

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No. 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

No. SEIAA/HR/2014/744

Dated: 29-05-2014

To

M/s Hasta Infrastructure Pvt. Limited.
 296, Forest lane, Sainik farm, Neb Sarai,
 New Delhi 110068

Subject: Environment Clearance for proposed the Construction of Group Housing Project at Sector-99 A, Village-Gopalpur, Tehsil & District-Gurgaon, Haryana.

Dear Sir,

This letter is in reference to your application no. Nil dated 08.01.2014 addressed to M.S. SEIAA, Haryana received on 08.01.2014 seeking prior Environmental Clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Form1-A, Conceptual Plan and additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MOEF, GOI vide their Notification 23.3.2012, in its meeting held on 26.03.2014 awarded "Gold" grading to the project.

[2] It is inter-alia, noted that the project involves the construction of Group Housing Project at Sector-99 A, Village-Gopalpur, Tehsil & District- Gurgaon, on a plot area of 46528.66 sqmt (11.4975 acres). The total built up area shall be 118387.65 sqmt. The Group Housing project shall have 06 Towers, Basement + GF + Stilt + Maximum 29 Floors. The Group Housing project shall have 532 no. of MDU and 94 EWS Units. The maximum height of the building shall be 104.50 meters. The total water requirement shall be 660 KLD. The fresh water requirement shall be 332 KLD. The waste water generation shall be 447 KLD, which will be treated in the STP of 480 KLD capacity. The total power requirement shall be 4342.38 KVA which will be supplied by DHBVN. The Project Proponent has proposed to develop green belt on 54.60% of project area (22% tree plantation + 32.45% landscaping). The Project Proponent proposed to construct 12 rain water harvesting pits. The solid waste generation will be 1712.20 kg/day. The bio-degradable waste will be treated in the project area by adopting appropriate technology. The total parking spaces proposed are 1028 ECS.

[3] The State Expert Appraisal Committee, Haryana after due consideration of the relevant documents submitted by the project proponent and additional clarification furnished in response to its observations, have recommended the grant of environmental clearance for the project mentioned above, subject to compliance with the stipulated

conditions. Accordingly, the State Environment Impact Assessment Authority in its meeting held on 09.05.2014 decided to agree with the recommendations of SEAC to accord necessary environmental clearance for the project under Category 8(a) of EIA Notification 2006 subject to the strict compliance with the specific and general conditions mentioned below:-

PART A-

SPECIFIC CONDITIONS:-

Construction Phase:-

- [1] "Consent for Establish" shall be obtained from Haryana State Pollution Control Board under Air and Water Act and a copy shall be submitted to the SEIAA, Haryana before the start of any construction work at site.
- [2] A first aid room as proposed in the project report shall be provided both during construction and operational phase of the project.
- [3] Adequate drinking water and sanitary facilities shall be provided for construction workers at the site. Provision should be made for mobile toilets. Open defecation by the laboures is strictly prohibited. The safe disposal of waste water and solid wastes generated during the construction phase should be ensured.
- [4] All the topsoil excavated during construction activities shall be stored for use in horticulture/landscape development within the project site.
- [5] The project proponent shall ensure that the building material required during construction phase is properly stored within the project area and disposal of construction waste should not create any adverse effect on the neighboring communities and should be disposed of after taking necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- [6] Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water and any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approval of the Haryana State Pollution Control Board.
- [7] The diesel generator sets to be used during construction phase shall be of ultra low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- [8] The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.
- [9] Ambient noise levels shall conform to the residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to

reduce ambient air pollution and noise level during construction phase, so as to conform to the stipulated residential standards of CPCB/MoEF.

- [10] Fly ash shall be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and as amended on 27th August 2003.
- [11] Storm water control and its re-use as per CGWB and BIS standards for various applications should be ensured.
- [12] Water demand during construction shall be reduced by use of pre-mixed concrete, curing agents and other best practices.
- [13] In view of the severe constrains in water supply augmentation in the region and sustainability of water resources, the developer will submit the NOC from CGWA specifying water extraction quantities and assurance from HUDA/ utility provider indicating source of water supply and quantity of water with details of intended use of water – potable and non-potable. Assurance is required for both construction and operation stages separately. It shall be submitted to the SEIAA and RO, MOEF, Chandigarh before the start of construction.
- [14] Roof must meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material.
- [15] Opaque wall must meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is desirable for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
- [16] The approval of the competent authority shall be obtained for structural safety of the building on account of earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightning etc. If any forest land is involved in the proposed site, clearance under Forest Conservation Act shall be obtained from the competent Authority.
- [17] Overexploited groundwater and impending severe shortage of water supply in the region requires the developer to redraw the water and energy conservation plan. Developer shall reduce the overall footprint of the proposed development. Project proponent shall incorporate water efficiency /savings measures as well as water reuse/recycling within 3 months and before start of construction to the SEIAA, Haryana and RO, MOEF, GOI, Chandigarh.
- [18] The Project Proponent as stated in the proposal shall construct total 12 rain water harvesting pits for recharging the ground water within the project premises. Rain water harvesting pits shall be designed to make provisions for silting chamber and removal of floating matter before entering harvesting pit. Maintenance budget and persons responsible for maintenance must be provided. Care shall also be taken that contaminated water do not enter any RWH pit.

- [19] The project proponent shall provide for adequate fire safety measures and equipments as required by Haryana Fire Service Act, 2009 and instructions issued by the local Authority/Directorate of fire from time to time. Further the project proponent shall take necessary permission regarding fire safety scheme/NOC from competent Authority as required.
- [20] The Project Proponent shall obtain assurance from the DHBVN for supply of 4342.38 KVA of power supply before the start of construction. In no case project will be operational solely on generators without any power supply from any external power utility.
- [21] Detail calculation of power load and ultimate power load of the project shall be submitted to DHBVN under intimation to SEIAA Haryana before the start of construction. Provisions shall be made for electrical infrastructure in the project area.
- [22] The Project Proponent shall not raise any construction in the natural land depression / Nallah/water course and shall ensure that the natural flow from the Nallah/water course is not obstructed.
- [23] The Project Proponent shall keep the plinth level of the building blocks sufficiently above the level of the approach road to the Project. Levels of the other areas in the Projects shall also be kept suitably so as to avoid flooding.
- [24] Construction shall be carried out so that density of population does not exceed norms approved by Director General Town and Country Department Haryana.
- [25] The Project Proponent shall submit an affidavit with the declaration that ground water will not be used for construction and only treated water should be used for construction.
- [26] The project proponent shall not cut any existing tree and project landscaping plan should be modified to include those trees in green area.
- [27] The project proponent shall provide 3 meter high barricade around the project area, dust screen for every floor above the ground, proper sprinkling and covering of stored material to restrict dust and air pollution during construction.
- [28] The project proponent shall construct a sedimentation basin in the lower level of the project site to trap pollutant and other wastes during rains.
- [29] The project proponent shall provide proper rasta of proper width and proper strength for the project before the start of construction.
- [30] The project proponent shall ensure that the U-value of the glass is less than 3.177 and maximum solar heat gain co-efficient is 0.25 for vertical fenestration.
- [31] The project proponent shall adequately control construction dusts like silica dust, non-silica dust, wood dust. Such dusts shall not spread outside project premises.

Project Proponent shall provide respiratory protective equipment to all construction workers.

- [32] The project proponent shall develop complete civic infrastructure of the Group Housing colony including internal roads, green belt development, sewerage line, Rain Water recharge arrangements, Storm water drainage system, Solid waste management site and provision for treatment of bio-degradable waste, STP, water supply line, dual plumbing line, electric supply lines etc. and shall offer possession of the units/flats thereafter.
- [33] The project proponent shall provide one refuge area till 24 meter, one till 39 meter and one till 15 meter each, as per National Building Code. The project proponent shall not convert any refuse area in the habitable space and it should not be sold out/commercialized.
- [34] The project proponent shall provide fire control room and fire officer for building above 30 meter as per National Building Code.
- [35] The project proponent shall obtain permission of Mines and Geology Department for excavation of soil before the start of construction.
- [36] The project proponent shall seek specific prior approval from concerned local Authority/HUDA regarding provision of storm drainage and sewerage system including their integration with external services of HUDA/ Local authorities beside other required services before taking up any construction activity.
- [37] The site for solid waste management plant be earmarked on the layout plan and the detailed project for setting up the solid waste management plant shall be submitted to the Authority within one month.
- [38] The project proponent shall submit the copy of fire safety plan duly approved by Fire Department before the start of construction.
- [39] The project proponent shall discharge excess of treated waste water/storm water in the public drainage system and shall seek permission of HUDA before the start of construction.
- [40] The project proponent shall maintain the distance between STP and water supply line.
- [41] The project proponent shall ensure that the stack height is 6 meter more than the highest tower.
- [42] The project proponent shall ensure that structural stability to withstand earthquake of magnitude 8.5 on Richter scale.
- [43] The project proponent shall ensure that no construction activity is undertaken either on surface or below or above surface of revenue rasta passing through the project area.

- [44] The project proponent shall indicate the width and length of revenue rasta passing through the project area on sign board and shall display the same at both the ends of revenue rasta stretch, for awareness of public. Sign board shall also display the message that this is public rasta/road and any citizen can use it. There shall not be any gate with or without guards on revenue rasta further project proponent shall not encroach revenue rasta and shall not cross internal roads over revenue rasta.
- [45] The project proponent shall provide helipad facility as required under NBC norms and shall seek permission of helipad from AAI accordingly.
- [46] The project proponent shall not raise any construction activity in the ROW reserved/acquired for High Tension Wire passing through the project area and shall maintain horizontal and vertical ROW as required under Indian Electricity Rules, 1956/DHBNV latest instructions.
- [47] The project proponent shall provide green belt and RWH pit as per the plan dated 09.05.2014 submitted in the meeting.

Operational Phase:

- [a] "Consent to Operate" shall be obtained from Haryana State Pollution Control Board under Air and Water Act and a copy shall be submitted to the SEIAA, Haryana.
- [b] The Sewage Treatment Plant (STP) shall be installed for the treatment of the sewage to the prescribed standards including odour and treated effluent will be recycled to achieve zero exit discharge. The installation of STP shall be certified by an independent expert and a report in this regard shall be submitted to the SEIAA, Haryana before the project is commissioned for operation. Tertiary treatment of waste water is mandatory. The project proponent shall remove not only Ortho-Phosphorus but total Phosphorus to the extent of less than 2mg/liter. Similarly total Nitrogen level shall be less than 2mg/liter in tertiary treated waste water. Discharge of treated sewage shall conform to the norms and standards of CPCB/ HSPCB, whichever is environmentally better. Project Proponent shall implement such STP technology which does not require filter backwash.
- [c] Separation of the grey and black water should be done by the use of dual plumbing line. Treatment of 100% grey water by decentralized treatment should be done ensuring that the re-circulated water should have BOD level less than 5 mg/litre and the recycled water will be used for flushing, gardening and DG set cooling etc. to achieve zero exit discharge.
- [d] For disinfection of the treated wastewater ultra-violet radiation or ozonization process should be used.

- [e] Diesel power generating sets proposed as source of back-up power for lifts, common area illumination and for domestic use should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The location of the DG sets shall be in the basement as promised by the project proponent with appropriate stack height above the highest roof level of the project as per the CPCB norms. The diesel used for DG sets shall be ultra low sulphur diesel (35 ppm sulphur), instead of low sulphur diesel.
- [f] Ambient Noise level should be controlled to ensure that it does not exceed the prescribed standards both within and at the boundary of the Proposed Group Housing Project.
- [g] The project proponent as stated in the proposal should maintain at least 54.60% as green cover area for tree plantation especially all around the periphery of the project and on the road sides preferably with local species which can provide protection against noise and suspended particulate matter. The open spaces inside the project shall be preferably landscaped and covered with vegetation/grass, herbs & shrubs. Only locally available plant species shall be used.
- [h] The project proponent shall strive to minimize water in irrigation of landscape by minimizing grass area, using native variety, xeriscaping and mulching, utilizing efficient irrigation system, scheduling irrigation only after checking evapotranspiration data.
- [i] Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre-treatment through sedimentation tanks must be done to remove suspended matter, oil and grease. The bore well for rainwater recharging shall be kept at least 5 mts. above the highest ground water table. Care shall be taken that contaminated water do not enter any RWH pit. The project proponent shall avoid Rain Water Harvesting of first 10 minutes of rain fall. Roof top of the building shall be without any toxic material or paint which can contaminate rain water. Wire mesh and filters should be used wherever required.
- [j] The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- [k] A report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Haryana in three months time.
- [l] Energy conservation measures like installation of LED only for lighting the areas outside the building and inside the building should be integral part of the project

design and should be in place before project commissioning. Use of solar panels must be adapted to the maximum energy conservation.

- [m] The Project Proponent shall use zero ozone depleting potential material in insulation, refrigeration, air-conditioning and adhesive. Project Proponent shall also provide Halon free fire suppression system.
- [n] The solid waste generated should be properly collected and segregated as per the requirement of the MSW Rules, 2000 and as amended from time to time. The bio-degradable waste should be treated by appropriate technology at the site ear-marked within the project area and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- [o] The provision of the solar water heating system shall be as per norms specified by HAREDA and shall be made operational in each building block.
- [p] The traffic plan and the parking plan proposed by the Project Proponent should be adhered to meticulously with further scope of additional parking for future requirement. There should be no traffic congestion near the entry and exit points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be used.
- [q] The Project shall be operationalized only when HUDA/local authority will provide domestic water supply system in the area.
- [r] Operation and maintenance of STP, solid waste management and electrical Infrastructure, pollution control measures shall be ensured even after the completion of project.
- [s] Different type of wastes should be disposed off as per provisions of municipal solid waste, biomedical waste, hazardous waste, e-waste, batteries & plastic rules made under Environment Protection Act, 1986. Particularly E-waste and Battery waste shall be disposed of as per existing E-waste Management Rules 2011 and Batteries Management Rules 2001. The project proponent should maintain a collection center for E-waste and it shall be disposed of to only registered and authorized dismantler / recycler.
- [t] Standards for discharge of environmental pollutants as enshrined in various schedules of rule 3 of Environment Protection Rule 1986 shall be strictly complied with.
- [u] Water supply shall be metered among different users and different utilities.
- [v] The project proponent shall ensure that the of DG sets is more than the highest tower and also ensure that the emission standards of noise and air are within the CPCB latest prescribed limits. Noise and Emission level of DG sets greater than 800 KVA shall be as per CPCB latest standards for high capacity DG sets.

- [w] All electric supply exceeding 100 amp, 3 phase shall maintain the power factor between 0.98 lag to 1 at the point of connection.
- [x] The project proponent shall not use fresh water for HVAC and DG cooling. Air based HVAC system should be adopted and only treated water shall be used by project proponent for cooling, if it is at all needed. The Project Proponent shall also use evaporative cooling technology and double stage cooling system for HVAC in order to reduce water consumption. Further temperature, relative humidity during summer and winter seasons should be kept at optimal level. Variable speed drive, best Co-efficient of Performance (Cop), as well as optimal Integrated Point Load Value and minimum outside fresh air supply may be resorted for conservation of power and water. Coil type cooling DG Sets shall be used for saving cooling water consumption for water cooled DG Sets.
- [y] The project proponent shall ensure that the transformer is constructed with high quality grain oriented, low loss silicon steel and virgin electrolyte grade copper. The project proponent shall obtain manufacturer's certificate also for that.
- [z] The project proponent shall ensure that exit velocity from the stack should be sufficiently high. Stack shall be designed in such a way that there is no stack down-wash under any meteorological conditions.
- [aa] The project proponent shall provide water sprinkling system in the project area to suppress the dust in addition to the already suggested mitigation measures in the Air Environment Chapter of EMP.
- [ab] The project proponent shall ensure proper Air Ventilation and light system in the basements area for comfortable living of human being and shall ensure that number of Air Changes per hour/(ACH) in basement never falls below 15. In case of emergency capacity for increasing ACH to the extent of 30 must be provided by the project proponent.
- [ac] The project proponent shall ensure drinking/ domestic water supply as per prescribed standards till treated water supply is made available by HUDA.

PART-B. GENERAL CONDITIONS:

- [i] The Project Proponent shall ensure the commitments made in Form-1, Form-1A, EIA/EMP and other documents submitted to the SEIAA for the protection of environment and proposed environmental safeguards are complied with in letter and spirit. In case of contradiction between two or more documents on any point, the most environmentally friendly commitment on the point shall be taken as commitment by project proponent.
- [ii] The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data

(both in hard copies as well as by e-mail) to the northern Regional Office of MoEF, the respective Zonal Office of CPCB, HSPCB and SEIAA Haryana.

- [iii] STP outlet after stabilization and stack emission shall be monitored monthly. Other environmental parameters and green belt shall be monitored on quarterly basis. After every 3 (three) months, the project proponent shall conduct environmental audit and shall take corrective measure, if required, without delay.
- [iv] The SEIAA, Haryana reserves the right to add additional safeguard measures subsequently, if found necessary. Environmental Clearance granted will be revoked if it is found that false information has been given for getting approval of this project. SEIAA reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF.
- [v] The Project proponent shall not violate any judicial orders/pronouncements issued by any Court/Tribunal.
- [vi] All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972, Forest Act, 1927, PLPA 1900, etc. shall be obtained, as applicable by project proponents from the respective authorities prior to construction of the project.
- [vii] The Project proponent should inform the public that the project has been accorded Environment Clearance by the SEIAA and copies of the clearance letter are available with the Haryana State Pollution Control Board & SEIAA. This should be advertised within 7 days from the date of issue of the clearance letter at least in two local newspapers that are widely circulated in the region and the copy of the same should be forwarded to SEIAA Haryana. A copy of Environment Clearance conditions shall also be put on project proponent's web site for public awareness.
- [viii] Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the Project Proponent if it was found that construction of the project has been started before obtaining prior Environmental Clearance.
- [ix] Any appeal against the this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- [x] The project proponent shall put in place Corporate Environment Policy as mentioned in MoEF, GoI OM No. J-11013/41/2006-IA II (I) dated 26.4.2012 within 3 months period. Latest Corporate Environment Policy should be submitted to SEIAA within 3 months of issuance of this letter.
- [xi] The fund ear-marked for environment protection measures should be kept in separate account and should not be diverted for other purposes and year wise expenditure shall be reported to the SEIAA/RO MOEF GOI under rules prescribed for Environment Audit.
- [xii] The project proponent shall ensure the compliance of Forest Department, Haryana Notification no. S.O.121/PA2/1900/S.4/97 dated 28.11.1997.
- [xiii] The Project Proponent shall ensure that no vehicle during construction/operation phase enter the project premises without valid 'Pollution Under Control' certificate from competent Authority.

- [xiv] The project proponent is responsible for compliance of all conditions in Environmental Clearance letter and project proponent can not absolve himself/herself of the responsibility by shifting it to any contractor engaged by project proponent.
- [xv] The project proponent shall seek fresh Environmental clearance if at any stage there is change in the planning of the proposed project.
- [xvi] Besides the developer/applicant, the responsibility to ensure the compliance of Environmental Safeguards/ conditions imposed in the Environmental Clearance letter shall also lie on the licensee/licensees in whose name/names the license/CLU has been granted by the Town & Country Planning Department, Haryana.
- [xvii] The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; PM_{2.5}, PM₁₀, SO_x, NO_x, Ozone, Lead, CO, Benzene, Ammonia, Benzopyrine, arsenic and Nickel. (Ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- [xviii] The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the HSPCB Panchkula as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of the EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.
- [xix] The project proponent shall conduct environment audit at every three months interval and thereafter corrected measures shall be taken without any delay. Details of environmental audit and corrective measures shall be submitted in the monitoring report.



Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.



Endst. No. SEIAA/HR/2014

Dated:.....

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MOEF, GOI, CGO Complex, Lodhi Road, New Delhi.
2. The Regional office, Ministry of Environment & Forests, Govt. of India, Sector 31, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, Pk1.

Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.



भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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नई दिल्ली, मंगलवार, अप्रैल 12, 2022/चैत्र 22, 1944
NEW DELHI, TUESDAY, APRIL 12, 2022/CHAITRA 22, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली 12 अप्रैल, 2022

का.आ. 1807(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उपधारा 2 के खंड (v) और उपधारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, तत्कालीन पर्यावरण एवं वन मंत्रालय में, परियोजनाओं के कतिपय प्रवर्गों के लिए पूर्व पर्यावरण अनापत्ति आज्ञापक बनाते हुए, संख्यांक का.आ. 1553(अ), तारीख 14 सितंबर, 2006 द्वारा पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसमें इसके पश्चात उक्त अधिसूचना कहा गया है) प्रकाशित किया है;

और, पूर्व अनुभवों के आधार पर, यह उल्लेखनीय है कि नाभिकीय शक्ति परियोजनाओं और जल शक्ति परियोजनाओं को पूरा होने की अवधि विभिन्न मुद्दों जैसे भौगोलिक आश्चर्य, वन मंजूरी में देरी, भूमि अर्जन, स्थानीय मुद्दों, पुनर्वास और पुनःव्यवस्थापन आदि के कारण परियोजना पूरी होने में अधिक समय लगता है, जो प्रायः परियोजना प्रस्तावक के नियंत्रण से बाहर होता है और इस संदर्भ में, केन्द्रीय सरकार को ऐसी परियोजनाओं के लिए पर्यावरण मंजूरी (ईसी) की वैधता बढ़ाना आवश्यक हो जाता है;

और, अन्य परियोजनाएं भी, ऐसी परियोजनाओं के कार्यान्वयन से संबंधित पर्यावरणीय मुद्दों सहित स्थानीय मामलों को संबोधित करने के लिए लगे समय पर विचार करने के लिए, केन्द्रीय सरकार यदि वह आवश्यक समझे ऐसे पर्यावरणीय मंजूरी की वैधता की सीमा को बढ़ा सकती है

और, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) के उपबंधों के अनुसार, खान और खनिज (विकास और विनियमन) संशोधन अधिनियम 2015, के प्रारंभ की तारीख से ही, सभी खनिज पट्टे पचास वर्षों की अवधि के लिए दिए जा रहे हैं, और तदनुसार, केन्द्रीय सरकार खनन के पर्यावरण मंजूरी की वैधता को, संरक्षित करना

आवश्यक समझती है जो वर्तमान में उपयुक्त पर्यावरणी सुरक्षा और पुनर्विलोकन के अधीन अधिकतम तीस वर्षों की अवधि तक अनुज्ञेय है।

अतः अब, केन्द्रीय सरकार, पर्यावरण (सुरक्षा) नियम, 1986 को नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) के खंड (v) और उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकहित में उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा की अभिमुक्ति के पश्चात् भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना का और संशोधन संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा करती है, अर्थात् :-

(i) पैरा 9 में,

(क) उपपैरा (i) और (ii) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात् :-

(i) "पर्यावरणीय मंजूरी की वैधता" से वह अवधि अभिप्रेत है, जिसमें पूर्व पर्यावरणीय मंजूरी विनियामक प्राधिकारी द्वारा स्वीकृत है, या आवेदक द्वारा पैरा 8 के उपपैरा (iii) के अधीन स्वीकृत किया गया माना जा सकता है, की शुरुवात परियोजना या गतिविधियों द्वारा उत्पादन प्रचालन ; या अनुसूची के मद 8 से संबंधित निर्माण परियोजनाओं के मामले में सभी निर्माण प्रचालनों को पूरा करना है, जिसमें पूर्व पर्यावरणीय मंजूरी के लिए आवेदन संदर्भित है :

परंतु खनन परियोजनाओं या गतिविधियों के मामलों में वैधता खनन पट्टे के निष्पादन की तारीख से दिए जाएंगे ।

(ii) किसी विद्यमान या नई परियोजना या क्रियाकलाप के लिए दी गई पूर्व पर्यावरणीय मंजूरी उस अवधि के लिए वैध होगी, जो-

(क) नदी घाटी परियोजनाओं या क्रियाकलापों के मामले में तेरह वर्ष [अनुसूची का मद 1(ग)]; (ख) परमाणु ऊर्जा परियोजनाओं या क्रियाकलापों और परमाणु ईंधन के प्रसंस्करण के मामले में पंद्रह वर्ष [अनुसूची का मद 1(ड)];

(ग) खंड (क) और (ख) में निर्दिष्ट खनन परियोजनाओं और नदी घाटी परियोजनाओं और परमाणु ऊर्जा परियोजनाओं के सिवाए अन्य सभी परियोजनाओं और क्रियाकलापों के मामले में दस वर्ष।

(iii) क्षेत्र विकास परियोजनाओं और टाउनशिप [मद 8(ख)] के मामले में, दस वर्ष की वैधता अवधि केवल ऐसी क्रियाकलापों तक सीमित होगी जो विकासकर्ता के रूप में आवेदक का उत्तरदायित्व हो सकता है:

परंतु यह कि इस उप-पैरा और उप-पैरा (ii) में सूचीबद्ध परियोजनाओं और क्रियाकलापों के संबंध में पर्यावरण मंजूरी की वैधता की अवधि को नदी घाटी परियोजनाओं के मामले में, संबंधित विनियामक प्राधिकरण द्वारा वैध पर्यावरण मंजूरी के संबंध में अधिकतम दो वर्ष की अवधि द्वारा, परमाणु ऊर्जा परियोजनाओं और परमाणु ईंधन के प्रसंस्करण के मामले में पांच वर्ष और अन्य सभी परियोजनाओं के मामले में एक वर्ष के लिए बढ़ाया जा सकता है, यदि आवेदन विद्यमान पर्यावरण मंजूरी की वैधता अवधि के भीतर आवेदक द्वारा विनियामक प्राधिकरण के लिए अधिकथित प्रोफार्मा में किया जाता है:

परंतु यह और कि विनियामक प्राधिकरण ऐसे विस्तार के अनुदान से पहले संबंधित विशेषज्ञ मूल्यांकन समिति से भी परामर्श कर सकता है।

(iv) खनन परियोजनाओं के लिए दी गई पूर्व पर्यावरण मंजूरी, समय-समय पर, अधिकतम तीस वर्ष, जो भी पहले हो, के अधीन, सक्षम प्राधिकारी द्वारा अनुमोदित और नवीनीकृत खनन योजना में निर्धारित परियोजना जीवन के लिए मान्य होगी:

परंतु इस उप-पैरा में सम्मिलित परियोजनाओं या क्रियाकलापों के संबंध में पर्यावरण मंजूरी की वैधता की अवधि को अगले बीस वर्षों के लिए, तीस वर्षों से आगे बढ़ाया जा सकता है, इस शर्त के अधीन कि विद्यमान पर्यावरण मंजूरी में अधिकथित विद्यमान पर्यावरण सुरक्षा उपायों की पर्याप्तता की जांच, तीस वर्ष की पर्यावरणीय मंजूरी की अधिकतम वैधता अवधि के भीतर परियोजना प्रस्तावक से अधिकथित प्रोफार्मा में ऐसे आवेदन की प्राप्ति पर संबंधित विशेषज्ञ मूल्यांकन

समिति द्वारा हर पांच वर्ष बाद और तत्पश्चात विस्तारित पर्यावरण मंजूरी, जैसा आवश्यक समझा जाए, परियोजना प्रस्तावक से अधिकथित प्रोफार्मा में ऐसे आवेदन की वैधता अवधि के भीतर प्राप्त होने पर पर्यावरण प्रबंधन योजना में ऐसे अतिरिक्त पर्यावरण सुरक्षा उपायों को शामिल करने के लिए हर पांच वर्ष में, खनन पट्टे की वैधता या खनन जीवन की समाप्ति या पचास वर्ष, जो भी पहले हो, तक की जाएगी।";

(ख) "(iii) जहां उप-पैरा (i) और (ii) के अधीन विस्तार के लिए आवेदन फाइल किया गया है" कोष्ठक, अंक और शब्दों के लिए, निम्नलिखित रखा जाएगा, अर्थात्: -

"(v) जहां उप-पैरा (ii), (iii) और (iv) के अधीन विस्तार के लिए आवेदन अधिकथित प्रोफार्मा में फाइल किया गया है"

[फा. सं. आईए 3-22/10/2022-आईए. III]

तन्मय कुमार, अपर सचिव,

टिप्पण: मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II खंड 3, उप-खंड (ii), संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 2859(अ), तारीख 16 जुलाई, 2021 के अधीन अंतिम बार संशोधित किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 12th April, 2022

S.O. 1807(E).—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the said notification), vide number S.O.1533 (E), dated the 14th September, 2006 for mandating prior environmental clearance for certain category of projects;

And whereas, based on the past experiences, it is noted that Nuclear Power Projects and Hydro Power Projects have high gestation period due to various issues such as geological surprises, delay in Forest Clearance, land acquisition, local issues, rehabilitation and resettlement, etc., which are often beyond the control of project proponent and in this context, the Central Government deems it necessary to extend the validity of Environmental Clearance (EC) for such projects;

And whereas, for other projects also, considering the time taken for addressing local concerns including environmental issues related to the implementation of such projects, the Central Government deems it necessary to extend the validity of such ECs;

And whereas, as per the provisions of Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), on and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, all mining leases are being granted for a period of fifty years, and accordingly, the Central Government deems it necessary to align the validity of mining ECs which is currently permissible up to a maximum duration of thirty years, subject to review and appropriate environmental safeguards;

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules in public interest, hereby makes the following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14th September, 2006, namely:-

In the said notification,-

(i) in paragraph 9,-

(a) for sub paragraphs (i) and (ii), the following sub-paragraphs shall be substituted, namely:-

(i) The "Validity of Environmental Clearance" is meant the period from which a prior Environmental Clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity; or completion of all construction

operations in case of construction projects relating to item 8 of the Schedule, to which the application for prior environmental clearance refers:

Provided that in the case of mining projects or activities, the validity shall be counted from the date of execution of the mining lease.

(ii) The prior environmental clearance granted for an existing or new project or activity shall be valid for a period of,-

(a) thirteen years in the case of River Valley projects or activities [item 1(c) of the Schedule];

(b) fifteen years in the case of Nuclear power projects or activities and processing of nuclear fuel [item 1(e) of the Schedule];

(c) ten years in the case of all other projects and activities other than the Mining projects and River Valley Projects and Nuclear power projects referred to in clauses (a) and (b).

(iii) In the case of Area Development projects and Townships [item 8(b)], the validity period of ten years shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that the period of validity of Environmental Clearance with respect to the Projects and Activities listed in this sub-paragraph and sub-paragraphs (ii) may be extended in respect of valid Environmental Clearance, by the regulatory authority concerned by a maximum period of two years in the case of River Valley projects, five years in the case of Nuclear power projects and processing of nuclear fuel and one year in the case of all other projects, if an application is made in the laid down proforma to the regulatory authority by the applicant within the validity period of the existing Environment Clearance:

Provided further that the regulatory authority may also consult the concerned Expert Appraisal Committee before grant of such extension.

(iv) The prior Environmental Clearance granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier:

Provided that the period of validity of Environmental Clearance with respect to projects or activities included in this sub-paragraph may be extended by another twenty years, beyond thirty years, subject to the condition that the adequacy of the existing environmental safeguards laid down in the existing Environmental Clearance shall be examined by concerned Expert Appraisal Committee every five years beyond thirty years, on receipt of such application in the laid down proforma from the Project Proponent within the maximum validity period of Environmental Clearance of thirty years, and subsequently on receipt of such application in the laid down proforma from the Project Proponent within the validity period of the extended Environment Clearance, every five years for incorporating such additional environment safeguards in the Environmental Management Plan, as may be deemed necessary, till the validity of the mining lease or end of life of mine or fifty years, whichever is earlier.”;

(b) for the brackets, figures and words “(iii) Where the application for extension under sub-paragraphs (i) and (ii) has been filed”, the following shall be substituted, namely:-

“(v) Where the application for extension under sub-paragraphs (ii), (iii) and (iv) has been filed in the laid down proforma”.

[F. No. IA3-22/10/2022-IA.III]

TANMAY KUMAR, Add. Secy.

Note:- The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide, number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide the notification number S.O. 2859(E), dated the 16th July, 2021.