

**Ref. No. Compliances/2023/181**

**Date: 15.12.2023**

To

- 1. The Deputy Director(s)/Scientist-C,  
Ministry of Environment Forest & Climate Change,  
Regional Office (Northern Regional Office),  
Bays No.-24-25, Sector-31, Chandigarh-160030**
- 2. The Chairman,  
Haryana State Pollution Control Board,  
C-11, Sector- 6, Panchkula-134109**
- 3. The Member Secretary,  
State Environment Impact Assessment Authority (SEIAA),  
Bays No. 55-58, Paryatan Bhawan, Sector-2, Panchkula-134109**
- 4. The In-Charge (Scientist E), Zonal Office (North),  
Central Pollution Control Board,  
PICUP Bhawan Vibhuti Khand, Gomti Nagar, Lucknow-226010**

Ref: EC Letter No. SEIAA/HR/2014/21 dated 13.01.2014

**Subject: Submission of 21<sup>st</sup> 6-monthly compliance report (April, 2023 to September, 2023) for “27.4 Acres Group Housing Project” at Sector 70, Village: Badshahpur & Fazilpur, Gurugram, being developed by M/s Unitech Limited.**

Sir,

1. You may be aware that, faced with numerous litigations filed by large number of homebuyers and stakeholders, the Hon'ble Supreme Court had directed the Union Government to appoint an independent management for Unitech Limited. In compliance thereto, the Central Government proposed the constitution of a new Board of Directors, which was approved by the Hon'ble Supreme Court vide its Order dated 20.01.2020 in *Bhupinder Singh Vs. Unitech Limited in Civil Appeal No. 10856/2016 (Annexure-A)*. Accordingly, the erstwhile management of Unitech Limited was superseded and a new Board of Directors was appointed to take over the management of Unitech Limited and its affiliates, under the chairmanship of **Mr. Y.S. Malik, IAS (Retd)**, formerly Secretary, Government of India.
2. Further, the Hon'ble Apex Court also in its order dated 20.01.2022 accepted the proposal of the Union Government to "...direct the Forensic Auditor, Asset Reconstruction Companies/ Banks/ Financial Institutions/ **State**


*Reed*

**Government(s) and all the regulators to extend co-operation to the proposed Board of Directors.**"

3. With reference to the subject cited above, the company wish to inform you that we have already obtained an Environment Clearance (EC) for the above "**27.4 Acres Group Housing Project**" at Sector 70, Village: Badshahpur & Fazilpur, Gurugram, vide your letter No. SEIAA/HR/2014/21 dated 13.01.2014 copy of which is attached as **Annexure-B**.
4. The new Board of Directors have submitted the requisite resolution framework as mandated by the Apex Court for completing the incomplete projects across India. Till the time final mandate is given by the Hon'ble Supreme Court, the construction activities on the stalled projects of M/s Unitech Limited and its subsidiaries, cannot be carried out. Therefore, presently no construction work is being carried out for the above said project since Jan 2020.

It is, therefore, requested to consider our last EC compliance report & environmental monitoring report submitted vide our Letter No. Compliances/2023/58 dated 30.06.2023, a copy whereof is enclosed as **Annexure-C**.

For Unitech Limited

  
(Nadeem Khan)  
Authorized Signatory

**Enclosures:**

1. Copy of the order dated 20.01.2020 passed by the Hon'ble Supreme Court of India in the matter titled "Bhupinder Singh Versus Unitech Limited" being Civil Appeal No. 10856/2016 and other connected matters is attached as **Annexure-A**.
2. Copy EC vide letter No. SEIAA/HR/2014/21 dated 13.01.2014 is attached as **Annexure-B**.
3. Copy of submitted EC compliance cover letter vide our letter No. Compliances/2023/58 dated 30.06.2023 is attached as **Annexure-C**.

ITEM NO.301

COURT NO.7

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

IA No. 163215/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 126833/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 179388/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 118418/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 131930/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 167501/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 127532/2019 - CLARIFICATION/DIRECTION  
 IA No. 143332/2019 - CLARIFICATION/DIRECTION  
 IA No. 168590/2019 - CLARIFICATION/DIRECTION  
 IA No. 117566/2019 - INTERVENTION APPLICATION  
 IA No. 127529/2019 - INTERVENTION APPLICATION  
 IA No. 116589/2019 - INTERVENTION APPLICATION  
 IA No. 116576/2019 - INTERVENTION APPLICATION  
 IA No. 122309/2019 - INTERVENTION APPLICATION  
 IA No. 142769/2019 - INTERVENTION APPLICATION  
 IA No. 118517/2019 - INTERVENTION APPLICATION  
 IA No. 134346/2019 - INTERVENTION APPLICATION  
 IA No. 118412/2019 - INTERVENTION APPLICATION  
 IA No. 117154/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 153933/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 126831/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 143330/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 168586/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 131928/2019 - INTERVENTION/IMPLEADMENT)

WITH

SLP(C) No. 9572/2007 (XI)

(IA No. 162939/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 35051/2019 - CLARIFICATION/DIRECTION

IA No. 12/2013 - EXEMPTION FROM FILING O.T.

IA No. 118081/2019 - INTERVENTION APPLICATION

IA No. 11/2013 - PERMISSION TO FILE ANNEXURES

IA No. 10/2013 - PERMISSION TO FILE ANNEXURES

IA No. 9/2011 - PERMISSION TO FILE ANNEXURES

IA No. 13/2016 - PERMISSION TO FILE ANNEXURES)

C.A. No. 11108/2016 (XVII-A)

IA No. 2/2016 - APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS

IA No. 8196/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 168352/2018 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 86487/2018 - CLARIFICATION/DIRECTION  
 IA No. 148794/2018 - CLARIFICATION/DIRECTION  
 IA No. 106354/2018 - CLARIFICATION/DIRECTION  
 IA No. 86494/2018 - CLARIFICATION/DIRECTION  
 IA No. 86492/2018 - INTERVENTION APPLICATION  
 IA No. 148790/2018 - INTERVENTION APPLICATION  
 IA No. 106352/2018 - INTERVENTION APPLICATION  
 IA No. 6125/2019 - INTERVENTION/IMPLEADMENT)

C.A. No. 10851/2016 (XVII-A)

IA No. 33331/2019 - APPLICATION FOR PERMISSION  
 IA No. 23396/2018 - CLARIFICATION/DIRECTION  
 IA No. 29665/2019 - CLARIFICATION/DIRECTION  
 IA No. 138022/2018 - CLARIFICATION/DIRECTION  
 IA No. 74496/2019 - CLARIFICATION/DIRECTION  
 IA No. 69785/2018 - EXEMPTION FROM FILING O.T.  
 IA No. 89520/2018 - I.A. FOR DIRECTION  
 IA No. 49108/2018 - INTERVENTION APPLICATION  
 IA No. 129613/2018 - INTERVENTION APPLICATION  
 IA No. 117001/2018 - INTERVENTION APPLICATION  
 IA No. 29804/2019 - INTERVENTION APPLICATION  
 IA No. 86677/2018 - INTERVENTION APPLICATION  
 IA No. 66018/2018 - INTERVENTION APPLICATION  
 IA No. 138019/2018 - INTERVENTION APPLICATION  
 IA No. 51916/2019 - INTERVENTION APPLICATION  
 IA No. 33334/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 23393/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 145062/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 69781/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 74495/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 49501/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 136620/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 2/2016 - PERMISSION TO FILE ANNEXURES)

C.A. No. 2511-2526/2017 (XVII-A)

S.L.P.(C)...CC No. 5129-5130/2017 (XIV)

IA No. 1/2017 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

C.A. No. 5174-5181/2017 (XVII-A)

(IA No. 106008/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 53934/2017 - CLARIFICATION/DIRECTION)

C.A. No. 5674/2017 (XVII-A)

C.A. No. 9391-9404/2017 (XVII-A)

IA No. 60512/2017 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 98431/2017 - INTERVENTION/IMPLEADMENT)

Mr. Sriram P, Adv.

Mr. R.N. Venjrani, Sr. Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. S.K. Rajora, Adv.  
Ms. Sandhya Sharma, Adv.

Mr. Ashutosh Srivastava, In-person

Mr. P.S. Narasimha, Sr. Adv.  
Ms. Babita Yadav, Adv.  
Ms. Swarupama Chaturvedi, Adv.  
Mr. Ashutosh Mohan, Adv.  
Mr. Aman Jha, Adv.  
Ms. Aparna Trivedi, Adv.  
Mr. Mukesh Kumar, Adv.

Mr. Rituraj Biswas, Adv.  
Mr. Rituraj Choudhary, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Proposal of the Union government

In pursuance of the order of this Court dated 18 December 2019, Mr K K Venugopal, learned Attorney General for India, has submitted a note on behalf of the Union government. The Union government had previously approached the National Company Law Tribunal in December 2017 to remove the existing management of Unitech Limited and to appoint ten nominee directors. In pursuance of the suggestions contained in the previous order, the Union government has indicated that it is prepared to revisit the proposal and to appoint nominee directors to take over the management of Unitech Limited, subject to the following stipulations:

"(i) That the Government will not infuse any funds for the completion of pending projects;

(ii) That this Hon'ble Court, to ensure a period of calm, will direct a moratorium for 12 months;

(iii) That this Hon'ble Court may appoint a retired Judge of the Supreme Court for supervising the resolution framework finalized by the proposed Board of Directors;

(iv) That this Hon'ble Court may allow the proposed Board of Directors to appoint key managerial persons (KMPs, on need based), professionals (legal, insolvency, financial advisors, real estate professionals, etc.) for assisting the Government appointed Board and payment of requisite professional fees including the legal fees thereof from the Company's account;

(v) That this Hon'ble Court may direct the promoters and the present management of the company to co-operate with the proposed Board of Directors;

(vi) That this Hon'ble Court may direct the Forensic Auditor, Asset Reconstruction Companies/Banks/ Financial Institutions/ State Government(s) and all the regulators to extend co-operation to the proposed Board of Directors;

(vii) That this Hon'ble Court may issue directions to restrain the promoters from alienating, mortgaging, creating charge or lien or interest in the movable and immovable properties owned by them;

(viii) That this Hon'ble Court may place, under the control of the proposed Board of Directors, all the projects carried out by the Asset Reconstruction Companies or independent parties, and the services of the Committee headed by Justice Dhingra may be put at rest;

(ix) That this Hon'ble Court may confer immunity for the proposed Directors in respect of the numerous litigations pending all over India in relation to the Company and its promoters, management, etc.;

(x) That this Hon'ble Court may permit the proposed Board of Directors to raise funds due from the home buyers, and to sell the unsold inventory of stock and the unclaimed inventory available for re-selling. Further, the proposed Board be allowed to monetize the unencumbered assets of the Company for completion of housing units. In addition, this Hon'ble Court may release, to the proposed Board of Directors, funds lying with this Hon'ble Court pertaining to the Company or its management;

(xi) That this Hon'ble Court recognizes and directs that without prejudice to any order, the Government has the right to refer the Company to liquidation or IBC like resolution outside the framework of IBC, in case the assigned takeover is not viable in the absence of requisite resources."

In response to the proposal which has been submitted before the Court on behalf of the Union government, the *amicus curiae* has submitted a status report dated 18 January 2020 containing some suggestions. The *amicus curiae* submitted that:

- (i) The Union government has created a stressed assets fund for real estate projects and hence the Ministry of Corporate Affairs should consult the Ministry of Finance to explore the possibility of releasing funds in the interests of the home buyers of Unitech Limited;

- (ii) The resolution framework should be submitted to this Court by the newly constituted board within a time schedule fixed by the Court;
- (iii) Justice S N Dhingra may also be a part of the Committee since he has considerable experience in regard to the sale of properties of Unitech Limited and construction of fresh buildings which has resulted in the possession of 514 units being handed over to the purchaser;
- (iv) The forensic auditors M/s Grant Thornton have expressed their willingness to support the new management on issues pertaining to the completion of projects, assets monetization, management of shareholders' interface and regulatory compliance, as a supervisory management agency;
- (v) The raising of funds from home buyers should be only when they fall due under the builder - buyer agreements or allotment letters;
- (vi) The newly constituted Board should also be permitted to monetize encumbered assets if feasible;
- (vii) At the present stage, the funds deposited in the Registry of this Court should not be released until a resolution framework plan has been finalized by the Board and is placed before this Court;
- (viii) Any action in future for liquidation or for a resolution outside the framework of the Insolvency and Bankruptcy Code should be only undertaken with the approval of this Court;  
and
- (ix) The newly constituted board should consider project viability and based on it, a decision may be taken on which projects should be constructed and where refunds to home buyers should be made.



We have also heard representations on behalf of the home buyers, asset reconstruction companies and the management of the Unitech Limited.

Mr Kapil Sibal, learned senior counsel appearing on behalf of the management of Unitech Limited, has submitted that

- (i) Unitech Limited has valid explanations to the observations contained in the report of the forensic auditors;
- (ii) In the event that any action is initiated in pursuance of the report of the forensic auditors by any investigation agency, the erstwhile management should be permitted to place its explanation on record; and
- (iii) The erstwhile management is willing to tender its explanation at some stage before this Court.

Mr Sibal also prefaced his submissions by contending that the data which has been disclosed in the report of the forensic auditors, as recorded in the previous order, would indicate that the assets of the company exceed the liabilities in value. It was also urged that it would be appropriate if a nominee (Mr Ramesh Chandra) of the erstwhile management is permitted to sit on the Board of Directors, together with an accountant, in order to facilitate cooperation being rendered to the new Board of Directors.

We are of the view that it would not be appropriate to

induct any nominee of the erstwhile management on the Board of Directors of Unitech Limited. The purpose of having an independent and professional Board of Directors to manage the company is precisely to obviate the serious problems which have arisen in the business of the company resulting *prima facie* from the misconduct of the earlier management. Inducting a representative of the erstwhile management will not facilitate the purpose of ensuring that the real estate projects are completed at an early date to fulfill the commitments to the home buyers.

We are of the view that the proposal which has been submitted on behalf of the Union government for the appointment of nominee directors on the Board of Unitech Limited must be accepted, having regard to the background which is set out in the previous order of this Court. The concern, which has weighed with the Court is the need to protect the interests of home buyers and to ensure that the monies which they have invested over long years results in their being placed in possession of the premises which are agreed to be sold to them in the foreseeable future.

The Union government has submitted that it would not be in a position to infuse funds for the completion of the pending projects. The learned Attorney General has submitted that though a Stressed Assets Fund has been set up by the Union government, the policy of the government

is not to make any funds available for matters where litigation is pending. We are not dilating on this aspect at this stage. The issue can be taken up at the appropriate stage.

At this stage, it would be appropriate if the Board of Directors constituted by the Union government submits to this Court a report within a period of two months suggesting the resolution framework.

We issue the following directions:

- (i) The existing Board of Directors of Unitech Limited is superseded with immediate effect in order to facilitate the taking over of management by the new Board of Directors constituted in terms of the proposal submitted by the Union government;
- (ii) The Union government has proposed that the Board of Directors shall consist of seven persons, whose names have been suggested in the proposal, namely,
  - (a) Shri Yudvir Singh Malik (retd.), IAS, Haryana cadre (Chairman & Managing Director);
  - (b) Shri Anoop Kumar Mittal;
  - (c) Ms Renu Sud Karnad;
  - (d) Shri Jitu Virwani;
  - (e) Shri Niranjana Hiranandani;

(f) Dr Girish Kumar Ahuja; and

(g) Shri B Sriram.

We permit the Union government to notify the constitution of the Board of Directors as proposed, subject to the addition of the name indicated in (iii) below;

(iii) In addition to the names which have been proposed by the Union government for the Board of Directors, we direct the induction of Mr Prabhakar Singh, Director General of the CPWD, who is due to attain the age of superannuation at the end of January 2020, as a member of the Board of Directors with effect from 1 February 2020;

(iv) All concerned including the erstwhile management of Unitech Limited shall cooperate with the newly constituted Board. The Board shall be at liberty to devise appropriate modalities for securing full disclosure of information from the erstwhile management;

(v) We request the newly constituted Board of Directors to prepare a resolution framework within a period of two months from today and to submit it to this Court;

(vi) In terms of the proposal which has been submitted by the Union government, this Court will pass

orders for appointing a former Judge of this Court for supervising the resolution framework immediately after it is submitted before this Court;

(vii) Pending further orders of this Court, there shall be a moratorium against the institution of proceedings against Unitech Limited and its subsidiaries. The moratorium shall also extend to existing proceedings against the company as well as the enforcement of orders that may have been passed against the company;

(viii) The moratorium which has been imposed by this Court in clause (vii) above shall not impede, affect or restrain any existing investigation or prosecution or any investigation or prosecution which may hereafter be initiated against the erstwhile management or officers of Unitech Limited for acts involving a criminal wrongdoing. This order shall not be construed as any restraint on the investigative process of any agency;

(ix) The erstwhile management of Unitech Limited, when it is called upon to respond to any requisition of an investigating agency based on the Report of the forensic auditors M/s Grant Thornton would explain and clarify its position;

(x) The order of moratorium shall not foreclose the statutory entitlement of the EPFO to enforce the claims for the payment of EPF and other related statutory dues

in accordance with law against the erstwhile management;

(xi) The implementation of existing projects under the auspices of the Justice Dhingra Committee will continue pending further orders. Further directions to facilitate these projects being brought under the control of the newly constituted Board of Directors shall be issued by this Court after the resolution framework is submitted;

(xii) The newly constituted Board of Directors would be at liberty to take a comprehensive view of all pending and other projects and to make such proposals as would appear to them to be proper;

(xiii) We have not interdicted the implementation of any project by the asset reconstruction companies, at this stage.

(xiv) The proposal submitted by the Union government is, hence, accepted.

Besides the directions issued above in regard to the moratorium, we accept the specific requests contained in clauses (iv), (v), (vi), (vii), (ix) and (x) of the proposal of the Union government and issue directions in the terms as sought.

Status Report of Amicus Curiae dated 18 January 2020

Fees of M/s Grant Thornton

Payment of the invoice dated 19 December 2019 of the Forensic Auditors M/s Grant Thornton is approved. The Registry shall disburse from the accrued interest an amount sufficient to cover the invoice by a demand draft drawn in the name of Grant Thornton India LLP.

Cancellation of Lease by NOIDA

On 18 December 2019, it was brought to the notice of this Court that NOIDA has cancelled the lease which was granted to Unitech in Sector 113, Noida. This has resulted in jeopardizing the rights of 1625 home buyers.

We have heard learned counsel appearing on behalf of NOIDA, who submits that NOIDA was unaware of the number of home buyers whose interests were involved in this particular project.

We consider this explanation of NOIDA to be unacceptable. When the Court was seized of the proceedings pertaining to Unitech Limited, we would have expected that NOIDA seeks the permission of this Court to initiate coercive action against the Unitech Limited. The assets of Unitech Limited, including its leasehold interests, constitute a valuable security for ensuring that they are monetized with a view to fulfill the

commitments to the home buyers.

We, hence, direct NOIDA to forthwith restore the lease of the land in favour of Unitech Limited in respect of the site in Sector 113, Noida.

This would be without prejudice to such rights and contentions that NOIDA may wish to urge before this Court in the present proceedings in regard to its outstanding dues.

#### Delhi Development Authority

The *amicus curiae* has placed on record a termination notice dated 27 September 2019 by the Delhi Development Authority in respect of an amusement park cum retail space located at Rohini, New Delhi.

Issue notice to the Delhi Development Authority, returnable in three weeks.

DDA is directed to file its response.

The *amicus curiae* shall serve a copy of the status report on DDA.

#### Refund of Fixed Deposit Holders

In terms of the previous orders passed by this Court, the process of disbursing the claims of fixed deposit holders who are senior citizens, aged 60 years and above, is directed to proceed.



Home buyers of the project 'Vistas'

Home buyers of the project 'Vistas' in Sector 17, Gurgaon, who seek to convert their options from refund to possession are permitted to do so. In order to facilitate this, the home buyers shall register their options for seeking possession instead of refund with the *amicus curiae*. However, the home buyers shall be informed that those among them who seek to alter their option to seek possession will be required to deposit in this court the monies which are payable against the offer of possession. These home buyers will be required to pay the balance payable on account of their allotted units at the time when the offer of possession is made. Those among the home buyers who have already received refunds but now seek possession shall be required to deposit the refunds in the Registry of this Court, together with interest at 9% per annum payable with effect from the date of disbursement until the date of deposit in the Registry of this Court. The *amicus curiae* shall prepare a list of such home buyers and share it with the Registry to facilitate the process.

Ex-employees

The *amicus curiae* states that pursuant to the web portal being opened to receive fresh claims of the employees, 257 employees have registered their claims.

The amount which has been claimed by the employees (as per the web portal) is stated to be Rs 27.94 crores, whereas according to the Unitech Limited, the amount is Rs 23.74 crores. This yields a difference of Rs 4.20 crores. At this stage, we authorise the *amicus curiae* to commence the process of making *pro rata* disbursements on account of outstanding (i) salary; (ii) gratuity; (iii) pension; (iv) provident fund; and (v) superannuation payments.

An amount of Rs 15 crore from the amount which is lying with the Registry is earmarked for disbursement on a *pro rata* basis to the ex-employees, as indicated above. The above payment will cover those of the 257 employees who have registered on the portal.

#### Bangalore land sale

From the report of the *amicus curiae*, it has emerged that M/s Devas Global LLP has defaulted in making a payment of Rs 52 crores which was due and payable as on January 2019.

We have heard Mr Vikram Hegde, learned counsel appearing on behalf of M/s Devas Global LLP.

In order to obviate the forfeiture of the entire amount, we grant one opportunity to M/s Devas Global LLP to deposit the balance amount of Rs 52 crores

representing the share of Unitech Limited, together with interest at the rate of 12% per annum, within a period of four weeks from today. Until then, M/s Devas Global LLP is restrained from creating any third party rights on the land which has already been registered from Unitech and two acres of access land from Mr Naresh Kumar Kempanna.

#### Chennai land sale

In respect of the land in Sriperumbudur, the MOU entered into by Unitech Limited with Priadarshini Foundations Pvt Ltd for the purchase of 380.38 acres of land at the rate of Rs 81 lakhs per acre is, according to the report of the *amicus curiae*, approved by the orders passed by this Court on 19 November 2018, 30 November 2018 and 7 December 2018.

As on date, according to the report of the *amicus curiae*, Rs 60 crores has been deposited in the Registry and an amount of Rs 85 crores is overdue as of 31 October 2019. An amount of Rs 15 crores was paid by three cheques which have been dishonoured on presentation.

We direct the purchaser, Priadarshini Foundations Pvt Ltd, to deposit the balance overdue as of date, inclusive of the overdue amount of Rs 85 crores as of 31 October 2019, within a period of four weeks from today in two equal tranches, the first of which shall be payable on or before the end of February 2020 and the second, on or

before 31 March 2020, together with interest at the rate of 12% per annum. The payments to be made shall be inclusive of the further deposits which fall due as per the schedule prescribed in the MOU.

Mr Rajiv Dutta, learned senior counsel, submits that the payments have fallen overdue because there were certain difficulties in the transfer of land from the affiliates of M/s Unitech Limited to the purchaser.

The *amicus curiae* has submitted before the Court that the modalities for the transfer of land would be duly completed and is being looked into by Justice Dhingra Committee.

Sale of Unitech Power Transmission Limited to Sterling and Wilson Pvt Ltd

The report of the *amicus curiae* indicates that M/s Sterling and Wilson Pvt Ltd has been seeking repeated extensions for making payments despite their initial commitment to make the payments by 8 October 2019.

The Registry shall issue notice to M/s Sterling and Wilson Pvt Ltd. The address for service shall be provided by the *amicus curiae*, within the course of the week. Notice shall be returnable in three weeks.

IA Nos 31375-376 of 2019 filed by JLL Properties Consultants India Private Limited

By its report dated 4 September 2019 [Annexure 5 of the report submitted by the *amicus curiae*], Justice Dhingra Committee has recommended the payment of an amount of Rs 58,42,500/- to M/s JLL Properties Consultants India Private Ltd on account of transaction advisory services for a property at Kolkata. The recommendations of the Committee are approved.

The Registry shall disburse an amount of Rs 58,42,500 by way of a demand draft drawn in favour of JLL Properties Consultants India Private Ltd.

IA Nos 31375-376 of 2019 shall stand disposed of.

The office report dated 18 January 2020 indicates that the four FDRs are maturing on different dates. The Registry is directed to reinvest the monies for a period of one year in a nationalized bank which offers better rates of interest.

List the matters on 10 February 2020 at 2 pm.

On the next date of hearing, the Court would proceed in the following order:

- (i) SLP (C) No 9572 of 2007 (Noida matter);
- (ii) Pending IAs.

(SANJAY KUMAR-I)  
AR-CUM-PS

(SAROJ KUMARI GAUR)  
COURT MASTER

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

No. SEIAA/HR/2014/21

Dated: 10-01-2014

To

M/s Unitech Ltd.  
 Regd. Office: 6, Community Centre,  
 Saket, new Delhi-110017

**Subject: Environmental Clearance for the Proposed 27.4 acres "Group Housing Project" at Sector-70, Village- Badshahpur, & Fazilpur, District-Gurgaon, Haryana.**

Dear Sir,

This letter is in reference to your application no. EC/MoEF/27.4 Group Housing-Gurgaon/1009/2011 dated 10-09-2011 addressed to Director, IA (III) MOEF GOI received on 15-09-2011; transferred to M.S. SEIAA, Haryana on 18-05-2012 and subsequent letters dated 24-08-2012, 10-06-2013 and 05-07-2013 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, EIA/EMP on the basis of approved TOR 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 meetings held on 08-08-2012, 28-09-2012 and 09-07-2013 awarded "Gold" grading to the project.

[2] It is inter-alia, noted that the project involves the construction of Group Housing project at Sector-70, Village- Badshahpur, & Fazilpur, District- Gurgaon, Haryana on a plot area of 27.4 acres (110883.69 sqmt.). The total built up area shall be 239720.76 sqmt. The Group Housing complex shall comprise of 5 Types of Residential Towers, 1416 nos. of Dwelling units, 250 nos. of EWS units, 142 nos. of Servant units, Convenient shopping, Primary school, Nursery school, Community building, 2 Basements for parking and services like STP, WTP. The maximum height of the building shall be 58.4 meter. The total water requirement shall be 1227 KLD. The fresh water requirement shall be 722 KLD. The waste water generation shall be 952 KLD, which will be treated in the STPs of 1220 KLD (600 KLD, 620 KLD) capacities leading to zero exit discharge. The total power requirement shall be 6630 KVA which will be supplied by DHBVN. The Project Proponent has proposed to develop green belt on 35% of project area (20.8% tree plantation + 14.2% landscaping). The Project Proponent proposed to construct 22 rain water harvesting pits. The solid waste generation will be

5494.65 kg/day. The bio-degradable waste will be treated in the project area by adopting appropriate technology. The total parking spaces proposed are 2549 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 05-08-2013 decided to agree with the recommendations of SEAC to accord necessary environmental clearance for the project under Category 8(b) 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.
- [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 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 lightening 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 22 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 6630 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~~ refuse area ~~uptil 24 meter~~ as per National Building Code.
- [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 no construction activity is undertaken either on surface or below or above surface of revenue rasta passing through the project area.
- [43] 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.
- [44] 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/DHBVN latest instructions.
- [45] The project proponent shall submit revised RWH calculation @ 45 mm/hr before the start of construction.

**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 shall be recycled. 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. Discharge of treated sewage shall conform to the norms and standards of HSPCB, Panchkula. 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 10 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 i.e. above the roof level as per the CPCB

norms. The diesel used for DG sets shall be ultra low sulphur diesel (50ppm 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 Residential Complex.
- [g] The project proponent as stated in the proposal should maintain at least 35% 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 evapo-transpiration 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 of utilities.
- [v] The project proponent shall ensure that the stack height of DG sets is more than the highest tower and also ensure that the emission standards of noise and air are within the CPCB 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 use only treated water instead of fresh water for DG cooling. 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, 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.

**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; SPM, RSPM, SO<sub>2</sub>, NO<sub>x</sub> (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 31<sup>st</sup> 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.

  
**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, Pkl.

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





**Ref. No. Compliances/2023/58**  
**Date: 30.06.2023**

To

- 1. The Deputy Director(s)/Scientist-C,  
Ministry of Environment Forest & Climate Change,  
Regional Office (Northern Regional Office),  
Bays No.-24-25, Sector-31, Chandigarh-160030**
- 2. The Chairman,  
Haryana State Pollution Control Board,  
C-11, Sector- 6, Panchkula-134109**
- 3. The Member Secretary,  
State Environment Impact Assessment Authority (SEIAA),  
Bays No. 55 58, Paryatan Bhawan, Sector 2, Panchkula-134109**
- 4. The In-Charge (Scientist E), Zonal Office (North),  
Central Pollution Control Board,  
PICUP Bhawan Vibhuti Khand, Gomti Nagar, Lucknow-226010**

Ref: EC Letter No. SEIAA/HR/2014/21 dated 13.01.2014

**Subject: Submission of 20<sup>th</sup> 6-monthly compliance report (October, 2022 to March, 2023) for "27.4 Acres Group Housing Project" at Sector 70, Village: Badshahpur & Fazilpur, Gurugram, being developed by M/s Unitech Limited.**

Sir,

1. You may be aware that, faced with numerous litigations filed by large number of homebuyers and stakeholders, the Hon'ble Supreme Court had directed the Union Government to appoint an independent management for Unitech Limited. In compliance thereto, the Central Government proposed the constitution of a new Board of Directors, which was approved by the Hon'ble Supreme Court vide its' Order dated 20.01.2020 in *Bhupinder Singh Vs. Unitech Limited in Civil Appeal No. 10856/2016 (Annexure-A)*. Accordingly, the erstwhile management of Unitech Limited was superseded and a new Board of Directors was appointed to take over the management of Unitech Limited and its affiliates, under the chairmanship of **Mr. Y.S. Malik, IAS (Retd)**, formerly Secretary, Government of India.
2. Further, the Hon'ble Apex Court also in its order dated 20.01.2022 accepted the proposal of the Union Government to "...direct the Forensic Auditor, Asset Reconstruction Companies/ Banks/ Financial Institutions/ **State**

**Government(s) and all the regulators to extend co-operation to the proposed Board of Directors.”.**

3. With reference to the subject cited above, we wish to inform you that we have already obtained an Environment Clearance (EC) for the above “**27.4 Acres Group Housing Project**” at Sector 70, Village: Badshahpur & Fazilpur, Gurugram, vide your letter No. SEIAA/HR/2014/21 dated 13.01.2014 copy of which is attached as **Annexure-B**.
4. The new Board of Directors have submitted the requisite resolution framework as mandated by the Apex Court for completing the incomplete projects across India. Till the time final mandate is given by the Hon'ble Supreme Court, the construction activities on the stalled projects of M/s Unitech Limited and its subsidiaries, cannot be carried out. Therefore, presently no construction work is being carried out for the above said project since Jan 2020.

It is, therefore, requested to consider our last EC compliance report & environmental monitoring report submitted vide our Letter No. Compliances/2022/64 dated 26.12.2022, a copy whereof is enclosed as **Annexure-C**.

For Unitech Limited

  
for **Authorized Signatory**

**Enclosures:**

1. Copy of the order dated 20.01.2020 passed by the Hon'ble Supreme Court of India in the matter titled "Bhupinder Singh Versus Unitech Limited" being Civil Appeal No. 10856/2016 and other connected matters is attached as **Annexure-A**.
2. Copy EC vide letter No. SEIAA/HR/2014/21 dated 13.01.2014 is attached as **Annexure-B**.
3. Copy of submitted EC compliance cover letter vide our letter No. Compliances/2022/64 dated 26.12.2022 is attached as **Annexure-C**.