

2174

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(s)

INDEX

Sr. No.	Particulars	Date	Page No.
1.	Supplementary status report by Mr. Pradeep Kumar, IAS, Director, Environment and Climate Change Department, Haryana on behalf of Chief Secretary, Haryana.	09.02.2024	1-8
2.	Minutes of Meeting (Annexure R-1/1)	06.02.2024	9-11
3.	Amended Draft Policy (Annexure R-1/2)	09.02.2024	12-16
4.	Proceedings of meeting (Annexure R-1/3)	17.11.2023	17-23
5.	Sanction orders (Annexure R-1/4 (Colly)).	02.02.2024	24-26
4.	Copy of order Endst No. 16/18/2018-3Env. (Annexure R-1/5)	06.02.2024	27-29
5.	Letter to MoEF&CC for issuing SoP (Annexure R-1/6)	04.10.2023	30

Place: Panchkula
Dated: 12.02.2024


Pardeep Kumar, IAS, Director
Environment and Climate Change Department

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(s)

**Supplementary status report by Mr. Pradeep Kumar,
IAS, Director, Environment and Climate Change
Department, Haryana on behalf of Chief Secretary,
Haryana.**

MOST RESPECTFULLY SHOWETH:

1. The above mentioned miscellaneous application is pending adjudication before this Hon'ble Tribunal and now is fixed for 14 February 2024.
2. That before proceeding further, it is appropriate to submit here the summary of facts and observation of this Hon'ble Tribunal, to recapitulate the matter are as under:-

- (i) That on 24 April 2023, this Hon'ble Tribunal was pleased to pass an order and issued directions to the 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.

XX

- (ii) That in compliance of directions of this Hon'ble Tribunal in Miscellaneous Application No. 28 vide order dated 24 April 2023, a status report, dated 28 July 2023, was filed by the deponent on behalf of the State of Haryana. This Hon'ble Tribunal, while considering the status report dated 28 July 2023, was pleased to make following observations vide order dated 09 October 2023:-

".....

4. *The status report has been filed on behalf of the Chief Secretary, State of Haryana dated 28.07.2023 but the said report does not contain any response to the general direction issued in paragraph 14 on paragraph 5 of the report, the position of 15PPs in respect of compliance of the order relating to deposit of environment compensation, has been shown and it has been pointed out by Counsel for the HPSCB that out of 15, 10 PPs have taken steps to deposit the environment compensation and out of these 10, 7 PPs have deposited fully and 3 PPs are depositing in instalments.*

5. XXXXXXXXXXXXXXXX
6. XXXXXXXXXXXX.....
7. *Learned Counsel for State of Haryana seeks three weeks time to file supplementary affidavit on behalf of the Chief Secretary, State of Haryana covering the response to the directions contained in paragraph 4 of the order of the Tribunal dated 24.04.2023.....”*

Hence, the present status report is being filed.

3. That in compliance of the above mentioned directions of this Hon'ble Tribunal with regard to the preparation of consolidated policy, a meeting was convened on 07 December 2023 under the Chairmanship of Additional Chief Secretary, Environment, Forest & Wildlife, Haryana, vide meeting notice dated 06 December 2023, with the other stakeholder departments of Haryana Government namely Haryana State Pollution Control Board, Haryana Water Resources (Conservation, Regulation & Management) Authority, Revenue Department, Public Health & Engineering Department, Energy Department, Haryana, Town & Country Planning Department, Haryana, Urban Local Bodies, Haryana, Haryana Shehri Vikas Pradhikaran and State Environment Impact Assessment Authority for due deliberations upon Draft Policy as desired by the Hon'ble Tribunal. It is worthwhile to mention here that after due deliberations on the above mentioned issues, decisions were taken and thereafter, proceeding of the meeting dated 07 December 2023 has been circulated among all stakeholder departments along with copy of Draft Policy with request to submit their suggestions. It is necessary to mention here that

details of the meeting dated 07 December 2023 has already been submitted before this Hon'ble Tribunal by way of supplementary status report dated 12 December 2023 and thus, for the sake of brevity the same are not repeated here. However, it is submitted that the supplementary status report dated 12 December 2023 may kindly be read as part & parcel of the present status report.

4. That it is worthwhile to mention here that for the purpose of seeking suggestions and discussion over the suggestions with all stakeholder departments to prepare a consolidated policy covering all aspect, as directed by this Hon'ble Tribunal, a meeting was convened on 06 February 2024 under the Chairmanship of Additional Chief Secretary, Environment, Forest & Wildlife Department, Haryana. After discussion, it was decided that there is a need to seek suggestions on the amended draft policy to be prepared on the basis of the discussion in the meeting held on 06 February 2024. However, keeping in view the gravity and the delay already happened in the present matter suggestions on the amended draft policy are sought with the precautionary note that in case of not receiving any suggestions, then it would be considered that the concerned department agrees with the amended draft policy and same may be finalized after getting the approval from the competent authority. A copy of the Minutes of the Meeting dated 06 February 2024 and the amended draft policy circulated for seeking suggestions are annexed as **Annexure-R-1/1 and R-1/2**.

5. That in addition to the above, it is also pertinent to mention here that the utilisation of Environmental Compensation imposed by SEIAA, HSPCB, High Powered Committee (HPC) was constituted by the answering respondent in compliance of order of the Hon'ble NGT in M.A. No. 74/2022 in O.A. No. 976/2019 titled as Gurinder Singh & Others Vs Union of India, vide order No. 16/3/2023-3Env. dated 19 April 2023 for utilization of amount of EC fund. The meetings of HPC were held on 02 May 2023 & 17 November 2023, wherein, proposal received from DCs, Karnal, Charkhi Dadri, Mahendragarh and from Regional Office Palwal, Haryana Mass Rapid Transport Corporation Ltd. for the utilization of the Environment Compensation Fund were discussed. The decisions were taken to approve some of the proposals, resultantly, three sanctions were also issued containing the details of amount and the executing departments vide order dated 02 February 2024. A copy of proceedings of the meeting dated 17 November 2023 & copy of sanction orders dated 02 February 2024 are annexed as **Annexure R-1/3 & R-1/4 (Colly)**.
6. That further a perusal of the amended draft policy reflects that the Government of Haryana, in the Environment Department, has constituted a State Level Committee and District Level Committees vide order Endst. No. 16/18/2018-3Env. dated 06 February 2024 for monitoring of compliance of the conditions of Environment Clearance. The State Level Committee is constituted under the chairmanship of Director, Environment & Climate Change, consisting of representatives of the SEAC, T&CP, ULBD, PHED and HSPCB and the District Level Committee is constituted under the chairmanship of the Deputy

Commissioner concerned, comprising of representatives of the ULBD, PHED, T&CP and HSPCB. The District Level Committee shall inspect atleast 5 projects per month. A copy of order Endst No. 16/18/2018-3Env. dated 06 February 2024 is annexed as **Annexure R-1/5**.

7. That it is also necessary to bring into the notice of this Hon'ble Tribunal that keeping in view the spirit of the order dated 24 April 2023 of this Hon'ble Tribunal in present matter, the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India and Environment Impact Assessment Authorities constituted by the Central Government to deal with the EIA Notification 2006 (as amended) issued under The Environment (Protection) Act, 1986, the Government of Haryana, Environment, Forest & Wildlife Department, vide letter dated 04 October 2023, has requested the Secretary, Ministry of Environment, Forest and Climate Change, Government of India to issue a standard operating procedure (SOPs) regarding monitoring of compliance of conditions of environment clearance granted by SEIAA and also to define the competent authority for monitoring of such environment clearance. However, no communication in this regard has been received from MoEF&CC. A copy of letter dated 04 October 2023 is annexed as **Annexure-R-1/6**.
8. That in view of the above mentioned submissions, it is apparently clear that the State of Haryana is determined to comply with the order passed by this Hon'ble Tribunal in its letter and spirit for framing of the policy/mechanism to check the violations of EIA Notification, 2006 (as amended) and to check the

violations of terms and conditions of environment clearance granted in terms of EIA Notification, 2006 (as amended). Thus, this Hon'ble Tribunal is requested to grant three months more time for placing on record the consolidated policy containing the mechanism with regard to Environment Clearance granted in the term of EIA Notification dated 14 September 2006 issued under Environment (Protection) Act, 1986.

Place: Panchkula
Dated: 12.02.2024


Pardeep Kumar, IAS, Director
Environment and Climate Change Department

Proceedings of the meeting, dated 06.02.2024 at 1130 Hrs. under the Chairmanship of W/ACS, Environment, Forest & Wildlife, to discuss the compliance of orders of Hon'ble NGT issued in MA No. 28 of 2023 in OA No. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd., & Anr.

The list of participants is attached as Annexure-A.

At the outset, Member Secretary, SEIAA, Haryana welcomed all the participants and briefed, that **document containing outline of draft policy** was circulated to all concerned stake holder department on the basis of discussions held in the meeting on 07.12.2023. Whereby, request was sent to submit suggestions/comments within 07 days, but no suggestions/comments received in this regards. Accordingly the present meeting has been called keeping in view to comply with the order dated 24.04.2023, passed by the Hon'ble National Green Tribunal in Misc. Application No. 28 of 2023 in Original Application No. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd., & Anr., now fixed for 13.02.2024.

Before proceeding further, it is appropriate to mention that there were mainly three parts in Para 4 of above mentioned orders of Hon'ble NGT, need considerations;

1. 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. 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.
2. Guidelines and protocols should provide for recovery of levied compensation by coercive measures such as initiating prosecution, attachment of property, blacklisting, demolition etc.
3. 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.

Discussion regarding point of Town & Country Planning Department and Urban Local Bodies Department in document containing outline of draft policy

Discussions were held on the points circulated in the draft policy. The representative of ULBD (On deputation from T&CP) present during the meeting has informed that there is a provision in the byelaws/policy to regularize construction by imposing penalty and/or compounding which falls under FAR even if construction is beyond the built up area granted in Environment Clearance.

Decisions taken during the meeting

It has been decided that T&CP and ULBD may consider that no process be considered of compounding the construction beyond the area mentioned in Environmental Clearance unless until concerned project proponent obtained Environmental Clearance for the construction beyond the built up area for which previously Environmental Clearance obtained by project proponent.

Discussion regarding point of DISCOM (UHBVN, DHBVN electricity distribution nigan in Haryana) in document containing outline of draft policy

Discussions were held on the points circulated in the **document containing outline of draft policy**. The representative of UHBVN present during the meeting has informed that there is no provision in Electricity Act and Rules framed there under to seek document of environment clearance from project proponent at the time of grant of electricity connection and increasing electricity load. It has also

been informed that DISCOMS follows the Rules/policy devised by Haryana Electricity Regulatory Commission (HERC).

Decisions taken during the meeting

It has been decided that DISCOM may consider not to grant electricity connection or increase the electricity load for the purpose of use beyond the built up area specified in Environment Clearance until unless environment clearance is obtained by the project proponent for the extended area/construction. The respective DISCOM in consultation with Haryana Electricity Regulatory Commission (HERC) may consider to incorporate the 'requirement of Environmental Clearance and built up area granted in Environmental Clearance' in their application form for providing permanent electricity connections. Further, it has also been decided that Department of Environment & Climate change may send a communication to HERC informing the relevant part of directions of Hon'ble NGT and requirement of incorporation of Environmental Clearance in the checklist of documents required for grant electricity connections for the project proponent falls under the ambit of EIA notification 2006 (as amended) issued under EP Act, 1986.

Discussion regarding point of Local authorities i.e. ULB/Municipal Corporation/Committee, HSVP and PHED in document containing outline of draft policy

Discussions were held on the points circulated in the **document containing outline of draft policy**. The representative of PHED and local bodies present during the meeting has informed that ULBD and T&CP department grant water connections on the basis of water consumption calculations approved/provided by engineering wing of HSVP/ULBD/T&CP.

Decisions taken during the meeting

It has been decided that Local authorities may consider not to grant water and sewerage connections as well as permission for increase in consumption/discharge qua water and sewerage beyond the requirement as mentioned in Environment Clearance and incorporate of Environmental Clearance in the checklist of documents required for grant water and sewerage connections for the project proponent falls under the ambit of EIA notification 2006 (as amended) issued under EP Act, 1986.

Discussion regarding point of Haryana Water Resource Authority in document containing outline of draft policy

Discussions were held on the points circulated in the **document containing outline of draft policy**. The representative of HWRA present during the meeting has informed that they are granting the permission of ground water extraction after taking NOC from the agency (ies) responsible for the supply of water in that area. It has also been informed that they have kept document of CTE from SPCB in their checklist of documents required for grant of permission of ground water extraction. During the discussion it has been informed that CTE is granted under the provisions of Water Act, 1974 and Air Act, 1981 by the SPCB and environment clearance is granted under EIA notification 2006 (as amended) issued under EP Act, 1986 by MoEF&CC/SEIAA. CTE and environment clearance falls in separate statutory domain and thus there is a requirement of incorporation of environment clearance in the checklist of documents required for grant of permission of ground water extraction wherever it is applicable.

Decisions taken during the meeting

It has been decided that HWRA may consider to incorporate of Environmental Clearance in the checklist of documents required for grant of permission of ground water extraction for the project proponent falls under the ambit of EIA notification 2006 (as amended) issued under EP Act, 1986.

Keeping in view of the above, it has decided that there is a need to circulate the fresh **document containing outline of draft policy** by incorporating the decision taken in the meeting, to concerned administrative secretary and head of department with request to personally look into the matter and submit suggestions/comments in writing within one month and in case suggestions/comments not received in writing from the stake holders departments, it would be considered that the concerned department agrees with the **document containing outline of draft policy and same be got approved from competent authority.**

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

**DIRECTORATE, DEPARTMENT OF ENVIRONMENT
& CLIMATE CHANGE, HARYANA****Bays No. 55-58, Sector-2, Panchkula**

Website: www.harenvironment.gov.in, Email ID:-environment@hry.nic.in

Contact No. 0172-2568601

Memo No.DEnv.&CCH/Lab./2024/96-108**Dated: 09.02.2024**

To,

1. The Additional Chief Secretary to Government, Haryana
Revenue and Disaster Management Department
2. The Director General,
Urban Local Bodies Department, Haryana
3. The Director General,
Town and Country Planning Department, Haryana
4. The Member Secretary
Haryana State Pollution Control Board, Panchkula
5. The Managing Director
HREDA
6. The Chief Administrator,
Haryana Sahari Vikas Pradhikaran, Panchkula
7. The Engineer-in-Chief
Public Health Engineering Department, Haryana
8. The Chairman,
State Environment Impact Assessment Authority, Haryana
9. The Chairman,
State Expert Appraisal Committee, Haryana
10. The Chief Executive Officer,
Haryana Water Resources (Conservation, Regulation and Management) Authority, Sinchai
Bhawan, Sector-5, Panchkula
11. The Managing Director,
Haryana Vidyut Prasaran Nigam Limited
Shakti Bhawan, Sector-6, Panchkula
12. The Managing Director,
Uttar Haryana Bijli Vitran Nigam Limited,
Vidyut Sadan, IP No. : 3 & 4, Sector-14, Panchkula
13. The Managing Director,
Dakshin Haryana Bijli Vitran Nigam Limited,
Vidyut Sadan, Vidyut Nagar, Hisar

Subject: Comments on Revised Draft Policy for "Monitoring of EC condition and Identification of violation cases of EIA Notification 2006 (as amended)" in compliance of the orders of Hon'ble National Green Tribunal in MA No.28 of 2023 in OA no.215 of 2022 titled as Aashish Sardana Vs. M/s Vatika Ltd.

May kindly refer to the subject cited above.

It is submitted that a meeting was convened on 06.02.2024 under the Chairmanship of W/ACS, Environment, Forests and Wildlife Department to discuss the draft policy for "Monitoring of EC condition and Identification of violation cases of EIA Notification 2006 (as amended) in compliance of the orders of Hon'ble National Green Tribunal in MA no.28 of 2023 in OA no.215 of 2022 titled as Aashish Sardana Vs. M/s Vatika Ltd".

It is requested to submit your suggestions/comments on the revised draft policy within one month positively and in case no suggestions/comments are received within one month from the stake holder department, it would be considered that the concerned department agrees with the document containing outline of draft policy and same be got approved from the Competent Authority.

Jay Chaudhary
Establishment in-Charge
for Director General, Environment
& Climate Change Department, Haryana

Endst. No. DEnv.&CCH/Lab./2024/ 109**Dated:- 09.02.2024**

A copy is forwarded to W/ACS, Environment, Forests and Wildlife Department for information, please.

Jay Chaudhary
Establishment in-Charge
for Director General, Environment
& Climate Change Department, Haryana

Subject: Draft Policy for "Monitoring of EC conditions and Identification of violation cases of EIA Notification 2006 (as amended)", in compliance of the orders of Hon'ble National Green Tribunal in MA no. 28 of 2023 in OA no. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd - Regarding.

Background

Hon'ble National Green Tribunal in MA no. 28 of 2023 in OA no. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd vide orders dated 24.04.2023 held that "(...) *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 (...)*"; "(...) *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 compliance of the above orders of Hon'ble NGT, meetings were held at the level of SEIAA, HSPCB and the Government with the concerned stakeholder departments and detailed discussions were held and inputs taken from the representatives of stakeholder departments for effective monitoring of EC conditions and identification of violation cases under the EIA Notification 2006 (as amended).

Major environmental issues related to monitoring of compliance of EC conditions and identification of violation cases of EIA Notification, 2006 (as amended)

Environment Impact Assessment (EIA) Notification was issued in 2006 for imposing restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts. EIA Notification 2006 has decentralized the environmental clearance projects by categorizing the developmental projects in two categories, i.e., Category A (National level appraisal) and Category B (State level appraisal). Category A projects are appraised at the national level by Impact Assessment Agency (IAA) and the Expert Appraisal Committee (EAC) and Category B projects are appraised at the state level. The State Level Environment Impact Assessment Authority (SEIAA) and State Level Expert Appraisal Committee (SEAC) were constituted to provide clearance to Category B projects.

There may be major environmental issues concerning environment clearance for projects (1) who have never obtained EC, (2) who have obtained EC but not following the conditions and (3)

who have obtained EC and constructed beyond sanctioned plan and beyond the area specified in the Environment Clearance granted by the SEIAA.

In order to effectively monitor the compliance of EC conditions and identification of violations, the Government of Haryana, in the Environment Department, has decided to issue the following policy for inspection of industries/ projects for checking/monitoring of compliance of Environmental Clearance granted by the SEIAA, under the provisions of the EIA Notification 2006 (as amended).

Guidelines/ Mechanism related to monitoring of compliance of EC conditions and identification of violation cases of EIA Notification 2006 (as amended)

Inspections of industries/projects

The Government of Haryana, in the Environment Department, has constituted a State Level Committees and District Level Committees vide order Endst. No. 16/18/2018-3env dated 06.02.2024 for monitoring of compliance of the conditions of Environment Clearance. The State Level Committee is constituted under the chairmanship of Director, Environment & Climate Change, consisting of representatives of the SEAC, T&CP, ULBD, PHED and HSPCB and the District Level Committee is constituted under the chairmanship of the Deputy Commissioner concerned, consisting of representatives of the ULBD, PHED, T&CP and HSPCB. The District Level Committee shall inspect atleast 5 projects per month.

Action to be taken against units found violating the EIA notification 2006 and non compliance of Environmental Clearance (EC) conditions

1. The Town & Country Planning Department and Urban Local Bodies Department (in their respective areas), before grant of occupation certificate, shall ensure that that project proponent possess valid prior environment clearance in terms of EIA Notification, 2006 (as amended) and shall grant occupation certificate in consonance with environment clearance to the extent of EIA Notification, 2006 (as amended). In case, construction beyond the Environment Clearance is found by the T&CPD and ULBD, then the Urban Local Bodies Department and Town and Country Planning Department may not grant the occupation certificate to such violators and also not regularize such constructions even if that falls under any clause of regularizations by imposing penalty and/or compound and/or fine and direct the concerned to obtain the Environment Clearance in consonance to the application submitted for obtaining the occupation certificate/regularization and the violation shall be informed to SEIAA. It is again highlighted that T&CP and ULBD may not compound the construction beyond the area

- mentioned in Environmental Clearance unless until concerned project proponent obtained Environmental Clearance for the construction beyond the built up area for which previously Environmental Clearance obtained by project proponent. The T&CPD and the ULBD may take action on the directions of SEIAA regarding blacklisting and demolishing of the projects found in excess/violation of the EIA Notification, 2006 (as amended) issued under Environment (Protection) Act, 1986. ULBD and T&CPD departments may include 'requirement/status of Environmental Clearance and built up area granted in environment clearance in their application form of obtaining occupation certificate and in case occupation certificate obtained based on the false information to concerned agencies then the project proponent/unit is liable for action for blacklisting and demolition as per their Rules/Law applicable and as directed by the SEIAA.
2. The respective DISCOM (UHEVN, DHBVN electricity distribution nigram in Haryana) before grant of permanent electricity connection under their respective jurisdiction by following due process of law, shall ensure that the project proponent possess valid prior environment clearance in terms of the EIA Notification, 2006 (as amended) issued under Environment (Protection) Act, 1986 in consonance to the license /approval issued by T&CP and ULBD and shall not grant or increase the electricity load for the purpose of use beyond the built up area specified in Environment Clearance until unless environment clearance is obtained by the project proponent for the extended area/construction. The respective DISCOM in consultation with Haryana Electricity Regulatory Commission (HERC) shall ensure to incorporate the 'requirement of Environmental Clearance and built up area granted in Environmental Clearance' in their application form for providing permanent electricity connections. In case project proponent obtains the electricity connection based on the false information qua environment clearance to DISCOM then the project proponent/unit is liable for action as directed by the SEIAA.
 3. The respective local authority i.e. ULB/Municipal Corporation/Committee, HSVP and PHED, before grant of permanent water and sewerage connection under their respective Act/Rule, shall ensure that the project proponent possess valid prior environment clearance in terms of the EIA Notification, 2006 (as amended) issued under Environment (Protection) Act, 1986 and shall not grant permission for increase in consumption/discharge qua water and sewerage beyond the requirement as per built up area mentioned in Environment Clearance until and unless Environment Clearance is obtained for increased built up area by the project proponent. The respective local authority/PHED may include the 'requirement of Environmental Clearance and built up area granted in EC' in their application form prescribed for providing permanent water

- and sewerage connection. In case project proponent obtained the water and sewerage connection based on the false information to respective authority then the project proponent/unit is liable for action as directed by the SEIAA.
4. Haryana Water Resource Authority, before grant of permission for extraction of water under their respective Act/Rule, shall ensure to incorporate of Environmental Clearance in the checklist of documents required for grant of permission of ground water extraction for the project proponent falls under the ambit of EIA notification 2006 (as amended) issued under EP Act, 1986. In case project proponent obtained the permission for extraction of water based on the false information to respective authority then the project proponent/unit is liable for action as directed by the SEIAA.
 5. The Revenue Department shall take action on the directions of SEIAA/HSPCB regarding recovery of environment compensation and penalties imposed by the respective agency being land revenue arrear.
 6. SEIAA/HSPCB shall take prompt penal action against the violators under provisions of the Environment (Protection) Act, 1986, as amended by the Jan Vishwas Act, 2023.

Proceedings of the meeting held on 17.11.2023 at 10:00 Hrs. of High Powered Committee 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 is attached as **Annexure-A**.

At the outset, Member Convener of the committee briefed that this High Powered Committee has been constituted by Chief Secretary, Haryana in compliance of order of Hon'ble NGT in M.A. No. 74/2022 in O.A No. 976 of 2019- Gurinder Singh &Ors. vs Union of India &Ors. Accordingly, committee was constituted by EF&W Department vide Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for planning and execution for utilization of environment compensation funds. It has also been explained that the previous meeting of this committee was held on 02.05.2023 and it has been decided that School and Higher Education Departments to submit comprehensive proposals regarding funding eco-clubs and organizing awareness programmes in schools and colleges and Regional Officers of HSPCB to co-ordinate with Deputy Commissioners concerned and other stake holder departments for sending proposal to meet gaps identified under the District Environment Plan and seek funds with full justification.

Member Convener of the committee informed that proposal has been received from Regional Officer, Pailwal, Deputy Commissioner Karnal, Charkhi Dadri, and Mahendergarh, and, Haryana Mass Rapid Transport Corporation Limited. These proposals were placed before the committee for examination and deliberation and the details are given as under:-

1. Proposal received from Deputy Commissioner, Karnal

It has been informed that Deputy Commissioner Karnal vide letter No. HSPCB/KAR/2023/8853 dated 09.11.2023 sent proposal for utilization of environmental compensation funds as per details given as under:-

Sr No	Name of Department	Name of Work	Estimated Cost
1.	Municipal Corporation, Karnal	A. Additional Road sweeping machine required (03 nos.) B. Purchase of 5 nos. tractor for 02 nos. water sprinkler tanker and 05 nos. de sludge tanker C. Purchase of 02 nos. Anti-Smog Gun.	A. Rs. 2.28 cr. B. Rs. 70.54 Lakhs C. Rs. 130 cr.
2.	HSIIDC, Karnal	Truck mounted water sprinkler system with high pressure pump, Triplex plunger, reciprocating pump in the area of HSIIDC, Sector-03, Karnal	Rs. 33-50 Lakhs
3.	Irrigation Department, Karnal	A. Providing fencing to check disposal of solid waste (Garbage etc.) near Bridge 81000 U & D/S of WJC Main	A. Rs 14.74 Lakhs

		Branch & RD 2100 of Diversion Channel. B. Providing fencing to check disposal of solid waste (Garbage etc.) at Bridge RD 75200 U/S & D/S of WJC Main Branch.	B. Rs. 14.09 Lakhs
4.	MC Gharaunda	01 No. Anti-Smog Gun.	Rs. 07.00 Lakh
5.	MC Assandh	01 No. Water Sprinkler Tanker	Rs. 15.00 Lakh
Total			Rs. 5.29 cr. (Approx.)

Discussion

1. The proposal of Municipal Corporation, Karnal received from Deputy Commissioner, Karnal was discussed and information regarding existing road sweeping machine available with MC, Karnal and requirement of additional road sweeping machine was also discussed with representative of ULBD and accordingly it is decided that initially committee may allocate funds for one road sweeping machine and two tractors with water sprinkler.
2. The proposal of HSIIDC, Karnal received from Deputy Commissioner Karnal was discussed and it has been decided that HSIIDC, Karnal may submit detailed proposal alongwith the specification to justify the estimated cost of the machine and the area where the said machine will be utilized.
3. The proposal of Irrigation Department, Karnal received from Deputy Commissioner Karnal was discussed and found the proposal useful therefore decided that that committee may allocate funds to Deputy Commissioner, Karnal for fencing on WJC Main Branch to prevent throwing of solid waste.
4. The proposal of Municipal Committee Gharaunda received from Deputy Commissioner Karnal was discussed and decided to allocate funds to Deputy Commissioner, Karnal for purchasing one anti-smog gun.
5. The proposal of Municipal Committee Assandh received from Deputy Commissioner, Karnal was discussed and it was decided that proposal of MC Gharaunda has been approved on trial basis and later on the other proposals may be considered.

Decisions

After detailed deliberation, the committee has decided to accord the administrative approval to Deputy Commissioner, Karnal for the following:-

- (1) ₹76 Lacs for one road sweeping machine, ₹18,89,888 for two tractors with water sprinkler on proposal of Municipal Corporation, Karnal
- (2) ₹28.83lakh for fencing on WJC Main Branch on the proposal of Irrigation Department, Karnal.
- (3) ₹7 lakh for one anti-smog gun on proposal of Municipal Committee Gharaunda.

Further, Deputy Commissioner, Karnal be asked to obtain detailed proposal from HSIIDC, Karnal alongwith the specification to justify the estimated cost of the machine and the area where the said machine will be utilized and submit the same for consideration of HPC. It has also been decided that operation and maintenance of the items for which sanction is being accorded by HPC be borne by respective department and no extra fund will be allocated for operation and maintenance of such items.

Additionally, the Deputy Commissioner Karnal to ensure the Punjab Financial Rules (PFR) as amended applicable to Haryana/Departmental Financial Rules (DFR) and instructions issued by DGS&D from time to time while making the procurement / purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.

2. Proposal received from Deputy Commissioner, Charkhi Dadri

Deputy Commissioner Charkhi Dadri vide letter No. HSPCB/CD/2023/1125 dated 07.11.2023 sent proposal for utilization of environmental compensation funds as per details given as under:-

Sr. No.	Name of Department	Name of Work	Estimate Cost
1.	Regional Office, HSPCB, Charkhi Dardri	Purchase of 05 nos. Trolly Mounted Anti-Smog Gun	Rs. 44,25,000/-

Discussion

The proposal of Regional Office, HSPCB, Charkhi Dardri received through Deputy Commissioner, Charkhi Dadri was discussed and Member Secretary, HSPCB informed to the committee members that the Hon'ble NGT has already directed to take effective steps for controlling air emissions being generated from the crushing activities in the said area therefore the installation of anti smog guns will be helpful in maintaining good air quality in the crushing zones located in Charkhi Dadri district. The committee therefore decided to allocate funds for 03 number of Trolly Mounted Anti-Smog Guns.

Decisions

After detailed deliberation, the committee has decided to accord the administrative approval to Deputy Commissioner, Charkhi Dadri of ₹25,66,500 for 03 number Trolly Mounted Anti-Smog Guns. It has also been decided that operation and maintenance of the items for which sanction is being accorded by HPC, be borne by Mining Department and no extra fund will be allocated for operation and maintenance of such items.

Additionally, the Deputy Commissioner Charkhi Dardri to ensure the Punjab Financial Rules (PFR) as amended applicable to Haryana/Departmental Financial Rules (DFR) and instructions issued by DGS&D from time to time while making the procurement /

purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.

3. Proposal received from Deputy Commissioner, Mahendergarh

Deputy Commissioner Mahendergarh at Narnaul vide letter No. 1303/DA dated 13.09.2023 sent proposal for utilization of environmental compensation funds as per details given as under:-

Sr. No	Name of Department	Name of Work	Estimate Cost
1.	Regional Office, HSPCB, Mahendergarh	Purchase of 05 nos. Trolley Mounted Anti-Smog Gun	Rs. 44,25,000/-

Discussion

The proposal of Regional Office, HSPCB, Mahendergarh received through Deputy Commissioner, Mahendergarh was discussed and Member Secretary, HSPCB informed to the committee members that the Hon'ble NGT has already directed to take effective steps for controlling air emissions being generated from the crushing activities in the said area therefore the installation of anti smog guns will be helpful in maintaining good air quality in the crushing zones located in Mahendergarh district. The committee therefore decided to allocate funds for 03 number of Trolley Mounted Anti Smog Guns.

Decision

After detailed deliberation, the committee has decided to accord the administrative approval to Deputy Commissioner, Mahendergarh of ₹25,66,500 for 03 number Trolley Mounted Anti-Smog Guns. It has also been decided that operation and maintenance of the items for which sanction is being accorded by HPC, be borne by Mining Department and no extra fund will be allocated for operation and maintenance of such items.

Additionally, the Deputy Commissioner Mahendergarh to ensure the Punjab Financial Rules (PFR) as amended applicable to Haryana/Departmental Financial Rules (DFR) and instructions issued by DGS&D from time to time while making the procurement / purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.

4. Proposal received from Regional Officer, Palwal

Regional officer Palwal vide letter No. HSPCB/PAL/2023/739 dated 13.10.2023 has sent a copy of noting approved by Commissioner, Palwal having proposal for purchase regarding mechanized sweeping machines, Anti smog guns, Tractor and trolley, smog towers & Mesh on the drains etc.

Discussion

During discussion it has been informed that the proposal has not been forwarded by Deputy Commissioner, Palwal and name of department and estimated cost has also not been sent with the proposal.

Decision

After detailed deliberation, the committee has decided that Deputy Commissioner Palwal be asked to submit proper proposal having name of department and estimated cost of the equipments to be purchased alongwith the justification of each item.

5. Proposal received from Haryana Mass Rapid Transport Corporation Limited

Managing Director Haryana Mass Rapid Transport Corporation Limited vide letter No. HMRTC/2023/524 dated 15.05.2023 has sent a proposal for grant of Rs. 600 cr. from environment compensation fund to the Metro Project.

Discussion

During discussion it has been informed that the HSPCB does not have enough fund in the account of environmental compensation and proposal of HMRTC for grant of Rs. 600 cr. cannot not be considered.

Decision

After detailed deliberation, the committee has decided not to consider the proposal of Haryana Mass Rapid Transport Corporation Limited.

6. Additional point for discussion

- i. ACS, I&C has informed that Central Park Society, Gurugram has installed spray guns in their society for controlling air pollution/dust and as a result the dust particle settle down making the air clean. He further suggested that similar spray guns/anti smog guns can be installed in the premises of Mini Secretariat at Gurugram and Faridabad on trial bases since the said area falls under NCR and is having high AQI index.
Accordingly, it has been decided that Regional Officer Gurugram and Faridabad may co-ordinate with Deputy Commissioner concerned and send the proposal for installation of anti smog gun at Mini Secretariat in Gurugram and Faridabad through the agency maintaining the office building of Mini Secretariat of respective Deputy Commissioners.
- ii. During discussion it has also been suggested that anti smog gun may also be installed in the premises of Haryana Bhawan at Delhi in case the trial of Mini Secretariat Building at Faridabad and Gurugram is successful.
- iii. Urban Local Bodies Department may also submit some proposal related to the environment management pertaining to Solid Waste Management, Plastic Waste Management etc.
- iv. Education Department may also submit proposal related to environment management inside the colleges and schools at District Headquarters in first

instance, keeping in view the availability of the environment funds available with such colleges and schools.

- v. Regional Officers of HSPCB to co-ordinate with Deputy Commissioners concerned and other stake holder departments for sending proposal to meet gaps identified under the District Environment Plan and seek funds with full justification.

(Director, Env & CC-Cum-Member Secretary, HSPCB)

(Commissioner and Secretary, ULB)

(ACS, PHED)

(ACS, Environment, Forest & Wildlife)

(ACS, Industries & Commerce)

List of participants

1. Anand Mohan Sharan, IAS, ACS, Industries & Commerce Department
2. Vineet Garg, IAS, ACS, Environment, Forests & Wildlife Department
3. Pardeep Kumar, IAS, Member Secretary, HSPCB
4. Vijay Kumar Yadav, HCS, School Education Department
5. Bhupender Singh, CEE, HSPCB
6. Shailander Singh, CE, PHED
7. Satinder Pal, SEE, HSPCB
8. Ranbir Singh, XEN, ULBD
9. Sanjay Rohilla, Asstt. Director, MSME
10. Ajay Kumar, PO

Office Order

Sanction of ₹25,66,500/- (Rupees Twenty Five Laks Sixty Six Thousand and Five Hundred Only) is hereby accorded to Deputy Commissioner, Charkhi Dadri on account of their proposal approved by High Powered Committee (HPC) constituted by EF&W Department vide Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for planning and execution for utilization of environment compensation funds in its meeting held on 17.11.2023, as per details given below: -

Sr. No	Name of item	Amount (₹)	Executing Department
1.	03 number Trolley Mounted Anti-Smog Guns	25,66,500/-	Mining department
	Total	25,66,500/-	

Dated Panchkula, the
02 February, 2024

Pardeep Kumar, IAS
Member Secretary, HPC

No. HSPCB/PLG/2024/2675-2679

Dated: 02-02-2024

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

1. Deputy Commissioner, Charkhi Dadri w.r.t. the proposal received vide letter No. HSPCB/CD/2023/1125 dated 07.11.2023. He is requested to maintain separate account for execution of environmental compensation and intimate the details of the account to the Haryana State Pollution Control Board for the release of the above said amount. Moreover, operation & maintenance of the items for which sanction is being accorded by High Powered Committee will be borne by respective department and no extra fund will be allocated for operation and maintenance of above mentioned items. Deputy Commissioner, Charkhi Dadri is also requested to ensure that the Punjab Financial Rules (PFR) as amended and applicable to Haryana/Department Financial Rules (DFR) and instructions issued by DGS&D from time to time is followed while making the procurement/purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.
2. District Mining Officer, Charkhi Dadri
3. Regional Officer, HSPCB
4. Sr. Accounts Officer, HSPCB, Panchkula.


Member Secretary,
High Powered Committee

Office Order

Sanction of ₹1,30,72,888/- (Rupees One Crore Thirty Laks Seventy Two Thousand Eight Hundred and Eighty Eight Only) is hereby accorded to Deputy Commissioner, Karnal on account of the proposal approved by High Powered Committee (HPC) constituted by EF&W Department vide Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for planning and execution for utilization of environment compensation funds in its meeting held on 17.11.2023, as per details given below: -

Sr. No.	Name of item	Amount (₹)	Executing Department
1.	One Road Sweeping Machine	76,00,000	Municipal Corporation, Karnal
2.	Two Tractors with water sprinkler	18,89,888	Municipal Corporation, Karnal
3.	Fencing on WJC Main Branch	28,83,000	Irrigation Department, Karnal
4.	One anti-smog gun	7,00,000	Municipal Committee Gharaunda
	Total	1,30,72,888	

Dated Panchkula, the
02nd February, 2024

Pardeep Kumar, IAS
Member Secretary, HPC

No. HSPCB/PLG/2024/2669-2674

Dated: 02-02-2024

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

1. Deputy Commissioner, Karnal w.r.t. the proposal received vide letter No. HSPCB/KAR/2023/8853 dated 09.11.2023. He is requested to maintain separate account for execution of environmental compensation and intimate the details of the account to the Haryana State Pollution Control Board for the release of the above said amount. Moreover, operation & maintenance of the items for which sanction is being accorded by High Powered Committee will be borne by respective department and no extra fund will be allocated for operation and maintenance of above mentioned items. Deputy Commissioner, Karnal is also requested to ensure that the Punjab Financial Rules (PFR) as amended and applicable to Haryana/Department Financial Rules (DFR) and instructions issued by DGS&D from time to time is followed while making the procurement/purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.
2. Commissioner, Municipal Corporation, Karnal
3. Executive Engineer, Irrigation Department, Karnal
4. Regional Officer, HSPCB
5. Executive Officer, Municipal Committee Gharaunda
6. Sr. Accounts Officer, HSPCB, Panchkula.


Member Secretary,
High Powered Committee

Office Order

Sanction of ₹25,66,500/- (Rupees Twenty Five Laks Sixty Six Thousand and Five Hundred Only) is hereby accorded to Deputy Commissioner, Mahendergarh on account of their proposal approved by High Powered Committee (HPC) constituted by EF&W Department vide Order Endst. No.16/03/2023 - 3Env dated 19.04.2023 for planning and execution for utilization of environment compensation funds in its meeting held on 17.11.2023, as per details given below: -

Sr. No	Name of item	Amount (₹)	Executing Department
1.	03 number Trolley Mounted Anti-Smog Guns	25,66,500/-	Mining department
	Total	25,66,500/-	

Dated Panchkula, the
02nd February, 2024

Pardeep Kumar, IAS
Member Secretary, HPC

No. HSPCB/PLG/2024/2665-2668

Dated: 02-02-2024

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

1. Deputy Commissioner, Mahendergarh w.r.t. the proposal received vide letter No. 1303/DA dated 13.09.2023. He is requested to maintain separate account for execution of environmental compensation and intimate the details of the account to the Haryana State Pollution Control Board for the release of the above said amount. Moreover, operation & maintenance of the items for which sanction is being accorded by High Powered Committee will be borne by respective department and no extra fund will be allocated for operation and maintenance of above mentioned items. Deputy Commissioner, Mahendergarh is also requested to ensure that the Punjab Financial Rules (PFR) as amended and applicable to Haryana/Department Financial Rules (DFR) and instructions issued by DGS&D from time to time is followed while making the procurement/purchase of the items approved by HPC and submit the utilization certificate to the Member Secretary, HPC.
2. Regional Officer, HSPCB
3. District Mining Officer, Mahendergarh
4. Sr. Accounts Officer, HSPCB, Panchkula.

Member Secretary,
High Powered Committee

**Haryana Government
Environment & Climate Change Department
Order**

Whereas, vide this office order No. 16/18/2018-3 Env dated 24.09.2018, State Level and District Level Committees were constituted for monitoring of environment clearances granted by State Environment Impact Assessment Authority (SEIAA) Haryana.

Whereas vide their order dated 24.04.2023 Hon'ble NGT in MA 28 of 2023 in OA No. 215 of 2022 titled as Aashish Sardana V/s M/s Vatika Ltd. & Anr, ordered that monitoring mechanism of SEIAA/ State PCB for compliance of EC conditions may be suitably reviewed and updated protocols be brought on record before their Tribunal.

Now, therefore, the following Committees are constituted with at State and District Level with Terms of Conditions along;

A. State Level Monitoring Committee.

S. No	Name and Designation	Position
1.	Director, Environment & Climate Change Department, Haryana	Chairman
2.	Member Secretary of SEAC/Joint Director, Environment Department.	Member convener
3.	Senior Town Planner (STP) at Head Quarter of Department of Town and Country Planning	Member
4.	Superintending Engineer at Head Quarter of Public Health Engineering Department	Member
5.	Superintending Engineer at Head Quarter of Urban Local Bodies Department	Member
6.	SEE (dealing with subject matter EIA &EC) of Haryana State Pollution Control Board	Member

B. District Level Monitoring Committee.

S. No	Name and Designation	Position
1.	Deputy Commissioner of Concerned District	Chairman
2.	Representative from the Urban Local Bodies Department, Haryana not below the rank of Executive Engineer	Member
3.	Representative from the Public Health Engineering Department, (PHED) Haryana not below the rank of Executive Engineer	Member
4.	Representative from Town and Country Planning Department not below the rank of District Town Planner.	Member
5.	Regional Officer, Haryana State Pollution Control Board	Member Convener
Representative, from any department/board/corporation/ authority (e.g. Forest Department, Mining Department or any other) may be called for inspection as per requirement.		

Term and Conditions:

The District Level Committee shall,

1. Inspect the compliance of ECs granted projects (at least 5 per month).
2. Submit monthly report latest by 5th of every month to the Chairman, State Level Committee, Additional Chief Secretary, to Govt. Haryana Environment & Climate Change Department and Chairman, Haryana State Pollution Control Board, Panchkula.

3. Recommend action by the concerned department for violations of EC conditions for consideration by State Level Committee.
4. Also monitor the action taken against the projects in all violation cases.
5. The quorum for meeting of above mentioned committee may be of 50%.

The State Level Committee shall,

1. Meet at least once in a month.
2. Through Member Convener, get all the reports received from DLCs compiled and finalize its recommendations and proposed action against violation if any.
3. Recommend actions to Environment & Climate Change Department on all violation cases and the Government shall advise concerned departments and Haryana State Pollution Control Board to take action against all such violations.
4. Compile and submit consolidated report quarterly to Govt. of Haryana, Department of Environment & Climate Change.
5. The quorum for meeting of above mentioned committee may be of 50%.

Dated Chandigarh
11.01.2024

Vineet Garg
Additional Chief Secretary to Government of Haryana
Environment, Forest and Wild Life Department

Endst No. 16/18/2018-3Env.

Dated : 06.02.2024

A copy is forwarded to Principal Accountant General (Audit) Haryana for information and further necessary action .



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

Endst No. 16/18/2018-3 Env.

Dated: 06.02.2024

A copy is forwarded to the following with the request to depute /nominate an officer /official for the above said committees ,as mentioned in the two tables:-

- (i) Addl. Chief Secretary to Govt. Haryana, Public Health Department.
- (ii) Addl. Chief Secretary to Govt. Haryana, Town and Country Planning Department.
- (iii) Commissioner & Secretary to Govt. Haryana, Urban Local Bodies Department.
- (iv) Chairman, Haryana State Pollution Control Board, C-11, Sector - 6, Panchkula.
- (v) Director Environment & Climate Change Department, Haryana, Bays No. 55-58. Paryatan Bhawan, Sector-2, Panchkula.

(vi) State Environment Impact Assessment Authority, Haryana, Bays No. 55-58.
Paryatan Bhawan, Sector-2, Panchkula.

✓ (vii) State Environment Appraisal Committee, Haryana, Bays No. 55-58. Paryatan
Bhawan, Sector-2, Panchkula.

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

Endst No :-16/18/2018-3Env.

Dated:- 6.02.2024

A copy is forwarded all the Deputy Commissioners in the State of
Haryana for further necessary action in the matter.

-sd/-
Superintendent, Environment
for Additional Chief Secretary to Govt. Haryana,
Environment, Forest and Wild Life Department

2204

To

✓
The Secretary,
Ministry of Environment Forest & Climate Change,
Government of India,
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi -110003.

Dated :- 4-10-2023

Sub: **Constitution of monitoring cell in compliance of order of Hon'ble NGT in miscellaneous application no. 28 of 2023 in OA no. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd. & Anr.**

I am directed to draw your kind attention to the subject cited above and to intimate as under:-

2. Ministry of Environment, Forest & Climate Change, Government of India vide notification no. S.O. 802 (E) dated 21.02.2022 constituted State Environment Impact Assessment Authority (SEIAA), Haryana.
3. Also, Ministry of Environment, Forest & Climate Change, Government of India vide notification No. S.O. 637(E). dated 28.02.2014 delegated the powers to all the State and Union Territory Environment Impact Assessment 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.
4. Vide their order dated 24.04.2023, Hon'ble National Green Tribunal (NGT) in miscellaneous application no. 28 of 2023 in OA no. 215 of 2022 titled as Aashish Sardana Vs M/s Vatika Ltd. & Anr. ordered that a monitoring mechanism of SEIAA/State PCB for compliance of EC conditions may be suitably reviewed and updated protocols be brought on record before the Tribunal.

In view of above, it is requested to issue Standard Operating Procedure (SOPs) regarding monitoring of compliance of conditions of environment clearances granted by SEIAA and also define the competent authority for monitoring of such environment clearances.


Superintendent, Environment
for Additional Chief Secretary to Govt. of Haryana,
Environment, Forest & Wildlife Department.

