

Report of the Joint Committee constituted in compliance to NGT order dated 8.11.2024 in O.A No. 1084 of 2024; Vijay Kumar Pathania vs State of Punjab

1.0. Background and the Directions of Hon'ble National Green Tribunal:

The matter is related to a letter petition dated 11/01/2024 filed by Shri Vijay Kumar Pathania, resident of GL 200, TDI City, Sector 118, Mohali State of Punjab, wherein it is alleged by the complainant that Developer of TDI City Mohali, Sector 118 has not provided requisite infrastructure with regard to sewage from in the said project and no STP has been constructed. Further sewerage from nearby unauthorized colony is being diverted towards said project which is collected there and has created a large dirty pond as a result whereof water and air pollution is causing damage to environment and also health hazards to local people.

The Hon'ble National Green Tribunal, Principal Bench vide order dated 08.11.2024 (**Annexure-1**) has observed and directed as follows:

Para 03: *Allegations contained in this letter petition in our view, give rise to a substantial question relating to environment arising out of implementation of enactments mentioned in Schedule 1 of NGT Act, 2010 but before proceeding further in the matter we find it appropriate to verify the facts and for this purpose we constitute a Joint Committee comprising District Magistrate, Mohali; Punjab State Pollution Control Board; and, Central Pollution Control Board.*

Para-04: *Central Pollution Control Board shall be the Nodal Authority for coordination and compliance of this order.*

Para-05: *Above Committee shall visit the site, collect relevant information and also find out whether conditions of environmental clearance/consent, as the case may be, have been complied with by the developer or not and submit a factual report within one month.*

2.0. Compliance of the orders of Hon'ble National Green Tribunal:

2.1. Constitution of the Joint Committee:

In compliance to the Orders of Hon'ble NGT, a Joint Committee comprising of the following members was constituted:

- i. Sh.GurmeetKumar, Naib-Tehsildar (Member nominated by District Magistrate, Mohali)
- ii. Er. Rantej Sharma, Environmental Engineer, PPCB, R.O Mohali (Member nominated by Member Secretary, PPCB)
- iii. Er.Jagdish Prasad Meena, Scientist 'D', CPCB Regional Directorate, Chandigarh (Member nominated by Member Secretary, CPCB).

2.2. Site visits and interaction with the stakeholders:

The site visit was conducted by the Joint Committee on December 03, 2024 and December 16, 2024. The complainant has raised the following two issues in its complaint:

- i. No requisite infrastructure provided with regard to sewage and no STP has been constructed.
- ii. Sewerage of nearby unauthorized colony diverted towards the said project.

The complainant, Shri Vijay Kumar Pathania, was also associated during verification of the above issues. Two representatives of TDI developers namely Shri Mandeep Sharma, General Manager and Ms. Ayushi, Environment Consultant, were also present at the time of inspection.

The relevant details/documents were sought by the Joint Committee from various stakeholders including the project proponent and the Punjab Pollution Control Board (PPCB).

2.3. Factual Report of the Joint Committee on the issues raised in the letter petition:

The factual report with regard to the to issues raised in the latter petition based on the observations made during the site visits and the information gathered during the visit, is submitted, as follows:

2.3.1. Allegation: No requisite infrastructure provided with regard to sewage and no STP has been constructed.

It was observed that the project proponent has installed three Sewage Treatment Plants (STPs) based on biological process followed by tertiary treatment systems (Filtration, chlorination and UV system) for treatment of the domestic waste water, as per following details:

- i. One STP at Sector 119 with installed capacity of 100 KLD capacity based on MBBR Technology
- ii. 02 STPs - 01 at sector 118 with installed capacity of 1.3 MLD and 01 at sector-117 with installed capacity 2.5 MLD. Both STPs are based on SBR Technology.
- iii. STPs of capacities 1.3 MLD (Sector 118), 2.5 MLD (Sector 117) based on SBR Technology.

During site visits on 03.012.2024, 02 Sewage treatment plants (STPs, namely 100 KLD STP located at Sector 119 and 2.5 MLD STP located at Sector 117, were found operational and the other 1.3 MLD STP located at Sector 118 was under maintenance.

The Joint Committee collected samples from the 02 operational STPs and the collected samples were analysed in CPCB Laboratory for parameters prescribed by Hon'ble NGT vide order dated. 30.04.2019 in the matter of OA No. 1069/2018

The analysis results of the collected samples are presented in the following **Table**:

Sampling Location		pH	TSS, mg/l	COD, mg/l	BOD, mg/l	Total Nitrogen, mg/l	Faecal Coliform, MPN/100 ml
Prescribed NGT Norms		5.5-9.0	20	50	10	10	100
Sample Analysis Results of STP 100 KLD at Sector 119							
Inlet of 100 KLD STP	SS119-01	7.7	1202	1299	528	79.94	--
Outlet of 100 KLD STP	SS119-02	8.3	<10	34	13	24.86	22 x10³
Sample Analysis Results of STP 2.5 MLD at Sector 117							
Inlet of 2.5 MLD STP	SS117-01	8.0	110	305	135	53.05	--
Outlet of 2.5 MLD STP	SS117-02	8.3	35	44	16	23.03	54 x10⁴

The STP of 100 KLD capacity was found non-complying with regard to Biochemical Oxygen Demand (13 mg/l > prescribed limit 10 mg/l), Total Nitrogen (24.86 mg/l > prescribed limit 10 mg/l) and Faecal coliform (22x10³ MPN/100 ml > prescribed limit 100 MPN/100 ml). Treated Sewage is used for plantation and gardening.

According PPCB, the above Sewage Treatment Plant (STP) is meeting the specified standards for pH, BOD, and TSS as per the Punjab Pollution Control Board (PPCB) notification dated 28.03.2019. However, the STP is failing to comply with the fecal coliform limit of less than 1000 MPN/100 ml.

The STP of 2.5 MLD capacity was found non complying with regard to Total Suspended Solid (35 mg/l > prescribed limit 20 mg/l), BOD (16 mg/l > prescribed limit 10 mg/l), Total Nitrogen (23.03 mg/l > prescribed limit 10 mg/l) and Fecal Coliform (54x10³ MPN/100 ml against prescribed limit 100 MPN/100 ml). Treated Sewage is used for plantation and gardening.

According to PPCB, the above Sewage Treatment Plant (STP) is meeting the specified standards for pH, BOD, and TSS as per the Punjab Pollution Control Board (PPCB) notification dated 28.03.2019. However, the STP is failing to comply with the fecal coliform limit of less than 1000 MPN/100 ml.

2.3.2. Allegation: Sewerage of nearby unauthorized colony diverted towards the said project:

The Joint Committee observed that water was accumulating on an undeveloped plot of land, owned by M/s EMAAR Group, situated behind TDI, Sector 118, Mohali. On 03.12.2024, the jointcommittee, along with the applicant, Shri Vijay Kumar Pathania and TDI Developers' representatives, conducted a site visit to examine the surrounding area and trace the source of the accumulated water. It was reported that untreated wastewater from Green Enclave, a nearby colony located in the village Daun Majara. The committee revisited the Green Enclave area on 16.12.2024 and it was reported that untreated wastewater from Green Enclave is being discharged onto the said vacant land owned by M/s EMMAR Group which was the primary cause of the water stagnation behind the TDI City. It was observed that there is no drainage system in place, and the nearby agricultural landowners have constructed an embankment to stop the water from flowing onto their fields, resulting in water stagnation on the vacant plot of M/s EMAAR Group.

M/s TDI group, the developer of TDI City, Mohali has also constructed a boundary wall around their premises to prevent water seepage from the vacant land of M/s EMMAR Group.

3.0. Report on the Compliance of the conditions of Environmental Clearance (EC) and Consent to Operate (CTO):

The Joint Committee was directed by Hon'ble NGT that "Above Committee shall visit the site, collect relevant information and also find out whether conditions of environmental clearance/consent, as the case may be, have been complied with by the developer or not and submit a factual report within one month"

Accordingly, in compliance to the directions of Hon'ble NGT, the Joint Committee verified the compliance of the conditions of the Environmental Clearance (EC) and Consent to Operate (CTO) and the finding are given in the following sections:

3.1. Compliance of the conditions of Environmental Clearance:

The project was granted Environmental Clearance (EC) under EIA notification dated 14.09.2006 by State Level Environment Impact Assessment Authority, Punjab vide letter No. SEIAA / 2015 / 5194 dated 01.10. 2015 which is valid upto 1.10.2026 for construction of a housing Project namely TDI Township’ at Sector 117-118 Village Ballomajara District, SAS Nagar by M/s Taneja Developers & Infrastructure Limited. As per EC, this project is having an area of 230.034 acres of land having total built up area about 2,86,135 sqm. The copy of EC granted by SEIAA is attached as **Annexure-II**.

Further, the project proponent had enhanced its total area from 230.034 acre to 293.454 acre (63.42 acre) with built up area increased from 2,86,135 sqm to 12,99,604.74 sqm without obtaining prior environmental clearance from the competent authority.

The Project proponent has applied for the Environmental Clearance as per SOP of MoEF&CC issued Office Memorandum vide F.No./22-21/2020-IA.III dated 7th July, 2021 (**Annexure-III**) The SEIAA has granted terms of reference (TORs) dated 08/01/2024 Under Violation Category for expansion of Mega Residential Project namely ‘TDI Township’ located at Sector 74A,92,116, 117,118 ,119 District SAS Nagar, Punjab in an area of 293.454 acres having built up area of 12,99,604.74 sqm to the project proponent including TOR of carrying out the assessment of ecological damage done and economic benefits due to violation and prepare remediation plan and natural & community resource augmentation plan. The copy of Terms of Reference (TOR) issued by the SEIAA dated 08/01/2024 under violation category is enclosed as **Annexure-IV**. However, Hon’ble Supreme Court vide its Order 02/01/2024 in Writ Petition (Civil) No. 1394/2023 has put stay on the operation of MoEF&CC OM dated 7th July 2024 (**Annexure- V**)

The pointwise compliance status of specific conditions and general conditions of the operational phase and entire life granted vide letter No. SEIAA / 2015 / 5194 dated 01.10. 2015 with validity upto 1.10.2026, were verified by the Joint Committee and the non-compliances observed are summarized in the following **Table 1**:

Table 1: Compliance of the conditions of Environmental Clearance.

Part-A SPECIFIC CONDITIONS		
Operation Phase and Entire Life:		
S.No	Conditions	Non Compliance observed (As on 16.12.2024)

i.	“Consent to Operate” shall be obtained from Punjab Pollution Control Board under Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 and a copy of the same shall be submitted to the Ministry of Environment & Forests/ State Level Environment Impact Assessment Authority at the time of start of operation.	The Project Proponent has obtained consent to operate (CTO) dated 21/05/2021 by PPCB under the Water (Prevention & Control of pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 with validity upto 28/02/2022. The consent was not renewed by PPCB, as the project proponent has carried out expansion without obtaining EC.
ii.	The project proponent shall provide electromagnetic flow meter at the outlet of the water supply, outlet of STP and any pipeline to be used for re-using the treated wastewater back into the system for flushing and for horticulture purpose/green etc. and shall maintain a record of readings of each such meter on daily basis.	<p>Partially Complied.</p> <ul style="list-style-type: none"> • Mechanical-type flow meters were installed at tube wells. • Electromagnetic-type flow meters were installed at the final outlet of STPs. Records of the wastewater generation was maintained. • Flow-measuring system is not provided at any pipeline for reusing the treated wastewater back into the system for flushing and for horticultural purposes/green belts, etc. Records of the wastewater reuse have not been maintained by the project proponent.
iii.	The collected solid waste shall be segregated at site. The recyclable solid waste shall be sold out to the authorized vendors and the inert solid waste shall be sent to the disposal facility. The Bio-degradable solid waste shall be adequately treated as per the scheme submitted by the project proponent. Prior approval of competent authority should be obtained, if required.	<p>Not complied</p> <ul style="list-style-type: none"> • The project proponent has installed a composter with a capacity of 500 kg/day for processing biodegradable waste generated on the premises. However, the composter was found to be non-functional, and its physical condition suggested it had not been used for a long time. • The project proponent did not maintain records for recyclable solid waste, inert waste, or biodegradable solid waste. • The mechanism for disposal of solid waste was also not shared with the Joint Committee.
iv.	Adequate & appropriate pollution control measures should be provided to control fugitive emissions to be emitted within the complex.	The project proponent has not developed adequate plantation along the road side and also along the premise periphery to control fugitive emission.
v.	Hazardous waste/E-waste should be disposed off as per Rules applicable and with the necessary approval of the Punjab Pollution Control Board.	<p>Copy of the Authorization from PPCB not provided</p> <p>The used oil is generated from DG set, as hazardous waste which is being sold to authorized vendor, as informed by TDI’s representative. However, no records were shared to verify the same.</p>
vi.	The approval of competent authority shall be obtained for structural safety of the buildings due to earthquakes, adequacy of fire-fighting equipment etc. As per National Building Code including protection measures from lightning.	<p>All the necessary approvals have been obtained, as informed by the TDI’s representative.</p> <p>However, copy of the Fire NOC was not provided, when asked for.</p>

vii.	The green belt along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential land use. The open space inside the plot should be suitably landscaped and covered with vegetation of indigenous species /variety	The green belt provided by the project proponent is not adequate.
viii.	Application of solar energy should be incorporated for illumination of common areas lighting for gardens and street lighting in addition to provision for solar water heating	Partially Complied . Solar Water Heaters were found installed in the Wellington Heights 2 and Wellington Height Extension projects of TDI However, solar energy is not being used for illumination of common areas; lighting for gardens and street.
ix.	A report on the energy conservation measures conforming to energy conservation norms should be prepared incorporating details about machinery of air conditioning, lifts, and lighting, building materials, R & U Factors etc. and submitted to the respective Regional office of MoEF, the Zonal Office of CPCB and the SPCB/SEIAA in three months' time.	Not complied .
x.	Separation of drinking water supply and treated sewage supply should be done by the use of different colors.	Colour coding has not been implemented for separation of Drinking water supply and treated sewage supply.
xi.	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	Not complied
PART –B - GENERAL CONDITIONS		
	Operational Phase and Entire life	
i.	The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; PM2.5, PM10, SO2, NOx, CO, Pb, Ozone (ambient air as well as stack emissions) shall be monitored and displayed at a convenient location near the main gate of the company in the public domain	Not complied.
ii.	The Project Proponent shall adhere to the commitments made in the EMP and Corporate Social Responsibility and shall spend the amount as proposed or at least minimum required to be spent under the provisions of the company Act,1956, whichever is higher.	No information provided by Project Proponent

3.2. Compliance of the conditions of Consent to Operate (CTO):

3.2.1 Compliance of the conditions of Consent to Operate (CTO) granted under Water (Prevention & Control of Pollution) Act, 1974:

The Project Proponent has been granted consent to operate (CTO) dated 21/05/2021 under Water (Prevention & Control of pollution) Act, 1974 from the PPCB which was valid upto 28/02/2022 (**Annexure-VI**). The point-wise compliance of conditions of Consent to Operate (CTO) granted by PPCB under the Water (Prevention & Control of Pollution) Act, 1974 was verified by the joint committee and the non-compliances observed are given below in **Table 2** and **Table 3**:

Table 2: Compliance of General Conditions of CTO granted under Water Act, 1974:

S. No	Water Consent General Conditions	Compliance Status(As on 16.12.2024)
3.	The industry shall ensure that the effluent discharging through the authorized outlet shall confirm to the prescribed standards as applicable from time to time.	Not complied The committee had taken sample from the operational STPs and the analysis results indicate that these STPs are not complying with prescribed norms.
4.	The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.	Not complied The committee observed that the project proponent has not developed adequate plantation along the road side and also their premise periphery.
5.	The achievement of the adequacy and efficiency of the effluent treatment plant /pollution control devices/recirculation system installed shall be the entire responsibility of the industry.	The committee had taken samples from the operational STPs and the analysis results indicate these STPs are not complying with prescribed norms. No adequacy and efficiency report has not been provided by the project proponent.
6.	The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Wastes (Management, Handling and Trans boundary Movement) Rules, 2008 as amended time to time, without any adverse effect on the environment, in any manner	Copy of the Authorization from PPCB not The used oil is generated from DG set, as hazardous waste which is being sold to authorized vendor, as informed by TDI's representative. However, no records were shared to verify the same.
8.	The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30 th June of every year.	No information provided by the Project Proponent.
9.	The industry shall submit a yearly certificate to the effect that no addition/up-gradation/modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.	Not Complied The project proponent has expanded the project area without prior Environmental Clearance and without obtaining consent to establish.
12.	The industry shall not change or alter the manufacturing process (es) so as to change the quality and/or quantity of the effluents generated without the written permission of the Board.	Not complied. The project proponent has expanded the project area without prior Environmental Clearance and without obtaining consent to establish.
13.	Any upset conditions in the plant/plants of the factory, which is likely to result in increased effluent and/or result in violation of the standards lay down by the Board shall be reported to the Environmental Engineer, Punjab Pollution Control Board of concerned Regional Office immediately failing which any stoppage and upset conditions that come to the notice of the Board/its officers, will be deemed to be intentional violation of the	Not complied

	conditions of consent.	
15.	The industry shall for the purpose of measuring and recording the quantity of water consumed and effluent discharged, affix meters of such standards and at such places as approved by the Environmental Engineer, Punjab Pollution Control Board of the concerned Regional Office.	Partially complied TDI Township has provided four tube wells in their premise for meeting water requirements. Further, the committee observed that a mechanical type water meter were installed instead of an Electromagnetic type flow meter at water abstraction points, and a record of the same was maintained. However, the project proponent has not provided water meters on the pipelines through which the treated wastewater is utilized for flushing purposes, irrigation of land area developed as per karnal Technology, lawns /landscaping and other activities etc. The Project proponent has not maintained the proper records of reading of water meters consumption and discharge.
16.	The industry shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.	Partially Complied Records of STP sludge is not maintained by operator, however, the STP operator has maintained record of chemical consumption
17.	The industry shall provide online monitoring equipments for the parameters as decided by concerned Regional Office with the effluent treatment / Air pollution control devices installed, if applicable.	The Project Proponent has installed online effluent monitoring system at final outlet of STPs for measuring pH, TSS, COD, BOD and but it is not connected to PPCB, CPCB server as informed by the project proponent.
21	The industry shall obtain and submit insurance cover as required under the public Liability Insurance Act,1991.	No Information provided by Project Proponent.
24	The industry shall provide electromagnetic flow meters at the source of water supply, at inlet/outlet of Effluent Treatment Plant within one month and shall maintain the record of the daily reading and submit the same to the concerned Regional Office by the 5 th of the following month.	Partially Complied The project proponent has installed mechanical Type water meter at water supply source. However, the Electromagnetic flow meters were installed inlet and outlet of ETP.
36	The industry shall make proper disposal of the effluent so as to ensure that no stagnation occurs inside and outside the industrial premises during rainy season and no demand period.	Not Complied. At the time of visit, committee interacted with the residents of the TDI township and they informed that as some areas of the township lies in the low lying area, hence, during the rainy season the water stagnation may not be ruled out.

Table 3: Compliance of Special Conditions of CTO granted under Water Act, 1974:

S.No	Water Consent Special Conditions	Compliance Status (As on 16.12.2024)
1.	The Consent to operate granted under water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for 598 flats, 390 dwelling units,60 SCO and 28 Booths is only valid for the part of project for which Environmental Clearance has already been granted to the project proponent.	Consent to operate was valid upto 28/02/2022. Applied for renewal, but not granted by PPCB.

2.	The promoter company shall obtain revised Environmental Clearance from the competent authority due to increase in the total area of the project from 230.09 acres to 290.097 acres and submit same to the board within 6 months.	Not complied. Promoter company has not obtained revised Environmental Clearance from the competent Authority.
3.	The promoter company shall not carry out any further construction activities in the area for which Environmental Clearance has not been obtained, till the promoter company obtains revised Environmental Clearance for the complete project.	Not complied. At the time of the visit, the joint committee observed that the construction activities in the newly added area were being carried out by the promoter company and the individual plot owners.
4	The promoter company shall not allow any occupancy in the part of the project for which Environmental Clearance has not been obtained	Not complied. At the time of visit, the committee observed that occupancy in new expanded area of the project has been given by the project Proponent.
5	The promoter company shall use its treated waste water for only dual plumbing, gardening and construction activities and shall not dispose the treated domestic effluent by any other mode of disposal.	Not complied The committee observed that the dual plumbing facility has not been established in their premises; the treated wastewater is mainly used for plantation areas developed as per Karnal technology and gardening areas.
7	The promoter company shall complete all work as per its letter dated 22.04.2021 submitted to Regional Office, Mohali, well before 15.06.2021 and submitted compliance of the same to the board.	Information not provided by Project Proponent.
8	The promoter company shall comply with provisions of Solid Waste Management Rules, 2016.	Not complied <ul style="list-style-type: none"> • The project proponent has installed a composter with a capacity of 500 kg/day for processing biodegradable waste generated on the premises. However, the composter was found to be non-functional, and its physical condition suggested it had not been used for a long time. • The project proponent did not maintain records for recyclable solid waste, inert waste, or biodegradable solid waste.

The Project Proponent has been granted consent to operate (CTO) dated 21/05/2021 under Air (Prevention & Control of Pollution) Act, 1981 from the PPCB which is valid upto 28/02/2022 (**Annexure-VII**). The point wise compliance of conditions of Consent to Operate granted under the Air (Prevention & Control of Pollution) Act, 1981 was verified by the Joint Committee and the non-compliances observed are given below in **Table 4** and **Table 5**:

Table 4: Compliance of General Conditions of CTO granted under Air Act, 1981:

S.No.	Air Consent General Conditions	Compliance Status (As on 16.12.2024)
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6	The industry shall not discharge any fugitive emissions. All gases shall be emitted through a stack of suitable height, as per the norms fixed by the Board from time to time.	Partially Complied All DG sets are equipped with acoustic enclosures. The joint committee observed that the four DG sets (02 of capacity 625 KVA and 02 of capacity 250 KVA) are not provided with adequate stack height as per prescribed norms.
9	The industry shall discharge all gases through a stack of minimum height as specified in the following standards laid down by the Board Stack height for diesel generating sets.	Not Complied The joint committee observed that the four DG sets (02 of capacity 625 KVA and 02 of capacity 250 KVA) are not provided with adequate stack height as per prescribed norms.
12	The industry will provide canopy and adequate stack with the D.G sets so as to comply with the provision of notification No GSR-371 E dated 17-5-2002(amended from time to time) issued by MOEF under Environment (Protection) Act, 1986.	Partially complied All DG sets are equipped with acoustic enclosures. The joint committee observed that the four DG sets (02 of capacity 625 KVA and 02 of capacity 250 KVA) are not provided with adequate stack height as per prescribed norms.
14	The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30th June of every year	No Information provided by the Project Proponent.
15	That the industry shall submit a yearly certificate to the effect that no addition / up-gradation/ modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.	Not Complied The project proponent has expanded the project area without prior Environmental Clearance and without obtaining consent to establish.
17	The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, without any adverse effect on the environment, in any manner.	Copy of the Authorization from PPCB not provided. The used oil is generated from DG set, as hazardous waste which is being sold to authorized vendor, as informed by TDI's representative. However, no records were shared to verify the same.
19	The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.	Not complied The committee observed that the project proponent has not developed adequate plantation along the road side and also their premise periphery.
41	The Industry shall ensure that its production capacity does not exceed the capacity mentioned in the consent and shall not carry out any expansion without the prior permission / NOC of the Board	Not Complied. The project proponent has expanded the project area without prior Environmental Clearance and without obtaining consent to establish.

Table 5: Compliance of Special Conditions of CTO granted under Air Act, 1981:

S.No	Air Consent Special Conditions	Compliance Status (As on 16.12.2024)
1.	The Consent to operate granted under water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for 598 flats, 390 dwelling units, 60 SCO and 28 Booths is only valid for the part of project for which Environmental Clearance has already been	Consent to operate was valid upto 28/02/2022. Applied for renewal but not granted by PPCB.

	granted to the project proponent.	
2.	The promoter company shall obtain revised Environmental Clearance from the competent authority due to increase in the total area of the project from 230.09 acres to 290.097 acres and submit same to the board within 6 months.	Not complied Promoter company has not obtained revised Environmental Clearance from the competent Authority.
3.	The promoter company shall not carry out any further construction activities in the area for which Environmental Clearance has not been obtained, till the promoter company obtains revised Environmental Clearance for the complete project.	Not complied At the time of the visit, the committee observed that the construction activities in the new added area were being carried out by the promoter company and the individual plot owners.
4	The promoter company shall not allow any occupancy in the part of the project for which Environmental Clearance has not been obtained	Not complied. At the time of visit, the committee observed that occupancy in new expanded area of the project has been given by the project Proponent.
5	The promoter company shall use its treated waste water for only dual plumbing, gardening and construction activities and shall not dispose the treated domestic effluent by any other mode of disposal.	Not complied The committee observed that the dual plumbing facility has not been established in their premises; the treated wastewater is mainly used for plantation areas developed as per Karnal technology and gardening areas.
7	The promoter company shall complete all work as per its letter dated 22.04.2021 submitted to Regional Office, Mohali, well before 15.06.2021 and submitted compliance of the same to the board.	Information not provided by Project Proponent.
8	The promoter company shall comply with provisions of Solid Waste Management Rules, 2016.	Not complied <ul style="list-style-type: none"> • The project proponent has installed a composter with a capacity of 500 kg/day for processing biodegradable waste generated on the premises. However, the composter was found to be non-functional, and its physical condition suggested it had not been used for a long time. • The project proponent did not maintain records for recyclable solid waste, inert waste, or biodegradable solid waste.

4.0. Other Findings /Observations of the Joint Committee:

1. The Project Proponent has obtained a partial completion certificate for an area of 127.03 acres out of a total project area of 299.326 acres located at Sectors 74A, 116, 117, 118, and 199 in Mohali from the Greater Mohali Area Development Authority (GMADA). The completion certificate records show that about 41% area of the proposed scheme has been completed by the project proponent. At the time of the visit, the committee observed that construction of individual plots and group housing scheme in the area expanded without obtaining environmental clearance (EC) was under progress.

2. The joint committee also visited the project area expanded by the project proponent without obtaining Environmental Clearance and observed that the applicant's house is also located in this expanded area. The sewage from this area is conveyed to the existing STP of 1.3MLD capacity for its treatment.
3. TDI Township has provided four tube wells in their premise for meeting water requirements. However, the Project Proponent has not obtained NOC/permission from the Punjab Water Resources Development Authority (PWRDA) for abstraction of ground water from tube wells, as applicable for such projects.
4. The total installed capacity of existing 03 STPs, operating capacity and its utilization capacity in their premise treatment plants is presented in the following **Table** :

Name & addresses of STPs	Date of Visit	Treatment process	Installed capacity (KLD)	Operating capacityKLD (Avg of Nov,2024)	Capacity Utilization (%)	Status
100 KLD STP sector 119	Dec.03,2024	MBBR	100	43	43	Operational
1.3 MLD STP at sector 118	Dec.03,2024	SBR	1300	550	42	Non operational at the time of visit.
STP 2.5 MLD capacity	Dec.03,2024	SBR	2500	699	28	Operational
Total combined capacity of STPs as on 03/12/2024			3900	1292	33	

5.0. Action taken by State Level Environment Impact Assessment Authority Punjab (SEIAA):

State Level Environment Impact Assessment Authority Punjab (SEIAA) had issued directions to M/s TDI Infratech under section 5 of E(P) Act,1986 for violation with regard to carrying out expansion of Mega residential project namely TDI Township located at Sector 74A, 92, 116,117,118,119, District SAS Nagar (Punjab) vide letter No SEIAA/MS/2023/MS136 dated 08/01/2024. The copy of directions is enclosed as **Annexure-VIII**.

Further, State Environment Impact Assessment Authority Punjab (SEIAA) had issued directions under section 5 of E(P) Act,1986 separately to Member Secretary, Punjab Pollution

Control Board to initiate action against the responsible persons of M/s TDI Infratech limited located at Sector 74A, 92, 116,117,118,119, District SAS Nagar (Punjab) vide letter No. SEIAA/2023/MS-140 dated 01.01.2024. The copy of directions is enclosed as **Annexure-IX**.

6.0 Action taken by Punjab Pollution Control Board (PPCB):

Punjab Pollution Control Board (PPCB) during routine monitoring from time to time found that TDI City is violating the Environment Impact Assessment (EIA) notification dated 14.09.2006 and carried the expansion of the project without the prior permission. PPCB has initiated criminal prosecution under section 5 of E(P) Act,1986 for violation for carrying out expansion of Mega residential project namely TDI Township located at Sector 74A, 92, 116,117,118,119, District SAS Nagar (Punjab).

Punjab Pollution Control Board (PPCB) had issued directions under section 5 of E(P) Act,1986 not to carry out any construction activity in the additional area added without the prior permission.

The Geo-tagged Photographs taken during site visit dated 03.12.2024, 16.12.2024) is attached as **Annexure-X**

7.0 Conclusion and Suggestions:

A. It was alleged in the letter petition that *“Developer of TDI City Mohali, Sector 118 has not provided requisite infrastructure with regard to sewage from in the said project and no STP has been constructed. Further sewerage nearby unauthorized colony is being diverted towards said project which is collected there and has created a large dirty pond as a result whereof water and air pollution is being caused causing damage to environment and also health hazards to local people.”*

In this regard, the investigation carried out by the Joint Committee by visiting the site and collecting relevant information revealed that:

A1. The project proponent has installed three Sewage Treatment Plants (STPs) based on biological process followed by tertiary treatment systems (Filtration, chlorination and UV system) for treatment of the domestic waste water, as per following details:

- i. One STP of 100 KLD capacity (Sector 119) based on MBBR Technology

- ii. 02 STPs of capacities 1.3 MLD (Sector 118), 2.5 MLD (Sector 117) based on SBR Technology.

However, the analysis results of the samples collected from 02 operational Sewage treatment plants (100 KLD STP located at Sector 119 and ii) 2.5 MLD STP located at Sector 117) indicated that:

- The STP of 100 KLD capacity was found non-complying with regard to Biochemical Oxygen Demand (13 mg/l > prescribed limit 10 mg/l), Total Nitrogen (24.86 mg/l > prescribed limit 10 mg/l) and Faecal coliform (22×10^3 MPN/100 ml > prescribed limit 100 MPN/100 ml) w.r.t. standards prescribed by Hon'ble NGT
- The STP of 2.5 MLD capacity was found non complying with regard to Total Suspended Solid (35 mg/l > prescribed limit 20 mg/l), BOD (16 mg/l > prescribed limit 10 mg/l), Total Nitrogen (23.03 mg/l > prescribed limit 10 mg/l) and Faecal Coliform (54×10^3 MPN/100 ml against prescribed limit 100 MPN/100 ml) w.r.t. standards prescribed by Hon'ble NGT

It is therefore recommended to upgrade/operate the STPs adequately including installation of a chlorination stage in the STPs, to ensure that faecal coliform and other parameters remain within prescribed limits before discharging the treated waste water for plantation and gardening purpose.

A2: The stagnation is being caused by the untreated waste water coming from Green Enclave, a colony in the nearby village Daun Majara. This untreated waste water is stagnated in a plot owned by another builder namely EMMAR Group, which is located behind TDI Project/Applicant's house. TDI group have constructed a boundary wall around their premises to prevent water seepage from the undeveloped land


It is suggested that the necessary action be taken by PPCB with regard to diversion of untreated waste water by Green Enclave in the vacant land of M/s EMMAR Group located behind TDI Project.


- B. The various non-compliances were found with regard to the compliance of the conditions of Environmental clearance and the consent to operate granted to the project proponent by SEIAA and PPCB respectively, as summarized in **Table 2** to **Table 5**. PPCB to ensure


compliance of the conditions of EC and CTO, by the project Proponent in a time bound manner.

- C. The Project proponent namely TDI, shall obtain NOC from the Punjab Water Resources Development Authority (PWRDA) for abstraction of ground water from tube wells, for groundwater extraction.
- D. The Project proponent shall provide water meters on the pipelines through which the treated wastewater is utilized for flushing purposes, irrigation of land area developed as per karnal Technology, lawns /landscaping and other activities etc. The Project proponent shall maintain the record of the treated water reuse for various activities.
- E. The Project Proponent shall install electromagnetic type flow meters on all tube wells and a record of the same has to be maintained.
- F. The project proponent shall provide adequate facilities for handling of solid waste generated in the township to ensure compliance with provisions of the Solid Waste Management Rules, 2016.
- G. The Project Proponent must stop construction activities and prevent occupancy in any part of the project for which Environmental Clearance has not yet been obtained.

The above factual report of the Joint Committee along with compliance report of the conditions of Environmental Clearance and Consent to Operate, in compliance to the orders of Hon'ble NGT, is being submitted for consideration, which may kindly be taken on record. The Joint Committee shall abide with further directions of the hon'ble NGT, in this matter.


Sh. Gurmeet Kumar
Naib-Tehsildar, Mohali


Er. Rantej Sharma,
R.O Mohali, PPCB


Er. Jagdish Prasad Meena
Sc. 'D', CPCB, RD Chandigarh

Date: January 10, 2025

Item No.06

Court No. 2

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

Original Application No. 1084/2024

Vijay KumarPathania

Applicant(s)

Versus

State of Punjab

Respondent(s)

Date of hearing: 08.11.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicants: None

ORDER

1. Vijay Kumar Pathania, resident of GL 200, TDI City, Sector 118, Mohali State of Punjab has sent a letter petition dated 11.01.2024 complaining about non compliance of environmental laws with regard to construction of Sewerage Treatment Plant and discharge of sewage on open land and this letter petition has been registered as Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in ***Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SCC 401.***

2. Complainant has said that Developer of TDI City Mohali, Sector 118 has not provided requisite infrastructure with regard to sewage from in the said project and no STP has been constructed. Further sewerage

nearby unauthorized colony is being diverted towards said project which is collected thereat and has created a large dirty pond as a result whereof water and air pollution is being caused causing damage to environment and also health hazards to local people.

3. Allegations contained in this letter petition in our view, give rise to a substantial question relating to environment arising out of implementation of enactments mentioned in Schedule 1 of NGT Act, 2010 but before proceeding further in the matter we find it appropriate to verify the facts and for this purpose we constitute a Joint Committee comprising District Magistrate, Mohali; Punjab State Pollution Control Board; and, Central Pollution Control Board.

4. Central Pollution Control Board shall be the Nodal Authority for co-ordination and compliance of this order.

5. Above Committee shall visit the site, collect relevant information and also find out whether conditions of environmental clearance/consent, as the case may be, have been complied with by the developer or not and submit a factual report within one month.

6. List for further hearing on 12.12.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 08, 2024
Original Application No. 1084/2024
M



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, PUNJAB
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVERNMENT OF INDIA

O/O Punjab Pollution Control Board,
 Vatavaran Bhawan, Nabha Road,
 Patiala - 147 001
 Telefax:- 0175-2215802

No. SEIAA/2015/ 5194

Dated: 1.10.15

To

M/s Taneja Developers & Infrastructure Ltd.,
 SCO 51-52, TDI City 118, Mohali

Subject: Environmental Clearance under EIA notification dated 14.09.2006 for construction of a housing project namely 'TDI Township' at sector 117-118, Vill. Ballomajra, Distt. S.A.S. Nagar by M/s Taneja Developers & Infrastructure Ltd.

This has reference to your application for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for construction of a housing project namely 'TDI Township' at Sector 117-118, Vill. Ballomajra, Distt. S.A.S. Nagar and subsequent presentation given before the State Level Expert Appraisal Committee (SEAC) for seeking prior environmental clearance for subject cited project as required under the EIA Notification, 2006. The proposal has been appraised as per procedure prescribed under the provisions of EIA Notification dated 14.09.2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, 1-A, conceptual plan & EIA report and the additional clarifications furnished in response to the observations of the SEAC.

It is inter-alia noted that the proposal involves construction of a housing project namely 'TDI Township' at Sector 117-118, Vill. Ballomajra, Distt. S.A.S. Nagar. The total plot area is 230.034 acres having total built up area 2,86,135 sqm. The permission for change of land use has been granted by Department of Town & Country Planning Punjab vide memo no. 18/117/2006-5HG2/12779 dated 22.12.2006 for an area measuring 131.618 acres, vide memo no. 8908/CTP (Pb)/SP-432(M) dated 12.11.2008 for an area measuring 53.4 acres, vide memo no. 6421/CTP (Pb)/SP-432(M) dated 12.08.2009 for an area measuring 24.868 acres, vide memo no. 4269/CTP (Pb)/SP-432(M) dated 01.06.2010 for an area measuring 45.56 acres, vide memo no. 172/CTP (Pb)/SP-432(M) dated 12.01.2011 for an area measuring 11.83 acres, vide memo no. 1825/CTP (Pb)/SP-432(M) dated 28.03.2013 for an area measuring 14.44 acres,

vide memo no. 1604/CTP (Pb)/SP-432(M) dated 13.03.2014 for an area measuring 38.05 acres, vide memo no. 1962/CTP (Pb)/SP-432(M) dated 31.03.2014 for an area measuring 4.2125 acres. The total population of the township will be 36859 persons. Total domestic water demand for the project will be 3992 KLD which will met through ground water. The total wastewater generation from the project is 3194 KLD, which will be treated in a STP of 3.2 MLD capacity within the project premises. In summer season, 1188 KLD will be used for flushing, 728 KLD will be used for horticulture demand and remaining 1278 KLD will be disposed off into the sewer. In winter season, 1188 KLD will be used for flushing, 88 KLD will be used for horticulture demand and remaining 1918 KLD will be disposed off into the sewer. In rainy season, 1188 KLD will be used for flushing and remaining 2006 KLD will be disposed off into the sewer. GMADA vide memo no. GMADA-D.E.(PH-1)-2014/349 dated 24.01.2014 has intimated that GMADA will account for the water supply demand and sewerage load for the project, while designing the trunk services, to be laid by GMADA on the peripheral grid roads of Mohali master plan and connection will allowed only after these services are commissioned in due course of time. Green area of 31.955 acres is available with the Township.

The total quantity of solid waste to be generated from the proposed project has been estimated as 14164 Kg/day, The solid waste will be segregated to biodegradable and non-biodegradable waste and will be managed as per MSW Rules, 2000. Biodegradable waste shall be disposed-off to the designated site of MC. The recyclable inorganic waste shall be sold to local resellers. The sludge from the sewage treatment plant will be used as manure in green area inside the township. GMADA vide memo no. GMADA-D.E.(PH-1)-2014/349 dated 24.01.2014 has intimated that the Department of Local Govt. (Pb) has also considered the quantity of garbage generated from this project while calculating the capacity of Common Solid Waste Management Facility for GMADA. The Ministry of Road Transport and Highways, Govt. of India vide letter no. NH-12017/926/2010/Pb/NH-1 dated 10.03.2011 has granted permission of access to Private property of M/s TDI at km 10.50 (LHS) of NH-21 at village Ballu Majra, Mohali. The e-waste is handled and managed as per the E-waste (Management & Handling) Rules, 2011. The total load of electricity required for proposed project is 16 MW which will be supplied by PSPCL. The project proponent has proposed to install D.G sets are proposed with built acoustic enclosure for backup power

supply. Solar mixed street lighting has been proposed for the conservation of energy and LED lights shall be used for lighting, about 475 KWHD will be saved.

The implementation of the Corporate Social Responsibility will be responsibility of Project incharge. Following activities will be undertaken under Corporate Social Responsibility activities.

- i) Repair of the roads in the near by villages -Rs. 10, 00,000.00
- ii) Toilets for girls in the nearby by schools - Rs. 10,00,000.00
- iii) The company has already paid Rs. 2042 Lac In Social Infrastructure fund & Social Security Fund

During construction phase, Rs. 13 lacs will be incurred for implementation of EMP as capital cost and Rs.22.50 Lacs will be incurred as recurring cost. During operation phase, Rs. 5.72 Crores will be incurred for implementation of EMP as capital cost and Rs.20 Lacs will be incurred as recurring cost. Cost of monitoring during construction phase will be Rs 5.90 lacs/annum and during operation phase, the cost of monitoring will 6.90 lacs/annum.

The case was considered by the SEAC in its 97th meeting held on 28.07.2014, wherein, the SEAC issued ToR to the project proponent vide letter no. 2488 dated 14.08.2014. Thereafter, the project proponent vide letter dated 05.05.2015 submitted the EIA report, which was considered by the SEAC in its 117th meeting held on 20.05.2015. Lastly, the case was considered by the SEAC in its 126th meeting held on 21.08.2015, wherein, the Committee awarded '**Silver Grading**' to the project proposal and decided to forward the case to the SEIAA with the recommendation to grant environmental clearance to the project proponent subject to certain conditions in addition to the proposed measures.

Thereafter, case was considered by the SEIAA in its 91st meeting held on 10.09.2015, wherein, the Authority noted that the case stands recommended by SEAC and the Committee awarded '**Silver Grading**' to the project proposal. Therefore, the Authority decided to grant environmental clearance to the project proponent for development of the project namely 'TDI Township' in an area of 230.034 acres having total built up area 2,86,135 sqm in the revenue estate of Village Ballomajra Majra, District S.A.S. Nagar, Punjab, subject to the conditions as proposed by the SEAC in addition to the proposed measures. Accordingly, SEIAA, Punjab hereby accords necessary environmental

clearance for the above project under the provisions of EIA Notification dated 14.09.2006 and its subsequent amendments, subject to strict compliance of terms and conditions as follows:

PART A – Specific Conditions:

I. Pre-Construction Phase

- (i) "Consent to establish" shall be obtained from Punjab Pollution Control Board under Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 and a copy of the same shall be submitted to the Ministry of Environment & Forests / State Level Environment Impact Assessment Authority before the start of any construction work at 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 phase of the project.
- (iv) The approval of competent authority shall be obtained for structural safety of the buildings due to earthquakes, adequacy of fire fighting equipments etc. as per National Building Code including protection measures from lightning.
- (v) 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, disposal of waste water & solid waste in an environmentally sound manner, 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.

II. Construction Phase:

- (i) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- (ii) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed off after taking the necessary precautions for general safety and health aspects of people with the approval of competent authority.
- (iii) Construction spoils, including bituminous material and other hazardous material, 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 groundwater.
- (iv) Construction/provision of the STP, tubewell, DG Sets, Utilities etc, earmarked by the project proponent on the layout plan, should be made in the earmarked area only. In any case the position/location of these utilities should not be changed later-on

- (v) Vehicles hired for bringing construction material to the site and other machinery to be used during construction should be in good condition and should conform to applicable air and noise emission standards.
- (vi) Ambient noise levels should conform to prescribed standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase.
- (vii) Fly ash should be used as construction material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended on August, 2003 and notification No. S.O. 2804 (E) dated 03.11.2009 (This condition is applicable only if the project is within 100 Km of Thermal Power Station).
- (viii) Ready mixed concrete should be used in building construction as far as possible.
- (ix) Water demand during construction should be reduced by use of premixed concrete, curing agents and other best practices.
- (x) The project proponent shall adopt dual plumbing system for reuse of treated wastewater for flushing system & HVAC etc
- (xi) 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.
- (xii) Adequate steps shall be taken to conserve energy by limiting the use of glass, provision of proper thermal insulation and taking measures as prescribed under the Energy Conservation Building Code.
- (xiii) The approval of competent authority shall be obtained for structural safety of the buildings due to earthquakes, adequacy of fire fighting equipments etc. as per National Building Code including protection measures from lightning.
- (xiv) The diesel generator sets to be used during construction phase should be of low sulphur diesel type and should conform to the provisions of Environment (Protection) Act, 1986 prescribed for air and noise emission standards.
- (xv) The project proponent will provide dual plumbing system for reuse of treated wastewater for flushing/ HVAC purposes etc. and colour coding of different pipe lines carrying water/wastewater/ treated wastewater as follows:

a.	Fresh water:	Blue
b.	Untreated wastewater:	Black
c.	Treated wastewater: (for reuse)	Green
d.	Treated wastewater: (for discharge)	Yellow
e.	Storm water:	Orange
- (xvi) The installation of sewage treatment plant (STP) and adequacy of disposal system should be certified by Punjab Pollution Control Board and a report

in this regard should be submitted to the Ministry of Environment & Forests/State Level Environment Impact Assessment Authority before the project is commissioned for operation.

- (xvii) Chute system shall be provided for collection of domestic solid waste as proposed by the project proponent. The solid waste generated should be properly collected.

III. Operation Phase and Entire Life

- i) "Consent to operate" shall be obtained from Punjab Pollution Control Board under Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 and a copy of the same shall be submitted to the Ministry of Environment & Forests / State Level Environment Impact Assessment Authority at the time of start of operation.
- ii) The project proponent shall discharge not more than 1278 KLD wastewater into sewer during summer season, 1918 KLD wastewater into sewer during winter season and 2006 KLD wastewater into sewer during rainy season.
- iii) The project proponent shall provide electromagnetic flow meter at the outlet of the water supply, outlet of the STP and any pipeline to be used for re-using the treated wastewater back into the system for flushing and for horticulture purpose/green etc. and shall maintain a record of readings of each such meter on daily basis.
- iv) The position / location of the STP, tubewell, DG Sets, Utilities etc, installed by the project proponent as per the provisions made in the layout plan, should not be changed later-on under any circumstances.
- v) Rainwater harvesting for rooftop run-off should be implemented. Before recharging the rooftop run-off, pretreatment must be done to remove suspended matter, oil and grease. However, run off from gardens/green area/roads/pavements may also be connected with the ground water recharging system after adequate treatment as per the CGWA guidelines.
- vi) The collected solid waste should be segregated at site. The recyclable solid waste shall be sold out to the authorized vendors and inert waste shall be sent to disposal facility. The Bio-degradable solid waste shall be adequately treated as per the scheme submitted by the project proponent. Prior approval of competent authority should be obtained, if required.
- vii) Adequate & appropriate pollution control measures should be provided to control fugitive emissions to be emitted within the complex.
- viii) Hazardous waste/E-waste should be disposed off as per Rules applicable and with the necessary approval of the Punjab Pollution Control Board.
- ix) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored.
- x) 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.
- xi) The approval of competent authority shall be obtained for structural safety of the buildings due to earthquakes, adequacy of fire fighting equipments

- etc. as per National Building Code including protection measures from lightning.
- xii) Adequate treatment facility for drinking water shall be provided, if required.
 - xiii) The green belt along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential land use. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous species/variety.
 - xiv) The project proponent should take adequate and appropriate measures to contain the ambient air quality within the prescribed standards. The proposal regarding mitigation measures to be taken at site should be submitted to the Ministry of Environment & Forests/ State Level Environment Impact Assessment Authority within three months.
 - xv) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating.
 - xvi) A report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about machinery of air conditioning, lifts, lighting, building materials, R & U Factors etc. and submitted to the respective Regional office of MoEF, the Zonal Office of CPCB and the SPCB/SEIAA in three months time.
 - xvii) Environmental Management Cell shall be formed during operation phase which will supervise and monitor the environment related aspects of the project.
 - xviii) Ambient noise levels should conform to prescribed standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase.
 - xix) Separation of drinking water supply and treated sewage supply should be done by the use of different colors.
 - 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.

PART B – General Conditions :

I. Pre-Construction Phase

- i) This environmental clearance will be valid for a period of five years from the date of its issue or till the completion of the project, whichever is earlier.
- ii) The environmental safeguards contained in the application of the promoter / mentioned during the presentation before State Level Environment Impact Assessment Authority/State Expert Appraisal Committee should be implemented in letter and spirit.
- iii) 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, by project proponents from the competent authorities including Punjab Pollution Control Board and from other statutory bodies as applicable. The project proponent shall also obtain permission from the NBWL, if applicable.

- iv) The project proponent should advertise in at least two local newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Punjab Pollution Control Board. The advertisement should be made within seven days from the day of issue of the clearance letter and a copy of the same should be forwarded to the Regional Office, Ministry of Environment & Forests, Chandigarh and SEIAA, Punjab.
- v) These stipulations would be enforced among others under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981, Environmental (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
- vi) The project proponent shall obtain permission from the CGWA for abstraction of groundwater & digging of borewell(s) and shall not abstract any groundwater without prior written permission of the CGWA, even if any borewell(s) exist at site
- vii) The project proponent shall comply with the conditions imposed by the Competent Authority while granting CLU vide letter no. 13157 dated 16.09.2013.
- viii) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/ Municipal Corporation, Urban local body and the local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- ix) The State Environment Impact Assessment Authority, Punjab reserves the right to add additional safeguards/ measures subsequently, if found necessary, and to take action including revoking of the environmental clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguards/ measures in a time bound and satisfactory manner.
- x) Any appeal against 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.

II. Construction Phase

- i) The environmental safeguards contained in the application of the promoter / mentioned during the presentation before State Level Environment Impact Assessment Authority/State Expert Appraisal Committee should be implemented in letter and spirit.
- ii) The entire cost of the environmental management plan (i.e. capital cost as well as recurring cost) will continue to be borne by the project proponent until the responsibility of environmental management plan is transferred to the occupier/residents society under proper MOU after obtaining prior permission of the Punjab Pollution Control Board.

- iii) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by mail) to the respective Regional office of MoEF, the Zonal Office of CPCB, the SPCB and SEIAA, Punjab.
 - iv) Officials from the Regional Office of Ministry of Environment & Forests, Chandigarh / State Level Environment Impact Assessment Authority / State Level Expert Appraisal Committee / Punjab Pollution Control Board 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 State Environment Impact Assessment Authority should be forwarded to the CCF, Regional Office of Ministry of Environment & Forests, Chandigarh and State Level Environment Impact Assessment Authority, Punjab.
 - v) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by State Environment Impact Assessment Authority, Punjab.
 - vi) Separate distribution pipelines be laid down for use of treated effluent / raw water for horticultural/gardening purposes with different colour coding.
 - vii) The project proponent shall adhere to the commitments made in the Environment Management Plan and Corporate Social Responsibility and shall spend the amount as proposed or atleast minimum required to be spent under the provisions of the Companies Act 1956, whichever is higher.
 - viii) The State Environment Impact Assessment Authority, Punjab reserves the right to add additional safeguards/ measures subsequently, if found necessary, and to take action including revoking of the environmental clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguards/ measures in a time bound and satisfactory manner.
 - ix) Separation of drinking water supply and treated sewage supply should be done by the use of dual plumbing line.
 - x) Any appeal against 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.
- III. Operation Phase and Entire Life**
- i) 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 and decisions of any Competent Court, to the extent applicable.
 - ii) The entire cost of the environmental management plan (i.e. capital cost as well as recurring cost) will continue to be borne by the project proponent until the responsibility of environmental management plan is transferred to the occupier/residents society under proper MOU after obtaining prior permission of the Punjab Pollution Control Board. (2)
 - iii) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored

- data (both in hard copies as well as by mail) to the respective Regional office of MoEF, the Zonal Office of CPCB, the SPCB and SEIAA, Punjab.
- iv) Officials from the Regional Office of Ministry of Environment & Forests, Chandigarh / State Level Environment Impact Assessment Authority / State Level Expert Appraisal Committee / Punjab Pollution Control Board 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 State Environment Impact Assessment Authority should be forwarded to the CCF, Regional Office of Ministry of Environment & Forests, Chandigarh and State Level Environment Impact Assessment Authority, Punjab.
- v) The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; $PM_{2.5}$, PM_{10} , SO_2 , NO_x , CO, Pb, Ozone (ambient air as well as stack emissions) shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- vi) The project proponent shall adhere to the commitments made in the Environment Management Plan and Corporate Social Responsibility and shall spend the amount as proposed or atleast minimum required to be spent under the provisions of the Companies Act 1956, whichever is higher.
- vii) The State Environment Impact Assessment Authority, Punjab reserves the right to add additional safeguards/ measures subsequently, if found necessary, and to take action including revoking of the environmental clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguards/ measures in a time bound and satisfactory manner.
- viii) Any appeal against 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.


Member Secretary (SEIAA)

REGISTERED


Endst. No. _____

Dated _____

A copy of the above is forwarded to the following for information & further necessary action please.

1. The Secretary to Govt. of India, Ministry of Environment and Forest, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-office Complex, East Arjun Nagar, New Delhi.
3. The Chairman, Punjab State Power Corporation Ltd, the Mall, Patiala.

4. The Deputy Commissioner, SAS Nagar.
5. The Chairman, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala.
6. The Director (Environment), Ministry of Environment and Forest, Northern Regional Office, Bays No.24-25, Sector-31-A, Chandigarh. The detail of the authorized Officer of the project proponent is as under:
 - a) Name of the applicant : Sh. Ved Parkash
 - b) Contact no. : 858807771
7. The Chief Town Planner, Department of Town & Country Planning, 6th Floor, PUDA Bhawan, Phase-8, Mohali
8. Monitoring Cell, Ministry of Environment and Forest, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi.
9. The Environmental Engineer (Computers), Punjab Pollution Control Board, Head Office, Patiala for displaying this document on the web site of the State Level Environment Impact Assessment Authority.


Member Secretary (SEIAA)

F. No. 22-21/2020-IA.III

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

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi - 110003
sujit.baju@gov.in

Date: 7th July, 2021

Office Memorandum

Subject: Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ - Regarding.

The Ministry had issued a notification number S.O.804(E), dated the 14th March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority &Ors., vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "**...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country**".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of 'violation' cases which have been

pending for want of an approved structural/procedural framework based on 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

7. Relevant Court Cases on the issue: It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, **the Hon'ble courts have, *inter-alia*, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays' in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014).** The salient extracts of the judgements are as under:

Issue 1: Proposal for grant of Environmental Clearance in violation cases – to be considered on merits:

i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014

Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."

*"(...) the proposal of the petitioner company for **environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws.**"*

ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017

Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating

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*pollution laws or the pollution, if any, can conveniently and effectively be checked. **The answer necessarily has to be in the negative.***"

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

Issue 2: Environmental Clearance – Prospective & not ex-post facto:

Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017

*Held: "(...) an EC will come into force **not earlier than the date of its grant.**"*

Issue 3: 'Principles of Proportionality' – to be applied:

Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020

*Held: "(...) **this Court must take a balanced approach** which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord **with the principle of proportionality**"*

Issue 4: 'Polluter pays' principle &

&

Issue 5: Costs for remedial measures implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)

Held:

*a) The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will **include giving directions ...** and also the power to **impose the cost of remedial measures** on the offending industry and utilize the amount so recovered for carrying out remedial measures.....*

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b) **Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5** which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.

c) The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the **"Polluter Pays" Principle**. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

8. Legal provisions:

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

9. Definition of Violation and Non-compliance:

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

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i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

10. Standard Operating Procedure – Guiding Principles:

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19** of The Environment (Protection) Act, 1986 **against all violations.**

ii. Projects not allowable/permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

11. SOP for dealing with the violation cases:

Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to close its operation
2.	If prior EC is available for existing/old unit	Order to revert the activity/production to permissible limits.
3.	If prior EC was not required for earlier production level but is now required	Restrict the activity/production to the extent to which prior EC was not required.

Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

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Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for such closure & demolition of the project/activity.

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

(a) Damage Assessment

(b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may **be permissible but not environmentally sustainable in its present**

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form/configuration/features then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and **will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.**

Note - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

12. Penalty provisions for Violation cases and applications:

a. For new projects:

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

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b. **For expansion projects:**

- i. **Where operation/production with expanded capacity has not commenced:**
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

13. Identification of Violation cases:

With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-


- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior



Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.


 (Dr. Sujit Kumar Bajpayee)
 Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).

 सत्यमेव जयते	STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY PUNJAB Ministry of Environment, Forest & Climate Change, Government of India PBTI Complex, Knowledge City, Sector-81, Mohali-140306 seiaapb2017@gmail.com		

No. SEIAA/MS/2023/ MS-131 (Through Parivesh)

Date: 08/01/2024

To

M/s TDI Infratech Ltd.,
 (Project Name: TDI Township),
 Sector-74 A, 92, 116, 117, 118, 119,
 District SAS Nagar, Punjab.

Subject

Terms of References (TORs) under EIA Notification 14.09.2006 for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab (SIA/PB/INFRA2/448341/2023).

This is in reference to your online application bearing proposal no. SIA/PB/INFRA2/448341/2023 submitted on 10.10.2023 for carrying out EIA study for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab.

2) State Environment Impact Assessment Authority, Punjab has examined the proposal for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab. The project is covered under the category Township & Area Development Project- 8 (b) of the Schedule appended to the EIA Notification, 2006 & its subsequent amendments and requires appraisal at the State level.

3) The proposal has been appraised under the violation category as per the procedure prescribed under the provisions of EIA Notification 14.09.2006 as amended from time to time on the basis of mandatory documents enclosed with the online application viz PFR, Draft Proposed ToRs, and other additional documents and subsequent presentations/clarifications made by the project proponent and his consultant to the observations of SEIAA and SEAC. The details of the project, as per the application, documents submitted by the project proponent, and as informed during the meeting of SEAC/SEIAA are as under:

Sr. No.	Description	Details			
1.	Name of Project & address	TDI Township by M/s TDI Infratech Ltd. located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab			
2.	Details of Land area & Built-up area	Description	As per Existing EC	Proposed	After Expansion
		Total Plot area	230.034 acre	63.42 acre	293.454 acre

		Built up area	2,86,135 sqm	10,13,469.74 sqm	12,99,604.74 sqm
3.	Category under EIA notification dated 14.09.2006	8(b) 'Township & Area Development Project'			
4.	Cost of the project	Description	As per Existing EC	Proposed	After Expansion
		Cost of Project	329.16 Cr.	168.02 Cr.	497.18 Cr.
5.	Green Area	81,152 sqm			
6.	Population details	Description	As per Existing EC	Proposed	After Expansion
		Population	36859 persons	5344 persons	42203 persons
7.	Total water requirement	Description	As per Existing EC	Proposed	After Expansion
		Water Requirement	3992 KLD	1330 KLD	5322 KLD
8.	Source	Borewell			
9.	Total wastewater generation:	Description	As per Existing EC	Proposed	After Expansion
		Wastewater generation	3194 KLD	1063 KLD	4257 KLD
10.	Treatment methodology: (STP capacity, technology & components)	4257 KLD of sewage will be treated in the STP of 5 MLD (in modules) capacity based on SBR technology and treated wastewater @ 1795 KLD will be utilized for flushing, @ 446 KLD will be utilized for plantation (area @ 81,152 sqm) in summer season, @ 146 KLD for plantation in winter season, @ 41 KLD for plantation in monsoon season and excess to Karnal Technology in summer season @ 1930 KLD, in winter season @ 2230 KLD and in monsoon season @ 2335 KLD.			
11.	Rainwater harvesting proposal:	70 no. Rain Water Recharging pit proposed			
12.	Total quantity of solid waste generation	Description	As per Existing EC	Proposed	After Expansion
		Solid Waste Generation	14,164 Kg/day	1883 Kg/day	16,047 Kg/day
13.	Power Consumption:	40462 KWA			

4) The SEAC conducted appraisal of the proposal in its 269th meeting held on 12.12.2023 and deliberated upon the information provided by the project proponent. After detailed deliberations, SEAC decided to recommend the case to SEIAA for grant of Terms of References (TORs) under violation category for expansion of mega residential Project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab in an area of 293.454 acre having built up area of 12,99,604.74 sqm, to the project proponent

including TOR of carrying out the assessment of ecological damage done and economic benefits derived due to violation and prepare remediation plan and natural & community resource augmentation plan.

5) The case was considered by the SEIAA in its 273rd meeting held on 26.12.2023 and decided to accept the recommendations of SEAC and to issue additional specific TOR in line with the OM dated 07.07.2021 issued by the MoEF&CC for preparation of the EIA report and EMP to the project proponent, as proposed by the SEAC and certain additional ToRs.

6) Accordingly, SEIAA, Punjab hereby accords Terms of References (ToRs) for the preparation of the Environment Impact Assessment (EIA) Report and Environment Management Plan (EMP) for the aforesaid project under the provisions of EIA Notification dated 14.09.2006 and its subsequent amendments as per the details given as under:

Terms of Reference

- 1) The project proponent shall prepare the EIA Report as per the Standard Operating Procedure (SOP) laid down by Ministry of Environment Forest & Climate Change vide Office Memorandum F.No.22-21/2020-IA.III dated 7.07.2021 for identification and handling of violation cases under EIA Notification 2006.
- 2) The Project Proponent shall immediately stop the construction activity and no further construction activity shall be carried out before obtaining the Environmental Clearance.
- 3) The Project Proponent shall submit the details of the construction activity carried out in the project along with month/year of construction required for evaluating the extent of violation at the time of submission of final EIA report.
- 4) Examine details of land use as per Master Plan and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery for land use with raw images. Check on flood plain of any river.
- 5) Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/villages and present status of such activities.
- 6) Examine baseline environmental quality along with projected incremental load due to the project.
- 7) Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
- 8) Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project
- 9) Submit the details of the trees to be felled for the project.
- 10) Submit the present land use and permission required for any conversion such as forest, agriculture etc.

- 11) Submit Roles and responsibility of the developer etc for compliance of environmental regulations under the provisions of EP Act.
- 12) Ground water classification as per the Central Ground Water Authority.
- 13) Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
- 14) Rain water harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water. Examine details.
- 15) Examine soil characteristics and depth of ground water table for rainwater harvesting.
- 16) Examine details of solid waste generation treatment and its disposal.
- 17) Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
- 18) DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.
- 19) Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analysed with measures for preventing traffic congestion and providing faster trouble-free system to reach different destinations in the city.
- 20) A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
- 21) Examine the details of transport of materials for construction which should include source and availability.
- 22) Examine separately the details of construction and operation phases both for Environmental Management Plan & Environmental Monitoring Plan with cost and parameters.
- 23) Baseline data should not be older than 3 years.
- 24) Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
- 25) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given
- 26) The cost of the Project, Capital cost and recurring cost towards implementation of EMP for the Construction Phase and Operation Phase of the project should be clearly spelt out.
- 27) The Project Proponent shall prepare Damage Assessment, Remedial Plan and Natural & Community Resource Augmentation Plan, in compliance of Ministry of Environment, Forest & Climate Change, Govt. of India Office Memorandum No. 22-

21/2020-IA.III dated 7.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification, 2006. The collection and analysis of data for assessment of ecological damage, preparation of Remediation Plan and Natural & Community Resource Augmentation Plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or an environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

Additional TORs proposed by SEIAA

- 1) The project proponent shall propose Additional Environment Activities amounting to Rs 4.94 Crore minus the amount already spent on CER / AEA activities (along with proof of expenditure already incurred) while applying for Environmental Clearance. from the list of AEA activities suggested by SEIAA:
 - a. Developing mini forests (Nanak Bagichi), urban forests, green belts, biodiversity parks etc., raising of avenue plantations and plantations in public/community areas/ educational institutions/Govt. buildings/banks of rivers/cantonment areas or any other land made available by the Govt. agencies and other institutions either by the Project Proponent itself or through the State Forest Department.
 - b. Cleaning and rejuvenating village ponds, water bodies, wetlands, storm drains etc. (treatment of village sewer pond using PPCB and other approved scientific models), such as:
 - (i) Action Plan for Rejuvenation of Ponds (<https://ppcb.punjab.gov.in/sites/default/files/documents/Action-Plan-forRejuvenation-of-Ponds-31.03.20.pdf>)
 - (ii) Guidelines for restoration of Water Bodies (<https://ppcb.punjab.gov.in/sites/default/files/documents/Indicative%20Guidelines%20for%20Restoration%20of%20Water%20Bodies%20by%20CPCB.pdf>), and
 - (iii) Technical Committee Report on wastewater treatment (<https://ppcb.punjab.gov.in/sites/default/files/documents/Report%20of%20Technical%20Committee%20For%20Treatment%20of%20wastewater%20of%20Village%20Pond.pdf>)
 - c. Developing infrastructure for
 - i) Utilizing treated effluent of STPs (double plumbing, construction work roadside sprinkling
 - ii) Reusing STP/ETP sludge as farmyard manure (FYM) or 'other activities approved by CPCB/PPCB/MoEF&CC, and
 - iii) Replacing soakage pits and/or providing septic tanks in government education institutions and other government buildings/projects.
 - d. Provisioning solar panels/lights and other energy saving electric devices/equipment's including LED bulbs etc. in the government/municipal/other public schools, hospitals and dispensaries etc. or in other public buildings.

- e. Provisioning Roof top rainwater harvesting (RWH) and other water/groundwater conservations activities in the government/ municipal/ other public schools, hospitals and dispensaries etc. or in other public buildings.
 - f. Provisioning Solid waste management including composting/vermi-composting, authorized approaches of reuse & recycle, Material Recovery Facility (MRF) to reach zero waste condition, etc.
 - g. Developing and establishing alternatives to the single use plastic (SUP) and plastic carry bags.
 - h. Ameliorating air, water, soil & noise pollution as prescribed in the applicable District Environment Plan (DEP) <https://decc.punjab.gov.in/> where gaps exist and which are not the statutory responsibility of government departments / agencies, including need based environmental activities as proposed by the project proponent/their accredited consultants based on site-specific field surveys of the project and nearby areas and approved by SEIAA/SEAC/PPCB.
 - i. Preparing Peoples Biodiversity Register (PBR) at all levels (District, block & village) and conserving state's biodiversity heritage sites (BHS), Eco zones, Hotspots, Wildlife & bird sanctuaries, etc.
 - j. Organizing environmental awareness activities/celebrations/programmes, preparing and distributing resource material for abatement and control of pollution and restoration of environment of Punjab and approved by SEIAA/SEAC/PPCB/academic experts.
 - k. Suppressing dust by using vacuum cleaners, sprinklers, fountains, misting machines/vehicles/artificial rain etc.
 - l. Managing waste in scientific and environmentally sound manner including establishment of recovery facilities of e-waste, construction and demolition waste, plastic waste, toxic/hazardous waste, bio-medical waste, industrial wastes, dairy/Gaushala waste etc.
 - m. Promoting and developing eco-tourism areas/activities, green buildings, agriculture diversity, organic/natural farming/herbal/medicinal/botanical gardens, electric vehicles, cleaner fuels, biodegradable materials, etc.
 - n. Controlling and managing (In-situ/Ex-situ) stubble burning (Parali) in Punjab.
 - o. Developing clean and innovative technologies for reducing water, air and solid waste pollutants including reuse and recycling of resource materials.
 - p. Restoration of damage to link road/village road due to mining activity.
- 2) The project proponent shall submit a separate chapter defining the role and responsibilities of all stakeholders in the implementation of the proposed Environmental Management Plan as well as for assuring proper compliance of the conditions of Environmental Clearance in case it is granted.
 - 3) Environmental Consultant shall prepare EIA report in accordance with Office Memorandum dated 07.07.2021 issued by the MoEF&CC, New Delhi.
 - 4) The project proponent shall make necessary arrangement for treatment and disposal of wastewater generated from the project in an environmentally sound manner.
 - 5) The project proponent shall install STP in modules instead of installation of single STP of 5 MLD capacity.

- 7) If any part of the data/information submitted by the project proponent is found to be false or misleading at any stage, then SEIAA & SEAC will not be responsible for the expenditure incurred on the project due to the issuance of this ToRs or subsequent work carried out by the project proponent for conducting EIA study or for any other activity related to the project.
- 8) As stipulated in amendment notification No. S.O.751 (E) dated 17th February, 2020, the above ToRs would be valid for a period of four years from the date of issue. The project proponent shall submit a detailed final EIA Report and EMP prepared as per above ToR within the stipulated period of four years.
- 9) As per amendment notification No. 648(E) dated 3rd March, 2016, the Environmental consultant organizations which are accredited for a particular sector and the category of the project for that sector with the Quality Council of India (QCI) or National Accreditation Board for Education and Training (NABET) or any other agency as may be notified by the Ministry of Environment, Forest and Climate Change from time to time shall be allowed to prepare the EIA Report and EMP of a project and appear before the concerned EAC. The consultants involved in the preparation of EIA Report would need to include a certificate in this regard in the EIA report and EMP prepared by them and details for data provided by other Organization(s)/ Laboratories including their status of approvals etc.
- 10) This issues as per the decision of SEIAA recorded in the proceedings of item no 273.03 of its 273rd meeting held on 26.12.2023.


Environmental Engineer

Through Parivesh Portal

Copy to: MS 132 to 135

1. The Secretary to Govt. of India, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003
2. The Joint Director, Northern Regional Office, Ministry of Environment & Forests, Bays No. 24-24, Sector 31-A, Dakshin Marg, Chandigarh. The name and contact details of the applicant is as under:

a) Name of the applicant	Sh. Prince Chhabra (Authorised Signatory)
b) Phone Number	9888883250
c) Email id	tdlprince@gmail.com
d) Email ID of consultants	md@ecoparyavaran.org
3. The Member Secretary, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala, 147001 (Punjab).
4. Parivesh Portal/Record File.


Environmental Engineer

ITEM NO.23

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA
(FOR ADMISSION
ORDERS/DIRECTIONS)

and

IA

Respondent(s)
No.257416/2023-APPROPRIATE

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTAFor Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jian, Adv.
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice returnable in four weeks.
2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS(BEENA JOLLY)
COURT MASTER (NSH)



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-I, Vatavaran Bhawan, Nabha Road, Patiala

Website:- www.ppcb.gov.in

Office Dispatch No :

Registered/Speed Post

Date:

Industry Registration ID: R14SAS1248089

Application No : 13182303

To,

Mandeep Sharma
S.c.o 51-52, Tdi City , Sector 118, Mohali
Mohali,Mohali-160062

Subject: Grant Varied 'Consent to Operate' an outlet u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 for discharge of effluent.

With reference to your application for obtaining Varied i/c Consent to Operate i/c an outlet for discharge of the effluent u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974, you are, hereby, authorized to operate an industrial unit for discharge of the effluent(s) arising out of your premises subject to the Terms and Conditions as mentioned in this Certificate

1. Particulars of Consent to Operate under Water Act, 1974 granted to the industry

Consent to Operate Certificate No.	CTOW/Varied/SAS/2021/13182303
Date of issue :	21/05/2021
Date of expiry :	28/02/2022
Certificate Type :	Varied
Previous CTO No. & Validity :	CTOW/Varied/SAS/2016/4454455 From:14/12/2016 To:28/02/2018

2. Particulars of the Industry

Name & Designation of the Applicant	Mandeep Sharma, (Senior Manager)
Address of Industrial premises	Tdi Township Developed By Tdi Infratech Ltd Formely Known As Tansa Developers & Infrastructure Ltd, Sector 74a,92,116,117,118 & 119 Mohali, Mohali,Sas Nagar-140306
Capital Investment of the Industry	46518.0 lakhs
Category of Industry	Red
Type of Industry	Building, Const. projects, Township & Area development covered under EIA notification dated 14/9/06
Scale of the Industry	Large
Office District	Sas Nagar
Consent Fee Details	Rs. 7,00,000/- vide UTR No. YESBR52018102658509288 dated 26.10.2018 and Rs. 1,40,000/- vide UTR No. N338180174183462 dated 04.12.2018 under both acts and Rs. 21,00,000/- vide UTR No. YESBR52020070973625526 dated 09.07.2020
Raw Materials(Name with quantity per day)	N.A. being construction project

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Products (Name with quantity per day)	598 flats, 390 dwelling units, 60 SCO and 28 booth
By-Products, if any,(Name with quantity per day)	As per application no. 13182303
Details of the machinery and processes.	--
Details of the Effluent Treatment Plant	3 no. STPs having capacity 300 KLD, 340 KLD and 100 KLD.
Mode of Disposal	Domestic Effluent @ 593 KLD - After STP 197 KLD for Flushing purposes and 396 onto land for irrigation on 10 acres land
Standards to be achieved under Water(Prevention & Control of Pollution) Act, 1974	As per effluent standards prescribed by the PPCB/ MoEF&CC from time to time.



21/05/2021

(Kuldeep Singh)
Environmental Engineer
For & on behalf

of

(Punjab Pollution Control Board)

Endst. No.:

Dated:

A copy of the above is forwarded to the following for information and necessary action please:

The Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. He is requested to send his recommendations separately for the violations of the EIA notification, 2006, being made by the project proponent.



21/05/2021

(Kuldeep Singh)
Environmental Engineer
For & on behalf

of

(Punjab Pollution Control Board)

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Tidi Township Developed By Tidi Infratech Ltd Formerly Known As Taneja Developers & Infrastructure Ltd Sector 74a, 92, 116, 117, 118 & 119 Mohali, Mohali, Sar
Nagar, 140306

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TERMS AND CONDITIONS

A. GENERAL CONDITIONS

1. This consent is not valid for getting power load from the Punjab State Power Corporation Limited or for getting loan from the financial institutions.
2. The industry shall apply for renewal/further extension in validity of consent atleast two months before expiry of the consent.
3. The industry shall ensure that the effluent discharging through the authorized outlet shall conform to the prescribed standards as applicable from time to time.
4. The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.
5. The achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/recirculation system installed shall be the entire responsibility of the industry.
6. The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Wastes(Management, Handling and Trans boundary Movement) Rules, 2008 as amended time to time , without any adverse effect on the environment, in any manner
7. The responsibility to monitor the effluent discharged from the authorized outlet and to maintain a record of the same rests with the industry. The Board shall only test check the accuracy of these reports for which the industry shall deposit the samples collection and testing fee with the Board as and when required.
8. The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30th June of every year.
9. The industry shall submit a yearly certificate to the effect that no addition up gradation/ modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
10. During the period beginning from the date of issuance and the date of expiration of this consent, the applicant shall not discharge floating solids or visible foam.
11. Any amendments/revisions made by the Board in the tolerance limits for discharges shall be applicable to the industry from the date of such amendments/revisions.
12. The industry shall not change or alter the manufacturing process(es) so as to change the quality and/or quantity of the effluents generated without the written permission of the Board.
13. Any upset conditions in the plant/plants of the factory, which is likely to result in increased effluent and/or result in violation of the standards lay down by the Board shall be reported to the Environmental Engineer, Punjab Pollution Control Board of concerned Regional Office immediately failing which any stoppage and upset conditions that come to the notice of the Board/its officers, will be deemed to be intentional violation of the conditions of consent.
14. The industry shall provide terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.
15. The industry shall for the purpose of measuring and recording the quantity of water consumed and effluent discharged, affix meters of such standards and at such places as approved by the Environmental Engineer, Punjab Pollution Control Board of the concerned Regional Office.
16. The industry shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
17. The industry shall provide online monitoring equipments for the parameters as decided by concerned Regional Office with the effluent treatment plant air pollution control devices installed, if applicable.
18. The pollution control devices shall be interlocked with the manufacturing process of the industry.
19. The authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board.
20. The industry shall comply with the conditions imposed by the SEIAA / MOEF in the environmental clearance granted to it as required under EIA notification dated 14/9/06, if applicable.
21. The industry shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.

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22. The industry shall not use any unauthorized out-let(s) for discharging effluents from its premises. All unauthorized outlets, if any, shall be connected to the authorized outlet within one month from the date of issue of this consent.
23. The industry shall make necessary arrangements for the monitoring of effluent being discharged by the industry and shall monitor its effluents:-
 - (i) Once in Year for Small Scale Industries.
 - (ii) Four in a Year for Large/Medium Scale Industries.
 - (iii) The industry will submit monthly reading/ data of the separate energy meter installed for running of effluent treatment plant/re-circulation system to the concerned Regional Office of the Board by the 5th of the following month.
24. The industry shall provide electromagnetic flow meters at the source of water supply, at inlet/outlet of effluent treatment plant within one month and shall maintain the record of the daily reading and submit the same to the concerned Regional Office by the 5th of the following month.
25. The Board reserves the right to revoke this consent at any time in case the industry is found violating any of the conditions of this consent and/or the provisions of Water (Prevention & Control of Pollution) Act, 1974 as amended from time to time.
26. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
27. The consent does not authorize or approve the construction of any physical structures or facilities for undertaking of any work in any natural watercourse.
28. Nothing in this consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected under this or any other Act.
29. The industry shall make necessary and adequate arrangements to hold back the effluent in case of failure of septic tank.
30. The diversion or bye pass of any discharge from facilities utilized by the applicant to maintain compliance with the terms and conditions of this consent is prohibited except.
 - (i) Where unavoidable to prevent loss of life or some property damage or
 - (ii) Where excessive storm drainage or run off would damage facilities necessary for compliance with terms and conditions of this consent. The applicant shall immediately notify the consent issuing authority in writing of each such diversion or bye-pass.
31. The industry shall ensure that no water pollution problem is created in the area due to discharge of effluents from its industrial premises.
32. The industry shall comply with the code of practice as notified by the Government/ Board for the type of industries where the siting guidelines/ code of practice have been notified.
33. Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed off in such a manner to prevent any pollutants from such materials from entering into natural water.
34. The industry shall re-circulate the entire cooling water and shall also re-circulate/reuse to the maximum extent the treated effluent in processes.
35. The industry shall make necessary and adequate arrangements to hold back the effluent in case of failure of re-circulation system/ effluent treatment plant.
36. The industry shall make proper disposal of the effluent so as to ensure that no stagnation occurs inside and outside the industrial premises during rainy season and no demand period.
37. Where excessive storm water drainage or run off, would damage facilities necessary for compliance with terms and conditions of this consent, the applicant shall immediately notify the consent issuing authority in writing of each such diversion or bye-pass.
38. The industry shall submit a detailed plan showing therein the distribution system for conveying waste-water for application on land for irrigation along with the crop pattern for the year.
39. The industry shall ensure that the effluent discharged by it is toxicity free.
40. The industry shall not irrigate the vegetable crops with the treated effluents which are used/ consumed as raw.

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41. Drains causing oil & grease contamination shall will be segregated. Oil & grease trap shall be provided to recover oil & grease from the effluent.
42. The industry shall establish sufficient number of piezometer wells in consultation with the concerned Regional Office, of the Board to monitor the impact on the Ground Water Quantity due to the industrial operations, and the monitoring shall be submitted to the Environmental Engineer of the concerned Regional Office by the 5th of every month.
43. The industry shall ensure that its production capacity & quantity of trade effluent do not exceed the quantity mentioned in the consent and shall not carry out any expansion without the prior permission/NOC of the Board.

B. SPECIAL CONDITIONS

1. The 'Consent to Operate' granted under Water(Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for 598 flats, 390 dwelling units, 60 SCO and 28 booth is only valid for the part of the project for which Environmental Clearance has already been granted to the project proponent.
2. The promoter company shall obtain revised Environmental Clearance from the competent authority due to increase in the total area of the project from 230.09 acres to 290.097 acres and submit same to the Board within 6 months.
3. The promoter company shall not carry out any further construction activities in the area for which Environmental Clearance has not been obtained, till the promoter company obtains revised environmental clearance for the complete project.
4. The promoter company shall not allow any occupancy in the part of the project for which Environmental Clearance has not been obtained.
5. The promoter company shall use its treated wastewater for only dual plumbing, gardening and construction activities and shall not dispose the treated domestic effluent by any other mode of disposal.
6. If GMADA does not lay down sewer in the area in the near future, the promoter company shall develop adequate land as per Karnal technology, for scientific disposal of treated wastewater.
7. The promoter company shall complete all work as per its letter dated 22.04.2021 submitted to Regional office, Mohali, well before 15.06.2021 and submit compliance of the same to the Board.
8. The promoter company shall comply with provisions of Solid Waste Management Rules, 2016.



21/05/2021

(Kuldeep Singh)
Environmental Engineer
For & on behalf

of

(Punjab Pollution Control Board)

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PUNJAB POLLUTION CONTROL BOARD

Zonal Office-I, Vatavaran Bhawan, Nabha Road, Patiala

Website:- www.ppcb.gov.in

Office Dispatch No :

Registered/Speed Post

Date:

Industry Registration ID: *R14SAS1248089*

Application No : *14300630*

To,

Mandeep Sharma
S.c.o 51-52, Tdi City , Sector 118, Mohali
Mohali, Mohali-160062

Subject: Grant Varied 'Consent to Operate' u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 for discharge of emissions arising out of premises.

With reference to your application for obtaining Varied 'Consent to Operate' u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit for discharge of the emission(s) arising out of your premises subject to the Terms and Conditions as mentioned in this Certificate.

1. Particulars of Consent to Operate under Air Act, 1981 granted to the industry

Consent to Operate Certificate No.	<i>CTOA/Varied/SAS/2021/14300630</i>
Date of issue :	<i>21/05/2021</i>
Date of expiry :	<i>28/02/2022</i>
Certificate Type :	<i>Varied</i>
Previous CTO No. & Validity :	<i>CTOA/Varied/SAS/2016/4453369</i> <i>From: 14/12/2016 To: 28/02/2018</i>

2. Particulars of the Industry

Name & Designation of the Applicant	<i>Mandeep Sharma, (Senior Manger)</i>
Address of Industrial premises	<i>Tdi Township Developed By Tdi Infratech Ltd Formerly Known As Taneja Developers & Infrastructure Ltd, Sector 74a, 92, 116, 117, 118 & 119 Mohali, Mohali, Sas Nagar-140306</i>
Capital Investment of the Industry	<i>46518.0 lakhs</i>
Category of Industry	<i>Red</i>
Type of Industry	<i>Building, Const. projects, Township & Area development covered under EIA notification dated 14/9/06</i>
Scale of the Industry	<i>Large</i>
Office District	<i>Sas Nagar</i>

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Tdi Township Developed By Tdi Infratech Ltd Formerly Known As Taneja Developers & Infrastructure Ltd Sector 74a, 92, 116, 117, 118 & 119 Mohali, Mohali, Sas Nagar, 140306

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Consent Fee Details	Rs. 7,00,000/- vide UTR No. YESBR52018102658509288 dated 26.10.2018 and Rs. 1,40,000/- vide UTR No. N338180174183462 dated 04.12.2018 under both acts and Rs. 21,00,000/- vide UTR No. YESBR52020070973625526 dated 09.07.2020
Raw Materials (Name with Quantity per day)	N.A. being construction project
Products (Name with Quantity per day)	598 flats, 390 dwelling units, 60 SCO and 28 booth
By-products, if any, (Name with Quantity per day)	--
Details of the machinery and process	As per application no. 14300630
Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.	1. One DG Set of capacity 200 KVA- Fuel HSD @ 20 Lit/day 2. One DG Set of capacity 82 KVA- Fuel HSD @ 14 Lit/day
Type of Air Pollution Control Devices to be installed	1. One DG Set of capacity 200 KVA- Canopy and stack of 4 mt. above roof provided. 2. One DG Set of capacity 82 KVA- Canopy and stack of 4 mt. above roof provided.
Stack height provided with each boiler/thermo heater/Furnace etc.	1. One DG Set of capacity 200 KVA- Canopy and stack of 4 mt. above roof provided. 2. One DG Set of capacity 82 KVA- Canopy and stack of 4 mt. above roof provided.
Sources of emissions and type of pollutants	DG Sets - SPM, SOx and NOx
Standards to be achieved under Air(Prevention & Control of Pollution) Act, 1981	As per emission standards prescribed by the PPCB/ MoEP&CC from time to time.



21/05/2021

(Kuldeep Singh)
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)

Endst. No.:

Dated:

A copy of the above is forwarded to the following for information and necessary action please:

The Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. He is requested to send his recommendations separately for the violations of the EIA notification, 2006, being made by the project proponent.

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Tidi Township Developed By Tidi Infratech Ltd Formerly Known As Taneja Developers & Infrastructure Ltd Sector 74a, 92, 116, 117, 118 & 119 Mohali, Mohali, Sar
Nagar, 140306

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21/05/2021

(Kuldeep Singh)
Environmental Engineer

*For & on behalf**of***(Punjab Pollution Control Board)**

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Nagar, 140306

Page 3

TERMS AND CONDITIONS

A. GENERAL CONDITIONS

1. This consent is not valid for getting power load from the Punjab State Power Corporation Ltd. or for getting loan from the financial institutions.
2. The industry shall apply for renewal /extension of consent at least two months before expiry of the consent.
3. The industry shall not violate any of the norms prescribed under the Air (Prevention & Control of Pollution) Act, 1981, failing which, the consent shall be cancelled / revoked.
4. The achievement of adequacy and efficiency of the air pollution control devices installed shall be the entire responsibility of the industry.
5. The authorized fuel being used shall not be changed without the prior written permission of the Board.
6. The industry shall not discharge any fugitive emissions. All gases shall be emitted through a stack of suitable height, as per the norms fixed by the Board from time to time.
7. The industry shall provide port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets.

Specifications of the port-holes shall be as under:-

- i) The sampling ports shall be provided atleast 8 times chimney diameter downstream and 2 times upstream from the flow disturbance. For a rectangular cross section the equivalent diameter (D_e) shall be calculated from the following equation to determine upstream, downstream distance:-

$$D_e = 2 LW / (L+W)$$
 Where L= length in mts. W= Width in mts.
- ii) The sampling port shall be 7 to 10 cm in diameter
8. The industry shall put display Board indicating environmental data in the prescribed format at the main entrance gate.
9. The industry shall discharge all gases through a stack of minimum height as specified in the following standards laid down by the Board.

(i) Stack height for boiler plants

S.NO.	Boiler with Steam Generating Capacity	Stack heights
1.	Less than 2 ton/hr.	9 meters or 2.5 times the height of neighboring building which ever is more
2.	More than 2 ton/hr. to 5 ton/hr.	12 meters
3.	More than 5 ton/hr. to 10 ton/hr	15 meters
4.	More than 10 ton/hr. to 15 ton/hr	18 meters
5.	More than 15 ton/hr. to 20 ton/hr	21 meters
6.	More than 20 ton/hr. to 25 ton/hr.	24 meters
7.	More than 25 ton/hr. to 30 ton/hr.	27 meters
8.	More than 30 ton/hr.	30 meters or using the formula $H = 14 Q_g^{0.3}$ or $H = 74 (Q_p)^{0.24}$ Where Q_g = Quantity of SO ₂ in Kg/hr. Q_p = Quantity of particulate matter in Ton day.

Note : Minimum Stack height in all cases shall be 9.0 mtr. or as calculated from relevant formula whichever is more.

(ii) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation.

(iii) Stack height for diesel generating sets:

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Capacity of diesel generating set	Height of the Stack	
0-50 KVA	Height of the building	+ 1.5 mt
50-100 KVA	-do-	+ 2.0 mt
100-150 KVA	-do-	+ 2.5 mt
150-200 KVA	-do-	+ 3.0 mt
200-250 KVA	-do-	+ 3.5 mt
250-300 KVA	-do-	+ 3.5 mt

For higher KVA rating stack height H (in meter) shall be worked out according to the formula:

$$H = h + 0.2 (KVA)^{0.5}$$

where h = height of the building in meters where the generator set is installed.

10. The pollution control devices shall be interlocked with the manufacturing process of the industry to ensure its regular operation.
11. The existing pollution control equipment shall be altered or replaced in accordance with the directions of the Board, and no pollution control equipment or chimney shall be altered or as the case may be erected or re-erected except with the prior approval of the Board.
12. The industry will provide canopy and adequate stack with the D.G sets so as to comply with the provision of notification No GSR-371 E dated 17-5-2002(amended from time to time) issued by MOEF under Environment (Protection) Act, 1986.
13. The Govt. of Punjab, Department of Science, Technology & Environment vide its notification no.4/46/92-3ST/2839 dt. 29/12/1993 has put prohibition on the use of rice husk as fuel after 1.4.1995 except the following:-
 i) In the form of briquettes and use of rice husk in fluidized bed combustion. So the industry shall make the necessary arrangement to comply with the above notification.
 ii) In the form of briquettes and use of rice husk in fluidized bed combustion. So the industry shall make the necessary arrangement to comply with the above notification.
14. The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30th June of every year
15. That the industry shall submit a yearly certificate to the effect that no addition / up-gradation / modification / modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
16.
 - a) The industry shall ensure that at any time the emission do not exceed the prescribed emissions standards laid down by the Board from time to time for such type of industry /emissions.
 - b) The industry shall ensure that the emissions from each stack shall conform to the following emission standards laid down by the Board in respect of the Industrial Boilers.

Steam Generating capacity A	Required particulate matter B.	
<i>Area upto 5 Km from Other than 'A' class Other than the periphery of I and Class-II town</i>		
Less than 2 ton/hr.	800 mg/NM ³	1200 mg/NM ³
2 ton to 10 ton/hr.	500 mg/NM ³	1000 mg/NM ³
Above 10 ton to 15 ton/hr	350 mg/NM ³	500 mg/NM ³
Above 15 ton/hr	150 mg/NM ³	150 mg/NM ³

All emissions normalized to 12% carbon dioxide.

17. The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, without any adverse effect on the environment, in any manner.
18. The air pollution control equipments shall be kept at all time in good running condition and;

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- (i) All failures of control equipments.
- (ii) The emissions of any air pollutant into the atmosphere in excess of the standards lay down by the Board occurring or being apprehended to occur due to accident or other unforeseen act or event, shall be intimated through fax to the concerned Regional Office as well as to the Director of Factories, Punjab, Chandigarh as required under rule 10 of the Punjab State Board for the Prevention and Control of Air Pollution Rules, 1983.
19. The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.
20. The industry shall submit a site emergency plan approved by the Chief Inspector of Factories, Punjab as applicable.
21. The industry shall comply with the conditions imposed by the SEIAA/MOEF in the Environmental Clearance granted to it as required under EIA notification dated 14/9/06, if applicable.
22. The industry shall make necessary arrangements for the monitoring of stack emissions and shall get its emissions analyzed from lab approved / authorized by the Board:-
- (i) Once in Year for Small Scale Industries.
- (ii) Twice/thrice four time in a Year for Large/Medium Scale Industries.
23. The industry shall maintain the following record to the satisfaction of the Board :-
- (i) Log books for running of air pollution control devices or pumps/motors used for it.
- (ii) Register showing the result of various tests conducted by the industry for monitoring of stack emissions and ambient air.
- (iii) Register showing the stock of absorbents and other chemicals to be used for scrubbers.
24. The industry will install the separate energy meter for running pollution control devices and shall maintain record with respect to operation of air pollution control device so as to satisfy the Board regarding the regular operation of air pollution control device and monthly reading / record may be sent to the Board by the fifth of the following month.
25. The industry shall provide online monitoring system as applicable, for in stack emission and shall maintain the record of the same for inspection of the Board Officers.
26. The Board reserves the right to revoke the consent granted to the industry at any time, in case the industry is found violating the provisions of Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
27. The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air (Prevention & Control of Pollution) Act, 1981.
28. Nothing in this consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
29. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.
30. The industry shall dispose off its solid waste generated by the burning of fuel in an Environmentally Sound Manner within the premises/outside as approved by the Board, to avoid public nuisance and air pollution problem in the area.
31. The industry shall ensure that no air pollution problem or public nuisance is created in the area due to the discharge of emissions from the industry.
32. The industry shall provide adequate arrangement for fighting the accidental leakage/discharge of any air pollutant gas/ liquids from the vessels, mechanical equipment's etc, which are likely to cause environmental pollution.
33. The industry shall not change or alter the manufacturing process(es) and fuel so as to change the quality/quantity of emissions generated without the prior permission of the Board.
34. The industry shall earmark a land within their premises for disposal of boiler ash in an environmentally sound manner, and / or the industry shall make necessary arrangements for proper disposal of fuel ash in a scientific manner and shall maintain proper record for the same, if applicable.
35. The industry shall obtain and submit Insurance cover under the Public Liability Insurance Act, 1991.
36. The industry shall provide proper and adequate air pollution control arrangements for control emission from its fuel handling area, if applicable.

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37. The industry shall comply with the code of practice as notified by the Government Board for the type of industries where the siting guidelines / Code of Practice have been notified.
38. The industry shall not cause any nuisance/traffic hazard in vicinity of the area
39. The industry shall ensure that the noise & air emission from D.G. sets do not exceed the standards prescribed for D.G. sets by the Ministry of Environment & Forests, New Delhi.
40. The industry shall ensure that there will not be significant visible dust emissions beyond the property line
41. The industry shall provide adequate and appropriate air pollution control devices to contain emissions from handling, transportation and processing of raw material & product of the industry.
42. The Industry shall ensure that its production capacity does not exceed the capacity mentioned in the consent and shall not carry out any expansion without the prior permission / NOC of the Board.

B. SPECIAL CONDITIONS

1. The "Consent to Operate" granted under Water(Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for 598 flats, 390 dwelling units, 60 SCO and 28 booth is only valid for the part of the project for which Environmental Clearance has already been granted to the project proponent.
2. The promoter company shall obtain revised Environmental Clearance from the competent authority due to increase in the total area of the project from 230.09 acres to 290.097 acres and submit same to the Board within 6 months.
3. The promoter company shall not carry out any further construction activities in the area for which Environmental Clearance has not been obtained, till the promoter company obtains revised environmental clearance for the complete project.
4. The promoter company shall not allow any occupancy in the part of the project for which Environmental Clearance has not been obtained.
5. The promoter company shall use its treated wastewater for only dual plumbing, gardening and construction activities and shall not dispose the treated domestic effluent by any other mode of disposal.
6. If GMADA does not lay down sewer in the area in the near future, the promoter company shall develop adequate land as per Karnal technology, for scientific disposal of treated wastewater.
7. The promoter company shall complete all work as per its letter dated 22.04.2021 submitted to Regional office, Mohali, well before 15.06.2021 and submit compliance of the same to the Board.
8. The promoter company shall comply with provisions of Solid Waste Management Rules, 2016.



21/05/2021


(Kuldeep Singh)
Environmental Engineer

For & on behalf

of

(Punjab Pollution Control Board)

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 <p>सत्यमेव जयते</p>	<p align="center">STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY PUNJAB Ministry of Environment, Forest & Climate Change, Government of India PBTI Complex, Knowledge City, Sector-81, Mohali-140306 seiaapb2017@gmail.com</p>
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No. SEIAA/MS/2023/MS/136

Registered/E-Mail

Date: 08/01/2024

To

M/s TDI Infratech Ltd.,
 (Project Name: TDI Township),
 Sector-74 A, 92, 116, 117, 118, 119,
 District SAS Nagar, Punjab.

Subject: Directions u/s 5 of the Environmental (Protection) Act, 1986 to M/s TDI Infratech Ltd. for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab (SIA/PB/INFRA2/448341/2023).

Whereas the Ministry of Environment, Forests & Climate Change (MoEF&CC), Govt. of India, New Delhi has issued EIA Notification no. 1533 (E) dated 14/9/2006 under the provisions of Environmental (Protection) Act, 1986 and as per the provisions of the said notification, it is mandatory for the project/activities covered under the schedule appended with the said notification, to obtain prior environmental clearance from the MoEF&CC / State Level Environment Impact Assessment Authority (SEIAA).

And whereas, it has been provided in the said EIA Notification 14.09.2006 that project proponent cannot start any construction work or preparation of land except for securing of land before obtaining the environmental clearance. The MoEF&CC, Govt. of India, New Delhi vide Office Memorandum dated 19.08.2010 has further clarified that no activity relating to any project covered under this notification including civil construction, can be undertaken at the site without obtaining prior environmental clearance except fencing of the site to protect it from encroachment and construction of temporary shed(s) for the guard(s).

And whereas, M/s TDI Infratech Limited had submitted an application for issuance of Terms of Reference for obtaining Environmental Clearance, to SEIAA vide proposal no SIA/PB/INFRA2/448341/2023 on 30.10.2023 for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab in an area of 293.454 acre having built up area of 12,99,604.74 sqm.

And whereas, SEAC in its 269th held on 12.12.2023 decided to recommend the case to SEIAA for grant of Terms of References (TORs) under violation category for expansion of mega residential Project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab in an area of 293.454 acre having built up area of 12,99,604.74 sqm to the project proponent including TOR of carrying out the assessment of ecological damage done and economic benefits derived due to violation and prepare remediation plan and natural & community resource augmentation plan.

And whereas, the case was considered by the SEIAA in its 273rd meeting held on 26.12.2023, wherein SEIAA observed that being a violation case, SEAC has recommended the case for grant of TORs for carrying out detailed EIA & EMP with standard TORs in line with OM dated 07.07.2021 issued by MoEF&CC.

And whereas, after deliberations, SEIAA among other decisions decided that directions u/s 5 of the Environment (Protection) Act, 1986 be issued to the project proponent to restrain him from undertaking any further construction activity under the project and to further restrain him from creating any third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006 and pay penalty equivalent to the amount as may be determined based upon OM dated 07.07.2021 issued by MoEF&CC at the time of submission of EIA/EMP report.

And whereas, the Central Government has delegated powers vested in it to issue directions under section 5 of Environmental (Protection) Act, 1986 to the SEIAA, Punjab, vide notification no. S.O. 637 (E) dated 28.02.2014.

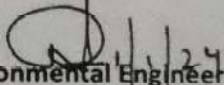
Now, therefore, the SEIAA, Punjab, in exercise of the aforesaid powers conferred upon it under the Environmental (Protection) Act, 1986 directs you as under:

- (i) ***That the project proponent shall not undertake any further construction activity under the project or create any further third-party interest in the project till the grant of Environmental Clearance under EIA Notification dated 14.09.2006.***
- (ii) ***That the project proponent shall pay penalty equivalent to the amount as may be determined based upon OM dated 07.07.2021 issued by the MoEF&CC at the time of submission of EIA/EMP report.***

In case of failure to comply with the above-said directions, action will be taken against you as per provisions of the Environmental (Protection) Act, 1986 as amended from time to time.

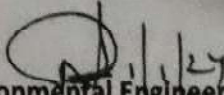
This issues with the approval of the Competent Authority.

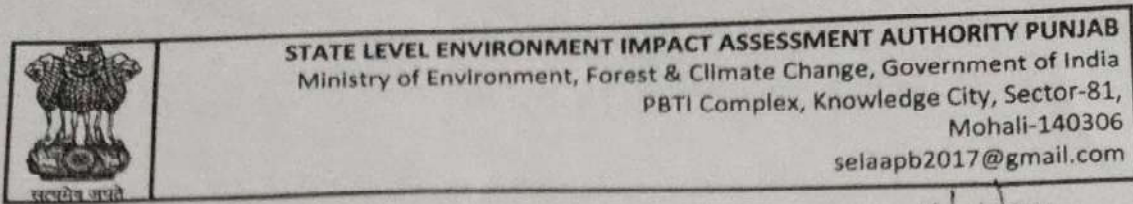
Endst. No. MS-137


Environmental Engineer

Date 08/01/2024

A copy of the above is forwarded to the Member Secretary, Punjab Pollution Control Board in light of STE Pb Memo No. 302633/1 dated 08.09.2014 for ensuring compliance of the directions. It is further requested that compliance status may be reported to SEIAA and consents to operate under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 should not be issued to the Project Proponent till grant of Environmental Clearance, please.


Environmental Engineer



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY PUNJAB
 Ministry of Environment, Forest & Climate Change, Government of India
 PBTI Complex, Knowledge City, Sector-81,
 Mohali-140306
 selaapb2017@gmail.com

No. SEIAA/2023/M2-140

Registered/Through Email

Date: 03/01/24

To

The Member Secretary,
 Punjab Pollution Control Board,
 Vatavaran Bhawan, Nabha Road,
 Patiala.

Subject: Direction u/s 5 of the Environmental (Protection) Act, 1986 to launch prosecution against M/s TDI Infratech Ltd, Located at Sector-74-A, 92, 116, 117, 118, 119, SAS Nagar, Punjab & its responsible persons.

It is intimated that Ministry of Environment, Forests & Climate Change (MOEF&CC), Govt. of India has issued EIA Notification No. 1533 (E) dated 14.9.2006 under the Environmental (Protection) Act, 1986 and as per the said notification, it is mandatory for the project/activities covered under the Schedule appended with the said notification, to obtain prior environmental clearance from Ministry of Environment & Forests/State Level Environment Impact Assessment Authority. The said notification prescribes that project proponents cannot start any construction work or preparation of land except for securing of land before obtaining the environmental clearance.

And whereas, M/s TDI Infratech Ltd, District SAS Nagar had submitted an application for issuance of Terms of Reference to SEIAA vide proposal no SIA/PB/INFRA2/448341/2023 dated 30.10.2023 for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab in an area of 293.454 acre having built up area of 12,99,604.74 sqm.

And whereas, SEAC in its 269th held on 12.12.2023 decided to recommend the case to SEIAA for grant of Terms of References (TORs) under violation category for expansion of mega residential project namely "TDI Township" located at Sector-74 A, 92, 116, 117, 118, 119, District SAS Nagar, Punjab in an area of 293.454 acre having built up area of 12,99,604.74 sqm, to the project proponent including TOR of carrying out the assessment of ecological damage done and economic benefits derived due to violation and prepare remediation plan and natural & community resource augmentation plan.

And whereas, the case was considered by the SEIAA in its 273rd meeting held on 26.12.2023 wherein SEIAA observed that being a violation case, SEAC has recommended the case for grant of TORs for carrying out detailed EIA & EMP with standard TORs in line with OM dated 07.07.2021 issued by MoEF&CC.

And whereas, after deliberations, SEIAA among other decisions decided that directions u/s 5 of the Environment (Protection) Act, 1986 be issued to PPCB to initiate action


against the responsible persons under the provisions of Sections 15 and 16 read with Section 19 of the Environment (Protection) Act, 1986 and send the action taken report to SEIAA, Punjab, within 30 days.

And whereas, the Central Government has delegated powers vested in it under section 5 of Environmental (Protection) Act, 1986 to issue directions to the SEIAA, Punjab, vide notification no. S.O. 637 (E) dated 28.02.2014.

Now therefore, in exercise of power under section 5 of the Environment (Protection), Act 1986, you are hereby directed to launch prosecution u/s 15, 16 read with section 19 of the Environment (Protection) Act, 1986 against M/s TDI Infratech Ltd. & its responsible persons. A copy of the Memorandum of Association including the list of the responsible persons as submitted with the application is attached as **Annexure-1** for taking necessary action in the matter. Further, the action taken report in matter may please be provided to SEIAA Punjab, within one month.

This issues with the approval of the Competent Authority.

DA/As above


Environmental Engineer 1/1/24

Photographs taken during the site Visit of Joint Committee dated 03.12.2024, 16.12.2024:

 <p>CPCE 03.12.2024 12:27 30.79759, 76.48348 P.M.U-593, Sector 118, Sahibzade Ajit Singh Nagar 160055</p>	
<p>Stagnation /Ponding area near the Applicant home</p>	<p>View of ponding water adjacent Vacant plot near the Applicant home</p>
 <p>CPCE 16.12.2024 31.12183, 76.24111 30.79759, 76.48348 P.M.U-593, Sector 118, Sahibzade Ajit Singh Nagar 160055</p>	 <p>CPCE 16.12.2024 31.12183, 76.24111 30.79759, 76.48348 P.M.U-593, Sector 118, Sahibzade Ajit Singh Nagar 160055</p>
<p>View of 100KLD STP at Sector 119, Mohali</p>	<p>Inlet of 100 KLD STP, Sector 119, Mohali</p>
 <p>CPCE 16.12.2024 12:11 31.12183, 76.48348 30.79759, 76.48348 P.M.U-593, Sector 119, Sahibzade Ajit Singh Nagar 160055</p>	 <p>CPCE 16.12.2024 12:11 31.12183, 76.48348 30.79759, 76.48348 P.M.U-593, Sector 119, Sahibzade Ajit Singh Nagar 160055</p>
<p>MBBR of 100 KLD STP, Sector 119, Mohali</p>	<p>Tube settler of 100 KLD STP, Sector 119, Mohali</p>



Filter feed tank of 100 KLD STP, Sector 119, Mohali



Treated water tank of 100 KLD STP, Sec. 119, Mohali



PSF & AC Filters of 100 KLD STP, Sector 119, Mohali



Outlet flow meter of 100 KLD STP, Sec. 119, Mohali



CPCB
03.12.2024 12:09
30.72904, 76.68723
642, Top Floor, Sector 119, Sahibzada Ajit Singh Nagar, 160055



CPCB
03.12.2024 12:09
30.72904, 76.68723
642, Top Floor, Sector 119, Sahibzada Ajit Singh Nagar, 160055

<p>Filter press of 100 KLD STP, Sector 119, Mohali</p>  <p>CPCB SI 3 MLD Sector 118 03 12 2024 12:51 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>	<p>Electricity meter of 100 KLD STP, Sector 119, Mohali</p>  <p>CPCB SI 3 MLD Sector 118 03 12 2024 12:51 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>
<p>Treated water of 100 KLD STP use in park, Sec. 118, Mohali</p>  <p>CPCB SI 3 MLD Sector 118 03 12 2024 12:52 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>	<p>Entry gate of 1.3MLD STP, TDI Park Street backside, Sector 118, Mohali</p>  <p>CPCB SI 3 MLD Sector 118 03 12 2024 12:52 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>
<p>Collection Tank of 1.3MLD STP, Sector 118, Mohali</p>  <p>CPCB Inlet flow meter 03 12 2024 12:53 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>	<p>Bar Screen of 1.3MLD STP, Sector 118, Mohali</p>  <p>CPCB Bar screen 03 12 2024 12:57 30 73035 76 67878 TDI Park Street Backside, P.M.JH+59V, Airport Rd, Sector 118, Sahibzada Ajit Singh Nagar 140301</p>
<p>Inlet flow meter of 1.3MLD STP, Sector 118, Mohali</p>	<p>Inlet chamber with Manual & Mechanical Fine</p>



screen of 1.3MLD STP, Sector 118, Mohali

SBR Tank 01&II of 1.3MLD STP, Sector 118, Mohali



Sludge Holding Tank with Volute Screw Press of 1.3MLD STP, Sector 118, Mohali

Pressure Sand & Activated Carbon filters of 1.3MLD STP, Sector 118, Mohali



CHLORINE CONTACT TANK

0.000

<p>Chlorine Contact Tank of STP 1.3MLD(Sector 118)</p> 	<p>Outlet flow meter of STP 1.3MLD, Sector 118 Mohali</p> 
<p>OCEMS of STP 1.3MLD, Sector 118</p>	<p>Karnal Technology Planation for Utilization of 1.3 MLD STP treated water</p>
	
<p>Karnal Technology Plantation in Sector 118, Mohali for plantation</p>	<p>Rain water Harvesting Tank in TDI near Wellington Height, Sector 117, Mohali</p>
	
<p>Rain Water Harvesting Tank at Sector 117, Mohali</p>	<p>Tubewell at Park of TDI, Sector 117, Mohali</p>



CPCB
Call no: 304
03.12.2024 15:54
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

Mechanical Type Flow meter at Tubewell at Park of TDI, Sector 117, Mohali



CPCB
Call no: 304
03.12.2024 15:55
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

View of STP of 2.5MLD Capacity TDI, Sector 117, Mohali



CPCB
Call no: 304
03.12.2024 15:57
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

Inlet of 2.5MLD STP, TDI, Sector 117, Mohali



CPCB
Call no: 304
03.12.2024 15:57
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

Bar screen of 2.5MLD STP, TDI, Sector 117, Mohali



CPCB
Call no: 304
03.12.2024 15:58
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

Collection Tank of 2.5MLD STP, TDI, Sector 117, Mohali



CPCB
Call no: 304
03.12.2024 15:58
30.71914.76.87137
H no 2108 TDI City Sector 117, Sahibzada Ali Singh Nagar 150055

Manual & Mechanical Fine screen of 2.5MLD STP, TDI, Sec. 117, Mohali



Grit Chamber of 2.5MLD STP, TDI, Sector 117, Mohali



SBR Tank 01 of 2.5MLD STP, TDI, Sec. 117, Mohali



SBR Tank 02 of 2.5MLD STP, TDI, Sec. 117, Mohali



Filter Feed Tank of 2.5MLD STP, TDI, Sec. 117, Mohali



PSF & ACF (Filters) of 2.5MLD STP, TDI, Sector 117, Mohali



Treated Water Tank of 2.5MLD STP, TDI, Sector 117, Mohali

<p>Mohali.</p>  <p>CPCEB 03/12/2024 16:24 30.71639, 76.65773 H.No.2108 TD City, Sector 117, Sahibzade Ajit Singh Nagar 160005</p>	<p>Mohali</p>  <p>CPCEB 03/12/2024 16:24 30.71639, 76.65773 H.No.2108 TD City, Sector 117, Sahibzade Ajit Singh Nagar 160005</p>
<p>OCEMS of 2.5MLD STP, TDI, Sec. 117, Mohali</p>	<p>Volute Screw Press for 2.5MLD STP, TDI, Sec. 117, Mohali</p>
 <p>CPCEB 03/12/2024 15:00 30.71639, 76.65773 H.No.2108 TD City, Sector 117, Sahibzade Ajit Singh Nagar 160005</p>	 <p>CPCEB 03/12/2024 15:00 30.71639, 76.65773 H.No.2108 TD City, Sector 117, Sahibzade Ajit Singh Nagar 160005</p>
<p>DG set at 2.5MLD STP, TDI, Sector 117, Mohali</p>	<p>Electricity meter of 2.5MLD STP, TDI, Sec. 117, Mohali</p>
 <p>CPCEB 03/12/2024 16:40 30.71639, 76.65773 Sector 117, TD City, Sahibzade Ajit Singh Nagar 160301</p>	 <p>CPCEB 03/12/2024 16:40 30.71639, 76.65773 Sector 117, TD City, Sahibzade Ajit Singh Nagar 160308</p>
<p>View of Composter Machine (Non-functional)</p>	<p>Kernal Technology Plantation for Utilization of</p>

<p>Condition)</p>  <p> <small> CRCC/20 Chhandigarh Uppalokh, Sector 117, Green Enclave, Gurgaon 76.12.2024 15:10 30.78004, 76.68475 Panchsaras, Sector 118, Sanhazada Ahl Singh Nagar, 140033 </small> </p>	<p>treated water of 2.5MLD STP, Sector 117, Mohali</p> 
<p>View of Ponding water Area back side of Applicant</p> 	<p>Committee Interaction with Complainant</p>  <p> <small> Latitude: 36.724718 Longitude: 76.691597 Altitude: 239.254 m Accuracy: 6.9 m Time: 14-12-2024 14:51 Note: TDI </small> </p>
<p>Committee Interaction with Neighbourhood resident</p>	<p>View of dumped Solid waste at market Area</p>
<p>View of complainant home</p>	<p>Ponding area of untreated domestic sewage backside of complainant home</p>
 <p> <small> CRCC/20 Chhandigarh Uppalokh, Sector 117, Green Enclave, Gurgaon 76.12.2024 15:27 30.78314, 76.69547 Green Enclave, Sector 118, Sanhazada Ahl Singh Nagar, 140033 </small> </p>	 <p> <small> CRCC/20 Chhandigarh Borawal, Sector 118 16.12.2024 13:14 30.72703, 76.67945 Panchsaras, Sector 117, Sanhazada Ahl Singh Nagar, 140033 </small> </p>
<p>View of Source Untreated domestic discharge</p>	<p>View of treatment facility for Drinking water</p>

of Green Enclave in ponding area	Supply (Filtration followed by chlorination)
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Borewell flow meter for Wellington Height housing 1&2

Borewell for TDI Connaught Residency at Sector 74-A



Borewell flow meter for TDI Connaught Residency at Sector 74-A

Rain water harvesting pit at park of Sector 117



Over flow fresh water from Tanks at Wellington Height housing 01



DG sets for Wellington Height housing 01&02

View of Collection solid waste by unauthorized Vendor



View of C & D waste dumped at TDI Township