



State Environment Impact Assessment Authority, M.P.
(Government of India, Ministry of Environment & Forests)

Environmental Planning Coordination Organization
Paryavaran Parisar, E-5, Arera Colony
Bhopal-4620 16
Visit us <http://www.mpseiaa.nic.in>
Tel:0755-2466970, 2466859
Fax : 0755-2462136

No: 1631 /SEIAA/2014
Date: 31.10.14

To,
Principal Secretary,
Urban Development & Environment Deptt.
3rd Floor, Mantralaya Vallabh Bhawan, Bhopal.

Sub:- Case No. - 730/2012 Prior Environmental Clearance Group housing project at Talavali Chanda (Gram & Moja), Distt. Indore, (M.P.) Total Plot Area - 199222.618 m², Built Up Area -206937.46 m² Shri Tarun Kathuria, Director, M/s A.R. Infrastructure Private Ltd. 15, UGF, Indra Prakash Building, 21, Barakhamba Road, New Delhi - 110001

The case was discussed in 165th SEIAA meeting dated 10.10.14 and it is recorded that"

- (1) The case was registered on 10.07.12 and forwarded to SEAC on 20.07.12.
- (2) This is a township area development project covered in the schedule of EIA notification 2006 as amended from time to time as item no. 8(b).
- (3) ToR issued on 11.03.2013 for conducting EIA / EMP
- (4) The EIA report and EMP was received in SEIAA office on 22.08.13 and forwarded to SEAC on 29.08.13.
- (5) The case was discussed in SEAC meetings 146th dtd 08.11.13, 147th dtd 02.08.14 in which PP was absent. The case was carry forwarded to 148th SEAC meeting dtd 25.08.14 on request of PP and it is recorded that "..... It was submitted by the PP that some activity has been initiated at site causing violation of the provisions of EIA Notification. Also the project plan is being modified. Committee asked the PP to submit Resolution and evidence pertaining to credible action against the PP for the committed violation within 60 days. PP shall also submit a revised application incorporating the changes in the plan. Case may be returned to SEIAA for necessary action."
- (6) PP has submitted CC of letter dtd 01.11.13 addressed to Member Secretary, MPPCB, Bhopal for initiating the necessary credible action. PP has also enclosed a copy of resolution passed in the Board of Directors Meeting dtd 01.08.13
- (7) The case was discussed in depth and the Authority is of the view that it is undisputed that violation of EIA Notification 2006 has taken place. It is decided that as per MoEF, GoI, OM No. J-110131/41/2006-IA-II (I) dtd 12.12.2012 and OM dtd 27.06.2013 PP should submit -
 - (i) The date of starting the construction, details as to why the construction activities have been undertaken. How much construction has already been done? Whether the construction activities are still continuing? PP is directed to **stop the construction activities with immediate effect** and should not undertake any kind of construction/development until prior EC under EIA Notification 2006 is accorded.
 - (ii) The Proponent should submit the matter relating to the violation to the Board of Directors of its Company or to the Managing Committee / CEO of the Society, Trust, partnership / individually owned concern for consideration of its environment related policy / plan of action as also a written commitment in the form of a formal resolution to be submitted within 60 days to MP-SEIAA to ensure that violations will not be repeated. It is decided that in the meantime, the project will be **delisted. In the eventuality of not having any response from the project proponent within the**

• Registration No.: To be quoted in registered cases for correspondence



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prescribed limit of 60 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, where after the procedure will have to be initiated de novo by project proponent.

- (iii) A letter should be sent to Principal Secretary, GoMP UD & E Department, giving the details of violation to take action as per office memorandum of MoEF, GoI J-11013/41/2006 IA II (I) dt. 27.06.13 & 12.12.12 (Para 5 (ii)) "to initiate credible action on the violation by invoking powers under section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken." The details of legal action taken by the Principal Secretary, GoMP UD & E Department should be made available to the Authority by 31.12.14. A copy of letter be endorsed to PP.
- (iv) The details of project proponent, a copy of commitment and Resolution passed in the meeting of the Board of Directors of M/s A.R. Infrastructure Private Ltd. should be put on the website of MPSEIAA for information of all stake holders.
- (v) As recorded in 148th SEAC meeting dtd 25.08.14 "the project plan is being modified". PP should submit the revised application to MP-SEIAA after the credible action has been initiated against him."

In view of point no. 7 (iii) above it is to mention that it is undisputed that violation of EIA Notification 2006 has taken place. As per office memorandum of MoEF, GoI J-11013/41/2006 IA II (I) dtd 27.06.13 & dtd. 12.12.2012 (Para 5 (ii)) you are requested "to initiate credible action on the violation by invoking power under section 19 of the Environment (Protection) Act 1986 for taking necessary legal action under section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken." A copy of section 15 & 19 of EPA act and office memorandum dtd 27.06.2013 and 12.12.2012 are enclosed for necessary action against PP.

The details of action taken should be made available to the Authority by 31.12.2014.

Encl: - As above

o/c
(Ajatshatru Shrivastava)
Member Secretary

Endt No. 1632 / SEIAA/14

Dated:- 31.10.14

Copy to:-

1. Member Secretary, M. P. Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal-M.P for necessary action.
2. Shri Tarun Kathuria, Director, M/s A.R. Infrastructure Private Ltd. 15, UGF, Indra Prakash Building, 21, Barakhamba Road, New Delhi - 110001 for information.

o/c
(Ajatshatru Shrivastava)
Member Secretary