

Minutes of 43rd meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 held on 8-9 February, 2021

Following members were present in the meeting:

- (i) Dr. Satish R Wate -Chairman
- (ii) Dr. G.V. Subrahmanyam -Member
- (iii) Dr. A.L. Ramanathan -Member
- (iv) Shri K Gowarappan -Member
- (v) Dr. Dilip S. Ramteke -Member
- (vi) Dr. Poonam Kumria -Member
- (vii) Dr. Bharat Jain -Member
- (viii) Dr.Subrata Maity -Member
- (ix) Shri Ashok Agrawal –Member
- (x) Shri Anil Kumar Jha -Member
- (xi) Shri Amardeep Raju-Member Secretary

Dr. Ramana Murthy could not join the meeting

Day 1: 8th February, 2021

Time: 11.00 AM to 05.30 PM

43.1. Opening remarks of the Chairman

43.2. Confirmation of the minutes of the 42nd meeting held on 28-29 January, 2021 at Indira Paryavaran Bhawan, JorBagh Road, New Delhi

43.3 Proposal for consideration

43.3.1. Proposed 70200 TPA of Limestone production including subgrade and OB from Putka Limestone Mine (MLA 97.013 Ha) of M/s Jyoti Pramanik located at Village Putka, District Bargarh, Orissa - Environmental Clearance Proposal No. IA/OR/MIN/195617/2018 and File No. 23-151/2018-IA.III (V)

Project Proponent along with the consultant made the detailed presentation before the EA and provided following information:

Putka Limestone Mines over an area of 97.031 hectares situated in village Putka, Thana – Jharbandh, in the district of Bargarh of Odisha State of Sri Jyoti Pramanik. The Mining Lease of Putka limestone mine over 240.674 Hectares was granted by Government of Odisha and executed

on 25.09.1974 for a period of 20 years. After part surrender an area of 97.031 ha. Was executed on 13.09.2017 for operation w.e.f. 25.09.1994. The lease period expired on 24.09.2014 and renewal application submitted. In view of section 8A of MM (D & R) Act, 2015 (as amended), lease period is deemed extent up to 24.09.2024.

There was no mining plan/scheme upto 2004-05. Mining Plan for a period of 5 yrs i.e. from 2005-06 to 2009-10 was approved by IBM, Bhubaneswar. Vide letter no. BBS/BR6/LST/MP-264 dated 16.11.2005 for a production of 70,200 TPA. Mining Plan could not be prepared from 2010-11 to 2015-16 as the mine was not under operation (violation case) due to want of environmental clearance. Mining Plan has been prepared for a period 2016-17 to 2021 and has been duly approved vide letter no MPM/OTFM/06-ORI/BHU/2016-17 dated 02.09.2016 with a maximum production 70,200 TPA.

The proposed project is listed in the new EIA notification S.O. 1533, dated 14th September 2006 as Category A under heading No.1(a) Mining of minerals. The project requires prior Environmental Clearance from MoEF & CC, New Delhi.

Present Status of the project

- ToR for the project was approved vide letter no: J-11015/167/2014-IA.II (M) on dated 23.11.2015.
- Environment Consultant Engaged for EIA/EMP study: M/s Visiontek Consultancy services Pvt. Ltd.
- Baseline study for the project was conducted during March to May 2016.
- Public hearing for the project was conducted on: 04.11.2016
- Final EIA/EMP report has been prepared and submitted to EAC, New Delhi
- The online proposal was submitted on 16th May 2017 for ToR/ EC as per provision of notification vide S.o. 804 (E) dated 14.03.2017 for Putka Limestone Mines over an area of 97.031 Ha under the case of violation of EIA notification 2006.
- A case has been initiated at SJDM, Padampur vide CC no: 02 of 2015 on dated 26.09.2015
- Based on the application a letter has been issued by MoEF & CC on 5th Jan 2018 regarding the compliance to violation.
- Hon'ble Supreme Court Judgment dated 02.08.2017 limited to Iron and Manganese ore mines only and it does cover the scope of limestone mines. So the invocation of section 21(5) under MMDR Act to determine excess of mining is not rational and so also the certification of state govt. with regard to recovery of such cost is under processing.
- Compensation assessed by DDM mines for the said mines is Rs.10, 50,906.00 and a show cause notice was issued. However the proponent approached the authority regarding the above show cause.

- The mining authority has advised that as there is no demand against the proponent hence the said amount cannot be deposited.
- The Lessee files an affidavit before the executive magistrate, Sambalpur on 26.08.2019 with regard to not repetition of the violation further and shall be abided by rule and regulation stipulated there in in statute. This affidavit has been submitted to MoEF & CC.
- In the mean time there is the change in EIA consultant from M/s Visiontek Consultancy services Pvt. Ltd to M/s Kalyani Laboratories Pvt. Ltd.

Now onwards M/s Kalyani Laboratory will be involved in the project regarding the case of violation and complying the ToR issued by the Hon'ble committee regarding violation.

Basic information:

1. Latitude and Longitude of the project:

Station	Latitude	Longitude
A-A/1	21 ⁰ 11' 16.3"	82 ⁰ 57' 37.8"
A/1-A/2	21 ⁰ 11' 05.4"	82 ⁰ 57' 37.8"
A/2-B	21 ⁰ 10' 51.8"	82 ⁰ 57' 38.1"
B-B/1	21 ⁰ 10' 40.8"	82 ⁰ 57' 38.3"
B/1-B/2	21 ⁰ 10' 40.6"	82 ⁰ 57' 27.6"
B/2-B/3	21 ⁰ 10' 40.5"	82 ⁰ 57' 17.0"
B/3-C	21 ⁰ 10' 40.4"	82 ⁰ 57' 06.4"
C-C/1	21 ⁰ 10' 40.4"	82 ⁰ 56' 58.9"
C/1-D	21 ⁰ 10' 50.5"	82 ⁰ 56' 58.8"
D-E	21 ⁰ 11' 02.4"	82 ⁰ 56' 58.7"
E-F	21 ⁰ 11' 02.4"	82 ⁰ 57' 13.6"
F-G	21 ⁰ 11' 09.1"	82 ⁰ 57' 13.5"
G-H	21 ⁰ 11' 09.3"	82 ⁰ 57' 26.6"
H-A	21 ⁰ 11' 16.1"	82 ⁰ 57' 26.5"

- 2. Whether the project is in the Critically Polluted Area(CPA):** No
- 3. Cost of the project:** 10 Crore
- 4. Employment generated/to be generated:** 60 Nos
- 5. Benefits of the project:** Drinking water supply to the local people. Road development and Maintenance.
- 6. Whether new or expansion project. If expansion:** 1st EC
- 7. If for expansion, whether the application is under 7(ii) of the EIA Notification,2006.:**
No

8. **No. and Date of the ToR /and revised ToR, if any, letter issued by the MoEF (if this is a case for EC):** TOR was issued vide letter No. 23-151/2018-IA.III(V) dated 24th Nov,2020
9. **If the project was considered in EAC, Pl. give dates of the meeting(s):** ToR approved in 36th meeting of EAC meeting 21st to 22nd September 2020.
10. **Type of Mine: (Opencast/Underground/mixed):** Opencast
11. **Capacity of the mine applied for:** Excavation of 70,200 TPA of Lime stone
12. **M.L. Area: As per block allotment: 97.031 Ha.As per approved mine plan: 97.031 Ha**
13. **Date of approval of mine plan, mine closure plan, status &date:** Mining Plan has been prepared for a period 2016-17 to 2021 and has been duly approved vide letter no MPM/OTFM/06- ORI/BHU/2016-17 dated 02.09.2016 with a maximum production 70,200 TPA.
14. **Date of Board's approval:** NA
15. **Date of Ground water clearance and surface water approval:** Ground water application has been made to CGWA on 31.07.2017 and approval is under process.
16. **Existing Ground water level in(M):**3 m
17. **Date of mine closure approval: Letter no: MPM/OTFM/06-ORI/BHU/2016-17 Dated 02.09.2016**
18. **Any river/Nallah flowing near or adjacent to the proposed mine. If yes, please give details. Murmuri Nala- Boundary of the Lease. Confluence point of ChirchiraNalaand Murmuranala 1.7 km from the lease area.**
19. **Details of mine lease:-**

Date of entering into original lease deed. 25.09.1974	Date of 1stlease renewal: 13.09.2007 Whether renewal or deemed renewal: renewal	Date of 2ndlease renewal Whether renewal or deemed renewal
Date of expiry of original lease deed: 25.09.1994	Date of expiry of 1stlease renewal/ deemed renewal: 24.09.2024	Date of expiry of 2ndlease renewal/Deemed renewal

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20. TECHNICAL DETAILS

Geological Reserve:

- (i) Total geological reserve: **1.495MT**
- (ii) Mineable reserve: **1.44MT**
- (iii) Extractable reserve: **1.44MT**
- (iv) Per cent (%) of extraction: 95%
- (v) Range of ground water level: 3-6m
- (vi) Total estimated water requirement: 25 KLD
- (vii) Details of intersecting ground water level: The ultimate depth of mining will be 10m below ground level and it will intersect the ground water table (below 3m)

21. Details of Deposits:

- (viii) Depth of over body: 0.2 – 0.3 m
- (ix) Grade of ore: 35% CaO
- (x) Stripping ratio: 1: 0.15

22. Method of mining:

On account of exposure of limestone and its limited depth opencast semi mechanized (OTFM) mining method will be adopted. The various mining operations such as drilling, blasting, excavation, loading, sizing and transportation will be done by jack hammer drill as well as 100mm dia DTH drill on single shift basis. Height and width of the benches will be kept at 3m and 6m respectively. The individual bench faces will be kept nearly vertical (75° - 85°) whereas the overall quarry slope angle (the angle between the line joining the toe of bottom bench and the crest of the top bench with the horizontal) is proposed to be kept at less than 27° with the horizontal.

Power gel explosive in conjunction with safety fuse & ordinary / electric detonators will be used for blasting to loosen hard rock mass for ease in excavation. Low capacity excavator and tippers will be used for excavation & loading and transportation. Jack hammers will be used for short hole drilling & blasting. Explosive consumption 0.5 kg/hole will be consumed.

23. Life of mine :13 Years

24. Whether ambient air quality seasonal data has been monitored. If so, from which season to which season and whether the results are within the prescribed limits.

25. Ambient air quality Monitoring carried out during March to May 2016

26. The ambient air quality results are within the prescribed limit
27. Whether the monitoring report of earlier EC from MoEF Regional Office has been obtained, in case the proposal is for expansion.: NA
28. **Details of O.B.**
- i) External OB dumps: 6
 - ii) No of OB dumps: 6
 - iii) Area of each dump: 0.510
 - iv) Height of each dump: 4 m
 - v) Quantity (in MCm) of OB in each dump: 0.0944cu.m
 - vi) Year of backfilling: 5
 - vii) No. of OB dumps reclaimed: Nil
 - viii) If garland drains and settlement facility for run off created: No
 - ix) Whether runoff water being utilized: No
29. **Details of Internal Dumps**
- i) Number of internal dumps: No
 - ii) Area of each dump: No
 - iii) Height of each dump:
 - iv) Quantity of wastes filled(MCm)
30. **Utilization potential of wastes**
- (i) Within the mines: Backfilling
 - (ii) Outside mines: Nil
31. **Details of final Mine Voids**
- i) Area:8.349 Ha
 - ii) Depth: 6m
32. **Details of Quarry:**
- i) Total quarry area: 97.031
 - ii) Backfilled quarry area of 8.349 ha shall be reclaimed with plantation
 - iii) A void of 8.349 ha at a depth of 6 m which is proposed to be converted into a water body
 - iv) Green belt created in ha.: 5 Ha
33. **Details of Land usage**

LANDUSE DETAILS

SL No.	Type of land use	As at present (ha)	As at the end of scheme period of 5 years (ha)	As at the end of conceptual period (life of mine) (ha)
1	Area under excavation	2.250	4.692	8.349
2	Storage for Topsoil	-----	0.239	0.578
3	Overburden dump	0.510	1.277	2.010
4	Mineral storage	1.649	3.470	3.470
5	Infrastructure (workshop, administrative building etc.	-----	0.050	0.050
6	Road	0.420	0.820	0.820
7	Railways	-----	-----	-----
8	Green belt	-----	1.000	5.000
9	Tailing pond	-----	-----	-----
10	Effluent Treatment Plant	-----	-----	-----
11	Mineral Separation plant	-----	0.530	0.530
12	Township area	-----	-----	-----
13	Others	0.010	0.10	0.10
	Sub Total	4.839	12.088	20.817
14	Undisturbed	92.192	84.943	76.214
	Total	97.031	97.031	97.031

34. Details of Forest issues

- i) Total forest area involved (in ha) for mining lease.: Nil
- ii) Whether schedule -I species, if yes conservation plan is approved by CWLW? No

35. Costs of the project:

- i) Total capital Cost: 10Crore
- ii) Cost of Production: Rs. 200/- per Ton production
- iii) Sale Price: Rs. 1000/- per Ton production
- iv) CSR cost: 2 Lakhs
- v) R&R Cost:
- vi) No of PAFs:
- vii) Cost for implementing EMP: 50Lakhs

36. Details of villages/habitation in mine lease area

- (xi) Inside the lease: Nil
- (xii) Surrender by lease: Nil
- (xiii) Extent of cropland acquired/ being acquired in ha.: Nil

37. Details of transportation of mineral

- i) In pit:
- ii) Surface to siding:
- iii) Siding to loading:
- iv) Quantity being transported by Road/Rail/conveyer/ropeway: 280 Tons/ day
- v) Proposed change in transportation means if any, give details: Transportation of material from the lease area to the user agency through trucks

38. Details of reclamation:

Afforestation shall be done covering an area of: 19.407 ha at the end of mining. This will include:

- (i) Reclaimed external OB dump (in ha): 6.058 (OB dump+ Top soil+ mineral storage)
- (ii) Reclamation of mined out quarry by plantation: 8.349 Ha
- (iii) internal dump (in ha),
- (iv) Green belt (in ha): 5 Ha
- (v) Density of tree plantation (in no of plants): 2500 per Ha
- (vi) Void (in ha) at a depth of (in m)which is proposed to be converted into water body: Nil
- (vii) Others in ha (such as excavation area along ML boundary, along roads and infrastructure, embankment area and in township located outside the lease etc).: 1.5 ha
- (viii) Agriculture and horticulture: No
- (ix) Fisheries: No
- (x) ECO Tourist/recreation spot: No

39. LEGAL ISSUES

Any court case pending. If so, please provide a list with details as annexure.

- (i). Environment (Protection) Act: Case no. 2 (c) CC No. 02 of 2015
- (ii). Air (P&CP) Act: Direction under Section 33A of the water (PCP) act, 1974 and 31 A of the Air (PCP) Act, 1981 vide order no. of OSPCB 4088/IND -I Con- (Misc) 1337 dated 3.312
- (iii). Water (P&CP) Act (iv). MMRD Act:
- (v). The Factories Act:
- (vi). Other land R&R related cases:

Any violation cases pending. If so, please provide a list with details as annexure:

Violation is pending vide Case no. 2 (c) CC No. 02 of 2015 in SJDM, Padmapur (Details attached as Annexure)

40. Give details of actual production vis-à-vis sanctioned capacity since the inception of mine in following format or since 1993-94 as applicable:

Year	Approved quantity as per E.C in MT/Annum	Actual Quality Produced(in MT)
1979-80		5414.850
1980-81		2860.714
1981-82		Nil
1982-83		Nil
1983-84		4373.545
1984-85		Nil
1985-86		Nil
1986-87	Not Maintained	4410.950
1987-88	Not Maintained	7575.500
1988-89	Not Maintained	1200.000
1989-90	Not Maintained	46.500
1990-91	Not Maintained	479.890
1991-92	Not Maintained	16.000
1992-93	Not Maintained	150.000
1993-94	Not Maintained	150.000
1994-95	Not Maintained	50.000
1995-96	Not Maintained	410.000
1996-97	Not Maintained	68.600
1997-98	Not Maintained	Nil
1998-99	Not Maintained	Nil
1999-2000	Not Maintained	5.500
2000-01	Not Maintained	4.480
2001-02	Not Maintained	0.000
2002-03	Not Maintained	Nil
2003-04	Not Maintained	Nil
2004-05	Not Maintained	Nil
2005-06	Not Maintained	Nil
2006-07	Not Maintained	3316.400
2007-08	Not Maintained	502.860
2008-09	Not Maintained	Nil
	TOTAL	31026.597

41. **PUBLIC HEARING ISSUES:** Date and Place of public hearing: 4.11.2016. The designation of officer presided over the PH: Additional District Magistrate, Baragarh. **Issues Raised by Public:** Proposed Environmental measures to be undertaken before the start of operation of mines. The mining activities have not upheld the economic status of the nearby locality

Views of Mining Authority

1. The proponent will provide all the facilities and peripheral development as per the rule and regulations of the state and central govt.
2. Many locals were working in the mines during earlier operations and were looking after their families.
3. Number of representation received in writing from the district and outside of district, please give details:14 Nos

42. **Consultant:** Name of the EIA consultant who prepared the EIA/EMP report: **M/s Kalyani Laboratories Private Limited, NABET certificate No: NABET/EIA/1922/RA0154 valid till 28th April 2022.** Whether the consultant has been accredited by the QCI and NABET as per the MoEF OM dated 2nd December,2009.: Yes. Name of specialists/consultants involved in making EIA report and in collecting data.: M/s VisiontekM/s Kalyani Laboratories Private Limited,

Observation and recommendation of the EAC in the present meeting:

After detailed presentation by the PP, EAC observed that proposed proposal is for 70200 TPA of Limestone production including subgrade and OB from Putka Limestone Mine (MLA 97.013 Ha). The Mining Lease of Putka limestone mine over 240.674 Hectares was granted by Government of Odisha and executed on 25.09.1974 for a period of 20 years. After part surrender an area of 97.031 ha. Was executed on 13.09.2017 for operation w.e.f. 25.09.1994. The lease period expired on 24.09.2014 and renewal application submitted. In view of section 8A of MM (D & R) Act, 2015 (as amended), lease period is deemed extent up to 24.09.2024. Mining Plan has been prepared for a period 2016-17 to 2021 and has been duly approved vide letter no MPM/OTFM/06-ORI/BHU/2016-17 dated 02.09.2016 with a maximum production 70,200 TPA. PP has started the work onsite without prior EC under EIA notification, 2006. There is no National Park or wild life Sanctuary within 10km from the project site.

EAC deliberated on the information submitted by the Project Proponent (Form 2, EIA/EMP report, PH issues, Annexures etc) **deferred** the project for want of following information:

- 1) Revised damage assessment cost as suggested during the meeting shall be assessed. Remediation, Natural and Community resource Augmentation plan is related to the EMP activities and confined to project site, therefore activities under all the three plan shall be revised for outside he project area.
- 2) Remediation, Natural and Community resource augmentation plan shall be prepared for three with monitorible capital investments
- 3) Rework on the table for monitoring stations w.r.t to predominant wind direction and accordingly incremental load shall be assessed using modelling tools.
- 4) Safety measures for water bodies in the vicinity of the mine lease area with details of safety zone for near habitation, agriculture and water bodies.
- 5) Rework on the dumping plan with details of garland drain and toe wall etc.
- 6) Details of peripheral plantation shall be submitted.

- 7) Monitorable Physical targets w.r.t the issues raised during Public Hearing shall be identified and incorporated under EMP.
- 8) Issues raised during the Public Hearing shall be tabulated along with the compliance submitted in response.
- 9) Details for reclamation of external dumps.
- 10) Details of transportation of mineral.

43.3.2. Bauxite Mining project (M.L. Area 254.51 ha) of M/s Prakash Anandrao Gaikwad for production enhancement from 60000 TPA to 120000 TPA, located at Village Udagiri, Shahuwadi, District Kolhapur, Maharashtra - Terms of Reference Proposal No. IA/MH/MIN/74496/2018 and File No. 23-265/2018-IA.III (V)

Observations and recommendations of committee of 14th EAC meeting held on 22th - 24th October, 2018:

EAC deferred the proposal as PP did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC noted that the Project proponent did not attend the meeting, however verification of the kml file on the DSS the instant mine lease was found adjacent to Tiger reserve. EAC advised the Ministry to obtain the comments from National Tiger conservation authority for the applicability of Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs Union of India) had directed inter alia, that no mining activity should be granted within the safety zone of 1 Km.

EAC further opined that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.3. Proposed expansion of Perwa Calcite Mine (ML No. 64/2012, Area 129.50 ha) and enhancement in production from 12500 TPA to 2001870 TPA by M/s Perwa Minerals, located near Village Perwa, Tehsil Reodar, District Sirohi, Rajasthan - Terms of Reference Proposal No. IA/RJ/MIN/74486/2018 and File No. 23-274/2018-IA.III (V)

Observations and recommendations of committee of 14th EAC meeting held on 22th - 24th October, 2018:

The EAC deferred the proposal as the project proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.4. Manganese Ore Mine (M.L. Area 22.73 Ha) of M/s Aditya Minerals Pvt. Ltd., located in Sy. Nos. 43 & 44, Village Ghotkuri, Mandal Tamsi and Sy. No. 87, 89, Village Guda, Mandal Jainath, District Adilabad, Telangana - Terms of Reference Proposal No. IA/TG/MIN/74459/2018 and File No. 23-275/2018-IA.III (V)

Observations and recommendations of committee of 14th EAC meeting held on 22th - 24th October, 2018:

The EAC deferred the proposal as the project proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.5. Gandlapally Limestone Mine of M/s Seetharam Cements Limited for production of 2.25 MTPA (M.L. Area 429.07 Ha), located at Survey. No. 58 to 74, 81 to 85 & 88 to 101, Village Gandlapally, Mandal Kodangal, District Mahabubnagar, Telangana - Terms of Reference Proposal No. IA/TG/MIN/74487/2018 and File No. 23-276/2018-IA.III (V)

Observations and recommendations of committee of 14th EAC meeting held on 22th - 24th October, 2018:

The EAC deferred the proposal as the project proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

Project proponent vide letter dated 04.02.2021 informed the Ministry that the State Government did not grant renewal/extension of the Mining lease. The Director of Mines and Geology & Indian Bureau of Mines, Hyderabad have also communicated that the mining lease was not in force and the question of extension of ML does not arise. Since SCL does not have valid Mining leases in hand as well as SCL also withdrew its proposal to setup the cement plant in view of the inadequate limestone resources available in the ML area, we are not keen to pursue the ToRs, hence request to close the subject matter submitted to the Ministry.

EAC deliberated on the above communication of the PP and opined that since the proposal was submitted under violation category by the project proponent itself therefore proposal should be examined by the EAC for the violation, if any. Accordingly, EAC recommend that the subject matter

cannot be closed as of now. Project proponent should make a detailed presentation on the project proposal in the next EAC meeting for further consideration.

43.3.6. DabakuchiNipani Manganese Ore mine of M/s Aditya Minerals Private Limited (M.L. Area 73.94 Ha), located in Sy. No. 27, 28A, 28B, 29 & 32 of Dabakuchi Village and Sy. No. 50A, 50B, 51A, 51B & 52 to 56 of Nipani Village, Thamsi Mandal, Adilabad District, Telangana - Terms of Reference Proposal No. IA/TG/MIN/74490/2018 and File No. 23-277/2018-IA.III (V)

Observations and recommendations of committee of 14th EAC meeting held on 22th - 24th October, 2018:

The EAC deferred the proposal as the project proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.7. Mining of Limestone minerals at Village ChakduraBathyn, Khrew, Tehsil -Pampore, District Pulwama, Jammu and Kashmir by M/s Dawar Cement Pvt. Ltd over an area of 21.106 Ha - Further consideration for Terms of Reference Proposal No. IA/JK/MIN/65104/2017 and File No. 23-23/2019-IA.III (V)

Observations and recommendations of committee of 30th EAC meeting held on 3rd- 4th February, 2020:

Project Proponent did not attend the earlier **EAC meeting (29th)**. Proposal was again listed for consideration for ToR, PP again did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.8. Jalahuri Iron & Manganese Mines (ML Area 182.109 Ha) at Villages Jalahuri, Khandbandh, Banspani& Baitarani R.F., Tehsil Champua, District Keonjhar (Odisha) by M/s Mala Roy & Others - Further consideration for Terms of Reference Proposal No. IA/OR/MIN/67049/2017 and File No. 23-176/2018-IA.III (V)

Observations and recommendations of committee of 10th EAC meeting held on 11-12th July, 2018:

Project proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.3.9. Expansion of Grain based Distillery from 25 KLPD to 60 KLPD at Sy. No. 284 (B), Subhash Nagar, Village Gaurgaon, Taluka Kallamb, District Osmanabad (Maharashtra) by M/s Adlers Bio-Energy Limited - Further consideration for Terms of Reference File No. J-11011/422/2011-IA.II(I)

Observations and recommendations of committee of 33rd EAC meeting held on 18th - 19th May, 2020:

Project Proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC noted that the Project Proponent did not attend the meeting, however informed following vide letter dated 18.01.2021:

Proposal to increase our factory capacity from 25 KLPD to 60 KLPD was considered in the in 15th Reconstituted Expert Appraisal Committee (Industry) meeting held on 10th, 11th June 2013. The proposal was further reconsidered in the 18th Reconstituted Expert Appraisal Committee (Industry) meeting held on 28th April 2014 to 30th April 2014 wherein the MOEF RO certified compliance report dated 07.02.2014 was discussed. After detailed deliberations, the Committee based on the information provided recommended the project for Environmental Clearance with stipulated specific conditions.

The Additional Director, (Industry-2) - IA Division, Ministry of Environment, Forest & Climate Change, (MoEFCC) Government of India vide his letter dated 02.02.2015 informed the Company as also the Principal Secretary, Environment Department, Government of Maharashtra, Mantralaya, Mumbai saying that the EC can be considered only after the following compliances are done –

- i. The matter relating to violation has been put to the Board of Directors of the Company or to the Managing Committee, for consideration of your environment related policy/plan of action and a written commitment in the formal resolution is submitted to MoEF to ensure that violations of the Environment (Protection) Act will not be repeated and

- ii. The State Government has initiated credible action on the violation and evidence provided to MoEF of the action taken.

The company has complied with above point no. i. and forwarded a written commitment in the form of a formal resolution stating that we will ensure that violation of the Environment (Protection) Act will not be repeated and the said resolution was submitted to you vide our letter dated 04/03/2015 (acknowledgement copy enclosed for your ready reference).

The Government of Maharashtra complied with above point no. ii. by initiating credible action on the violation by making MPCB file a RCC No. 587/2016 against Adlers Bioenergy Ltd. and have intimated to you the same vide their letter No. ENV-2015/legal/CR-3 dated 23/02/2017

PP submitted that since they have complied with all the points directed by the Additional Director, (Industry-2)-IA Division, Ministry of Environment, Forest & Climate Change, (MoEFCC) Government of India and informed your office before issuance of the Notification dated 14th March 2017 issued by the Ministry of Environment, Forest and Climate Change, New Delhi, they are eligible to get the Environment clearance.

EAC (violation) deliberated on the information submitted by the PP and opined that since the project was laterally transferred to the violation sector by the Industry sector after having aware of the above facts. EAC therefore recommend that the Project proponent should appear before the EAC (violation) in the next meeting with following details for further consideration:

- i. Certified year wise production details since inception of the company.
- ii. Details of statutory clearance obtained for 25 KLPD.
- iii. Date of court case filed under section 19 alongwith the status.

43.3.10. Sarah Kishnayat Ball Clay, Fire Clay, Red & Yellow Ochre Mine lease of M/s Deepak Mineral Industries for enhancement of production capacity from 20,000 TPA to 3,00,000 TPA (ROM) in the mining lease area 69.59 ha, located near Village Sarah Kishnayat, Tehsil Kolayat, District Bikaner, Rajasthan - Further consideration for Terms of Reference Proposal No. IA/RJ/MIN/71765/2017 and File No. J-11015/19/2018- IA.II(M)

Observations and recommendations of committee of 23rd EAC meeting held on 25th - 26th June, 2019:

Project Proponent did not attend the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

Day 2: 9th February, 2021

43.4.1. VenkateshKhani No. 7 Incline (VK-7 Incline) Underground Coal Mining project of 0.843 MTPA of M/s Singareni Collieries Company Limited at Village Rudrampur, Mandal Kothagudem, District Bhadradi Kothagudem (Telengana) - Environmental Clearance Proposal no. IA/TG/CMIN/194560/2017 and File No. 23-73/2018-IA.III (V)

Project Proponent alongwith the consultant (Environment Protection Training and Research Institute (EPTRI), Hyderabad made the detailed presentation before the EAC and provided following information:

VenkateshKhani No. - 7 (VK-7) Incline is an operating underground coal mine started in the year 1954 in a project area of 580.20 ha with a capacity of 0.843 MTPA (1993-94 Base level). As per the provisions of EIA Notification 1994/2006, read with subsequent OMs/Guidelines/Circulars, prior Environment Clearance was not obtained at the time of renewal of the mining lease in 2009 for carrying out mining operations. Hence, SCCL submitted an application to MoEF&CC in 2013, for seeking EC for the capacity of 0.843 MTPA. Subsequently the project proposal was delisted by MoEF&CC vide Ir. No.J-11015/293/2013-IA.II(M) dated 17.12.2013. MoEF&CC issued guidelines vide S.O.No.804(E), dated 14th March, 2017, under the EIA notification, 2006, for obtaining Environmental clearance for the projects involved in violation category.

Accordingly, as per S.O.804(E) on 06.06.2017 SCCL submitted Form-1 for 0.843 MTPA in an area of 580.20 ha. This project is covered in Kothagudem mining lease, approved vide GO MS No. 324, dt.12.12.2008 valid up to 26.04.2029.

Basic information:

- 1. If a Joint venture, the names & addresses of the JV partners :No**
- 2. Latitude and Longitude of the project:** Latitudes: 17⁰ 27' 07" to 17⁰ 30' 24" (North)
Longitudes: 80⁰ 40' 00" to 80⁰ 41' 30" (East)
Survey of India Topo sheet Nos. : 65 C/10&11
- 3. Whether the project is in the Critically Polluted Area (CPA) :No**
- 4. Cost of the project (in Rs.Lakhs) : 74.73**
- 5. Employment generated / to be generated. :846**
- 6. Benefits of the Project:**To meet the coal requirements of thermal power plants of Telangana State.
- 7. Whether new or Expansion project, If expansion:**

VK-7 Incline is an underground coal mine which started in the year 1954 and operating at a capacity of 0.843 MTPA (1993-94 Base level) without EC. The present proposal is for obtaining EC under violation category, as per MoEF&CC Notification, SO No. 804(E), dated 14th March, 2017.

9 a. If for expansion, whether the application is under 7(ii) of the EIA Notification, 2006 :Not applicable

9 b. If expansion please indicate the number and date of the Certified Compliance Report of Regional office of the MoEF :Not applicable

8. No. and Date of ToR letter issued by MoEF (if this is a case for EC)
F. No.23-73/2018-IA (III), dt. 19th Jun, 2019

9. No. and Date of EC letter issued by the MoEF (if this is a case for reconsideration. If so what specific recommendation (s) being sought by the proponent) :Not Applicable

10. If the project was considered in EAC, Pl give dates of the meeting (s)
The proposal was discussed in 5th EAC meeting held on 21st March, 2018 for grant of ToR.

11. Type of Mine: (Opencast / Underground / mixed :Underground Coal Mining Project

12. Capacity of the mine applied for :0.843 MTPA

13. ML Area

- (a) **As per block allotment** Not Applicable
- (b) **As per approved mine plan** 580.20 ha.

14. Date of approval of mine plans, status & date Mining Plan & Mine Closure Plan was approved by MoC vide No. 13016/32/1988-CA-II/Pt.1, Dt. 21.05.2015.

15. Date of Board's approval 02.05.2014

16. Date of Ground Water Clearance and surface water approval

Application for ground water clearance was submitted to State Ground water department and is under process.

17. Existing Ground water level in (M) (Depth from surface)

Pre-monsoon : 3.43 m to 12.30 m
Post-monsoon : 1.67 m to 7.10 m

18. Date of mine closure approval

Mining Plan including Mine Closure Plan was approved by MoC vide letter No.13016/32/1988/-CA-III/Pt.1 dated 21.05. 2015.

19. Any river / Nallha flowing near or adjacent to the proposed mine. If yes, please

give details.

A seasonal nallah "Tellavagu" flowing on the eastern side of the block from south to north was diverted outside of North-East side of mine boundary and is a ephemeral tributary of Murreru Vagu, which forms the major drainage channel.

TECHNICAL DETAILS

20. Geological Reserve:

- i. **Total Geological Reserves :16.297 MT**
- ii. **Mineable reserve :11.40 million tonnes**
- iii. **Extractable Reserves :5.295 MT (As on 01.04.2020)**
- iv. **Percent (%) of extraction :57.40%**
- v. **Range of ground water level :Pre-monsoon : 3.43 m to 12.30 m, Post-monsoon : 1.67 m to 7.10 m**
- vi. **Total estimated water requirement :1755 KLD**
- vii. **Details of intersecting ground water level :3.43 m**

21. Details of Seams

- i. **Depth of the ore body :Beyond 200 m.**
- ii. **Grade of ore :G-10**
- iii. **Stripping ratio :NA**

22. Method of mining:

Coal being extracted by adopting mechanized method of Board and pillar mining with Continuous Miners & LHDs and extraction of pillars by caving method.

23. Life of mine :5 Years (from 2020-21)

24. Whether ambient air quality seasonal data has been documented. If so from which season to which season and whether the results are within the prescribed limits. Yes.

The environmental baseline data was collected during Summer season (March - May, 2019) and the results are within the limits.

25. Whether the certificate of compliance of the earlier EC from MoEF Regional Office has been obtained, if the proposal is for expansion.

The mine was not having Environment Clearance earlier. Hence, obtaining certificate of EC compliance is not applicable.

26. Details of OB :Not Applicable as this is an underground mine.

27. Details of Internal Dumps :Not Applicable as this is an underground mine

29a Utilization potential of wastes

(i) **Within the mines** The solid waste was generated during tunneling, shaft sinking, etc.

(ii) **Outside mines** The separation of Shale/stones etc. will be done at CHP

(iii) **Efforts made by proponent** :The solid waste produced during drivage of tunnels and debris so produced from inter-seam drifts was utilized for underground track ballasting, leveling of the uneven floors and strengthening of surface bank head.
 Since, the mine is under operation since 1954; no appreciable quantity of solid waste is anticipated in future.

28. Details of final Mine Voids :Not Applicable as this is an underground mine

29. Details of QuarryNot Applicable as this is an underground mine

30. Details of Land usage

i. Pre-mining

Sl.No.	Description	Extent in ha.
1.	Forest Land	346.66
2.	Agriculture land	Nil
3.	Grazing land	125.59
4.	Waste land	-
5.	Builtup area	33.95
6.	Water Bodies	Nil
7.	Roads	5.96
8.	Prop. & Existing plantation	68.04
	Total	580.20

ii. Post Mining Land Use

Sl.No.	Description	Vegetation/Plantation in ha.
1.	Forest Land	346.66
2.	Reclaimed Non-Forest Land	233.54
	Total	580.20

iii. Core Area (Present Land Use)

Sl.No.	Description	Extent in ha.
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1.	Pit head infrastructure	6.75
2.	Infrastructure for area administration (MVTC, Stores, CHP etc.)	27.20
3.	Approach Roads	5.96
4.	Prop. & Existing plantation	68.04
5.	Other purposes like grave yard, garbage	125.59
Total SCCL Acquired Land		233.54
6.	Forest Land	346.66
Total		580.20

31. Details of Forest issues

- i. **Total forest area involved (in ha) for mining lease :** 346.66
- ii. **Total broken forest area :** Nil
- iii. **Status of Forest Clearance and extent of forest land diverted in ha.** Total forest land required for the mine i.e., 346.66 ha. was already diverted.
- iv. **Is there any National Park, eco-sensitive Zones, within 10 km radius? If so, give the details. :** Kinnerasani Sanctuary is at a distance of about 11 km from the mine boundary whereas Kinnerasani ESZ is at a distance of 9.3 km away from the mine boundary.
- v. **Extent of forest land in the project (including safety zone and all types of forest land) (in ha.) :** 346.66
- vi. **Total Forestland for which Stage-I FC available (give area in ha.), provide breakup of this area in following format:** Forest Clearance was obtained, vide Lr. No. 8-277/85-FC dated 17th February, 2009 and is valid for 20 years.
- vii. **Balance forest land for which Stage - I FC is not available (give area in ha.)** Not applicable
- viii. **Details of wild life issues involved, if any. If so, whether WL management plan has been prepared and please indicate the status.**

The project is located at a distance of 9.3 km from the ESZ of Kinnerasani Wildlife Sanctuary. Since, project area is not falling in the Sanctuary boundary, the project doesn't require prior clearance from Standing committee of the National Board of Wild life in accordance with OM F.No.22-43/2018-IA.III dated 8th August, 2019.

However, a Wildlife Conservation Plan has been prepared for protection of Schedule-I species in the study area of the project and the same was submitted to Principal Chief Conservator of Forests for approval.

- ix. **Whether schedule -I species, if yes conservation plan is approved by CWLW:** There are two schedule-I species i.e. Indian Peafowl & Indian Monitor Lizard present in study area of the project. Hence, a wild life conservation plan is prepared with fund provision of Rs. 478.60

Lakhs which is under approval stage.

32. Cost of the Project.

- i. Total Capital cost (Rs. Lakhs) : ₹ 74.73 Crores**
- ii. Cost of Production (Rs/tonne) : ₹ 3513 per Tonne**
- iii. Sale Price (Rs/tonne) : ₹ 3490 per Tonne**
- iv. CSR cost**

As per Companies Act, 2013 and Companies Social Responsibility Policy) Rules - 2014, SCCL is spending 2% of its average annual net profit calculated in accordance with the provisions of Section 198 of the Act made during three immediately preceding financial years in pursuance of its CSR policy on CSR activities each financial year.

In addition to the above, SCCL has so far deposited an amount of Rs. 670.68 Crores with District Collector, Bhadradi Kothagudem towards District Mineral Fund Trust (DMFT) for taking up developmental works in the region.

- v. R&R Cost : No R&R is involved.**
- vi. No of PAFs : Not Applicable**
- vii. Cost for implementing EMP**
 - Capital : ₹ 2.80 Crores,
 - Revenue : ₹ 0.42 Crores per Annum

33. Details of villages/habitation in mine lease area

34. Details of transportation of coal

- i. In pit** Coal from this mine is being transported to RCHP through belt conveyors.
- ii. Surface to siding** By belt conveyors
- iii. Siding to loading** From RCHP to consumers by trucks/rail
- iv. Quantity being transported by Road/Rail/conveyer /ropeway** 0.843 MTPA
- v. Proposed change in transportation means, if any, give details** Nil

35. Details of reclamation

- a. Total Afforestation plan shall be implemented covering an area of -----ha. at the end of mining. This will include: 233.54**
 - i. Reclaimed external OB dump** : Not Applicable
 - ii. Internal Dump in ha.** : Not Applicable
 - iii. Green belt in ha.** : 233.54
 - iv. Density of the plantation (in no. of plants)** : 2500 plants/ha.
 - v. Void (in ha.) at a depth of (in m) which is proposed to be converted into water body:** Not Applicable
 - vi. Other in ha (such as excavation area along ML boundary, along roads and infrastructure, embankment area and in township located outside the lease etc.)** : Not Applicable
 - vii. Agriculture and horticulture** Nil

viii. Fisheries Nil

ix. ECO Tourist/recreation spot Nil

I. LEGAL ISSUES

36. Any court cases pending. If so, please provide a list with details as annexure.

(i) Environment (Protection) Act

(ii) Air (P&CP) Act

(iii) Water (P&CP) Act

(iv) MMRD Act

(v) The Factories Act

(vi) Other land R&R related cases Nil.

37. Any court cases pending. If so, please provide a list with details as annexure :

As per the Terms of Reference given by MoEF&CC, the State Government / SPCB has to take action against the Project Proponent under the Provisions of the Environment (Protection) Act, 1986.

The State Government has directed SPCB to take appropriate action in this regard. Accordingly, TSPCB, Hyderabad advised all the Regional Offices of the concerned districts to take action.

38. Give the details of actual production vis-à-vis sanctioned capacity since inception of mine in following format:

Year	EC Sanctioned Capacity (MTPA)	Actual Production (MTPA)	Excess production beyond the EC sanctioned capacity (MTPA)
1993-94	This mine is working with 1993 - 94 base levels.	0.843	Not exceeded
1994-95		0.622	
1995-96		0.575	
1996-97		0.511	
1997-98		0.466	
1998-99		0.457	
1999-00		0.455	
2000-01		0.714	
2001-02		0.700	
2002-03		0.437	
2003-04		0.354	
2004-05		0.188	
2005-06		0.253	

2006-07		0.290	
2007-08		0.350	
2008-09		0.377	
2009-10		0.359	
2010-11		0.655	
2011-12		0.439	
2012-13		0.653	
2013-14		0.697	
2014-15		0.549	
2015-16		0.569	
2016-17		0.454	
2017-18		0.396	
2018-19		0.437	
2019-20		0.416	

II. PUBLIC HEARING ISSUES

39. Date and Place of Public hearing

Date: 24.11.2020

Place: Government Polytechnic College, Rudrampur Village, Chunchupalli Mandal, Bhadradri Kothagudem District, TS.

40. The designation of officer presided over

Additional District Collector, Bhadradri Kothagudem District.

Observation and recommendation of the EAC in the present meeting

After detailed presentation by the Project Proponent and consultant, EAC observed that VenkateshKhani No. - 7 (VK-7) Incline is an operating underground coal mine started in the year 1954 in a project area of 580.20 ha with a capacity of 0.843 MTPA (1993-94 Base level). As prior Environment Clearance was not obtained at the time of renewal of the mining lease in 2009 for carrying out mining operations, hence, SCCL submitted an application to MoEF&CC under Ministry's Notification S.O.No.804(E), dated 14th March, 2017 for obtaining Environmental clearance for the projects involved in violation category.

EAC further noted that this project is covered in Kothagudem mining lease, approved vide GO MS No. 324, dt.12.12.2008 valid up to 26.04.2029. Total forest land required for the mine i.e., 346.66 ha. was already diverted. The project is located at a distance of 9.3 km from the ESZ of Kinnerasani Wildlife Sanctuary. Since, project area is not falling in the Sanctuary boundary, the project doesn't require prior clearance from Standing committee of the National Board of Wild life in accordance with OM F.No.22-43/2018-IA.III dated 8th August, 2019.

However, a Wildlife Conservation Plan has been prepared for protection of Schedule-I species in the study area of the project and the same was submitted to Principal Chief Conservator of Forests for approval.

The EAC after detailed deliberation on the information submitted by the PP (EIA/EMP report, PH issues, Compliance report, Form 2, Annexures etc), **recommended** the proposal for grant of Environmental Clearance to the **VenkateshKhani No. 7 Incline (VK-7 Incline) Underground Coal Mining project of 0.843 MTPA** subject to the compliance of following Specific conditions in addition to all Standard conditions applicable for such projects:

- i. EAC recommended for an amount of **Rs 1,33,50,000** lakhs towards Remediation plan and Natural and Community Resource Augmentation plan to be spent within a span of three years. The details of Remediation plan, Natural resource Augmentation plan and Community Resource Augmentation plan with budgetary provision are mention below:

Remediation Plan with the budgetary provision:

S. No.	Component Remediation	Remediation Proposed	Description	Locations	Unit Rate in Rs.	Total Qty	Total Cost (Rs.)	Year I (Rs.)	Year II (Rs.)
1	Air and Noise environment and ecology	Avenue Plantation	Plantation of total 3500 No.s native plants at Rs.1000 per sapling, including maintenance for 3 years in nearby villages	1. Penubally 2. 3 Incline 3. Rampur 4. Penagadapa 5. Ambedkarnagar	1,000	3500	35,00,000	20,00,000	15,00,000
2	Water environment	Construction of check dams	Lumpsum (LS) cost including Materials, labour, construction and maintenance	1. Tellavagu 2. Penagadapa tank	10,00,000	2	20,00,000	10,00,000	10,00,000

			nce for one year						
I. Sub Total (Rs.)							55,00,000	30,00,000	25,00,000

II. Natural & Community Resource Augmentation Plan along with a budget:

S. No.	Component remediation	Remediation proposed	Description	Locations	Unit Rate in Rs.	Total qty.	Total cost (Rs.)	year I (Rs.)	year II (Rs.)
1	Natural Resource Augmentation Plan Activities	Energy Conservation by adapting Green Energy technology.	Providing 1 KW Solar Street Lighting (including panels, inverters, wiring, structure, connectors, junction boxes) in nearby by villages @ Rs.50,000 per unit.	1. Kothagudem 2. Rampur 3. Penagadapa 4. Ambedkar nagar	50,000	40	20,00,000	10,00,000	10,00,000
2	Community Resource Augmentation Plan	Development of Infrastructure	Development of Parks	1. Ramavaram 2. 3-Incline 3. Pengadapa	7,00,000	3	21,00,000	14,00,000	7,00,000
			Construction of CC drains	1. Penagadapa village	LS	20,00,000	20,00,000	10,00,000	10,00,000
			School repair	1. Rampur	LS	7,50,000	7,50,000	5,00,000	2,50,000

		Improving Health status of people during the pandemic (CoVID 19)	<p>Providing materials related to Covid-19 prevention to the nearby villagers. (@ Rs.2,00,000/village).</p> <p>1. Placement of 4 Nos of air & surface transmission prevention equipment for active containment of the pathogens (Including Corona family of viruses)- Rs.25,000/unit.</p> <p>2.Masks- Rs.50,000(Distribution of 2000 masks@ Rs.25/mask)</p> <p>3. Sanitisors- Rs.50,000 (Distribution of 1000 sanitizers @ Rs.50/sanitizer).</p>	<p>1. Ramavaram</p> <p>2. 3-incline</p> <p>3. Rudrampur</p> <p>4. Chunchupall</p> <p>5. Penagadapa</p>	2,00,000	5	10,00,000	10,00,000	-
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II. Sub Total (1+2+3) (Rs.)	78,50,000	49,00,000	29,50,000
Grand Total (I + II) (Rs.)	1,33,50,000	79,00,000	54,50,000

Summary

Sl. No.	Description	Estimated cost (Rs. in Lakhs)
1	Remediation Plan	55.00
2	Natural Resources Augmentation Plan	25.00
3	Community Resources Augmentation Plan	53.50
Total		133.50

- ii. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is Rs **1,33,50,000**. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rs **1,33,50,000/-** towards Remediation plan and Natural and Community Resource Augmentation plan with the SPCB prior to the grant of EC.
- iii. Remediation plan shall be completed in 3 years whereas bank guarantee shall be for 5 years. The bank guarantee will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.
- iv. Approval/permission of the CGWA/SGWA shall be obtained before drawing ground water for the project activities, if applicable. State Pollution Control Board (SPCB) concerned shall not issue Consent to Operate (CTO) till the project proponent obtains such permission.
- v. Wild life Conservation plan as approved by the Competent Authority shall be implemented.
- vi. The Environmental Clearance will not be operational till such time the Project Proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.
- vii. State Government concerned shall ensure that mining operation shall not commence till the entire compensation levied, if any, for illegal mining paid by the Project Proponent

through their respective Department of Mining & Geology in strict compliance of judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

- viii. Effective dust suppression system shall be adopted at the transportation site and in the other parts of the mining lease to arrest the fugitive dust emission.
- ix. Project proponent shall take necessary other clearances/permissions under various Acts and Rules if any, from the respective authorities / department.
- x. The mining lease holder shall, after ceasing mining operations, under take re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to condition which is fit for growth of fodder, flora and fauna etc.
- xi. State Government/SPCB to take action against the Project Proponent under the provision of Section 19 of the E(P) Act.
- xii. In pursuance to the Ministry's OM dated 30.09.2020, Project Proponent shall take up the following activities for community development under EMP:

S.No.	Activities	Quantity	Unit rate	Total (Rs.)	Year - I (Rs.)	Year – II (Rs.)
1	Repair of CC roads in Penagadappa village	LS	LS	30,00,000	15,00,000	15,00,000
2	Construction of Drains in Penagadappa Village.	LS	LS	15,00,000	10,00,000	5,00,000
3	Construction of Drains in Rampur Village.	LS	LS	15,00,000	10,00,000	5,00,000
4	Repair works for school building in Rampur Village	LS	LS	7,00,000	7,00,000	0
5	Repair works for school building in Ambedkar Nagar Village	LS	LS	7,00,000	7,00,000	0
6	Providing furniture to the schools of Rampur school	LS	LS	1,00,000	1,00,000	0
Total				75,00,000	50,00,000	25,00,000

43.4.2. Dhanwasa MoneBanour Limestone Mine of M/s Shri Mam Chand Goyal & Sons in area of 4.958 Ha, located at Village Banour, Tehsil Paonta Sahib, District Sirmour, Himachal Pradesh - Terms of Reference Proposal No. IA/HP/MIN/27364/2015 and File No. J-11015/189/2015- IA.II (M)

Observations and recommendations in the 19th EAC held on 25th -26th Feb 2019

Proposal was earlier listed in the 19th EAC meeting to appraise the project under violation category for issue of Terms of Reference. However, the PP did not attend the meeting. During the EAC (Violation) meeting the Additional Director, Non-Coal Mining sector informed the following:

1. The meeting was held on 14.12.2018 between Additional Director, Non Coal Mining sector, MoEF&CC and the proponents namely M/s, Balbir Singh Supa Ram, M/s Mam Chand Goyal & Sons, M/s Deepak Chawla and M/s Shri Rakesh Chaudhary to whom an opportunity was given present their case in pursuant to the judgment of the Hon'ble High Court of Himachal Pradesh judgment dated September 13, 2018 in the matter of CWP No. 2155 of 2018 titled as M/s Balbir Singh Shupa Ram Vs U.O.I. the order inter-alia, mentioned as,

“If petitioner is permitted to file fresh representation within three days from today and respondents/Competent authority is directed to decide the same within two weeks thereafter”.

2. During the meeting Additional Director, MoEF&CC explained the various provisions of the EIA notification, 2006 as amended time to time. He also explained the judgment of Hon'ble Supreme Court judgment dated 02.08.2017 in the matter of Common Cause Vs Union of India and also mentioned about the Ministry's Notification (Violation) S.O. 804 dated 14.03.2017 wherein para “13.(1) clearly mentioned that “the projects or activities or the expansion or modernization of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority” shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the notification dated 14.03.2017.

Based on deliberations it is observed that all the PPs were carried out mining activity without prior EC and their proposals are to be handled as per the Ministry's notification S.O. 804 dated 14.03.2017. Accordingly, file was transferred for appraisal by EAC (Violation).

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

Project Proponent attended the meeting and apprised following to the EAC:

ToR to the proposal was granted on 29.06.15 by the Non-Coal mining sector. Public hearing has been conducted on 25.04.2016. After conducting public hearing, final EIA/EMP report incorporating all ToR points & public hearing proceeding on 20.08.2016 uploaded on portal. Case was presented in 11th meeting of the reconstituted expert appraisal committee as item no. 2.10. Wherein committee recommended the case. During the presentation previous year production detail has been also discussed in ToR point no. 1. EC was granted on 31.01.2017.

After grant of EC a Show cause was issued by the MoEF & CC vide reference no- J-11015/189/2015.1A-11 (M) Date 17th July 2017 about revoking of EC granted for carrying out mining activities after 15th January 2016. MoEF & CC also directed for submission of past

production details duly authenticated by the state mining department. Reply of Show cause was submitted to the Ministry.

Subsequently, based on our reply furnished to the Ministry, letter dated **30th January 2018** regarding EC letter kept in abeyance was issued.

After that PP has stopped mining. Honourable High court of Himachal Pradesh has referred our case to MOEF & CC. Accordingly, in compliance to the Hon'ble High court Order, Ministry vide letter dated 07th Dec 2018 directed for the hearing at MoEFCC. Accordingly, meeting was attended by the Project on 14.12.2018.

After hearing, Ministry issued a letter vide dated **28.01.2019** conveying that the proposal has been sent to the violation sector for necessary action as per the Ministry's notification dated 14.03.2017.

Further, Honourable high court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and O.M dated 28.01.2019 via order 19.02.2019. same was communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

In view of the above submission, PP requested for exempt our case from violation as we have valid EC letter granted by MOEF & CC.

EAC (violation) deliberated on the submissions of the Project Proponent. EAC noted that the subsequent to the revocation order dated 30.01.2018, proposal was transferred to the violation committee by the Non-Coal Mining sector duly informing the Project Proponent vide letter dated 28.01.2019. Now, Honourable high court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and 28.01.2019 via order 19.02.2019. Same was also communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

EAC opined that since the matter referred to the violation committee has been challenged in the Court and Hon'ble court has already stayed the Ministry decision dated 28.01.2019 regarding consideration of proposal under Ministry's Notification dated 14.03.2017, therefore EAC recommend that matter shall be referred to the Non-Coal Mining sector for further consideration at their end.

43.4.3. Banour Limestone Mine of M/s Shri Deepak Chawala in area of 4.75 Ha, located at Village Banour, Tehsil Paonta, District Sirmaur, Himachal Pradesh - Terms of Reference Proposal No. IA/HP/MIN/27408/2015 and File No. J-11015/187/2015- IA.II (M)

Observations and recommendations in the 19th EAC held on 25th -26th Feb 2019

During the EAC (Violation) meeting the Additional Director, Non Coal Mining sector informed the following: 1. The meeting was held on 14.12.2018 between Additional Director, Non Coal Mining sector, MoEF&CC and the proponents namely M/s, Balbir Singh Supa Ram, M/s Mam Chand Goyal & Sons, M/s Deepak Chawla and M/s Shri Rakesh Chaudhary to whom an opportunity was

given present their case in pursuant to the judgment of the Hon'ble High Court of Himachal Pradesh judgment dated September 13, 2018 in the matter of CWP No. 2155 of 2018 titled as M/s Balbir Singh Shupa Ram Vs U.O.I. the order inter-alia, mentioned as,

“If petitioner is permitted to file fresh representation within three days from today and respondents/Competent authority is directed to decide the same within two weeks thereafter”.

2. During the meeting Additional Director, MoEF&CC explained the various provisions of the EIA notification, 2006 as amended time to time. He also explained the judgment of Hon'ble Supreme Court judgment dated 02.08.2017 in the matter of Common Cause Vs Union of India and also mentioned about the Ministry's Notification (Violation) S.O. 804 dated 14.03.2017 wherein para “13.(1) clearly mentioned that “the projects or activities or the expansion or modernization of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority” shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the notification dated 14.03.2017.

Based on deliberations it is observed that all the PPs were carried out mining activity without prior EC and their proposals are to be handled as per the Ministry's notification S.O. 804 dated 14.03.2017. Accordingly, file was transferred for appraisal by EAC (Violation).

Proposal was then listed in the present meeting (19th EAC meeting) to appraise the project under violation category for issue of Terms of Reference with regard to Violation Notification dated 14.03.2017. However, the PP had not attended the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

Project Proponent attended the meeting and apprised following to the EAC:

ToR to the proposal was granted on 29.07.15 by the Non-Coal mining sector. Public hearing has been conducted on 25.04.2016. After conducting public hearing, final EIA/EMP report incorporating all ToR points & public hearing proceeding was uploaded on portal on 20.08.2016. Case was presented in 11th meeting of the reconstituted expert appraisal committee as item no. 2.11. Wherein committee recommended the case. During the presentation previous year production detail has been also discussed in ToR point no. 1. EC was granted on 15.02.2017.

After grant of EC a Show cause was issued by the MoEF & CC vide reference no- J-11015/189/2015.1A-11 (M) Date 17th July 2017 about revoking of EC granted for carrying out mining activities after 15th January 2016. MoEF & CC also directed for submission of past production details duly authenticated by the state mining department. Reply of Show cause was submitted to the Ministry.

Subsequently, based on our reply furnished to the Ministry, letter dated **30th January 2018** regarding EC letter kept in abeyance was issued.

After that PP has stopped mining. Honourable High court of Himachal Pradesh has referred our case to MOEF & CC. Accordingly, in compliance to the Hon'ble High court Order, Ministry vide letter dated 07th Dec 2018 directed for the hearing at MoEFCC. Accordingly, meeting was attended by the Project on 14.12.2018.

After hearing, Ministry issued a letter vide dated **28.01.2019** conveying that the proposal has been sent to the violation sector for necessary action as per the Ministry's notification dated 14.03.2017.

Further, Honourable high court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and O.M dated 28.01.2019 via order 19.02.2019. same was communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

In view of the above submission, PP requested for exempt our case from violation as we have valid EC letter granted by MOEF & CC.

EAC (violation) deliberated on the submissions of the Project Proponent. EAC noted that the subsequent to the revocation order dated 30.01.2018, proposal was transferred to the violation committee by the Non-Coal Mining sector duly informing the Project Proponent vide letter dated 28.01.2019. Now, Honourable high court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and 28.01.2019 via order 19.02.2019. Same was also communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

EAC opined that since the matter referred to the violation committee has been challenged in the Court and Hon'ble court has already stayed the Ministry decision dated 28.01.2019 regarding consideration of proposal under Ministry's Notification dated 14.03.2017, therefore EAC recommend that matter shall be referred to the Non-Coal Mining sector for further consideration at their end.

43.4.4. Banour Limestone Mine of M/s Balbir Singh Supa Ram in area of 0.847 Ha with production capacity of 25,000 TPA (ROM), located at near Village Banour, Tehsil Paonta Sahib, District Sirmour, Himachal - Terms of Reference Proposal No. IA/HP/MIN/27362/2015 and File No. J-11015/117/2015- IA.II (M)

Observations and recommendations in the 19th EAC held on 25th -26th Feb 2019

During the EAC (Violation) meeting the Additional Director, Non Coal Mining sector informed the following: 1. The meeting was held on 14.12.2018 between Additional Director, Non Coal Mining sector, MoEF&CC and the proponents namely M/s, Balbir Singh Supa Ram, M/s Mam Chand Goyal & Sons, M/s Deepak Chawla and M/s Shri Rakesh Chaudhary to whom an opportunity was given present their case in pursuant to the judgment of the Hon'ble High Court of Himachal Pradesh judgment dated September 13, 2018 in the matter of CWP No. 2155 of 2018 titled as M/s Balbir Singh Shupa Ram Vs U.O.I. the order inter-alia, mentioned as,

“If petitioner is permitted to file fresh representation within three days from today and respondents/Competent authority is directed to decide the same within two weeks thereafter”.

2. During the meeting Additional Director, MoEF&CC explained the various provisions of the EIA notification, 2006 as amended time to time. He also explained the judgment of Hon’ble Supreme Court judgment dated 02.08.2017 in the matter of Common Cause Vs Union of India and also mentioned about the Ministry’s Notification (Violation) S.O. 804 dated 14.03.2017 wherein para “13.(1) clearly mentioned that “the projects or activities or the expansion or modernization of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority” shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the notification dated 14.03.2017.

Based on deliberations it is observed that all the PPs were carried out mining activity without prior EC and their proposals are to be handled as per the Ministry’s notification S.O. 804 dated 14.03.2017. Accordingly, file was transferred for appraisal by EAC (Violation).

Proposal was then listed in the present meeting (19th EAC meeting) to appraise the project under violation category for issue of Terms of Reference. However, the PP had not attended the meeting.

Observations and recommendations of the EAC in the present meeting (43rd) held on 08th-09th February 2021.

Project Proponent attended the meeting and apprised following to the EAC:

ToR to the proposal was granted on 29.06.15 by the Non-Coal mining sector. Public hearing has been conducted on 25.04.2016. After conducting public hearing, final EIA/EMP report incorporating all ToR points & public hearing proceeding was uploaded on portal on 20.08.2016. Case was presented in 11th meeting of the reconstituted expert appraisal committee as item no. 2.6. Wherein committee recommended the case. During the presentation previous year production detail has been also discussed in ToR point no. 1. EC was granted on 31.01.2017.

After grant of EC a Show cause was issued by the MoEF & CC vide reference no- J-11015/189/2015.1A-11 (M) Date 17th July 2017 about revoking of EC granted for carrying out mining activities after 15th January 2016. MoEF & CC also directed for submission of past production details duly authenticated by the state mining department. Reply of Show cause was submitted to the Ministry.

Subsequently, based on our reply furnished to the Ministry, letter dated **30th January 2018** regarding EC letter kept in abeyance was issued.

After that PP has stopped mining. Honourable High court of Himachal Pradesh has referred our case to MOEF & CC. Accordingly, in compliance to the Hon’ble High court Order, Ministry vide letter dated 07th Dec 2018 directed for the hearing at MoEFCC. Accordingly, meeting was attended by the Project on 14.12.2018.

After hearing, Ministry issued a letter vide dated **28.01.2019** conveying that the proposal has been sent to the violation sector for necessary action as per the Ministry's notification dated 14.03.2017.

Further, Honourable high court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and O.M dated 28.01.2019 via order 19.02.2019. same was communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

In view of the above submission, PP requested for exempt our case from violation as we have valid EC letter granted by MOEF & CC.

EAC (violation) deliberated on the above submissions of the Project Proponent. EAC noted that the subsequent to the revocation order dated 30.01.2018, proposal was transferred to the violation committee by the Non-Coal Mining sector duly informing the Project Proponent vide letter dated 28.01.2019. Now, Honourable High court of Himachal Pradesh (Case no. 341/2019) has stayed both letter dated 30.01.2018 and 28.01.2019 via order 19.02.2019. Same was also communicated to the Non-Coal mining sector vide letter dated 08.03.2019.

EAC opined that since the matter referred to the violation committee has been challenged in the Court and Hon'ble court has already stayed the Ministry decision dated 28.01.2019 regarding consideration of proposal under Ministry's Notification dated 14.03.2017, therefore EAC recommend that matter shall be referred to the Non-Coal Mining sector for further consideration at their end.

43.4.5. Silica Sand & Masonary stone mining along with Processing, Crushing, Sizing, Grinding, Washing and beneficiation with proposed production capacity of 79,00,000 TPA (ROM) by M/s Shivalik Silica, located near Village Agawali, Tehsil Bayana, District Bharatpur, Rajasthan (MLA 49.56 Ha & ML No. 2/93) - Further consideration for Terms of Reference Proposal No. IA/RJ/MIN/73413/2018 and File No. J-11015/50/2018-IA.II (M)

Observations and recommendations of committee of 23rd EAC meeting held on 25th - 26th June, 2019:

Project proponent did not attend the meeting.

Observations and recommendations of committee of EAC in its 43rd meeting (present meeting) held during 08th – 09th February, 2021:

EAC observed that proposal was listed earlier for appraisal, however, PP did not attend the meeting. This time again PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.4.6. Proposed expansion of Insecticide (Insecticide Active Ingredients) production plant at Brahmanpara, P.O. & P.S. - Haripal, District Hooghly, west Bengal by M/s Solex Chemicals Pvt. Ltd. - Further consideration for Terms of Reference Proposal No. IA/WB/IND2/70221/2017 and File No. J-11011/511/2017- IA-II(I)

Observations and recommendations of committee of 33rd EAC meeting held on 18th - 19th May, 2020:

Project Proponent did not attend the meeting.

Observations and recommendations of committee in the present meeting (43rd)

Project Proponent (PP) vide email dated 09.02.2021 informed that their proposal has been appraised by EAC ind-2 in its 26th Meeting and recommended for grant of Environmental Clearance. Accordingly Environmental Clearance has been accorded from MoEF&CC vide file no J-11011/511/2017-IA-II(I) dated 5th January 2021. Hence, PP requested for no further action to be taken.

EAC deliberated on the submission of the PP. EAC noted that instant proposal was referred to this committee by the Industry sector as lateral entry proposal and accordingly it was listed in the 33rd EAC meeting for violation cases. However, PP did not attend the meeting. Now having informed by the PP that Industry sector has appraised this project and granted EC, therefore EAC (violation) opined and recommend that proposal along with the file may be returned to the Industry sector for further necessary action at their end.

43.4.7. Proposed residential cum commercial project at Nilemore village, Vasai Tal, Palghar District, Maharashtra State by M/s Anil R Gupta - Further consideration for Terms of Reference Proposal No. IA/MH/MIS/63953/2017 and File No. 23-3/2017-IA.III

Observations and recommendations of committee of 1st EAC meeting held on 22nd June, 2017:

During appraisal of the proposal, the Committee noted the following:-

- (i) Initially, sanctions were obtained by the individual landowners on 23rd September, 2009. Later, all the plots were amalgamated on 11th July, 2012 for better planning purpose and infrastructure in the name of M/s Anil R. Gupta.
- (ii) The proposed residential project involves construction of 628614.14 sqm of built up area in total plot area of 378746.39 sqm at Nilemore village, Vasai Taluka in District Thane (Maharashtra) by M/s Anil R Gupta.
- (iii) Based on the recommendations of SEAC, ToR for the project was issued on 5th October, 2012.
- (iv) The proposal for grant of EC was first considered by the SEAC in its meeting held on 24th March, 2014 under Category 8(a) B1 as per the EIA Notification, 2006. The Committee noted that the construction was already taken up at the project site without obtaining prior EC. Based on their observations, show cause notice was issued by the Environment Department of the State Government on 3rd June, 2014. In reply dated 12th June, 2014, the project proponent themselves admitted the total construction area of 134184.97 sqm.
- (v) The proposal was further considered by the SEAC in its meetings held on 1st February, 2015 & 17th November, 2015. The SEAC was informed about the action taken on violations by the Environment Department of the State Government vide their letter dated 8th December,

2014, and the criminal case No.88/2015 dated 21st January, 2015 filed before the First Class Judicial Magistrate, Vasai by the Maharashtra Pollution Control Board (MPCB). The SEAC in its 40th meeting held on 17th November, 2015 decided to recommend the proposal to SEIAA for grant of EC subject to compliance of certain conditions.

- (vi) During 95th meeting of SEIAA held on 12th January, 2016, the Authority noted the recommendations of the SEAC and also the case filed against the project proponent for construction of 52304.26 sqm without obtaining prior EC required under the EIA Notification, 2006. The SEIAA further observed and concluded that in view of the blatant violation and disregard of the provisions contained in the Environment (Protection) Act, 1986, the proposal was not a fit case for grant of EC and to defer the case till the criminal case No.88/2015 dated 21st January, 2015 filed before the First Class Judicial Magistrate, Vasai is decided.
- (vii) The project proponent informed to the EAC that the total construction area as on today is 463274.76 sqm.

The EAC, after deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, noted that the project continued even after the issue of show cause notice on 3rd June, 2014 by the Environment Department of State Government, and the area of 463274.76 sqm already built up as on today without obtaining the prior EC, and thus amounts to blatant violation of the provisions of the EP Act, 1986.

The Committee also observed the discrepancy in respect of construction area reported to SEAC/SEIAA on 12th January, 2016 and the State Government of Maharashtra on 12th June, 2014.

In order to have the actual scenario and to recommend for actions accordingly, the EAC desired to know the physical progress of the project as on when the amalgamation of plots was executed, application was made for grant of EC, proposal was considered by the SEAC and SEIAA on 17th November, 2015 and 12th January, 2016 respectively, and also on 14th March, 2017 (date of issue of the Notification) in the form of an undertaking on oath. The Committee also desired to seek information from the State Government whether the case already filed against the project proponent was for violation of the EP Act, 1986.

Observations and recommendations of committee of EAC in its 43rd meeting (present meeting) held during 08th – 09th February, 2021:

Project Proponent did not attend the meeting. Therefore, EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.4.8. Capacity expansion of Chlorinated Paraffin Plasticizer and Hydrochloric Acid (By product) Manufacturing Unit at Village DandilaKhurd, Garhwa Road, Tehsil Bishrampur, P.O. Rehla, District Palamau (Jharkhand) by M/s Manav Chemicals - Further consideration for Terms of Reference Proposal No. IA/JH/IND2/63794/2017 and File No. 23-7/2017-IA.III

Project Proponent along with the consultant made the detailed presentation and provided following information to the EAC:

M/s. Manav Chemicals has existing Chlorinated paraffin plasticizers and Hydrochloric Acid manufacturing unit at Garhwa Road, P.O. Rehla, District: Palamau (Jharkhand). First manufacturing Unit established with 4x6 MT reactors for production of 15 MT/day Chlorinated paraffin plasticizer I & II and 30 MT/day Hydrochloric Acid (By Product) in the year 2005. The first expansion was done by setting up 2 x 6 MT reactors during the financial year 2008-09 for production of 30 MT/day Chlorinated paraffin plasticizer and 60 MT/day Hydrochloric Acid without taking prior Environmental Clearance. Second Expansion was made during 2014-15 by setting up 6 x 8 MT reactors for production of 40 MT Chlorinated paraffin plasticizer and 80 MT/day Hydrochloric Acid

Chronology: The plant was earlier setup with the consent to establish dated **15/7/2005** from the **Jharkhand State Pollution Control Board (JSPCB)**. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the JSPCB. The consent to operate was valid upto 31st December, 2019 for existing capacity. After that JSPCB asked to take environment clearance before renewal of consent. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-

S. NO	DATE/YEAR	PROJECT STATUS	REMARKS
1	16-07-05	NOC was granted for 4x6 MT reactors for production of 15 MT/day Chlorinated paraffin plasticizer I & II and 30 MT/day Hydrochloric Acid (By Product). by Jharkhand State Pollution Control Board (Memo No. 433) and plant was set up.	EC Not Applicable
2	2008-09	The unit expanded the production capacity for production of 30 MT/day Chlorinated paraffin plasticizer and 60 MT/day Hydrochloric Acid by setting up 6 x 6 MT reactors.	Unit covered under violation.
3	28-07-10	NOC was granted by Jharkhand State Pollution Control Board (Memo No. 3278).	
4	30-4-10	CTO granted by JSPCB for production of 30 MT/day Chlorinated paraffin plasticizer and 60 MT/day Hydrochloric Acid. (Letter No. 1834).	
5	26-02-2014	CTO renewed by JSPCB for production of 30 MT/day Chlorinated paraffin plasticizer and 60 MT/day Hydrochloric Acid. (Letter No. 07/4755).	

6	5-08-2014	Notice issued by JSPCB for taking prior Environmental Clearance for the expansion carried out during 2008-09. (Letter No. PC/NOC/RNC/451 13/D-2411). The expanded unit is currently not in operation.	
7	2014-15	Second Expansion was made during 2014-15 by setting up 6 x 8 MT reactors for production of 40 MT/day Chlorinated paraffin plasticizer and 80 MT/day Hydrochloric Acid	-
8	2-07-2015	Application for Environmental Clearance was submitted to MoEF&CC, New Delhi.	-
9	20-07-2015	Case was considered by EAC, (Industry 2) MoEF&CC.	The committee observed that the project involves violation of EIA Notification, 2006 and will be considered as per Ministry's OM 12-12-2012 and subsequent OM related to violation
10	7-04-2017	Case reapplied to online portal of MoEF & CC as per the S.O 805 (E) dated 14-03-2017	Process for appraisal of ToR/EC projects under violation of EIA Notification, 2006.
11	22-06-2017	Case considered by EAC at Agenda No. 3.6 in it's 1 st Meeting for projects related to violation.	-
12	22nd-24th July, 2019	Project considered on 24th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006	Proposal defer till submission of following details: 1-Latest compliance report of CTO. 2-Submit the certificate from the State PCB regarding stopping date of the expansion unit i.e 30 TPD (10950 TPA) for Chlorinated paraffin plasticizer and 60 TPD (21900

			TPA) for Hydrochloric acid. 3-Year wise production details from 2005 to till today.
13	27.01.2021 & 43rd EAC Meeting Agenda Item No. 43.4.8 Dated 09.02.2021	ADS reply submitted so now project considered in 43 rd EAC Committee meeting for Violation case dated 09.02.2021	-

• **Production Capacity:**

Products	Existing (Capacity)	Proposed to Expansion (Capacity)	After Expansion (Capacity)
Chlorinated paraffin plasticizer I&II	10950 TPA	14600 TPA	25550TPA
Hydrochloric Acid (By Products)	21900TPA	29200 TPA	51100TPA

List of raw material

Sr.No.	Name	Existing	Proposed	After Exp.	Sources
1.	Liquid Paraffin /HNP/LNP/NP or Waxsol @80000 P MT	365.00 TPM	486.67 TPM	851.67 TPM	M/s Reliance Industries Ltd. K.L.J Resources Ltd. Panoli Intermediate Ltd. Kutch Chemical Industries Aditya Birla Chemicals (India) Ltd., Gujarat * IMPORTED

2.	Liquid Chlorine @100PMT	1186.25 TPM	1581.67 TPM	2767.92 TPM	Aditya Birla Chemicals (India) Ltd., Rehla, Palamau, Jharkhand Aditya Birla Chemicals (India) Ltd., Renukoot U.P. M/s Grasim Industries ltd., M.P.
3.	Epoxy Plasticizer	0.75 TPM	1.00 TPM	1.75 TPM	Delhi Market Indore
4.	Lime	0.50 TPM	0.40 TPM	0.90 TPM	Local Market (Garhwal)

Resource requirement

S. No.	Particular	Detail		
1	Land Requirement	Total area available is 9500 m ² . No additional land is required for proposed modernization. Green belt is developed in an area of 3,000 m ² (Approximately 33% of total land area).		
1.	Water Requirement	Existing	Proposed	Total
		35 m ³ /day	61 m ³ /day	96m ³ /day
		Source: Aditya Birla Chemical India Limited, Rehla		

2.	Power Requirement	Existing	After Modernization	Total
		100 HP	144 HP	244 HP
		Source: Jharkhand Urja Vikas Nigam Ltd. DG Sets as back up: Gen. Sets (100 kva + 25 kva) For emergency		
3.	Manpower Requirement	Existing	Proposed	Total
		15	15	30

Details of violation:

S.no.	Details	Production capacity	Remarks
1	2008-09 (6x6 MT reactors)	<ul style="list-style-type: none"> ▪ Chlorinated paraffin plasticizer I &II : 30 MT/Day ▪ Hydrochloric Acid (By Product) : 60 MT/Day 	Prior EC was not taken before setting up and operating the Unit, hence covered under violation
2	2014-15 (6x8MT reactors)	<ul style="list-style-type: none"> ▪ Chlorinated paraffin plasticizer I &II : 40 MT/Day ▪ Hydrochloric Acid (By Product) : 80 MT/Day 	<ul style="list-style-type: none"> ➤ 2nd Expansion done without taking prior EC ➤ Modernization proposed for 6x8MT Reactors. ➤ Existing old reactors to be replaced with new glass lined reactors with their accessories.

The said project/activity is covered under **category A** of item **5(f) “Synthetic Organic Chemicals”** of the Schedule to the EIA Notification, 2006, and requires prior EC from Expert Appraisal Committee, MoEF&CC.

Action taken by the State Government/SEIAA: Credible action has been taken by State Government/SPCB against the project proponent under section 19 of the EP Act, 1986 & Closure Notice has been issued for the Project on 09.04.2019. JSPCB has issued CTO on dated 22nd Oct. 2019 Vide Letter No. JSPCB/HO/RNC/CTO-2182959/2019/2159. In the CTO under **Specific Conditions it is clearly directed in to Condition No. 1 and 5 to M/s. Manav Chemicals.** Condition are as follows:

- That, the occupier shall not make any alteration, addition, deletion and modification in the plant without prior clearance from the Board.
- That, the occupier shall not operate the expanded part without obtaining EC, CTE and CTO for the same.

Complaint case filed by the State Government/State Pollution Control Board: A complaint petition has been filed on behalf of petitioner Mr. Raghvendra Narayna Kashyap v/s the Environment (Protection) Act against accused Ramesh Kumar and others vide case no. 682 dated 11/4/2019.

Observations and recommendations of committee of 1st EAC meeting held on 22nd June, 2017:

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following: -

- (i) The State Government of Jharkhand to ensure compliance of the directions under section 5 of the EP Act, 1986 issued by MoEF&CC.
- (ii) The State Government/SPCB shall take action against the project proponent under section 19 of the EP Act, 1986 and further, no Consent to Operate to be issued till the project is granted the EC.
- (iii) After ensuring the actions at (i) & (ii) above, grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II.
- (iv) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

Observations and recommendations during the 24th EAC meeting held on 22nd -24th July 2019:

PP along with consultant made the presentation on the information sought in the 1st meeting by the EAC. EAC after detailed deliberation deferred the project for want of following information:

1. Latest compliance report of CTO.
2. Submit the certificate from the State PCB regarding stopping date of the expansion unit i.e 30 TPD (10950 TPA) for Chlorinated paraffin plasticizer and 60 TPD (21900 TPA) for Hydrochloric acid.
3. Year wise production details from 2005 to till today.

Observations and recommendations of committee of EAC in its 43rd meeting (present meeting) held during 08th - 09th February,2021:

Information sought by the EAC in the 24th meeting was submitted to the Ministry through Parivesh Portal. Accordingly, proposal was discussed in the 43rd meeting (present meeting). After detailed presentation by the PP, EAC noted that PP has gone for expansion without taking prior environment clearance. Credible action has been taken by State Government/SPCB against the project proponent under section 19 of the EP Act, 1986 & Closure Notice has been issued for the Project on 09.04.2019. JSPCB has issued CTO on dated 22nd Oct. 2019 Vide Letter No. JSPCB/HO/RNC/CTO-2182959/2019/2159. In the CTO under Specific Conditions it was directed that the occupier shall not operate the expanded part without obtaining EC, CTE and CTO. The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and **recommended** for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):

- i. Detailed status of Court case filed by the MPCB against the PP under the Environment (Protection) Act, 1986 for violation of EIA Notification 2006, shall be submitted
- ii. The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.
- iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
- iv. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- v. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants
- vi. One season fresh base line data shall be collected for preparation of EIA/EMP reports.
- vii. The PP is required to conduct public hearing as per EIA notification, 2006 and as amended thereof.
- viii. The PP should also address the all the issues raised during the already held public hearing along with commitments made and with fund provision to address above issues in tabular form to be submitted along with EIA/EMP report.
- ix. Certified production details shall be submitted since inception of the industry.
- x. A plan for implementation of ZLD to be submitted.
- xi. Layout plan earmarking space for development of peripheral green belt.
- xii. Transportation details to be submitted in the EIA/MEP report.
- xiii. Latest certified compliance report of CTO from the SPCB shall be submitted.
- xiv. Details of any Court Case pending against the project proponent.

43.4.9. Proposal for Colour Granite Mine at Khazipur village, Karimnagar Mandal, Karimnagar District (Telangana) by M/s Sri Venkatesh Granites - Further

consideration for Terms of Reference Proposal No. IA/TG/MIN/63702/2017 and File No. 23-9/2017-IA.III

The project was reconsidered based on the Ministry's OM dated 30th May 2018 in its 10th EAC meeting (violation) held on 11-12th , July 2018 Observations and recommendations of committee:

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended to defer the proposal for want of following information from project proponent:

- (i) Submission of cluster certificate from District Mines and Geology to ascertain the category of the project i.e. B1 or B2 as per the Ministry's Notification dated 15.01.2016 & 01.07.2016.
- (ii) Details of past production of mine since its inception duly authenticated by Department of Mines & Geology, State Government.
- (iii) Validity of LOI/mine lease along with the documentary proof.
- (iv) To submit the KML/Shape Files of the mine lease area at the time of presentation before EAC.

Observations and recommendations of committee of EAC in its 43rd meeting (present meeting) held during 08th – 09th February,2021:

EAC observed that proposal was listed earlier for appraisal and deferred as EAC sought certain additional information. This time PP did not attend, therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.4.10. Residential apartment 'COSMOCITY' by M/s Puravankara Limited at Survey Nos: 53/3,53/4,53/10B,55,56/1,57/2 & 57/4, Pudupakkam Village Chengalpattu Taluk, District Kancheepuram (Tamilnadu) Further consideration for Terms of Reference Proposal No. IA/TN/NCP/63558/2017 and File No. 23-19/2017-IA.III

Observations and recommendations during the 2nd EAC meeting held on 15-16 January, 2018:

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, noted that the construction continued even after show cause notices issued by the Ministry for non compliance of the earlier EC conditions not settled yet and even continued to do construction for expansion without obtaining prior EC for the expansion project (990 dwelling units), and thus amounts to blatant violation of the EIA Notification, 2006 and recommended for the following:-

- (i) The project proponent shall submit the monitoring report on compliance status of the earlier EC conditions (EC dated 24th July, 2008 issued by SEIAA) from the Regional Office of the Ministry to conclude the show cause notices issued by the Ministry.
- (ii) The EAC The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

Observations and recommendations of committee of EAC in its 43rd meeting (present meeting) held during 08th – 09th February, 2021:

EAC observed that PP did not attend the meeting and therefore EAC opined that Ministry may initiate action and issue necessary directions to the Project Proponent as may be deemed fit.

43.4.11. Discussion on any other item with permission of the Chair

The Hon'ble NGT order dated 30.06.2020 in the Original Application No. 136 of 2017 (SZ) was deliberated on its applicability to the mining proposals submitted to the violation sector.

EAC observed that Hon'ble NGT order dated 30.06.20 has directed that;

- I. The applications which are pending as on 31.3.2016 for Environment Clearance have to be treated as normal applications and not violation applications and the authorities are directed to dispose of those applications in accordance with law.
- II. The persons, who have not filed applications on or before 31.3.2016 and filed thereafter, can be treated as violation applications and the MoEF & CC /SEIAA is directed to dispose of those applications as violation cases in accordance with law.
- III. It is also made clear that all mining leases, either major or minor, even less than 5 hectares area, has to apply and get Environment Clearance as per the amended EIA Notification dated 15.1.2016. This will apply to the existing mining leases as well.

Regarding applicability of above Order to the mining proposals submitted to the violation sector, EAC opined that Hon'ble NGT order may not be applicable to all cases whose applications are pending with the Ministry prior to 31.03.2016. Infact genesis of the case is related to the ambiguity on the applicability of the EIA Notification 2006 to mine leases having area less than 5 hectares for major minerals. Therefore, above order, is applicable for mine leases of major minerals having area less than 5 hectares.

However, as suggested by the Senior Consultant of MoEFCC, EAC opined that matter may be referred to the Ld. Panel Counsel appeared in the matter on behalf of the Ministry or legal opinion may also be sought from MoLJ, for clarity.
