

MINUTES OF 6TH MEETING OF STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, UNION TERRITORY, CHANDIGARH HELD ON 19.08.2013 AT 11:15 A.M. UNDER THE CHAIRMANSHIP OF DR. VEER SINGH, CHAIRMAN, STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, UNION TERRITORY, CHANDIGARH

A meeting of State Environment Impact Assessment Authority, UT, Chandigarh was held on 19.08.2013 at 11:15 A.M. in the office of Dr. Veer Singh, Director(Academics), Chandigarh Judicial Academy, Sector 43, Chandigarh, to discuss the issue for the grant of environmental clearance to:-

- 1) Chandigarh Housing Board, Chandigarh for its Housing Scheme at Maloya - I (Two Room Tenement), Chandigarh
- 2) Municipal Corporation, Chandigarh for its project namely "Multi Level Parking Scheme" opposite Gurdev Studio, Sector 17, Chandigarh
- 3) Post Graduate Institute of Medical Education & Research, Sector 12, Chandigarh.

Following members were present in the meeting:-

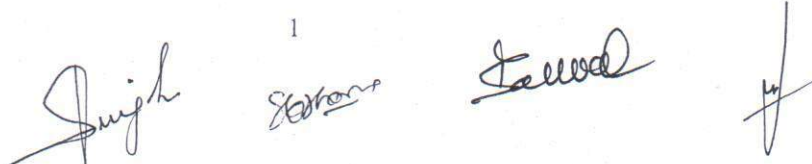
- | | | |
|----|---|------------------|
| 1. | Prof. S.K.Sharma,
Department of Environmental Engineering,
Punjab Engineering College,
Chandigarh. | Member |
| 2. | Sh. Santosh Kumar, IFS
Director Environment
Chandigarh Administration. | Member Secretary |
| 3. | Sh. PJS Dadhwal
Additional Director
Environment Department, Chandigarh | Special Invitee |

The Member Secretary, SEIAA apprised the chairman as well as the Member about the projects, in detail. The following cases were discussed in detail by the Authority

1. Chandigarh Housing Board, Chandigarh for its Housing Scheme at Maloya - I (Two Room Tenement), Chandigarh

This project has recently been recommended by the SEAC for the grant of environmental clearance subject to the conditions mentioned in the recommendations conveyed vide its letter dated 02.08.2013.

The Authority has thoroughly gone through the prescribed application form - I and IA alongwith the documents. The proposed project is a Housing scheme under which the project proponent will construct Two room tenements at Village Maloya - I, Chandigarh over a plot of 163.18 acres (654887.03 m²) with the estimated cost of 473.12 Crores. The project consists of construction of two room tenements houses of ground plus 3 floors having total 8896 units which also

1


include construction of roads, parks, parking and landscaping. Total number of block 278 and each block comprising of 32 units. Project also provide area of 74727.27 Sq.m for school, shops community center, Dispensary, Aganwaris, 341530.15 Sq.m for roads, open spaces & parking, 149133.48 Sq.m for landscaping. The height of building is 40 feet. The source of water supply is Municipal Corporation and 5 Nos. Tubewells will also be installed. The total water requirement is 240 KLD in construction phase and 9445 KLD in operation phase. The power requirement during construction phase is 1120 KVA and operation phase is 7 MW which will be supplied by Electricity Department, Chandigarh. Seven (7) Nos. DG set of 160 KVA shall be provided during Construction Phase. The total solid waste generation from entire project is 13.63 TPD. Total 220 trees to be axed and as per plan the compensatory plantation has been proposed on road berm & Central Park provided in the project.

Mr. Sunil Kumar, Superintending Engineer, Chandigarh Housing Board, Chandigarh was also present before the Authority. The Chairman as well as Members has discussed some technical issues related to the project, which were explained by him.

The authority pointed out that the project proponent has stated that 5 MGD STP had been proposed by Municipal Corporation to cater the demand of this project whereas no time line has been fixed for commissioning of 5 MGD STP had been mentioned, neither by Municipal Corporation nor by the project proponent. No doubt the SEAC has imposed condition that the project shall not be made operational until the commissioning of 5 MGD STP as proposed by the Municipal Corporation, Chandigarh while recommending for the grant of environmental clearance the Authority.

After detail deliberations, the authority unanimously resolved to grant environment clearance to the project proponent subject to the conditions imposed by the State Expert Appraisal Committee, Chandigarh in its recommendations conveyed vide letter dated 02.08.2013 alongwith the following condition:-

- i. The project proponent will ask the Municipal Corporation, Chandigarh to fix the time line for the construction as well as commissioning of 5 MGD sewerage treatment plant under intimation to the SEIAA. Chandigarh.

Apart from above, the State Expert Appraisal Committee, UT, Chandigarh may be advised to ask the project proponent for fixing the time period of concerned agency for construction and commissioning of STPs for such cases, in future.



2

Schone

2) **Municipal Corporation, Chandigarh for its project namely "Multi Level Parking Scheme" opposite Gurdev Studio, Sector 17, Chandigarh**

The Authority has considered the request dated 15.04.2013 of the Executive Engineer, Roads Div. No. 1, Municipal Corporation, Chandigarh to whom the environmental clearance has already been granted vide Authority's letter dated 05.04.2013 for the above mentioned project. The request of the proponent cannot be acceded to, in pursuance to the MoEF, New Delhi OM dated 02.12.2009 wherein it has been categorically mentioned that *the proposal from environmental angle will be appraised by the respective Expert Appraisal committee and recommendations made on the same which will be processed by the IA division and approval obtained from the competent authority. However, while granting environmental clearance to projects involving forest land, wildlife habitat (core zone of elephant/tiger reserve etc.) and or located with 10 km of the National Park / wildlife sanctuary, a specific condition shall be stipulated that the environmental clearance is subject to their obtaining prior clearance from forestry and wildlife angle including clearance from the standing committee of the National Board for wildlife as applicable. Further, it will also be categorically stated in the environment clearance that grant of environmental clearance does not necessarily implies that forestry and wildlife clearance shall be granted to the project and that their proposals for forestry and wildlife clearance will be considered by the respective authorities on their merits and decision taken. The investment made in the project, if any, based on environmental clearance so granted, in anticipation of the clearance from forestry and wildlife angle shall be entirely at the cost and risk of the project proponent and Ministry of Environment & Forests shall not responsible in this regard, in any manner.*

So, as per above directions of MoEF, New Delhi, the Authority cannot alter the condition as imposed by the MoEF, New Delhi. The Authority unanimously resolved to recommend that the proponent may be informed according to the directions contained in the OM dated 02.12.2009. It may be also be informed that the conditions cannot be altered as it is beyond the competency of the Authority. The proponent has to seek clearance from the competent authority for the wildlife angle and the condition imposed vide Authority's letter dated 05.04.2013 remained unchanged as the eco sensitive zone has not been notified in case of both wildlife sanctuaries of U.T., Chandigarh.



3







3. Post Graduate Institute of Medical Education & Research, Sector 12, Chandigarh.

The case of above project proponent was considered by the Authority in its 4th and 5th meeting. Formal environmental clearance was granted to the Project proponent vide Authority's letter dated 06.03.2013 for its project namely "250 bedded hospital" as the building plan was approved by the competent authority and in-principle approval of environmental clearance was granted for its another project namely "NIPS" as approval of building plan for this project was under process. Moreover, these projects were not under the forest land. Apart from these two projects, the Authority vide its letter dated 06.03.2013 has asked the project proponent to first obtain Stage – I forestry clearance for the forest land involved in its rest of the 9 projects. For this purpose, a maximum time limit of one year was provided. During this time, the proposal for environmental clearance was kept in abeyance.

The authority has again reviewed the case of the proponent in the meeting, in pursuance to the OM dated 31.03.2011 of MoEF, New Delhi. As per sub clause (D) of clause – I of OM ibid, which is reproduced as under:-

"Project already considered by EAC and recommended for grant of environmental clearance:-

In accordance with the recommendations of EAC, such projects will be processed on file for obtaining approval of the MEF for grant of environment clearance. After MEF has approved, a communication will be sent to the project proponent informing that the Competent Authority has approved the project, however, the formal environmental clearance will be issued only after the Stage – I forestry clearance for the forestland involved in the project has been obtained and submitted. For the purpose, a maximum time limit of one year will be provided to the proponent during which time the proposal will be kept in abeyance. In case the formal forestry clearance is not submitted within this time frame, the proposal will stand rejected and the process for obtaining environmental clearance will have to be initiated, de-novo, as per the procedure prescribed under EIA notification, 2006"

The Authority has considered this aspect in its last meeting and accordingly asked the same but did not informed the project proponent that the project has been approved, however, environmental clearance will be issued only after the Stage – I forestry clearance for the forestland involved in the project has been obtained and submitted.



Apart from above, the procedure as prescribed in para – 3 of Appendix – V of EIA notification 2006 wherein it is mentioned that *in case the of Item 8 of the schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all category B projects or activities on basis of Form I and IA and the conceptual plan and stipulate the conditions for environmental clearance. As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC/SEAC shall recommend the grant of environmental clearance to the competent authority.*


Since the SEAC has already appraised the project and recommended the grant of environmental clearance to the Authority on the basis of conceptual plan submitted subject to the condition that there shall be no deviation in the conceptual plan submitted. But Authority cannot recommend the grant of environmental clearance until approved buildings plan be submitted by the project proponent.

Therefore, Authority, unanimously resolved to recommend that the project proponent be informed that the case of environmental clearance for the 9 projects has again been reviewed and recommended for granting environmental clearance, however, formal environmental clearance will be issued subject to compliance of following conditions:-


1. That the Stage – I forestry clearance for the forestland involved in the project be obtained and submitted. For the purpose, a maximum time limit of one year will be provided to the proponent during which time the proposal will be kept in abeyance. In case the formal forestry clearance is not submitted within this time frame, the proposal will stand rejected and the process for obtaining environmental clearance will have to be initiated, de-novo, as per the procedure prescribed under EIA notification, 2006.
2. That the approved building plans be submitted.

The meeting ended with vote of thanks to the chair.


Sh. P.J.S. Dadhwal,
Special Invitee


Prof. S.K. Sharma
Member


Sh. Santosh Kumar
Member Secretary


Dr. Veer Singh
Chairman