

**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
NEW DELHI**

Miscellaneous Application No. 28 of 2023

In

Original Application No. 215 of 2022

IN THE MATTER OF

Aashish Sardana

...Applicant

Vs

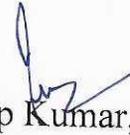
M/s Vatika Ltd. & Anr.

...Respondent

INDEX

Sr. No.	PARTICULARS	DATED	PAGES
1.	<u>Status Report on Behalf of Chief Secretary, Haryana by Pardeep Kumar, Ias, Director, Environment & Climate Change Department, Haryana</u>	28.07.2023	1-9
2.	Annexure R/1	19.04.2023	10
3.	Annexure R/2	02.05.2023	11-12
4.	Annexure R/3	16.04.1987	13-14
5.	Annexure R/4	28.02.2014	15-16

Place: Panchkula
Dated: 28.07.2023


 (Pardeep Kumar, IAS)
 Director,
 Environment & Climate Change Department
 Haryana.

-|-

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IN THE MATTER OF

Aashish Sardana

...Applicant

Vs

M/s Vatika Ltd. & Anr.

...Respondent

**STATUS REPORT ON BEHALF OF CHIEF SECRETARY, HARYANA BY
PARDEEP KUMAR, IAS, DIRECTOR , ENVIRONMENT & CLIMATE
CHANGE DEPARTMENT, HARYANA.**

MOST RESPECTFULLY SHOWETH:

1. That the above mentioned miscellaneous application is pending before this Hon'ble Tribunal and now is fixed for 01.08.2023.
2. That in the present matter on 24.04.2023, this Hon'ble Tribunal was pleased to pass an order and issued directions to Chief Secretary, Government of Haryana to file action taken report. The relevant portion of the order is reproduced below for ready reference:-

“.....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 by 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 by coercive measures such as initiating prosecution, attachment of property, blacklisting, demolition etc. Utilization of the recovered amount for restoration of the damage to the environment must be equally prompt. In view of rampant violations, intervention at policy level in the State cannot be wished away. The State PCB may put all concerned project proponents mentioned above to notice of these proceedings for their response, if any, before the next date.

XXX”

3. That before proceeding further, it is appropriate to mention here that in compliance of the directions of Hon’ble Tribunal in the present case as well as in other cases, State Government of Haryana is determined to take appropriate step to prevent pollution by following environmental laws and also determined to restore the environmental degradation, having already been caused by the violator, in the State of Haryana by appropriate use of environment compensation as guided by this Hon’ble Tribunal and well as Hon’ble Apex Court and High Court in number of cases to achieve the objects of environmental laws in true spirit.
4. That the perusal of para no. 4 of the order of this Hon’ble Tribunal categorically reflects that there is a need to submit before this Hon’ble Tribunal on the aspects of the imposition of environment compensation, recovery of environment compensation, utilization of environment

compensation and initiation of prosecution action against the violators of environment clearance issued under EIA Notification 14.09.2006 under Environment (Protection) Act, 1986. For the better understanding submissions are made under separate headings as following:-

a. Imposition of Environment Compensation

It is submitted that environment compensation against the violations, in terms of EIA Notification 14.09.2006 and subsequent notifications in continuation to this notification, is imposed by SEIAA or MoEF & CC, Union of India. Further, it is not out of place to mention here that in compliance of directions of MoEF & CC amount of environment compensation is deposited with HSPCB and such amount has been kept under separate head.

b. Utilization Of Environment Compensation

It is worthwhile to mention here that Government of Haryana has constituted a High Powered Committee (HPC) consisting of Additional Chief Secretary to Government Haryana, Industries & Commerce Department, Additional Chief Secretary to Government Haryana, Environment, Forest and Wild Life Department, Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department, Commissioner & Secretary to Government Haryana, Urban Local Bodies Department and Director General, Environment and Climate Change, for process of planning and execution of environment compensation funds and compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The meeting of High Powered committee was held on 02.05.2023 and following decisions were taken:-



- i. *50% amount of environment compensation shall be utilised in the districts from where the amounts were collected and the balance could be allotted to any district as per requirement of District Environment Plans.*
- ii. *School and Higher Education Departments may submit comprehensive proposals regarding funding eco-clubs and organizing awareness programmes in schools and colleges. The proposals may cover gaps under existing schemes and budget allotted in this regard. The proposals may include online courses for school/college students regarding environment awareness/issues.*
- iii. *Regional Officers of HSPCB may co-ordinate with Deputy Commissioners concerned and other stake holders departments to send proposals to meet gaps identified under the District Environment Plan and seek funds, with full justification.*
- iv. *The concerned departments may also submit detailed proposals for allocation of funds to undertake activities identified under the District Environment Plans, as per discussion held, if required.*

Perusal of the above mentioned submission reflects that proposal has been sought from Education Department as well as from other concerned departments regarding funding for Eco-Clubs and organizing awareness programs etc., besides this Regional Officers of Haryana State Pollution Control Board has also been directed to coordinate with respective Deputy Commissioners and other stakeholders for seeking proposal, so that gaps identified under District Environment Plan may be filled up. It is also necessary to bring into notice of this Hon'ble Tribunal that District Environment Plans in terms of the directions of this Hon'ble Tribunal have already been finalized by the Department of Environment & Climate Change, Government of Haryana and preparation of State Environment Plan is under process. Copy of orders dated 19.04.2023 of constitution of

High Powered Committee and copy of the proceedings of the meeting dated 02.05.2023 are attached as **Annexure-R/1** and **Annexure R/2** respectively.

c. Recovery of Environment Compensation

It is necessary to bring into notice of this Hon'ble Tribunal that keeping in view of the whole scheme and objects of EP Act, 1986 and EIA Notification 14.09.2006 issued under EP Act, 1986, it is appropriate to mention here that MoEF&CC and SEIAA are the appropriate authority to initiate the action for recovery of the environment compensation levied by SEIAA on the violators of EIA Notification 14.09.2006. However, it is also appropriate to mention here that if any direction/request is to be made to recover environment compensation being land revenue arrear by SEIAA, then same is to be attended by competent authority in the State as per statutory provisions. Apart this, if any request/directions is to be made by SEIAA and MoEF&CC, to Uttar Haryana Bijli Vitran Nigam (UHBVN) / Dakshin Haryana Bijli Vitran Nigam (DHBVN) DISCOM under Power Department, State of Haryana for not providing electricity connection to area beyond sanction plan and beyond the areas specified in the environment clearance and to Town & Country Planning Department Haryana for blacklisting the projects those who have not deposited amount of levied environment compensation, same maybe attended by the respective authority.

d. Initiation of prosecution action against the violators

It is submitted that criminal complaint under section 15 of EP Act, 1986 are filed by the officers of the HSPCB whenever request have been done by the SEIAA through Government for initiation of the

prosecution action against violators. It is necessary to mention here that officers of HSPCB as well as other officers including District Administration and SEIAA are authorized by the Central Government vide Notification No. S.O.394 (E) and 637(E) dated 16.04.1987 and 28.02.2014 issued under clause (a) of section 19 of EP Act, 1986 respectively. Copy of Notification dated 16.04.1987 and 28.02.2014 are attached as **Annexure-R/3** and **Annexure-R/4**.

5. Further, keeping in view of the subject matter involved in the present Misc. Application, it is also appropriate to mention here that substantial part of environment compensation has already been recovered from the violators and the process of recovery is still going on. The current details of imposition and recovery of environment compensation from the projects mentioned in Paragraph 1 of the order is submitted in tabulated form:-

Sr. No	Name of identity on which EC has been imposed	Order No. & Date of EC	Amount imposed (₹ in lacs)	Amount Recovered (₹ in lacs)	Remarks
1.	<u>M/s G.P.Realtors</u> IT /ITES SEZ project at Village Behrampur, Balola & Bandhwari, Gurugram, District Gurugram.	Letter No. SEIAA/HR/2022/1507 dated 21.09.2022	707.17	707.17	<u>Complied with</u>
2.	<u>M/s Victory Infraedge Pvt. Ltd.</u> Commercial colony at village- Fazilpur Jharsa, Sector-48, Gurugram, District Gurugram.	Order No. SEIAA/HR/2023/26 dated 17.01.2023	731.25	200.00 100.00	Being Complied With <i>with</i> (in installments)
3.	<u>M/s VSR Mall Retail</u> Expansion of "Proposed Commercial Complex" at "Retail-cum-Office" at Sector-114, Gurugram, District Gurugram.	EC Identification No. EC23B038HR110797 dated 18.01.2023	71.50	71.50	<u>Complied with</u>
4.	<u>M/s Unitech Limited.</u> Expansion of Commercial	EC Identification No. EC23B038HR1653	323.80	323.80	<u>Complied with</u>

	Office Complex "Signature Tower-III" at Sector-15, Gurugram, District Gurugram	84 dated 18.01.2023			
5.	<u>M/s Padmini Technologies Ltd.</u> "Corporate Office" at Plot No. 13, Sector-32, Urban Estate Gurugram -II, District - Gurugram	EC Identification No. EC23B038HR1237 36 dated 18.01.2023	484.67	484.67	<u>Complied with</u>
6.	<u>M/s Parsvnath Developers Ltd</u> Expansion of Group Housing Project "Parsvnath Exotica Phase-II" at Village Wazirabad, Sector-53, Gurugram, District Gurugram.	Order No. SEIAA/HR/2023/2 2 dated 17.01.2023	669.50	200.00	Being Complied With <i>under</i> (11 installments)
7.	<u>M/s Ansal Landmark (Karnal) Township Pvt. Ltd.</u> Integrated Residential Colony (Plotted & Group Housing) "Sushant City/ Royale" at Sector-35/36, Karnal, District, Karnal.	EC Identification No. EC23B039HR1254 85 dated 18.01.2023	160.00	160.00	<u>Complied with</u>
8.	<u>M/s Focus Energy Ltd.</u> Institutional "Office Building" Project at Plot No. 6, Sector - 32, Gurugram, District Gurugram	Order No. SEIAA/HR/2023/1 9 dated 17.01.2023	1261.00	Nil	Not Complied (Order issued)
9.	<u>M/s Vatika Ltd.</u> Group Housing Colony at Sector-82 A, Gurugram, District Gurugram	Order No. SEIAA/HR/2023/7 5 dated 02.02.2023 <u>Pending Before Hon'ble National Green tribunal vide Misc. Application No. 28 of 2023</u>	800.10	Nil	Not Complied
10.	<u>M/s Creative Buildwell Private Limited.</u> Expansion of five Star Hotel Project at Village- Ghamroj, Sohna Road, Tehsil - Sohna, District- Gurugram.	Order dated 02.02.2023	663.21	Nil	Not Complied
11.	<u>M/s Interpress Publishers Pvt. Ltd.</u> IT Building on Plot No.412-415, Udyog Vihar Phase IV, Gurugram, District	Order No. SEIAA/HR/2023/7 6 dated 02.02.2023	459.54	200.00	Being Complied With <i>Under</i> (11 installments)

	Gurugram				
12.	M/s CMD Pardesi Developers Pvt. Ltd “Township Residential Complex and Commercial Complex” at Village Rasoi, G.T Karnal Road, Sonapat, District Sonapat.	Order No. SEIAA/HR/2023/62 dated 02.02.2023 <u>Pending Before Hon’ble Supreme Court vide Civil Appeal Diary No. 24765/2022</u>	1655.55	Nil	Not Complied (Notice issued)
13.	M/s Jubilant Software Services Ltd. “Group Housing Colony” at Sector-91, Mewaka, Gurugram, District Gurugram	Order No. SEIAA/HR/2023/162 dated 31.03.2023 <u>Pending Before Hon’ble Supreme Court vide SLP (Civil) No. 11492 of 2023</u>	2478.00	100.00 135.00	-----
14.	M/s Robust Buildwell Pvt. Ltd Commercial Cum Residential Colony (Mix Land Use), at Sector 79, Omaxe City Centre, Faridabad, District Faridabad.	EC Identification No. EC23B038HR183894 dated 09.04.2023	460.11	460.11	<u>Complied with</u>
15.	M/s India Land and Space Logistics Pvt. Ltd. Warehouse Project located at Village Binola, Gurugram, District Gurugram	EC Identification No. EC23B039HR123707 dated 09.04.2023	109.50	109.50	<u>Complied with</u>
		Total	11,034.90 (₹ 110.35) Crore		
		<u>Item No.9, 12 and 13 Pending before Hon’ble Supreme Court/ High Court/ NGT</u>	4933.65 (₹ 49.34) Crore		
		Net Recoverable Amount	6,101.25 (₹ 61.01) Crore	3,251.75 (₹ 32.52) Crore	

6. That keeping in view of the above mentioned submissions, it is apparently clear that State Government is fully determined to support MoEF & CC and the authority i.e. SEIAA constituted under EP Act, 1986 solely with the

2933026/2023/Environment Cell-HSPCB

**GOVERNMENT OF HARYANA
ENVIRONMENT, FOREST & WILD LIFE DEPARTMENT
ORDER**

Governor of Haryana is pleased to constitute a High Powered Committee for implementation of orders passed by NGT in M.A. No. 74/2022 in OA No. 976 of 2019- Gurinder Singh & Ors. vs. Union of India & Ors. as under:-

- | | |
|---|----------|
| 1. Additional Chief Secretary to Government Haryana, Industries & Commerce Department | Member |
| 2. Additional Chief Secretary to Govt. Haryana, Environment, Forest & Wildlife Department | Member |
| 3. Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department. | Member |
| 4. Commissioner & Secretary to Government Haryana, Urban Local Bodies Department. | Member |
| 5. Director General-cum-Member Secretary, HSPCB | Convener |

* The Chairman, HSPCB will be a special invitee.

Dated :-18.04.2023

Vineet Garg
Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wildlife Department

Endst. No. 16/03/2023 - 3Env

Dated:- 19.04.2023

A copy is forwarded to following for information and further necessary action.

1. Additional Chief Secretary to Government Haryana, Industries & Commerce Department.
2. Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department.
3. Commissioner & Secretary to Government Haryana, Urban Local Bodies Department.
4. Director General-cum-Member Secretary, HSPCB
- ✓ 5. The Chairman, HSPCB, C-11, Sector-6, Panchkula.

Chairman, HSPCB
Dated. 19/4/2023

MS

Kamal De
Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wild Life Department

Endst. No. 16/03/2023- 3Env

Dated:- 19.04.2023

A copy is forwarded to the following for information and further necessary action.

1. PS to Chief Secretary to Govt. Haryana.
2. PS to Addl. Chief Secretary to Govt. Haryana, Environment, Forest and Wild Life Department.

Pl put up the shop-stands for the 1st meeting of the HPC.

*MS
SEE (Pg) 19/4/2023*

Kamal De
Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wild Life Department

2816295/2023/Planning Cell-HSPCB

Proceedings of the meeting held on 02.05.2023 at 11:30 Hrs. of High Powered Committee constituted vide Govt. of Haryana, EF&W Department Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for implementation of orders passed by Hon'ble NGT in M.A. No. 74/2022 in O.A No. 976 of 2019- Gurinder Singh &Ors. vs Union of India &Ors.

The list of participants attached as Annexure-A.

The Member Convener of the Committee explained the directions issued by the Hon'ble NGT in M.A. No. 74/2022 in OA No.976 of 2019- Gurinder Singh & Ors. vs. Union of India & Ors., to the participants. In compliance of these orders, Govt. of Haryana, EF&W Department vide Order Endst. No.16/03/2023 – 3 Env dated 19.04.2023 constituted a High Powered Committee for planning and execution for utilisation of environment compensation funds. It was decided during the meeting held under the chairmanship of Chief Secretary on 03.03.2023 that the existing exclusive account for receiving the environmental compensation in the HSPCB will continue to be used and no separate account is required to be opened and funds will be released for utilization from this account by the Member Secretary, HSPCB based on the directions of the High Powered Committee. It was also informed that approx. Rs. 74.5 crore has so far been deposited on account of environment compensation in the exclusive account, out of which Rs. 52 crore has been deposited by different units as environmental compensation imposed by the HSPCB and Rs. 22.5 crore has been deposited through SEIAA as environmental compensation.

The order of Hon'ble NGT was discussed and suggestions for utilization of environmental compensation, keeping in view of NGT directions, were given by representatives of the departments.

After detailed discussion, it was decided that;

1. 50% amount of environment compensation shall be utilised in the districts from where the amounts were collected and the balance could be allotted to any district as per requirement of District Environment Plans.
2. School and Higher Education Departments may submit comprehensive proposals regarding funding eco-clubs and organizing awareness programmes in schools and colleges. The proposals may cover gaps under existing schemes and budget allotted in this regard. The proposals may include online courses for school/college students regarding environment awareness/issues.
3. Regional Officers of HSPCB may co-ordinate with Deputy Commissioners concerned and other stake holders departments to send proposals to meet gaps identified under the District Environment Plan and seek funds, with full justification.

2816295/2023/Planning Cell-HSPCB

4. The concerned departments may also submit detailed proposals for allocation of funds to undertake activities identified under the District Environment Plans, as per discussion held, if required.

Next meeting of the HPC will be held under the Chairmanship of ACS to Govt. of Haryana, Industries & Commerce Department and members of the Committee may be requested to attend the meeting personally.

The meeting ended with a vote of thanks to the Chair and all participants.

Annexure-A

**List of participants
(S/Sh)**

1. Vineet Garg, IAS, ACS to Govt. Of Haryana, EF&W Department
2. P. Raghavendra Rao, Chairman, HSPCB
3. Vikas Gupta, Secretary, Urban Local Bodies Department
4. Pardeep Kumar, Member Secretary, HSPCB
5. Ajit Singh, Dy. Director, Higher Education, Education Department
6. Sat Pal Sharma, HCS, Secretary, Secondary Education, Education Department
7. Mahabir Prasad, Addl. Director, Elementary Education, Education Department
8. Rakesh Kumar, Chief Engineer, Public Health Engineering Department
9. Arun Kumar Pandey, HoD, HSIIDC

OFFICERS AUTHORISED FOR TAKING COGNIZANCE OF OFFENCES

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 16th April, 1987

S.O. 394(E). – In exercise of the powers conferred under clause (a) of Section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the officers and authorities listed in column (2) of the Table hereto for the purpose of said section with the jurisdiction mentioned against each of them in column (3) of that Table: –

Table

Sr. No.	Officer	Jurisdiction
(1)	(2)	(3)
1.	Any Director, Joint Secretary, Adviser or Additional Secretary to the Government of India in the Department of Environment, Forests and Wildlife,	Whole of India
2.	The Chairman or Member-Secretary of the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).	Whole of India
3.	The Government of the State (represented by the Secretary to the State Government incharge) of environment.	Whole of State
4.	The Chairman or Member-Secretary of the State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or a State Pollution Control Board constituted under section 5 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).	Whole of State
5.	Collector	Whole of Revenue District
¹ [6.	Zonal Officers of the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).	Within their respective Zone.]
7.	Regional Officers of the State Pollution Control Board who have been delegated powers under section 20, 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974.	Area as laid down by the State Board
8.	Regional Officers of the State Pollution Control Board who have been delegated powers under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	Area as laid down by the State Board
² [9.	Any Regional/Zonal Officers or a Director in charge of a Region /Zone of the Ganga Project Directorate.	Zonal/Regional area as laid down by the Ganga Project Directorate
10.	Any Deputy Secretary, Director, Joint Secretary or Additional Secretary to the Government of India in the Ganga Project Directorate.	Whole of the State in which the Ganga Action Plan is under implementation]

¹ Subs. by S.O. 2412 (E), dated 22.9.2009

² Inserted by S.O. 237 (E), dated 29.3.1989

Notifications under the Environment (Protection) Act, 1986

¹ [11.	Joint Secretary (Legal) in the Department of Environment, Forests and Wildlife, Ministry of Environment & Forests, New Delhi-110003.	Whole of India]
² [12.	Chairman or Member Secretary of the Committee notified under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territories.	Whole of Union Territory]
³ [13.	Seed Inspector(s)	Area(s) as laid down by the respective State Govts. In the Notification issued under Clause 12 of the Seed Controller Order, 1983].
⁴ [14.	Sub-Divisional Magistrate	Whole of Sub-Division.]
⁵ [15.	Scientist 'D', 'E' and 'F', the Central Pollution Control Board	Whole of India]

Note: Principal Notification No. S.O. 394 (E), published in Gazette No. 185, dt. 16.4.1987. Nos. 9 and 10 entries relating thereto inserted vide S.O. 237 (E), dt. 29.3.89 published in the Gazette No. 171, dt. 29.3.89. S.N. 11 and entries relating thereto inserted vide S.O. 656 (E), dt. 24.8.1989 published in the Gazette No. 519, dt. 21.8.1989, * Subs. by S.O. 2412 (E) dt. 22.9.2009, S.N. 14 and entries relating thereto inserted vide S.O. 2763 dt. 10.11.2010. S.N. 15 and entries relating thereto inserted vide S.O. 6147(E) dt 12.12.2018.

¹ Inserted by S.O. 656 (E), dated 21.8.1989

² Inserted by Notification S.O. 624 (E), dated 3.9.1996.

³ Inserted by Notification G.S.R. 587 (E), dated 1.9.2006.

⁴ Inserted by S.O. 2763 (E), dated 10.11.2010.

⁵ Inserted by S.O. 6147(E), dated 12.12.2018

2933433/2023/Planning Cell-HSPCB

148/216

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 545]

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

No. 545]

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

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

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

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

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

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

AJAY TYAGI, Jt. Secy.

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

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

सारणी

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

[सं. जे-11013/2/2013 आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

NOTIFICATION

New Delhi, the 28th February, 2014

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

TABLE

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

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

AJAY TYAGI, Jt. Secy.