

**GOVERNMENT OF INDIA**  
**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**(IMPACT ASSESSMENT DIVISION)**  
**NON-COAL MINING SECTOR**

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**SUMMARY RECORD OF 27<sup>th</sup> MEETING OF THE COMMITTEE OF THE EXPERT APPRAISAL COMMITTEE FOR ENVIRONMENTAL APPRAISAL OF NON-COAL MINING PROJECTS CONSTITUTED UNDER THE EIA NOTIFICATION, 2006.**

The 27<sup>th</sup> meeting of the Expert Appraisal Committee for Environmental Appraisal of Mining Projects (Non-Coal) of the Ministry of Environment, Forest and Climate Change was held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 through video conference. The list of participants is annexed herewith. After login of the Committee Members through video conference link provided by NIC, discussion on each of the Agenda Items was taken up ad-seriatim.

**(1.0) Deliberation & Circulation on the Minutes of the 26<sup>th</sup> EAC Meeting held during January, 11-13<sup>th</sup>, 2021**

The minutes of 26<sup>th</sup> EAC Meeting held during 11-13<sup>th</sup> January, 2021 was placed before the members of the Committee. The Member Secretary informed the Committee that the following corrigendum was made in 25<sup>th</sup> EAC Meeting held during 22-24<sup>th</sup> December, 2020 and 26<sup>th</sup> EAC Meeting held during 11-13<sup>th</sup> January, 2021 as given below:

<b>S. No.</b>	<b>As per EAC meeting minutes dated on 11-13 Jan., 2021</b>	<b>PP requested for corrigendum</b>	<b>EAC recommended</b>
1	Page No. 15, Point no 20, Line No. 7	PP requested for corrigendum vide Lr. JNIL/ ENV/Chhotedonger/2021/ 032 dated 01.02.2021.  The proposal was considered in the 26th EAC meeting held during 11-13th January, 2021. After detailed deliberations made by the Project Proponent and the Consultant, the committee	The proposal was considered in the 26th EAC meeting held during 11-13th January, 2021. After detailed deliberations made by the Project Proponent and the Consultant, the committee noted that the presently PP is having Stage-II Forest Clearance for 35.74 Ha only; therefore the committee

		<p>noted that the presently PP is having Stage-II Forest Clearance for 35.74 Ha only; therefore the committee recommended the proposal for grant of environmental clearance for enhancement of Iron Ore mining capacity from 0.05 MTPA to 2.95 MTPA with 1.0 MTPA Beneficiation plant <b>in the mining lease area 35.74 Ha</b> of M/s Jayaswal Neco Industries Limited located at village – Chhotedongar, Tehsil and District – Narayanpur, Chhattisgarh State subject to the following specific conditions.</p>	<p>recommended the proposal for grant of environmental clearance for enhancement of Iron Ore mining capacity from 0.05 MTPA to 2.95 MTPA with 1.0 MTPA Beneficiation plant <b>on 35.74 Ha diverted forest land out of the total mining lease area of 192.25 Ha</b> of M/s Jayaswal Neco Industries Limited located at village – Chhotedongar, Tehsil and District – Narayanpur, Chhattisgarh State subject to the following specific conditions.</p>
2	Page No. 16, Point no 20, Clause (iv)	<p>PP requested for corrigendum vide Lr. JNIL/ENV/Chhotedonger/2021/032 dated 01.02.2021.</p> <p>As the Public Hearing has been carried out for the entire 192.25 Ha, PP after taking Stage-II Forest Clearance for <b>remaining area i.e. 55.26 Ha</b>; may again approach the Ministry for undertaking mining in the remaining area with the proper mining plan.</p>	<p>As the Public Hearing has been carried out for the entire 192.25 Ha, PP after taking Stage-II Forest Clearance for <b>remaining area i.e. 55.26 Ha and Stage-I Forest Clearance for balance 101.25 Ha</b>; may again approach the Ministry for undertaking mining in the remaining area with the proper mining plan.</p>
3	Page No. 48, Point no 3, Line 6	<p>The application for amendment in Environmental Clearance was submitted on 6<sup>th</sup> October, 2020. An EDS was</p>	<p>The application for amendment in Environmental Clearance was submitted on 6<sup>th</sup> October, 2020. An EDS</p>

		<p>generated on 9<sup>th</sup> November, 2020 asking the project proponent for (a) Latest EC compliance report; (b) Authenticated copy of past production details as per annexure-3; (c) As per specific condition in earlier EC, what is the present status of Court case in W.P 2279/2007; (d) Copy of approved mining plan. <b>Reply for the same has not been submitted by the project proponent.</b> Now, the proposal is considered in 25<sup>th</sup> EAC meeting held on 24<sup>th</sup> December, 2020.</p>	<p>was generated on 9<sup>th</sup> November, 2020 asking the project proponent for (a) Latest EC compliance report; (b) Authenticated copy of past production details as per annexure-3; (c) As per specific condition in earlier EC, what is the present status of Court case in W.P 2279/2007; (d) Copy of approved mining plan. <b>Reply for the same has been submitted by the project proponent.</b> Now, the proposal is considered in 25<sup>th</sup> EAC meeting held on 24<sup>th</sup> December, 2020.</p>
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**DAY-1 (03.02.2021)**

**1.1: Proposal for Limestone Mine with the total excavation of 3.74 Million TPA (production capacity of 3.0 Million TPA (ROM), Waste 0.30 Million TPA, Soil & OB: 0.44 Million TPA) with the mine lease area of 108.335 Ha, located near village (s) Kharora & Kesla, Tehsil: Tilda, District: Raipur, Chhattisgarh of M/s Ultra Tech Cement Limited (Unit Baikunth Cement Works) - [Proposal no: IA/CG/MIN/139317/2020; File No. J-11015/247/2016-IA.II(M)] - Environmental Clearance (EC)**

The proposal of M/s Ultra Tech Cement Limited is for grant of Environmental Clearance for Limestone Mine with the total excavation of 3.74 Million TPA (production capacity of 3.0 Million TPA (ROM), Waste 0.30 Million TPA, Soil & OB: 0.44 Million TPA) with the mine lease area of 108.335 Ha, located near village (s) Kharora & Kesla, Tehsil: Tilda, District: Raipur, Chhattisgarh. The mine lease area falls under the Survey of India Toposheet No 64 G/14, 64 G/15 and 64 K/3 and bounded by latitude 21° 24'39.74970"N to 21° 25'13.74423"N and longitude 81°55'40.29892"E to 81° 56'29.49717" E.

2. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. The Project Proponent submitted that the proposal for Terms of Reference (ToR) and was considered in the EAC meeting held during January 30-31, 2017 and the Ministry granted ToR vide letter No. J-11015/247/2016-IA.II (M) dated 27.02.2017 in the name of M/s. Century Textiles and Industries Limited and thereafter PP obtained Transfer of ToR in the name of M/s UltraTech Cement Limited on 08.05.2020. Now, PP applied for Environmental Clearance vide online proposal no. IA/CG/MIN/139317/2020 on 13.01.2021 and submitted the Form2 and EIA report after conducting the Public Hearing. The proposal was now considered in 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that the Government of Chhattisgarh, Department of Mineral Resources, issued the notice inviting the tender dated 08.12.2015 to commence the auction process for grant of mining lease for Kesla Limestone Block located at Villages: Kharora & Kesala, Tehsil: Tilda, District: Raipur. The e-auction process was conducted in ordinance of Mineral (Auction) Rule 2015. M/s Century Textiles and Industries Limited Unit Century Cement was declared as the preferred Bidder. Accordingly, Letter of Intent (LOI) has been granted by Government of Chhattisgarh for an area of 108.335 ha, vide letter no.- F 3- 04/16/12 dated 8th April,

2016 which was valid up to 07.04.2019. In the meantime, M/s. Century Textiles and Industries Limited (Unit: Century cement) and their business was transferred to UltraTech Cement Ltd (UTCL) by National company Law Tribunal (NCLT) order 03.07.2019 by approving Scheme of Arrangement which came into effect on 01.10.2019. Accordingly, LOI was transferred to M/s. UltraTech Cement Limited vide State Govt letter dated 13.12.2019. State Govt vide letter No. F 3-04/16/12 dated 02.05.2020 extended the validity period of LOI up to 07.04.2021.

5. The Project Proponent submitted that the Mining plan along with the Progressive Mine Closure Plan was approved by IBM, Raipur vide letter no. Raipur /Choop /Khayo/ 56/2016/Raipur /674 dated 25.11.2016 for Kesla Limestone block (ML Area-108.335 ha). Then, PP obtained approval for Transfer of Mining Plan in the name of M/s. UltraTech Cement Limited vide letter no. RPR- 1309/2/2017-MINING PLAN-VOL-II/713 dated 18.02.2020.

6. The Project Proponent submitted that the OB/soil will be removed first by scrapping/removing by dozer, excavator-truck combination and there by exposing the limestone. Mining will be carried out by open-cast mechanized method with deep hole drilling and blasting adopting a system of benches. The Project Proponent reported that the Total Geological reserve estimated as 67 Million Tonnes and the Mineable reserves estimated as 27.15 Million Tonnes. Mining will be done within 6 pits/zones because of statutory boundary restrictions. The bench parameters are 8mts. high for first 3 benches and the last bench considered to be of height of 4mtrs. The floor RL of the pits however will change because of topographical considerations and will be 259 mRL in zones A, B and C and 258 m RL in zones D, E and F. Bench width in operational phase to be maintained at 20 m & at the ultimate stage it will be left at 8 meters. DTH wet Drilling will be used for hard formations. Limestone will be blasted systematically by drilling in 4.0 x 5m grid pattern to achieve better fragmentation and also to make easy handling for excavators. The burden and spacing of the hole will be 2 to 4 meters and 4 to 6 meters respectively. The mili second delay detonators will be used to give a clear front for each hole. The holes will be stemmed with drill cutting and about 1/3 of the hole will be stemmed. No secondary blasting will be undertaken and the boulders will be broken using hydraulic rock breaker. Limestone will be transported from mine face to the crushing plant (Crusher is located at the existing integrated cement plant located at Baikunth at about 26 Km from Lease Area) by tippers (25 tonner).

7. The Project Proponent submitted that the Nearest Village is Kesla (1.5 km, SE) and nearest Town Kharora is (~0.5 km, S) from mine site. Nearest School is ~1.2 km, S from the mine site. Nearest highway is 130 B (~1.8 Km, S).

8. The Project Proponent submitted that the total water requirement for the proposed project will be 200 KLD which will be sourced from ground water and mine sump as and when developed. Water table level varies from 8 to 11m during the Pre-Monsoon Season and 6 to 8m during Post Monsoon Season. Ultimate working depth of the mining operation will be 258 m AMSL (30m bgl). NOC for ground water abstraction and dewatering has been issued by CGWA vide letter CGWA/NOC/MIN/ORIG/2019/6505 dated 13.11.2019 in the name of M/s. Century Textiles and Industries Limited and is valid up to 23.10.2021. No waste water will be discharged outside ML Area which may contaminate any surface water body.

9. The Project Proponent submitted that the total greenbelt/plantation will be done on 15.81 ha area, in which green belt will be done on 3.50 ha area on 7.5 m safety zone of lease boundary and Plantation will be done on 12.31 ha on backfilled area. The trees will be planted @ 2000 saplings per ha of land. During five year plan period about 7000 no. of saplings will be planted. About Rs. 57 Lakhs are proposed as cost for development of plantation/greenbelt over 15.81 Ha including cost for sapling, fertilizers, tree guard, tool stackers and maintenance etc.

10. The Project Proponent submitted that there is no forest land involved in the mining lease area and letter for the same has been obtained from DFO vide letter no. MA.CHI. / RAA/ 2929 dated 04.06.2019. There are two Protected Forest i.e. Khaulidabri (~1 km, NNW) and Moharenga (~6.2 km in NW) exist within 10 km of the study area. There is no Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger reserve and Migratory Routes for fauna etc, within 10 km radius of mining lease area.

11. The Project Proponent submitted that three schedule I species i.e. Monitor lizard (*Varanus bengalensis*), Python (*Python molurus*) & Indian Peafowl (*Pavocristatus*) found in the study area for which Conservation Plan of an amount of Rs. 28.50 Lakh has been prepared and same has been approved by DFO vide letter no. MA.CHI./ RAA/ 2929 dated 04.06.2019 and from Principal Chief Conservator of Forest and Chief Wildlife Warden vide letter no WL/Prabandh-469/2019/4713 dated 05.09.2019.

12. The Project Proponent submitted that one season primary baseline data for ambient air quality, (as per CPCB quality Notification, 2009), water quality, noise level, soil and flora & fauna has been collected during Summer Season (March to May, 2018). The dominant wind direction is from South- West direction. The concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> for all the 8 AAQM stations were found between 50.4 to 73.4 µg/m<sup>3</sup> and 20.1 to 46.5 µg/m<sup>3</sup> respectively. The concentrations of SO<sub>2</sub> and NO<sub>2</sub> were found to be in range of 5.3 to 12.8 µg/m<sup>3</sup> and 8.5 to 18.8 µg/m<sup>3</sup> respectively. PP also submitted that post project concentration of air pollutants is also well within the prescribed standards of NAAQS. Ambient noise levels were measured at 8 locations in and around the mine site

and varied from 48.6 to 54.1 Leq dB(A) during day time and from 38.7 to 43.8 Leq dB(A) during night time. The Surface water sample collected from 5 surface water bodies was found potable as per the drinking water standards IS – 10500: 2012. The ground water /drinking water samples were collected from 8 locations, the ground water was found extremely saline due to high values of chloride, TDS and electrical conductivity. At most of the locations, ground water is not potable as per drinking water standards IS –10500: 2012. The analysis results of soil shows that soil is slightly alkaline in nature, the pH value ranging from 7.43 to 7.84, the soil texture is silty clay at the sampling locations.

13. The Project Proponent submitted that the advertisement for public hearing was published in 'Dainik Newspaper Haribhoomi' and 'Hindustan Times' dated 13.10.2020. Public hearing was conducted on 13.11.2020 at Project site, sports stadium near sub tehsil Office Kharora, Tehsil Tilda, District Raipur under Chairmanship of Shri N.R. Sahu, ADM and Additional Collector, District Raipur and Dr. S. K. Upadhyay, Regional Officer, Regional Office (CECB) Raipur. PP also reported that around 300 persons attended the Public Hearing. Issues raised during public hearing were about work on education, health facility, infrastructure development, water arrangement, employment etc. An amount of Rs. 1.6 Crore has been earmarked for issues raised during public hearing.

14. The Project Proponent submitted that out of total mine lease area 108.335 ha; 9.145 ha is Government land [Kuccha road (1.20 ha), Seasonal Nalla (3.95) and grazing land (3.995 ha)] and 99.190 ha is a private land (Agricultural land), in which 49.345 ha land has been purchased and 49.845 ha land need to purchase. Land is being/will be acquired under the "Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act-2013 (LARR Act, 2013)" and Mutual Agreement. There are 164 Project Affected Families, in which 157 are on Private land and 7 are on Govt land. Total 9 families having 11 structures in ML Area. Out of 11 structures, 4 structure of 2 PAFs on Pvt Land and 7 structure of 7 PAFs are coming on Govt land. 11 structure will be rehabilitated and resettled outside mine lease due to mining activities. Total budget for R&R is Rs. 24.16 Crores.

15. The Project Proponent submitted that there is no any Court Cases pending against the project and/or land in which the project is proposed to be set up. PP submitted the affidavit in a non-judicial stamp paper bearing X 819108 dated 25.01.2021 as per Ministry's O.M No 3- 50/2017 -IA.II(M) dated 30.05.2018.

16. The Project Proponent submitted that the total capital cost of the project is Rs. 79.16 Crore and capital cost of Environment Management Plan is Rs. 235 Lakh and recurring cost is Rs. 121 Lakh/Annum. PP allocated budget for occupational health and safety is Rs 15.00 Lakhs as capital cost and Rs. 5.0 lacs/annum as recurring cost. PP

reported that the total manpower required for the proposed mining project will be around 158 persons.

17. The proposal for Environmental Clearance (EC) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 . Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Environmental Clearance for Limestone mine of M/s Ultra Tech Cement Limited (Unit Baikunth Cement Works) with the total excavation of 3.74 Million TPA (production capacity of 3.0 Million TPA (ROM), Waste: 0.30 Million TPA, Soil & OB: 0.44 Million TPA) with the mine lease area of 108.335 Ha, located near village (s) Kharora & Kesla, Tehsil: Tilda, District: Raipur, Chhattisgarh with the following specific conditions:

- i. The Environmental Clearance (EC) will be functional only after the Lease is Executed.
- ii. The Committee noted that since it is a prime agricultural land brought under auction, R & R plan should give weightage to proper rehabilitation of farmers and facilitate them with science and technology in agricultural practice.
- iii. The Project Proponent in addition to Mining Plan presented to the Committee whereas per schedule given peak production should be achieved in the 10<sup>th</sup> year. This should be strictly followed by PP in practice.
- iv. The budget of Rs 1.6 Crores to address the concerns raised by the public including farmers in the public hearing to be completed within 3 year from the date of start of mining operations. The Project Proponent shall also include the budget for the betterment of schools nearby and also to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.
- v. The Project Proponent shall undertake the plantation in peripheral zone as given in the EIA/EMP report with atleast 90% survival rate and complete the entire plantation within 3 years from the date of start of mining operations.
- vi. The Project Proponent should also adhere to the Hydro Geology plan projected to the Committee and monitor the efficacy of garland drains, check dams and check filters and also overflow from the siltation pit.
- vii. The Project Proponent should also monitor if there is any discharge that reach in Mahanadi canal during the period of mining operations.



- viii. The Project Proponent during the practice of drilling and blasting should monitor the noise level and ground vibration as well as Ambient Air Quality all around the mining lease boundary in down wind direction. The Project Proponent should also monitor the noise level and air quality in sensitive receptors as per the act and rules.
- ix. The conservation plan in consultation with the Forest Department shall be implemented and compliance of the same shall be submitted to IRO of MoEF&CC before 1st July of every year.
- x. PP has to obtain the CGWA approval in the name of M/s Ultra Tech Cement Limited.

**1.2: Proposal for Kunteshu Decorative Stone (Garnetiferous Granite Gneiss) mine with the production capacity of 2400m<sup>3</sup>/annum, over an area of 13.703 Ha (33.86 Acres), located in village Kunteshu No.52, under Tehsil Bandhugaon, District Koraput, Odisha by Sri Nemani Ramkrishna - [Proposal no: IA/OR/MIN/191282/2021; File No. IA-J-11015/3/2021-IA-II(M)] - Terms of Reference (ToR)**

The proposal of Sri Nemani Ramkrishna is for Terms of Reference for Kunteshu Decorative Stone (Garnetiferous Granite Gneiss) mine with the production capacity of 2400m<sup>3</sup>/annum, over an area of 13.703 Ha (33.86 Acres), located in village Kunteshu No.52, under Tehsil Bandhugaon, District Koraput, Odisha. The mine lease area falls under the Survey of India Toposheet No 65M/8 (E44F8) and bounded by latitude 18°59'36.09" N to 18°59'59.80"N and longitude 83°17'41.90" to 83°17'52.90"E.

2. As per EIA Notification dated 14<sup>th</sup> Sept, 2006 and its subsequent amendments, the project falls under Project Activity 1 (a) "Mining of Minerals" and Category "A" as the interstate boundary of Odisha-Andhra Pradesh falls at a distance of 1.5Km from the lease boundary.
3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/OR/MIN/191282/2021 dated 05.01.2021 and submitted Form-1 & Pre-Feasibility Report and the proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.
4. The Project Proponent submitted that Department of Steel and Mines, Government of Odisha issued the letter of intent for grant of mining lease for Decorative Stone over an area of 13.703 Ha for a period of 30 years vide Lr.no. 6538/S&M, Bhubaneswar dated 05.09.2019.

5. The Project Proponent submitted that the Mining Plan with PMCP was approved by Directorate of Mines, Odisha, Bhubaneswar vide letter No. MXXII-(a) 10/2019/5103/DM dated 27.07.2020 for a period of five years.

6. The Project Proponent submitted that the Opencast Semi Mechanized Mining method with the height of the benches will be maintained at 3m and width of the benches will be more than bench height. Slope of the benches will be maintained at 70° to 80° and overall slope of the benches will be less than 45° with the horizontal. As per the estimation the geological reserve is found to be 375519m<sup>3</sup> & Mineable reserve for decorative stone is found to be 281596m<sup>3</sup>. During the plan period of five years total volume of decorative stone will be 118,960m<sup>3</sup>, total volume of presently non saleable stone will be 2,990m<sup>3</sup> and total volume of waste will be 44,850m<sup>3</sup>. These wastes will be utilized con-currently for construction and maintenance of road in the lease area. For temporary storing of these wastes, an area of 0.423 Ha has been earmarked in the southern part of the mining lease area. Exhausted Quarry area will be utilized as water reservoirs with proper bench plantation and fencing. PP also submitted the letter from Mining Officer, Koraput that there is no other granted decorative stone mines exist within 500m radius.

7. The Project Proponent submitted that the Nearest Village and School is Kunteshu (1.0 km) from the mine site. Nearest highway is SH 4 (11 Km).

8. The Project Proponent submitted that the total water requirement for the project will be 5 KLD out of which 2 KLD will be required for drinking and domestic purpose and 1.5 KLD for dust suppression and 1.5 KLD for plantation purpose. Source of domestic water will be nearby village well.

9. The Project Proponent submitted that green belt will be developed over an area of 1.23 Ha in and along the periphery of the quarry lease area of during the plan period by 250 nos. of saplings.

10. The Project Proponent submitted that there is no forest land in the M.L area. The land use pattern of the mining lease area comes under the non forest agricultural land (Abada Ajogya Anabadi), bearing Khata no.67, Plot no.385 (13.21Acres) and 397 (20.65 Acres), Kissam: Pahada. PP also submitted the letter from DFO, Koraput Forest Division vide Lr.No.4882/dated 03.10.2017 that the mining lease is not coming under DLC of Koraput District and it does not attract any provision of Forest Conservation Act, 1980 and hence it can be considered for M.L. PP further submitted that there are no National Park, Wildlife Sanctuary, Eco Sensitive Areas, Biosphere reserves within 10km radius of the study area.

11. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.

12. The Project Proponent submitted that the total cost of the project is Rs. 2 crores. The employment generated by this project will be about 25nos. of which skilled worker (8nos), unskilled worker (12nos) & (5nos) managerial staffs.

13. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference (ToR) for Kunteshu Decorative Stone (Garnetiferous Granite Gneiss) mine by Sri Nemani Ramkrishna with the production capacity of 2400m<sup>3</sup>/annum, over an area of 13.703 Ha, located in village Kunteshu No.52, under Tehsil Bandhugaon, District Koraput, Odisha for undertaking detailed EIA/EMP Study subject to the following specific conditions:

- i. PP needs to submit the total excavation in tonnes (minerals, waste, top soil) to be excavated and the management of topsoil and waste needs to be properly addressed in EIA/EMP report. The mineable reserves, blocked reserves need to be mentioned along with life of mine. PP needs to bring out the waste to be generated during the entire life of mine and where it will be dumped/backfilled.
- ii. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006.
- iii. The Project Proponent can utilize the baseline data collected during October – December 2020 for preparation of EIA/EMP report.
- iv. The Project Proponent needs to submit the District Survey Report (DSR) as per Ministry's notification S.O 3611 (E) dated 25<sup>th</sup> July, 2018.
- v. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. PP also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.

**1.3: Proposal for Tiringpahar Iron and Manganese Mine of M/s Tata Steel Limited with the production capacity of 0.85 LTPA of Manganese Ore (MLA: 169.00 ha), located at Palsha, khondbond, Jaribahal and Gurda village at Barbil Tehsil in Champua sub-division of Keonjhar District in Orissa – [Proposal no:**

**IA/OR/MIN/79113/2018; File No. IA-J-11015/117/2018-IA-II(M)] - Reconsideration of ToR**

The Proposal of M/s Tata Steel Limited is for Tiringpahar Iron & Manganese Mines for production of 0.85 LTPA of Manganese Ore (MLA: 169.00 ha). The mine is located at Palsha, khondbond, Jaribahal and Gurda village at Barbil Tehsil in Champua sub-division of Keonjhar District in Orissa. The area falls under survey of India Topo Sheet No. 73 G/5 (New Topo sheet Nos. F 45N/5). It is bounded between Latitudes 21°54'00"N to 21°57'00"N longitudes 85°23'00"E to 85°25'00"E and falls under seismic zone II.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. The Project Proponent applied online for grant of Terms of Reference (ToR) as per the notification dated 06.04.2018 vide proposal no. IA/OR/MIN/79113/2018 dated 16.09.2018 and submitted Form-1 & Pre-Feasibility Report and the proposal was considered in the 37<sup>th</sup> EAC meeting held during October 23-24, 2018 and *the Committee deliberated the issues and is of the view that this is a violation case of the EIA Notification 2006 as PP has enhanced the manganese ore during 2006-07 (86715 TPA) against the approved EC capacity of 85,000 TPA. The Committee mentioned that the Ministry has notified the Notification vide S.O. 804 (E) on 14.03.2017 for handling such type of violation cases. The PP submitted that they have paid the compensation for violation of Common Cause order dated 02.08.2017. The Committee is of the view that as the PP has paid the Compensation they are very much aware about the violation and still did not apply under the violation notification S.O. 804(E) dated 14.03.2017 for which Ministry has provided a time period of six months. The Committee observed that PP has sufficient time for obtaining clarification from the Ministry in this regard. Thus, the Committee is of the view that this is a case of violation of the EIA Notification, 2006 as PP has enhanced the manganese ore during 2006-07 (86715 TPA) against the approved EC capacity of 85,000 TPA and the same may dealt by violation notification S.O. 804(E) dated 14.03.2017. The Committee deferred the proposal. The EAC suggested that the Ministry may examine the issues. In this regard, Ministry on 14.12.2018 requested the Dept. of Environment, Govt. of Odisha to initiate credible action against the PP under sec. 19 of the Environment (Protection) Act, 1986. Then, the proposal was delisted on 25.03.2019 and then relisted on 22.12.2020. Then on 22.12.2020, PP submitted the letter vide TSLDEL/06/2020 dated 20.11.2020 citing to Point 13 (1) of S.O 804 (E) dated 14.03.2017, that "our case is not considered to be case of violation under notification dated 14.03.2017 and also our proposal for grant of*

*EC for expansion as per the EIA Notification, 2006 may kindly be considered for further processing and approval*". Thereafter, Ministry sought ADS on 01.01.2021 to submit the valid mining plan and PP submitted the reply for ADS on 04.01.2021. Thereafter, the proposal was again considered in the 27<sup>th</sup> sectoral EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that the lease was granted with effect from 01.03.1930 for 30 years over an area of 169.0 hectares in villages Palasa (Kha), Jadibahal, Khandbondh, Joruri, Jalahari, Jajanga and Baitarani Reserve Forest in Keonjhar District in the state of Odisha. The lease area is consisting with three discontinuous blocks as Guruda, Joruri and Tiringpahar. The first renewal was for a period of 20 years from 01.03.1960 to 29.02.1980 over an area of 169.0 ha. The second renewal was for a period of 20 years from 01.03.1980 to 29.02.2000 over an area of 169.0 ha. The application for third renewal of mining lease on 05.01.1999 for Iron and Manganese Ore over an area of 169.0 ha, which is prior to expiry of the 2<sup>nd</sup> RML period i.e. 29.02.2000. The mining operations are thus continuing & confined within the applied area of 169.000 ha as per the provisions of Rule 24A (6) of MCR-1960. The Govt. of Odisha vide letter no. 3278/S&M/Bhubaneswar dt. 18.4.2015 have extended the validity period of lease under Section 8A of the M&M (D&R) Act, 1957 as amended by the MMDR (Amendment) Act, 2015 from the date of expiry of the last valid period of lease i.e.01.03.2000 up to 31.03.2030 and Supplementary lease deed was executed and registered on 08.05.2015. PP reported that they had obtained Environmental Clearance from the Ministry vide MoEF letter no. J-11015/85/2003-IA.II(M) dt 17.11.2005 for enhancement of production of Manganese Ore from 0.43 LTPA to 0.85 LTPA involving a lease area of 169 Ha as per EIA notification of 1994. The public hearing for this project was held on 29.09.2004.

5. The Project Proponent submitted the mine plan for Joda West Iron and Manganese Mines approved by IBM vide letter no. MSM/FM/11-ORI/ BHU/2018-19/720, dt. 03.07.2018 and expired on 31.03.2020. Thereafter, PP submitted the Approval of Review of Mining Plan of Tiringpahar Iron and Mn Mine along with PMCP approved by IBM vide Lr. No.RMP/A/07-ORI/BHU/2020-21 dated 31.07.2020 over an area of 643.710 Ha in Keonjhar District of Odisha for the period 2020-21 to 2014-25 which shall expire on 31.03.2025. PP also informed that the process of surrender of the balance area of 474.710 Ha is under progress with the State Govt, therefore the mining plans are prepared showing original lease area of 643.710 Ha having mining proposals as per the approved mining plans, restricted within the lease area of 169 Ha.

6. The Project Proponent submitted that the overburden and ROM are being removed by using shovel-dumper combination. The benches are being maintained with 6 - 8 m high with width of 8 - 10m. The haul road having width of 8 - 12m with gradient

of 1:16 is designed the in quarries. Blast holes for both overburden and ore are drilled by 100mm diameter drills with 365 cubic feet per minute (cfm) compressors, the blasted run-off mine ore is being hauled to sorting places located at the top of the quarry. The ROM is then dressed, sorted, sized and graded manually at sorting place. The piece rated (Mazdoor/Reja) are deployed at different sorting places considering the average output per man shift of 1 ton (Avg.) viewing the finished ore production required from the quarry / pit. The different quality of finished ore is then loaded manually to the dumpers and transported to stacking ground for stacking the ore in regular geometrical shapes and samples are collected and analyzed at laboratory. Thereafter, the stacks are dispatched to designated place as mentioned in the ore removal permission obtained. Miscellaneous operations in the mine includes leveling of dumping yard, preparation and maintenance of haul roads, dozing of boulders from the mine face, loading of trucks at stack yard etc.

7. The Project Proponent reported that water requirement for the mining project is 56 m<sup>3</sup>/day of water which will be met through Kundra Nallah through existing facilities. PP also reported that Dept. of Water Resource, Govt. of Odisha granted permission for 0.4 CUSEC from Baitarani River vide Order No.7397/WR/WR-MAJII-WRC 0012/2020 (OSWAS) dtd.13.03.2020 and is valid till 12.03.2023. Surface Water Agreement executed by Ex.Engineer, Baitarani Division ref Agreement No.09AA537438 dt. 01.07.2020.

8. The Project Proponent submitted that out of 169 Ha, 133.174 ha is Forest Land and 35.826 ha is Non-Forest Land. PP obtained Stage –II Forest clearance over an area of 52.348 from MoEF, Govt. of India vide letter no. 8-80/2004-FC, Dt.28.03.2007 and Stage-I clearance for balance forest area 80.826 ha by MoEF&CC vide letter F.No. 8-01/2019-FC, dated 02.08.2019.

9. The Project Proponent reported that there are three Reserve Forest such as Chamakpur RF (4.2 km, NE), Baitarini RF (1.2 km, NW) and Siddhamath RF (3.8 km, NW) are found within the 10km radius. PP reported that Wildlife conservation plan in respect of Tiringpahar Iron & Manganese mines has been approved by PCCF (Wildlife) & Chief Warden, Odisha vide Memo no. 7724/1 WL-SSP-94/2015 dated 03.08.2015. PP also submitted that there are no National Park, Wildlife Sanctuary, Eco-Sensitive Areas within 10km radius of the study area.

10. The Project Proponent submitted the authenticated year wise production figures from 1993-94 to 2017-18. Based on the production details provided by the Deputy Director of Mines, Joda Circle, District Keonjhar, Govt. of Odisha, dated 19.09.2018 the production of manganese ore has been enhanced during 2006-07 (86715 TPA) than the

approved EC capacity of 85,000 TPA. Demand was raised by the Deputy Director of Mines, Joda Circle, Dist. – Keonjhar. vide letter No. 4142/ Mines dated 02.09.2017 amounting of Rs. 35, 49, 28,268.00/- (Rupees Thirty Five Crore Forty Nine Lakhs Twenty Eight Thousand Two Hundred Sixty Eight only) on or before 31.12.2017 in pursuance to the para 225 of the Order dated 02.08.2017 of Hon<sup>ble</sup> Supreme Court in WPC No. 114/2014. Also, demand was raised vide letter no.4632/ Mines, dated 23.10.2017 amounting of Rs. 24,93,22,425/- (Rupees Twenty-Four Crore Ninety three Lakhs Twenty Two thousand Four Hundred Twenty Five Only) towards compensation under section 21(5) of MMDR Act, 1957 for production made in excess of lower of the approved limits under Mining Plan & Consent to Operate. In compliance to the order of the Hon<sup>ble</sup> Supreme Court on dated 02.08.2017 in WPC No. 114/2014, the project proponent has paid the compensation amount of Rs. 35, 49, 28,268.00/- (Rupees Thirty Five Crore Forty Nine Lakhs Twenty Eight Thousand Two Hundred Sixty Eight only) on 18.12.2017 being the price thereof as compensation under Section 21(5) of MMDR Act, 1957 for alleged production without/in excess of the Environment clearance as rationalised by the CEC as per the demand Notice No. 4146/ Mines dated 02.09.2017 issued by the Deputy Director of Mines, Joda Circle, Dist. – Keonjhar. PP also submitted the Affidavit in a Non- Judicial Stamp Paper vide 33AA 497208 to undertake that Tata Steel Limited would comply with all the statutory requirements and Judgement of Hon<sup>ble</sup> Supreme Court on dated 02.08.2017 in WPC No. 114/2014 in the matter of Common cause versus Union of India and Ors. PP also reported that Consent to Operate No. 115 is valid up to 31.03.2021 for a production of 85000TPA of Manganese Ore issued vide OSPCB Lr No.8915/IND-I-CON-190 dtd. 29.08.2019.

11. The Project Proponent submitted that for the demand towards compensation under section 21(5) of MMDR Act, 1957 for production made in excess of lower of the approved limits under Mining Plan & Consent to Operate, the user agency took the shelter of Revision Cell of Ministry of mines, Government of India vide RA No. 22(63) 2017 of 2017 & the Revisionary Authority directed the State Government not to take any coercive measures to recover the amounts specified in the impugned orders.

12. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. After detailed deliberations on the proposal, the Committee noted that this is a violation of the EIA Notification 2006 and subsequent amendments as PP has enhanced the manganese ore during 2006-07 (86715 TPA) against the approved EC capacity of 85,000 TPA. The following principle as approved by the Competent Authority with respect to consideration of violation cases to be followed:

- i. Send the matter to the Sector EAC for consideration of the case on merit.

- ii. Take action against the alleged violation as per law.
- iii. Do not wait for either the evidence of action having been started or violation proceedings to finish before taking up the case on merit.
- iv. The EC if given after consideration on merit would be valid from the date it is given and not with retrospective effect. For the period before it, if violation is established by the court or the competent authority, the punishment/penalty as per law would be imposed.

13. In view of the above, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Tiringpahar Iron and Manganese Mine of M/s Tata Steel Limited with the production capacity of 0.85 LTPA of Manganese Ore (MLA: 169.00 ha), located at Palsha, khondbond, Jaribahal and Gurda village at Barbil Tehsil in Champua sub-division of Keonjhar District in Odisha. In addition to Standard Term of Reference for non-coal mining, standard ToR as per the recommendation made by NEERI in its carrying capacity study for Odisha, the Committee also prescribed the following specific term of reference for this project:

- i. The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986.
- ii. The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.
- iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
- iv. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.



- v. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.
- vi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006.
- vii. The Project Proponent should also submit the Action Taken Report as per the mine closure plan.
- viii. The Project Proponent should clearly bring out the employment potential in the mines and the total project cost in the EIA report.
- ix. The Project Proponent should submit the copy of Approval from Dept. of Water Resource, Govt. of Odisha for withdrawal of water from Baitarani River dt.13.03.2020 and Surface Water Agreement executed by Ex. Engineer, Baitarani Division dt. 01.07.2020.
- x. The Project Proponent also needs to submit the copy of Consent to operate dated 29.08.2019.
- xi. The Project Proponent needs to submit the Permission letter issued by DGMS for deep hole drilling and blasting.
- xii. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. Project Proponent also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.

**1.4: Proposal for Choutapalli limestone mine, 262.247 ha amalgamated mining lease area, M/s My Home Industries Private Limited; Total excavation of 2.17 MTPA (Limestone: 1.82 MTPA + Top soil: 0.35 MTPA) located at Choutapalli Village of Mattampalli Mandal and Mellacheruvu Village of Mellacheruvu Mandal, Suryapet District, Telangana – [Proposal no: IA/TG/MIN/99989/2019; File No. J-11015/46/2019-IA.II(M)] - Reconsideration of ToR**

The proposal of M/s My Home Industries Private Limited is for grant of Terms of Reference for Choutapalli limestone mine, 262.247 ha amalgamated mining lease area with total excavation of 2.17 MTPA (Limestone: 1.82 MTPA + Top soil: 0.35 MTPA) located at Choutapalli Village of Mattampalli Mandal and Mellacheruvu Village of Mellacheruvu Mandal, Suryapet District, Telangana. The mine lease area falls under the

Survey of India Toposheet nos. 56 P/13 and bounded by latitude 16° 46'55.10"N to 16° 48'10.50"N and longitude 79°53'21.40"E to 79° 54'35.20" E.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. The Project Proponent submitted that initial application was submitted for grant of Terms of Reference on 26.09.2018 vide IA/TG/MIN/80229/2018 as per the provision of S.O. 1530(E) dated 6.04.2018. Then, the Ministry sought EDS on 09.10.2018. Due to delay in obtaining information from various departments, proposal was deleted from the PARIVESH portal and therefore PP again applied online for grant of Terms of Reference (ToR) vide proposal no. IA/TG/MIN/99989/2019 dated 25.03.2019 and submitted Form-1 & Pre-Feasibility Report as per provision of S.O. 1530(E) dated 6.04.2018. The proposal was considered in the 4<sup>th</sup> EAC Meeting held during April 23-24, 2019 wherein *"the Committee finally suggested that it's a peculiar case wherein one EC has validity as per EIA Notification 2006 and another EC has validity as per EIA 1994. In one EC provision of violation notification S.O. 804(E) 14.03.2017 may attract, the mine is having all the necessary permission including ECs and also inspected by regional office of MoEF&CC. Thus, considering all the factors the matter may be referred to policy sector for its comments. The Committee therefore returned the proposal in the present form and is of the view that decision of policy sector may be communicated to PP for necessary compliance"*.

The matter was referred to the Expert Committee constituted in the Policy Sector during its meeting held on 17.06.2019. After detailed deliberation, the committee noted that the amalgamation of the mining leases was carried by the project proponent, in compliance with the condition prescribed by the ministry as a part of EC for ML-2. While directing the project proponent for amalgamation the Ministry did not specifically mentioned to obtain fresh EC after amalgamation. Therefore, the committee was of the opinion that EC not being sought for amalgamation may not be treated as violation. However the excess production during 2006-07 against the capacity specified in EC granted for ML-I shall be treated as violation of EIA Notification, 2006. The committee opined that the matter may be referred to sectoral committee for further course of action.

The proposal was delisted on 18.10.2019 and then relisted on 30.07.2020 from the PARIVESH Portal. Further PP letter no Ref: MHIPL/CLM/EC/2020-21 dated 4<sup>th</sup> August, 2020 requested to Ministry inter-alia stating that the proposal was referred to the Policy sector, however not received any communication in this regard. Accordingly the same was reconsidered in the EAC meeting held on 23-25 September, 2020;

wherein, *“the Member Secretary presented the decision of IA Policy Sector. Based on the deliberations the Committee was of the view that it’s a violation case and this Committee is not empowered to appraise the violation proposals. Since, the PP could not applied within the time prescribed under the 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”*. The proposal was again reconsidered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that My Home Industries Private Limited (MHIPL) has obtained EC vide Lr. J- 11015/25/2006-IA.II (M) dated 26th May 2006 for its captive Limestone mine i.e., Choutapalli Limestone Mine [ML area 46.08 Ha & 1.00 million TPA production] located at Choutapalli Village, Mattampalli Mandal, Suryapet District, Telangana State, under the provisions of EIA notification, 1994.

Further, MHIPL has also obtained EC vide Lr. J-11015/5762007-IA.II (M) dated 31<sup>st</sup> July 2008 for its captive Limestone mines i.e., Choutapalli Limestone Mine - 2 [ML area 216.167 Ha & 0.82 million TPA production] located at Choutapalli village of Mattampalli & Mellacheruvu Village of Mellacheruvu Mandal, Suryapet District (earlier Nalgonda), Telangana State, under the provisions of EIA notification, 2006. Choutapalli Limestone mine 1 & 2 were having common boundary. As per specific condition No.iii of EC dated 31<sup>st</sup> July 2008, mining leases shall be amalgamated.

The State Government has accorded permission under Rule 38 of MCR 1960 for amalgamation of exiting two mining leases held by M/s. My Home Industries Limited for Limestone over an extent of 262.247 Ha vide G.O.Ms.No 328 dated 12.12.2008 in Sy. Nos. 1092/P,1094/P, 1095, 1096, 1097, 1103,1104/P, 1105/P of Mellacheruvu Village and Mandal and 613, 614/P, 615 to 628, 629/P, 631/P, 632/P, 645/P, 646/P, 649/P, 676/P, 685/P, 686, 687/P, 688/P, 689/P, 690, 691, 692/P, 693/P, 694 to 719, 720/P, 727, 729 to 731 of Choutapalli Village, Mattampalli Mandal, Nalgonda District into a single lease Co-terminus with the first lease which expires on 31.07.2025. Amalgamation Mining Lease deed was executed in the name of My Home Industries Limited at the O/o ADM&G Miryalaguda dated 24.12.2008. Further, Government has accorded permission to change the name of the company from “My Home Industries Limited” to “My Home Industries Private Limited” under rule 62 of MCR 1960 vide G.O.Ms.No 86, dated 26.11.2015. Also Government has extended the lease period up to 50 years from the date of original grant of first Mining Lease i.e. from 01.08.2005 to 31.07.2055 in respect of ML area held by M/s. My Home Industries Private Limited for limestone over an area of Ac.647.39 Gts of Choutapalli Village , Mattampalli Mandal, Suryapet District under sub-section (5) of Section 8A of Mines and Minerals (Development & Regulation) Amendment Act 2015 vide G.O. Ms.No .69, dated

24.08.2017. Mining Lease deed was executed in the name of My Home Industries Private Limited” at the O/o ADM&G Suryapet for 50 years i.e. up to 31.07.2055.

*The Committee previously observed that “After the amalgamation of the mining lease-1 & 2 PP was required to obtain EC for the amalgamated mining lease but the same has not been obtained and PP now after 10 years applied to the Ministry for obtaining EC under EIA Notification 2006. Further, name of the company has also changed which is also not rectified by the PP in the EC letters. PP was unable to explain the reason for not applying to the Ministry for amendment in EC after amalgamation of mining lease. However, submitted a letter dated 1.09.2008 wherein requested the Ministry to amend the Specific Condition No iii) of EC granted on 31.07.2008 in respect of a) lease area from 216.67 to 216.167 Ha and 18.211 Ha to 46.08 Ha”. The Committee also observed that in all the necessary permissions/ approvals PP has amended the mining lease details and name of the Company except in the EC letters.*

5. The Project Proponent submitted that Mining Plan for amalgamated area was approved by IBM vide AP/NLG/MP/Lst-55/Hyd dt 19.12.2018 for Plan period of 2019-20 to 2023-2024.

6. The Project Proponent submitted that the mining of the deposit is worked by deep hole drilling & blasting with fully mechanized open cast method of mining. The mineable reserves are estimated as 90.77 million tonnes. Drilling operations are presently conducted with 115m dia drills with compressor of 445 cfm. Blasting is done using cap sensitive explosives as booster and ammonium nitrate (ANFO) is used in the ratio of 20:80. NONEL Detonators are utilized to control ground vibrations and fly rock. Hydraulic excavators with bucket capacity of 2.5m<sup>3</sup> are deployed to load the blasted limestone into Dumpers for transporting the ROM material to crusher and then to Cement plant through conveyor for its captive use. The benches are 9m in height. Ultimate pit slope would be maintained at 45°. PP submitted that no over burden/waste rock generation is anticipated from this mine. The entire lease area is exposed with top soil about a thickness of 1.0 to 5.0m. The expected generation of top soil during conceptual life period (up to 31.07.2055) is about 38,98,883.75 m<sup>3</sup>. Out of this about 22,82,555.50 m<sup>3</sup> will be used for plantation, about 1616,328.25 m<sup>3</sup> will be used in stacking on the worked-out pit and used for plantation development. It is estimated that by the conceptual stage 146.0732 Ha will be mined out (18.671 Ha mined out area will be backfilled with topsoil, 127.4022 Ha of mined out area will be converted into water reservoir), 27.972 Ha will be developed as Green Belt, 0.14 Ha will be developed into garland drain, 3.6185 Ha will be under roads and 0.7458 Ha will be under statutory buildings and 83.6885 Ha will be left unused.

*The Committee previously also observed that previous EAC specified the condition of amalgamation of mining lease because at as per KML file submitted by the PP it appears that mining lease having area of 46.08 in completely surrounded by the mining lease having area of 216.167 Ha and for proper development of the mine the same needs to be amalgamated.*

7. The Project Proponent submitted that the Nearest Village is Choutapalli (1.7 km, WNW), School is School of MHIPL in township (1.4 km, NE) from the mine site. Nearest highway is (NH-9) Vijayawada – Hyderabad (24.0 km, ENE).

8. The Project Proponent reported that the maximum depth of the mining would be 43m maximum from the surface. Mining will not intersect ground water. The total water requirement of water is 75.0 m<sup>3</sup>/day. Drinking water facilities are provided from Cement plant and water required for Dust suppression and greenbelt development is sourced from existing Mine pits.

9. The Project Proponent submitted that green belt will be developed over an area of 27.972 Ha with 31640 trees in 7.5m barrier zone.

10. The Project Proponent submitted that there is no forest land in the M.L area. PP reported that the nearest Reserve Forests from the mine site (1.5 km, E), Yepalmadhavaram RF (3.2 km, E), Chintalapalem RF (7.0 km, SSE), Pittalasarikota RF (6.4 km, S), Sultanpur RF (5.7 km, SW), Gurrambodu RF (5.6 km, W) and Krishna River (9.2 km, SSW). Further, PP informed that there are no eco sensitive areas, National Parks, Wildlife Sanctuaries, Elephant/Tiger Reserves within 10 km radius area from the ML boundary.

11. The Project Proponent submitted the past production data from 2005-2006 to 2018-2019 authenticated by DMG, Government of Telangana, Suryapet vide letter no: 2417/M2/2008, dated 15.03.2019.

*The Committee previously observed from the past production details submitted by the PP shows that the PP has exceeded the EC (granted on 31.07.2008) capacity in year 2006-07 wherein production achieved was 1283588 as against 1000000 Tonne. The Committee also observed that PP has exceeded the mining plan capacity during the year 2006-07, and 2007-08. Thereafter the production is well within the EC and mining plan limit. Thus, the production during 2006-07 & 2007-08 is in violation of Common Cause Judgement dated 02.08.2017 and production during 2006-07 is attract provision of S.O. 804(E) dated 14.03.2017. The Committee also felt that it is difficult to ascertain the production capacity for individual mines after amalgamation of mining lease on 12.12.2008 to compare the same with EC capacity in order ascertain the*

*violation of Common Cause Judgment dated 02.08.2017 and S.O. 804(E) dated 14.03.2017.*

12. The Project Proponent reported that the CFO was issued in the name of “M/s. My Home Cement Industries Limited” for lease area 46.08 Ha vide Consent Order No. APPCB/PTN/NGL183/HO/2006-1693 dated 09.11.2006 & thereafter obtained amendment vide Consent Order No. APPCB/PTN/NGL183/HO/2007-1358 dated 19.09.2007 CFO in the name of “M/s. My Home Industries Private Limited: for amalgamated lease area 262.247 Ha was obtained dated 14.07.2016. PP also submitted the Certified EC Compliance report vide F.No. Ep/12.1/463/AP/1687 dated 22.10.2018.

*The Committee previously also observed that Regional Office, MoEF&CC has also inspected both the mine for compliance of EC conditions and no major noncompliance has been reported.*

13. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up. PP also submitted the Affidavit cum Undertaking that M/s. My Home Industries Private Limited shall comply with all the statutory requirements and Judgement of Hon<sup>ble</sup> Supreme Court on dated 02.08.2017 in WPC No. 114/2014 in the matter of Common cause versus Union of India and Ors.

14. The Project Proponent submitted that the total cost of the project is Rs. 50 Lakhs. The employment generated by this project will be about 41 nos.

15. The proposal for Terms of Reference (ToR) was reconsidered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. After detailed deliberations made by the Project Proponent and the Consultant, the Committee noted that Mr.Suresh, DGM Environment has signed the forms, however for such major projects, the person of General Manager and above who can take decision should attend the EAC meeting representing the Project Proponent. The Committee also noted that this proposal is for Terms of Reference under Notification S.O. 1530(E) dated 6<sup>th</sup> April 2018 and it's a peculiar case wherein one EC has validity as per EIA Notification 2006 and another EC has validity as per EIA 1994. The Committee observed that the PP has exceeded the EC (granted on 31.07.2008) capacity in year 2006-07 wherein production achieved was 1283588 against approved capacity i.e. 1000000 Tonne and also exceeded the mining plan capacity during the year 2006-07 and 2007-08. After 2008, the production is well within the EC and mining plan production capacity. Thus, the instant case attracts violation of EIA Notification, 2006 and subsequent amendments. The following principle as

approved by the Competent Authority with respect to consideration of violation cases to be followed:

- i. Send the matter to the Sector EAC for consideration of the case on merit.
- ii. Take action against the alleged violation as per law.
- iii. Do not wait for either the evidence of action having been started or violation proceedings to finish before taking up the case on merit.
- iv. The EC if given after consideration on merit would be valid from the date it is given and not with retrospective effect. For the period before it, if violation is established by the court or the competent authority, the punishment/penalty as per law would be imposed.

16. In view of the above, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Choutapalli limestone mine, 262.247 ha amalgamated mining lease area of M/s My Home Industries Private Limited; total excavation of 2.17 MTPA (Limestone: 1.82 MTPA + Top soil: 0.35 MTPA) located at Choutapalli Village of Mattampalli Mandal and Mellacheruvu Village of Mellacheruvu Mandal, Suryapet District, Telangana for undertaking detailed EIA/EMP study with the following specific term of reference:

- i. The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986.
- ii. The Project Proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.
- iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

- iv. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
- v. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.
- vi. The Project Proponent can utilize the baseline data if it is monitored within 1 year for preparation of EIA/EMP report, otherwise fresh baseline data shall be collected.
- vii. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. Project Proponent should also submit the time bound action plan on concerns of the Public.
- viii. The Project Proponent should also prepare the EMP considering its peak production of 25%.
- ix. The Project Proponent shall undertake the peripheral plantation and closed areas as well as gap plantation within 6 months with the seedling of 6-8 ft height having atleast 90% survival rate. An undertaking for the same also needs to be submitted by the Project Proponent.
- x. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. PP also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.
- xi. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. PP should also submit list of Schedule – I species present in the lease area authenticated by PCCF and the status of National Park/Sanctuary, Biosphere Reserve/Tiger Reserve/Elephant Reserve/any other Reserve, Habitat for migratory birds, Corridor for animals within 10 km of the lease area.
- xii. The Project Proponent need to submit the NOC obtained from CGWA at the time of appraisal of EC.

**1.5: Proposal of M/s Sagar Cements Ltd, Limestone production of 3.3 MTPA with total excavation of 3.398 MTPA (Cement grade LS - 3.135 MTPA + Sub Grade LS (Blendable) - 0.165 MTPA + Top Soil - 0.098 MTPA) over an area of 326.58 Ha, located at Pedaveedu and Mattampally Village Of Mattampally Mandal, Suryapet**



**District, Telangana – [Proposal no: IA/TG/MIN/114695/2019; File No. IA-J-11015/2/2020-IA II(M)] - Reconsideration of ToR**

The proposal of M/s Sagar Cements Ltd is for grant of Terms of Reference for Limestone production of 3.3 MTPA with total excavation of 3.398 MTPA (Cement grade LS - 3.135 MTPA + Sub Grade LS (Blendable) - 0.165 MTPA + Top Soil - 0.098 MTPA) over an area of 326.58 Ha, located at Pedaveedu and Mattampally Village Of Mattampally Mandal, Suryapet District, Telangana. The mine lease area falls under the Survey of India Toposheet nos. 56 P/13 & 14 and bounded by A. (16°44'21.00"N - 16°46'14.30"N) – (79°51'13.00"E - 79°52'23.30"E) & B. (16°44'48.40"N - 16°44'59.90"N) (79°50'19.60"E - 79°51'3.80"E).

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) as the mining lease area is greater than 100 ha.

3. The Project Proponent submitted that initial application was submitted for grant of Terms of Reference on 27.09.2018 vide IA/TG/MIN/80392/2018 as per the provision of S.O. 1530(E) dated 6.04.2018. Then, the Ministry sought EDS on 09.10.2018. Due to delay in obtaining information from various departments, proposal was deleted from the PARIVESH portal and therefore PP again applied online for grant of Terms of Reference (ToR) vide proposal no. IA/TG/MIN/114695/2019 dated 17.08.2019 and submitted Form-1 & Pre-Feasibility Report along with the reply of EDS. The proposal was considered in the 13<sup>th</sup> EAC Meeting held during January 30-31, 2020 wherein *“the Committee is of the view that in the instant case PP did not obtained amendment in both the ECs after amalgamation of mining leases, PP approached the Ministry in the year 2012 but no supporting documents in this regard was submitted by PP. As this is a typical case wherein one EC was granted under EIA 1994 and another EC was granted under EIA 2006 then the combined mining lease can be considered as per provision of notification 6.04.2018 or not. There is also difficulty in ascertaining the violation of S.O. 804(E) dated 14.03.2017 and Common Cause Judgment dated 2.08.2017. Committee is of the view that comments of Policy Sector may be sought for dealing with such type of cases. Committee is also of the view that PP should submit the communication made by the Ministry if any with respect to amalgamations of ECs and prove that production from both the mines is within the approved EC capacity. Committee therefore deferred the proposal.*

The proposal was again considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The proposal for Terms of Reference (ToR) was placed before the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 wherein the Committee noted that the Project Proponent has not address any of the ADS points sought by EAC during the meeting held on January 30-31, 2020 and the Committee was of the view that till the information submitted by the Project Proponent, the proposal will not be considered for grant of TOR and therefore the Committee **returned** the proposal in present form.

**1.6: Proposal for Revalidation of EC under Ministry's Notification vide S.O. (E) 1530, dated 06.04.2018 of Majhgawan Diamond Mine, Panna of M/s NMDC Ltd. with total excavation of 13.90 LTPA [ROM Kimberlite ore @ 8 LTPA and Overburden removal @ 5.90 LTPA for production of 1.00 lakh carats of Diamonds per annum] with the mine lease area of 113.332 Ha, located at village Majhgawan, Tehsil & District Panna, Madhya Pradesh – [Proposal no: IA/MP/MIN/79085/2018; File No. IA-J-11015/120/2018-IA-II(M)] - Reconsideration of ToR**

The proposal of M/s NMDC Ltd. is for main lease area of 113.332 Ha with total excavation of 13.90 LTPA [ROM Kimberlite ore @ 8 LTPA and Overburden removal @ 5.90 LTPA for production of 1.00 lakh carats of Diamonds per annum], located at village Majhgawan, Tehsil & District Panna, Madhya Pradesh. The mine lease area is covered under SOI Toposheet No: 63D/2 and bounded by Latitude: 24°38'14.47" to 24°38'56.479" N and Longitude: 80°00'40" to 80°02'21.5" E (Based on WGS-84 Datum).

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", as the Mining lease area is more than 100 Ha. Project Proponent applied under Schedule 1(a) Mining of Minerals.
3. The Project Proponent applied online for grant of Terms of Reference vide proposal no. IA/MP/MIN/79085/2018 dated 17.09.2018 and the proposal was placed in EAC meeting held on 23-24 October, 2018, 24-25 September 2019 and April, 20-21, 2020 wherein the committee deferred the proposal for want of additional information.
4. Following are the additional details sought by the EAC meeting held during 20-21, April 2020 and Project Proponent submitted the reply vide letter NMDC/PANNA/SML/EC/2019/587 dated 08.01.2021 and the proposal was again considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.
  - i. Recommendation of the CEC or Hon'ble Supreme Court for allowing the mining operations beyond 5 years i.e beyond the year 2020.

Reply: CEC in its report dated 4/7/2006 categorically mentioned that "the CEC has not been able to arrive at a consensus regarding the time frame after which mining should be stopped. This time varies from a few years upwards. Therefore, no specific

recommendation is being made". Further, the monitoring committee appointed by Hon'ble Supreme Court vide judgement dated 13/08/2008 have conducted ten meetings so far and the latest 10<sup>th</sup> meeting was held on 04.09.2020 through video conference. DIG, NTA, (representative of Member Secretary, National Tiger Conservation Authority), New Delhi is also one of the members of the above committee. The proceedings of the meeting were issued by APCCF (WL)/ CWLW, Madhya Pradesh on 09.09.2020. The committee opined that "The mining operations have not hindered the growth of Tiger population in any way. The mining operations of NMDC is confined to the closed area of 275.963 Ha of land which is a very meager area." One of the action points decided by the committee is that NMDC is directed to expedite all necessary legal clearances for further extension of mining project.

- ii. Valid forest clearance from competent authority.

Reply: No forest land is involved in 113.332 Ha of Mining Lease area.

- iii. Permission from NBWL for mining beyond 2020.

Reply: The proposal No. FP/MP/MIN/3966/2019 for the extension / renewal of Wildlife clearance beyond 31/12/2020 is considered and discussed in State Wildlife meeting held on 14/01/2021 under the chairmanship of Hon'ble Chief Minister, Madhya Pradesh through video conference. NMDC stopped mining operations w.e.f 1/1/2021 for want of extension / renewal of wildlife clearance beyond 31/12/2020.

- iv. The validity of mine lease area:

Reply: The Main Mining Lease of Majhgawan Diamond Mine was valid upto 14.7.2025 and the lease deed agreement was made on 21.1.2015 and lease deed was registered on 25.3.2015.

- v. Past production details duly certified by DMG, Gov MP since inception of mine.

Reply: The Director, DMG, Bhopal vide letter no: 1686/38/2020 dated 5/2/2020 addressed to Member Secretary, EAC, MoEF&CC, New Delhi has certified the production details of Diamond Mining Project, Panna from the year 1993-94 to 2018-19.

5. The proposal for Terms of Reference (ToR) was placed before the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 wherein the Project Proponent informed that the entire lease area i.e. 113.332 Ha does not involve any forest land and so far about 1.85 Lakh Saplings have been planted in the lease area in about 87 Hectares (Combined in both the leases) but Project Proponent was unable to show the same in the KML file during the meeting. Project Proponent also informed that the mining operations have been stopped w.e.f. 01.01.2021 for want of extension / renewal of

wildlife clearance beyond 31.12.2020 and the NBWL clearance is under process; the Committee noted that this proposal is for Revalidation of EC under Ministry's Notification vide S.O. (E) 1530, dated 06.04.2018. The committee members felt that the issues related to Wildlife and measures for protection of tiger has not been properly addressed and due to sensitivity of the Panna (Gangau) Wildlife Sanctuary and Panna National Park which is also a Tiger Reserve, it is necessary to ascertain the ground reality on plantation, present mining status and abutting the wildlife boundary. The Committee was of the view that a site visit needs to be conducted by a sub committee comprising of EAC Members, officers from MoEF&CC and representative of the National Tiger Conservation Authority (NTCA). The Committee directed the Ministry to constitute a sub committee on priority and submit its report at the earliest to enable the committee to take a decision on the proposal. The Committee **deferred** the proposal and is of the view that proposal may only be considered after all the statutory clearances obtained by the Project Proponent and site visit by sub Committee.

**1.7: Proposal for Revalidation of EC under Ministry's Notification vide S.O. (E) 1530, dated 06.04.2018 of Majhgawan Diamond Mine, Panna of M/s NMDC Ltd. for 0.72 LTPA of over burden removal and Processing of Kimberley ore (8 MTPA) for production of 1.00 lakh carats of Diamonds with the mine lease area of 162.631 Ha, located at village Majhgawan, Tehsil & District Panna, Madhya Pradesh – [Proposal no: IA/MP/MIN/80115/2018; File No. IA-J-11015/121/2018-IA-II(M)] - Reconsideration of ToR**

The proposal is of M/s NMDC Ltd. for Supplementary Mining Lease area of 162.631 Ha with 0.72 LTPA over burden removal and processing of Kimberlite ore of 8.0 LTPA for production of 1.00 lakh carats of Diamond per annum. The mine is located at Village Majhgawan, District Panna, and State Madhya Pradesh. The supplementary mine lease consists of 162.631 Ha lease area, out of which 74.018 Ha is Forest land and remaining 88.613 Ha is Non Forest Land. The mine lease area is covered under SOI Toposheet No: 63D/2 and bounded by Latitude: 24°38'13.88" to 24°39'15" N Longitude: 80°00'40" to 80°02'43.2" E (Based on WGS-84 Datum).

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", as the Mining lease area is more than 100 Ha. Project Proponent applied under Schedule 1(a) Mining of Minerals & 2(b) Mineral beneficiation.

3. The Project Proponent applied online for grant of Terms of Reference vide proposal no. IA/MP/MIN/80115/2018 dated 26.09.2018 and the proposal was placed in EAC meeting held on 23-24 October, 2018, 24-25 September 2019 and April, 20-21, 2020 wherein the committee deferred the proposal for want of additional information.

4. Following are the additional details sought by the EAC meeting held during 20-21, April 2020 and Project Proponent submitted the reply vide letter NMDC/PANNA/SML/EC/2019/587 dated 08.01.2021 and the proposal was again considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

- i. Recommendation of the CEC or Hon'ble Supreme Court for allowing the mining operations beyond 5 years i.e beyond the year 2020.

Reply: Project Proponent submitted that CEC in its report dated 4/7/2006 categorically mentioned that "the CEC has not been able to arrive at a consensus regarding the time frame after which mining should be stopped. This time varies from a few years upwards. Therefore, no specific recommendation is being made". Further, the monitoring committee appointed by Hon'ble Supreme Court vide judgement dated 13/08/2008 has conducted ten meetings so far and the latest 10<sup>th</sup> meeting was held on 04.09.2020 through video conference. DIG, NTA, (representative of Member Secretary, National Tiger Conservation Authority), New Delhi is also one of the members of the above committee. The proceedings of the meeting were issued by APCCF (WL)/ CWLW, Madhya Pradesh on 09.09.2020. The committee opined that "The mining operations have not hindered the growth of Tiger population in any way. The mining operations of NMDC is confined to the closed area of 275.963 Ha of land which is a very meager area." One of the action points decided by the committee is that NMDC is directed to expedite all necessary legal clearances for further extension of mining project.

- ii. Valid forest clearance from competent authority.

Reply: Project Proponent submitted that 74.018 ha area falls in forest land in 162.631 Ha of supplementary Mining lease area of Diamond Mining Project. The Forest clearance for 74.018 Ha land obtained initially vide letter no: 8-93/98-FC dated 10.2.2003 and also vide letter no: 8-93/1998-fc(pt) dated 14/6/2012 at the time of renewal of lease from MOEF&CC. Since, lease period has been extended for further period of 20 years w.e.f 1/7/2020 to 30/6/2040, the Secretary (Forest), GoMP, Bhopal vide letter no:F-5-11/2012/10-3, Bhopal dated 06/01/2021 has extended validity of existing Forest Clearance (F.No: 8-93/1998-fc(pt) dated 14/6/2012) co-terminus with extended lease period i.e from 1/7/2020 to 30/6/2040 in accordance with letter F.No: 11-51/2015-FC dated 1/4/2015 of MOEF&CC, New Delhi

- iii. Permission from NBWL for mining beyond 2020.

Reply: The proposal No. FP/MP/MIN/3966/2019 for the extension / renewal of Wildlife clearance beyond 31/12/2020 is considered and discussed in State Wildlife meeting held on 14/01/2021 under the chairmanship of Hon'ble Chief Minister, Madhya Pradesh

through video conference. NMDC stopped mining operations w.e.f 1/1/2021 for want of extension / renewal of wildlife clearance beyond 31/12/2020.

iv. The validity of mine lease area:

Reply: Project Proponent submitted that the Supplementary Mining Lease of Majhgawan Diamond Mine is valid upto 30/6/2040 as per order no. 1008/107/2019/12/1 dated 20.02.2020 of Mineral Resource Department, Govt of Madhya Pradesh and the lease deed agreement was made on 15/05/2020 and lease deed was registered on 22/06/2020.

v. Past production details duly certified by DMG, GoMP since inception of mine.

Reply: The Director, DMG, Bhopal vide letter no: 1686/38/2020 dated 5/2/2020 addressed to Member Secretary, EAC, MoEF&CC, New Delhi has certified the production details of Diamond Mining Project, Panna from the year 1993-94 to 2018-19.

5. The proposal for Terms of Reference (ToR) was placed before the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 wherein the Project Proponent informed that so far about 1.85 Lakh Saplings have been planted in the lease area in about 87 Hectares (Combined in both the leases) Project Proponent was unable to show the same in the KML file during the meeting. Project Proponent also informed that the mining operations have been stopped w.e.f. 01.01.2021 for want of extension / renewal of wildlife clearance beyond 31.12.2020 and the NBWL clearance is under process; the Committee noted that this proposal is for Revalidation of EC under Ministry's Notification vide S.O. (E) 1530, dated 06.04.2018. The committee members felt that the issues related to Wildlife and measures for protection of tiger has not been properly addressed and due to sensitivity of the Panna (Gangau) Wildlife Sanctuary and Panna National Park which is also a Tiger Reserve, it is necessary to ascertain the ground reality on plantation, present mining status and abutting the wildlife boundary. The Committee was of the view that a site visit needs to be conducted by a sub committee comprising of EAC Members, officers from MoEF&CC and representative of The National Tiger Conservation Authority (NTCA). The Committee directed the Ministry to constitute a sub committee on priority and submit its report at the earliest to enable the committee to take a decision on the proposal. The Committee **deferred** the proposal and is of the view that proposal may only be consider after all the statutory clearances obtained by the Project Proponent and site visit by sub Committee.

**DAY-2 (04.02.2021)**

**2.1: Proposal of Kama Khuja Ochre, White Earth, Laterite & Iron Ore Mine with production capacity of 2,50,000 TPA (ROM) [2,13,000 TPA Laterite, 10,000 TPA Ochre & 27,000 TPA Overburden] by M/s Shiv Kumar Agarwal, located at village-Kama Khuia, Taluka-Birsinghpur, District-Satna, State-Madhya Pradesh (MLA - 16.19ha) – [Proposal no: IA/MP/MIN/82549/2017; File No. J-11015/278/2015-IA.II(M)] - Reconsideration of Environmental Clearance (EC)**

The Proposal of M/s Shiv Kumar Aggarwal is for Ochre, White Earth, Laterite & Iron Ore Mine with production capacity of 2,50,000 TPA (ROM) [2,13,000 TPA Laterite, 10,000 TPA Ochre & 27,000 TPA Overburden] by M/s Shiv Kumar Agarwal, located at village-Kama Khuia, Taluka-Birsinghpur, District-Satna, Madhya Pradesh (MLA - 16.19ha). The mining lease area lies between Latitude 24°52'57.9" to 24°53'16.4" N and Longitude 81°01'3.0" to 81°01'16.6"E.

2. The Project Proponent submitted that the said proposal is covered under the ambit of EIA Notification, 2006 & its subsequent amendments and the project falls under Schedule 1(a) of Mining of Minerals and is a Category- "A" as Interstate Boundary between Uttar Pradesh & Madhya Pradesh at 4.9 Km & Raipur Wild Life Sanctuary at 4.9 Km.

3. The Project Proponent submitted that initially TOR was granted on 24.09.2015 for production of 1,00,000 TPA for Ochre, White Earth & Laterite and Project Proponent applied for EC online on 16.07.2016 along with the EIA/EMP report and the same was considered by the Expert Appraisal Committee in its meeting held during August 22-23, 2016 wherein the Committee, after detailed deliberation, deferred the proposal and sought the additional information. Then the Ministry on 08.09.2017 informed that this proposal is having violation as per the EIA Notification, 2006. The Ministry has constituted the separate Expert Appraisal Committee to deal with violation proposals. In view of the above your proposal is being delisted from this portal, therefore PP was requested to apply online in the violation portal of MoEF&CC.

Project Proponent again applied online vide Proposal No: IA/MP/MIN/82549/2017 dated 15.10.2018 for grant of Environmental Clearance. The Ministry examined the proposal and sought EDS on 02.11.2018 and 01.02.2019 and Project Proponent submitted the information for EDS on 31.01.2019 and 11.02.2019 respectively. The proposal was considered in the 3<sup>rd</sup> EAC meeting held during March 25-26, 2019 and during the deliberations, the Committee observed that the Consultant M/s Envirta Sustainable Solutions India Pvt. Ltd is not NABET Accredited as on the day and the Consultant is said that the NABET Accredited is under process, Hence the

Committee is of the view that the Consultant cannot be prepare EIA/EMP reports and present the before the EAC without the valid NABET Accredited. The Committee also observed that the Project Proponent/Consultant uploaded the incomplete information; not submitting the required documents, during the appraisal of the proposal. In view of the above, the Committee returned the proposal in present form.

The matter has been examined in the Ministry and noted that the Project Proponent had submitted the past production details vide letter dated 27.06.2015 from the office of the Collector (Mines), Satna District, Madhya Pradesh, wherein it appears that Project Proponent carried out mining operations from 1990 to 2014. The said mine lease area is also located at distance of 4.9km from Ranipur Wild life Sanctuary. However, Project Proponent did not obtain the Environmental Clearance nor NBWL recommendations from the National Board of Wildlife and carried out the mining operations. Thus, the instant proposal is deemed fit within the ambit of violation of EIA Notification, 2006 as amended time to time and Hon'ble Supreme Court iudgment dated 02.08.2017 in the matter of Common Cause vs Union of India. Thus, to deal such proposals which have started the work without taking prior environmental clearance, Ministry issued the notification S.O 804 (E) dated 14.03.2017, however, Project Proponent did not apply under violation category within the stipulated time frame as per the provision S.O 804 (E) dated 14.03.2017.

Therefore, the Ministry on 20.09.2019 issued Show cause notice under section 5 of the Environment (Protection) Act, 1986 for violation of Environment (Protection) Act, 1986/EIA Notification 2006 for Kama Khuja Ochre, White Earth, Laterite & Iron Ore mine with production capacity of 1,00,000 TPA (ROM) [89,000 TPA (ROM) of Laterite & 10,000 TPA (ROM) & 1000 TPA of Iron Ore] by M/s Shiv Kumar Aggarwal, located at Village -Kama Khuia, Tehsil-Birsinghpur, District-Satna, Madhya Pradesh.

The Project Proponent submitted the reply on 08.01.2021 for Additional Details Sought on 12.04.2019. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

<b>Point No.</b>	<b>Information Sought</b>	<b>Reply Submitted</b>
1	Public Hearing was presided by Shri Deepak Vaidh, SDM (representative of District Collector). The Committee noted that	The project was first granted TOR for a production capacity of 1,00,000 TPA on 24.09.2015, thereafter the PP undertook EIA preparation and public hearing for the project which was conducted on 30.04.2016 and the final EIA report after the incorporation of



	<p>the Public Hearing was not presided as per the provisions of EIA Notification, 2006 as the Public Hearing was presided by the officer which is below the rank of ADM. The Committee is of the view that the PP to conduct the fresh Public Hearing per the provisions of EIA Notification, 2006;</p>	<p>Public hearing issues was submitted to the ministry for appraisal on 16.07.2016. The project was considered during 9<sup>th</sup> meeting of EAC held during August 22<sup>nd</sup> to 23<sup>rd</sup>, 2016. In this meeting EAC had deferred the project and also directed PP to re-conduct the public hearing as per the provisions regarding chairperson of the Public Hearing.</p> <p>In the due time PP decided to increase the production capacity of the mine from 1,00,000 TPA to 2,50,000 TPA (ROM) due to increase in market demand of the minerals.</p> <p>PP had filed the amendment of TOR which was granted to PP by ministry on 04.12.2017, after which a fresh Public hearing was conducted for the enhanced capacity of 2,50,000 TPA (ROM) on 01/09/2018 under the chairmanship of Shri Mukesh Shukla, Collector, Satna as per the provisions of EIA Notification, 2006 at Mine Site village Kama Khuia, tehsil- Birsinghpur; District: Satna, Madhya Pradesh. The PH was attended by approximately 80 people for the nearby villages. Final EIA report &amp; PH report were submitted to EAC online on 11/02/2019. The case was put up in EAC meeting on 25/3/2019 and the committee again deferred the proposal and sought information for 17 points.</p> <p>Public hearing proceeding of 01/09/2018 is provided in ADS reply and also submitted with FEIA report as an <i>Annexure IX</i>.</p>
<p>2.</p>	<p>PP to submit the production details since inception of the mine (mineral wise) and duly authenticated by the State Government of Madhya Pradesh</p>	<p>Production started since 1978 with Ochre. First Consent has been granted for period 01/01/1993 to 31/12/1993 vide consent letter no 1138 dated 28/01/2006 by M.P. Pollution Control Board (25,000 TPA) and its stands annually renewed till 31/12/2007. Production was stopped to get environmental clearance in August 2015. Mineral wise authenticated production details by the State Government of Madhya Pradesh are provided and also submitted as an Annexure III of attached final</p>

		EIA report.
3.	CTO/CTE since inspection of the Mine	<p>Letter received regarding details of Mine for Air and Water consent from RO, Regional Office, Satna, MPPCB dated 28/11/2000. We rigorously followed up with M.P. Pollution Control Board and an application for obtaining Air and Water consent submitted on 18/03/05. Thereby, Consent has been granted for 01/01/1993 to 31/12/1993 vide consent letter no 1138 dated 28/01/2006 and its stands annually renewed till 31/12/2007 for mining lease area of 16.19ha at Village-Kamakhua, Tehsil Birsinghpur-District Satna (MP). Last Consent renewal was valid up to 31/12/2016.</p> <p>Copy of consent is provided and also submitted with as an Annexure II of attached final EIA report.</p>
4.	Status of Forest Clearance if applicable any.	<p>The mining lease area does not involve any forest land; hence no forest clearance is required. The land of the mining lease area is Hilly waste Government land and this area is free from any reservation of forest department of Madhya Pradesh Government. Previous NOC from forest Department vide letter no 1744 dated 08/06/2005 is appended as a reply and also attached with final EIA report as an Annexure V.</p>
5.	Since, the Ranipur Wild Life Sanctuary is located at 4.9 Km, NBWL Clearance is mandatory for this project. The PP needs to submit the proof of application submitted for NBWL clearance and its present status;	<p>The Eco-sensitive zone of Ranipur Wildlife Sanctuary was notified on 9th November 2017 and the ESZ has been limited to 1 km. The distance of Ranipur WLS is 4.8 km from the lease area while the notified ESZ of Ranipur WLS is 3.8 Km. As per Forest Ranger, Satna, vide letter No. 1735 dated 23/10/2020 Ranipur Wild Life Sanctuary is 4.8 km away from the mine lease. Project site is outside the notified eco-sensitive zone of Ranipur Wildlife Sanctuary, thus NBWL clearance is not applicable for the proposed mining project.</p> <p>Besides this, earlier an application was submitted for NBWL clearance to The Divisional Forest Officer, Mirzapur dated</p>

		9/03/16 regarding Ranipur Wildlife Sanctuary as per the requirement of ToR dated 24.09.2015. A letter dated 22/03/16 sent to Regional forest officer, Markundi Range by Mirzapur forest officer asking mine distance from Ranipur WLS. Copy of previous application and letter both enclosed.
6	Clarification w.r.t. mining activities continued without NBWL Clearance	<p>Project has involved mining of minerals outside the ESZ (or) one kilometre from the boundaries of National Parks &amp; Sanctuaries in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.</p> <p>In addition, please consider that Honourable Gauhati High Court in 2019 vide order dated 27th September 2019 (writ petition (C) Nos. 6179, 6180 and 6320 of 2013) clarifies as quoted here in below:</p> <p><i>"It will be clear from the order dated 04/12/2006 of this court that this court has not passed any order for implementation of the decision taken on 21st January, 2002 to notify area within 10.0 k.m of the boundaries of National Parks or Wildlife Sanctuaries as eco-sensitive area with a view to conserve the forest, wildlife and environment. By the order dated 04/12/2006 of this court, however, the Ministry of Environment and Forest, Government of India, was directed to give a final opportunity to all Stated/Union Territories to respond to the proposal and also refer to the Standing Committee of the National Board for wildlife the cases in which environment clearance has already been granted in respect of activities within the 10 kms zone from the boundaries of the wildlife sanctuaries and national parks. There is therefore, no direction interim or final, of this Court prohibiting mining activities within 10 kms of the boundaries of National parks or</i></p>

		<p><i>Wildlife Sanctuaries.”</i></p> <p>At present, as stated previous point reply that eco-sensitive zone of Ranipur Wildlife Sanctuary is finalised as one Km from the boundary of wildlife sanctuary vide MoEF &amp; CC gazette number 3132 dated 9<sup>th</sup> November 2017. Hence NBWL clearance is not needed for the project.</p>
7.	There are Schedule I Species located in the study area. The PP needs to submit the proof of application submitted for approval of Conservation Plan for Schedule I Species and its present status;	The wildlife sanctuary falls within 10.0 km radius of the mine. No schedule -1 species reported or observed at and within 10 km radius of the project site as per Forest ranger, Satna letter No. 1735 dated 23/10/2020 and Forest SDO, Chitrakoot letter dated 29/10/2020. The copies of SDO, Chitrakoot letter and ranger report attached.
8.	Revised list of Plant species for plantation	Revised list of plant species to be used for plantation is annexed along this query reply and also enclosed with final EIA report as an Annexure-X.
9.	PP has not submitted questionnaires' and Annexure as per agenda note;	As per requirement Form-II and its annexure are enclosed with attached Final EIA report.
10.	CSR and environment management plan should be re-submitted;	The project is yet to make any profit; hence as per section 132 of companies act 2013, CSR is not applicable until projects starts making profits greater than Rs 5/- Cr annually or annual net turn-over Greater than Rs 500/- Cr. Environment Management Plan involving CER is added in chapter-X of attached final EIA report.
11.	CER as per the Ministry OM's no F.No.22-65/2017-IA.III dated 1st May, 2018	In accordance with the latest MoEF OM dated 30 <sup>th</sup> Sep'2020 the CER will be prescribed by EAC in physical term while recommending the proposal. As per EAC remarks, the public hearing second time conducted on 01/09/18 by 11.00 P.M onwards in Village – kama khuia, Tehsil-Birsingpur, District Satna, Madhya Pradesh. Public Hearing Panel was chaired by of Shri Mukesh Shukla Collector, Satna. The main concern raised during Public hearing was

		employment opportunity to locals. The Corporate environmental responsibility (CER) of the project is drafted as per the PH issues in compliance of Ministry OM's no F.No.22-65/2017-IA.III dated 1st May, 2018 as amended thereof is given in chapter-X of attached final EIA report.
12.	Crystallographic study of White Earth should be given.	we would like to submit that the white earth was surrendered to State Government as it is available at higher depth and in less quantity. The quality is also low grade which cannot be sold in market. Due to these reasons mineral not found suitable for mining and economically viable. Copy white earth mineral surrender letter dated 30/07/18 is attached along with this query reply and also enclosed with final EIA report as an Annexure – I.
13.	A letter from the State Government stating that the lease validity has been extended for 50 years	The Mine lease (16.19 ha) is extended for 50 years from 11/01/1978 to 10/01/2028 in accordance with MM (D & R) Amendment Act 2015. The lease deed for the same was executed and registered 11.12.2017. Lease deed is attached with this query reply and also enclosed with final EIA report as an Annexure-I.
14	Land use breakup of the Mine lease area	Land use breakup of the Mine lease area update in chapter-III "Description of Environment" of attached final EIA/EMP report. About 6.85 ha or 42.31 % is under pits/ quarries; 0.20 or 1.23 % is under dumps/stacks; area of Infrastructure inclusive of office is 0.01 ha or 0.06 %; area occupied by roads are 0.80 ha or 4.94 %; the plantation area is 2.0 ha or 12.35 % and lastly the undisturbed area is 6.33 ha or 39.09 % of total lease area.
15	District survey Report for Minor Minerals as per the Ministry Notification S.O. 3611 (E) dated 25.07.2018.	District survey report is provided and also enclosed with final EIA report as an annexure Annexure-XX.
16	PP had submitted the Incomplete EIA report, hence PP also need to	The corrections have been made and revised EIA report as per Appendix III of EIA Notification, 2006 with ToR reply, Final EIA

	submit the revised EIA/EMP report incorporating with all statutory requirements as per EIA notification, 2006.	Report along with English Executive summary and Form-II is enclosed.
17	PP had proposed a crusher unit and did not mention the details of the Crusher in the EIA Report; However, PP should incorporate the details of the Crusher in the EIA/EMP report.	We would like to submit that no crusher unit will be installed at site. Only manual sorting and sizing will be done at site.

4. The proposal for Environmental Clearance (EC) was placed before the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021 wherein the Committee noted that the Project Proponent carried out mining operations from 1990 to 2014 without obtaining Environmental Clearance. Thus, the instant proposal is deemed fit within the ambit of violation of EIA Notification, 2006 as amended time to time and Hon'ble Supreme Court judgment dated 02.08.2017 in the matter of Common Cause vs Union of India. The Committee also observed that the Ministry on 08.09.2017 requested the Project Proponent to apply online in the violation portal of MoEF&CC. However, Project Proponent did not apply under violation category within the stipulated time frame as per the provision S.O 804 (E) dated 14.03.2017. The Committee also noted that the performance of the Consultant is not satisfactory and unable to bring out the technical details and justify the facts. The Committee was of the view that Project Proponent after addressing the action taken for the show cause notice should apply for fresh grant of Terms of Reference. Therefore, the Committee **returned the proposal in present form.**

**2.2: Proposal for Production of Iron Ore 0.3 MTPA and Manganese Ore 0.04 MTPA by M/s YAZDANI Steel & Power Limited at Kolmong Iron & Manganese Block over an area of 218.481 ha (as per DGPS)/218.530 ha (as per RoR) (Forest: 155.277 Ha & Non-Forest: 63.204 Ha) in village - Kolmong under Koira Tehsil of Sundargarh District of Odisha – [Proposal no: IA/OR/MIN/193013/2021; File No. IA-J-11015/5/2021-IA-II(M)] - Terms of Reference (Auction mine)**

The Proposal of M/s Yazdani Steel & Power Limited is for grant of Terms of Reference for Kolmong Iron & Manganese Block over an area of 218.481 ha (as per DGPS)/218.530 ha (as per RoR) (Forest: 155.277 Ha & Non-Forest: 63.204 Ha) in

village - Kolmong under Koira Tehsil of Sundargarh District of Odisha. The area falls in Survey of India Toposheet no.73 G/5. The lease area is bound by Latitude 21°56'20.01"N to 21°57'32.24" N and Longitude 85°18'24.54"E to 85°19'22.72"E.

2. The Project Proponent has submitted that the said proposal is covered under the ambit of EIA Notification, 2006 & its subsequent amendments and the project falls under Schedule 1(a) of Mining of Minerals and is a Category- "A" as the mining lease area is greater than 100 Ha.

3. The Project Proponent applied online for Terms of Reference vide Proposal no: IA/OR/MIN/193013/2021 dated 14.01.2021 and submitted Form-1 and Pre-feasibility report. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that the initially Kolmong mining lease was executed on 08.05.1939 for the period 1939 to 1959 in the name of Sri M G Rungta for Manganese Ore. The 1<sup>st</sup> renewal of mining lease was executed on 22.12.1978 in favour of Sri TP Rungta, S/o Sri MG Rungta. The 2<sup>nd</sup> renewal of mining lease was executed on 14.06.1982 for the period 01.01.1980 to 31.12.1999 in favour of Sri T. P Rungta. A transfer deed was executed on 06.06.1984 in favour of M/s. Rungta Mines Limited from Sri TP Rungta vide order no. III(B)MG17/84/3064/MG, Bhubaneswar dated 09.03.1984. Application for 3<sup>rd</sup> renewal of mining lease was applied on 14.12.1998, vide Application No. 101/Mn for the period 01.01.2000 to 31.12.2019 over 218.530 hectares in favour of M/s. Rungta Mines Limited. Further the lessee have applied on 13.09.2000 for surrender of 105.155 Ha retaining 113.375 Ha. Accordingly, terms and conditions letter issued by Sate Govt. vide Letter No. III(B)SM-31/99/10437/SM on 21.08.2001, for grant of mining lease over 113.375 hectares for the period 01.01.2000 to 31.12.2019. While the 2<sup>nd</sup> renewal of mining lease was under process by the State Govt. of Odisha, the MMDR Amendment Act, 2015 came into force. In pursuance to the said Act, a supplementary lease deed was executed on 02.05.2015 extending the 2<sup>nd</sup> renewal of mining lease period up to 31.03.2020. Project Proponent also submitted that the earlier EC was granted in favour of M/s Rungta Mines Limited vide J-11015/593/2007-IA.II (M) dated 11.02.2009 for an annual production capacity of 40,163 Tonnes of manganese in a ML area of 113.375 Ha.

The Project Proponent submitted that the M/s Yazdani Steel & Power Limited emerged as preferred bidder in the e-auction process and the Government of Odisha issued LOI vide No-3025/S&M, Bhubaneswar, dated: 18.03.2020 and the subsequent corrigendum was issued vide No.MX-III(b)-21/2020/1740/DM, dated 24.02.2020. Subsequently, in terms of section 8B (2) of MMDR Act, 1957 read with rule 9A (4) of MCR, 2016, the bidder is deemed to have acquired all valid rights, approvals,

clearances, licenses and the like vested with the previous lessee. The vesting order issued by the Nodal Officer, Steel and Mines Department, Government of Odisha vide No-4369/SM, dated 02.06.2020 for a period of two years from the date of execution of the lease deed or till the date of getting fresh approvals, clearances, licenses, permits and the like whichever is earlier. Govt. of Odisha granted mining lease vide no 5628/SM dated 21.07.2020 in favour of M/s Yazdani Steel & Power Limited for grant of Mining Lease for Kolmong Iron & Manganese Block over an area of 218.481 ha (as per DGPS)/218.530 ha (as per RoR) in village-Kolmong under Koira Tahasil of Sundargarh District of Odisha for a period of 50 years. As per the grant order the mining lease has been executed and registered with the Government of Odisha on 01.07.2020.

5. The Project Proponent submitted that the Mining Plan along with Progressive Mine Closure plan approved by IBM, Bhubaneswar vide letter no MP/A/26-OR/BHU/2020-21 date 20.11.2020 for the period of 2020-21 to 2024-25.

6. The Project Proponent submitted that the Kolmong Iron & Manganese Ore Mine is 'A'-OTFM category mine and mining operation will be carried out by open cast semi-mechanized method. Deep hole drilling & blasting will be occasionally used to dislodge the hard strata. Rock breaker has been utilized in the area where blasting is not possible. Excavator (0.9m<sup>3</sup>) and dumpers combination will be used for development of benches in both waste and ore. In the quarry bench height will vary from 3 to 4 m and width will vary from 6-10 m. If necessary, 4 m bench will be divided into small benches. Dump leveling and dump terracing will be done through dozer as per requirement. During the proposed plan period maximum annual production of Manganese ore will be 40,000 MT & Iron Ore will be 3,00,000 MT per annum. (ROM) will be excavated out by excavator (0.9m<sup>3</sup>). Then the excavated ROM (Mn) ore material goes to manual ore sorting / sizing yard for sorted out the manganese ore lumps from ROM ore material and the iron ore (ROM) shall be crushed and screened in different size and grade as per the nature. Then the sized manganese ore are loaded into truck either manually or through machine for dispatch to buyer's destination. The waste material is dumped in Dump-D1 & D3 as well as utilized for the backfilling of part of Quarry-6 & 7.

7. The Project Proponent submitted that Nearest Village is Kolmong, Nearest School is Chormalda Gigh school and Nearest Highway: NH 215 at 9km from the mine site.

8. The Project Proponent submitted that total quantity of water required for mining and processing is 500cum/day. The required quantity is being fulfilled from ground water source. Necessary permission from CGWA has been obtained by the previous lease holder and same is valid for next two years, meanwhile necessary permission shall be obtained from CGWA.



9. The Project Proponent submitted that about 107900 nos. of plants have been planted up to the year 2017-18 by previous lessee and It is planned to plant 161583 nos sapling at backfilled area and other exhausted area. Project Proponent earmarked the budget for Greenbelt/Plantation for Rs 55.0 Lakhs as Capital cost and Rs 2.00 Lakhs as recurring cost.
10. The Project Proponent submitted that Forest land is 155.277 Ha & Non-Forest land is 63.204 Ha. Project Proponent also submitted that online application was submitted vide proposal no FP/OR/52322/2020 for Diversion of Forest Land of 155.326 Ha.
11. The Project Proponent submitted that there are no wild life sanctuaries, national parks, eco sensitive zones, elephant/tiger reserves within 10 km of the mine lease area.
12. The Project Proponent submitted that there is no settlement inside mining lease area however; lease area includes some private land present with same area, if required R & R plan shall be done as per Rehabilitation & Resettlement Act, 2013.
13. The Project Proponent reported that there is no Court Cases pending against the project and/or land in which the project is proposed to be set up.
14. The Project Proponent has submitted that the total capital cost of the project is Rs. 68.50 crore and EMP cost is: 3.15 Crore (capital cost) & 0.53 Crore (Annual recurring cost). Project Proponent reported that the employment generated by this project will be around 316 no. (Direct) and 1500 no. (Indirect).
15. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the committee **recommended** the proposal for grant of Standard Terms of Reference for production of Iron Ore 0.3 MTPA and Manganese Ore 0.04 MTPA by M/s YAZDANI Steel & Power Limited at Kolmong Iron & Manganese Block over an area of 218.481 ha (as per DGPS)/218.530 ha (as per RoR) (Forest: 155.277 Ha & Non-Forest: 63.204 Ha) in village - Kolmong under Koira Tehsil of Sundargarh District of Odisha. In addition to Standard Term of Reference for non-coal mining, standard ToR as per the recommendation made by NEERI in its carrying capacity study for Odisha, the Committee also prescribed the following specific term of reference for this project:
  - i. The Project Proponent shall submit the present state of mine including primary environmental baseline data along with TOR application in order to assess the status and level of environmental compliance while transfer of lease. The Project

Proponent must show any non-compliance of earlier EC by previous occupier so that the same can be considered at the time of appraisal for grant of Environmental Clearance.

- ii. The TOR should also include damage assessment due to such noncompliance as one of the activities. In absence of such disclosure by PP, any subsequent identification of environmental non-compliance would be liability of new PP. The information to be submitted may be related to, but not limited to,
  - a. Compliance of mining plan, including waste and OB dump management, mine closure plan etc.
  - b. Compliance to Common cause judgment
  - c. Status of R&R
  - d. Compliance of plantation
  - e. Compliance of public hearing issues
  - f. Status of complaints/ court cases/legal action
  - g. Compliance of specific conditions of earlier EC
- iii. MoEF&CC RO office shall preferably conduct visit of each of such mine lease/s where e-auction have been conducted to document the compliance status of existing EC at such leases, at earliest.
- iv. New lessee shall take possession of all records and documents related to EC and consent form the earlier lessee, including EIA reports, EC, consent, correspondence with MOEFCC and SPCB/CPCB etc.
- v. The new lessee shall provide the NRSC certified imaginary of the project site, depicting the real status of land use, canopy coverage, level of plantation, land degradation etc., one at the time of taking possession of lease and second after 6 - 12 months to assess changes effected by present occupier.
- vi. The Project Proponent needs to carry out a cumulative impact assessment considering all the activities in the study area.
- vii. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- viii. The Project Proponent should also project the plan for diversion of road in the EIA report.
- ix. The R&R plan needs to be prepared considering the habitations in the lease area and adjoining the mining lease boundary and to be detailed in the EIA/EMP report.

- x. The Project Proponent shall undertake the peripheral plantation and plantation in closed areas as well as gap plantation with atleast 90% survival rate all along the lease boundary within 6 months. An undertaking for the same also needs to be submitted by the Project Proponent.
- xi. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. The Project Proponent also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.
- xii. The Project Proponent needs to submit the proof of submission of application for withdrawal of water in the name of M/s Yazdani Steel & Power Limited and also the copy of the NOC obtained from CGWA by previous lessee.
- xiii. The Project Proponent need to submit the copy of Forest clearance vide FP/OR/52322/2020.
- xiv. The Project Proponent need to submit the Certified EC Compliance report of earlier EC dated 11.02.2009.
- xv. PP should provide adequate Protective Measures for the water body inside the lease area in Eastern Side.
- xvi. Compliance to NEERI Recommendations for the proposed additional mining of 3Lakh Tonnes of Iron Ore .

**2.3: Proposal for Nayagaon & Chenpura Limestone Deposit of M/s J K Cement Limited (ML Area: 206.354 ha) with the production capacity of 2.502 Million TPA ROM (Cement Grade Limestone: 0.876 Million TPA & Subgrade Limestone: 1.626 Million TPA), Soil/Alluvium: 0.048 Million TPA, Waste: 0.5 Million TPA; Total Excavation: 3.05 Million TPA along with 2 x 500 TPH Capacity of Crusher with Screening at Village: Nayagon, Tehsil: Jawad & Chenpura, Tehsil: Neemuch, District: Neemuch, Madhya Pradesh – [Proposal no: IA/MP/MIN/193710/2021; File No. IA-J-11015/7/2021-IA-II(M)] - Terms of Reference (ToR)**

The proposal of M/s J K Cement Limited is for Terms of Reference for Nayagaon & Chenpura Limestone Deposit (ML Area: 206.354 ha) with the production capacity of 2.502 Million TPA ROM (Cement Grade Limestone: 0.876 Million TPA & Subgrade Limestone: 1.626 Million TPA), Soil/Alluvium: 0.048 Million TPA, Waste: 0.5 Million TPA; Total Excavation: 3.05 Million TPA along with 2 x 500 TPH Capacity of Crusher with Screening at Village: Nayagon, Tehsil: Jawad & Chenpura, Tehsil: Neemuch, District:

Neemuch, Madhya Pradesh. The mine lease area falls under the Survey of India Toposheet No G43U10, G43U11, G43U14, G43U15 and bounded by Latitude: 24° 31' 35.78" N - 24° 34' 33.65" N and Longitude: 74° 44' 53.91" E - 74° 46' 27.65" E and falls in seismic zone II.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", as the Mining lease area is more than 100 Ha. The Project Proponent applied under Schedule 1(a) Mining of Minerals & 2(b) Mineral beneficiation.

3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/MP/MIN/193710/2021 dated 19.01.2021 and submitted Form-1 & Pre-Feasibility Report and the proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that Letter of Intent was issued by Mineral Resources Department, Govt. of Madhya Pradesh, Bhopal vide letter no F 3-57/2018/12/1 dated 29.09.2018 over an area of 206.354 ha. Mining Lease was granted by Govt. of Madhya Pradesh vide letter no. F3-57/2018/12/1 dated 01.12.2020 over an area of 206.354 ha for a period of 50 years.

5. The Project Proponent submitted that the Mining Plan with Progressive Mine Closure Plan has been approved by IBM vide letter no MP/Neemuch/Limestone/MPLN/G-10/2020-21/3274, Jabalpur, dated 10.11.2020.

6. The Project Proponent submitted that the mining operations will be carried out by fully mechanized opencast method. Drilling will be carried out by wet drill machine. Controlled blasting will be done using SME/ANFO. JKCL will adopt NONEL (Non-Electrical Initiation system) for blasting. Loading will be done by Hydraulic Excavators and transport of mineral will be done by dumper to crusher (Initially 500 TPH capacity of crusher will be installed within the lease area & latter on additionally, 500 TPH Capacity of Crusher to be installed). Further crushed limestone will be transported to the existing interlinked Cement Plants located at Kailash Nagar, Tehsil: Nimbahera, District: Chittorgarh, Rajasthan and at Village: Mangrol, Tehsil: Nimbahera, District: Chittorgarh, Rajasthan through covered tippers via road (eastern side) adjacent to the Railway track nearby the NH-79. The Project Proponent also reported that total geological resources are 134.343 million tonnes, out of which cement grade resources are 29.067 million tonnes & sub-grade resources are 105.275 million tonnes. Total mineable reserves are 101.346 million tones, out of which cement grade limestone is 21.636 million tonnes whereas the Sub-grade Limestone quantity is 79.71 million tonnes.

7. The Project Proponent submitted that the Nearest Village is Chenpura at approx. 200m in SSW direction. Some habitation exists between the mine lease boundary & eastern Railway line which is adjacent to the lease. 3 nos of habitation fall in eastern boundary of the Southern block of the lease area. Primary School at approx 190m in SSW direction. NH-79 is at approx 200 m distance in North direction & Jawad Road Railway Station is at approx 60 m distance in East direction. A Railway line of Western Railway (Khandwa – Ratlam - Ajmer section) is passing all along the eastern boundary of the ML area at a distance of about 60-100 m from lease boundary.

8. The Project Proponent submitted that the total fresh water requirement is 92.5 KLD. Initially, during the plan period total 92.5 KLD water will be sourced from Ground Water after taking the prior approval from CGWA. After the plan period 2.5 KLD water will be used for drinking & domestic purpose & same will be sourced from Ground Water while remaining 90 KLD water will be sourced from the mine sump. 4 KLD treated water will be reused for dust suppression in crusher, hence total water requirement will be 96.5 KLD.

9. The Project Proponent submitted that the Greenbelt will be developed covering 11.0 ha area along the 7.5m of the lease periphery. Plantation & regrassing will be carried out on 44.50 ha of backfilled area. Bench plantation will be developed over an area of 20.53 ha. Plantation along the 7.5m safety zone of road, nalla, habitation etc. will be carried out covering 4.0 ha area. Local and fruit bearing species will be planted after consultation with local forest officer and as per CPCB guidelines. Density of plantation would be 2500 trees / ha.

10. The Project Proponent submitted that there is no Forest land within the lease area. Reserved & Protected Forest viz. Reserved Forest, Chapropl Bir Block (7.0 km, SSW) and Motatonk Protected Forest (8.0km, SW) exist in the study area.. Primary survey has been done and 4 Schedule I species viz. Peafowl, Monitor lizard, Python and Leopard has been observed during the field visit. Authentication of the same is under process with Forest Department. Baseline Study has been carried out during Post Monsoon Season (Oct., to Dec., 2020) for proposed project.

11. The Project Proponent submitted that there are no National Park, Wild Life Sanctuaries, Biosphere Reserves, Tiger Reserves, Wildlife Corridors, Eco-Sensitive Zone (ESZ) within the 10 km radius of study area.

12. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up. The Project Proponent also submitted an Affidavit bearing AW 722631 dated 18.01.2021 to MoEF&CC that the mining would be done strictly in accordance with the statutory requirement & judgment of Hon'ble Supreme Court dated 2nd August 2017 in writ

Petition (Civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors.

13. The Project Proponent submitted that total mining lease area is 206.354 ha, out of which 62.688 ha is Government land & 143.666 ha is private land. Land will be acquired with mutual agreement/consent. Compensation will be paid more than the market rate.

14. The Project Proponent submitted that the total cost of the project cost is Rs. 38 crore including land cost. Capital cost for the Environmental Management Plan (EMP) is Rs. 144 Lakh & recurring cost of EMP is Rs. 17.15 Lakh/annum. The Project Proponent reported that the employment generated by this project would be 58 persons.

15. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. During the meeting, Project Proponent informed that the mining lease area is not crossing the state boundary of Madhya Pradesh - Rajasthan and is adjacent to the lease area. After detailed deliberations on the proposal by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining and Mineral Beneficiation for Nayagaon & Chenpura Limestone Deposit of M/s J K Cement Limited (ML Area: 206.354 ha) with the production capacity of 2.502 Million TPA ROM (Cement Grade Limestone: 0.876 Million TPA & Subgrade Limestone: 1.626 Million TPA), Soil/Alluvium: 0.048 Million TPA, Waste: 0.5 Million TPA; Total Excavation: 3.05 Million TPA along with 2 x 500 TPH Capacity of Crusher with Screening at Village: Nayagon, Tehsil: Jawad & Chenpura, Tehsil: Neemuch, District: Neemuch, Madhya Pradesh for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:

- i. The Project Proponent should prepare the Profit cost benefit analysis of the minerals available in the agriculture land and the current agricultural production has to be addressed in the EIA/EMP report clearly.
- ii. The Project Proponent shall ensure that the unpurchased land within the lease area after leaving safety distance should be left for agriculture purpose by providing approach road and facilitating with science and technology in agricultural practice.
- iii. The Project Proponent should properly address the total excavation of the mineral for normative and peak total excavation along with the no of working days and

should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.

- iv. The Project Proponent should submit the plan for utilization and storage of Topsoil of 0.048 Million TPA.
- v. The Project Proponent should assign the recurring cost on the EMP cost and has to be spent every year. Total EMP cost should also include the cost of dust control equipments, continuous noise level monitoring, green belt, plantation in non-mineralized zone and avenue plantation.
- vi. The Project Proponent should prepare the transportation plan for 21km and 27km with 30 T and 60 T dumpers which should be taken as input for calculating the dust emission on the highway.
- vii. The Project Proponent should submit the details of the measures taken to protect the village road and should ensure that the internal haul road should be made dust free either by making cement or other available material. The Project Proponent shall make safety barrier by undertaking 3 tier plantation after leaving 50 mtrs eachside from the village road,
- viii. The Project Proponent should submit the detailed hydro geological study addressing the measures taken to protect the railway line, villages, habitations and the hydro geologic load created due to water body and its seepages.
- ix. The Project Proponent should submit the engineering design for garland drains, check dams and check filters in the EIA/EMP report.
- x. The Project Proponent needs to submit the protection measures taken for the School (190m) for abatement of pollution such as air quality, noise level and ground vibration due to mining activity.
- xi. The Project Proponent shall undertake the peripheral plantation with atleast 90% survival rate all along the lease boundary within 6 months. The Project Proponent shall also undertake plantation in non-mineralized zone, around the water bodies and avenue plantation along the approach roads. An undertaking for the same also needs to be submitted by the Project Proponent.
- xii. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. Need based requirement for the concerns of the public should be properly addressed in the EIA/EMP report.

- xiii. The Project Proponent should prepare the R & R plan which includes their compensation, rehabilitation and resettlement.
- xiv. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. The Project Proponent also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.

**2.4: Proposal for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of River Jakhan-2 by M/s Uttarakhand Forest Development Corporation, over an area of 96.50 ha with the production capacity of 2866050.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand – [Proposal no: IA/UK/MIN/189135/2020; File No. J-11015/90/2020-IA-II(M)] Terms of Reference (ToR)**

The proposal of M/s Uttarakhand Forest Development Corporation is for Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of River Jakhan-2, over an area of 96.50 ha with the production capacity of 2866050.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand. The mine lease area falls under the Survey of India Toposheet No 53 J/4 and bounded by latitude 30°08'47.09" N to 30°10'53.91" N and longitude 78°07'47.51" E to 78°11'37.87" E.

- 2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended thereof, the project falls under Category "A", as Rajaji Tiger Reserve is present at 5.40 km from mine lease area) and Project or Activity 1(a) for "Mining of Mineral".
- 3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/UK/MIN/189135/2020 dated 21.12.2020 and submitted Form-1 & Pre-Feasibility Report and thereafter the Ministry examined the proposal and sought EDS on 02.01.2021 and the Project Proponent submitted the reply for EDS vide Letter No 932 on 16.01.2021. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.
- 4. The Project Proponent informed that the instant proposal is a fresh proposal for grant of Terms of References after obtaining Letter of Intent vide No:- 536 dated 24.07.2018 and the amendment letter was issued vide letter no 1037 dated 05.11.2018 for a period of 5 years.
- 5. The Project Proponent submitted that the scheme of mining for 96.50ha has been approved by Director Geology & Mining, Uttarakhand vide letter no. 1991 dated 12.11.2020.



6. The Project Proponent submitted that the project does not involve any processes such as drilling, blasting and beneficiation. The mining process involves collection of material by simple hand tool such as shovel, pans and sieves. This is followed by sorting and manual picking, stacking and loading into trucks/tractor-trolley for transporting. According to Uttarakhand Minor Mineral (Sand, Bajri, Boulder) Mining Policy 2016 the pits from where the material is picked are not deeper than 1.5m each year including replenishment as allowed in mining area and shall follow the normal channel direction of the river. These get replenished during monsoon. The material is transported through the high velocity flow and is deposited in downstream portion where the bed slope is mild. Mining will be carried out only during the day time.

The Project Proponent also submitted that the applied area is a part of river bed and mining will be done manually in open cast method in quite a systematic manner by forming benches as per replenishment or maximum up to 3.0m depth. Exploitation of the mineral will be done for 46.25 ha area out of 96.50 ha leaving 25% distances from lease boundary/each bank considering as non mining area. About 2866050.00 Tons (1302750 m<sup>3</sup>) mineral per year will be exploited from first to fifth year. From first year to fifth year total 14330250.00 Tons mineral will be produced. The clayey sand to be scrapped manually with the help of pickaxe, spade & crowbar and will be stacked separately in dump yard located near the working pit. No RBM will be collected from the proximity of any bridge/embankment. Collection of RBM is restricted up to a maximum depth of 3.0m in first year to fifth year or river water levels whichever less. The only waste is clayey sand which will be used for the plantation. River/stream will not be diverted in any case. No mining is proposed during rainy season. This will be replenished during the next rainy season. A quantity of material about 11698.16 tons per day ROM from first year to fifth year has been proposed to collect during the course of mining.

7. The Project Proponent submitted that the nearest village is Majri Grant, nearest school is CNS High school approx. 0.73km, N and nearest highway is NH 7 Haridwar Dehradun Highway approx. 2.27km, W.

8. The Project Proponent submitted that the total water requirement of the project will be 35 KLD and will be fulfilled through tanker supply/Pipelines by Uttarakhand Jal Sansthan.

9. The Project Proponent submitted that as per statutory norms total 33% area will be cover by plantation and in total 9553 Nos. of plants will be planted per year within the lease area.

10. The Project Proponent submitted that the entire lease area is a forest land and applied for forest clearance under section-2 of Forest Conservation Act, 1980 vide

proposal no. FP/UK/MIN/38285/2019 dated 22.01.2019. PP also submitted the following reserve forest such as Barkot Range Reserve Forest approx. 1.4 km, ES, Lachhiwala Range Reserve Forest approx. 5.1 km, NW and Hrishkesh Reserve Forest approx. 3.7 km, N are found within the 10km radius. PP reported that 6 Nos. of Schedule-1 species are found in the study area.

11. The Project Proponent submitted that Rajaji National Park is located at 5.40km in SW direction from mine lease area and proposal for wildlife clearance has been submitted.

12. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.

13. The Project Proponent submitted that the total project cost is 11.1 crore. The employment generated by this project will be about 1000nos.

14. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of River Jakhan-2 by M/s Uttarakhand Forest Development Corporation, over an area of 96.50 ha with the production capacity of 2866050.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:-

- i. The Project Proponent needs to submit the details of Scientific Replenishment Study carried out as per Enforcement and Monitoring Guidelines for Sand Mining, 2020.
- ii. The Project Proponent shall ensure that the impacts on aquatic and terrestrial ecosystems due to mining activity be properly addressed in the EIA/EMP report.
- iii. The Project Proponent needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- iv. The Project Proponent needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.

- v. The Project Proponent needs to submit the Forest Clearance and Wildlife Clearance at the time of appraisal of EC.
- vi. The Project Proponent should submit the Affidavit in a Non-Judicial Stamp paper to comply with all statutory requirement & judgement of Hon'ble Supreme court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India & Ors as applicable as per Ministry OM dated 30.05.2018.

**2.5: Proposal for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-3 River by M/s Uttarakhand Forest Development Corporation, over an area of 93.50 ha with the production capacity of 2776950.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand – [Proposal no: IA/UK/MIN/189200/2020; File No. J-11015/89/2020-IA-II(M)] Terms of Reference (ToR)**

The proposal of M/s Uttarakhand Forest Development Corporation is for Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-3 River over an area of 93.50 ha with the production capacity of 2776950.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand. The mine lease area falls under the Survey of India Toposheet No 53 J/4 and bounded by latitude 30°06'33.02" N to 30°08'19.26" N and longitude 78°07'34.77" E to 78°07'56.86" E.

- 2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended thereof, the project falls under Category "A", as Rajaji Tiger Reserve is present at 0.20 km from mine lease area) and Project or Activity 1(a) for "Mining of Mineral".
- 3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/UK/MIN/189200/2020 dated 21.12.2020 and submitted Form-1 & Pre-Feasibility Report and thereafter the Ministry examined the proposal and sought EDS on 02.01.2021 and the Project Proponent submitted the reply for EDS vide Letter No 930 on 16.01.2021. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.
- 4. The Project Proponent informed that the instant proposal is a fresh proposal for grant of Terms of References after obtaining Letter of Intent (LoI) of mining lease over an area of 93.5 ha. of mining lease granted in favor of M/s Uttarakhand Forest Development Corporation (UKFDC) Uttarakhand, vide letter No. No 537 dated 24/07/2018 for the period of 05 year in Reserve Forest Song-3, Dehradun, U.K. A combined joint inspection was carried out for estimating the total mineable area by a

Joint Inspection Committee and an area of 93.5 ha was sanctioned approved for mining by Geology & Mining Unit dated 11th May, 2018.

5. The Project Proponent submitted that the Scheme of Mining for 93.50 ha has been approved by Director Geology & Mining Uttarakhand vide letter No. 1994 dated 12.11.2020.

6. The Project Proponent submitted that the project does not involve any processes such as drilling, blasting and beneficiation. The mining process involves collection of material by simple hand tool such as shovel, pans and sieves. This is followed by sorting and manual picking, stacking and loading into trucks/tractor-trolley for transporting. According to Uttarakhand Minor Mineral (Sand, Bajri, Boulder) Mining Policy 2016 the pits from where the material is picked are not deeper than 3.0m each year including replenishment as allowed in mining area and shall follow the normal channel direction of the river. These get replenished during monsoon. The material is transported through the high velocity flow and is deposited in downstream portion where the bed slope is mild. Mining will be carried out only during the day time.

PP also submitted that the applied area is a part of river bed and mining will be done manually in open cast method in quite a systematic manner by forming benches as per replenishment or maximum upto 3.0m depth. Exploitation of the mineral will be done for 46.75 ha area out of 93.5 ha leaving 25% distance from lease boundary/each bank considering as non-mining area. About 2776950.00 Tons (1262250 m<sup>3</sup>) mineral per year will be exploited from first year to fifth year. From first year to fifth year total 13884750.00 Tons mineral will be produced. The proposed area is within river bed and mined out area will be replenished during succeeding rainy season. The clayey sand to be scrapped manually with the help of pickaxe, spade & crowbar and will be stacked separately in dump yard located near the working pit. No RBM will be collected from the proximity of any bridge/embankment. Collection of RBM is restricted up to a maximum depth of 3.0m in first year to fifth year or river water levels whichever less. The only waste is clayey sand which will be used for the plantation. River/stream will not be diverted in any case. No mining is proposed during rainy season. This will be replenished during the next rainy season. A quantity of material about 11334.49 tons per day ROM from first year to fifth year has been proposed to collect during the course of mining.

7. The Project Proponent submitted that the nearest village is Markham Grant, nearest school is Government Primary School, approx. 1.9 km, NW and nearest highway is NH-7 Haridwar Dehradun Highway approx. 3.6 km, East.

8. The Project Proponent submitted that the total water requirement of the project will be 47 KLD and will be fulfilled through tanker supply/Pipelines by Uttarakhand Jal Sansthan.

9. The Project Proponent submitted that as per statutory norms total 33% area will be cover by plantation and in total 9256 Nos. of plants will be planted per year within the lease area.

10. The Project Proponent submitted that the entire lease area is a forest land and applied for forest clearance under section-2 of "Forest Conservation Act, 1980" vide proposal no. FP/UK/MIN/38285/2019 dated 22.01.2019. PP also submitted the following reserve forest such as Barkot Range Reserve Forest approx. 4.8 km, E, Lachhiwala Range Reserve Forest approx. 5.9 km, N and Hrishkesh Reserve Forest approx. 9.0 km, N are found within the 10km radius. PP reported that 6 Nos. of Schedule-1 species are found in the study area.

11. The Project Proponent submitted that Rajaji National Park is located at 0.20km in NW direction from mine lease area and proposal for wildlife clearance has been submitted.

12. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.

13. The Project Proponent submitted that the Total project cost is 6.17 crore. The employment generated by this project will be about 1500nos.

14. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-3 River by M/s Uttarakhand Forest Development Corporation, over an area of 93.50 ha with the production capacity of 2776950.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:-

- i. The Project Proponent needs to submit the details of Scientific Replenishment Study carried out as per Enforcement and Monitoring Guidelines for Sand Mining, 2020.
- ii. The Project Proponent shall ensure that the impacts on aquatic and terrestrial

ecosystems due to mining activity be properly addressed in the EIA/EMP report.

- iii. The Project Proponent needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- iv. The Project Proponent needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- v. The Project Proponent needs to submit the Forest Clearance and Wildlife Clearance at the time of appraisal of EC.
- vi. The Project Proponent needs to submit the District Survey Report as per the Ministry's notification S.O.3611(E) dated 25<sup>th</sup> July, 2018.
- vii. The Project Proponent should submit the Affidavit in a Non-Judicial Stamp paper to comply with all statutory requirement & judgement of Hon'ble Supreme court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India & Ors as applicable as per Ministry OM dated 30.05.2018.

**2.6: Proposal for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-1 River by M/s Uttarakhand Forest Development Corporation, over an area of 202.0 ha with the production capacity of 5999400.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand – [Proposal no: IA/UK/MIN/189428/2020; File No. J-11015/87/2020-IA-II(M)] Terms of Reference (ToR)**

The proposal of M/s Uttarakhand Forest Development Corporation is for Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-1 River, over an area of 202.0 ha with the production capacity of 5999400.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand. The mine lease area falls under the Survey of India Toposheet No 53 J/4 and bounded by latitude 30°14'27.63" N to 30°16'59.44" N and longitude 78°07'13.20" E to 78°08'33.26" E.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", as the Mining lease area is more than 100 Ha. The Project Proponent applied under Schedule 1(a) Mining of Minerals.
3. The Project Proponent applied online for grant of Terms of Reference (ToR)

vide proposal no. IA/UK/MIN/189428/2020 dated 22.12.2020 and submitted Form-1 & Pre-Feasibility Report and thereafter the Ministry examined the proposal and sought EDS on 02.01.2021 and the Project Proponent submitted the reply for EDS vide Letter No 931 on 14.01.2021. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent informed that the instant proposal is a fresh proposal for grant of Terms of References after obtaining Letter of Intent (LoI) of mining lease over an area of 202.0 ha of mining lease in favor of M/s Uttarakhand Forest Development Corporation (UKFDC) Uttarakhand, vide letter No. No 538 dated 24/07/2018 for the period of 05 years in Reserve Forest Song-1, Dehradun, U.K and the Corrigendum issued on 05.11.2018. A combined joint inspection was carried out for estimating the total mineable area by a Joint Inspection Committee and an area of 202.0 ha was sanctioned approved for mining by Geology & Mining Unit dated 12th Nov, 2020.

5. The Project Proponent submitted that the Scheme of Mining for 202.0 ha has been approved by Director Geology & Mining Uttarakhand vide letter No. 1992, dated 12.11.2020.

6. The Project Proponent submitted that the project does not involve any processes such as drilling, blasting and beneficiation. The mining process involves collection of material by simple hand tool such as shovel, pans and sieves. This is followed by sorting and manual picking, stacking and loading into trucks/tractor-trolley for transporting. According to Uttarakhand Minor Mineral (Sand, Bajri, Boulder) Mining Policy 2016, the pits from where the material is picked are not deeper than 1.5m each year including replenishment as allowed in mining area and shall follow the normal channel direction of the river. These get replenished during monsoon. The material is transported through the high velocity flow and is deposited in downstream portion where the bed slope is mild. Mining will be carried out only during the day time.

The Project Proponent also submitted that the applied area is a part of river bed and mining will be done manually in open cast method in quite a systematic manner by forming benches as per replenishment or maximum up to 3.0m depth. Exploitation of the mineral will be done for 101.0 ha area out of 202.0 ha leaving 25% distance from lease boundary/each bank considering as non-mining area. About 5999400.00 Tons(2727000.00 m<sup>3</sup>) mineral per year will be exploited from first year to fifth year. From first year to fifth year total 29997000.00 Tons mineral will be produced. The proposed area is within river bed and mined out area will be replenished during succeeding rainy season. The clayey sand to be scrapped manually with the help of pickaxe, spade & crowbar and will be stacked separately in dump yard located near the working pit. River/stream will not be diverted in any case. No mining is proposed during

rainy season. This will be replenished during the next rainy season. A quantity of material about 24487 tons per day ROM from first year to fifth year has been proposed to collect during the course of mining.

7. The Project Proponent submitted that the nearest village is Balawala, nearest school is Government Primary School, Balawala approx. 2.09 km in West and nearest highway is NH-7 Haridwar Dehradun Highway approx. 4.0 km, West.

8. The Project Proponent submitted that the total water requirement of the project will be 58 KLD and will be fulfilled through tanker supply/Pipelines by Uttarakhand Jal Sansthan.

9. The Project Proponent submitted that as per statutory norms total 33% area will be cover by plantation and in total 19998 Nos. of plants will be planted per year within the lease area.

10. The Project Proponent submitted that the entire lease area is a forest land and applied for forest clearance under section-2 of "Forest Conservation Act, 1980" vide proposal no. FP/UK/MIN/38285/2019 dated 22.01.2019. PP also submitted the following reserve forest such as Barkot Range Reserve Forest approx. 9.4 km, SWS and Hrishkesh Reserve Forest approx. 2.8 km, WSW are found within the 10km radius. PP reported that 6 Nos. of Schedule-1 species are found in the study area.

11. The Project Proponent submitted that Rajaji National Park is located at 8.50km in SW direction from mine lease area and proposal for wildlife clearance has been submitted.

12. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.

13. The Project Proponent submitted that the Total project cost is 13.40 crore. The employment generated by this project will be about 2000nos.

14. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-1 River by M/s Uttarakhand Forest Development Corporation, over an area of 202.0 ha with the production capacity of 5999400.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:-



- i. The Project Proponent needs to submit the details of Scientific Replenishment Study carried out as per Enforcement and Monitoring Guidelines for Sand Mining, 2020.
- ii. The Project Proponent shall ensure that the impacts on aquatic and terrestrial ecosystems due to mining activity be properly addressed in the EIA/EMP report.
- iii. The Project Proponent needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- iv. The Project Proponent needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- v. The Project Proponent needs to submit the Forest Clearance and Wildlife Clearance at the time of appraisal of EC.
- vi. The Project Proponent needs to submit the District Survey Report as per the Ministry's notification S.O.3611(E) dated 25<sup>th</sup> July, 2018.
- vii. The Project Proponent should submit the Affidavit in a Non-Judicial Stamp paper to comply with all statutory requirement & judgement of Hon'ble Supreme court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India & Ors as applicable as per Ministry OM dated 30.05.2018.

**2.7: Proposal for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-2 River over an area of 136.85 ha with the production capacity of 4064445.00 TPA by M/s Uttarakhand Forest Development Corporation, located in Dehradun Forest Division, District Dehradun, Uttarakhand – [Proposal no: IA/UK/MIN/189286/2020; File No. J-11015/85/2020-IA-II(M)] Terms of Reference (ToR)**

The proposal of M/s Uttarakhand Forest Development Corporation is for Terms of Reference for Mining of Minor Mineral (Sand, Bajri and Boulders) from the river bed of Song-2 River over an area of 136.85 ha with the production capacity of 4064445.00 TPA, located in Dehradun Forest Division, District Dehradun, Uttarakhand. The mine lease area falls under the Survey of India Toposheet No 53 J/4 and bounded by latitude 30°12'6.159" N to 30°14'30.36" N and longitude 78°08'01.30" E to 78°08'57.73" E.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", as the Mining lease area is more than 100 Ha. The Project Proponent applied under Schedule 1(a) Mining of Minerals.
3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/UK/MIN/189286/2020 dated 23.12.2020 and submitted Form-1 & Pre-Feasibility Report and thereafter the Ministry examined the proposal and sought EDS on 02.01.2021 and the Project Proponent submitted the reply for EDS vide Letter No 929 on 14.01.2021. The proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.
4. The Project Proponent informed that the instant proposal is a fresh proposal for grant of Terms of References after obtaining Letter of Intent (LoI) of mining lease over an area of 136.85 ha. of mining lease granted in favor of M/s Uttarakhand Forest Development Corporation (UKFDC) Uttarakhand, vide letter No. No 1038 dated 05/11/2018 for the period of 05 years in Reserve Forest Song-2, Dehradun, U.K. A combined joint inspection was carried out for estimating the total mineable area by a Joint Inspection Committee and an area of 136.85 ha was sanctioned/approved for mining by Geology & Mining Unit dated 12th Nov, 2020.
5. The Project Proponent submitted that the Scheme of Mining for 136.85 ha has been approved by Director Geology & Mining Uttarakhand vide letter No. 1993 dated 12.11.2020.
6. The Project Proponent submitted that the project does not involve any processes such as drilling, blasting and beneficiation. The mining process involves collection of material by simple hand tool such as shovel, pans and sieves. This is followed by sorting and manual picking, stacking and loading into trucks/tractor-trolley for transporting. According to Uttarakhand Minor Mineral (Sand, Bajri, Boulder) Mining Policy 2016, the pits from where the material is picked are not deeper than 3.0m each year including replenishment as allowed in mining area and shall follow the normal channel direction of the river. These get replenished during monsoon. The material is transported through the high velocity flow and is deposited in downstream portion where the bed slope is mild. Mining will be carried out only during the day time.

The Project Proponent also submitted that the applied area is a part of river bed and mining will be done manually in open cast method in quite a systematic manner by forming benches as per replenishment or maximum upto 3.0m depth. Exploitation of the mineral will be done for 68.25 ha area out of 136.85 ha leaving 25% distance from lease boundary/each bank considering as non-mining area. About 4064445.00 Tons (1847475.00 m<sup>3</sup>) mineral per year will be exploited from first year to fifth year. From first

year to fifth year total 20322225.00 Tons mineral will be produced. The proposed area is within river bed and mined out area will be replenished during succeeding rainy season. The clayey sand to be scrapped manually with the help of pickaxe, spade & crowbar and will be stacked separately in dump yard located near the working pit. River/stream will not be diverted in any case. No mining is proposed during rainy season. This will be replenished during the next rainy season. A quantity of material about 16,589.57 tons per day ROM from first year to fifth year has been proposed to collect during the course of mining.

7. The Project Proponent submitted that the nearest village is Kaluwala, nearest school is Hope way Public School, approx. 2.78 km in ESE and nearest highway is NH-7 Haridwar Dehradun Highway approx. 1.8 km, East.

8. The Project Proponent submitted that the total water requirement of the project will be 56 KLD and will be fulfilled through tanker supply/Pipelines by Uttarakhand Jal Sansthan.

9. The Project Proponent submitted that as per statutory norms total 33% area will be cover by plantation and in total 13548 Nos. of plants will be planted per year within the lease area.

10. The Project Proponent submitted that the entire lease area is a forest land and applied for forest clearance under section-2 of "Forest Conservation Act, 1980" vide proposal no. FP/UK/MIN/38285/2019 dated 22.01.2019. PP also submitted the following reserve forest such as Barkot Range Reserve Forest approx. 6.8 km, SES and Hrishkesh Reserve Forest approx. 2.9 km, E are found within the 10km radius. PP reported that 6 Nos. of Schedule-1 species are found in the study area.

11. The Project Proponent submitted that Rajaji National Park is located at 5.0km in West direction from mine lease area and proposal for wildlife clearance has been submitted.

12. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.

13. The Project Proponent submitted that the Total project cost is 10.27 crore. The employment generated by this project will be about 1500nos.

14. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining of Minor Mineral (Sand, Bajri and

Boulders) from the river bed of Song-2 River over an area of 136.85 ha with the production capacity of 4064445.00 TPA by M/s Uttarakhand Forest Development Corporation, located in Dehradun Forest Division, District Dehradun, Uttarakhand for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:-

- i. The Project Proponent needs to submit the details of Scientific Replenishment Study carried out as per Enforcement and Monitoring Guidelines for Sand Mining, 2020.
- ii. The Project Proponent shall ensure that the impacts on aquatic and terrestrial ecosystems due to mining activity be properly addressed in the EIA/EMP report.
- iii. The Project Proponent needs to ascertain the impact of transportation and details of transportation route viz. (length of the road, type of road, passing through the village or habitation) and mitigative measures to be taken for abatement of pollution due to transportation. The budget for the same needs to be provided.
- iv. The Project Proponent needs to confirm that is there any other homogeneous mining lease within 500 meters of this lease and forming cluster. If, yes details of the same needs to be provided.
- v. The Project Proponent needs to submit the Forest Clearance and Wildlife Clearance at the time of appraisal of EC.
- vi. The Project Proponent needs to submit the District Survey Report as per the Ministry's notification S.O.3611(E) dated 25<sup>th</sup> July, 2018.
- vii. The Project Proponent should submit the Affidavit in a Non-Judicial Stamp paper to comply with all statutory requirement & judgement of Hon'ble Supreme court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India & Ors as applicable as per Ministry OM dated 30.05.2018.

**DAY-3 (05.02.2021)**

**3.1: Proposal for Environmental Clearance of Sivalarpatti Lease - II (mine lease area - 129.72 Ha.) with proposed production capacity of 0.21 MTPA of limestone (0.24 MTPA of ROM) located at Villages Kullakattankurichi, Pudur, Muthusampuram, Sivalarpatti and Vannipatti, Taluk, Vilathikulam, District Thoothukudi, State Tamil Nadu by M/s. The Ramco Cements Limited – [Proposal no: IA/TN/MIN/51673/2016; File No. J-11015/126/2016.IA.II (M)] - Reconsideration of Environmental Clearance (EC)**

The proposal of M/s. The Ramco Cements Limited is for production capacity of 0.21 Million TPA of limestone (0.24 Million TPA of ROM) of Sivalarpatti Limestone Mine Lease -II having mining lease area 129.72 ha. The mine is located at Kulakattankurichi, Pudur, Muthusampuram Sialarpatti and Vannipatti Villages, Vilathikulam Taluk, thoothukudi District, Tamil Nadu. The mine area is a part of the Survey of India toposheet No.58 K/3 between coordinates Latitude 9°17'45.90" to 9°20'1.15" N and Longitude 78°08'32.04" to 78°09'54.76" E. The mine site falls in seismic zone III.

2. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A or Activity 1(a) Mining of minerals as the mining lease area is greater than 100 ha.

3. The ToR was issued by the Ministry vide Lr. No. J-11015/126/2016-IA.II (M) dated 13.05.2016 for Sivalarpatti Limestone Mine Lease -II with proposed production capacity of 0.21 Million TPA of limestone (0.24 Million TPA of ROM) (MLA: 129.72ha). The PP vide proposal no. IA/TN/MIN/51673/2016 applied online for grant of EC on 10.12.2016. The proposal was considered in EAC meeting held during 15 -16th December 2016 wherein the Committee observed that proposed mine lease has various dumps as seen using Decision Support System (DSS). The project proponent could not explain the details of dumps in the proposed MLA and surrounded other mine leases on the decision support system. The Committee also noted that the compliance of TOR is not adequate. The Committee could not appraise the proposal due to deficiencies of documents and KML/SHP file and therefore deferred the proposal. Revised EIA/EMP report was submitted on 24.10.2018 incorporating details of dumps in the proposed Mine Lease area and surrounding nearby leases, adequate reply for TOR compliance and other details. The proposal was re-considered in EAC meeting held during 20-21 February 2019 wherein the proposal was deferred. Subsequently, the reply to the additional details sought was submitted by PP on 11.01.2021.

4. The proposal was considered in 27<sup>th</sup> EAC meeting held during 3-5<sup>th</sup> February, 2020. Based on the documents submitted and presentation made by the project

proponent and the consultant, the Committee **deferred** the proposal and was of the view that the proposal may be considered only after submission of the following information:

- i. Revise the budget for EMP showing separately the capital cost and the recurring cost till the closure of the mine.
- ii. Revise the project cost including the land cost and 2% of this cost should be shown under EMP for undertaking capital expenditure outside the lease for addressing the concerns expressed by public. This will be shown as total capital cost. This will be target based expenditure including only capital cost and will be monitorable and verifiable expenditure.
- iii. Generate Scenario for Potential Environmental Impacts with normative and peak Production scenarios if envisaged during the Life of the mine .
- iv. Undertaking needs to be submitted by project proponent that safety zone plantation will be completed in 3 years.
- v. Since the project proponent is transporting the material by road which is 14 km to the crusher and further to cement plant. A line source scenario for the pollutant is to be generated and plan for avenue plantation with budget and timeline needs to be submitted if not done so far.

**3.2: Proposal for Environmental Clearance of New Umrangshu Limestone Mine with proposed production of 4,44,500 TPA (ROM) in the mining lease area of 200 Ha located near Village - New Umrangshu, Taluka - Umrangshu, Distt - Dima Hasao (N.C. Hills), State Assam by M/s Assam Mineral Development Corporation Limited (AMDC) - [Proposal no: IA/AS/MIN/160713/2017; File No. J-11015/19/2017-IA.II(M)] - Reconsideration of Environmental Clearance (EC)**

The proposal of M/s Assam Mineral Development Corporation Limited (AMDC) is for Environmental Clearance of New Umrangshu Limestone Mine with proposed production of 4,44,500 TPA (ROM) in the mining lease area of 200 Ha located near Village - New Umrangshu, Taluka - Umrangshu, Distt - Dima Hasao (N.C. Hills), State Assam. The lease area forms a part of Survey of India Topo-sheet no. 83C/NE & 83C/14. The lease area is bound within coordinates of 25°31'17.27" N to 25°32'40.56" N latitudes and 92°47'54.36" E to 92°47'26.39" E longitudes. The mine lease area falls in seismic zone V.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended from time to time, the project falls under Category "A", Project or Activity 1(a) as the Mining lease area is more than 100 Ha.

3. The PP was earlier issued ToR vide letter No. J-110015/443/2012-IA.II(M) dated 06.12.2013, however, due to passage of 3 years, the ToR expired and PP again applied afresh for the ToR vide Proposal No. IA/AS/MIN/662692/2017 and submitted the Form I and pre-feasibility report. The project proposal was considered during the EAC meeting held during March 20-21, 2017 wherein the Committee prescribed Standard ToR to the proposal for undertaking detailed EIA/ EMP studies. The Terms of Reference was issued by MoEF&CC vide letter No. J-11015/19/2017-IAI (M) dated 12.04.2017. PP after conducting public hearing has now applied for Environmental Clearance on PARIVESH vide proposal No. IA/AS/MIN/160713/2017 on 30.06.2020. The EC proposal was first considered in 19<sup>th</sup> EAC meeting held during 22-24 July, 2020 wherein the Committee deferred the proposal. It was noted that the mining was in operation since 1994 without prior environmental clearance, therefore the mining since 1994 is constituted as a violation of EIA Notification, 1994 and 2006. The Committee decided to consider the instant proposal for appraisal under S.O.804 (E), dated 14.03.2017 and the committee, recommended to prescribe the additional ToRs in respect of violation under the provisions of S.O.804 (E), dated 14.03.2017 for preparation of additional chapter to the EIA/EMP already prepared based on the ToR granted on 12<sup>th</sup> April, 2017. Accordingly, the project proponent submitted the updated EIA/EMP report.

4. The proposal was considered in 27<sup>th</sup> EAC meeting held during 3-5<sup>th</sup> February, 2020. Based on the documents submitted and presentation made by the project proponent and the consultant, the Committee **deferred** the proposal and was of the view that the proposal may be considered only after submission of the following information:

- i. The consultant has to calculate the damage for the entire violation period starting from 1994-95 till the stoppage of mining operation as the mine was in operation without prior Environmental Clearance.
- ii. An affidavit stating to comply with all the statutory requirements needs to be submitted and common cause if applicable is required to be submitted.
- iii. The consultant is also advised to review on the Parivesh portal, the clearance granted under MoEF&CC Notification S.O. 804 (E) to understand the methodology and revise chapter 13 to address the specific TOR points.

**3.3: Proposal for EC under clause-7(ii) of notification 2006 for enhancement in the production capacity of SMS grade limestone from 1.25 MTPA to 1.50 MTPA along with ROM handling of limestone from 2.799 MTPA to 3.30 MTPA at operating Sanu-I Limestone Mine (ML No. -27/1996) having ML area of 1000 ha. at village-Joga, Tehsil & District- Jaisalmer (Rajasthan) – M/s Rajasthan State Mines And Minerals Ltd - [Proposal no: IA/RJ/MIN/100413/2019; File No. J-11015/42/2006-IA-II (M)] - Reconsideration of Environmental Clearance (EC)**

The proposal of M/s. Rajasthan State Mines and Minerals Ltd is for grant of Environmental Clearance under para 7(ii) of EIA Notification 2006 for enhancement in the production capacity of SMS grade limestone from 1.25 MTPA to 1.50 MTPA (20% increase) along with ROM handling of limestone from 2.799 MTPA to 3.30 MTPA (17.99% increase) at operating Sanu-I Limestone Mine (ML No. -27/1996) having ML area of 1000 Ha located at village-Joga, Tehsil & District- Jaisalmer (Rajasthan). The lease area forms a part of Survey of India Topo-sheet no. 40 I/11. The lease area is bound within coordinates of 27°16'43.00" N to 27°19'40.00" N latitudes and 70°33'52.00" E to 70°35'00.00" E longitudes. The mine lease area falls in seismic zone III.

2. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category "A", Project or Activity 1(a) as the Mining lease area is more than 100 Ha.

3. The project proponent applied online on 27.03.2019 under para 7(ii) of EIA Notification 2006. EDS was raised on 11.04.2019 for want of copy of ToR letter; copy of previous EC; details of past production of mine since its inception, duly authenticated by Department of Mines & Geology, State Government; copy of affidavit in compliance of the Ministry's OM no. 3-50/2017-IA.III (Pt.), dated 30th May 2018; status of the mine (working/ not) and updated compliance report. Reply for the same was submitted by the project proponent on 15.04.2019. The proposal was considered in EAC meeting held during 29-30 May, 2019 wherein the Committee deferred the proposal. The Committee observed that the EC was granted on 3.08.2007 under para 12 of EIA Notification 2006. The life of mine was also mentioned as 10 years in the same. The PP also applied for amendment in EC w.r.t to life of mine due to increase in mineable reserves due to exploration and the amendment in EC was granted on 22.03.2017. The Committee also observed that on viewing the KML file it appears that PP has not complied with the previous EC Conditions particularly related to plantation and green belt development. The Committee also observed that details of the material to be handled were not clearly reflected in the presentation. Thus, the Committee decided to consider the instant proposal after PP complies with the earlier EC Conditions. Accordingly, ADS was raised on 24.06.2019 and PP replied for the same on 03.01.2021.



4. The proposal was considered in 27<sup>th</sup> EAC meeting held during 3-5<sup>th</sup> February, 2020. Based on the documents submitted and presentation made by the project proponent and the consultant, the Committee **deferred** the proposal and was of the view that the proposal may be considered only after submission of the following information:

- i. The EMP needs to be revised based on the impact scenario generated separately for -30 ROM, PM<sub>2.5</sub> and PM<sub>10</sub>. The model for calculating the air quality impact should be calibrated using the current operating data and then deploy for calculating the revised scenario.
- ii. Since the proposal is to access the dump -30 ROM by using excavator, this additional scenario to be generated and integrated with mining operation. The PP should also mention and analyse the generated as well as peak production if it exceeds the normative levels.
- iii. The EMP cost needs to be revised particularly for dust control including the Drinking water system at Mines, Electrification through solar power, cost of plantation, Manpower used for the implementation of EMP, Cost of water tanker having mist generator to be used for dust suppression. Capital and recurring expenditure to be separately mentioned.
- iv. Committee on deliberation decided that PP needs to spent on issues raised during the public consultation in the area of health and sanitation, drinking, water conservation, and other details. Activity-wise time-bound action plan on the issues raised and commitment made during public hearing to be submitted as part of the final EMP Report in compliance of the Ministry's OM F.No.22-65/2017-IA.III dated 30th September, 2020.

**3.4: Proposal for Terms of Reference (ToR) for River Bed Sand Mining Project (Area - 32.338 Ha.) in River Kanhar at Gata Number- 871 and 518 Ga, Village – Pipardih and Koragi, Tehsil – Dudhi; District - Sonbhadra, U.P. by M/s R.S.I. Stone World Pvt. Ltd. - [Proposal no: IA/UP/MIN/191298/2021; File No. J-11015/2/2021-IA-II(M)] - ToR**

The Proposal of M/s R.S.I. Stone World Pvt. Ltd. is for grant of Terms of Reference for River Bed Sand Mining Project (Area - 32.338 Ha.) in River Kanhar at Gata Number- 871 and 518 Ga, Village – Pipardih and Koragi, Tehsil – Dudhi; District - Sonbhadra, Uttar Pradesh. The mine is located between Latitude 24°14'9.51" N to

24°14'54.27" N and Longitude 83°16'12.08" E to 83°16'25.74" E and within survey of India Toposheet No. 63P/8.

2. As per EIA Notification dated 14<sup>th</sup> Sept, 2006 and its subsequent amendments, the project falls under Schedule 1(a) of mining of minerals and is a Category- "A" as the mining lease area attracts the general condition. The mine site has been identified as critically polluted area as notified by the Central Pollution Control Board (CPCB) from time to time.

3. The Project proponent submitted the application for Terms of Reference on 04.01.2021. The proposal was considered in 27<sup>th</sup> EAC meeting held during 3-5<sup>th</sup> February, 2021. The project proponent did not attend the meeting without giving any prior notice to the Ministry. In spite of email from the Ministry, PP did not submit the presentation and other documents required for appraisal before the EAC meeting. Therefore, the Committee **deferred** the proposal.

**3.5: Proposal for Farhatabad Limestone Mine with limestone production capacity of 6.0 Million TPA, Over- burden: 1.21 Million TPA, Top Soil: 0.14 Million TPA (Total Excavation: 7.35 Million TPA and ML Area: 1445.83 ha) and installation of 2 x 1200 TPH proposed Crusher along with Wobbler by M/s Shree Cement Limited near Villages: Balwad, Tilgul, Kirangi & B. Saradgi, Taluka & District: Kalaburagi (Karnataka) – [Proposal no: IA/KA/MIN/193317/2021; File No. IA-J-11015/6/2021-IA-II(M)] Terms of Reference (ToR)**

The proposal of M/s Shree Cement Limited is for Terms of Reference for Farhatabad Limestone Mine with limestone production capacity of 6.0 Million TPA, Over- burden: 1.21 Million TPA, Top Soil: 0.14 Million TPA (Total Excavation: 7.35 Million TPA and ML Area: 1445.83 ha) and installation of 2 x 1200 TPH proposed Crusher along with Wobbler near Villages: Balwad, Tilgul, Kirangi & B. Saradgi, Taluka & District: Kalaburagi, Karnataka. The mine lease area falls under the Survey of India Toposheet No 56 C/16 and bounded by latitude 17°06'49.4" N to 17°09'59.9" N and longitude 83°17'41.90" E to 83°17'52.90"E.

2. As per EIA Notification dated 14<sup>th</sup> September, 2006 as amended thereof, the project falls under Category "A", Project or Activity 1(a) for "Mining of Mineral" and 2(b) for "Mineral Beneficiation".

3. The Project Proponent applied online for grant of Terms of Reference (ToR) vide proposal no. IA/KA/MIN/193317/2021 dated 15.01.2021 and submitted Form-1 & Pre-Feasibility Report and the proposal was considered in the 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021.

4. The Project Proponent submitted that the DMG, Government of Karnataka sanctioned the prospecting license (PL) over an area of 1750 ha vide G.O No. DMG/MLS/75/APL/2007-08/7030 dated 31.08.2007. The Prospecting License No. 3364 was executed on 20.11.2007 for the period of two years and the same was registered on 12.12.2007. Company had applied for grant of Mining Lease for mineral limestone over an area of 1445.83 Hectares to the Director, DMG, Karnataka on 09.11.2009 vide Letter no. SCL/MINES/KAR/ML/2009/7931 under rule 22 (1) of MCR, 1960 & under section 11 of MMDR Act, 1957. The mining lease was granted in favor of Shree Cement Limited by State Government of Karnataka vide its order no. CI 97 CMC 2018 Bengaluru, dated 03.12.2019 for a period of 50 years under section 10A (2)(b) of MMDR Act, 1957.

5. The Project Proponent submitted that the Mining Plan including Progressive Mine Closure Plan has been approved by the IBM, Regional Controller of Mines, Bengaluru Vide letter no. 279/1107/2020/BNG/527, dated 19.10.2020 in respect of Farhatabad Limestone Mine over an area of 1445.83 ha.

6. The Project Proponent submitted that Farhatabad Limestone Mine is proposed with fully mechanized opencast conventional mining method, which includes wet drilling/dry drilling with dust collector, controlled blasting, use of Hydraulic Excavators, Shovel, Dumpers, rock breaker, crushing, screening, stacking & reclaiming and motor grader, road compactor. The Mining plan is approved for total mineral reserves of 261 Million Tonnes of Limestone. Maximum bench height of 12 m and minimum working bench width of 30 m. Bench height of 12 m is planned according to maximum digging height of Hydraulic Excavator (Loading Equipment). Working bench width will be kept 30 m wide for safe movement of HEMM. Ultimate pit angle slope is proposed to be kept at 45°. Haul road is planned at 1 in 16 gradients with minimum 22 m width. Working will be maintained in such a way that all quality limestone will be available for blending. Topsoil will be used simultaneously for plantation. Over burden would be stacked at earmarked area and backfilled in worked out pit. Since the strata is hard and compact, drilling & blasting is required to break the rock. Blasting with optimum fragmentation will be done to minimize ground vibration & fly rocks. Limestone will be transported to the crusher (Proposed Crusher of 2 x 1200 TPH capacity along with wobbler) with the help of dumpers and further crushed limestone after screening system from crusher (Max Feed size of 1.25 meter to Output size of <90 mm) will be sent to the cement plant by covered conveyor belt and will be dispatched to stock piles located within proposed cement plant premises, through the belt conveyor. It is proposed to provide screening system (Primary Screening method is Wobbler with feed size of <90. 360 days per year will be considered as working days.

7. The Project Proponent submitted that the Village Balwad is surrounded by the Mine lease and is excluded from the ML Area; 300 m of safety barrier will be left along areas nearer to habitation. Other nearest Villages are Tilgul (~250 m in North direction) and nearest Primary School is located in village Balwad; Nearest Highway is NH- 218 (Karnataka to West Bengal and Jharkhand) is 0.05 km in West direction.

8. The Project Proponent submitted that the Total water requirement of the proposed project will be 250 KLD which will be sourced from Ground water and Surface water from Bhima River after necessary permission and mine pit water as and when developed.

9. The Project Proponent submitted that Total Plantation area will be 477.12 Ha. (Plantation will be developed over backfilled area 311.01 ha as well as 16.24 ha on the 7.5meter statutory boundary limit and 149.87 ha safety zones around village Abadi, Nala & road; thus total plantation will be in tune of 477.12 ha area). Native Plant species such as Gulmohar, Neem, Amaltas, Karanj, Yellow Gulmohar, Kasood, Shisham, Bargad, Pipal, Teak, Palash, Ashok, Jamun, Imli, Guava etc. will be planted by SCL after consultation with local forest officer and as per CPCB guidelines. Trees will be planted @ 1200 Trees per hectare with 85% survival rate.

10. The Project Proponent submitted that there is no forest land in the M.L area. PP further submitted that there are no Reserve Forest/Protected Forest, National Park, Wildlife Sanctuary, Eco Sensitive Areas, Biosphere reserves within 10km radius of the study area. One season Baseline Study will be carried out during Summer Season (March to May, 2021).

11. The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up. PP also submitted an Affidavit bearing BB 657306 dated 25.01.2021 to MoEF&CC that the mining would be done strictly in accordance with the statutory requirement & judgment of Hon'ble Supreme Court dated 2<sup>nd</sup> August 2017 in writ Petition (civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors.

12. The Project Proponent submitted that total mining lease area is 1445.83 ha; Out of which 28.927 ha is Govt. Waste Land and 798.683 ha is Private Agriculture Land. 618.22 ha of this Private Land is owned by Shree Cement Ltd. Central/State policy for R&R will be followed.

13. The Project Proponent submitted that the Total project cost is Rs.654.47 crore including land cost. Capital cost for the Environmental Management Plan (EMP) is Rs. 7.5 crore & recurring cost of EMP is Rs. 0.75 crore. The employment generated by this project will be about 82 nos.

14. The proposal for Terms of Reference (ToR) was considered before the Expert Appraisal Committee (Non Coal Mining) in its 27<sup>th</sup> EAC meeting held during 3<sup>rd</sup>-5<sup>th</sup> February, 2021. Based on the documents submitted and presentation made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Standard Terms of Reference for Mining and Mineral Beneficiation for Farhatabad Limestone mine with limestone production capacity of 6.0 Million TPA, Over- burden: 1.21 Million TPA, Top Soil: 0.14 Million TPA (Total Excavation: 7.35 Million TPA and ML Area: 1445.83 ha) and installation of 2 x 1200 TPH proposed Crusher along with Wobbler by M/s Shree Cement Limited near Villages: Balwad, Tilgul, Kirangi & B. Saradgi, Taluka & District: Kalaburagi (Karnataka) for undertaking detailed EIA/EMP study along with the following specific terms of reference for this project:

- i. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution. PP should also submit time-bound, activity-wise budget plan including the capital and recurring cost to be spent every year and action plan in the EIA/EMP plan.
- ii. The Project Proponent should carry out the detailed hydro geological study by identifying, quantifying and mitigating their potential impacts on the river Bhima and surface drains passing through lease as well as adjacent to the lease boundary. PP should also submit the engineering design for garland drains, check dams and check filters in the EIA/EMP report.
- iii. Village within the mine lease although shows adequate safety zone is being created, the village should be treated as sensitive receptor for generating the impact scenario due to noise and vibration due to blasting, air quality during mining operation and crusher and other socio economic impacts. PP should also monitor the air quality in the nearby villages on the eastern and western direction.
- iv. Captive plant is proposed just adjacent on the north side of the lease boundary hence, cumulative impacts of mining and proposed cement plant operations should be covered in the EIA report.
- v. The Closure plan indicates creation of large water bodies in the lease area. Hence, scenario of curtailment of water body by reducing its size by converting into land marsh to be studied by the Project Proponent.
- vi. The Project Proponent should address the control measures of noise and dust due to Crusher and Conveyor belt for night time operations be specifically generated as the mine is proposed to operate in shifts.

- vii. The Project Proponent should submit the details of the measures taken to protect the village road and should ensure that the internal haul road should be made dust free either by making cement or other available material. Impact of mine on highway and vice versa should be detailed separately in the EIA report.
- viii. The Project Proponent should prepare the R & R plan indicating the budget and their implementation schedule.
- ix. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. Concerns of the public will be addressed through separate budget for and the capital expenditure should be spent within a period of 3 years.
- x. The Project Proponent shall undertake the peripheral plantation with atleast 90% survival rate all along the lease boundary within 6 months. An undertaking for the same also needs to be submitted by PP.
- xi. Cost of the CER calculated shall be utilized for the concerns of the people in terms of health, education, and infrastructure and environment protection. PP also shall include the budget for the betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets.

**List of members of Expert Appraisal Committee participated through VC**

S.No.	Member Name	Member Address	Designation	3 <sup>rd</sup> Feb, 2021	4 <sup>th</sup> Feb, 2021	5 <sup>th</sup> Feb, 2021
1	Dr. S.R. Wate	Add. 148/149, Nagar Vikas Society, Narendra Nagar, Nagpur-440015, Maharashtra	Chairman	Yes	Yes	Yes
2	Dr. Ajay Deshpande	Building A-26, Flat-403, Happy Valley Homes, Manpada, Ghodbunder Road, Thane (West) - 400610, Maharashtra	Member	Yes	No	Yes
3	Shri B Ramesh Kumar	H-No. 6-1-134/6, Balram Compound, Padmarao Nagar, Secundrabad- 500025, Andhra Pradesh	Member	Yes	Yes	Yes

4	Prof. S. Ramakrishna Rao	50-120-9/1, Tulasi Mani Regency North Extension, Seethammadhara, Visakhapatnam - 530013 Andhra Pradesh.	Member	Yes	Yes	Yes
5	Shri Santosh Gupta	Flat No. 405, Block –B, Gaur Green Vista, Nyay Khand -1, Indrapuram, Ghaziabad-201014	Member	Yes	Yes	Yes
6	Dr. (Ms.) Asha Rajvanshi	Wildlife Institute of Inida, Chandrabani, Dehradun-248001	Member	Yes	Yes	Yes
7	Shri G.P. Kundargi	Plot No. 32, MOIL Vatika, Chicholi Road, Fetri, Nagpur 441501, Maharashtra	Member	Yes	Yes	Yes
8	Dr. A.K. Malhotra	C-6, SubhavnaNiketan, Road No. 41, Pitampura, Delhi-110034	Member	Yes	Yes	No
9	Dr. Gurdeep Singh	Centre of Mining Environment, Department of Environmental Science &Engg. Indian Institute of Technology (Indian School of Mines), Dhanbad-826004	Member	No	Yes	Yes
10	Dr. Parimal Chandra Bhattacharjee	A/3 Asiyana Housing Complex Maligaon, Guwahati-781011, Assam	Member	No	No	No
11	Prof. MukeshKhare	Department of Civil Engineering, IIT, Delhi	Member	No	No	No
12	Mr. V. K. Soni	Government of India, Ministry of Earth Sciences, India Meteorological Department, MausamBhawan, Lodi Road, New Delhi – 110003	Member	Yes	Yes	No
13	Sh. Pankaj Kulakshethra	Regional Controller of Mines, IBM Block D, Second Floor, Indira Bhavan, Civil Lines, Nagpur - 440001	Member	No	No	No

Minutes of 27<sup>th</sup> EAC meeting (non-coal mining) held during 3<sup>rd</sup>-5<sup>th</sup> Feb, 2021

14	Sh. AftabAhmend	Representative of DGMS, DMS, Room No. 201-203, II Floor, B- Block, CGO-II,, Hapur Rd, Kamla Nehru Nagar, Ghaziabad, Uttar Pradesh 201002	Member	No	No	No
15.	Shri Pankaj Verma	2 <sup>nd</sup> Floor, Prithvi Block, Indira Paryawaran Bhawan, MoEF&CC, Jorbhag, New Delhi- 110003	Member Secretary	Yes	Yes	Yes

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