEF, GoI OM No. J-11013/41/2006-IA II (I) dated 26.4.2012 within 3 months period.
- [x] The fund ear-marked for environment protection measures should be kept in separate account and should not be diverted for other purposes and year wise expenditure shall be reported to the SEIAA/RO MoEFGol under rules prescribed for Environment Audit.
- [xi] The Project Proponent shall obtain NOC under Aravalli Notification from CEC of Hon'ble Supreme court regarding coverage under Aravalli Notification.

Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

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Endst. No. SEIAA/HR/2012

Dated:.....

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MOEF, GOI, CGO Complex, Lodhi Road, New Delhi.
2. The Regional office, Ministry of Environment & Forests, Govt. of India, Sector 31, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, Pkl.

Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula

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