

Minutes of 37th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 held on 22nd-23rd October, 2020

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: 22nd October, 2020

Time: 11.00 AM to 04.30 PM

37.1. Opening remarks of the Chairman

37.2. Confirmation of the minutes of the 36th meeting held on 21st -22nd September, 2020 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi

37.3 Proposal for consideration

37.3.1 Proposed expansion of Caritas Hospital with the addition of a Hospital Building, Geriatric centre (Nursing Home), Doctors quarters block, Nuclear medicine block & Amenity centre as Phase I, Staff quarters & Multi Level Mechanical Car Parking System as Phase II at Village Peroor, Taluk Kottayam, District Kottayam (Kerala) by M/s Caritas Hospital - Further consideration for Terms of Reference

[Proposal no. IA/KL/NCP/74112/2018] [F. No. 23-141/2018-IA.III (V)]

Project Proponent informed that in pursuant to Ministry's Notification dated 08.03.2018, proposal being Category B was submitted to SEIAA. TOR was granted in March 2020. PP requested to withdrawn the proposal submitted to the Ministry.

Observations and recommendations of EAC in present meeting

As proposal is being appraised at SEIAA, proposal submitted at the Central level be **returned**.

37.3.2 Expansion of construction of "Jupiter Hospital" at Baner-Pimple Nilakh Road, Baner, Pune, Maharashtra by M/s Jupiter Lifeline Hospitals Ltd. – Further consideration for Terms of Reference

[Proposal no. IA/MH/NCP/71608/2017] [F. No. 23-3/2018-IA.III]

Project Proponent informed that proposal was earlier submitted to the Ministry and later in pursuant to the Ministry's OM dated 16.03.2018 submitted the application to SEIAA on 13.04.2018. Project was considered by the SEAC/SEIAA and accordingly, EC was granted to this project on 06.03.2020.

Observations and recommendations of EAC in present meeting

EAC noted that earlier project was considered by them in the 2nd meeting. EAC in the present meeting noted that project being Category B was submitted to SEIAA. EC has been granted 06.03.2020. PP requested to withdraw the proposal submitted to the Ministry.

EAC deliberated on the PP request and recommended to return the proposal.

37.3.3 Black Granite Quarry (Dolerite) 2.78.5 Ha, 382/5A, 382/5B, 382/6A, 382/6B, etc. Chendarapalli Village, Krishnagiri Taluk & District, Tamil Nadu by M/s B.K.Murali - Terms of Reference [Proposal No. IA/TN/MIN/64182/2017] [F. No. 23-2/2020-IA.III (V)]

Project Proponent did not attend the meeting

37.3.4 Varada Bauxite Mine with the production capacity 3,24,430 TPA of (ROM) by M/s Orient Abrasives Ltd., located at Village-Mewasa, Taluka-Kalyanpur, District -Dev BhoomiDwarka, Gujarat (37.2098 ha) - Terms of Reference [Proposal no. IA/GJ/MIN/74081/2018] [F. No. 23-3/2020-IA.III (V)]

Project proponent informed that MOEF&CC issued TOR to our above mentioned project on dated 31.08.2018 in violation category.

Observations and recommendations of EAC in present meeting;

EAC observed that this a duplicate proposal submitted by the PP. ToR has already been issued to this project, therefore instant proposal may be **returned**

37.3.5 Black Granite of M/s Tamil Nadu Minerals Limited, over an extent of 6.09 Ha in S.F. No. 11(Part) of Perumbakkam village, VanurTaruk, Villupuram District, Tamil Nadu - Terms of Reference [Proposal no. IA/TN/MIN/72208/2018] [F. No. 23-4/2020-IA.III (V)]

Project Proponent informed that project being category B1 was submitted to the SEIAA under the provision of Ministry's OM dated 16.03.2018 and project is under consideration by the SEIAA under violation category. PP requested not to consider the proposal submitted at the central level.

Observations and recommendations of EAC in present meeting

As proposal is being appraised at SEIAA, proposal submitted at the Central level be **returned**.

37.3.6 Proposed Takarhatu Lime Stone Mining Project, Plot No. 13, Area 9.187Hect.,(52569.60MTPA) at near Village Tekarhatu&Singhpokharia, Thana Kolhan Under Chaibasadar Sub Division, District Singhbhum (West), Jharkhand

by M/s BanwarilallNewatia - Terms of Reference [Proposal no. IA/JH/MIN/70373/2017] [F. No. 23-5/2020-IA.III (V)]

Project Proponent did not attend the meeting

37.3.7 Rough Stone Quarry – 3.90 Ha in S.F.No. 15/1, Elumichanahalli Village, Palacode Taluk, Dharmapuri District, Tamil Nadu by M/s Thiru. M.Nagendiran - Terms of Reference [Proposal no. IA/TN/MIN/65675/2017] [F. No. 23-6/2020-IA.III (V)]

Project Proponent did not attend the meeting

37.3.8 Expansion of Iron Ore production from 4.0 MTPA to 15.0 MTOA at Thakurani Iron Ore Mining project of M/s Sarda Mines Pvt. Ltd. at Village (s) Soyabali&Balitand, Tehsil Barbil, District Kendujhar, Orissa by - Terms of Reference [Proposal no. IA/OR/MIN/124339/2019] [F. No. J-11015/1176/2007-IA.II(M)]

Details submitted by the Project Proponent:

General details

The Proposal of M/s Sarda Mines Private Ltd. is for Mining of Iron Ore from Thakurani Iron Ore Mine Block-B for (Total Excavation: 16.024 MTPA) [including Iron Ore production capacity of 15 Million TPA (ROM) (Iron Ore: 12.77 MTPA and Mineral Reject: 2.23 MTPA), Top Soil: 0.024 MTPA, Waste: 1.0 MTPA along with installation of 5 nos. of mobile/static screening units of 350 to 1000 TPH capacity] from mining lease area (ML Area: 947.046 ha) located at Villages Soyabali, Balita and Thakurani RF, Tehsil: Barbil, District: Keonjhar, Odisha by M/s. Sarda Mines Private Ltd

The mining lease is located on Survey of India Topo-sheet no. F45H8, F45H12 & F45N5. The area is bounded between the coordinates latitude 22°04'38.09"N to 22°06'27.36"N & longitude of 85°25' 11.74"E to 85°28' 7.98"E.

The said project/activity is covered under Category "A" Project or Activity 1(a) – 3 of item "Mining of Mineral" of the Schedule to the EIA Notification, 2006 as amended, and requires prior EC from the MoEF&CC/SEIAA based on appraisal by Expert Appraisal Committee or the State Appraisal Committee in different. As this is the case for major mineral; therefore, cluster certificate is not applicable

Mine lease details

The leases of Thakurani Iron Ore Mines Block A & B were originally granted by Durbar Administration of Keonjhar State on 01.08.1934, in favor of Shri BabuHiralalSarda for 30 years valid upto 31.07.1964. ML renewal application was made on 25.08.1962. Block-A consisted of an area of 1048.321 Ha (2590.40 Acres) which is situated in the Murgabeda village and Block-B consists of 947.046 Ha (2340.20 Acres) in Soyabali and Balita villages of Keonjhar district of Odisha. On 11.02.1999, State Govt. issued grant of renewal for the period of 30 years and the Mining Lease was executed for the period of 20 years as per Hon'ble High Court order dated 18.12.1991 in favor of S.L. Sarda and M.L. Sarda. As per the High Court order dated 18.12.1991 the lease validity may further be extended for 10 years up to 13.08.2031. The mining lease was

transferred in favour of Sarda Mines Private Limited in Form O dated 22.06.2006 by the order of State Government vide letter No 8458/SM, Bhubaneswar dated 02.06.2006 and lease deed dated 22.06.2006.

Mining Plan Details:

Modified Review of Mining Plan along with Progressive Mine Closure Plan has been approved by IBM, vide letter no. RMP/A/52-ORI/BHU/2019-20, dated 17.03.2020 for 15 Million TPA (ROM) over an area of 947.046 ha.

During the first year of modified review plan period production shall be concentrated in Block 5 and 8 and in second year of modified review plan period production shall be concentrated in Block-5 and 8 which shall be extended towards Block-2. Type of Ore found in this area is Hematite (Lateritic ore, massive ore, soft laminated ore, blue dust & powdery ore etc.)

Topsoil and top waste rock, shall be excavated separately to expose the ore zone. Mining shall be carried out by deploying HEMM like Excavator, Dumper, Drill Machine, Dozer, Rock breaker, Loader, grader & compactor etc. Mine development and production of ore shall be done by Shovel-Dumper combination. Average height of the benches shall be maintained at 9m to 12m having bench width of 15m to 20m depending on the size of the machinery deployed, maintaining the bench slope at around 70 degree to 80 degree.

Blast hole drilling is proposed to be carried out in hard zones with DTH 6" dia hydraulic drills. Blasting shall be carried out using Class 2 and Class 6 explosives (Division II & III). For conducting blasting operations Site Mix Emulsion/ ANFO explosives will be used as column charge with cast booster/ slurry booster as primer. NONEL will be used for initiation to minimize the fly rock, ground vibration etc. The powder factor will be expected to be around 7 tonne of rock/kg of explosives.

An approved magazine house with storing capacity of 10 tonne explosives is located within the lease area. 50 m radius of the magazine house is always kept clean, no by-passers are allowed to enter this area. Blasting material from the magazine to site of blasting will be transported through an approved explosive van.

Ore zone contains <45 Fe intermediate waste, 45% to 55% Fe which is termed as mineral reject and >55% Fe which is termed as ore. The recovery of ROM ore (>45% Fe) comprising of mineral rejects (45-55% Fe) and usable ore (>55% Fe) from ore zone has been taken as 95% based on past mining activities as well as the recovery test result of number of samples done by NABL accredited laboratory M/s S.K. Laboratory & Associates.

The height and width of the benches will be kept at 9 to 12m and 15 to 20 m respectively in all the mine pits. The overall bench slope will be maintained <37.5o. The ore likely to be locked up in statutory barrier (safety zone) and mining benches have been subtracted from geological resources to get the mineable reserves. R.O.M. produced is proposed to be fed to the crushing plant to get lumps & fines.

Details of Crushers/Screen/beneficiation plant if any with capacity and numbers: It is also proposed to install 5 mobile/stationary screening units varying in capacity from 350 to 1000 TPH to segregate inherent fines associated with ROM before crushing. The details of the Processing Plant units are as follows:

Crusher Details

S. No.	Units	Capacity	Status
1	Crushing & Screening Plant	1000 TPH	Existing
2	Crushing & Screening Plant	3000 TPH	Existing
3	Washing & Beneficiation Plant	11.25 MTPA - 1st Phase 3.75 MTPA – 2nd Phase	Existing
4	Mobile / stationary screening Plant (5 nos.)	350-1000 TPH	Proposed

It has been proposed to produce iron ore at ROM stage during the proposed modified review period and re-handle mineral reject stacks. ROM produced from mines is < 1500 mm size. The ROM produced materials is to be fed to crushing plant and is crushed and screened at 30 mm. The product of (+) 30 mm to (-) 235 mm size are sent for secondary and tertiary crushing by dry process and (-) 30 mm size goes for wet circuit for washing.

Total water requirement is 20768 KLD. Out of which 15456 KLD will be used for washing & beneficiation process and remaining 5312 KLD will be used for mining purpose. NOC from CGWA for 912 KLD was obtained vide CGWA/NOC/MIN/ORIG/2017/282, dated 14.11.2017 and permission for surface water drawl from Betalata Nallah was accorded for 816 KLD vide Irr-II-WRC-15/05-10822, dated 28.03.2005. Permission regarding remaining water requirement is under process.

There is no Wildlife Sanctuaries or Habitats for any Specific Wildlife within 10 km radius of the ML Area. Around 232 company personnel and 203 contractor workmen have been engaged in mining operation. After expansion, 279 company personnel and 1136 contractor workmen will be engaged in mining operation. The mine management has a cordial relationship with the local people and has been undertaking various activities for improvement of the standard of living of the local and surrounding populace. Capital Cost of the Project: Rs. 145 Crore

MoEF&CC has initially permitted for production of 1.4 LTPA vide letter no. J-15012/13/99-IA.II(M), dated 13.07.1999. First EC was obtained for iron ore production capacity of 4.0 MTPA (lump), dated 22.09.2004. Second EC was obtained for expansion in iron ore production capacity from 4.0 MTPA (Lump) to 15.0 MTPA ROM dated 29.10.2008. The validity of EC issued in 2008 was for six years based on the estimated reserves till 31.03.2014. Therefore, application was submitted in 2012 for extension of its validity beyond March, 2014.

The proposal was considered in the EAC meeting held on 15-17th May, 2013 and 25-27th September 2013 and as per uploaded EAC MoM wherein the Committee had recommended the proposal for validity extension of Environmental Clearance.

The State Government suspended the mining operations w.e.f. 31.03.2014 based on the validity of EC issued in 2008. This resulted in the closure of mining operations from 01.04.2014 by the order of Dy. Director of Mines, Joda.

As per MoEFCC, New Delhi Letter dated 15.01.2015; Permission was granted to mine as per Condition of EC No J-11015/05/2003- IA.II(M) dated 22.09.2004 for 4.0 MTPA (Lumps) subject to review after the final decision by the court on the ownership related issues as brought out by CEC and Shah Commission.

M/s. SMPL applied for extension of Environmental Clearance on 06.11.2019 vide proposal no: IA/124339/2019 after obtaining the permission for change in land use patten over 249.276 ha of permitted Forest land and the additional forest land of 367.832 ha out of already diverted area of 865.276 ha and the same was considered for appraisal in 12th meeting of EAC (Agenda Item No. 2.18) on 20.12.2019 and on 29.05.2020.

After the discussions held in 12th EAC meeting, Ministry asked to submit the additional information vide MoEF&CC letter dated 09.04.2020 and reply of the same was duly submitted on 12.04.2020. Project was reconsidered in 17th EAC Meeting held during May, 28-29, 2020 and 1st June, 2020. As per MoM displayed on Parivesh “Committee is of the view that the Ministry may provide an opportunity to PP by considering the case by violation Committee as a lateral entry case. Being a violation proposal and as the validity of EC dated 29.10.2008 has already expired on 31.03.2014 this proposal of amendment in EC does not stand. Therefore, the committee recommended for transfer the proposal to violation sector as a lateral entry for appraisal as a violation project”

Observation and Recommendation of the EAC in the present meeting (37th):

EAC deliberated on the earlier MOM's dated 12th and 17th EAC meetings of sectoral committee (Non Coal Mining) and observations by the information submitted and presented before them. EAC observed the following:

Proposal involved total lease area of 947.046 ha out of which 865.2760 ha (94.02 ha broken prior to 25.10.1980) + 155.252 ha broken afresh) has been diverted vide Ministry's letter dated 21.06.2001.

Ministry on 13.07.1999 issued letter to PP informing that provisions of EIA Notification 1994 are not applicable to the renewal of mining lease proposals which do not involve expansion or modernization. However, excavation shall be restricted upto already broken area and production is limited to 1,40,000 TPA.

Ministry further vide letter dated 22.09.2004 accorded EC for expansion from 1.5 LTPA to 4.0 MTPA of Iron Ore lumps. Further vide aforesaid letter it has been informed that expansion in production capacity of mine is from 1.5 LTPA to 0.500 MTPA during 1st year, 3.0 MTPA by the 3rd year and 3.75 MTPA from the 5th year to achieve the rated capacity in production of 4.0 MTPA during the 17th year. No mineral beneficiation is involved. EC dated 22.09.2004 was granted for 20 years and fresh clearance would be required at the time of renewal of lease.

Ministry further vide letter dated 29.10.2008 accorded EC for 15 MTPA (ROM). Total lease area of the project is 947.046 ha. Area proposed for mining is 337.474 ha. EC granted for 15 MTPA (ROM) was subject to grant of forestry clearance. EC was valid upto the year 2013-14. Working of the mine beyond 2014 based on the established reserve shall be commenced only after obtaining prior clearance from the Ministry of Environment and Forests. Further, Beneficiation of the ore shall be not carried out without obtaining prior environmental clearance as per the provisions of the EIA Notification 2006.

PP submitted a request on 17.12.12 for extension of validity of EC letter no. J-11015/1176/2007-IA-II (M) dated **29.10.2008**. EAC meeting, May 15-17, 2013 and deferred the proposal. EAC

meeting, 25-27 September 2013, recommended the extension of environmental clearance may be granted to the project till 2021-2022. The file was processed and during appraisal the Competent Authority suggested to appraise the project in the context of the Shah Commission's report. The Shah Commission has made some observation related to FC issues. The file was transferred to FC division for comments. FC mentioned that series of violation [irregular activities undertaken by lessee within and beyond the leasehold area] done by the PP which was observed by the DFO and the RO, MoEF&CC.

The matter was thereafter under examination in the Ministry on various issues related to life of mine, violation, Forest Clearance, CEC Report, Supreme Court Case etc. The PP vide letter dated 3.11.2014 sought clarification regarding operating the mine on the basis of EC granted vide letter dated 22.09.2004. The Ministry vide letter dated **15.01.2015** responded to PP as: *"It has been decided that permission to mine as per conditions of EC No J-11015/05/2003-IA. II(M) for 4 MTPA is approved subject to the permission from the Supreme Court. This permission to mine against EC limit of 4 MTPA granted vide LR dated 22.09.2004 will be reviewed, if required, after the final decision by the court on the ownership related issues as brought out by CEC and Shah Commission."*

Forest Appraisal Committee (FAC), 13-14 Feb 2014 recommended the proposal for change of land use pattern of forest land within 865.276 ha forest land but letter not issued by the Ministry. In principle change in land use pattern of 382.4965 ha of forest land located within 865.2760 ha of forest land was accorded on 15.11.2019.

EAC (violation) also took in to cognizance of various court orders viz: W.P(C) No. 114 of 2014 Common cause versus Union Of India judgement inter-alia directed the validity of EC granted under EIA, 1994 shall be five year; SLP (Civil) No. 32138 of 2015 Goa Foundation versus M/s Sesa Sterlite Ltd. & Ors. dated 07.02.2018; Hon'ble Supreme Court order dated 12.11.2018 and 15.01.2020. Instant case as per the judgement dated 02.08.2017 was referred to Central Environment Committee (CEC) for quantification of compensatory dues. Hon'ble Supreme Court in order dated 15.01.2020 mentioned that M/s SMPL during the period 2001-02 to 2010-11 has produced 135, 34,703 tonnes of excess quantity/illegal production of iron ore in violation of the Environment Clearance granted by MoEFCC. Accordingly, M/s SMPL is liable to pay Rs 933,60,79,689 in terms of the judgement dated 02.08.2017 and 12.11.2018. For arriving at the above penalty, the CEC had worked out the following:

Table

Revised Calculation made by CEC pursuant to the Judgement Dated 12-11-2018 of the Hon'ble Supreme Court in I.A No 40/2015 in WP(C) 114 of 2014 of quantum of excessive / illegal mining carried out and the value of the excess quantity of mineral to be paid by M/s SMPL					
Year	Rate Per tonne	Permissible quantity (Tonnes)	Actual quantity (Tonnes)	Excess Quantity (Tonnes)	Value of Excess quantity (In Rupees)
1	2	3	4	5 (=4-3)	6 (=5x2)
2001-02	241.05	140000	289888	149888	36130502.4
2002-03	300.33	140000	1284998	1144998	343877249.3
2003-04	487.81	140000	2492920	2352920	1147777905
2004-05	562.41	455000	3841047	3386047	1904346693
2005-06	690.93	1840000	5094405	3254405	2248566047
2006-07	749	3040000	3760750	720750	539841750
2007-08	1082.91	4600000	5146415	546415	591718267.7
2008-09	1317.21	5770000	5104695	0	0
2009-10	1184.33	5770000	7524080	1754080	2077409566
2010-11	1982.29	5770000	5995200	225200	446411708
				135,34,703	933,60,79,689

It is further observed that the PP has operationalised the EC granted in 2008 for 15 MTPA on account of the fact that the CEC has reckoned the permissible mining Quantity @5.77 MTPA from 2008/09 onwards for calculation of penalty and further the PP was granted CTO for 15 MTPA from 2008/09 onwards till 2013/14 by State PCB.

Project Proponent after depositing the total compensation of Rs 933 Crs as decided by the Hon'ble Supreme Court, resumed mining w.e.f 01.02.2020. PP started producing 4.0 MTPA lump ore as per clarification of the MoEF dated 15.01.2015.

EAC also deliberated on the sectoral Non Coal EAC findings. Sectoral EAC in its 17th meeting held on May, 28-29, 2020 and 1st June, 2020 through video conference recommended to transfer the proposal to EAC dealing with violation cases. Relevant extracts of the meeting are asunder:

The Committee also observed that Ministry has provided the Hon'ble Supreme Court Order dated 15.01.2020 wherein it has mentioned that "M/s SMPL during the period 2001-02 to 2010-11 has produced 135, 34,703 tonnes of excess quantity/illegal production of iron ore in violation of the Environment Clearance granted by MoEF&CC"

The Committee is of the view that the Hon'ble Supreme Court in its Order dated 15.01.2020 inter-alia mentioned that "M/s SMPL during the period 2001-02 to 2010-11 has produced 135, 34,703 tonnes of excess quantity/illegal production of"

iron ore in violation of the Environment Clearance granted by MoEF&CC. It appears from the order dated 15.01.2020 that even Hon'ble Supreme Court considered that the EC dated 29.10.2008 was not operational EC and also lost its validity on 31.03.2014. Further, period of violation is before 14.03.2017 and therefore, it attract the provision of S.O. 804(E) dated 14.03.2017. As per procedure laid down in S.O. 804(E) dated 14.03.2017, in addition to action under section 19 of EPA, 1986 there is a provision of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation.

The Committee also observed that letter dated 15.01.2015 of the Ministry is subject to obtaining permission from the Hon'ble Supreme Court, but before this permission become operational the Ministry has issued S.O. 804(E) dated 14.03.2017 and PP was required to apply under the same. PP neither applied under this notification nor sought any clarification from Ministry regarding applicability of S.O. 804(E) dated 14.03.2017 in the instant case

the Committee observed that w.r.t violation (during the year 2001-02, 2002-03, 2003-04, 2005-06 and 2007-08) a show cause notice was issued to PP on 23.01.2014 with a copy to State Government. The State Government vide its letter No. Env-I37/2012(pt) 5061 dated 12.03.2014 informed that a Criminal Case has been filed before the court of J.M.F.C Barbil vide case No. 2(c) CC No 24/2012 for excess production during 2001-02 & 2003-04. But has observed from the Hon'ble Supreme Court Order dated 15.01.2020 that even after 2003-04 there was excess production till 2010-11 and no action was taken for this under section 19 of EPA, 1986.

Whether PP can mine based on letter dated 15.01.2015 basis of Ministry's letter dated 15.01.2015. The Committee is of the view that when this clarification was issued it appears that it was understanding of the Ministry that EC granted under EIA 1994 is not restricted to 5 years only. But the deliberation on validity of EC granted under EIA 1994 was made by Hon'ble Supreme Court in W.P. 114 of 2014 in the matter of vs UoI (Judgment dated 2.08.2017) and in SLP(C) 32138 of 2015 in the matter of The Goa Foundation vs M/S Sesa Sterlite Ltd. And Ors (judgment dated 7.02.2018) wherein the Hon'ble SC considered that the EC granted under EIA 1994 is only valid for 5 years. Due this reason Ministry also issued notification S.O. 1530(E) dated 6.04.2018. The Committee is of the view that in aforementioned court cases the provision of S.O. 804(E) dated 14.03.2017 was not struck down or stayed by the Hon'ble Supreme Court. The Committee is of the view that it is a violation case and PP is required to obtain EC as per provision of S.O. 804(E) dated 14.03.2017 before continuing mining. In the instant case PP obtained the EC for higher capacity but the same was not operationalized due to want of forest clearance and expired on 31.03.2014. It is clear from the Hon'ble Supreme Court order that even after grant of last EC on 29.10.2008, PP has carried out mining in excess quantity/illegal production of iron ore in violation of the Environment Clearance granted by MoEF&CC. Therefore, it attracts provision of S.O. 804(E) dated 14.03.2017 and PP was required to apply under this notification. However, the Ministry may approach the Ld. ASG to Government of India who has represented MoEF&CC in the court case W.P. 114 of 2014 in the matter of Common Cause vs Union of India, if required.

Based on the discussion held, documents submitted by PP and the Ministry, the Committee is of the view that it's a violation case and this Committee is not empowered to appraise the violation proposals. The Committee is of the view that as Hon'ble Supreme Court agreed for resuming mining operation subject to compliance of all mandatory requirements and as the proposal was already in consideration before S.O.804 (E) dated 14.03.2017, the Ministry may provide an opportunity to PP by considering the case by violation Committee as a lateral entry case. Being a violation proposal and as the validity of EC dated 29.10.2008 has already expired on 31.03.2014 this proposal of amendment in EC does not stand. Therefore, the committee recommended for transfer the proposal to violation sector as a lateral entry for appraisal as a violation project.

EAC (violation) further observed that Ministry has referred the matter to MoLJ for legal opinion. MoLJ in light of various Court orders, examined the matter. MoLJ opined that *EC dated 29.09.2004 is under EIA 1994 and was valid for 5 years only; The letter dated 15.01.2015 permitting to mine against ECLimit of 4 MTPA under the EC of 2004 is also against the said statutory notification and the law laid down by Hon'ble Supreme Court, hence may not be acted upon; EC dated 22.09.2008 lost its validity till 2013-14 and PP is required to obtain fresh EC; Resumption of mining operation is contrary to law and direction of Hon'ble SC dated 15.01.2020 and should be viewed seriously; Ministry is advised to initiate appropriate action in the matter for violations of existing norms as per the existing provisions of the law and the procedure established in this regard.*

Non-Coal mining sector in pursuant to the MoLJ opinion issued a letter dated 21.09.2020 to the Additional Chief Secretary, Deptt of Environment and Forest, Govt of Odisha for taking following:

- (a) To stop the resumed mining operation with immediate effect and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance by the State Pollution Control Board.*
- (b) Initiate action under section 15/19 of E(P) Act 1986 for the period of PP has carried out mining operations without EC or in excess of EC capacity.*

PP, later, against the Ministry letter dated 21.09.2020 filed appeal in the High court of Delhi. Hon'ble High court vide order dated 23.09.2020 imposed stay till next date of hearing.

Non-Coal mining sector, after approval of the competent Authority, in light of violation established by the Hon'ble Supreme Court and in pursuant to an opinion of MoLJ and recommendation of the Sectoral EAC, forwarded the instant case to EAC (violation) for further consideration in terms of the provisions of the Ministry Notification S.O 804 (E) dated 14.03.2017.

EAC (violation) deliberated on various aspects under violation such as an increase in production prior to obtaining EC in 2004 from the earlier limits of 0.14 MTPA; Increase in production above 4 MT as approved in EC of 2004 to 2008; EC dated 29.10.2008 was subject to obtaining FC which is assumed to be relating to additional forest land for which FC was applied; Crushing and washing of ore was part of EC of 2008 but not part of FC of 2001 and thus in view of this specific condition in the EC of 2008 that EC was subjected to FC; Setting up and Operation of beneficiation plant within MLA and production of mineral above 4 MTPA.

In view of the above, EAC opined that validity of ECs issued to the project proponents are in question and same is under consideration in the Hon'ble High Court of Delhi in W.P (C) 6831/2020. However, having decided by the Apex court and compensation paid by the PP thereafter, instant violation case is fit for appraisal under the provisions of notification dated 14.03.2017. 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 issuing Standard Term of Reference along with the following specific Term of Reference and additional specific conditions as recommended by CSIR-NEERI on carrying capacity study as per Annexure I for undertaking EIA and preparation of Environmental Management Plan (EMP):

- (i) 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 to be issued till the project is granted EC.
- (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 (13) in the EIA report by the accredited consultants.
- (vi) The PP is required to conduct public hearing as per EIA notification, 2006.
- (vii) EIA/EMP report may be prepared using recent one season base line data with one month offresh data to be generated by the PP.
- (viii) To submit the lease sketch approved by DMG, at the time of presentation before EAC.
- (ix) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1st May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.
- (x) DGMS permission for blasting at project site.
- (xi) Detailed hydrological study to be carried out in core and buffer zone of the project as per the recent GEC guidelines 2015.

- (xii) Chronology of Forest Clearance granted to the project with details of FC violations.
- (xiii) Submit the details of safety zone in the EIA/EMP report.
- (xiv) Past Production details duly certified from the State DMG since inception of mine or from 1993-94 base year.
- (xv) Details of green belt developed with name of plant species and photograph.
- (xvi) Site visit report from the Regional Office of the MoEFCC

37.3.9. Production of Ferro Alloys (37,800 TPA) at Village Bhutberia, P.O. Mihijam, District Jamtara (Jharkhand) by M/s Anjaney Ferro Alloys Ltd. - Further consideration for Environmental Clearance [Proposal no. IA/JH/IND/109793/1991][F. No. J-11011/128/2017-IA-II (I)]

Project Proponent alongwith the consultant VARDAN ENVIRONET (NABET/EIA/1922/RA 0166) Plot No. 82A, Sector-5, IMT Manesar, Gurgaon, Haryana-122052 made the detailed presentation on the project

Details of the project as per the submission of project proponent:

The expansion project of M/s Anjaney Ferro Alloys Limited, located at Village – Bhutberia, P.O. Mihijam, District – Jamtara of Jharkhand was received in the Ministry on 29.12.2017 for obtaining Terms of Reference (ToR) as per EIA Notification, 2006 and S.O. 804(E). The project was appraised by the Expert Appraisal Committee (Violation) during its 6th meeting held on 19/04/2018. Accordingly, the Ministry of Environment, Forest & Climate Change (MoEF&CC) had prescribed ToR to the project on 31.05.2018 vide Lr.No. J-11011/128/2017-IA.II (I).

Based on the ToRs prescribed to the project, an application for environmental clearance was submitted to the Ministry online on 02.07.2019 vide Online Application No. IA/JH/IND/109793/1991 along with EIA/EMP, Public Hearing details, Form-2 and other relevant documents.

The existing units were installed based on the NoC's from Bihar Pollution Control Board during 1991 and 1999 and from Jharkhand State Pollution Control Board (JSPCB) during 2005. The company expanded its production in 2007 by installation of two SAF units after obtaining NOC from JSPCB. These units were in operation till 31.12.2012 after obtaining CTO from JSPCB. However, JSPCB vide letter No. B-3651 dated 31/05/2013 directed the project proponent to stop the operation of 62 TPD Ferro alloys through SAF# 3 & 4, installed during 2007 and accorded CTO only for 46 TPD Ferro alloy production. Compliance with the conditions of Consent to Operate is provided with Form-2.

Capacity expansion of M/s Anjaney Ferro Alloys Ltd. for enhancement of Ferro alloys production from 16,100 to 37,800 TPA at village Bhutberia, P.O.-Mihijam, Distt- Jamtara, Jharkhand.

The facilities for production of 16100 TPA Ferro-alloys were installed prior to 2006, as per the following details:

S.No.	Year	Units	Configuration	Capacity (TPD)	Cost (lakhs)
1	1991	SAF #1	3.5 MVA	7	300
2	1999	EAF#1	1.5 MVA	8	100
3	2005	SAF#2	8.25 MVA	31	800
Total Production 46 TPD (16100 TPA)					

Units and Capacities Installed prior to 2006 (Non-violating)		Units and Capacities Installed in 2007 (Under Violation)		Total	
Unit	Production in TPA	Unit	Production in TPA	Unit	Production in TPA
SAF #1 3.5 MVA (7 TPD)	2,450	SAF #3 8.25 MVA (31 TPD)	10,850	1x3.5 MVA SAF #1 (7 TPD)	2,450
EAF #1 1.5 MVA (8 TPD)	2,800	SAF #4 8.25 MVA (31 TPD)	10,850	1x1.5 MVA EAF #1 8 TPD	2,800
SAF #2 8.25 MVA (31 TPD)	10,850			3x8.25 MVA SAF #2,3 & 4 (3x31 TPD)	32,550
16,100 TPA		21,700 TPA		37,800 TPA	

Location (plot No./ Village/ Tehsil/ District)

The proposed expansion project of M/s. Anjaney Ferro Alloys Limited is located at Plot No. 195, Khata No. 24/1, Village – Bhutberia, P.O. Mihijam, District – Jamtara of Jharkhand.

Salient features of the project

- **Land use pattern/ Total plot area/ built up area:** The total plant area is 2.61 ha. About 0.88 ha. of land i.e. ~33% of the total area is developed as Greenbelt.

S.No.	Land Use	Area (Ha.)
1	Plant Furnace and Raw Material	0.43
2	Internal Road	0.3
3	Raw material storage shed/yard	0.8
4	Office and administrative building	0.2
5	Green belt	0.88

Total	2.61
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- **Total water requirement and its source:**The total requirement of water for process will be 50 KLD after expansion. Water for the existing and expansion will be drawn from Bore-wells. Permission from the CGWA has been obtained vide letter No. 21-4/240/JH/IND/2017-867 dated 07/05/2018.

Water Usage For	Existing (KLD)	Proposed (KLD)	Total after Expansion (KLD)
Process	17	28	45
Domestic	3	2	5
Total	20	30	50

- **Waste water generation, treatment and disposal:** The plant will be designed for zero liquid discharges (ZLD). The water will be re-circulated after process use after required cooling and treatment. In cases where contamination takes place while cooling, the same is the treated appropriately in a treatment plant to be installed inside the plant. After treatment the supernatant water is sent back to the plant circuit. No plant effluent will be discharged in to public water ways or drains.

Sl. No.	Unit	Quantity (m³/day)	Treatment Facility	Usages
1.	Softening Plant back wash	2	ETP (Neutralization Pit)	Slag cooling & Dust suppression
2.	Cooling Tower blow down	4	--	
3.	Sewage	1	Septic Tank with Soak Pit	Gardening
Total discharge		7 KLD		

- **Municipal Solid waste generated disposal facility:**Sewage generated from the toilets of the plants shall be treated in Septic Tank with Soak Pit.Industrial Solid waste generated from the project will mainly comprise of slag and dust. Fe-Mn Slag is reused in the Si-Mn production. Si-Mn and M.C. Fe-Mn Slag is being utilized in road / land development. A separate yard within the premises would be earmarked to store the same temporarily.

Hazardous waste is/will be generated in the form of ‘Used Oil’. ‘Used Oil’ is/will be collected in dedicated drums and stored on impervious concrete floor. Approx. 15 KL “Used Oil” will be generated in a year. This will be sold to the registered recyclers.

Type of Waste	Quantity in Tons/year	Mode of Disposal
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	Existing	Additional For Installed Units	Total	
Slag	12,250	16,450	28,700	Sold at nominal value for construction and layering of highways, roads and walls due to its hardness and stony characteristics
Bag Filter Dust	350	477	827	Recycled in the process

- **Power requirement and source:** Power requirement for the operating units (SAF# 1 & 2 and EAF #1) is 13 MVA. Total power requirement for operation of all units after grant of Environmental Clearance shall be 28 MVA. Substation with adequate capacity to supply necessary power for the project already exists. Power is being supplied by Damodar Valley Corporation. The company has also installed 1 x 63 KVA & 2 x 150 KVA DG Sets to meet emergency power requirements of the plant.
- **Rain water Harvesting:** The project proponent has proposed 1 Rainwater Harvesting Structure inside the plant premises. The total groundwater utilized by the project is 17500 m³/year whereas at the same time the total runoff available for groundwater recharge is 3743.70 m³/year which is almost 21 % of the abstraction per year. M/s Anjaney Ferro Alloys Limited falls under the “Safe Zone” and as per CGWA regulations has to adopt the artificial recharge scheme.
- **Investment/Cost of the project:** Cost of the existing plant is Rs. 1226.30 lakhs. The cost for the project is Rs. 2338.52 Lakhs. Total Cost of the plant is Rs. 4564.82 lakhs.
- **Benefits of the project:** The present project is likely to accelerate industrialization through “Bubble Effects” in the study area. It is important to note that the small-scale units are usually labour-intensive and high-priority industries from social point of view. This is expected to play a major role in the future economic and social development of this area. Project will encourage industrial growth of this sector specifically in steel industry in the region.
- **Employment potential:** Manpower for the existing operation is 150. The manpower after expansion shall be 250, comprising administrative, technical, non-technical, skilled and unskilled workforce. In addition to this there shall be indirect requirement of manpower in transportation sector for transportation of raw materials and finished products.

Project/ activity covered under item of Schedule to the EIA Notification, 2006: The proposed project is listed under activity 3(a), Metallurgical Industries (Ferrous & non-Ferrous) under the Schedule of EIA Notification, 2006 and categorized as Category- ‘A’. The project will be appraised by the Expert Appraisal Committee (Violation) as the Units (SAF#3 & 4) were installed without prior EC and falls under Violation.

National Park/ Wild Life Sanctuary in 10 km radius area: No National Park/Wildlife Sanctuary are within 10 km radius from project site. There are no Eco-Sensitive Zone within 10 km radius area from the project site.

Details of Forest land involved, if any: No Forest land is involved and the project is free from forest area.

Details of Public Hearing and main issues raised/response of the PP: The public hearing was conducted on 29.01.2019 at Shakuntala Reception Hall, Mihijam, district Jamtara at 11:00 am by Jharkhand State Pollution Control Board. The Public Hearing venue was 1.5 km away from the project site. The public hearing was chaired by Mr. Nand Kishore Lal, Additional Controller, Jamtara. The issues raised during public hearing and response of the project proponent with action plan are pollution, potable drinking water, employment etc. An amount of Rs 47 Lakhs has been earmarked for CER based on public hearing issues.

Court case pending for violation of the environmental laws (supported by an undertaking): No Court Case is pending.

Undertaking to the effect that no activity has since been taken up: Undertaking from the project proponent that no activity has been taken up since closure notice issued by JSPCB on 30/08/2016

Details of earlier EC, if any and compliance thereof: The existing units were installed based on the NoC's from Bihar Pollution Control Board during 1991 and 1999 and from Jharkhand State Pollution Control Board (JSPCB) during 2005. The company expanded its production in 2007 by installation of two SAF units after obtaining NOC from JSPCB. These units were in operation till 31.12.2012 after obtaining CTO from JSPCB. However, JSPCB vide letter No. B-3651 dated 31/05/2013 directed the project proponent to stop the operation of 62 TPD Ferro alloys through SAF# 3 & 4, installed during 2007 and accorded CTO only for 46 TPD Ferro alloy production. Compliance with the conditions of Consent to Operate is provided with Form-2.

Details of earlier appraisal by EAC/ SEAC; observation and compliance: The project was appraised by the Expert Appraisal Committee (Violation) during its 27th meeting held on 30/10/2019. EAC after detailed deliberation deferred the project for want of following information:

Violation: PP has installed facilities for 46 TPD (16100 TPA) after obtaining Consent to Establish from Bihar State Pollution Control Board in the year 1991 and 1999 and from Jharkhand State Pollution Control Board in the year 2005. Environmental Clearance as per EIA Notification, 1994 was not required as the project cost was less than Rs. 50 Cr.

In the year 2007, Anjaney Ferro Alloys Ltd. has enhanced the production capacity of its Ferro-alloys production from 16100 to 37,800 TPA by installation of 2x8.5 MVA SAF for production of 62 TPD (2x31 TPD) ferro alloys after obtaining CTE from JSPCB on 03.10.2007.

In the year 2013, while granting CTO, JSPCB granted CTO for the production of 46 TPD (16,100 TPA) only and directed the occupier to stop the production from the units SAF# 3 & 4 (2x31 TPD) installed during 2007 and also directed to obtain Environment Clearance for the same under EIA Notification, 2006. However, the unit was operational till 30/08/2016 on the basis of stay order from Jharkhand High Court. Subsequently a Closure Notice was issued by JSPCB under Section 5 of EP Act 1986 on 30/08/2016 for stoppage of operation of two SAFs of capacity 31 TPD, each and the same are not in operation since.

Observations and recommendations of EAC in the 27th EAC meeting held on 31st October - 1st November, 2019:

1. CER cost to be revised as per the green field project.
2. Damage cost to be revised on the basis of quantification of damage due to air quality, water used during construction phase and operation phase.
3. Violation is from 2006 onwards and 3% of net profit to be loaded to damage cost.
4. Air quality prediction to be done during violation phase and included in calculating the damage cost.

5. Product details during violation period to be submitted.
6. Details of green belt along with the photographs to be submitted.
7. Pre mining and post mining details of Land use/Land change to be submitted.
8. PP should submit the report with EMP cost and saving on EMP cost, if any for calculation of damage cost,
9. Status of credible action under section 19 be submitted
10. Health risk assessment of the employees working near the Submerged Arc Furnace and people of the surrounding due to gases emitted from the Submerged Arc Furnace.
11. Disposal pattern of slag with analysis with respect to heavy metals.
12. Submission of the total cost of the project
13. Submission of credible action proof.
14. Revised Public Hearing table regarding issues raised with commitment made by the proponent with time bound action plan along with fund provision.
15. Copy of latest environmental statement submitted to state PCB.
16. Line diagram showing the pollution equipment to be submitted. 17. Photograph showing existing green belt and pollution control equipment to be submitted

Observations and recommendations of EAC in the 37th (present) meeting

Above additional details related to the project were submitted to Ministry on 15.09.2020, accordingly proposal was considered in the 37th meeting. Project Proponent alongwith consultant made the detailed presentation on the information sought by the EAC in 27th meeting. EAC after detailed presentation by the PP, observed following:

- The Air Quality modeling was carried out for the Violation period from 2006 to 2016. The emission rates were calculated from the Emission factors provided by AP-42 and the production data of violation period. Average Historical Meteorological Data was used in Air Quality Prediction.
- The budget for CER is kept at Rs. 47 Lakhs (2% of project cost), since the total cost of the Violating Units is Rs. 23.38 crores.
- After revised damage assessment including 3% of net profit loaded to damage cost, revised RP, NRA and CRA are prepared by the PP with total cost of Rs 5,500,000.
- A Complaint Case No. 167/2020 is in the Court of Sub. Divisional Magistrate at Jamtara, Jharkhand under Section 43 of Air (Prevention & Control of Pollution) Act, 1981 and under Section 19 of Environment (Protection) Act, 1986 against the Directors of the Company was filed on 16.03.2020 on the basis of complaint by Jharkhand State pollution Control Board vide letter no. B-1950 dated 20.12.2019. EAC further deliberated on the replies submitted for other additional information.
- As there is no existing EC to this project, therefore it cannot be considered expansion, accordingly EAC modified the title of the project.

EAC after detailed deliberation on the information submitted by the PP, **deferred** the project for want of following information:

1. CER shall be revised as per the Ministry's OM dated 23.10.2020 and the amount so arrived at shall be a part of EMP (CAPITAL COST) and the budgetary expenditure provision made accordingly.
2. Revised damage assessment for air environment, and surface water as suggested during the meeting.
3. Revised green belt plan and accordingly revise damage assessment shall be done for land environment.
4. Annual recurring cost saved for EMP during violation period shall also be added to damage assessment cost.

5. CTO to be submitted showing permission for use of slag having chromium and other metallic impurities

37.3.10 Bandla Limestone mining project (M.L. Area 4.96 Ha) of M/s Friends Mineral, located at Mauza Shamah Pamta, Tehsil Paonta Sahib, District Sirmour, Himachal Pradesh - Further consideration for Environmental Clearance [IA/HP/MIN/136142/2018] [F. No. 23-263/2018-IA.III (V)]

Project Proponent alongwith the consultant Shivalik Solid Waste Management ltd, Sco-20-21, 1st Floor, Baltana, Zirakpur, Punjab 140604 (Certificate No: NABET/ EIA/1922/RA 0128 Rev 01) made the detailed presentation on the project.

Details submitted by the Project Proponent

The proposed project (Bandla Limestone Mine Prop. M/s Friends Mineral) is a Hill Slope Mining Project for the mining of lime stone located at Mauza Shamah Pamta, Tehsil-Poanta Sahib, Distt-Sirmour, Himachal Pradesh having lease area of 58-18 bigha (4.96 Ha). The Lease was sanctioned on 01.08.1985 in favour of M/s Friends Minerals for 20 years upto 31.07.2005. Renewal was applied 23.07.2007 for period of 20 years which was extended upto 31.07.2015. As per section -8A introduced by MMDR (Amendment) Act 2015, the mining lease has been extended upto 31.07.2035 vide letter no. Udyog – Bhu (Khani -4) Major -122/04-2327 dated 5.06.2015.

As per MoEF, New Delhi Gazette dated 14th September 2006 and amended thereafter, the mining project is categorized as category ‘A’ project due to the presence of Interstate Boundary of Uttarakhand and Himachal Pradesh within 5 km of the study area. The proposed project activity will be carried out from the Hill Slope. It has been proposed to collect 60,021 TPA (maximum) of limestone including waste within the area of 4.96 Hect.

1. **Name of the Company, Address Tele No. &E-mail Head of organization:**Company Name: M/s Friends Mineral.Address :Shri Chandra Mohan Sharma, Ward No. 3, Adarsh Colony, BadripurPaonta Sahib, District: Sirmour, Himachal Pradesh- 173025; Email id : bandlalimestone@gmail.com
2. **If a Joint venture, the names &addresses of the JV partners including their share:-**Not applicable.
3. **Latitude and Longitude of the project:**
 - a. Latitude: 30⁰35'40.01" N -30⁰35'48.29" N
 - b. Longitude: 77⁰42'5.77" E -77⁰42'20.74" E
4. **Whether the project is in the Critically Polluted Area(CPA) :-** No
5. **Cost of the project:-** Rs. 78.70 Lakhs
6. **Employment generated/to be generated:-**33
7. **Benefits of the project**
8. Improvement in social infrastructure.
9. Health and safety
10. Employment potential.

11. Whether new or expansion project. If expansion: New Project (60,021TPA of limestone)

12. No. and Date of the ToR/and revised ToR, if any, letter issued by the MoEF (if this is a case for EC) :- ToR letter No. F. No. 23-263/2018-IA.III(V) Date 09-Oct-2019.

13. No. and Date of the EC and the revised EC letter issued by the MoEF (if this is a case for reconsideration. If so, what specific reconsideration(s) being sought by the proponent) :- No

14. If the project was considered in EAC, Pl. give dates of the meeting (s)

- a. For Grant of TOR EAC meeting held on 19-20 September 2016,
- b. For Grant of TOR EAC (Violation) meeting held on 29/03/2019
- c. For Grant of EC EAC (Violation) meeting held on 22/04/2020.

15. Type of Mine: (Open cast/Underground/mixed):- Open cast Mine

16. Capacity of the mine applied for :- 60,021 TPA including waste

17. ML Area:-4.96Hectare

18. As per block allotment :- 4.96Hectare

19. As per approved mine plan:-4.96Hectare

20. Date of approval of mine plan, mine closure plan, status &date :- Scheme of Mining including Mine Closure Plan, Date of approval: 29 July 2016, Status: approved

21. Date of Ground water clearance and surface water approval:-Not Applicable

22. Existing Ground water level in(M):-Pre-monsoon period 3.76 to 43.98 m bgl; Post-monsoon period 2.98 to 37.35 m bgl

23. Any river/ Nallah flowing near or adjacent to the proposed mine. If yes, please give details:-Giri River (7 km in SW direction)

24. Details of Mining lease

1. Date of entering into original lease deed.	1. Date of 1st lease renewal	1. Date of 2nd lease renewal	1. Date of 3rd lease renewal
01.08.1985	23.07.2007	--	--
2. Date of expiry of original lease deed	2. Whether renewal or deemed renewal	2. Whether renewal or deemed renewal	2. Whether renewal or deemed renewal
31.07.2005	31.07.2015 (has been extended up to 31.07.2035 vide letter no. Udyog- Bhu (Khani- 4) Major- 122/04- 2327 dated 05.06.2015	--	--

	3. Date of expiry of 1st lease renewal/ deemed renewal	3. Date of expiry of 2nd lease renewal/ deemed renewal	3. Date of expiry of 2nd lease renewal/ deemed renewal [also for subsequent renewals]
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TECHNICAL DETAILS

25. Geological Reserve

Total geological reserve : 40, 65, 907 Tonnes

Mineable reserve : 17, 66, 150 Tonnes

Extractable reserve:-16,77,840 Tonnes

Percent of extraction: 95%

Range of ground water level :- Pre-monsoon period 3.76 to 43.98 m bgl, Post-monsoon period 2.98 to 37.35 m bgl

Total estimated water requirement :- 4.48 KLD (Tanker Supply from ChitliKhala natural spring and RWH scheme)

Details of intersecting ground water level:- No

26. Details of Deposits -

(i) Grade of ore –low and high grade lime

(ii) Stripping ratio –0.05:1

27. Method of mining:- Open Cast manual mining.

28. Life of mine:-28 years

29. 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.:- Ambient Air Quality Monitoring was carried out during October to December 2016 further validated during 1st April 2019 – 30th April, 2019, Summer season, Results were found within permissible limit

30. Whether the monitoring report of earlier EC from MoEF Regional Office has been obtained, in case the proposal is for expansion.:-EC has not been obtained

31. Details of O.B.

(i) External OB dumps :- No

(ii) No of OB dumps :- 2

(iii) Area of each dump :- 3325 Sq.m. and 4000 sq.m.

(iv) Height of each dump :- 5.5

(v) Quantity (in MCm) of OB in each dump :- Total 0.006325

(vi) Year of back filling :- 5

(vii) No. of OB dumps reclaimed :- 2

(viii) If garland drains and settlement facility for runoff created: Proposed

(ix) Whether runoff water being utilized :- Will be utilized in RWH

32. Details of Internal Dumps:-Not Applicable

33. Utilization potential of wastes :- Overburden

- (i) Within the mines :- Making Parapet walls and rehabilitation of benches
- (ii) Outside mines:- Maintenance of PWD roads, approach road.
- (i) Efforts made by proponent:- - Use for leveling of exhausted benches and plantation purpose.

34. Details of final Mine Voids –There is no mine void

- (i) Area 0
- (ii) Depth 0

35. Details of Quarry

- (i) Total quarry area:-2.10 Ha.
- (ii) Backfilled quarry area of 0.73 ha shall be reclaimed with plantation
- (iii) Avoid of ha at a depth of m which is proposed to be converted into a water body:-- No Voids are available at mine site
- (iv) Green belt (Safety zone)created in ha:- 0.2

36. Details of Land usage

i. Pre-mining

S. No.	LAND USE	Other LAND USE	WITHIN ML AREA (Hectare)	OUTSIDE ML AREA (Hectare)	TOTAL (Hectare)
(1.)	WASTE LAND		4.96	0	4.96
(2.)	FOREST LAND		0	0	0
(3.)	GRAZING LAND		0	0	0
(4.)	AGRICULTURE LAND		0	0	0
(5.)	SURFACE WATER BODIES		0	0	0
(6.)	SETTLEMENTS		0	0	0
TOTAL			4.96	0	4.96

ii. Post- Mining

S. No.	LAND USE	Other LAND USE	Plantation (ha)	Water Body (ha)	Public Use (ha)	Undisturbed (ha)	Total
(1.)	BUILT UP AREA (COLONY/OFFICE)		0	0	0		0
(2.)	TOP SOIL STORAGE		0	0	0		0
(3.)	INTERNAL OB DUMPS		0.73	0	0		0.73
(4.)	ROADS		0	0	0.306		0.306
(5.)	VIRGIN AREA		0	0	0		0

(6.)	Other	Undisturbed & Retaining Wall area	1.624	0	0		1.624
(7.)	EXCAVATION/QUARRY		2.10	0	0		2.1
(8.)	GREEN BELT		0.2	0	0		0.2
(9.)	EXTERNAL OB DUMPS		0	0	0		0
TOTAL			4.654	0	0.306	0	4.96

iii. Core area:-4.96 Ha

37. Details of Forest issues:-No forest land involved.

i. Whether schedule-I species, if yes conservation plan is approved by CWLW?:- Yes, conservation plan for Leopard, attached with EIA report.

38. Costs of the project

- (i) Total capital Cost :- Rs 78.70 lakhs
- (ii) Cost of Production:-250 rs./tons
- (iii) Sale Price:-270 rs./tons
- (iv) CERcost:-Rs 3 Lakh
- (v) R&R Cost:-Not Applicable
- (vi) No of PAFs:-Not Applicable
- (vii) Cost for implementing EMP:-9.21 lakh (Capital) 9.13 Lakh (Recurring)

39. Details of villages/habitation in mine lease area :- None

40. Details of transportation of mineral

- (i) In pit:-None
- (ii) Surface to siding:-None
- (iii) Siding to loading:-None
- (iv) Quantity being transported by Road/Rail/conveyer /ropeway:~ 240 Tonnes per day
- (v) Proposed change in transportation means if any, give details:-Existing mode of transportation will be used

41. Details of reclamation:Mining of Limestone and overburden will be backfilled at the end of conceptual plan.

- (i) Afforestation shall be done covering an area of: 0.45 ha at the end of mining. This will include: :- Over 7.5 m strip., Area: 0.25, Saplings: 250, Over Bench, Area: 0.20, Saplings: 200
- (ii) Reclaimed external OB dump (in ha):---
- (iii) Internal dump(inha):---
- (iv) Green belt (in ha):-0.25 ha
- (v) Density of tree plantation (in no of plants):-10 trees per 100 sqm.
- (vi) Void (in ha) at a depth of (in m) which is proposed to be converted into water body:-No

- (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):-None
- (viii) Agriculture and horticulture:-None
- (ix) Fisheries:-None
ECO Tourist/recreation spot:-None

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

Environment (Protection) Act -- Show cause notice issued Vide Letter No.PCB/RO(Pt)Bandla Lime Stone Mine of Friends Mineral/2019-830-31 Dated: 28.06.2019
 Air (P&CP) Act -- Nil
 Water (P&CP) Act -- Nil
 MMRD Act -- Nil
 The Factories Act -- Nil
 Other land R&R related cases:- No R&R related case against the project.

43. Any violation cases pending. If so, please provide a list with details as annexure. Give details of actual production vis-à-vis sanctioned capacity since the inception of mine in following format or since 1993-94 as applicable: -- No case pending.

44. 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	Actual production (MTPA)	Area in Ha	Excess production beyond the EC sanctioned capacity
1985-86	222.00	4.96	EC not sanctioned
1986-87	4232.630	4.96	EC not sanctioned
1987-88	5889.120	4.96	EC not sanctioned
1989-90	3486.460	4.96	EC not sanctioned
1990-91	5655.250	4.96	EC not sanctioned
1991-92	3951.200	4.96	EC not sanctioned
1992-93	1457.89	4.96	EC not sanctioned
1993-94	5195.900	4.96	EC not sanctioned
1994-95	13926.00	4.96	EC not sanctioned
1995-96	14288.8	4.96	EC not sanctioned
1996-97	10869.400	4.96	EC not sanctioned
1997-98	3637.00	4.96	EC not sanctioned
1998-99	15851.100	4.96	EC not sanctioned
1999-2000	21545.100	4.96	EC not sanctioned
2000-2001	45956.200	4.96	EC not sanctioned
2001-02	20689.400	4.96	EC not sanctioned
2002-03	23357.300	4.96	EC not sanctioned
2003-04	22362.700	4.96	EC not sanctioned
2004-05	17189.600	4.96	EC not sanctioned
2005-06	4968.600	4.96	EC not sanctioned
2006-07	Nil	4.96	EC not sanctioned
2007-08	9862.900	4.96	EC not sanctioned
2008-09	8403.4	4.96	EC not sanctioned
2009-10	12250.500	4.96	EC not sanctioned
2010-11	7960.4	4.96	EC not sanctioned
2011-12	6939.5	4.96	EC not sanctioned

2012-13	7921.0	4.96	EC not sanctioned
2013-14	Nil	4.96	EC not sanctioned
2014-15	7609.6	4.96	EC not sanctioned
2015-16	2104.8	4.96	EC not sanctioned
2016-17	21998.3	4.96	EC not sanctioned
Production continued after 2016 with valid consent from HPSPCB vide letter no. HPSPCB/PCB-ID-14970-18127-29 dated 03.11.14, which was valid till 31.03.2017).			

45. Date and Place of public hearing :- PH held on 19.04.2017 at Community Centre, Village: Pamta, Tehsil: Paonta Sahib, Sirmaur, H.P under the Chairmanship of Additional Deputy Commissioner Sh. Harbans Singh

46. Issues raised during Public Hearing and assurance given alongwith the financial provisions and action plan, if any, by the project proponent. (Please attach as an annexure in a tabular form.)

S.No	Issues raised	Remarks on the Issues raised	Action plan & Financial provisions
1	Generation of employment by sustainable Development in such a way that minimizing adverse impact on environment	The management ensured to carry out mining activity in scientific way. Besides provide employment to local person.	The mining is carried out as per approved mine plan & condition laid down in EC. Total 33 persons are required for mining activity. The management will ensure that all are hired from the local villages.
2	There is no objection to mining activity in Case mining activity is carried out in scientific way for conservation of environment protection.	The management ensured to carryout mining activities in scientific manner and to Provide check dams and retaining walls	The mining is carried out as per approved mine plan & condition laid down in EC The management will spend Rs 2.18 Lakhs for construction of check dams and Rs 2.96 Lakhs is earmarked for maintenance work
3	Regular water sprinkling of water for minimization of dust.	The management ensured for water sprinkling whenever mine will come in operation.	Regular water sprinkling to the haulage road of the mine site (Twice a day & as per requirement) Water Requirement for dust suppression 3.0 KLD

4	Contribution towards medical aid by providing ambulance jointly with the other lessees through Panchayat apart from employment to the youth	The management ensured for Contribution towards medical aid by providing ambulance jointly with the other lessees through Panchayat	The joint efforts are made by all the three parties in cluster & with local villagers in presence of Up-Pradhan. It is mutually agreed upon that Ambulance is available on call by 108. At present, the management provides vehicles as and when required. Total contribution by management for medical aid & ambulance Rs 2 Lakhs.
5	Non-exploitation by local(s) as there is no any other source of income and employment except mining activity and proper compensation to the effective person should be provided	The management ensured that there Will be no space for exploitation. Proper compensation is being provided and same shall be continued in near future.	The management will provide compensation as per rules after mutual discussion with affected people
6	The compensation should be provided among all members of family beside this compensation should be assessed on the basis of fodder and crop value.	Shall provide compensation after mutual discussion with local people through Panchayat Pradhan.	The management will provide compensation as per rules after mutual discussion with affected people
7	Effective environmental Protection measures for control of debris for future as well as past mining activity besides provision of more dumping sites.	The management agreed to provide protection measures	The management will spend Rs 2.18 Lakhs for construction of check dams and Rs 2.96 Lakhs is earmarked for maintenance work
8	Damage to water supply scheme as well as natural drinking water sources due to muck from mine area due to mining activities.	In case of any damage to water sources proper compensation is being provided and same shall be continued in near future	There is no damage to water supply scheme. If there is any damage occur due to mining proper maintenance will be done by the mine management. Amount of Rs 0.5 Lakh is earmarked for the maintenance of water supply scheme.

Observations and recommendations of EAC in the 32nd EAC meeting held on 22nd - 23rd April, 2020:

Project was last considered in the 32nd EAC meeting held on 22nd - 23rd April, 2020. EAC observed that the information/ data submitted to the Ministry in the form of Annexure IV and Form II are variable and misleading. EAC took it seriously and advised PP to submit the revised Form 2 and Annexure IV as per the format. EAC after detailed deliberation *returned* the proposal in present form for want of following information:

- i. Base line concentration of PM2.5, SO2, NOx is mentioned zero in the column 18 of Form 2. Correct values shall be submitted in the revised Form 2 application.
- ii. Copy of approved Mining plan with covering letter to be uploaded along with Form 2 Application.
- iii. Copy of surface water permission letter and also NOC from state ground water department.
- iv. Pre mining and Post mining land use plan shall be submitted in the Annexure IV along with the comparison table.
 - v. Details of Geological reserves/mineable reserves are different in Form 2 and Annexure IV. Correct values shall be submitted in the revised Form 2 application and Annexure IV.
 - vi. Detail of grade of Ore and Stripping ratio to be provided in Annexure IV.
 - vii. Information regarding external and internal dumps is different in Form 2 and Annexure IV. Submit the correct and uniform information in both Form 2 and Annexure IV.
- viii. Details of top soil management, final mine void and transportation shall be submitted in the Form 2 application .
- ix. Justification for the submitted capital cost (Rs 55.0 lakhs) of the project. Revised cost should be submitted considering the cost of land and all infrastructures required for running the mine.
- x. DSR as per the Ministry Notification dated 25.07.2018 shall be uploaded along with Form 2 application.
- xi. Details regarding no ground water intersection during the mining activity.
- xii. As per the ToR, total excavation is 63181 TPA (60021 TPA Limestone and 3160 TPA Waste) whereas in the EIA report total excavation is 60021 TPA including waste. Clarify?
- xiii. Waste generation (1264 Cu.m) to be mentioned in TPA in Form 2 application
- xiv. Detailed presentation on TOR compliance. 15. Details regarding water balance (flow chart) including alternative sources of water through rain water harvesting measures.
- xv. Status of credible action.
- xvi. Public hearing issues raised and commitment made by Project proponent along fund provision and time frame in tabular form to be submitted.
- xvii. Point wise action plan for ToR Condition No 15
- xviii. Transportation details and use of the mineral (Lime stone) with traffic impact assessment study to be submitted
- xix. Pre-mining and Post mining land use details to be submitted
- xx. Submission of Plagiarism check list declaration by EIA consultant Organisation
- xxi. Comparison of the results of AAQ during 2016 and 2019 for all the parameters are shown almost same, reason may kindly be given.
- xxii. Results of groundwater monitoring Oct-Dec, 2016 and 2019.
- xxiii. Please check calcium and magnesium conc levels
- xxiv. Surface water monitoring 2016, EC mentioned as 210&215 Ms. it should be in micro SEIMENS per centimetre
- xxv. Chromium should be as Cr+6 xxvi. Biological Oxygen Demand, should be written as Biochemical Oxygen Demand
- xxvi. Percentage of Silica is not given as asked in the mineralogical and chemical composition xxviii. Detailed Hydrogeological report as per GEC 2015.
- xxix. Wild Life Conservation plan .
- xxx. LULC comparison and detailed analysis.

- xxxi. Revised damage assessment vis-à-vis remediation and NRAP/CRAP as per the quantity and period of violation as deliberated earlier.
- xxxii. Plantation plan/budget as presented in the Slide 17 (Remediation Plan) and Slide 32 (EMP Budget) needs to be addressed with detail plan for plantation with suitable species and maintenance for 5 yrs(as only 250 plant for mine boundaries and 300 plants for road-side plantation with a maintenance cost of Rs. 30.00/yr seems to be inadequate) as per statutory norms;
- xxxiii. Complete EIA Report with its structure to be submitted.

Observations and recommendations of EAC in the 35th EAC meeting held on 6th - 7th August, 2020

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

- (i) Revised Capital cost shall be submitted.
- (ii) Revised damage cost considering for all the environmental attributes and profit accrued during the violation period.
- (iii) Pre-present and post mining land use plan to be submitted.
- (iv) Details of Schedule I species in the study area to be submitted.
- (v) Approved WLC by Forest authorities and the budget allocated.
- (vi) Greenbelt development/Bio-diversity Conservation Plan to mitigate the impacts along the budget estimate towards ecology restoration and maintenance should be submitted.

Observations and recommendations of EAC in the 37th meeting (present meeting)

Above information was submitted online to the Ministry on 08.10.2020, accordingly proposal is listed in the agenda of the present meeting (37th). Project Proponent alongwith consultant made the detailed presentation on the information sought by the EAC.

EAC after detailed presentation observed that PP has gone for mining without taking prior environment clearance. EAC noted that PP has submitted revised total cost of the project of Rs 78,70,600, which includes Capital cost Rs 40,13,600 + Recurring Cost/yr Rs 38,57,000. EAC further noted that PP submitted the damage cost of Rs 6,65,352.

EAC also observed that Public hearing was conducted for production capacity of 60021 TPA therefore EAC opined that EC capacity shall be restricted to 60021 TPA including waste.

EAC deliberated on the information presented and as submitted by the PP including revised damage assessment, approved mining plan and traffic study. EAC advised PP to revise/restructuring the details given in R.P, NRA and CRA as suggested and to be submitted to the committee through email.

PP submitted the revised R.P, NRAP and CRAP to the EAC on 27.10.2020 through email. The EAC after detailed deliberation on the information submitted by the PP (EIA/EMP report, PH issues, Compliance report, Form 2, Additional information, Annexures etc), **recommended** the proposal for **grant of Environmental Clearance** for total excavation of 60021 TPA including limestone and waste, 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 13.20** 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:

- ii. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is Rs. **13.20** lakhs. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rs. **13.20** lakhs 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.

Remediation Plan & Budgetary Provision						
S.No.	Environment Component	Activity Description	Budgetary Provision in Lakhs			Total in (Lakhs)
			1 st Year	2 nd Year	3 rd Year	
1.	Air Environment	Pavement of Road to the nearby kaccha rasta, @400/sq.m. for 500 meter long and 3 meter wide.	6.0	---	---	6.0
2.	Noise & land Environment	Plantation in the surrounding area, road side . Total 300 Tress will be planted @400 Rs. Per tree. 100 trees every year.	0.4	0.4	0.4	1.2
3.	Water Environment	Channelization of rain water and construction of Rainwater Harvesting tank	1.5	0.2	0.2	1.9
Total in (Lakhs)			7.9	0.6	0.6	9.1

Community Welfare Augmentation Plan and Budgetary Provisions						
S.No.	Activity Proposed	Budgetary Provision in Lakhs			Total in (Lakhs)	
		1 st Year	2 nd Year	3 rd Year		
1.	Medical equipment will be provided to Primary Health Center Kamroo.	0.6	--	--	0.6	
2.	Cost sharing for Medical aid by providing ambulance with two other mining lease as commitment made in P.H.	2.0	--	--	2.0	

Total in (Lakhs)	2.2	--	--	2.6
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Natural Resources Augmentation Plan and Budgetary provisions					
S.No.	Activity Proposed	Budgetary Provision in Lakhs			Total in (Lakhs)
		1st Year	2nd Year	3rd Year	
1.	Providing of 6 solar street lights @25000/Light, 2 lights every year	0.5	0.5	0.5	1.5
Total in (Lakhs)		0.5	0.5	0.5	1.5

Summary

S. No.	Activity Proposed	Total in Lakhs
1.	Remediation Plan & Budgetary Provision s	9.1
2.	Natural Resources Augmentation Plan and Budgetary provisions	2.6
3.	Natural Resources Augmentation Plan and Budgetary provisions	1.5
Total in (Lakhs)		13.2

- 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. Credible action to be initiated and court case shall be filed against the Project Proponent u/s 19 of the E(P) Act.

37.3.11 Expansion of Pesticide Manufacturing Unit from 15 TPA to 471.5 TPA at Plot nos. E-24, E-24 (Part) and E-23/1, MIDC, LotePrashuram, Taluka Khed, District Ratnagari, Maharashtra by M/s Godrej Agrovet Limited - Environmental Clearance [Proposal no. IA/MH/IND2/178432/2017] [F. No. J-11011/231/2003-IA.II(I)]

The Project Proponent and the accredited Consultant Rightsource Industrial Solutions Pvt. Ltd, has submitted the following information to the EAC:

- i. The proposal is for environmental clearance to the project proposed expansion of existing Herbicides/ Fungicides/ PGRs manufacturing unit at Plot No. E- 24, E-24 (Part) and E-23/1, MIDC LoteParshuram, Taluka: Khed, District: Ratnagiri, Maharashtra by M/s. Godrej Agrovet Ltd. The project proposal was considered by EAC and issued standard ToR Vide File No. **J-11011/231/2003-IA-II (I) on 31st January, 2018** with exemption of Public Hearing as the unit is located in Notified Industrial Area established prior 14th Sept 2006 as per **OM J-11013/36/2014-IA-I dt. 10.12 2014**.
- ii. The proposal was considered by the Expert Appraisal Committee (Industry-2) in its meeting held during 29-31st July, 2019. The committee noted that the existing environmental clearance dated 28th May 2004 granted by the Ministry was for manufacturing capacity @ 1.25 TPM (15 TPA). The unit is, however, engaged in production @100.60 TPA and as such, amounts to violation of the EIA Notification, 2006.
- iii. The proposal was considered by the Expert Appraisal Committee (EAC) for projects related to violation of the EIA Notification, 2006 in its meeting held on 30-31 December, 2019 in the Ministry. The committee, after detailed deliberations on the proposal in terms of the provisions of the above said Notification, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for Standard Terms of Reference along with the additional conditions for undertaking EIA and preparation of Environment Management Plan (EMP).
- iv. All Pesticides industry and pesticide specific intermediates (excluding formulations) projects are listed at S.N. 5(b) of Schedule of Environment Impact Assessment (EIA) Notification under Category 'A' and are appraised at Central Level by Expert Appraisal Committee(EAC).
- v. Ministry had issued EC earlier vide letter no. **J-11011/23/2003-IA-II; dated 28th May 2004** for in favorof M/s. BaharAgrochem and Feeds Pvt. Limited to manufacture a herbicide 2-mercapto-6-chlorobenzonitrile (trade name GOD H001) with the manufacturing capacity of **1.25 TPM**. The EC was transferred in the name of M/s. Godrej Agrovet Ltd from M/s BaharAgrochem and Feeds Pvt. Ltd **Vide File No. J-11011/23/2003 IA II (I) dated 06/03/2014**.
- vi. Existing land area is 10742 sq. m. and no additional land is required for the proposed expansion.

- vii. Industry has already developed green belt in an area of 2346.17 sq. m and proposed green belt in an area of 1225.15 sq. m. Total green belt area would be 3571.32 sq. m i.e. 33.25% out of total area of the project.
- viii. The estimated project cost is Rs. 10 Crores excluding existing investment of Rs. 13.47 Crores. Total capital cost earmarked towards environmental pollution control measures is Rs. 0.62 Crore and the Recurring cost (operation and maintenance) will be about Rs. 0.11 Crore per annum.
- ix. Direct Employment will be 10 persons and indirect employment would be 20 persons after expansion. Industry proposes to allocate Rs. 0.10 Crore @ of 1.0 % towards Corporate Environment Responsibility (CER) as per Ministry OM dated 1st May 2018.
- x. There are no national parks, wildlife sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, and Wildlife Corridors etc. within 10 km distance from the project site. River Vashishti is flowing at a distance of 4.15 Km in South west direction.
- xi. Ambient air quality monitoring was carried out at 8 locations during 1st March 2018 to 31st May 2018. The baseline data indicates the ranges of concentrations as: PM₁₀ (40.7-79.8 µg/m³), PM_{2.5} (18.4-43.7 µg/m³), SO₂ (16.3-44.5 µg/m³) and NO_x (11.9-40.5 µg/m³). AAQ modeling study for point source and Line Source emissions indicates that the maximum GLCs after the proposed project would be 0.021 µg/m³, 1.62 µg/m³ and 0.235 µg/m³ with respect to PM₁₀, SO_x and NO_x. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).
- xii. Total water requirement is 52.12 m³/day of which fresh water requirement of 37.18 m³/day will be met from MIDC water supply.
- xiii. Effluent of 18.09 m³/day is segregated into HTDS (5.98 m³/day) and LTDS (12.11 m³/day). HTDS effluent will be sent to MEE system followed by BTP and LTDS effluent will be treated in BTP followed by RO Plant. RO Rejects to MEE System and RO permeate to reuse, Condensate from MEE to reuse and MEE concentrated to ATFD, ATFD salts will be sent to TSDF and will achieve Zero Liquid Discharge (ZLD).
- xiv. Power requirement after expansion will be 400 KVA including existing 135 KVA and will be met from Maharashtra State Electricity Distribution Company Limited (MSEDCL). Existing unit has 1 DG sets of 200 KVA capacity, DG set is used as standby during power failure. Stack (height 10 m) will be provided as per CPCB norms to the proposed DG sets.
- xv. Existing unit has 1* 0.6 TPH FO fired boiler and 100000 kcal/hr Thermic fluid heater. Additional 1* 0.6 TPH FO fired boiler will be installed. Stack of height 21 meters is already installed for 0.6 TPH FO fired boiler and additionally stack of height 21 meters will be installed for controlling the particulate emissions within the statutory limit of 150 mg/Nm³ for the proposed boilers.
- xvi. Process emissions are CO₂, H₂, NH₃, O₂, HBr, HCl & SO₂ which will liberate from manufacturing process of proposed products. Carbon dioxide and oxygen will be dispersed into the atmosphere, hydrogen will be diffused by using nitrogen through flame arrestor, ammonia and hydrogen chloride will be scrubbed by using chilled water media, hydrogen bromide and sulphur dioxide will be scrubbed by using C. S. lye solution.

- xvii. Solid wastes generated are organic and inorganic wastes. All the inorganic solid waste generated in the plant will be sent to TSDF for secure Land Fill and all the Organic Solid Waste will be sent to Cement Industries / TSDF for secure Land Fill.
- xviii. Public Hearing for the proposed project was exempted by EAC as the unit is located in Notified Industrial Area established prior 14th Sept 2006 as per **OM J-11013/36/2014-IA-I dt. 10.12 2014**.
- xix. The Compliance of Environmental Clearance conditions for the existing unit are certified by the Regional Office, Nagpur, MoEF & CC Vide F. No. 5-50/2004(ENV)/4848 dated 29th January 2019.
- xx. No Litigations against the Project Proponent.
- xxi. The details of products and capacity are asunder:

S. No.	Products	Quantity (MT/A)		
		Existing	Proposed	Total
1.	GOD –HH001 Pyriithioback Sodium Tech.	40	20	60
2.	Homobrassinolide (HBR)	0.6	0.9	1.5
3.	Bispyribac Sodium Technical	40	20	60
4.	Florchlorfenuron Technical	20	30	50
5.	Quizalofap-P-Ethyl Technical	00	60	60
6.	Dimethomorph Technical	00	60	60
7.	Metribuzin Technical	00	60	60
8.	Thiophanate Methyl technical	00	60	60
9.	Trifloxystrobin Technical	00	60	60
TOTAL (A)		100.60	370.90	471.50
Formulation Products which are not required Prior Environment Clearance as per EIA Notification, 2006				
1.	Bispyribac Sodium Formulation	144.405	0	144.405
2.	Florchlorfenuron Formulation	10.12	0	10.12
3.	AchookNimin	36	0	36
4.	Bumper Bountee	12	0	12
5.	Combined (PGR) like super shakti&Diamore combine & double	12	0	12
6.	Dapcoat	24	0	24
7.	Agroneem	200	0	200
8.	Liquid Vipul, Vipul granules, DiamoreSuruchi, Ruchira	36	0	36
9.	Neem oil Emulsifiable	24	0	24
10.	HitweedPyriithiobac Sodium	36	0	36

S. No.	Products	Quantity (MT/A)		
		Existing	Proposed	Total
	(10%)			
	TOTAL (B)	534.525	0.0	534.525
	GRAND TOTAL (A+B)	635.125	370.90	1006.025

Observation and recommendation of the EAC in the present meeting (37th)

EAC noted that Project Proponent has submitted the report without conducting Public Hearing (PH). PP requested EAC stating that in the EIA Notification 2006 and as amended thereof, activity proposed is exempted from the requirement of Public Hearing. EAC explained in detail to the PP that committee has stipulated PH in the ToR on the basis of the Madras High Court Judgement dated 14.03.2018, wherein activity alone under Schedule 8 of the parent notification was given exemption. EAC further noted inconsistency in submission of the data in the report. Damage assessment to the environment and relevant remediation ,NRAP,CRAP has not been computed during the violation period, which is an important part of ToR, has not been complied by the PP

Since the ToR has not been complied as far as PH and damage assessment study is concerned, EAC after detailed deliberation considering shortfall in submissions of the PP, decided to **return** the proposal and advised PP to submit the revised report with PH, damage assessment study as a part of additional chapter in the EIA report and current status on credible action u/s 19 of the E(P) Act, for consideration of Environmental Clearance.

37.3.12 M/s Saravana Mines and Minerals, Limestone Mine over an Extent of 1.14.0Ha in S.F.Nos. 202/2K (Part) at Olaipadi (West) Village of Kunnam Taluk, Perambalur District, Tamil Nadu - Terms of Reference [Proposal no. IA/TN/MIN/66885/2017] [F. No. 23-7/2020-IA.III (V)]

Not attended

37.3.13 Road Metal & Building Stone mine of M.Suresh, (4.00 Ha) in Sy. No:1481,Chandragiri Village, Chandragiri Mandal, Chittoor District, Andhra Pradesh - Terms of Reference [Proposal no. IA/AP/MIN/68086/2017] [F. No. 23-8/2020-IA.III (V)]

Not attended

37.3.14 Proposed production of Silica Sand mine of 84000 TPA (area 25.00 Acres) located in Sy. No.256 of Vellapalem village, Chillakur Mandal, S.P.S.R. Nellore District, Andhra Pradesh by M/s Sri Sai Chinnamman Mines - Terms of Reference [Proposal no. IA/AP/MIN/68158/2017] [F. No. 23-9/2020-IA.III (V)]

Project Proponent informed that EC has been granted by SEIAA vide letter dated 18.12.2019. EAC therefore advised to **return** the proposal in the present form.

37.3.15 Proposed production of Silica Sand mine of 84000 TPA (area 25.00 Acres) located in Sy. No.256 of Vellapalem village, Chillakur Mandal, S.P.S.R. Nellore District, Andhra Pradesh by M/s Sri Sai Chinnamman Mines - Terms of Reference [Proposal no. IA/AP/MIN/68163/2017] [F. No. 23-10/2020-IA.III (V)]

Project Proponent informed that EC has been granted by SEIAA vide letter dated 18.12.2019. EAC therefore advised to **return** the proposal in the present form

37.3.16 Existing Multicolour granite quarry over an extent of 2.06 Ha in S.F.No. 85/2C1(P), Mallangkudi Village, Thirumayam Taluk, Pudukottai District, Tamil Nadu by M/s C.Satishkumar - Terms of Reference [Proposal no. IA/TN/MIN/68315/2017] [F. No. 23-11/2020-IA.III (V)]

Project Proponent requested to withdraw the proposal as PP has submitted the application at SEIAA Tamil Nadu. EAC therefore recommended to return the proposal in the present form.

37.3.17 Quarrying for Road metal extraction of 50000 m³/annum in an area of 1.0 Ha at Survey No. 1, Marturu Village, Anakapalli Mandal, Visakhapatnam District, Andhra Pradesh - Terms of Reference [Proposal no. IA/AP/CMIN/68500/2017] [F. No. 23-12/2020-IA.III (V)]

Project Proponent did not attend the meeting

37.3.18 Manufacturing of APIs and Intermediates by M/s Acebright (India) Pharma Pvt. Ltd. at Plot No. #116/117, KIADB Industrial Area, village Jigani, Taluk Anekal, District Bengaluru, Karnataka- Environmental Clearance [Proposal no. IA/KA/IND2/174762/2017] [F. No. 23-2/2017-IA.III (V)]

The project proponent and the accredited consultant M/s. **Environmental Health and Safety Consultants Pvt Ltd**, Bangalore made a detailed presentation on the salient features of the project and informed that:

- i. The proposal is for Environmental Clearance to the project for **Proposal for Change in Product mix in the existing Bulk Drugs and Intermediates Manufacturing Unit at #116/117, KIADB Industrial area, Jigani Village, Anekal Taluk, Bangalore District-560105, Karnataka** by M/s Acebright (India) Pharma Pvt. Ltd.,
- ii. The project proposal was considered by Expert Appraisal Committee (violation cases) in its **meeting held on 22nd June, 2017 and 29-30 August, 2019 respectively. The EAC, after detailed deliberations, confirmed the case to be of violation of the EIA Notification, 2006** and recommended terms of references (TORs) for the project. The TOR has been issued by Ministry vide letter No: **23-2/2017-IA.III dated 21.01.2020.**
- iii. Project activities fall under 5(f) category of the EIA Notification 2006 and its amendments and as “Category B” for being located at Industrial area. Since, it is located within 5 kms from the nearest boundary of protected area i.e. Bannerghatta National Park and also in view of the said KIADB Industrial Area being categorized as Critically Polluted Area (CEPI Score: 70.99 by CPCB as assessed during 2017-18 and as submitted to NGT by CPCB), proposal attracts General Condition of EIA Notification 2006, project to be appraised as Category “A”
- iv. Ministry had issued EC earlier vide letter no. J-11011/11/2002-IA II(I) dated:20.06.2002 to the existing project Manufacturing of bulk drugs at #116/117, KIADB Industrial area, Jigani Village, Anekal Taluk, Bangalore District in favour of M/s Intermed Labs Pvt ltd.(Application for Transfer of Environmental Clearance from M/s Intermed Labs Pvt Ltd., to M/s Acebright (India) Pharma Pvt Ltd., was filed online vide online proposal no. 163270)- (in Expansion case/if applicable).

- v. Existing land area is 15426.04 Sq.m; no additional land is required for proposed expansion (Expansion will be within the premises).
- vi. Industry has already developed Greenbelt in an area of 12.06 % i.e., **0.46 Acres within the industrial premises** and remaining 0.84 Acres (21.00%) of green belt is developed outside the premises in the leased land out of total area of the project. **7% additional greenbelt development i.e., 1.38 Acres is proposed outside the industrial premises in the leased land.**
- vii. The estimated project cost is **Rs.162 Crores (cost for expansion Rs.83,52,900). For the proposed expansion**, total capital cost earmarked towards environmental pollution control measures is **Rs.0.16 Lakhs** and the Recurring cost (operation and maintenance) will be about **Rs.131.28 Lakhs per annum.**
- viii. Total employment will be 200nos ((No additional man power required). Industry proposes to allocate **Rs.1.7 Lakhs @ 2.0 %** towards Corporate Environmental Responsibility.
- ix. **Bannerghatta National Park is located at a distance of 4.08 km from project site towards SW direction. Vadera Manchenahalli Lake** is at a distance of **0.36kms in S direction.**
- x. Ambient air quality monitoring was carried out at 10 locations during **October 2018 to December, 2018** and submitted baseline data indicates that ranges of concentrations of PM₁₀(**46.3µg/m³- 86.3µg/m³**), PM_{2.5}(**16.5µg/m³-42.2µg/m³**), SO₂(**6.01µg/m³-17.38µg/m³**) and NO₂(**9.58µg/m³-27.65µg/m³**) respectively. AAQ modeling study for the point source emissions indicates that the maximum incremental GLC after the proposed project would be **0.11µg/m³, 0.01µg/m³ and 1.41µg/m³** with respect to PM₁₀, SO₂ and NO₂ respectively. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).
- xi. Total water requirement is **72 m³/day** and of which fresh water requirement of **54 m³/day** will be met from **KIADB/Water Tankers and the balance 25.2 KLD will be recycled.**
- xii. Effluent of **18 KLD** (Low TDS Effluent-4.5 KLD & High TDS Effluent - 12KLD, Utility-1.5KLD) is being treated in ETP. **The plant is based on Zero Liquid discharge system.** Domestic Sewage of 7.2 KLD is being treated in 10 KLD STP (SBR based).
- xiii. Power requirement after expansion will be **2450KVA** which will be met from Bangalore Electricity Supply Company Limited (BESCOM). Existing unit has 5 Nos DG set of 2 x 725 KVA+ 1 x 380 KVA capacity, 2 X 1010 KVA DG sets are installed as Standby **No** additional DG sets are required. DG sets are used as standby during power failure. Stack (height 6 mt ARL) provided as per CPCB norms to the existing DG sets.
- xiv. Existing unit has **4000 Kg/hr & 2000 Kg/hr PNG fired Boilers** are installed. **No** Additional boiler will be installed. **Common** Stack height of **30 mt AGL** has been provided for the existing boilers. for controlling the particulate emissions within the statutory limit of 150 mg/Nm³ for the boilers.
- xv. Details of Process emissions generation and its management:

Existing Emission Details

Stack No.	Stack attached to	Stack height (m)	Emission	Limit (mg / Nm ³)	Air pollution Control Measures
1	Boiler 4000 Kg/hr (FO)	30m AGL	PM	150	Stack

	fired converted to PNG)				
2	Boiler 2000 Kg/hr (HSD fired converted to PNG)		PM	150	Stack
3	725 KVA DG set	6m ARL	SO ₂	--	Stack with silencer
4	725 KVA DG set	6m ARL	SO ₂	--	Stack with silencer
5	380 KVA DG set	6m ARL	SO ₂	--	Stack with silencer
6	2 X 1010 KVA DG set (Standby)	30m AGL	SO ₂	--	Stack with silencer
7	Scrubber-1	3m ARL	Acid mist	50	Stack with caustic scrubber
8	Scrubber-2	3m ARL	Acid mist	50	
9	Scrubber-3	3m ARL	Acid mist	50	
10	Scrubber-4	3m ARL	Acid mist	50	
11	Scrubber-5	3m ARL	Acid mist	50	
12	Scrubber-6	3m ARL	Acid mist	50	
13	Scrubber-7	3m ARL	Acid mist	50	
14	Scrubber-8	3m ARL	Acid mist	50	
15	Scrubber-9	3m ARL	Acid mist	50	
16	Scrubber-10	3m ARL	Acid mist	50	
17	Scrubber-11	3m ARL	Acid mist	50	
18	Scrubber-12	3m ARL	Acid mist	50	

xvi. Details of solid waste/ Hazardous waste generation and its management:

Solid Waste Management

Description of waste	Existing Quantity	After Expansion Quantity	Mode of disposal
Domestic solid Waste	15MT/Annum	No change	<ul style="list-style-type: none"> Organic waste handed over to local piggeries and inorganic waste handed over to local recyclers/agencies. STP sludge of 0.5Kg/d being reused for gardening purpose

Hazardous Waste Management

S. No.	Hazardous waste category no.	Description	Quantity /Year		Mitigation measures	
			Existing	Proposed	Method of Collection	Method of Disposal
1	5.1	Used oil	1.5KL /annum	No Change	Collected in leak-proof container	KSPCB authorized Reprocessor
2	5.2	Oil soaked cotton waste	0.3 MT/annum	No Change	Stored in secured manner	KSPCB authorized incinerator
3	20.3	Distillation residue	0.3 MT/annum	No Change	Stored in secured manner	KSPCB authorized TSDF
4	28.1	Residues and waste from production of drugs	6.5 MT/annum	No Change	Stored in secured manner	KSPCB authorized TSDF
5	28.2	Spent Carbon	7 MT/annum	No Change	Stored in secured manner	KSPCB authorized TSDF

6	28.4	Off- specification drugs	1 MT/annum	No Change	Stored in secured manner	KSPCB authorized incinerator
7	28.6	Spent organic solvent	160 KL/annum	No Change	Stored in secured manner	KSPCB authorized Recycler/Reprocessor
8	33.1	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	38 MT/annum	No Change	Stored in secured manner	KSPCB authorized Recycler
9	35.3	Chemical sludge from wastewater treatment plant	312.5 MT/annum	No Change	Stored in secured manner	KSPCB authorized TSDF
10	35.3	Sludge from wet scrubber	0.72 MT/annum	No Change	Stored in secured manner	KSPCB authorized TSDF

xvii. Public Hearing for the proposed project has been conducted by the State Pollution Control Board on **07.08.2020**. The main issues raised during the public hearing are related to **Positive feedback received and public Expressed necessary environmental Measures undertaken by the industry.**

xviii. Details of Certified compliance report submitted by RO, MoEF&CC. **(In case of expansion Proposal)–Certified compliance report obtained from RO, MoEF & CC as per the site visit dated 16.03.2020 and it is reported that, the compliance to the various conditions of Environmental Clearance is Satisfactory.**

xix. Status of Litigation pending against the proposal if any -**The complaint has been filed by SEIAA u/s 19 of the E(P)Act, 1986 for the violation at I Additional Civil Judge & JMFC at Anekal & case has been registered under PCR no. 367/2019 on 12.07.2019.**

xx. The details of products and capacity as under:

Sl. No	Product Details	Existing Quantity, kg/month	Proposed Quantity kg/Annum	Total Quantity
1	EFAVIRENZ	0	40000	40000
2	ABACAVIR SULPHATE	0	66000	66000
3	NELFINAVIR MESYLATE	3000	-2175	825
4	RITONAVIR	0	4968	4968
5	GEMCITABINE HCL	0	400	400
6	DARUNAVIR ETHANOLATE	0	12500	12500
7	SAQUINAVIR MESYLATE	3000	0	3000
8	GABAPENTIN	0	480	480
9	GEFITINIB	0	7425	7425
10	OSELTAMIVIR PHOSPHATE	0	32000	32000
11	EMTRICITABINE	0	3000	3000
12	AGOMELATINE	0	10	10
13	MOXIFLOXACIN HYDROCHLORIC ACID	0	1890	1890

14	MONTELUKAST SODIUM	0	962	962
15	TEMOZOLOMIDE	0	272	272
16	ERLOTINIB HCL	0	300	300
17	IMATINIB MESYLATE	0	17108	17108
18	LOPINAVIR IP	0	41140	41140
19	PEMETREXED DISODIUM	0	978	978
20	AMLODIPINE BESYLATE	0	3000	3000
21	SORAFENIB TOSYLATE	0	1528	1528
22	CAPECITABINE	0	28500	28500
23	ATAZANAVIR SULPHATE	0	10212	10212
24	GLATIRAMER ACETATE	0	174	174
25	DASATINIB	0	1012	1012
26	MYCOPHONOLATE MOFETIL	0	5000	5000
27	TENOFOVIR DISOPROPYL FUMERATE	0	80090	80090
			Total Production	3,62,774 Kg/Annum

Environmental Clearance was obtained for the production of 6 products, out of which 4 will be stopped and 2 nos. of products will be continued in the current proposal. The proposed change in product mix proposal includes 25 new products + 2 existing products. Total 27 products with total manufacturing capacity of **3,62,774 Kg/Annum**.

Sl. No	Product Details	Existing Quantity	Proposed Quantity kg/Annum	Total Quantity	Remarks
1	APIs and Intermediates	52000 Kg/A + 338020 Kg/A (3,90,020Kg/A)	310774 Kg/A	362774 Kg/A	Intermediates quantity of 338020 Kg/A was not mentioned in the earlier EC

Details of earlier appraisal by EAC/ SEAC; observation and compliance:-

- Earlier, EC obtained from MOEF & CC on 20.06.2002 for manufacturing 6 products of quantity 52 TPA which includes 338.02 TPA intermediates.
- The industry has undertaken change in product mix for 16 product of quantity 245.62 TPA which includes 144 TPA of intermediates in 2009 and obtained CFE from KSPCB
- Subsequently, The name of the company has changed from M/s. Intermed Labs Private Ltd. to M/s. Cdymax (India) Pharma Pvt. Ltd. Again changed from M/s. Cdymax (India) Pharma Pvt. Ltd to M/s. Acebright (India) pharma Pvt. Ltd. The proposal has been submitted to MoEF&CC (Online proposal no.163270) for Transfer of EC.
- The industry again planned for change in product mix for 27 product of quantity 245.154 TPA which includes 117.6 TPA of intermediates in 2015 and obtained CFE from KSPCB. Subsequently, when it was applied for CFO, the KSPCB advised to obtain EC for change in product mix.

- Proposal was submitted to SEIAA/SEAC for grant of EC. After detailed deliberation on the information submitted by the industry, SEAC in its meeting held on 11.03.2016 decided to issue ToRs. Accordingly, ToRs issued on 16.04.2016. As per the ToRs, EIA report was submitted to SEAC and the SEAC in its meeting held on 20.03.2017 deliberated that the industry has operated without obtaining EC for change in product mix which is termed as Violation. Hence, SEAC suggested to obtain EC in accordance with MOEF&CC Notification no. SO 804(E) dt: 14.03.2017.
- Further, industry has submitted the proposal vide no. IA/KA/IND2/64536/2016 dated 06.05.2017 (first proposal) under the Ministry Notification dated 14.03.2017 dealing with violation of EIA Notification, 2006 as amended from time to time.
- The said proposal was considered for ToR by the EAC at MoEF&CC on 22.06.2017.
- Industry further submitted another fresh application for the same proposal vide proposal no. IA/KA/IND2/66053/2017 dated 10.07.2017 (second proposal), before MoEF&CC under violation Notification.
- As per the Ministry's Notification No. S.O. 1030 (E) dated 08.03.2018 many proposals of category B, where general condition was not applicable, were transferred to respective state.
- Proposal IA/KA/IND2/66053/2017 dated 10.07.2017 (second proposal) was also transferred to the SEIAA, Karnataka.
- Karnataka SEAC considered the transferred proposal for ToR. ToR was accorded for the project vide number SEIAA 30 IND (VOIL) 2018 dated 05.07.2018 in pursuance of the provision of Notification No. S.O. 1030 (E) dated 08.03.2018.
- While issuing ToR, SEIAA/SEAC stipulated additional ToR that refers to furnishing details regarding the distance from the boundary of Bannerghatta National Park to the project site.
- The industry vide letter dated 17.09.2018 informed SEIAA that the industry is located at a distance of 6 kms from the boundary of Ragihalli Reserved Forest (part of Bannerghatta National park) based on the letter issued from Forest department dated 29.02.2016 but it is less than 5 Km and requested SEAC to transfer the file to MOEF&CC.
- EAC considered the proposal in its meeting held on 30.08.2019 and further noted that as boundary of Ragihalli Reserved Forest (part of Bannerghatta National park) is beyond the 5 km distance from the project site as per the letter dated 29.02.2016 issued by the Deputy Conservator of Forest, Bannerghatta National Park, Bangalore hence general condition may not applicable to the project.
- But during presentation, it was apprised to EAC that Bannerghatta National Park, Bangalore is about 4.08 Km away from the project site hence General condition is applicable and project should be appraised at the Central level. In view of this submission on General condition, EAC noted that ToR accorded for the project vide number SEIAA 30 IND (VOIL) 2018 dated 05.07.2018 in pursuance of the provision of Notification No. S.O. 1030 (E) dated 08.03.2018 is not valid.
- The EAC, after detailed deliberations on the information sought in the 1st EAC meeting held on 22nd June 2017 and as presented, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017. The TORs were issued by MoEF&CC on 20.01.2020.

Observation and recommendation of the EAC in the present meeting (37th): EAC after detailed presentation by the PP, observed the following:

EC was obtained from MOEF & CC on 20.06.2002 for manufacturing 6 products of quantity 52 TPA which includes 338.02 TPA intermediates. The industry has undertaken change in product mix for 16 product of quantity 245.62 TPA which includes 144 TPA of intermediates in 2009 and obtained CFE from KSPCB. The industry again planned for change in product mix for 27 product of quantity 245.154 TPA which includes 117.6 TPA of intermediates in 2015 and obtained CFE from KSPCB. Subsequently, when it was applied for CFO, the KSPCB advised to obtain EC for change in product mix. As the PP has gone for expansion without taking prior EC from MoEFCC is a violation of the EIA Notification.

EAC further observed that the name of the company has changed from M/s. Intermed Labs Private Ltd. to M/s. Cdymax (India) Pharma Pvt. Ltd. Again changed from M/s. Cdymax (India) Pharma Pvt. Ltd to M/s. Ace bright (India) Pharma Pvt. Ltd. The proposal has been submitted to MoEF&CC (Online proposal no.163270) for Transfer of EC.

EAC further observed that case has been filed by SEIAA u/s 19 of the E(P)Act, 1986 for the violation at Additional Civil Judge & JMFC at Anekal under PCR no. 367/2019 on 12.07.2019.

EAC after detailed deliberation on the information submitted to the Ministry (Form 2, EIA/EMP report, Public Hearing etc) and as presented, **deferred** the project for want of following information:

1. Capital cost shall be revised considering all assets added progressively during the violation period.
2. Justification for having large inventory of chemicals which seems to be more than a monthly consumption.
3. EMP shall be prepared in such a way that it will be implementable and monitorable..
4. Details of reaction and mass balance shall be submitted.
5. Ionic balance, pH, SAR shall be revisited and revised.
6. Interpretation of water quality for the parameters studied.
7. Worst Case Scenario and risk assessment shall be studied using 3D modelling.
8. Land use plan before and after establishment of the industry should be submitted in tabular form
9. Details of green belt developed in the industry with photographs and justification for not having 33% of it.
10. STP capacity should be justified as per water requirement.
11. Conservation plan of the entire Schedule I species observed in the study area should be prepared with proper budget allocation and submitted to Competent Authority for approval.
12. Rework on the entire damage assessment. Damage assessment for air and water shall be revised as suggested including cost saved in implantation of WL conservation plan and recurring cost of the EMP on the expansion part.
13. Profit benefit accrued shall be added to CRAP (3%)
14. Details of sensors in the plant for even small VOCs emission/solvent leakage along with photographs. Emergency preparedness plan in the event of failure of sensors to detect the emission.
15. Details of green chemistry in regard to reduce requirement of natural resources and less carbon footprint.

37.3.19 Rata Talab Bauxite Mine Project with production of 1,10,022 TPA Bauxite ROM Production in the Lease area of 110.07 ha at Survey No. 275/P, Village MotaBalachor, Taluka Abdasa, District Kucchh, Gujarat by M/s Orient Abrasives Limited - Environmental Clearance

[Proposal no. IA/GJ/MIN/74338/2018] [F. No. 23-5/2017-IA.III (V)]

Project Proponent did not attend the meeting.

37.3.20 Pig Iron Plant (1x23m3 MBF) with capacity 1200 TPA and Hard Coke Plant (24 Ovens) of 1500 TPA and to install Induction Furnace (1x6 Ton) with manufacturing capacity 18000 TPA of MS Ingots (proposed) at village Biswasdih, District Giridih, Jharkhand by M/s Lal Ferro Alloys Co. Pvt. Ltd. - Environmental Clearance

[Proposal no. IA/JH/IND/65610/2017] [F. No. 23-90/2018-IA.III (V)]

Project Proponent alongwith the consultant VARDAN ENVIRONET (NABET/EIA/1922/RA 0166) Plot No. 82A, Sector-5, IMT Manesar, Gurgaon, Haryana-122052 made the detailed presentation on the project.

Details submitted by the Project Proponent

M/s Lal Ferro Alloys Co. (P) Ltd. is an existing Plant at Village: Biswasdih, P.O. Gadi Srirampur, District: Giridih, Jharkhand for production of 12000 TPA Pig Iron through 1x23m³ Mini Blast Furnace and 15,000 TPA Coke through 2x12 Ovens Non-recovery type Coke Oven Plant.

Consent to Establish (NoC) for production of 40 Ton/day of Pig Iron and 50 Ton/day of Coke was granted by Jharkhand State pollution Control Board (JSPCB) vide letter No. 225 dated 25.01.2007. The project proponent has applied for Consent to Operate (CTO) on 30.12.2008. During processing of CTO the project proponent was given to understand that Environmental Clearance is required for operating Pig Iron and Coke Plant before grant of CTO.

The project proponent had submitted application to MoEF&CC for grant of TOR on 19.08.2009 to conduct EIA Study for obtaining environmental clearance for the installed plant and for the proposed 1x6 Ton Induction Furnace for production of 18,000 TPA Ingots. MoEF&CC granted TOR vide F. No. J-11011/537/2009-IA-II (I) to the project on 08.01.2010 for conducting the EIA study for obtaining EC.

After Public Hearing on 22.01.2013, the project was submitted to the Ministry of Environment & Forest to obtain Environmental Clearance for the already installed and proposed units on 30.10.2013. The project was considered in the 25th Reconstituted EAC meeting held on 13-14th October, 2014. The EAC referred the matter to the Ministry asking whether the EC application can be considered by EAC.

MoEF&CC vide letter dated 9th December, 2014 communicated to M/s Lal Ferro Alloys Co. Pvt. Ltd. that matter shall be further considered after;

- I. Matter relating to violation is put-up to the Board of Directors of the Company or the Managing committee for consideration of environment related policy / plan of action
- II. State Govt. initiate credible action

Resolution passed by the Board of Directors of M/s Lal Alloys Co. Pvt. Ltd. on 9th March, 2015 that no violation under Environmental Protection (Act) shall be repeated in future and also requested to the Member Secretary, Jharkhand State Pollution Control Board (JSPCB) to take credible action against the Unit and to file a case.

JSPCB vide letter dated on 31.07.2015 has requested, Judicial Court, Girdih to issue notice to M/s Lal Ferro Alloys Co Pvt. Ltd. and case no. 63/15 was filed against M/s Lal Ferro Alloys Co Pvt. Ltd. u/s 37 of Air (Pollution & Control of Pollution) Act, 1981 and u/s 44 of Water (Prevention & Control of Pollution) Act, 1974.

M/s Lal Ferro Alloys Co Pvt. Ltd., vide letter dated 15.07.2016 submitted Copy of Credible action initiated by JSPCB and Resolution of Board of Directors. Resolution is also taken to the effect that status quo shall be maintained. The plant has never been operated after installation.

As the existing plant was installed without prior environmental clearance, the project attracts the provisions of S.O. 804 (E) issued by MoEF&CC dated 14.03.2017 for the projects under Violation. Hence, the company resubmitted the proposal on 28.06.2017 for obtaining Terms of References (TOR) under violation category for conducting EIA Study to obtain Environmental Clearance for the already installed Pig Iron Plant (MBF 1x23m³) and Coke Plant for the production of 12,000 TPA Pig Iron and 15,000 TPA Coke, respectively, along with installation of Induction Furnace (1x6 Ton) for production of 18,000 MS Ingots (proposed).

The project is listed as activity 3(a) 'Metallurgical Industries (Ferrous & Non-ferrous)' under Schedule of EIA Notification, 2006 and falls under category 'A'. The Expert Appraisal Committee (Violation) deliberated the project during its 6th EAC meeting held on 20th April, 2018. TOR for the project was granted by MoEF&CC, New Delhi on 1st February, 2019 vide F.No. 23-90/2018-IA.III(V).

Based on the ToRs prescribed to the project, the project proponent submitted an application for environmental clearance to the Ministryonline on 06.08.2020 vide Online Application No.IA/JH/IND/65610/2017. The detailed configuration of the units under violation and proposed are as follows:

Units	Units under Violation		Proposed Unit		Final Configuration	
	Unit	Production TPA	Unit	Production TPA	Unit	Production TPA
Pig Iron Plant	Mini Blast Furnace (1x23m ³)	12000	-	-	Mini Blast Furnace (1x23m ³)	Pig Iron 12000
Non-Recovery Coke Plant	2x12 Ovens	15000	-	-	2x12 Ovens	15000
Steel Melting Shop	-	-	Induction Furnace (1x6 Ton)	MS Ingots 18000	Induction Furnace (1x6 Ton)	MS Ingots 18000

Environmental Clearance application for Pig Iron plant (1x23m³) with capacity 12000 TPA and Coke Plant (24 ovens) of capacity 15000 TPA and for installation of Induction Furnace (1x6 Ton) with production capacity of 18000 TPA MS Ingots by M/s Lal Ferro Alloys Co. Pvt. Ltd at village: Biswasdih, P.O: Gadi Srirampur, District: Giridih, Jharkhand, was submitted to the Ministry on 08.10.2020

Total Plot Area: 4.75 Hectares of land under Industrial Land Use

Total water requirement and its source: water will be sourced from Groundwater

Unit	Water Requirement(m ³ /day)		
	Existing (Violating Units)	Expansion	Total Make-up water requirement
Blast Furnace	73	--	73
Coke Ovens	30	--	30
SMS – Induction Furnace	5	50	50
Domestic Use	5	2	7
Total	108	52	160

Waste water generation, treatment and disposal

S. No.	Unit	Type of Pollution Control System	Quantity (m ³ /day)	Usages
1.	Softening Plant Backwash	Neutralization Pit	5	Slag cooling & Dust suppression
2.	Cooling Tower blow down from Induction Furnace	-	8	
3.	Cooling Tower Blow Down from Blast Furnace	-	2	
4.	Domestic Use	Septic Tank along with Soak pit	1	Horticulture
Total Discharge			16 LD	

Municipal Solid waste generated and disposal facility

Unit	Type of Waste	Generation TPA	Utilization on TPA	Sold TPA	Disposal
Existing Units- (Unit Under Violation)					
Mini Blast Furnace	Blast Furnace Slag	4200	-	4200	Shall be granulated and will be sold to Cement Company.
	Flue Dust	180	-	180	Will be sold to nearby Sinter/Pallet Plant
Coke Oven	Coke fines from Quench Pond	3000	-	3000	Shall be sold to the nearby Sinter plant
Total (Violation Units)		7380	-	7380	
Proposed Units					
Steel Melting	Induction Furnace	2520	250	2270	After metal recovery, remaining slag will be

Unit	Type of Waste	Generati on TPA	Utilizati on TPA	Sold TPA	Disposal
Shop	Slag				crushed and used as aggregate in construction
	Bag Filter Dust	540	-	540	Will be sold to nearby Sinter/Pallet Plant
Ingot Mould casting	Scales	900	-	900	Will be sold to nearby Sinter Plant
Total (Proposed Units)		3,960	250	3710	
Total (Violation + Proposed)		11,340	250	11090	

Power Requirement and its Source: The total power requirement for the units under violation as well as proposed unit will be 3.5 MVA. Power permission of 0.5 MVA is obtained from DVC and permission for the remaining 3.0 MVA power requirement will be obtained from DVC

Unit	Existing (Violating Units)	Proposed Units	Total
Blat Furnace	1.0	--	1.0
Coke Oven plant	0.5	---	0.5
SMS- Induction	---	2.0	2.0
Total	1.5	2.0	3.5

Proposed Energy Saving Measures: LED light will be used everywhere inside the plant for lighting purpose.

RWH: The value of hourly run-off available from the plant premises for recharge shall be 837.15m³/hr. Capacity of hourly recharge of single rain water recharging pit of proposed dimension shall be 110.25 m³/hr. Total 8 number of recharge pits shall be constructed within the plant premises to accommodate hourly runoff generated on the day of rainfall.

The capital cost of the project is Rs 11.47 Crores .The region shall be benefited from the project as there will be direct employment of people in the plant. There will be lot of scope for indirect employment of the people of the state in and around the project site like in transportation sector.Total direct employment generation = 120

Project activity covered under item of schedule to the EIA Notification,2006: 3(a) under Category 'A' project. No National Park /Wildlife Sanctuary in 10kms radius area.No forest land involved

ToR details: Application to MOEF&CC for obtaining Terms of References (TOR) under violation category for conducting EIA Study to obtain Environmental Clearance was re-submitted on 28.06.2017 along with pre-feasibility report. The Expert Appraisal Committee (Violation) deliberated the project during its 6th EAC meeting held on 20th April, 2018. TOR for the project was granted by MoEF&CC, New Delhi on 1st February, 2019 vide F.No. 23-90/2018-IA.III(V).

Details of Public Hearing and main issues raised/response of the PP: The public hearing was conducted on 23.01.2020 at Chhuriwala Garden HarsinghRaidih, Dist-Giridih, Jharkhand by

Jharkhand State Pollution Control Board. Public Hearing was presided by Shri Rakesh Dubey, Additional Collector Giridih and was attended by total 97 people from nearby area.

S.No.	Name of the Person and Address	Issue raised	Reply by Company representative
1.	Mr. Anil Sahoo, Biswasdih, Giridih	What is the provision of company M/s Lal Ferro Alloys Co. (P) Ltd for providing employment to the unemployed people of the area?	Shri Raj Kumar Sinha while replying for Lal Ferro Alloys said that company will work for providing education, drinking water, health, medical facilities along with the employment to locals.
2.	Mr. Sureh Sahoo, Biswasdih, Giridih	What will be the product manufactured in the company? What are the pollution control facilities that company will install for reduction of pollution if any?	
3.	Mr. Sanjay Kumar Sinha, Biswasdih, Giridih	What will be the health facility provided for the nearby villagers?	
4.	Mr. BhadurGop, Tikodih, Giridih	What help will the company provide in the marriage of poor girls?	
5.	Mr. Bihari Shaw, Tikodih, Giridih	Company must provide drinking water in the marriage program in the area.	
6.	Mr. Satish kadia, Giridih	What will be the pollution control measures taken by the company? What will be the level/position in the plant at which local people will be employed? What will be the provision for women employment? Under CER what all facilities will the company provide to the locals?	
7.	Shri BrajeshNayak, Giridih	What will be the facility provided for women education?	
8.	Mr. Naveen Pandey, Giridih,	Companysdonot follow the rules and increase pollution. Mongia, Balmukund, Chaina and Santpuria are industries full of pollution. Lal Steel Company has fired employees and people are fighting case for it. Due to pollution caused by industries health of children is getting affected.	
9.	Mr. Dubalal, Giridih	Due to the present industries operating in the area pollution level has increased. No facility for pollution control has been installed. During summer season drinking water scarcity is faced by villagers. Mahuathand village is most affected by water scarcity. Company shall look forward to solve the	

S.No.	Name of the Person and Address	Issue raised	Reply by Company representative
		issues of drinking water, employment and pollution. Valid proof to workers working in the company shall be provided.	
10.	Mr. Binod Prasad, Jambad	What will be the benefits of locals? Valid proof is not provided to workers working in the company. Company shall provide employment to locals.	
11.	Rafique Ansari, Tikodih	Unemployment is the major problem in Giriddih district. Company shall provide employment to the locals.	
12.	Mr. YogendarSahoo, Giridih	What are the provisions towards women empowerment in the company?	
13.	Mr. Niranjan Kumar, Giridih	What fraction of total manpower will be hired from the local area? Workers from other areas are usually employed in the companies.	
14.	Mrs. Geeja Devi, Mohanpur,	Company shall provide employment to women, drinking water facility to locals and facilities to control pollution in plant.	
15.	Mr. Monu Kumar, Tikodih	Mathadih, Turupdih, Srirampur, Purannagar, Tikodih, Biswasdih and Budhiyadih are villages under water scarcity threat. Well are getting dry in summers as the water level fall to low.	
16.	AmanSahoo, Biswasdih	What will be the contribution in the field of education and employment by the company for the local area?	
17.	Mr. Nilu Kumar Rana, Giridih	Will the person be allowed to join the work again if they happen to met an accident within the plant?	

If any court case pending for the violation of environmental laws (supported by an undertaking): JSPCB vide letter dated on 31.07.2015 has requested, Judicial Court, Girdih to issue notice to M/s Lal Ferro Alloys Co Pvt. Ltd. and case no. 63/15/2015 was filed against M/s Lal Ferro Alloys Co Pvt. Ltd. u/s 37 of Air (Pollution & Control of Pollution) Act, 1981 and u/s 44 of Water (Prevention & Control of Pollution) Act, 1974.

Land use Planning

S. No.	Type of use	Area for Existing Units (Ha.)	Area for Proposed Units (Ha.)	Total Area (ha.)
1.	Plant Area	1.13	0.7	1.83

S. No.	Type of use	Area for Existing Units (Ha.)	Area for Proposed Units (Ha.)	Total Area (ha.)
2.	Raw Material Storage	0.54	-	0.54
3.	Road & Infrastructure	0.74	-	0.74
4.	Green belt	1.57	-	1.57
5.	Office & Stores	0.07	-	0.07
6.	Vacant Land	0.7	-	-
Total Land Area		4.75	0.7	4.75

Groundwater withdrawal approval from CGWA: Application has been submitted to CGWB/CGWA vide F.No. 21-4/669/JH/IND/2020 dated on 22.07.2020 to obtain permission for 160 KLD groundwater withdrawals.

Observation and recommendation of the EAC in the present meeting (37th):

EAC after detailed presentation by the PP observed that existing Plant at Village: Biswasdih, P.O. Gadi Srirampur, District: Giridih, Jharkhand for production of 12000 TPA Pig Iron through 1x23m³ Mini Blast Furnace and 15,000 TPA Coke through 2x12 Ovens Non-recovery type Coke Oven Plant was established after Consent to Establish granted by Jharkhand State pollution Control Board (JSPCB) vide letter No. 225 dated 25.01.2007 but without taking prior Environmental Clearance hence violated the provisions of the EIA Notification 2006 and as amended thereof.

EAC further noted the following:

- Credible action was initiated by the JSPCB against Air and Water Act, however case under E(P) Act has not been initiated as per the ToR.
- The plant was never operated as Consent to Operate was not granted by JSPCB and asked to obtain Environmental Clearance for the project.
- PP has submitted application to CGWB/CGWA on 22.07.2020 to obtain permission for 160 KLD groundwater withdrawals. .
- PP has assessed the damage cost of Rs 20.00 lakhs and accordingly prepared the RP, NRA and CRA.

EAC after detailed deliberation advised PP to revise the damage cost and accordingly revise the RP, NRA and CRA. Further, EMP be revised considering the activities proposed under CER. EAC further advised PP to submit the revise information to all EAC members by email before MoM is finalized.

PP submitted the above information on 27.10.2020 which was circulated to the EAC. PP further submitted the detailed activities proposed under RP, NRA and CRA to the EAC on 02.11.2020. EAC deliberated on the information submitted by the PP and noted that PP has now submitted RP, NRA and CRA of cost Rs 30.22 lakhs.

EAC after detailed deliberation on the information submitted by the PP (EIA/EMP report, PH issues, Form 2, Additional information, Annexures etc), **recommended** the proposal for grant of Environmental Clearance subject to the compliance of the following Specific conditions in addition to all Standard conditions applicable for such projects:

- i. EAC recommended for an amount of Rs 30.22 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan to be spent within a span of three years. The details are given below:

Remediation Plan & Budgetary Provisions

S.No.	Environmental Component	Activities Proposed	Budgetary Provisions		Total In lakhs
			1 st Year	2 nd Year	
1.	Air Environment A) Ambient Air B) Air Pollution	I. 500 trees will be planted and maintained along the approach road of plant. II. One number of old truck / dumper shall be converted into Moveable water sprinkler for water sprinkling on transport road, near to villages III. Providing 2 set of E-Rickshaw for public transport in Biswasdih and Puranagar village IV. Distribution and Maintenance of air purifier at panchayat office of Tikodih, Gadsirampur and Chunjaka villages	7.9	7.9	15.8
2.	Noise Environment	I. Distribution of Hearing aids to the nearby locals II. Health camp for Audiometry Test in two villages for every six months III. Plantation at the periphery of Chunjaka and Beniadih Village	3.185	3.185	6.37
3.	Water Environment	I. Providing drinking water purifiers (Aquafresh RO system) for Biswasdih, Tikodih and Fulchi villages	0.9	0.9	1.80
4.	Land Environment	I. Assistance to Gram Panchayat for distribution of Organic Fertilizer to the farmers. II. Dust bins of two colours will be distributed to each family of Biswashdih village for segregation of dry and wet wastes	1.0	1.25	2.25
		TOTAL	12.985	13.235	26.22

Natural & Community Resource Augmentation Plan and Budgetary Provisions

S.No.	Activities Proposed	Budgetary Provisions		Total In lakhs
		1 st Year	2 nd Year	
1.	Providing patient Beds, Cold Medicine Storage Unit and setting up one ICU	2	2	4
	TOTAL	2	2	4

Summary

S.No.	Activities Proposed	Total In lakhs
1.	Remediation Plan	26.22
2.	Natural & Community Resource Augmentation Plan	4
	TOTAL	30.22

- ii. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is Rs. 30.22 lakhs. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rs. 30.22 lakhs 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. Credible action to be initiated and court case shall be filed against the Project Proponent u/s 19 of the E(P) Act.

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

37.3.21a Expansion of Kallankurichi limestone mine in total area 240.61 ha, located at villages Kallankurichi, Ameenabad & Khairulabad, Taluk Ariyalur, District Ariyalur, Tamil Nadu by M/s Tamil Nadu Cements Corporation Ltd.- Further consideration of Terms of Reference [IA/TN/MIN/65541/2017 dated 19.06.2017] [F. No. 23-19/2019-IA.III (V)

EAC noted that PP vide letter 28.08.2020 submitted the application to the Ministry and informed proposed production capacity of the project is 0.70 Million TPA however ToR has been issued for 1.34 Million TPA vide dated 14.05.2020. PP requested that correct ToR with production capacity of 0.70 Million TPA be issued.

EAC on perusal of records noted that Consultant (Mantec Consultants (Pvt) Ltd.) while submission the information to the Ministry mention production capacity of 1.34 Million TPA, same was therefore reflected in the final Minutes of the 27th minutes and ToR issued.

EAC deliberated on the information submitted by the PP and noted that proposed production capacity of the Kallankurichi limestone mine is 0.70 Million TPA from the mine lease area of 240.61 ha. EAC after detailed deliberation recommended for correction of production capacity (0.70 MTPA, no waste and no subgrade mineral) in the ToR dated 14.05.2020

37.3.2.21b Discussion on Guidelines for assessment of environment damage.

Draft Guidelines were discussed and was circulated to all EAC members for their comments.
