

Email

Consultant Judicial-NGT(P.B.)

Fwd: Requesting Immediate Attention : Regards Office Memorandum of MoEF dated 25.04.2023 - In the interest of Environment and in continuation of O.A. 215 of 2022

From : Registrar General <rg.ngt@nic.in> Mon, May 01, 2023 05:45 PM
Subject : Fwd: Requesting Immediate Attention : Regards Office Memorandum of MoEF dated 25.04.2023 - In the interest of Environment and in continuation of O.A. 215 of 2022 📎 2 attachments
To : Deputy Registrar <dr.ngt@nic.in>, Consultant Judicial-NGT(P.B.) <judicial-
ngt@gov.in>

From: "aashish sardana" <aashish.sardana@gmail.com>
To: "Registrar General" <rg.ngt@nic.in>, "ngtpb pg" <ngtpb.pg@gmail.com>
Cc: "Ms Leena Nandan" <secy-moef@nic.in>, "uday bedi" <uday.bedi@outlook.com>
Sent: Monday, May 1, 2023 3:54:45 PM
Subject: Requesting Immediate Attention : Regards Office Memorandum of MoEF dated 25.04.2023 - In the interest of Environment and in continuation of O.A. 215 of 2022

To,

Hon'ble Chairman National Green Tribunal - His Lordship A.K.Goel

Sir,

Plea: For Urgent Listing and hearing with regards to Grievance arising out of SOP dated 07.07.2021 and direction of MoEF to SEIAA to follow the same in continuation to OA No. 215 of 2022 titled "Aashish Sardana versus M/s Vatika Ltd. & Anr" to secure the end of justice for environmental cause.

It is most humbly pleaded by me that while in M.A. No. 28 of 2023 in O.A. No. 215 of 2022 titled "Aashish Sardana vs Vatika Ltd & Anr", the Hon'ble Tribunal was pleased to pass an order on 24.04.2022 that read as -

"1 to 2 xxxxx

3.As noted earlier, surviving grievance in the MA is that though SEIAA has passed order holding the project to be illegal, no remedial action has been taken to cure the illegality ... xxxxx ... Compensation levied is not recovered nor there is provision for its utilisation to remedy the wrongs. This compromises with the rule of law and object of protection of environment. Project value is more than Rs 266 crores and in view of judgment in Goel Ganga Developers Pvt Ltd vs UoI compensation should have been levied @ 10% of Rs 266 crores ... xxxxx.

4.Accordingly, we consider it appropriate to seek response not only from the PP but also from Chief Secretary, Haryana who may coordinate with other concerned departments and prepare a considered policy on the subject and file an affidavit before this

Tribunal within two months. In the interest of rule of law and protection of environment and to prevent arbitrariness, it is necessary to lay down objective norms for such situations, particularly to prevent such violations at the threshold so that third-parties do not suffer by fait accompli situations. Monitoring mechanism of SEIAA/State PCB for compliance of EC conditions may be suitably reviewed and updated protocols be brought on record before this Tribunal. In respect of all pending projects, necessary safeguards be followed at the earliest. The updated policy may consider a mechanism nu which electricity connection is not provided to area beyond sanction plan and beyond the areas specified in the EC. Further, guidelines and protocols should provide for recovery of levied compensation ... xxxxx ... Utilization of the recovered amount for restoration of the damage to the environment must be equally prompt ... xxxxx.

5.MoEF&CC may give response on the question as to how violation of EIA notification dated 14.09.2006 is to be remedied when excess constructions result in covering green areas and more environmental resources being used."

On 25.04.2023, in light of the above order of the Hon. NGT and in furtherance of a prior order of the NGT in O.A. No. 34 of 2020 dated , on 25.04.2023, the Ministry of Environment, Forest & Climate Change, GoI – Impact Assessment Division (hereinafter referred to as "Ministry") issued an advisory requesting the State of Haryana to

"xxx...issue necessary direction to SEIAA, Haryana so that the provisions of the aforementioned SOP are adhered to in dealing with violation cases",

while referring to its SOP dated 07.07.2021 issued by the Ministry for identification and handling of violation cases under EIA Notification 2006.

However, such a direction to adhere with the SOP runs against the order of NGT dated 24.04.2022 in the instant matter, wherein the NGT directed that damages be levied at the rate of 10% on the PP – M/s Vatika Ltd while the SOP of the Ministry ***(copy of SOP and the Office Memorandum are both attached to this email)*** mandates a penalty of 1% and only remedial measures to be carried out by the PP.

This has given rise to further grievance in the instant matter with regards to the SOP and here in after pleaded to be heard and decided upon expeditiously in the interest of justice. This is alongwith other grievances is point-wise illustrated as below -

Grievances with the SOP released by MoEF dated 07.07.2021

1. *Penalty or Compensation under the SOP:* Penalty levied must act as a deterrent and not as an incentive to violate the laid out environmental norms, guidelines and principles, while compensation levied must follow the twin principles of "Polluter Pays" and "Principle of Proportionality". However, the threshold of 1% of the cost of the project to be levied as penalty as laid out in Para 12.a & 12.b of the SOP dated 07.07.2021 is not deterrent. This is far less than even the borrowing/financing costs of capital which are usually upwards of 9%-12% per annum or the Return on Capital which is expected at far above 15%, making such paltry sum of penalty an incentive to carry out environmental violations rather than a deterrent, and where the promoter decides to carry out such violations at the onset and subsequently self-declares all violations such penalty is halved to 0.5% as per para 12.2 of the SOP, making this a paltry cost for violations that can be built into the entire cost of the project. And given the fact that obtaining an EC is an exercise that could take from identification of an environmental consultant to obtaining EC anywhere between 6 – 12 months given the following stages involved at the shortest/fastest timeline possible:

- a. Hiring a consultant alongwith scope of work, etc – a few days/weeks
- b. Consultant obtaining/supplying necessary documents for preparing of reports, soil assessment (boring, sample collection, lab tests etc), and subsequently preparing a comprehensive environmental plan/report – 8 to 16 weeks
- c. Submitting the report for consideration of SEAC and SEIAA – 1 to 2 weeks
- d. Hearings of SEAC and SEIAA and approvals – 8 to 12 weeks.

, it would thus imply that even those entities that have previously followed the laid-out framework of obtaining prior-EC would rather avoid it going forward in their new projects or expansions since the cost of following the norms as enumerated above is a minimum 5% of the project cost (considering a minimum 6-month period and an annual minimum 10% cost of borrowing) and would instead pay 0.5% as penalty.

And in so far as the environmental compensation towards the damages is concerned, as per para 12.3 of the SOP, this has been dispensed in favour of "*remedial measures*" which shall be worked out based on the damage assessment, and such remedial measures are mentioned in Para 11 at Step 3.B.iii as "*activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects)*", leaving it up to the PP / Violator to carry out remedial measures as it fancies. Further, this overlaps with the CSR activities that the PP / violator would have otherwise carried out during the operations of its project, implying that the PP / violator can on one hand show this as a remedial measure to the

environmental agencies and on the other hand claim benefit of the same as part of its compulsory CSR spend, thereby defeating the intent and purpose of the two being distinct.

2. *System of Bank Guarantee* - Wherein further as per Step 3.B.viii, any amount towards such proposed '*remedial measures*' shall be submitted by way of a bank guarantee, where even though the amount is quantified by the Expert Appraisal Committee and Regulatory Authority the same rests for its entirety with the PP / violator for activities to be carried out as it fancies, which begs to question -

a. Whether such remedial measures should be undertaken by the PP / violator within its limited scope of control and expertise or by the State where the State or its agencies would be in a better position to utilize the amounts for a more effective remedy given its vast resources and redirect efforts where the benefits yielded would be the maximum?

b. Whether constant monitoring of each PP / violator for remedial measures carried out by it is even feasible or would create a quagmire of corruption?

c. Whether the above "remedial measures" would actually be carried out in the interest of environment?

3. *Penalty under the SOP for operationalizing a project without EC*: Here as per Para 12.a.ii and 12.b.ii of the SOP an additional penalty of 0.25% of the total turnover (or the part attributable to the violation) during the period of violation is to be imposed. However, while its trite that the profit margins are in excess of 5% to 25% for such shrewd businesses and their activities a paltry 0.25% of their revenue as penalty or further half of the same to 0.125% of revenue if the PP suo-moto reports the violation as per Para 12.2 of the SOP does NOT act as a deterrent. Further, such a provision of self-declaring violation if allowed would tantamount to the violator becoming a judge in its own case, which is against the principles of natural justice.

4. *Clarity on Nodal Agency / Authority*: What is not clear in the SOP is the agency with whom it would vest to decide the quantum of damages and the subsequent compensation that needs to be levied or to decide the size of the project. For instance, in the instant matter where Vatika Ltd is the PP and violator, it had understated the Project cost significantly (declaring it at 40% or less than the actual) where it was acting out of malafide right from the beginning and therefore any penalty or compensation relying upon such declaration of the PP / violator is likely to be inadequate. Therefore, SEIAA as the nodal agency would be better equipped to actually decide the size of the project and the violation or damages caused to the environment thereto. This was also decided in the case of O.A. No.

976 of 2019 titled as Gurinder Singh & Ors vs Union of India & Ors vide order dated 24.11.2020 wherein it read that -

"1 to 2 XXXXX ...

3. Further report has been filed on 12.06.2020 inter-alia mentioning that the Project Proponent has been directed to get the violation assessed and on account of that further action has still not been taken.

4. We are surprised at the stand taken by the State Authorities. A law violator is being asked to make assessment which is against any sensible norm. Once it is acknowledged that there is violation of law, instead of taking remedial action, the law violator is sought to be made judge in his own cause. This is serious abdication of responsibility by trustees of the citizens to run the governance.

5. Accordingly, we direct the authorities to withdraw such directions and to make assessment in exercise of their statutory functions, with the assistance of such expert or organization as may be considered necessary... XXXXX

...XXXXX"

However, the SOP released by the Ministry on 07.07.2021 has laid procedures that are in striking contrast to the above order.

Further, it is not even clear in the SOP which agency would be most suitable in entrusting with funds thus collected towards penalties and damages from PP / violators, instead such fund towards damages is left entrusted with the PP itself. It is relevant to point out that there already exists an Environmental Compensation Fund that holds mandate for collecting amounts from PP / violators by way of compensation or penalty and in order dated 21.10.2022 in the matter of Gurinder Singh & Ors supra this Hon'ble Tribunal had clearly mentioned how the amount collected in the Environmental Compensation Fund ought to be utilized.

5. The Standard Operating Procedure due to provisions contrary to Court Orders needs to be put to review (and suspended from implementation in the meantime): The SOP released by the Ministry on 07.07.2021 to address the various violations does not take into account the precedence set by the various NGT and Supreme Court orders for instance in case of the Goel Ganga supra the Hon'ble Supreme Court levied a penalty equivalent to 1% and compensation equivalent to 10% of the cost of the entire project without limiting such amount to the extent of the violation alone. Further in the same case the bank guarantee offered by the PP was declined and instead the PP was directed to submit atleast 40% of penalized amount or

damages with the Court's registry to be allowed to carry activities in any of its projects. The said Supreme Court order dated 10.08.2018 in Civil Appeal No. 10854 of 2016 titled as M/s Goel Ganga Developers Pvt Ltd vs Union of India & Ors read as follows :

"XXXXX....

Quantification of damages:

51. We need to decide and re-assess the issue of damages since the original applicant has also challenged the original order of the NGT. While assessing the damages we may note certain facts:-

- 1) The EC was granted on 04.04.2008 but construction commenced after issuance of consent to establish dated 20.06.2009 and the EC would be valid for a period of 5 years from the date of such consent, i.e. upto 19.06.2014;**
- 2) The EC dated 04.04.2008 was granted for construction of built up area 57,658.42 sq.mtrs., whereas admittedly, as of now the constructed built up area is 1,00,002.25 sq. mtrs.. Therefore, there is clear-cut violation of the terms of the EC;**
- 3) Any construction raised after 19.06.2014 is without any EC especially since we have held that EC granted on 20.11.2017 is invalid.**

... XXXXX ...

57. Having held so we are definitely of the view that the project proponent who has violated law with impunity cannot be allowed to go scot-free. This Court has in a number of cases awarded 5% of the project cost as damages. This is the general law. However, in the present case we feel that damages should be higher keeping in view the totally intransigent and unapologetic behaviour of the project proponent. He has maneuvered and manipulated officials and authorities. Instead of 12 buildings, he has constructed 18; from 552 flats the number of flats has gone upto 807 and now two more buildings having 454 flats are proposed. The project proponent contends that he has made smaller flats and, therefore, the number of flats has increased. He could not have done this without getting fresh EC. With the increase in the number of flats the number of persons, residing therein is bound to increase. This will impact the amount of water requirement, the amount of parking space, the amount of open area etc. Therefore, in the present case, we are clearly of the view that the project proponent should be and is directed to pay damages of Rs.100 crores or 10% of the project cost whichever is more. We also make it clear that while calculating the project cost the entire cost of the land based on

the circle rate of the area in the year 2014 shall be added. The cost of construction shall be calculated on the basis of the schedule of rates approved by the Public Works Department (PWD) of the State of Maharashtra for the year 2014. In case the PWD of Maharashtra has not approved any such rates then the Central Public Works Department rates for similar construction shall be applicable. We have fixed the base year as 2014 since the original EC expired in 2014 and most of the illegal construction took place after 2014. In addition thereto, if the project proponent has taken advantage of Transfer of Development Rights (for short 'TDR') with reference to this project or is entitled to any TDR, the benefit of the same shall be forfeited and if he has already taken the benefit then the same shall either be recovered from him or be adjusted against its future projects. The project proponent shall also pay a sum of Rs. 5 crores as damages, in addition to the above for contravening mandatory provisions of environmental laws.

... XXXXX ...

59. We summarise our findings and directions as follows:

(i) That built up area under the notification of 14.09.2006 means all constructed area which is not open to the sky;

(ii) Built up area under the notification of 04.04.2011 means all covered area including basement and service areas;

... XXXXX ...

(ix) We impose damages of Rs.100 crores or 10% of the project cost, whichever is higher on the project proponent and in addition thereto, project proponent will pay Rs.5 crores as levied by the NGT in its order dated 27.09.2016;

(x) Project proponent shall not be permitted to raise construction of two buildings having 454 tenements;

... XXXXX ...

(xiii) The project proponent is granted six months' time to deposit the amount of damages imposed in terms of direction no. (ix) supra in the Registry of this Court. In case the project proponent does not deposit the amount within six months then all the assets of the project proponent i.e. M/s. Goel Ganga Developers India Pvt. Ltd. as well as its Directors shall be attached and the amount of damages shall be recovered by sale of those assets. It is further directed that in case this amount is not deposited within the period of six months then the

licence/registration/permission granted to M/s. Goel Ganga Developers India Pvt. Ltd. to develop any "real estate project" within the meaning of the Real Estate (Regulation and Development) Act, 2016 shall be cancelled and the project proponent i.e. M/s. Goel Ganga Developers India Pvt. Ltd. and its Directors shall not be granted permission to develop any "real estate project" under the Real Estate (Regulation and Development) Act, 2016 without permission of this Court.

“

That basis the above order it is clear that while the general rule of law as laid out by the Hon'ble Supreme Court is 5% of the Project Cost to be awarded as damages by way of compensation. However, in circumstances where the violation is blatant it is upto the Authority (in this case SEIAA) or NGT to levy higher damages of 10% or even higher if it so merits and such damages are of additive nature where in the matter of Goel Ganga supra an additional Rs 5 crore was levied by way of damages for contravening mandatory provisions of environmental laws.

Further Grievances and update in the instant project of PP – Vatika Ltd:

6. That, in the instant matter where the PP had carried out construction of FIVE towers instead of the TWO that were approved in its TCP Licence 22 of 2011 and thereby was at stark variance with its approved project plans as well as had no prior-EC to begin any activity at site. Subsequently, since the NGT constituted committee inspected the project site - the PP (over the past few months) went ahead and demolished all of the towers and thereafter covered the same with earth, and migrated the lands that were in the previous licence in order to start development afresh on the same lands under a new TCP Licence. And though the quantum of Construction violation that was carried out by the PP in the instant matter (at approx 47,000 sq mtr) was same as that in the case of Goel Ganga supra, as well as the fact that Demolition activity subsequently carried out was unsupervised by any govt agency (***copy of RTI reply received from SPCB is attached to this email / MA in OA 215 of 2022***) and in variance with the laid out norms and guidelines (for recycling of C&D waste), the PP – M/s Vatika Ltd is attempting to escape similar penalty and damages (as was levied on Goel Ganga) on account of the weaker provisions of the SOP dated 07.07.2021 from the Ministry.

7. It is not out of place to mention that the PP in the instant matter is a repeat violator with brazen disregard for any environmental norms and has carried out

construction in 90% of its projects in Gurugram spanning over its 300 acres of land bank (held in various subsidiaries and JVs) over the past 13 years, where in each instance it commenced construction a year or two before it even applied for EC, but was let-off from penalties and damages towards the same on account of its litigation tactics and false affidavits/declarations. And though the matter of a few of these violations was previously taken up before this Hon'ble NGT in OA No. 356 of 2017, mentioning that construction was being carried out in absence of EC in multiple projects of the PP – M/s Vatika Ltd, what was left out from arguments was that **such constructions (in all instances of violations) had commenced prior to EC applications being made.** Subsequently, no decision penalizing the PP was passed since during the course of hearings - the interest of the Applicants in pursuing the matter fell through and also since the same matter came up for hearing before the hon'ble High Court of Punjab and Haryana in CWP 23519 of 2017 and vide orders dated 02.05.2018 in O.A. 356/2017, this Hon'ble Tribunal decided that -

“xxxxx...In view of the fact that the proceedings before the Hon'ble High Court of Punjab and Haryana are pending, it will be more appropriate that the said proceedings may be concluded first...xxxxx”

And very conveniently, since February 2020, the matter in CWP 23519 of 2017 attached to Main CWP 22327 of 2017, before the Hon'ble High Court stands sine-die.

8. That, it would not be out of place if this Hon'ble NGT were to ascertain through an investigation carried out by SEIAA, if the PP has held similar violations in any of its other projects over the past 15 years and the collective damages that the PP has caused to the environment till date on account of its violations and whether the PP – M/s Vatika Ltd and its promoters should be considered for black-listing by the Environment Ministry.

Other Requests/Pleas for the kind consideration of the Hon'ble NGT (basis ratio of law laid down by various Supreme Court Orders and legislations):

9. That facts to be taken into account while levying penalty and compensation should be -

(i) The benefit that has arisen or may arise to the PP / Violator – since its trite in law that no person should be allowed to benefit from its faults or deficiencies or violations with regards to law.

(ii) The damage caused to the environment by the actions of the PP / Violator – where the PP / Violator cannot be a judge in its own case and the

same should be decided by an unbiased committee of experts under SEIAA.

(iii) A repeat instance of violation by the same PP (where-in corporate veil maybe dispensed away with) or group of PP or an associated entity or subsidiary or JV.

(iv) If damages computed as a proportion of the project cost, then the Project cost is to be assessed by taking into account the entire built-up area and cost of its construction calculated on the basis of the schedule of rates approved by the Public Works Department (State or Central) alongwith the cost of land computed on the basis of the prevailing circle-rate.

(v) Any manipulation or false declarations made by the PP and its behaviour towards its violations and faults should also be taken into account

(vi) The creation of deterrence in order to mitigate further such violations by the PP and others should reflect in the order.

(vii) Methodology to be adopted and declared for recovery of such amounts – whether by blacklisting of the PP / Violator or by seizure of all assets of the PP and promoters.

10. State of Haryana including SEIAA Haryana maybe directed to provide complete status of all recoveries in case of any and all environmental violations that have been adjudicated till date, and explicit directions maybe issued alongwith request to setup an SOP for recoveries as well as their utilization thereof.

11. It is pleaded that the instant matter be allowed for urgent listing and hearing as MA in OA 215 of 2022 and points put forth above are taken up for consideration.

Yours Sincerely,

Aashish Sardana

(Applicant / Appellant)

Flat No. 7E, BB-Block,

Janakpuri, Delhi - 110058

+91-8800780473

 **Advisory or Office Memorandum from MoEF regarding SOP.pdf**
330 KB

 **RTI reply from SPCB regarding demolition activity.pdf**
989 KB

Regional Office, Gurugram (S)
Haryana State Pollution Control Board
3rd Floor, HSIIDC Complex, IMT Manesar, Gurugram
Website - www.hspcb.gov.in, E-Mail - hspcbrogrs@gmail.com
Tele No. 0124-2290207, 0124-2290208

HSPCB/GRS/2022/959

dated 22/11/2022

To

Sh. Aashish Sardana

Flat 7E, BB-Block, Janakpuri, Delhi-110058

Email- aashish.sardana@gmail.com

Ph no. 8800780473

Sub.: Information regarding Demolition Carried out by Vatika Ltd., in its project Tranquil Heights, Sector-82A, Gurugram.

Ref.: -Your RTI letter received in this office 30.11.2022

With reference to the subject cited above, it is intimated that the desired information of your RTI application under RTI Act, 2005 is as below:-

Sr. No.	Reply
Point No. 1	No such type permission granted by State Pollution Control Board.
Point no. 2	Same as point no. 1
Point no. 3	No such type record available with this office.
Point no. 4 (a to e)	No such type record available with this office.
Point no. 5	The demolition activity was noticed during the visit of Joint Committee in the matter of OA no. 215 of 2022 titled as Aashish Sardhana Vs Vatika Ltd & Ars. The report of the same is available on the website of Hon'ble National NGT.

Also, if any other information/clarification required in this regards, the applicant can visit this office in any working day in office timings between 09:00 AM to 05:00 PM hours.

PIO-cum-Regional Officer
Gurgaon Region (S)

RTI Application u/s 6(1) of the RTI Act - 2005

Date: 30.11.2022

From:

Aashish Sardana

Flat 7E, BB-Block, Janakpuri, Delhi – 110058

Email: aashish.sardana@gmail.com, Phone: +91-8800780473

Aadhaar No.: 8470 1100 6731

To,

PIO / SPIO

State Pollution Control Board, Manesar Office,
Gurugram District, Haryana

Respected Sir/Maam,

Subject: Information regarding Demolition Carried out by Vatika Ltd in its project Tranquil Heights, Sector 82A, Gurugram.

As a concerned citizen I had approached NGT in March 2022, regarding illegalities on part of Vatika Ltd with regards to its project Tranquil Heights, in Sector 82A, Gurugram that was being built under TCP Licence 22 of 2011. Whereinafter as per directions of NGT the committee constituted to investigate, of which the Regional Officer of SPCB was a member, found that demolition was being carried at the project site. Copy of the Report enclosed here.



Haryana State Pollution Control Board
Gurgaon Region (Sector
HSIDC Compound, III Floor
IMT Manesar, Gurgaon

I therefore seek the following information with regards to the same demolition, which maybe supplied accompanied with certified copies of the documents where possible -

1. Kindly confirm whether prior approval of the State Pollution Control Board was sought for carrying out the aforementioned demolition activity or any intimation of the same was provided. .
2. Where response to Query No. 1 is in affirmative, kindly provide copy of the application / intimation put-forth by the project Proponent Vatika Ltd for the demolition activity, alongwith the demolition plan.
3. Kindly provide the monitoring report of the State Pollution Control Board of the demolition activity.
4. With the regards to the aforementioned demolition - kindly provide the details of -
 - a. recycling plan for the debris from the demolition including the names of contractors and company(s) engaged for the same by the project proponent / Vatika Ltd.
 - b. the site where the non-recyclable debris was dumped by the project proponent / Vatika Ltd.
 - c. the manpower and equipment employed for the demolition and quantum of debris generated, including the extent of the size of the project site and the depth of the construction/demolition carried out on it by the project proponent / Vatika Ltd.
 - d. the site from which earth / soil has been excavated or planned to be excavated for covering up or restoring the project site by the project proponent / Vatika Ltd.
 - e. the amount spent on the demolition activity by the project proponent / Vatika Ltd.

5. Any other information available in your office in any form available in your office with regards to the demolition activity that was / is being carried out at the aforementioned site.

I pray that the above information sought here be supplied expeditiously.

Kindly note that a Rs 10/- postal order is accompanied with this RTI Application.

Yours sincerely,



Aashish Sardana

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F. No. IA3-22/8/2023-1A.III (E- 205497)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

3rd Floor Vayu Wing
Indira Paryavaran Bhavan,
Aliganj, Jorbagh Road,
New Delhi-110 003

Dated: 25th April, 2023

To

The Additional Chief Secretary
Environment, Forest & Wildlife Department
Government of Haryana
Room No. 429, 4th Floor,
Mini Secretariat, Sector - 17, Chandigarh
Email: gargvineet@hry.nic.in, psenv2016@gmail.com

Subject: Advisory to adhere to the SOP dated 7th July 2021 issued by the Ministry for identification and handling of violation cases under EIA Notification 2006 - reg.

Sir/Madam,

The Ministry has issued a Standard Operating Procedure (SOP) dated 7th July 2021 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 (copy enclosed).

2. Subsequently, the Ministry has issued an Advisory dated 29th March 2023 directing all SEIAAs to adhere to the SOP dated 7th July, 2021 (copy enclosed). However, instances have been brought to the notice of the Ministry that the provisions of the SOP dated 7th July 2021 are not being followed in letter and spirit by SEIAA, Haryana.
3. In this regard, it is hereby requested to issue necessary direction to SEIAA, Haryana so that the provisions of the aforementioned SOP are adhered to in dealing with violation cases.
4. This is issued with the approval of the Competent Authority.


(Sundar Ramanathan)
Scientist 'E'

Encl: As above

Copy to:
The Chief Secretary
4th Floor, Haryana Civil Secretariat,
Sector-1, Chandigarh
Email: kaushalsanjeev@hry.nic.in