

Report of the Committee constituted in compliance to order dated 17.04.2023 in OA no. 803/2022 in the matter of Ajit Singh Vs State of Punjab regarding violation of environmental norms for setting up of the housing project 'Omaxe Greens' at Ambala – Chandigarh Expressway, Village Jharmari, District Mohali, Punjab.

**Background:**

1. Hon'ble National Green Tribunal in its order dated 17.04.2023 in OA no. 803/2022 in the matter of Ajit Singh Vs State of Punjab regarding violation of environmental norms for setting up of the housing project 'Omaxe Greens' at Ambala – Chandigarh Expressway, Village Jharmari, District Mohali, Punjab considered the application filed by Sh. Ajit Singh resident of 'Omaxe Greens', wherein, it has been mentioned that Sewage Treatment Plant (STP) is non-operational for the last three years and untreated sewage is being discharged on the highway and other areas, to the detriment of environment and public health. The Hon'ble National Green Tribunal in Para No. 6 of order dated 17.04.2023 has directed as under:

***'6. Committee and seek further report from the reconstituted Committee. The State PCB will remain nodal agency. The reconstituted Committee may meet within 15 days from today and give its further report in the matter within two months by e-mail at [judicialngt@gov.in](mailto:judicialngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. Report may address the issues such as timeframe for setting up and commissioning of additional STP, utilization of treated sewage, consented mode of disposal of treated sewage, compliance status with respect to CTO under Air Act, existence of supporting infrastructure for liquid and solid waste management provided by the Local Authority. A copy of the report may also be furnished to the PP for its response, if any, before the next date.'***

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2. On the basis of previous report of the joint committee and other violations observed during earlier visit to the project, it was afforded an opportunity of personal hearing before the Chairman of the Board on 28.04.2023 and beside other decisions, it was decided that the Bank Guarantee of Rs. 5 lakh submitted by the project proponent be encashed. Accordingly, the Bank Guarantee submitted by the project has been encashed vide R. no. 57/5464 dated 09.06.2023. The proceeding of the same was conveyed to the project proponent vide no. 3317 dated 15.05.2023. **(Annexure-A)**
3. The promoter company namely M/s Omaxe Ltd., for its project Omaxe Green located at village Jharmari, SAS Nagar, was granted Consent to Operate by Punjab Pollution Control Board under the Water (Prevention & control of Pollution) Act, 1974 vide no. CTOW/Renewal/SAS/2021/16073045 dated 14.10.2021 and under the Air (Prevention & control of Pollution) Act, 1981 vide no. CTOA/Renewal/SAS/2021/16071428 dated 12.08.2021, both having validity upto 31.03.2022, for operation of 450 dwelling units out of total of 584 number of dwelling units.
4. The project proponent had applied for renewal of the said consent to operate under the Water (Prevention & control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981. While processing the said applications, it was observed that the project proponent is not complying with the decisions of hearing earlier given on 02.02.2021 with regard to compliance of conditions consent to operate granted by the Board. Accordingly, the project proponent was issued show cause notice vide letter no. 4593 dated 26.07.2022 for refusal of consent to operate under the said Acts, alongwith an opportunity of hearing before the Chairman of the PPCB on 01.08.2022. Sh. Mukesh Bhatti, Representative of the project proponent attended the hearing before the Chairman of the Board on 01.08.2022. After hearing the representative of the project proponent and considering the material facts on record, it was decided to refuse the application of the promoter company for obtaining renewal of consent to operate. Proceedings of the hearing whereby consent to operate were refused were conveyed to the project proponent vide letter no. 4852-53 dated 08.08.2022.



5. The Project Proponent has now applied for obtaining Consent to Operate under Water (Prevention & control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, which is under process.

The said committee had jointly visited the project site on 06.07.2023 and contacted Sh. Ajit Singh (resident of Tower 1-004) and Sh. AnkurBakshi (AVP of PP), Sh. Harjot Singh Narang (Deputy Manager of PP). During visit, it was observed as under:

**Observations of the Committee:**

- a. The project was granted Environmental Clearance vide letter no. 21-408/2007-IA.III dated 08.05.2018 for the construction a residential colony on a plot area of 62,120.99 sqm. The total built up area is 97,456.96 sqm (having 660 apartment – 3BR-450, 2 BR-150 and EWS -60). The total water requirement proposed is 526 KLD (fresh water 297 KLD). The capacity of STP proposed is 400 KLD. Treated waste water will be used for flushing of toilets 148 KLD, horticulture 81 KLD and balance 171 KLD will be used for irrigation of surrounding fields. **(Annexure-B)**
- b. The promoter company has developed total of 584 flats in the 09 towers in the project, out of which possession of 581 flats have been given by the promoter company. The promoter company has not yet constructed the EWS flats.
- c. STP of capacity 180 KLD, as proposed in last report dated 07.03.2023, was installed recently and operational since May, 2023. Thus, the project has now 02 no. STPs based on MBBR Technology of capacity 250 KLD & 180 KLD to treat the domestic effluent generated from its premises (Photos 1&2). Both the STPs were operational during the present visit and about 300 KLD of effluent is being treated as submitted by the PP. Committee further observed that the treatment units of STP old STP (250 KLD capacity) was poorly maintained of and MBBR media was found fully exhausted. Anaerobic condition of clarifier indicated that the same was not being operated properly. In case of newly installed STP (180 KLD capacity), biomass growth was not observed in the MBBR reactors. Further, UV system/disinfection and ultra filtration system were found non-functional

during the visit, which indicates poor operation and maintenance (O&M) of both the STPs. Further, neither the newly installed STP has been certified by an independent expert nor the adequacy report in this regard has been submitted to the PPCB. It is pertinent to mention here that during the visit unpleasant odour was felt by the committee members throughout the residential colony which was confirmed by the local resident of the colony.

- d. The project proponent has installed 02 no. tubewell in its premises and as per record of flow meters maintained by the project proponent, around 550-570 KLD of freshwater is being abstracted (in the month June-2023). The Project Proponent (PP) has not obtained permission from Punjab Water Regulation and Development Authority (PWRDA) for abstraction of the ground water. Further, the PP was asked to install sealed type electromagnetic type flow meters in place of mechanical type flow meters at their premise tube wells.
- e. As per record of flow meter installed at outlet of STP, around 175 KLD effluent has been treated in STP of capacity 250 KLD and around 125 KLD has been treated in the STP of capacity 180 KLD. As such a total of 300 KLD of domestic effluent is being treated on daily basis.
- f. The project proponent has provided dual plumbing arrangement only in four towers out of nine towers for the re-use of treated water for flushing purpose, which was verified during the visit. However, no separate record regarding the same is being maintained by the project proponent.
- g. The project proponent has provided fixed pipe line for reuse of treated water in green areas developed within the premises of the project.
- h. The promoter company has developed plantation area of 0.5 acre as per karnal technology for reuse of treated water for irrigation purpose. However, the area was inspected and it was observed that the same is not being maintained properly and some solid waste (C&D waste, Domestic Hazardous waste) was also found dumped in the area.
- i. Further, the PP has now carried out agreement for another 1.5 acre land which has been developed as per karnal technology and the treated

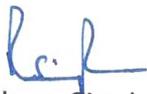


- effluent is being discharged through flexible pipe line in the said area. The project proponent was advised to provide fixed pipe line in the area.
- j. The PP has also constructed a storage tank of capacity around 20,000 ltr. for storage of treated wastewater in its adjoining project Omaxe Green-II. The said project is under construction and the promoter company is using treated wastewater with the help of flexible pipes for construction purpose in this under-construction project.
  - k. The project proponent has not maintained separate record regarding water being used for irrigation purpose within the project site and the plantation area developed as per karnal technology.
  - l. It was apprised that the PP has provided 02 no. of RWH pits in its premises. However, PP failed to show one out of two RWH pits during the present visit. Further, it was observed that the due to the poorly designed rainwater harvesting systems and in the absence of proper maintenance, RWH pits were filled with silt and stagnant water (Photo 3), which may cause further pollution to the groundwater. Further, PP was asked to provide a time-bound action plan for the restructuring of the pits and prepare maintenance schedule for the proper functioning of the same.
  - m. The project proponent has provided composter of capacity 100 kg/day for composting of bio-degradable waste generated from the project. However, as per the Environmental Clearance, it is required to install composter of capacity 660 Kg/day. The committee observed that the non-operation of composter machine and empty compost pits (03) indicate the PP has not processed the biodegradable waste as per the guidelines and no record is being maintained for the same.
  - n. The project proponent has provided DG set of capacity 250 KVA with canopy, however, the stack of inadequate height.
  - o. There is a storm water drain passing through the project premises. The said drain is open before entering the project premises and is covered throughout its course inside the project premises, before eventually meeting the storm water drain located in front the project site. During visit, no outlet was found by the team for direct disposal of wastewater by the

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project proponent into the said drain. However, by observing the physical properties of the drain, discharge of treated/untreated water into the drain cannot be overruled.

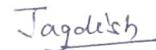
- p. As informed by the complainant, the untreated sewage is being directly discharged through that storm drain. Hence, the possibility of discharge into the drain could not be ruled out. However, during visit, no outlet was found by the committee for direct disposal of wastewater by the project proponent into the said drain.
- q. On the day of visit, the committee observed stagnated water (water ponding) along with massive growth of aquatic plants adjacent to the back side boundary of the project which indicates the possible discharge of wastewater (Photo 4). PP apprised that being the low-line area the water from the nearby village (i.e., Jharmari) is being accumulated in the same area. However, ascertaining the source requires additional investigation.



Er. Ravdeep Singh, AEE  
RO Mohali, PPCB



Er. GD Garg, EE  
RO Mohali, PPCB



Sh. J.P. Meena, Sc. 'D',  
CPCB



Dr. Vimal Kumar Hatwal,  
Addl. Director/ Scientist 'E'  
MoEF&CC



Sh. Himanshu Gupta (PCS),  
SDM, Derabassi



Smt. Aashika Jain (IAS),  
Deputy Commissioner,  
Mohali



Photo 1: Old STP (250 KLD) at site



Photo 2: New installed STP (180 KLD) at site.



Photo 3: Showing status of RWH Pit at Site.

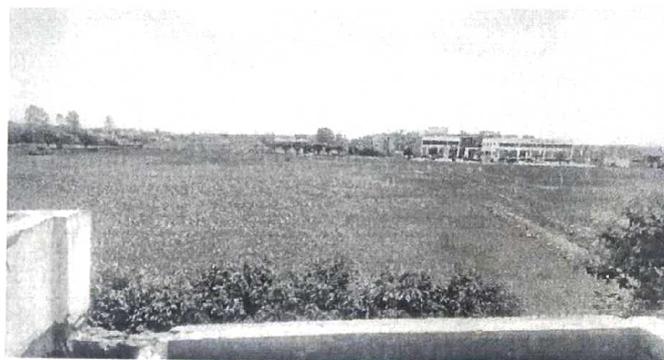


Photo 4: Showing stagnated water (water ponding) along with massive growth of aquatic plants adjacent to the project site.

h.f. [Signature]



Phone No. 0175-2301182

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15-5-23

REGISTERED

To

M/s Omaxe Ltd., India Trade Tower,  
(Project: Omaxe Green at Vill. Jharmari, Mohali),  
Regd Office: First Floor, Chandigarh-Siswan Road,  
New Chandigarh, Mullanpur, Distt. SAS Nagar

Subject:

Proceedings of personal hearing given on 28/4/2023 by the Chairman of the Board to M/s Omaxe Ltd., India Trade Tower, (Project: Omaxe Green at Vill. Jharmari, Mohali), Regd Office: First Floor, Chandigarh-Siswan Road, New Chandigarh, Mullanpur, Distt. SAS Nagar w.r.t non-compliance of decisions of hearing dated 11/11/2022 given by the Chairman of the Board u/s 33-A Water (Prevention & Control of Pollution) Act, 1974

The following were present:

From the Board:

1. Sh. G.S. Majithia, Member Secretary
2. Sh. Pardeep Gupta, Chief Environmental Engineer (P)
3. Sh. Lavneet Kumar, Senior Environmental Engineer (ZP-I)
4. Sh. Kuldeep Singh, Environmental Engineer (ZP-I)

From the industry:

1. Sh. Puneet Bhandari, Director
2. Sh. Deepak Gupta, Authorized Representative

It is intimated that the officers of the Board brought out that the Board was earlier received a public complaint made by Omaxe Green Welfare Association, wherein, it was alleged that sewage treatment plant of Omaxe Green Housing Society, located at Ambala Chandigarh Road, Vill. Jharmari, Punjab, had been non-functional for the last one year and untreated sewage was being discharged directly into an open area adjacent to the housing complex. All the families/ residents of the society were facing health and hygiene issues and also discharge of untreated sewage was polluting and damaging the surrounding environment. The project proponent was earlier served show cause notice for revocation/ cancellation of consents to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 alongwith an opportunity of personal hearing on 2/2/2021, wherein, it was decided as under:

1. The project proponent shall provide a complete water balance including wastewater generation, its disposal through reuse for flushing, construction projects and onto land for plantation, within 20 days.
2. The project proponent shall provide the details of land available under plantation, alongwith the details of ownership rights of this land duly marked on the layout plan of the projects with area measurements, within 20 days.
3. The project proponent shall maintain and operate its Sewage Treatment Plant (STP), regularly and efficiently, so as to achieve the effluent standards prescribed by the Board, consistently.
4. The project proponent will ensure that it will not cause any stagnation of treated / untreated wastewater inside or outside the project premises or shall discharge any treated / untreated effluent through any other mode except for which consents have been granted.

5. The project proponent shall ensure that the municipal solid waste is being disposed of as per the provisions of Solid Waste Management Rules, 2016 and shall submit the compliance of the same.
6. Environmental Engineer, Regional Office, SAS Nagar shall visit the site and verify the contentions of the project proponent regarding compliance of the observations earlier pointed out by Regional Office in its report immediately and submit the report within 15 days.
7. A review meeting shall be held in the mid of March, 2021 wherein the project proponent shall come up with complete details of water balance alongwith land availability for utilization of effluent and other alternatives available for disposal of effluents of treated effluents.

The project proponent was granted consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Renewal/SAS/ 2021/16073045 dated 14/10/2021 and the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Renewal/SAS/2021/16071428 dated 12/8/2021, valid upto 31/3/2022, subject to certain conditions as mentioned therein:

- 1) The promoter company shall maintain record regarding the separate flow meters installed for dual plumbing line, for usage in construction area and plantation area, and borewell(s) submit quarterly report to the Board for verification of the water balance submitted by it.
- 2) The promoter company shall install mechanical composter for biodegradable waste within 3 months.
- 3) The promoter company shall install additional module of STP so as to have total capacity of STP as 400 KLD within 03 months and also submit the proposal to the Board in form of PERT chart for the same, within one month.
- 4) The promoter company shall properly operate its STP by maintaining operational parameters such as concentration of MLSS/ MLVSS, Alkalinity, concentration of nitrogen, F/M ratio, DO, pH and BOD: N:P ratio in the aeration tank and the value of all parameters should be depicted on the display board to be installed in the vicinity of the STP.
- 5) The promoter company shall not discharge its domestic effluent (treated or untreated) into choe/ drain /river Ghaggar or in inland surface water at any time or any other unauthorized place by any unauthorized means and shall reuse the treated effluent in the premises or for construction purposes in the adjoining project, in accordance with the water balance submitted by it.
- 6) The promoter company shall develop proper plantation area in the 0.5 acre area pocket; and provide permanent pipeline network for uniform distribution of wastewater in the entire plantation area, so that additional treated effluent can be utilized in the plantation area at any time.
- 7) The promoter company will not install any new borewell for abstraction of ground water without prior approval from competent authority. The industry will obtain the permission from CGWA/ Competent Authority for withdrawal of groundwater and shall comply with the guidelines issued by the CGWA for abstraction of ground water, from time to time.
- 8) The promoter company shall be bound to comply with the above-mentioned conditions no. 1 to 7 without fail and further extension/ renewal in the validity of 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be granted on submission of unabridged compliance of the same.

The project proponent was applied for renewal of 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 for

the occupancy and operation of 450 dwelling units out of 584 dwelling units in the project. The site of the project was visited by officer of the Board on 12/4/2022 to verify the facts of the consent of application and compliance made by project proponent and it was observed as under:

- 1) The project proponent has not yet upgraded its STP to 400 KLD as per the conditions of consent to operate earlier granted to it.
- 2) The project proponent has provided a separate flow meter for dual plumbing line, for usage in the construction area and plantation area; but was not maintaining regular record regarding the same, therefore, verification of the water balance submitted by it could not be carried out.
- 3) The project proponent has not yet developed an area of the 0.5 acre area as per karnal technology, as the same was found in a disturbed state, and a lot of wild vegetation was observed in that pocket; as per the condition of consent to operate earlier granted to it.
- 4) The project proponent has installed 05 DG sets of capacity @ 250 KVA each. All are equipped with a canopy, however, stacks are only provided with 03 DG sets and no stacks provided with two DG sets.
- 5) The project proponent has not provided any earmarked area for collection & segregation of solid waste at the site and the solid waste is being collected by a private contractor. It has not yet installed any mechanical composter as per the condition of 'consent to operate' earlier granted to it.

Thereafter, the project proponent was issued show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 alongwith an opportunity to submit reply within 15-days. But project proponent has not made compliance of the decisions of the hearing dated 2/2/2021.

The matter was again considered by the Competent Authority of the Board and decided to afford another opportunity of personal show cause to project proponent before taking further action in the matter. Thereafter, the project proponent was issued show cause notice for refusal of consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 vide Board's letter no. 3603-04 dated 23/6/2022 alongwith an opportunity of personal hearing before the Chairman of the Board on 8/7/2022. The said hearing was postponed to 19/7/2022 and the same was further postponed to 27/7/2022 and 1/8/2022 respectively, due to administrative reasons.

Regional Office reported that a telephonic message was received from O/o SDM, Dera Bassi, regarding complaint of local villagers alleging disposal of wastewater from the project namely M/s Omaxe Greens into their agricultural fields. Accordingly, the site of the project was visited alongwith Sh. Kuldeep Singh, Tehsildar, Sh. Harinderjit Singh, Naib Tehsildar & Ms. Ravneet Kaur, BDPO on 20.07.2022 and during visit, it was observed as under:

1. The project proponent has completed structure work of 9 nos. towers at the site, having total no. flats @ 584.
2. At present, around 530-540 families are residing in the project.
3. The promoter company has installed STP of capacity 250 KLD to treat the domestic effluent being generated from the project and same was in operational at the time of visit. Further one blower was under installation with the said STP. As per the record maintained by the operator of STP, currently around 200 KLD of wastewater is being treated in the STP. Sample of treated wastewater

from the outlet of STP was collected and is being sent to HO lab for further analysis. Results awaited.

4. The work regarding excavation construction of additional module of STP was still under progress at site.
5. During visit, it was observed that there is an area of around 10-12 acres on the backside of the project, which was lying filled with water. The complainants alleged that the promoter company discharges their wastewater onto said land for stagnation, which is causing harm to their crops and is causing insanitary conditions in the area.
6. In its application for obtaining renewal of consent to operate, the project proponent has mentioned to utilize 15 KLD of treated wastewater for utilization onto land for plantation in an area of 0.5 acres as per Karnal Technology & 177 KLD for construction purposes within the site of the project (during rainy season). However, the project proponent has not yet developed area of 0.5 acre area as per Karnal technology and the said land area was found in a disturbed state and lot of wild vegetation was observed in that pocket. Furthermore, at present, no construction activity was being carryout at the site and the representative of the project proponent informed that the construction activities have been stopped at site since last 2-3 months.

As such, it is clear that the project proponent does not have adequate arrangements for disposal of wastewater being generated from its project. Although, during visit, no outlet was found by the team for direct disposal of wastewater onto land for stagnation in the area on backside of the project. It is clear that the project proponent does not have adequate disposal arrangements for treated wastewater and thus, it can be deduced that the project proponent may be discharging its treated wastewater onto said land for stagnation, where already rainwater of adjoining area gets stagnated. After hearing, Chairman of the Board decided as under:

- 1) The consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 be refused.
- 2) The Environmental Engineer, RO, SAS Nagar shall request to send the further fresh recommendations through E-Noting of OCMMS.

Accordingly, the consent to operate applied by the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 was refused vide no CTOW/Renewal/SAS Nagar/2022/18321109 dated 5/8/2022.

It is worth to mention here that a letter dated 9/9/2022 has been received from National Highway Authority of India (NHAI) and relevant para of the same is as under:

*"However, Omaxe Company has constructed its project building in between the natural flow of water from adjoining village and existing culverts on National Highway. Further Omaxe Company has illegally connected the village's rainwater through underground drainage from its project to the drain of NH. During detailed inspection on 06 Sep 2021 the Concessionaire found that, Omaxe Company has illegally connected their sewage water drainage system to the NH drain through the water Pump. The Concessionaire has removed the water pump immediately and also lodged the police complaint on 8/9/2021 against the Director of the Omaxe Company in Lalru Police Station. Most of the time it was noticed that the above said Company's STP plant was not working and Company used to release is untreated sewerage water in NH drain. We request you to take up the matter with Police to take action on Concessionaire's already filed Complaint."*

NHAI has requested to take action against Omaxe Ltd. for illegal dewatering of their Polluted/ untreated water in NH drain causing hindrance in smooth flow of NH drain and creating unhygienic situation on Project Highway.

The site of the project was visited by officer of the Board and reported that project and reported that the project proponent does not have adequate arrangements for the disposal of wastewater being generated from its project. Furthermore, the project proponent has not yet applied for obtaining fresh consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, and project proponent has not yet upgraded the capacity of its STP from 250 KLD to 400 KLD. The project proponent does not comply with the hearing decisions as well as the provision of Environmental law.

The matter was considered by the Competent Authority of the Board and decided to give last opportunity of personal hearing to the project proponent before taking further action in the matter. Thereafter, the project proponent was served notice for non-compliance of hearing decisions dated 20/5/2022 vide Board's letter no. 6450 dated 20/10/2022 alongwith another opportunity of personal hearing before the Chairman of the Board on 11/11/2022. After hearing, it was decided as under:

1. The project proponent shall operate its STP regularly and efficiently so as to achieve the effluent standards prescribed by the Board. If the STP installed by the project proponent fails to achieve the prescribed effluent standards, environmental compensation shall be imposed on the project.
2. The promoter company shall immediately install additional module of STP so as to have total capacity of STP as 400 KLD within 03 months and also submit the proposal to the Board in form of PERT chart for the same, within one month.
3. The promoter company shall not discharge its domestic effluent (treated or untreated) into choe/ drain/ river Ghaggar or in inland surface water at any time or any other unauthorized place by any unauthorized means.
4. The project proponent shall well maintain the plantation area (0.5 acre) as per Karnal Technology so as to ensure that there is no wild vegetation in the plantation area, shall provide permanent pipeline network for uniform distribution of wastewater in the entire plantation area and shall ensure that there is no stagnation of wastewater in the plantation area at any time.
5. The project proponent shall submit a concrete scientific proposal for disposal within 15 days in the office of Environmental Engineer, Regional Office, SAS Nagar to handle treated wastewater from the project at completion stage.
6. The project proponent shall also develop the vermicomposting to manage the biodegradable solid waste. PP shall not throw burn or burry any solid wastes in open outside premises or in drain / water bodies.
7. The project proponent shall promote use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic, through their Corporate Environment Responsibility (CER) activities.
8. The project proponent shall ensure that there are no usages of single use plastic- thermocol disposable items such as water bottles / water pouches/water cups, plates, forks, spoons, straw etc. and single use decorative material made of plastic-thermocol or any other non-biodegradable material in the premises.
9. The project proponent shall maintain the record of readings of water meters provided on the pipelines so as to verify the water balance.
10. The project proponent shall for CTO under the Water Act, 1974 and Air Act, 1981 within 7 days alongwith requisite documents/fee.

11. The Environmental Engineer, Regional Office, Punjab Pollution Control Board, SAS Nagar shall visit the project site to verify the statements of the project proponent, process the consent to operate applications for the project proponent under the Water Act, 1974 and Air Act, 1981 on merits and send his report/recommendations in the matter accordingly.

The proceedings of hearing were conveyed to the project proponent with copy to Regional Office, SAS Nagar vide Board's letter no. 7236-37 dated 25/11/2022 for compliance. The project proponent has not complied with the decisions of the personal hearing. Most importantly, the project proponent has not submitted a concrete scientific proposal for the disposal of effluent, to handle treated wastewater from the project at the completion stage, as per decision no. 05 of the personal hearing held on 11/11/2022. The project proponent has not obtained the consent to operate under both the Acts. Further, the Hon'ble NGT, New Delhi has registered OA no. 803/2022 titled as Sh. Ajit Singh V/s the State of Punjab, based upon a complaint received by post. The said matter was listed on 5/1/2023 and Hon'ble NGT has passed orders on the said date. The matter is now fixed for hearing on 10/3/2023. The matter was considered by the Competent Authority of the Board and decided to give final opportunity of personal hearing to the project proponent before taking further action in the matter. Therefore, the project proponent was served notice regarding non-compliance of decisions of hearing dated 11/11/2022 u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 2582-83 dated 13/4/2023 alongwith final opportunity of personal hearing before the Chairman of the Board on 27/4/2023, same was postponed to 28/4/2023 at Mohali due to administrative reasons. R.O has also informed to the project proponent regarding the postponement of the said hearing.

The Environmental Engineer, Regional Office, SAS Nagar has reported that the bank guarantee of Rs. 5.0 Lacs bearing no. 4196ILG007616 dated 9/8/2016, which is valid upto 8/8/2023.

The representative of the project attended the hearing informed during the hearing that they have installed and commissioned the another module of STP of capacity 200 KLD in addition to existing STP of 250 KVA, to make total availability capacity of 450 KLD to treat entire quantity of sewage to be generated from the at fully occupancy. They are operating its STP regularly and efficiently. They have made the adequate scientific mode of disposal as per Karnal Technology to handle the wastewater to be generated from the project. They have installed mechanical composter. They will comply with all the shortcomings mentioned in the notice.

After hearing the officers of the Board and the representative of the project, the Chairman of the Board decided as under:

- 1) The bank guarantee of Rs. 5.00 Lakhs submitted by the project proponent be encashed by the Environmental Engineer, Regional Office, SAS Nagar and send the receipt of the same to this office.
- 2) The project proponent shall submit within 7-days the registered lease deed of area alongwith revenue record as well as khasra nos. on Aksh Sajra Plan, which is used for onto land plantation as per Karnal Technology to handle the treated wastewater generated from the project, within 7-days.
- 3) The project proponent shall provide permanent pipeline network for uniform distribution of wastewater in the entire plantation area and shall ensure that there is no stagnation of wastewater in the plantation area at any time.
- 4) The project proponent will not discharge effluent (treated/ untreated) into drain/ choe/ into sewer under any circumstances.

- 5) The project proponent will apply consent to operate as required under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 alongwith requisite documents within 7-days.
- 5) The Environmental Engineer, Regional Office, SAS Nagar shall visit the project within 15-days to verify the contentions of the project proponent, to monitor the STP and to verify the mode of disposal and compliance of environmental laws and send his report/ recommendations accordingly.

You are, therefore, requested to comply with the aforesaid decisions of the personal hearing.

*Handwritten signature*  
 Environmental Engineer  
 for & on behalf of the  
 Punjab Pollution Control Board

Endst. no. .... *3318* .....

Dated ..... *15.5.23* .....

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. It is requested to verify the compliance made by the project proponent and shall submit further report and recommendations.

*Handwritten signature*  
 Environmental Engineer  
 for & on behalf of the  
 Punjab Pollution Control Board

No. 21-408/2007-IA.III  
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Government of India  
Ministry of Environment & Forests

Annexure 'B'

Paryavaran Bhawan,  
CGO Complex, Lodi Road,  
New Delhi - 110 003.

Dated: 8<sup>th</sup> May, 2008

To  
M/s. Omaxe Ltd.,  
7, Local Shopping Centre,  
Kalkaji,  
New Delhi - 110 019.

**Subject: Construction of residential colony "Omaxe Greens" at village Jharmari, Tehsil-Derabassi, Mohali, Punjab by M/s. Omaxe Ltd. - Environmental Clearance - Reg.**

Dear Sirs,

This has reference to your application No: NIL, dated NIL and subsequent letters dated 20.12.2007, 08.02.2008, 17.03.2008 and 31.03.2008 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., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 29<sup>th</sup> - 30<sup>th</sup> October 2007, 10<sup>th</sup> -11<sup>th</sup> January 2008, 13<sup>th</sup> - 14<sup>th</sup> March, 2008 and 3<sup>rd</sup> - 5<sup>th</sup> April, 2008 and awarded "Silver" grading to the project.

2. It is interalia, noted that the project involves the construction of a residential colony on a plot area of 62,120.99 sq.m. The total built up area proposed is 97,456.96 sq.m. (will have 660 Units/apartments - 3 BR - 450, 2 BR - 150 and EWS - 60). The total water requirement proposed is 526 KLD (fresh water - 297 KLD). The capacity of STP proposed is 400 KLD. Treated waste water will be used for flushing of toilets - 148 KLD, horticulture - 81 KLD and balance - 171 KLD will be used for irrigation of surrounding fields. Total solid waste generation will be 1320 Kg/day (biodegradable - 660 Kg/day, non biodegradable - 396 kg/day and inert waste 264 kg/day). The total power requirement proposed is 4750 KW. The total parking spaces proposed are for 1291 cars (Basement - 472, covered parking - 558 and open - 261). The total cost of the project is Rs. 71.165 Crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional



clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

## **PART A - SPECIFIC CONDITIONS**

### **I. Construction Phase**

- (i) "Consent for Establishment" shall be obtained from Punjab Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
- (iii) A First Aid Room will be provided in the project both during construction and operation of the project.
- (iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- (v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- (vi) Disposal of muck during construction phase should 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.
- (vii) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- (viii) 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.
- (ix) Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the Punjab Pollution Control Board.



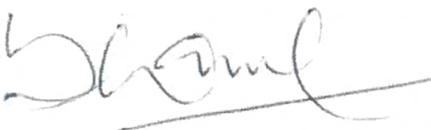
- (x) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- (xi) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.
- (xii) 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 and should be operated only during non-peak hours.
- (xiii) Ambient noise levels should conform to 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 made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/PPCB.
- (xiv) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27<sup>th</sup> August, 2003. (The above condition is applicable only if the project site is located within the 100 Km of Thermal Power Stations).
- (xv) Ready mixed concrete must be used in building construction.
- (xvi) Storm water control and its re-use as per CGWB and BIS standards for various applications.
- (xvii) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- (xviii) Permission to draw ground water shall be obtained from the competent Authority prior to construction/operation of the project.
- (xix) Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.
- (xx) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.



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- (xxi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- (xxii) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- (xxiii) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
- (xxiv) The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightening etc.
- (xxv) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
- (xxvi) 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 without obtaining environmental clearance.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible. Treatment of 100% grey water by decentralised treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the Punjab Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.
- ii) The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry / inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.



- iii) Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operation phase 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 low sulphur diesel. The location of the DG sets may be decided with in consultation with Punjab Pollution Control Board.
- iv) Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- v) The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
- vi) Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon period.
- vii) Rain water harvesting for roof run- off and surface run- off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease. The borewell for rainwater recharging should be kept at least 5 mts. above the highest ground water table.
- viii) The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- ix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- x) A Report on the energy conservation measures confirming to energy conservation norms finalise by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.
- xi) Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use 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

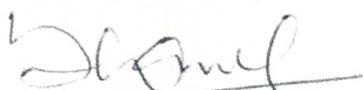


mercury contamination. Use of solar panels may be done to the extent possible.

- xii) Adequate measures should be taken to prevent odour problem from solid waste processing plant and STP.
- xiii) The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.

#### **PART - B. GENERAL CONDITIONS**

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
  - ii) Provision should be made for supply of kerosene or cooking gas and pressure cooker to the labourers during construction phase.
  - iii) Six monthly monitoring reports should be submitted to the Ministry and it's Regional Office, Chandigarh.
4. Officials from the Regional Office of MOEF, Chandigarh who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Chandigarh.
5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
7. 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 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
8. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.



9. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

10. Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.



**(Bharat Bhushan)**  
**Director (IA)**

08.05.2008

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Copy to:

1. The Secretary, Department of Environment, Government of Punjab, Secretariat, Chandigarh.
2. The Member Secretary, Punjab Pollution Control Board, Zonal Office, Patiala, Punjab.
3. The CCF, Regional Office, Ministry of Environment & Forests(NZ), Bays No.24-25, Sector 31-A, Dakshin Marg, Chandigarh - 160 030.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

**(Bharat Bhushan)**  
**Director (IA)**