

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 837/2018
(M. A. No. 1549/2018)**

IN THE MATTER OF:

**Sandeep Mittal
Vs.
Ministry of Environment, Forests and Climate Change & Ors.**

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present: Applicant: Mr. P. Mishra, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 08 October 30, 2018 R	<p>1. Grievance in this application is against grant of Environment Clearance by the State Level Environment Impact Assessment Authority (SEIAA), Haryana on 12.12.2013 to construct a project in villages – Dhumaspur and Maidawas, District Gurgaon, Haryana on a plot area of 151804.3 square meters. Total built up area is 812877.08 sq. mtrs. The project shall have 35 towers in which there will be 4 clusters: cluster A having 10 towers, Cluster B having 8 towers and cluster C having 9 towers, of high rise buildings of 14 floors each, cluster D having 8 towers of high rise buildings of 20 floors.</p> <p>2. Objection of the applicant is that the construction is on a fertile cultivable land. The project will also result in depletion of ground water level.</p> <p>3. Though the petition is highly belated as far as challenge to the Environment Clearance is concerned, violation or such conditions, if any, is actionable.</p> <p>4. We are of the view that wherever Environment Clearance is granted in terms of the Notification dated 14.09.2006 issued under the Environment (Protection) Act, 1986, the Ministry of Environment, Forest and</p>

	<p>Item No. 08</p> <p>October 30, 2018</p> <p>R</p>	<p>Climate Change must have a mechanism for monitoring the compliance of such conditions on periodical basis, at least once in a quarter. We have noticed in all cases where Environment Clearance is granted, it is subject to several conditions but such conditions are flouted with impunity, in absence of any monitoring mechanism.</p> <p>5. Accordingly, we direct the Ministry of Environment, Forest and Climate Change to evolve an appropriate institutional mechanism to periodically monitor compliance of Environment Clearance conditions within one month from today and notify the same. In absence of such mechanism the purpose of environment impact assessment is not achieved and the whole exercise is rendered futile.</p> <p>6. Report of the compliance may be furnished by e-mail at ngt.filing@gmail.com to this Tribunal on or before 15.12.2018 and the same may be put up for consideration on 10.01.2019.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p style="text-align: right;">30.10.2018</p>
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