



**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: 1280 /SEIAA/2014  
Date: 13.10.14

To,  
**Principal Secretary,**  
Urban Development & Environment Deptt.  
3<sup>rd</sup> Floor, Mantralaya Vallabh Bhawan,  
Bhopal.

**Sub:- Case No. 229/2008** Prior Environmental Clearance for proposed Residential Township Project at Village Bijalpur, Tehsil & District Indore (MP) Total Land Area 360120 sqm (349516 sqm-effective plot area) Total Built up Area 305920.76 Sqmt by M/s Twenty First Century Developers Pvt. Ltd. through Owner Shri Sanjay Vyas, 6<sup>th</sup> Floor Treasure Island, 11 South Tukoganj, M.G. road, Indore (MP) 452012

The case was discussed in 160<sup>th</sup> SEIAA meeting dated 12.09.2014 and it was recorded that  
....." (1) The case was discussed in 149<sup>th</sup> SEIAA meeting dtd 17.09.13 and it is recorded that .....

- (i) The proposed project is of construction of township, area development convenient shops at Village Bijalpur, Tehsil & Distt. Indore (MP). The Proponent is by M/s Twenty First Century Developers Pvt. Ltd. through Owner Shri Sanjay Vyas.
- (ii) As per the T & CP, Indore (vide letter 2616 dtd 12.05.08) total land area is 66.653 ha at Village Bijalpur, Tehsil & Distt. - Indore (MP). It is noted that earlier PP has proposed to developed this township in an area of 66.44 ha with built up area 5,80,000 sqm and later on (revised Form-1) the planning area has been reduced to 360120 sqm (effective plot area 349516 sqm). The total built up area proposed by PP is 305920.756 sqm. The project comes under 8 (b) category (B) of schedule of EIA Notification 2006 because total built up area is more than 1,50,000 sqm.
- (iii) The case was examined in depth and it is noted that :-
  - (a). The application was submitted by PP vide letter dtd 20.10.08 received in SEIAA office on 21.08.10.
  - (b). The case was sent to SEAC vide letter dtd 193 dtd 23.10.08 for appraisal under EIA Notification 2006.
  - (c). The case was discussed in SEAC meetings 16<sup>th</sup> dtd 15.08.11, 39<sup>th</sup> dtd. 24.10.09, 63<sup>rd</sup> dtd. 03.08.10, 84<sup>th</sup> dtd. 09.11.11, 96<sup>th</sup> dtd. 13.06.12, 103<sup>rd</sup> dtd. 12.09.12, 109<sup>th</sup> dtd 06.11.12 & 137<sup>th</sup> dtd.24.07.13 and recommended the project for grant prior EC subject to 5 special conditions in SEAC 137<sup>th</sup> meeting dtd 24.07.2013.
  - (d). As per 96<sup>th</sup> SEAC dtd 13.06.12 Committee decided for site visit. Site was visited by SEAC members.
  - (e). As per the minutes of 103<sup>rd</sup> SEAC meeting dtd 12.09.12 it is recorded that "It is observed on site that the building and infra-structure construction was going on a large area (exceeding 20,000 sqm) and substantial number of plots have already been sold by the Project Proponent without obtaining the Environmental Clearance. It requires an explanation and submission of factual statement from PP before issue of TOR. The same shall be included in EIA also. Letter in this context may be written to the PP....."
  - (f). As per the minutes of 109<sup>th</sup> SEAC meeting dtd 06.11.12 it is recorded that "It is observed on site that the building and infra-structure construction was going on a large area (exceeding 20,000 sqm) and substantial number of plots have already been sold by the Project Proponent without obtaining





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*the Environmental Clearance. It requires an explanation and submission of factual statement. The statement may be included in EIA, ..."*

- (iv) *The Authority is of the view that it is undisputed that PP has already started construction work without obtaining prior EC under EIA Notification 2006, hence appears to be a case of violation. It is decided that :-*
- (a). *As per Gol, MoEF office memorandum dtd 12.12.12 and 27.06.13 PP should submit the details of date of starting the construction work, total built up area that has been constructed, number and area of plots sold, the present status of the construction activity whether it is still going on or stopped / completed and why the construction activities have been undertaken without taking prior Environmental Clearance under EIA Notification, 2006? PP should stop the construction activities with immediate effect and no further construction should be done until Environmental Clearance is granted under EIA Notification 2006. PP should submit the resolution duly passed by the Board of Directors as per Gol, MoEF office memorandum dtd 12.12.12 regarding violation of EIA Notification 2006.*
- (b). *After the receipt of above informations it shall be considered by SEIAA. SEIAA shall decide further action on the application of EC.*
- (c). *After the consideration SEIAA will decide to send formal proposal to the Principal Secretary, Housing & Environment Deptt. Govt. of MP to file complaint u/s 19 of the Environment (Protection) Act in the competent court so that criminal case is initiated u/s 15 of the same Act.*
- (v) *PP should submit above information by 30.11.2013 in the office of the SEIAA.*
- (vi) *SEAC have not suitably scrutinized the issue of violation in this case and have not obtained exact informations from the PP on this issue. A letter should be written to SEAC to clarify why the case was not examined as violation of EIA Notification, 2006."*
- (2) *In response to above query, reply submitted by PP (vide letter dtd 26.11.13 received in SEIAA office on 30.11.13 ) and minutes of 147<sup>th</sup> SEAC meeting dtd 02.08.2014 were examined in depth and it is noted that :-*
- (i) *PP has submitted that the commencement of construction activity was taken up on February, 2010. As on date total built-up area that has been constructed at site is 76,685.98 sq. m. Number of plots sold till date are 96. The construction activity has been stopped at site on instruction of visiting sub-committee of SEAC. As per MoEF, Gol office memorandum dated 12.12.12 & 27.06.13 PP has submitted resolution passed by the Board of Directors in their meeting dtd 14.10.13.*
- (ii) *SEAC has recommended that violation in the project has already been established through site visit by the sub-Committee of SEAC and the same has been reported in the site visit report. The EC of the project can be issued after compliance of MoEF, Gol office Memorandum dtd. 12.12.12 i.e. after ensuring credible action against the PP.*
- (iii) *The Authority is of the view that it is undisputed that violation of EIA Notification 2006 has taken place. It is decided that :-*
- a) *A letter should be sent to Principal Secretary, GoMP UD & E Department, giving the details of violation along with copy resolution passed by Board of Directors to take action as per office memorandum of MoEF, Gol 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*





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*Principal Secretary, GoMP UD & E Department should be made available to the Authority by 15.12.14. A copy of letter be endorsed to PP.*

- b) *The details of project proponent, a copy of commitment and Resolution passed in the meeting of the Board of Directors of M/s Indore Treasure Town Pvt. Ltd., Indore (formally known as M/s Twenty First Century Developers Pvt. Ltd.) should be put on the website of MPSEIAA for information of all stake holders."*

In view of point no. 2 (iii) (a) above it is to mention that it is undisputed that violation of EIA Notification 2006 has taken place. As per office memorandum of MoEF, Gol 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 **15.12.2014**.

Encl: - As above

*o/c* (Ajatshatru Shrivastava)  
Member Secretary

Endt No. 1281 / SEIAA/14

Dated:- 13.10.14

Copy to:-

1. Member Secretary, M. P. Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal-M.P for necessary action .

2. M/s Twenty First Century Developers Pvt. Ltd. through Owner Shri Sanjay Vyas, 6<sup>th</sup> Floor Treasure Island, 11 South Tukoganj, M.G. road, Indore (MP) 452012 for information.

*o/c* (Ajatshatru Shrivastava)  
Member Secretary





# ENTERTAINMENT WORLD DEVELOPERS

redefining real estate



Ref. No. EWDL/LIA/11/2013/24091,

STATE LEVEL ENVIRONMENTAL IMPACT  
ASSESSMENT AUTHORITY

Date: 26.11.2013

To,

(EPCO)

RECEIPT No. 967

DATE 30/11/2013

The Member Secretary,

State Level Environmental Impact Assessment Authority (SEIAA),

Paryavaran Parisar, E-5, Arera Colony,

BHOPAL (M.P.)

Sub: - Submission of explanation with reference to 149<sup>th</sup> Meeting and our case 229/2008.

This is with reference to the minutes of the meeting (149<sup>th</sup> dated 26/09/2013) uploaded on your site in connection to our case no. 229/2008 for grant of Environment Clearance for our Township Project namely "Twenty First Century Developers Pvt. Ltd.," village-Bijalpur, Distt. Indore. In the said minutes, it was categorically mentioned to submit explanation from PP, hence we are submitting herewith our explanation for your kind consideration:-

1. The commencement of construction activity was taken up on February, 2010.
2. As on dated total built area that has been constructed at site is 7,66,85.98 Sq. Mtr.
3. Number of plots sold till dated are 96.
4. The construction activity has been stopped at site on instruction of visiting sub-committee of SEAC.

As regarding the issue of initiation of construction before obtaining prior EC we would like to bring to the notice of Hon'able Authority the following points of concern:

- I. The case was recommended by SEAC in the 39<sup>th</sup> meeting dated 24.10.2009 and 63<sup>rd</sup> meeting dated 30.08.2010, after which we did not received any communication from SEIAA regarding the status of prior EC for the project for almost a period of 07 months. As per the information our project was forwarded to MOEF along with the recommendation of SEAC for issue of prior EC. We did not receive any communication from MOEF either.
- II. It was assumed by us that later or sooner the formal letter of prior EC shall be issued by the competent authority as principally SEIAA has already accepted the recommendation of SEAC.
- III. Under above circumstances the construction activities were taken up by us assuming deemed EC, as per the provisions provided in EIA Notification 2006.
- IV. Later, SEIAA vide its 54<sup>th</sup> meeting dated 21.03.2011 decided that our project requires EIA

My  
ack  
AA(3) WJ

## INDORE TREASURE TOWN PRIVATE LIMITED

Corporate Office  
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Indore - 452 001 (Madhya Pradesh) INDIA  
T + 91 731 4203006-9 F + 91 731 4203010  
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Chakala, Andheri (E), Mumbai-400 099.

to carried out based on the size of our project. Thus, the case was returned to SEAC to issue necessary TOR so as to carry out EIA.

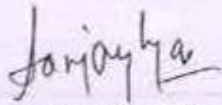
- V. Although we have submitted an EIA report based on the standard TOR, SEAC issued additional TOR after taking visit of the site.
- VI. The EIA report on additional TOR was submitted by us and the same was appraised by SEAC in the meeting dated 24.07.2013 Based on our submissions and presentation SEAC recommended the case for issue of prior EC for the second time. Here it is noteworthy to mention that SEAC accepted the matter as a case of deemed approval in light of above mentioned facts. Accordingly we were not asked to submit any resolution.
- VII. However, in compliance to the directions issued by the Authority we are enclosing the Resolution passed by our Board of Directors.

We hope that, the points submitted above are in line with the explanation sought by the comittee.

Thanking you and assuring you best of our co-operation at all times.

Yours faithfully,

For Indore Treasure Town Private Limited  
(Formerly known as Twenty First Century Developers Pvt. Ltd.)



(SANJAY VYAS)  
Authorized Signatory

Enc: - Board Resolution.



**EXTRACT OF MINUTES OF THE MEETING OF BOARD OF DIRECTORS OF INDORE  
TREASURE TOWN PRIVATE LIMITED ("THE COMPANY") HELD ON MONDAY THE  
14<sup>TH</sup> DAY OF OCTOBER 2013 AT INIZO BUILDING, UNIT NO. 209, 2<sup>ND</sup> FLOOR,  
CARDINAL GRACIOUS ROAD, CHAKALA, ANDHERI (EAST), MUMBAI - 400 099**

A meeting of the Board of Directors of M/s Indore Treasure Town Private Limited was conducted on 14<sup>th</sup> October, 2013 to resolve the issue of violation committed by the Company pertaining to EIA Notification 2006 and its provisions. The matter of violation was placed before the Management. Following was brought to the notice of the Management:

- I. That, it was brought to the notice of the management that any project comprising construction activity of more than 20000 m<sup>2</sup> requires prior Environmental Clearance under the provisions of EIA Notification 2006 from competent authority.
- II. That Company had applied to SEIAA for prior EC. It was observed that SEAC has recommended the case for grant of prior EC twice and taking cognizance of the same company has carried out construction at site in anticipation of the formal EC letter. It was discussed in the meeting that since that project involves huge funds including FDI it became necessary to commence the development activities at site.
- III. However, as formal clearance letter was not issued by the Authority, the same was treated as violation of EIA Notification by the competent authority.
- IV. In light of the above it is understood that the Management should have waited for release of prior EC before commencement.

The Management has taken the issue seriously and reviewed and discussed the environment related policy of the Company exhaustively. The only violation observed is that of the provisions of EIA Notification 2006.

**Taking into account the above facts the Management passed the following Resolution and Undertaking:**

The Management should have waited for release of prior EC before commencement. With this undertaking the Company extends its sincere apology for committing such violation. However, now all submissions and requisite exercise has been completed by the company for prior EC and the works at site have been stopped on directions of the experts committee till release of formal EC letter. The Company is now well aware of all the Environmental legislations as applicable to this project and ensures to follow the provisions of all the Environmental legislations. It is also submitted that such violations will not be repeated by the Company in future. Any construction activity in the project shall be taken up only after obtaining due environmental clearance from competent authority.

**Certified True Copy  
For Indore Treasure Town Private Limited**



**Director**

**INDORE TREASURE TOWN PRIVATE LIMITED**