

Minutes of 7th meeting of Expert Appraisal Committee for the proposal involving violation of the EIA Notification, 2006, held on 17th -18th May, 2018 at Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi

Day 1: Thursday, 17th May, 2018

Time: 10:30 AM.

- 7.1 Opening remarks of the Chairman.
- 7.2 Confirmation of the minutes of the 6th meeting held on 19-20th April, 2018 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.
- 7.3 Consideration of proposals.

S. No.	Proposal
7.3.1	<p>Expansion of Leela hotel at Diplomatic Enclave, Africa Avenue, Netajinagar, Chanakyapuri, New Delhi by M/s Hotel Leela Venture Ltd.-Terms of Reference</p> <p>[IA/DL/NCP/67057/2017 dated 31.07.2017] [F. No. 23-96/2018-IA.III (V)]</p>
7.3.1.1	The project proponent requested to defer the project as they were unable to attend the meeting.
7.3.2	<p>Ananta Institute of Medical Sciences & Research Center at NH 8, Village Kaliwas, Tehsil Nathdwara, District Rajsamand (Rajasthan) by M/s Ananta Charitable Educational Society.- Terms of Reference</p> <p>[IA/RJ/NCP/67355/2017 dated 10.08.2017] [F. No. 23-97/2018-IA.III (V)]</p>
7.3.2.1	M/s Ananta Charitable Educational Society has made online application vide proposal no. IA/RJ/NCP/67355/2017 dated 10.08.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level, as <i>SEIAA of Rajasthan state is not functioning</i>
7.3.2.2	<p>Details of the project as per the submission of Project Proponent</p> <p>The project involves development of Hospital & Medical College “Ananta Institute of Medical Sciences & Research Center” promoted by M/s Ananta Charitable Educational Society. The project is at N.H.-8, Village Kaliwas, Tehsil Nathdwara, District</p>

Rajsamand, Rajasthan. The total plot area of the project is 86, 360.00 sq. mt. and the total built up area of the project will be 1, 15,862.31 sq. m. (including medical college, hospital, girl's hostel, boy's hostel, 1 BHK flats & 2 BHK flats).

The said project/activity is covered under category *B* of item *Item 8 (a): Building and Construction projects $\geq 20,000$ sq. m. and $<1,50,000$ sq. m.* of Schedule to the EIA Notification, 2006, and requires prior EC

The construction was reported to be started in February, 2015 and 68.18% of the built up area has been completed till date without obtaining the prior EC. It was informed that no proposal for EC was submitted to the SEAC/SEIAA. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

Application for EC was submitted to SEIAA in Rajasthan	20.06.2017
Appraisal by SEAC in its meetings (Attach minutes of the meetings)	NA. The project was not appraised at the SEAC, Rajasthan as per EIA Notification dated 14.03.2017. The case was submitted at MoEF&CC as a violation case for grant of terms of reference on dated 10.08.2017. The acceptance from MoEF&CC was obtained on 07.05.2018.
Final observations/recommendations of the SEAC to the SEIAA/State Government	-
Action taken by the State Government/SEIAA	-
Complaint case filed by the State Government/State Pollution Control Board	-

	Further consideration of the proposal by the SEAC and recommendations	-
	Final recommendations of SEIAA	-
	Legal interventions, if any	None
7.3.2.3	Observations and recommendations of the committee: <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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.</p>	
7.3.3	Construction of Hotel JSR Continental at NH-72 near Rispana Bridge, Haridwar Road, District Dehradun (Uttarakhand) by M/s Jaswant Singh Rawat - Terms of Reference [IA/UK/NCP/67003/2017 dated 21.08.2017] [F. No. 23-98/2018-IA.III (V)]	
7.3.3.1	The project proponent requested to defer the project as they were unable to attend the meeting.	

7.3.4	<p>Group housing project 'Ashish Heights' at Khasra No. 597/2, 612/2, 615/2,617/2, Village Ramchandrapura, Tehsil Ladpura, Kota (Rajasthan) by M/s AasthaBuildhome Developers (P) Ltd.- Terms of Reference</p> <p>[IA/RJ/NCP/67641/2017 dated 23.08.2018] [F. No. 23-99/2018-IA.III (V)]</p>
7.3.4.1	The project proponent was absent without prior intimation
7.3.5	<p>Expansion of 'Amar Pratap Steels Pvt. Ltd.' Plot No. A-161, RIICO Industrial Area, Bagru, Etn-II, Village Bagru, Tehsil Snagaer, District Jaipur (Rajasthan) by M/s Amar Pratap Steels Pvt. Ltd- Terms of Reference.</p> <p>[IA/RJ/IND/67639/2017 dated 23.08.2017] [F. No. 23-100/2018-IA.III (V)]</p>
7.3.5.1	The project proponent was absent without prior intimation
7.3.6	<p>Aam wala Tarla' group housing project (LIG, MIG,HIG & EWS) at village Aam wala, Tarla, Khasra No 102 JHA , Dehradun (Uttarakhand) by M/s Mussoorie Dehradun Development Authority-. Terms of Reference</p> <p>[IA/UK/NCP/67701/2017 dated 26.08.2017] [F. No. 23-101/2018-IA.III (V)]</p>
7.3.6.1	<p>M/s Mussoorie Dehradun Development Authority has made online application vide proposal no. IA/UK/NCP/67701/2017 dated 26.08.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level,as <i>SEIAA is not functioning at Uttarakhand</i></p>
7.3.6.2	<p>Details of the project as per the submission of project proponents:</p> <p>The project involves construction of residential cum commercial complex (Environmental Clearance for Proposed Aam Wala Tarla Group Housing Project (LIG, MIG, HIG & EWS)" located at Khasra No. 102 JHA, Village: Aam Wala Tarala, Teh: Dehradun, Dist.: Dehradun. Total Built up area: 37614.68 Sq. m, Total plot area: 30000 Sq. m, village: Aam Wala Tarala, Taluka /Mandal: Dehradun, District: Dehradun, State: Uttarakhand, by M/s Mussorie Dehradun Development Authority (MDDA), Dehradun</p> <p>The project site is permitted for residential cum commercial use as per approved Master Plan of the area. Planning/building permission for built up area of 37614.68 sqm was obtained from the <i>Mussoorie Dehradun Development Authority, Dehradun</i> vide letter dated 18th February, 2015 followed by non-agricultural use order by the <i>District Collector, Dehradun</i> on 18th march, 2015.</p>

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

Application for EC was submitted to SEAC / SEIAA in Uttarakhand	28.7.2016
Appraisal by SEAC in its meeting (Attach minutes of the meetings)	Project is Not Appraised due to non-formation of state appraisal committee in Uttarakhand
Final observations/recommendations of The SEAC to the SEIAA/State Government	
Action taken by the State Government/ SEIAA	
Complaint case filed by the State Government/ State Pollution control board	No Complaint case was filed by State pollution control board
Further consideration of the proposal by the SEAC and recommendations	
Final recommendations of SEIAA	Project is awaited for consideration since the state appraisal committee is yet to be formed
Legal interventions, if any	

The application was submitted to the SEAC/SEIAA Uttarakhand on 28.7.2016 since then the SEAC committee has not formed in the state meanwhile the construction was

	<p><i>started</i> without obtaining the prior EC. The Ministry's Notification regarding violation cases was issued on 14th March, 2017 according to which the application for the project as violation case was submitted to central EAC/EIAA on 26th August 2017.</p> <p>Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p> <p>The construction was reported to be started on 24-09-2015 <i>and</i> 20% of the built up area was completed by <i>May, 2018</i> without obtaining the prior EC. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006 and non-formation of state Environment Appraisal committee.</p>
7.3.6.3	<p>Observations and recommendations of the committee:</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following: -</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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.</p>

7.3.7	<p>Manufacturing of sodium cyanide & other cyanide based products at Block No.53 & Plot No. 26-37, 53-57, 122 & 143, GIDC Industrial Estate, Village Asnabad, TalukOlpad, District Surat (Gujarat) by M/s Hindusthan Chemicals Company-Terms of Reference</p> <p>[Old Proposal No. IA/GJ/IND2/65701/2011 dated 27.06.2017] [F. No. 23-91/2018-IA.III (V)]</p>
7.3.7.1	Proposal has been transferred to SEIAA, Gujarat being a category B project.
7.3.8	<p>Manufacturing of fine chemicals, bulk drug intermediates at No. 11/2, KIADB Industrial Area, Attibele Hobli, Anekal Taluk, Bangalore (Karnataka) by M/s Sonia Organics.</p> <p>[IA/KA/IND2/66973/2017 dated 26.07.2017] [F. No. 23-102/2018-IA.III (V)]</p>
7.3.8.1	M/s Sonia Organics has made online application vide proposal no. IA/KA/IND2/66973/2017 dated 26.07.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 5(f) Synthetic organic chemicals industry (dyes & dye intermediates; bulk of EIA Notification, 2006 and the proposal is appraised at Central level.
7.3.8.2	<p>Details of the project as per the submission of project proponents:</p> <p>The project involves manufacturing of Active Pharmaceuticals Ingredients, Speciality Chemical and Intermediates of production capacity of 10 MT by M/s Sonia Organic in an area of 4552 sqm at No 11/2, Attibele Industrial Area, Balagaranahalli Village, Anekal Taluk District Bangalore South, Karnataka 562107</p> <p>The said project/activity is located in a notified industrial area/ estate of item covered under category A because of inter-state boundary. The project activity is listed at S.N. 5(f) Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC</p> <p>The plant/unit was earlier set up with the consent to establish dated September 2007 from the Karnataka State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB. The consent to operate is presently valid up to July 2022.</p>

	The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:	
	Application for EC was submitted to SEAC-III/SEIAA	Application for change of product mix was submitted to the state SEIAA in June 2012 and was referred to the Centre
	Appraisal by SEAC in its meetings (Attach minutes of the meetings)	The State SEAC reviewed the application and referred to the centre as the project was within 5 kms of the state border
	Final observations/recommendations of the SEAC to the SEIAA/State Government	Application has to be submitted to the central MOEF as the facility comes within 5 kms of the state border
	Action taken by the State Government/SEIAA The	As per directive of the state SEAC committee, application was submitted to the centre and the central MOEF rejected the application and sent a notification to the state MOEF to take action against the Project proponent The state SEAC committee informed the state pollution control to initiate action. The state pollution control board inspected the facility and submitted report stating that the facility was operating as per the consent granted to the facility and the only violation is that the facility started operating without EC. Further no action was taken by the state SEAC
	Complaint case filed by the State Government/State Pollution Control Board	No case was filed by the state MOEF or the pollution control even after request from the Project proponent to do so
	Further consideration of the proposal by the SEAC and recommendations	The state SEAC did not accept any further proposal and directed the project proponent to apply for the same in the central MOEF
		No further recommendation were provided by the SEAC

	Final recommendations of SEIAA	
	Legal interventions, if any	No legal interventions were initiated
	<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th July, 2017 due to violation of the EIA Notification, 2006.</p>	
7.3.8.3	<p>Observations and recommendations of the committee:</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006.</p> <p>The committee observed that the present application was both for existing capacity production and proposed expansion with new products. The committee was of the opinion that unless environmental clearance for existing products viz. MEKP catalyst and Cobalt Octate is obtained, then only the PP could submit a separate application for expansion to the respective sectoral committee for seeking environmental clearance.</p> <p>Therefore, the committee suggested to the PP to submit the revised Form 1 with updated information along with the PFR for existing products to the MoEF&CC.</p> <p>Based on above observations and suggestions, committee recommended to defer the proposal.</p>	
7.3.9	<p>Expansion of Molasses based Distillery Plant (from 30 KLPD to 60 KLPD) at Survey No. 290, Village Sainagar Ranjani, Tehsil Kallam, District Osmanabad (Maharashtra) by M/s Natural Sugar & Allied industries Ltd- Terms of Reference</p> <p>[Old Proposal No. IA/MH/IND2/27630/2012 dated 29.08.2017] [F. No. 23-103/2018-IA.III (V)]</p>	
7.3.9.1	<p>M/s Natural Sugar & Allied industries Ltd has made online application vide proposal no. IA/MH/IND2/27630/2012 dated 29.08.2017 seeking Environmental Clearance under Gazette notification dt. 14/03/2017 for the above mentioned proposed project.</p>	

	The proposed project activity is listed at S. No. 5(g) of EIA Notification, 2006 and the proposal is appraised at Central level.						
7.3.9.2	<p>Details of the project as per the submissions of project proponent:</p> <p>Proposed Project is for Expansion of Distillery from 30 KLPD to 60 KLPD at Sai Nagar Ranjani, Tal: Kallam, Dist: Osmanabad by M/s Natural Sugar and Allied Industries Ltd. Existing EC has been received by MoEF for existing 30 KLPD Distillery vide letter no. (File No. J-11011/382/2006-IA II (I) dated 8th May 2007). Certified monitoring compliance report for the same has been submitted to MoEFCC. The consent to operate is presently valid up to 31.08.2018 for existing 30 KLPD distillery.</p> <p>Application submitted for expansion project- 16th January 2012 TOR granted for expansion project – 27th July 2012 Public hearing conducted-23rd Nov 2012 Final EIA EMP report was submitted to MoEF&CC for EC– 20th February 2013</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1"> <tr> <td>Application for EC was submitted to EAC</td><td>20.02. 2013</td></tr> <tr> <td>Appraisal by EAC in its meetings (Attach minutes of the meetings)</td><td>22nd Reconstituted EAC for EC dated 29th August 2014- Certified compliance report by MoEF Regional Office was submitted, <u>Violation reported in this meeting.</u></td></tr> <tr> <td>Final observations/recommendations of the EAC</td><td>'A copy of certified compliance report dated 7.02.2014 issued by MoEF Regional Office is submitted. The Committee deliberated on the monitoring report of RO, Bhopal. It is reported that project proponent has already initiated the proposed expansion project unit without obtaining prior environmental clearance as per the provisions of EIA Notification, 2006.</td></tr> </table>	Application for EC was submitted to EAC	20.02. 2013	Appraisal by EAC in its meetings (Attach minutes of the meetings)	22 nd Reconstituted EAC for EC dated 29 th August 2014- Certified compliance report by MoEF Regional Office was submitted, <u>Violation reported in this meeting.</u>	Final observations/recommendations of the EAC	'A copy of certified compliance report dated 7.02.2014 issued by MoEF Regional Office is submitted. The Committee deliberated on the monitoring report of RO, Bhopal. It is reported that project proponent has already initiated the proposed expansion project unit without obtaining prior environmental clearance as per the provisions of EIA Notification, 2006.
Application for EC was submitted to EAC	20.02. 2013						
Appraisal by EAC in its meetings (Attach minutes of the meetings)	22 nd Reconstituted EAC for EC dated 29 th August 2014- Certified compliance report by MoEF Regional Office was submitted, <u>Violation reported in this meeting.</u>						
Final observations/recommendations of the EAC	'A copy of certified compliance report dated 7.02.2014 issued by MoEF Regional Office is submitted. The Committee deliberated on the monitoring report of RO, Bhopal. It is reported that project proponent has already initiated the proposed expansion project unit without obtaining prior environmental clearance as per the provisions of EIA Notification, 2006.						

		Therefore, the project proposal involves violation of the Environment (Protection) Act, 1986 or Environment Impact Assessment (EIA) Notification, 2006 and will be considered as per Ministry's O. M no. J-11013/41/2006-IA II (I) dated 12th December, 2012 and 27th June, 2013'.
	Action taken by the State Government/SEIAA	The Environment Department of the State Government vide letter 10 th November 2014 issued directions u/s 5 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006, which were replied by the project proponent on 24th December, 2014. The State Government, after taking note of the submissions of the project proponent, confirmed the directions u/s 5 of the EP Act, 1986 on 11 th March 2015 with the directions to stop the construction work till EC is obtained from the competent authority. EAC asked the project proponent to furnish a resolution expressing apology on the violation already committed.
	Complaint case filed by the State Government/State Pollution Control Board	Env. Dept. GoM letter No. ENV/Legal-2014/CR-22 dated 11.03.2015 to Maharashtra Pollution control Board and instructed to issue appropriated direction. Complaint against Natural Sugars Allied Industries Limited at C.J.M., Osmanabad by MPCB Letter No. MPCB/ROA/642/ 2015 date 08.04.2015.
	Further consideration of the proposal by the EAC and recommendations	1. 46 th meeting on 21 st August 2015- EIA presentation and raised compliance. 2. 3 rd meeting held on 18 th -19 th January 2016- Compliance presentation and EC recommended

		3. 13 rd EAC 23 th January 2017- deferred the proposal till a decision is made by the Hon'ble Court.
	Final recommendations of EAC	<i>EAC in its meeting held in 29th August 2014, came to the conclusion that in view of the blatant violation and utter disregard of the provisions contained in the EP Act, 1986, the proposal is not a fit case for grant of EC, and the proposal to be delisted accordingly</i>
	Legal interventions, if any	EC violation case pending in District court Osmanabad (Maharashtra) Case No. 203003007462015.
<p>Project again considered in 13rd EAC 23rd Jan 2017. Member secretary informed that, as it is a violation case and as the matter is sub-judice, it has been decided by the Ministry to hold on the file till the verdict of Hon'ble Court.</p> <p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>		
7.3.9.3	<p>Observation and Recommendation of Committee:</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):-</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(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</p>	

	<p>after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) The PP shall submit a certified compliance report of the existing EC from the regional office of the MoEF&CC.</p>
7.3.10	<p>Modernization of Rourkela Steel Plant, SAIL by adding new 125 TPD Sulphuric Acid Plant in place of old 60 TPD plant in the State of Orissa by M/s SAIL Rourkela Steel Plant.-Environmental clearance</p> <p>[Old Proposal No. IA/OR/IND/63491/2017 dated 31.08.2017] [F. No. 23-104/2018-IA.III (V)]</p>
7.3.10.1	<p>M/s SAIL has made online application vide proposal no. IA/OR/IND/63491/2017 dated 31st Aug 2017 seeking Environmental Clearance under Gazette notification dt. 14/03/2017 for the above mentioned proposed project. The proposed project activity is listed at S. No. 3(a) Metallurgical industries (ferrous & non-ferrous) under Category “A” of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
7.3.10.2	<p>Details of the project as per the submissions of project proponent:</p> <p>RSP was having 60 TPD Sulphuric Acid Plant, when the plant production capacity was 1.9 MTPA of crude steel. However, in due course of time, to meet the increase in</p>

demand of Sulphuric Acid for the new facilities installed during the “1.9 MTPA to 4.2 MPTA Expansion phase” and degradation in condition of existing Sulphuric Acid plant, it was proposed to install a new 125 TPD Sulphuric Acid plant with State of the Art technologies.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

Subsequently after getting CTE from OSPCB (No: 8428/IND-II-NOC-5621 dated 7/5/2013) RSP has installed a new 125 TPD Sulphuric Acid Plant within the existing premises. However, OSPCB had asked RSP to get clarification about applicability of EC for the Sulphuric Acid Plant from MoEF&CC.

A meeting regarding the same was held at MoEFCC, Delhi on 29th August, 2016. Based on the meeting, EAC has asked RSP to submit following additional information:

- *Detailed data to establish that there will not be any increase in the pollution load.*
- *Details of clean technologies to be adopted for reducing the overall pollution load from the steel plant.*
- *Produce a letter approaching SPCB in 2012 and their advice for consideration.*

As suggested by EAC / MoEF&CC, the data had been compiled & Environment Appraisal Report (EAR) was prepared by M/s MECON, and the same submitted to MoEF&CC on 03/01/2017.

In the meantime, a Gazette Notification regarding violation cases was also issued by MoEFCC on 14/03/2017. Considering this, RSP had to re-submit the application in Form-1as per the Gazette notification dt. 14/03/2017. The new application was again submitted on 27/03/2017.

RSP's proposal was listed & considered in the 18th meeting of EAC of Industry-I held on 5th May 2017 for appraisal. After detailed deliberations, the Committee recommended the project and prescribed the ToRs for undertaking detailed EIA study and issued Tor vide Lr.no F.No IA-J-11011/757/2007-IA II(I)Dt. 01.06.2017

Details of mitigation plan: The New 125 TPD Sulphuric Acid Plant has been established with the state of the art Pollution Control Technologies with a designed SO₂ stack

emission level of 0.8 kg /Ton (Norm – 2 Kg/ Ton) where as that of old unit was 2.5 kg/Ton (the then Norm - 4.0 kg/Ton).

The new plant designed using DCDA process for Sulphuric Acid Production with latest automation & instrumentation. The new unit is also designed based on Zero Liquid discharge concept.

Pollution Control Equipment: In order to mitigate various impacts of air pollution, following measures are being implemented in the new Sulphuric acid plant-

- A 30 m high stack has been provided for proper dispersal of pollutants.
- In order to reduce SO₂, SO₃ and acid mist in tail gas, two absorption towers have been installed with efficiency of 99.9 %.
- The waste heat from the process shall be utilized for Sulphur melting.
- A tail gas scrubber has been provided for cleaning gas having high SO₂ concentration during startup stage.
- SO₂ emissions shall be limited to 0.8 Kg/ton and Acid mist shall be limited to 70 mg/Nm³.
- Closed facility for storing and handling raw sulphur

Water: The accidental acid spillage or leakage from the plant and storage area shall be washed, collected in a neutralization pit and neutralized before using for floor washing, road washing and firefighting purposes. pH meters with the provision of alarm system will be provided to combat any leakage of acid from acid coolers into cooling water. Limestone or soda ash may be used for neutralization. There will be no discharge from the plant.

Solid Waste: Sulphur muck and catalyst wastes generated from the process will be neutralized and then stored in the Secured Land Fill facility of RSP

Noise: In Sulphuric Acid plant, the main noise producing equipment is air blowers, steam turbines and some pumps. This equipment is placed in closed rooms to reduce the noise level.

Details of community augmentation plan:

RSP aims to compensate for whatever minimal damages identified due to the new Sulphuric acid plant's construction, by way of a dedicated Natural & Community resource augmentation plan with an earmarked budget and defined timeframe for implementation of the same.

Environmental protection measures amounting to a total of Rs. 2.24 Crores have already been implemented / under implementation for the new Sulphuric acid plant towards environmental protection, control and mitigation measures for negating operational impacts of the new Sulphuric acid plant.

Over and above the aforementioned capital expenditure for environmental protection and control, RSP has allocated a dedicated budget equaling 2.5% of the total project cost of the new Sulphuric acid plant (which comes out to approx. Rs. 50 lakhs) exclusively for "*Natural & Community Resource Augmentation*" in the peripheral areas.

On top of the above, Rourkela Steel Plant is aimed at improving the lives of people living around the steel plant by way of its dedicated Corporate Social Responsibility (CSR) plan. Despite SAIL-RSP's poor financial performance in the last two years, it has not turned away from its commitment to improving the lives of communities living in the area. A total of Rs. ~6.5 Crores has been allocated for incurring expenditure towards various activities as part of CSR.

Change in Product Mix after incorporating new unit:

SN.	Plant Unit/Product	As per existing EC dated 29/01/2008 and 15th Dec., 2016	Present Proposal & change considering this proposal	Remarks
1	Coke Ovens <ul style="list-style-type: none"> No. of ovens Gross coke 	437 ovens 2,170,000	437 ovens 2,170,000	No change
2	Sinter Plant (Sinter)	6,760,000	6,760,000	No change
3	Blast Furnace – Hot Metal Production	4,500,000	4,500,000	No Change

	4	Steel Melting Shops – Crude Steel	4,200,000	4,200,000	No change
	5	Rolling Mills – • Total Saleable Steel	3,880,000	3,880,000	No change
	6	Hot Strip Mill – Hot Rolled Steel	3,000,000	3,000,000	No change
	7	Plate Mill – Plates	2,135,000	2,135,000	No change
	8	Cold Rolling Mill – Cold Rolled Steel • CR coils • CR sheets • Galv. Sheets • Tin Plates	345,000 25,000 196,000 75,000	345,000 25,000 196,000 75,000	No change
	9	Silicon Steel Mill – CRNO Steel	255,000	255,000	No change
	10	Pipe Plant – • Spiral welded pipes • ERW Pipes	55,000 75,000	55,000 75,000	No change
	11	LDBP	Lime: 414,900 Dolo : 130,000	Lime: 414,900 Dolo : 130,000	No change
	12	Beneficiation Plant	3,300,000	3,300,000	No change
	13	Pellet Plant	2,000,000	2,000,000	No change
	14	Special Plate Plant	15,000	15,000	No change
	15	Sulphuric Acid Plant*	60TPD	125 TPD*	Addition.

					Old 60 TPD plant will be phased out.
7.3.10.3	<p>Observation and Recommendation of Committee:</p> <ul style="list-style-type: none"> i) The proponent made a presentation to the committee for change of sulphuric acid plant capacity from 60TPD to 125 TPD which has become the point of violation for appraisal by this committee. It was clearly mentioned by the PP that there is no change in the capacity of steel making and only change was proposed for sulphuric acid plant which was for internal consumption. ii) The proponent has already conducted PH on 16.06.2016 covering all proposed activities and addressed all the issues raised during public hearing. iii) During 10th EAC meeting appraisal by the Industry 1 sector which has sought from the PP produce data in support of their claim that there will not be any increase in pollution load and submit the details of the clean technology to be adopted for reducing the overall pollution load from the steel plant. The proponent should also produce a letter approaching SPCB in 2012 and their advice for consideration. Accordingly, the pp has submitted the above information along with Form-I and PFR as per the provisions of SO 804(E) dated 14.03.2017 iv) This committee also has gone by the mass balance for the sulphuric acid plant and noted that emission of sulphuric acid has reduced from 2.5 kg/ton to 0.8 kg/ton. The reduction in water requirement from 30 m3/hr to 17 m3/hr as well as reduction in solid waste from 125 Tons/yr to 54 tons/yr. Further in the sulphuric acid plant gas is being used as a fuel. v) Since this project has appraised under clause 7(ii) (c) of EIA notification, 2006 “(c) Any change in product-mix, change in quantities within products or number of products in the same category for which environmental clearance has been granted shall be exempt from the requirement of prior environmental clearance provided that there is no change in the total capacity sanctioned in prior environmental clearance granted earlier under this notification and there is no increase in pollution load. The project proponent shall follow the procedure for obtaining No Increase in Pollution Load certificate from the concerned State Pollution Control Board as per the provisions given in Appendix –XIV” vi) The committee also deliberated upon ecological and environmental damage assessment including remediation plan and natural and community resource 				

	<p>augmentation plan as provided in the EIA/EMP with the budgetary provision of rupees 50 lakhs.</p> <p>After detailed deliberations EAC recommended the project for grant of Environmental Clearance subject to the following specific conditions in addition to all generic conditions applicable for such projects:</p> <ol style="list-style-type: none"> 1) The PP shall submit a bank guarantee equivalent to the amount of rupees 50 lakhs towards remediation plan and natural and community resource augmentation plan with State Pollution Control Board and submit the proof for the same to the Ministry 2) The PP shall submit the proof of credible action taken by the concerned state government/ state pollution control board under the provisions of the section 19 of the Environment Protection Act 1986 to the MoEF&CC. 3) The PP shall submit the certified compliance report of the existing EC conditions from the Ministry's regional office to the MoEF&CC.
7.3.11	<p>Modernization of project 'Hotel Hilton' at Khasra No. 42, Sudershan Pura (Geejgarh Bhawan), Hawa Sadak, District Jaipur (Rajasthan) by M/s Fruitful Buildcon Pvt Ltd.- Terms of Reference</p> <p>[IA/RJ/NCP/68038/2017 dated 08.09.2017] [F. No. 23-105/2018-IA.III (V)]</p>
7.3.11.1	<p>M/s Fruitful Buildcon Pvt Ltd has made online application vide proposal no. IA/RJ/NCP/68038/2017 dated 08.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
7.3.11.2	<p>Details as per the submission of Project Proponent</p> <p>The project involves construction of Hotel Project "Hotel Hilton" with total built up area of 20,973.10 sq. m. at Khasra no. 42, Sudershan Pura Geejgarh Bhawan), Hawa Sadak, Jaipur., Rajasthan by M/s Fruitful Buildcon Pvt Ltd. Planning/building permission for built up area of 20,973.10 sq. m was obtained from the <i>Jaipur Development Authority, Jaipur Rajasthan</i> vide letter dated 25.01.2012. The said project/activity is covered under category <i>B</i> of item 8(b) of Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF, Delhi. Proposal involves approval/clearance under the wildlife (Protection) Act, 1972. However, application for wild life clearance yet to be submitted.</p>

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

S. No.	Event		
1.	Land allotment	15.02.2006	
2.	Maps approved (18,872.54 sq.m.)	11.11.2018	
3.	Environmental Clearance for the project was granted by SEIAA, Rajasthan	26.03.2009	subsequently amended on 16.04.2009, 09.02.2009, 26.11.2009 & 14.01.2016) for built up area of 21,844.91 sq. m. and having 152 rooms
4.	Date of start of construction		
5.	Consent to Establish obtained from RSPCB (152 rooms)	02.08.2010	
6.	Maps approved again (20,973.1 sq.m.)	25.01.2012	
7.	Consent to Operate obtained from RSPCB (152 rooms)	18.07.2014	
8.	Application for obtaining NOC from CGWA	09.09.2017	
9.	Application for prior EC/ TOR at MoEF&CC, New Delhi	08.09.2017	

	Application for EC was submitted to SEAC-III / MoEF in <i>Delhi</i> .	Application submitted to MoEF dated 08.09.2017.
	Appraisal by SEAC in its meetings (Attach minutes of the meetings)	-
	Final observations/recommendations of the SEAC to the SEIAA/State Government	-
	Action taken by the State Government/SEIAA	None
	Complaint case filed by the State Government/State Pollution Control Board	<i>No compliant case is filled by the State government; the case was submitted to the MoEF.</i>
	Further consideration of the proposal by the SEAC and recommendations.	None
	Final recommendations of SEIAA	None
	Legal interventions, if any	None
	<p>Environmental Clearance for the project was granted by SEIAA, Rajasthan vide letter dated 26.03.2009 (subsequently amended on 16.04.2009, 09.02.2009, 26.11.2009 & 14.01.2016) for built up area of 21,844.91 sq. m. and having 152 rooms. During the course of construction, there were some changes in the building design and subsequently the larger rooms (suites/ luxury rooms) conceived earlier were converted into smaller rooms (standard rooms) and the number of guest rooms constructed is 179. The built up area for the project is decreased by 871.81 sq. m. and the final built up area for the project is 20,973.10 sq. m.</p> <p>The construction activities at the site have already been done, violating the EC condition of 152 rooms.</p> <p>Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>	

7.3.11.3	<p>Observations and recommendations of the committee:</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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</p>
7.3.12	<p>Hospital and Medical College project 'American International Institute of Medical Sciences (Expansion)' (Earlier GBH International College of Medicines) at Village Bedwas & DholiMagri, District Udaipur (Rajasthan) by M/s American International Health Management Limited. - Terms of Reference</p> <p>[IA/RJ/NCP/68191/2017 dated 09.09.2017] 23-106/2018-IA.III (V)]</p>
7.3.12.1	<p>M/s American International Health Management Limited has made online application vide proposal no. IA/RJ/NCP/68191/2017 dated 09.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
7.3.12.2	<p>Details of the project as per the submission of project proponent</p> <p>The project involves construction of Hospital & Medical College namely “American International Institute of Medical Sciences” (Earlier named as GBH International College of Medicines) with total built up area of 1,36,938.50 sq. m. at Khasra Nos. 1539, 1540, 1541, 1542, 1543, 1544, 1555, 1556, 1557, 1558, 1559, 1560 to 1571, 2723, 2724, 2725, Village Bedwas & Dholi Magri, Udaipur, Rajasthan promoted by American International Health Management Limited.</p>

The project site is permitted for the hospital and medical college project use. Planning/building permission for built up area of 1,36,938.50 sq. m. was obtained from the *Office of UIT, Udaipur*, vide letter dated 04.07.2014. The land was allotted in the year 1998 and 1999. Total 78,700 sq. m. Built-up area has been completed out of total 1,36,938.50 sq. m.

The said project/activity is covered under category *B* of item *Item 8 (a): Building and Construction projects $\geq 20,000$ sq. m. and $<1,50,000$ sq. m.* of Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC, New Delhi as SEIAA is not functioning at Rajasthan.

Construction activities at the site have been started without obtaining prior Environmental Clearance.

<p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <p>Application for EC was submitted to SEIAA, Rajasthan.</p>	18.06.2015
Appraisal by SEAC in its meetings (Attach minutes of the meetings)	94 th meeting of SEAC, Rajasthan dated 27.10.2015
Final observations/recommendations of the SEAC to the SEIAA/State Government	<p>94th meeting: Site visit was recommended to check if the violation of EIA Notification has taken place.</p> <p>Letter dated 02.02.2016 has been submitted to SEAC admitting violation of EIA Notification by the PP</p>
Action taken by the State Government/ SEIAA	SEIAA directed the State govt. PCB to initiate the legal action against the project under Section 19 of EP Act, 1986 for taking necessary legal action under Section 15 of the Act vide letter dated 20.06.2016

	Complaint case filed by the State Government/State Pollution Control Board	Complaint case No. <i>Nil</i> dated 16.09.2016 was filed by the <i>RSPCB</i> in the Judicial Magistrate Court of Udaipur, Rajasthan. The same is still pending for <i>disposal</i> .
	Further consideration of the proposal by the SEAC and recommendations.	Consideration of proposal in 148th meeting of SEAC Rajasthan 13.10.2016.
	Final recommendations of SEIAA	Case recommended by SEAC, Rajasthan for Grant of EC 01.12.2016. in the meantime Gazette Notification for Violation came into force dated 14.303.2017 and the case was transferred to MoEF & CC.
	Legal interventions, if any	Legal action has been taken against the project dated 16.09.2016.
	<p>The construction was reported to be started in <i>June, 2015 and approx 57.48%</i> of the built up area has been completed till date without obtaining the prior EC. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>	
7.3.12.3	<p>Observations and recommendations of the committee</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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</p>	

	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.	
7.3.13	Ambuja Realty City Center Commercial Complex at Khasra No. 773, 774/1, 941, 942, PawariHalka No. 109, Village Saddu, Block & Tehsil Dharsiwa, District, Raipur (Chhattisghah) by M/s Ambuja Realty Development Ltd.- Terms of Reference [IA/CG/NCP/67965/2017 dated 06.09.2017] [F. No. 23-111/2018-IA.III (V)]	
7.3.13.1	M/s Ambuja Realty Development Ltd has made online application vide proposal no. IA/CG/NCP/67965/2017 dated 06.09.2017 seeking Terms of Reference (TORs) under Gazette notification dt. 14/03/2017 for the above mentioned proposed project. The proposed project activity is listed at 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level.	
7.3.13.2	Details of the project as per the submissions of project proponent: The Commercial project “City Centre” located at Village – Saddu, Block & Tehsil – Dharsiwa, District – Raipur, Chhattisgarh was developed by M/s Ambuja Realty Development Limited. This project involves construction on a plot area 52345.35 m ² and the total built up area of the project is 54831.88 m ² . This project comes under the purview of SEIAA, Chhattisgarh, but in absence of SEIAA/SEAC, Chhattisgarh hearing will take place at MoEF& CC. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:	
	Application for EC for the project “CITY CENTER” submitted to The Ministry Of Environment, Delhi.	Dated-31-12-2007 Dated-1-09-2017
	Appraisal by SEIAA in its meetings (Attach minutes of the meetings)	Initially the case was under MoEF & CC due to absence of SEIAA and SEAC Chhattisgarh. Then, it was transferred to SEAC but after reformation of SEIAA/SEAC

		case was again resubmitted to 20-9-2011 to SEIAA, Chhattisgarh. Minutes Enclosed	
	Final observation /recommendations of the SEAC to the SEIAA/State Government	<p>The committee observed that the project proponent has initiated construction work without obtaining the prior EC and thus violated provisions of the EIA Notification, 2006. The Committee referred the matter to the Environment Department / SEIAA for ascertaining the alleged violation and action under the EPA Act, 1986.</p> <p>Authority intimates the proponent on 27.4.2017 to submit the application to MoEF& CC under violation matter in view of the notification dated 14.03.2017.</p>	
	Action taken by the State Government /SEIAA	<p>The Environment Department of the State Government vide letter 1/2/2013 issued directions u/s 5 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006, which were replied by the project proponent on 21/3/2013.</p> <p>The State Government (CSPCB), after taking note of the submissions of the project proponent, confirmed the directions u/s 5 of the EP Act, 1986 on 24/9/2013, since court a case has been filed dated 5-9-2013, with the directions to stop the construction work till EC is obtained from the competent authority.</p> <p>SEIAA asked the project proponent to furnish a solution expressing apology on the violation already committed.</p>	
	Complaint case filed by the State Government/State Pollution Contr	Complaint case No. 4324/2013 was filed by the Chhattisgarh Pollution Control Board in the court of Ld. CJM	

	Board	at Chhattisgarh still pending for disposal.
	Further consideration of the proposal by the SEAC and recommendations	As per the 160th minutes of meeting of SEAC Chhattisgarh on 30.7.2015, the committee has decided to take a status report regarding court case matter. After that the matter will proceed. Later the Authority intimate the proponent on 27.04.2017 to submit the application to the MOEFCC under violation matter in view of the notification dated 14.03.2017.
	Final recommendations of SEIAA	The Authority intimate the proponent on 27.04.2017 to submit the application to the MOEFCC under violation matter in view of the notification dated 14.03.2017.
	Legal interventions, if any	Complaint case No. 4324/2013 was filed by the Chhattisgarh Pollution Control Board in the court of Ld. CJM at Chhattisgarh still pending for disposal.
	<p>The construction was reported to be started in March 2011 and 30% of the built up area was completed by December, 2012 without obtaining the prior EC. Now the proposal has been submitted to the Ministry dated 06.09.2017 for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>	
7.3.13.3	<p>Observations and recommendations of committee</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following: -</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p>	

	<p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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</p>
7.3.14	<p>Construction of residential project 'Kent Mahal' at Village Puthencruz, Taluk Kunnathunadu, District Ernakulam (Kerala) by M/s Kent Constructions Pvt. Ltd.- Terms of Reference</p> <p>[Old Proposal No. IA/KL/NCP/65726/2017 dated 27.06.2017] [IA/KL/NCP/73288/2018] [F. No. 23-95/2018-IA.III (V)]</p>
7.3.14.1	<p>M/s Kent Constructions Pvt. Ltd has made online application vide proposal no. IA/KL/NCP/73288/2018 dated 27.06. 2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at S.N. 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
.3.14.2	<p>Details of the project as per the submission of project Proponent:</p> <p>M/s. Kent Constructions Pvt. Ltd., has developed residential building Project at Puthencruz Village, Vadavucode Puthencruz Grama panchayat Kunnathunadu Taluk, Ernakulam District, Kerala State. This project has been developed on a plot of land measuring 1.1729 ha i.e. 11,729.38 Sqm with the built up area of 60,738.66 Sqm. The construction work has already been done at the project site and occupancy certificate was issued by the Panchayat and apartments are occupied by the purchasers.</p> <p>Project proponent came to understand that Environmental clearance should have been obtained prior to the construction. However, they have obtained following statutory approvals:</p> <ul style="list-style-type: none"> •Building Permit from Puthencruz Grama Panchayat under Kerala Panchayat building rules. •Consent to Establish from Kerala state pollution control board

- NOC from Fire and rescue services, Govt. of Kerala
- Height clearance approval from Southern Naval Command.

Ground water withdrawal approval from CGWA has not been obtained.

PP submitted the application to SEIAA, Kerala at Thiruvananthapuram on 30th May 2013 under EIA Notification, 2006. The file number is 99/SEIAA/KL/1481/2013.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

Details	Remarks
Details of earlier appraisal by EAC/ SEAC; observation and compliance	<p>File no. is 99/SEIAA/KL/1481/2013.</p> <ul style="list-style-type: none"> • The project was considered and appraised by SEAC in its 17th meeting held on 6th July 2013. • Considered after site inspection by SEAC in the 20th Meeting held on 5th October 2013 • Proposal was considered by SEIAA in its 35th meeting held on 9th April 2015 <p>The project proponent was informed by SEIAA in their letter no. 99/EC3/SEIAA/1481/2013 dated 22nd September 2015 to suspend all construction activities and imposed fine of Rs. 1, 00,000.00 under Environment Protection (Act), 1986, based on the proceedings of SEIAA in its 40th meeting held on 3rd - 4th August 2015.</p>

MoEF& CC, Gol issued Notification vide S.O. 804 (E), dated 14.03.2017, for one-time opportunity for Violation matters. Therefore, we hereby submitting our application for getting Environmental Clearance of the project as per MoEF & CC Notification dated on 14.03.2017.

7.3.14.3	<p>Observations and recommendations of Committee</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following: -</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure.</p> <p>(iii) 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</p>
<p>Day 2: Friday, 18th May, 2018</p>	
7.4.1	<p>Expansion of existing production capacity and adding new product at Plot No. 5,6, 29, 33, 34, 35, 37, 38, 80, 81, 84, 85, 91 Survey No. 274, 275, 276, Tehsil & District Valsad (Gujarat) by M/s Atul Industries Ltd.- Terms of Reference</p> <p>[Old Proposal No. IA/GJ/IND2/57601/2015 dated 02.08.2017] [F. No. 23-107/2018-IA.III (V)]</p>
7.4.1.1	<p>M/s Atul Industries Ltd has made online application vide proposal no. IA/GJ/IND2/57601/2015 dated 02.08.2017 for the above mentioned proposed project. The proposed project activity is listed at S.N. 5 (b), 5 (f) & 4 (d) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>

7.4.1.2**Details of the project as per the submissions of project proponent:**

The project involves expansion of existing Dyes, Chlor-Alkali, Pesticides Technical, Bulk Drug & Pharmaceuticals, Resin & other chemicals and adding new products flavours & fragrances with production capacity 38008.91 TPM by M/s Atul Limited in an area of 1205401.00sqm at Atul, village Atul, Taluka/Mandal Valsad, District Valsad, Gujarat State.

The said project/activity is covered under category A of item 4 (d), 5 (b) & 5 (f) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal Committee.

The plant/unit was earlier set up with the consent to establish in 1952 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB. The consent to operate is presently valid up to 03/11/2019.

PP was already having 34 MW power plant. PP went for further expansion of by adding another 22 MW power plant for which they already had obtained EC vide Letter No. SEIAA/ GUJ/ EC/ 1(d)/ 340/2016 dated May 20, 2016 from SEIAA Gujarat

PP further applied for the proposed expansion of existing as well as new products on 17.04.15.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

S. No.	Detail	Date
1	Form 1, pre-feasibility report submitted to MoEF&CC	17.04.2015
2	TOR presentation	40 th EAC, 18-19 May 2015
3	TOR Received	03.07.2015
4	1 st Regional officer, MoEF, Bhopal Visit	09.05.2016, report received on 15.10.2016, our reply on 29.10.2016

	5	Public hearing	21.06.2016
	6	Final EIA submission to MoEF	14.07.2016
	7	1 st EC Presentation at MoEF&CC	29.12.2016
	8	2 nd EC Presentation at MoEF&CC	25.01.2017
	9	2 nd RO MoEF&CC, Bhopal visit for fresh compliance report	13.02.2017
	10	Compliance Report by Regional officer, MoEF&CC, Bhopal	24.04.2017
	11	Report uploaded on MoEF&CC	12.05.2017
	12	3 rd EC Presentation at MoEF&CC	15.06.2017
	13	EAC	24 th Agenda no. 24.5.4, 15th Jun 2017 [Directed to go to Violation committee for EC non- compliance reported by Regional officer, MoEF&CC
	14	EC Violation application	02.08.2017 [for power plant as the same mentioned in minutes of 24th EAC as above]
	<p>EAC (Industry 2) in its 18th meeting dated 23-25th January 2017 desired to have the latest certified compliance report from RO office of Bhopal. R.O Bhopal submitted the latest certified compliance report dated 29.04.2017, as per RO's report, the PP have co-generation power plants, other than the approved ones, integrated to the project without prior EC approval from the Ministry.</p> <p>EAC (Industry 2) deferred the proposal and suggested to submit the proposal to violation committee.</p> <p>Complaint case filed by the State Government/State Pollution Control Board & Legal interventions, if any- NO</p>		

	Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006
7.4.1.2	<p>Observations and recommendations of committee</p> <p>The committee after detailed deliberations observed the following:</p> <p>Project was appraised in the 7th EAC meeting and the committee felt that proposal for expansion was submitted to MoEF&CC for EC and no work was undertaken by PP. However, on the visit of RO, Bhopal it was observed that 22 MW project was constructed by PP without obtaining prior EC from State authority though the procedure for EC for 22 MW project was already undertaken. Incidentally the EC for additional power plant of 22 MW has been issued by State just after the report of RO was obtained. Integrating the project activity, that is proposed expansion and captive power plant, this case comes under violation. Hence the project was appraised</p> <p>PP has carried out public hearing for Expansion in 2016 where issue of power plant was not presented. In view of integration, power plant and its impacts are to be presented to public in the form of cumulative impacts. Hence Project is granted additional ToR which includes ecological and environmental damage assessment, remediation measures and Resource augmentation plan besides measures taken for community and fresh public hearing appraising the public with additional ToR and power plant impacts as per the decision of Hon'ble High court, Madras.</p> <p>The committee has now taken it as an integrated project and confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(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.</p>

	<p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p>
7.4.2	<p>Expansion of Production Capacity of Products (37,644 TPA to 1,93,508 TPA) in existing Coal Tar Distillation Plant at Village - Balanda, P.O. Balanda (via Kalunga), Tehsil Lathikata, District Sundergarh (Odisha) by M/s. Kedia Carbon Pvt. Ltd.- Terms of Reference</p> <p>[IA/OR/IND/67828/2017 dated 01.09.2017] [F. No. 23-108/2018-IA.III (V)]</p>
7.4.2.1	<p>M/s. Kedia Carbon Pvt. Ltd has made online application vide proposal no. IA/OR/IND/67828/2017 dated 01.09.2017 for the above mentioned proposed project. The proposed project activity is listed at S.N. 4(b) Coke oven plants of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
7.4.2.2	<p>Details of the project as per the submission of Project Proponent</p> <p>M/s. Kedia Carbon Private Ltd(KCPL) has an existing Coal Tar Distillation Plant with products manufacturing capacity of 37,644 TPA at Village - Balanda, P.O. - Balanda (via Kalunga), Tehsil - Lathikata, District - Sundergarh (Odisha).</p> <p>The existing plant is operational on the basis of Consent to Operate obtained from SPCB, Odisha renewed vide letter no. 755 dated 31st March, 2017. M/s. Kedia Carbon Pvt. Ltd. has proposed Expansion of Production Capacity of Products (37,644 TPA to 1,93,508 TPA) in existing Coal Tar Distillation Plant; for which they had installed some instruments without taking CTE.</p>

Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests: Pitamahar Dam ~2.5 km in SW direction Sankh River ~4.5 km in North direction Brahmani River ~5.0 km in ENE direction Koel River ~6.5 km in NE direction Longmohan Nadi ~1.5 km in West direction Jharadaben Nala ~4.0 km in SSW direction 7 nos. of Reserve Forests & 3 nos. of Protected Forests falls within the study area of plant site.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

particulars	Details
Company had installed some equipment for proposed expansion project without taking CTE unknowingly	2012 - 2014
Applied SPCB for issuance of CTE for proposed expansion project	09 th Sept., 2014
In reply of which, SPCB imposed fine of Rs. 4,78,495 for establishing equipment without taking CTE	14 th Oct., 2014
Fine of the said amount was submitted by the company	15 th Oct., 2014
Consent to Establish was issued by SPCB for expansion project with a condition that the company will not operate the expansion project without taking EC	27 th Oct., 2014
Online application for obtaining EC for the expansion project was submitted to SEIAA, Odisha	07 th March, 2017
The proposal was considered before SEAC, Odisha for ToR approval; (wherein, it was revealed that the establishment of the project has already been completed without Environmental Clearance, which is a violation of EP Act, 1986; therefore, the proposal was returned to SEIAA, Odisha).	19 th April, 2017

	A letter was issued by SEIAA, Odisha regarding filling of the application for EC to MoEFCC, New Delhi in pursuance of the Notification dated 14 th March, 2017	25 th May, 2017
	In compliance of the SEIAA, Odisha letter, company has submitted an application to the Ministry online	01 st Sept., 2017
	<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006</p> <p>Name of Consultant -J.M. EnviroNet Pvt. Ltd. S.No. in QCI List -"87" (as updated on 07th May, 2018)</p>	
7.4.2.3	<p>Observations and comments of the committee:</p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(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.</p> <p>(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.</p>	

	<p>(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.</p> <p>(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.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006</p>
7.4.3	<p>Establishing a Common Biomedical Waste Treatment Facility at Bhandaria Ghata, adjacent to Trenching Ground, Dungarpur (Rajasthan) by M/s E-Tech Projects Pvt. Ltd.- Terms of Reference</p> <p>[IA/RJ/MIS/67941/2017 dated 05.09.2017] [F. No. 23-109/2018-IA.III (V)]</p>
7.4.3.1	The project proponent did not attend the meeting without prior intimation.
7.4.4	<p>Proposed 'Cement Plant' Project at Araj No. 56, 57, 61/2, 62/1, 63, 44Mi, 46/2Mi, 47, 49, 50,44/5,45, 46/1, 60,61/1,58 & 62/2.Villagedhauha ParganaSaktegarh,TehsilChunar, District Mirzapur (Uttar Pradesh) by M/s M/s J.H.V. Steels Limited.- Terms of Reference</p> <p>[IA/UP/IND/67911/2017 dated 05.09.2017] [F. No. 23-110/2018-IA.III (V)]</p>
7.4.4.1	The project proponent did not attend the meeting without prior intimation.
7.4.5	<p>Proposed 'Cement Plant' Project at Dhauha, Pargana-Sakteshgarh, Tehsil Chunar, District Mirzapur (Uttar Pradesh) by M/s M/s Uddyam Cement Pvt. Ltd.</p> <p>[IA/UP/IND/68066/2017 dated 07.09.2017] [F. No. 23-112/2018-IA.III (V)]</p>
7.4.5.1	The project proponent did not attend the meeting without prior intimation.
7.4.6	<p>M/s Jesons Industries Limited (Unit III) - Capacity expansion project for manufacturing of (Construction Emulsions, Synthetic Acrylic Polymer Emulsions, Industrial Synthetic Adhesives, Glue & Adhesives) at Survey No. 377/1/7, Zari Cause way Road, Behind stone Quarry, Village Kachigam, Daman, (Daman and Diu U.T.) by M/s Mr. Chandrakant M Patil.- Terms of Reference</p> <p>[IA/DD/IND2/68275/2017 dated 09.09.2017] [F. No. 23-113/2018-IA.III (V)]</p>
7.4.6.1	The project proponent was absent without prior intimation.

7.4.7	M/s Jesons Industries Limited (Unit I) - Capacity expansion project for manufacturing of (Construction Emulsions, Synthetic Acrylic Polymer Emulsions, Industrial Synthetic Adhesives, Glue & Adhesives) at Survey No. 377/1/7, Zari Cause way Road, Behind stone Quarry, Village Kachigam, Daman, (Daman and Diu U.T.) by M/s Mr. Chandrakant M Patil.- Terms of Reference [IA/DD/IND2/68276/2017 dated 09.09.2017] [F. No. 23-114/2018-IA.III (V)]							
7.4.7.1	The project proponent was absent without prior intimation.							
7.4.8	4 X 60 MW Captive Coal Based Thermal Power Plant and 1.0 MTPA Cement Grinding Unit at Village Churk, Taluk Robertganj, District Sonebhadra (Uttar Pradesh) by M/s Jaiprakash Associates Ltd.- Terms of Reference [IA/UP/THE/68185/2017 dated 11.09.2017] [F. No. 23-115/2018-IA.III (V)]							
7.4.8.1	The project proponent requested to defer the project as they were unable to attend the meeting							
7.4.9	Expansion of Integrated Cement Plant & Limestone Mines at Tulpow Khonmoh, Srinagar (Jammu & Kashmir) by M/s Khyber Industries Pvt. Ltd- Terms of Reference. [IA/JK/IND/68461/2017 dated 11.09.2017] [F. No. 23-116/2018-IA.III (V)]							
7.4.9.1	M/s Khyber Industries Pvt. Ltd has made online application vide proposal no. IA/JK/IND/68461/2017 dated 11.09.2017 for the above mentioned proposed project. The proposed project activity is listed at 3(b)&1(a) cement plants of EIA Notification, 2006.							
7.4.9.2	Details of the project as per submission of the project proponent: The project “Expansion of Integrated Cement Plant & Limestone Mines” of M/s Khyber Industries Private Limited (KIPL) is located in Village Tulpow Khunmoh, Tehsil – Pantha Chowk, District – Srinagar, Jammu & Kashmir. <table border="1" data-bbox="331 1610 1333 1824"> <thead> <tr> <th>S.No</th><th>Description</th><th>Area (in ha)</th></tr> </thead> <tbody> <tr> <td>1.</td><td>Cement Plant</td><td>21.25 ha</td></tr> </tbody> </table>		S.No	Description	Area (in ha)	1.	Cement Plant	21.25 ha
S.No	Description	Area (in ha)						
1.	Cement Plant	21.25 ha						

2.	Tuplow Limestone Mine	77.96 ha
3.	Sekinar Khunmoh Limestone Mine	14.93 ha

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:

Date/ Year	Activities
For Cement Plant	
1987	M/s Khyber Industries Private Limited (KIPL) installed and commissioned a cement plant of 100 TPD capacity with Vertical Shaft Kiln (VSK) and its Integrated Limestone Mine during 1987 and increased its capacity to 280 TPD before EIA Notification 2006 with investment less than INR 50 Cr. thus not needing Environment Clearance as per EIA Notification 1994.
2002	M/s Khyber Cement Private Limited (KCPL), a sister concern of KIPL, installed 400 TPD cement grinding plant adjacent to plant area of KIPL, with investment less than INR 50 Cr. thus not needing Environment Clearance as per EIA Notification 1994
May, 2009	KIPL carried out expansion to existing plant of 280 TPD capacity (VSK) by setting up 800 TPD Rotary Kiln (RK). Now total capacity of plant became 1080 TPD (800 TPD RK + 280 TPD VSK).
	Environment Clearance of the plant and its integrated limestone mine was obtained vide F No J-11011/61/2008-IA II (I), dated 4 th May, 2009 for 800 TPD for RK, 3,80,000 TPA of limestone for Tulpow Limestone Mine, 20,000 TPA of limestone and 1,00,000 TPA for Siliceous stones from Sekinar Mines.
2016	KIPL acquired Clinker grinding unit of 400 TPD from KCPL in February 2016.
February 2016	KIPL further increased installed capacity for both VSK and RK by 100 TPD and 400 TPD respectively in addition to existing capacity without Environment Clearance.

	February 2016	KIPL further increased installed capacity for both VSK and RK by 100 TPD and 400 TPD respectively in addition to existing capacity without Environment Clearance.
		Thus capacity for VSK became 380 TPD and capacity for RK became 1200 TPD and the total installed capacity increased by 500 TPD from (800 TPD + 280 TPD) to 1580 TPD
		However, the actual production has not increased and is within approved capacity as per EC.
	2015-2016	Peak production for Tulpow mine was 6,71,874 TPA against sanctioned production of 3,80,000 TPA as per EC obtained vide F No J-1011/61/2008-IA II (I), dated 4 th May, 2009. Thus excess production was 2, 91, 874 TPA.
	2009-2017	The production from Sekinar Mines is within the prescribed limits
<p>The Cement Installed Capacity enhanced from 1080 TPD to 1580 TPD. The Tulpow mine, peak annual production was 6,71,874 TPA in 2015-16, thus excess production was 2,91,874 TPA. The average production was 5,10,692 TPA from 2009 to 2017 resulting in avg. excess production of 1,30,692 TPA from Tulpow Mine within existing lease area of 77.96ha for Tulpow Mine. Sekinar Mine Production is within the prescribed limits.</p> <p>Therefore, we have applied under violation window on 11th September 2017</p>		
7.4.9.3	Observations and recommendations of the committee:	
	<p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and observed the following: -</p> <p>(i) KIPL had increased installed capacity for both VSK and RK by 100 TPD and 400 TPD respectively in addition to existing capacity without Environment Clearance.</p>	

	<p>(ii) The Tulpow mine was granted EC for 3, 80,000 TPA production which then exceeded the granted EC capacity from 2009-10 onwards within existing lease area of 77.96ha.</p> <p>(iii) The committee observed that proponent applied for TOR in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017 under schedule 3 (b) cement plant. Committee also noted that proposal involves appraisal under 1(a) mining of mineral non -coal.</p> <p>In view of above observations, committee suggested to appraise the proposal in terms of the Hon'ble, Supreme Court in their judgment dated 2nd August, 2017 in WP No 114/2014 in the matter of 'common Cause Vs UoI. wherein "the project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time".</p> <p>Accordingly, the committee preferred to defer the proposal for the present in compliance of the above orders of Hon'ble, Supreme Court and also to seek comments from the Ministry about the applicability of the aforesaid order of Hon'ble Supreme Court to the J&K state.</p>
7.4.10	<p>Increase in production capacity of few products, addition of new products and installation of incinerator at existing refrigerant gas & fluorospecialty chemicals manufacturing plant at Survey No.16/3, 26, 27, Village Ranjitnagar, Taluka Ghogamba, District Panchamahar (Gujarat) by M/s Gujarat Fluro chemicals Limited – <i>Reconsideration for Terms of reference.</i></p> <p>[IA/GJ/IND2/64701/2017] [F.No.23-52/2018-IA.III]</p>
7.4.10.1	<p>M/s Gujarat Fluro chemicals Limited has made online application vide proposal no. IA/GJ/IND2/64701/2017 dated 15.05.2017 for the above mentioned proposed project. The proposed project activity is listed at 5(f) Synthetic organic chemicals industry (dyes & dye intermediates) of EIA Notification, 2006 and the proposal is appraised at Central level</p> <p>During 4th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 held on 19-21 February, 2018, EAC has made the following observations</p> <p>The Plant/unit was earlier set up with the Consent to Establish in October, 1989 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation</p>

with Consent to operate renewed from time by the SPCB. The consent to operate is presently valid up to 12/4/2022.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -

EC for manufacturing refrigerant gas and fluoro-specialty chemicals of 25000 TPA	Letter No. J-11011/356/2007 dated 14/8/2007
Application for ToR for the expansion and installation of incinerator submitted to EAC (Industry-2)/MoEF&CC	4/1/2016
ToR issued	16/7/2016
Proposal submitted for EC	1/2/2017
Appraisal by EAC (industry-2)	19 th EAC (Industry-2) meeting on 6/2/2017, wherein the proposal was recommended for grant of EC.
Final observations/recommendations of the EAC (industry-2)	The sectoral Committee recommended the project for grant of Environmental Clearance subject to compliance of certain conditions.
Chronology of subsequent events	<p>Meanwhile, two complaints were received in MoEFCC alleging unauthorized construction.</p> <p>MoEFCC directed CPCB to verify complaints. CPCB in turn, directed GPCB to carryout investigation in this regard.</p> <p>GPCB inspected the unit on 19/04/2017 and found that one complainant did not exist whereas the other complainant refused of having made the sated complaint.</p> <p>The GPCB further noted that the unit was engaged in manufacturing only consented products within their consented quantities. However, it was</p>

		also noted by them that unit has constructed a structure for RFA/DHA.
	Complaint case filed by the State Government/State Pollution Control Board	Based on the findings of GPCB, a case was filed bearing No. 1817/2017 in the Court of Additional Chief Judicial magistrate, Halol. The court stated that the offence occurred due to lack of knowledge of law and ordered to pay fine of Rs 3,25,000/- to the company as well as all the accused (Director).
	<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry Notification dated 14th March 2017 due to the alleged violation of the EIA Notification, 2006</p>	
7.4.10.2	<p>The EAC, after detailed deliberations on the proposal, noted that the appraisal process for expansion was already completed at the central level, as per the provisions of the EIA Notification, 2006. The Committee further observed that the structure, which could be a part of the project, was incomplete and not in operation. Also, the project proponent has already been penalized by the Court of Additional Chief Judicial Magistrate, for the structure erected and noted by GPCB during their inspection of the project site on 19/4/2017. The case has been disposed of and the penalty has been deposited.</p> <p>The Committee further noted that since the sectoral EAC had already recommended the project, the proposal may be taken to the same Committee with the above observations. The Committee suggested that based on fresh recommendations of the sectoral EAC, the proposal for EC may be taken forward with the additional condition that the project proponent would assess any environmental/ecological damage as special study and submit the findings to the Ministry.</p>	
7.4.10.3	<p>The project was considered by Industry -2 sectoral EAC meeting held on 26th April, 2018 and observation of sectoral EAC were given below</p> <p>The EAC, however, after deliberations and especially in view of findings of the inspecting team, reporting violation of the EIA Notification, 2006, desired for reconsideration of the proposal by the EAC (Violation) in pursuance of this Ministry's Notification dated 14th March, 2017</p> <p>Based on the above observations from sectoral EAC the project was again reconsidered in the 7th EAC(Violation) meeting held on 18.05.2018</p>	

Details of products and capacity as under:

Sr. No.	Name of Product	Production Capacity (MT/Annum)		
		Existing	Additional	Total
1	MonochloroDifluoro Methane (HCFC-22)	18,000	0	18,000
2	Difluoromethane (HFC-32)	500	8,500	9,000
3	Ethyl difluoroacetate (EDFA)	600	600	1,200
4	BromoTrifluoromethane (BTFM)	400	0	400
5	4-(Heptafluoroisopropyl)-2-methyl aniline/ 2- BromoHeptafluoro Propane	400	200	600
6	2,5-Dichloro-4-Hexafluoropropoxy aniline	300	0	300
7	Ethyl difluoroaceto acetate (EDFAA)	600	0	600
8	Chlorodifluoro ethane (R-142)	50	450	500
9	Ethyl tetrafluoroethyl ether (ETFEE)	150	4,850	5,000
10	PentaFluoro Phenol	120	380	500
11	4-Chloro-2-Trifluoro Acetyl Aniline	1,200	300	1,500
12	Difluoro acetic acid	0	400	400
13	Difluoro acetone	0	500	500
14	Difluoro ethyl amine	0	500	500
15	Pentafluoro benzoic acid	0	500	500
16	Tetra fluoro benzyl alcohol	0	500	500

17	Trifluoroacetic acid (TFA) & its derivatives	0	5,000	5,000
18	2,6-Dichloro-4-trifluoromethyl aniline (DCTFMA)	0	500	500
19	2-Bromo-5-Fluorobenzotrifluoride	0	500	500
20	2,3-Dichloro-5-Trifluoromethyl Pyridine	0	500	500
21	Difluoromethane sulfonyl chloride (DFMSC)	0	300	300
TOTAL		22,320	24,480	46,800

Details of By-products with Capacity

Sr. No.	Name of By-Product	Capacity (MT/Annum)		
		Existing	Additional	Total
1	Hydrochloric Acid (30±1%)	70,000	15,000	85,000
2	Gypsum	46,800	0	46,800
3	Potassium Fluoride (KF)	275	100	375
4	Silica (SiO ₂)	281	19	300
5	HBr (45%)	675	125	800
6	H ₂ SiF ₆ (20-23%)	2,213	0	2,213
7	Potassium Chloride (KCl)	525	25	550
8	NaBr (Solution)	25	10	35
9	Potassium Ethoxide/Ethanolic-KOH solution	493	0	493
10	Sulfuric Acid	521	29	550

	11	Orthophosphoric acid	0	350	350
	12	Dichloro acetic acid	0	180	180
	13	Ammonium Chloride	0	65	65
	14	Sodium Chloride	0	650	650
	15	Urea	0	650	650
	16	Toluene	0	950	950
	17	Ammonium Bisulphate	0	10	10
	18	Carbon Tetrachloride	0	10	10
	19	Recover Methanol	0	10	10
	20	Zinc Chloride	0	20	20
	21	Methylene Dichloride	0	20	20
	22	Benzyl Chloride	0	1,300	1,300
	TOTAL		1,21,808	19,523	1,41,331
7.4.10.4	Observations and recommendations of committee:				
	<p>The EAC, after detailed deliberations on the proposal made following Observations:</p> <p>(i) The project was again appraised and reconsidered in this committee for additional TOR as the case is again referred to this committee as a violation case.</p> <p>(ii) All the previous documents and MOM including PH conducted was reviewed by the committee.</p> <p>(iii) The project proponent has already conducted public hearing on 20.01.2017 and has not carried out any construction or operation thereafter leading to any adverse impact on environment reiterates that the status quo has been maintained so far. Since the project in totality including the violation as registered in the MoEF&CC was presented during the public hearing held on 20th January 2017, the project is exempted for conducting of fresh PH</p>				

	<p>(iv) Committee also noted that the PP has already been penalised by the court of Additional Chief Judicial Magistrate for the structure erected and noted by the GPCB during inspection of the project site on 19.04.2017. Further, case has been disposed off and penalty was deposited.</p> <p>(v) The TOR is therefore granted for environmental damage as well as remediation plan, natural and community resource augmentation plan.</p> <p>Recommendations of EAC:</p> <ol style="list-style-type: none"> i. The action was already taken and PP was penalized under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC. ii. The EAC, after detailed deliberations recommended for issuing Standard Term of Reference without public hearing along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):- <ol style="list-style-type: none"> a) 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. b) 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. c) 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.
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	<p>d) 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.</p> <p>iii. The PP should also address the all the issues raised during public hearing along with commitments made and with fund provision to address above issues in tabular form to be submitted along with EIA/EMP report.</p>
7.4.11	<p>Proposed expansion of M/s Shogun Organics Ltd at Plot No. D-18, MIDC Kurkumbh, Taluka Daund, District Pune (Maharashtra) by M/s Shogun Organics Limited - Further consideration for Environmental clearance</p> <p>[IA/MH/IND2/64652/2017 dated 09.04.2018] [F. No. J-11011/241/2017-IA-II(I)]</p>
7.4.11.1	<p>M/s Shogun Organics Limited has made online application vide proposal no. IA/GJ/IND2/64701/2017 dated 09.04.2018 for the above mentioned proposed project. The proposed project activity is listed at 5(b) category A of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
7.4.11.2	<p>The project was considered in the 6th meeting of EAC (Violation) held on 19th -20th April 2018. The committee deliberated and observed the following:</p> <ol style="list-style-type: none"> 1. The National Green Tribunal, Principal Bench at New Delhi vide order dated 10/4/2018 in O.A. No.179 of 2018 in the matter of M/s Shogun Organics Ltd Vs Uol & Ors, has directed the Ministry to expeditiously dispose of the proceedings with regard to Environmental Clearance, as per the law. 2. The EAC noted that the project related documents namely, EIA/EMP reports, were not circulated to the Committee members in advance for their perusal. The Committee took a serious note of the same and deferred the proposal to the next EAC meeting.
7.4.11.3	<p>The project proponent has circulated the EIA/EMP documents to all the members. Accordingly, the project was reconsidered in the 7th EAC meeting</p> <p>The project proponent along with EIA Consultant Sadekar Enviro Engineers Pvt. Ltd. Thane Maharashtra made a detailed presentation and provided following information to the Committee:</p>

1. **Project title, location (plot No./ Village/ Tehsil/ District):** Environmental Clearance for Expansion of M/s Shogun Organics Ltd. located at Plot no D- 18, Kurkumbh MIDC, Taluka Daund, District Pune, Maharashtra.

- 2 **Salient features of the project**

- **Land use pattern/ Total plot area/ built up area:** The project is located in Notified Industrial Area, MIDC Kurkumbh.

Area in sq.m.	Existing	Proposed	Total
Total Plot Area	1,06,384	--	106384
Built-up Area	9048.82	3375	12423.82
Parking area	3802.82	6835.58	10638.40
Greenbelt Area	7164.5	11825	18989.5

- **Total water requirement and its source: Source of water – MIDC Kurkumbh.**

Water requirement:	Existing – 13.8 CMD
	Proposed – 48.63 CMD
	Total – 62.43 CMD.

- **Wastewater generation, treatment and disposal: Wastewater in CMD**

	Existing	Proposed	Total
Sewage	0.9	4.4	5.3
Industrial Effluent	4.5	12.28	16.78

The sewage effluent will be treated in an STP of 6 CMD capacity. The treated effluent will be used for gardening and the sludge will be used as a manure for developing the green belt.

The industrial effluent will be totally recycled and it will be Zero Liquid Discharge system, wherein the entire treated effluent will be reused for cooling tower make-up.

The effluent will be treated in an ETP having capacity of 18 CMD. The ETP comprises of aeration tank followed by evaporator with centrifuge. The distillate from the evaporator will be sent through sand filter followed by carbon filter.

The residue from the centrifuge will be disposed through CHWTSDf, Ranjangaon

	<ul style="list-style-type: none"> Municipal solid waste generated disposal facility: The municipal waste will be disposed through local municipal facility. Power requirement and source: Source – MSEDCL Existing – 95 KW Proposed – 130 KW Total - 225 KW Proposed energy saving measures: There are total 82 street lights in factory plot. Each street light is with 36 Watt LED. RWH: Roof top rain water harvesting has been provided over a roof top area of 1106 sq. m., a dedicated RWH tank of 100m³ capacity has been provided. Car parking: Area of about 10638 sq. m will be dedicated as parking area Investment/Cost of the project: Existing Cost – 8.85 Crores Proposed cost – 5.65 Crores Total Cost – 14.5 Crores Benefits of the project: 1) The plant is located at Notified Industrial Area & the proposed activity being executed within the existing premises, no human displacement or habitat loss is envisaged. 2) Improvement in locale specific socio-economic aspects. 3) It will help in improving the infrastructural facilities 4) Company will employ around 68 number of persons. The company would try to employ the local people under skilled workers and worker section to boost the economic condition of the surrounding area. 5) Under CSR activities the company will focus on locale specific aspects such as education & skill development, Health awareness to the people, water and sanitation and various social activities. Education & Skill development: Provisions of uniform, books, and stationary, necessary equipment's etc., to the schools of nearby areas. Conduction of trainings for youth & women empowerment. Health Awareness: Organize free medical check-up camp for the villagers, Health Awareness campaigns will be organized.
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	<p>6) The project will also contribute in increase in revenue in form of various taxes which will be paid to government time to time. Company will also export their products to other country that also can be benefitted to the country by increase in revenue generated from taxes</p> <p>7) The CSR activities planned by company can be considerably very beneficial for health, education, development of poor people, welfare of women & labour and support to disabled persons etc.</p> <p>Thus a significant benefit to the socio-economic environment is likely to be created due to the expansion project and the project will help in developing the national income</p> <p>Existing – 27, Proposed – 41, Total - 68</p> <ul style="list-style-type: none"> • Employment potential: The project is covered under Schedule '5 (b)', Category – 'A' of the EIA Notification, 2006. <p>3. National Park/ Wild Life Sanctuary in 10 km radius area: There are no National Parks and Wildlife Sanctuaries within 10 km radial distance from the project site.</p> <p>4. Eco-Sensitive Zone in 10 km radius area: There are no Eco – Sensitive zones within 10 km radial distance from the project site.</p> <p>5. Details of Forest land involved, if any: It is not a forest land. The project is located in a notified Industrial Area, Kurkumbh MIDC. The land has been purchased by M/s Shogun Organics Ltd. from MIDC, Kurkumbh..</p> <p>6. ToR Details: ToR granted by MoEF under violation vide letter no – F. No J-11011/241/2007-IA II (I) dated 23rd January, 2018.</p> <p>7. Details of public hearing and main issues raised / response to the PP: Public hearing is exempted as the project is located in notified industrial area vide MoEF O.M dated 16th May, 2014.</p> <p>8. If any court case pending for violation of the environmental laws (supported by an undertaking): No.</p>
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9. Land use planning :area in sq.m.	Existing	Proposed	Total
Total Plot Area	1,06,384	--	106384
Built-up Area	9048.82	3375	12423.82
Parking area	3802.82	6835.58	10638.40
Greenbelt Area	7164.5		11825
18989.5			

10. **Ground water withdrawal approval from CGWA:** Ground water will be not exploited for the said project

11. **For other sources, firm commitment of the water supply agency:** Water will be obtained from MIDC, Kurkumbh. Letter has been obtained from MIDC, Kurkumbh for providing the required quantity of water.

12. **Undertaking to the effect that no activity has since been taken up:** Undertaking mentioning the same has been obtained

13. **Appraisal by State Coastal Zone Management Authority (SCZMA: Not applicable.**

14. **Details of earlier appraisal by EAC/ SEAC; observation and compliance:**

6th reconstituted expert appraisal committee (industry) held during 5th March, 2013 – 7th March, 2013.

MoM – ToR granted for M/s Shogun Organics Ltd.

1st Expert Appraisal Committee meeting dated 30-11-2015 to 01-12-2015.

MoM - The project will be considered for taking action as per Ministry's O. M no. J-11013/41/2006-IA II (I) dated 12th December, 2012 and 27th June, 2013.

6th Expert Appraisal Committee (Industry-2) Meeting held during 30th March to 2nd April 2016.

MoM - PP has again requested for amendment in TOR. The Committee was of the view that proposal shall be considered on merit of the case after finalization of procedure registered for violation.

1st EAC meeting for cases with respect to violation of EIA Notification.

MoM – ToR was granted under violation cases of EIA Notification.

6th expert appraisal committee (Violation) held during 19th– 20th April, 2018.

MoM – Case deferred for submission of EIA report.

7.4.11.4	<p>After detailed deliberations on the technical and public hearing issues, the EAC recommended the following:</p> <p>Public hearing:</p> <p>The committee noted that proposed project is located in the notified Industrial area. As per EIA notification 2006, the activities/projects located in the notified industrial areas are exempted from public hearing. However, the present proposal has been established as violation case. All such violation cases are required to undergo public hearing as per the orders of Hon'ble High court of Madras dated 13.10.2017 in WP NO.11189 of 2017 titled "Puducherry Environmental Protection Association Vs Union of India even though they are located in notified industrial areas.</p> <p>The committee also noted that as per the orders of Hon'ble High court of Madras dated 14.03.2018 W.M.P NoS.3361AND 3362 of 2018 and W.M.P.No 3721 of in WP NO.11189 of 2017, the public hearing in respect of category 8(a) only exempted as under ;</p> <p>"24 In this view of this matter, considering that sub-clause (i) (d) of stage iii of paragraph 7(i) of parent notification as contained in item No. 8(a) of the schedule being housing projects, we deem it necessary to clarify that projects and project proponents falling under this category alone shall be governed by the 'public consultation' clause in the parent notification."</p> <p>In view of the above observations the committee recommended that M/s Shogun Organics Ltd. is required to undertake public hearing as per the provisions EIA notification, 2006.</p> <p>The committee has sought the following additional information:</p> <ol style="list-style-type: none"> 1.Risk assessment should be made covering entire inventory, part inventory for Toxic and Fire hazards per the damage anticipated in case of solvent used for the reaction for products manufacturing and storage related. 2. Disaster management plan covering mitigation measures, sensor deployment, automatic control machines to shut the inventory as well as process in case of indication of toxic leakages. 3. Proper safety and disaster management plan should be prepared to avoid any catastrophic effect. 4. Revised water balance. 5. Green belt development plan. 6. Worst case scenario related to the Air and Water should be given in case of reactor failure or damage done for the reactor. 7. Toxicity test (bio assay) is required for the treated effluent. 8. Analytical data related to surface & groundwater was found to be not up to the mark: Ionic balance was not matching. 9. Soil analysis data to be rechecked (related to texture & CEC).
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	<p>10. Impacts and the Mitigation of impacts of project activities during construction and operation on the above components, for which the study has been conducted, to be included separately in specific chapter/s;</p> <p>12. Positive and Negative (if any) aspects of the project/project activities need to be assessed and included specifically in Conclusion;</p> <p>13. Impacts of the project due to 'Violation' to be assessed/narrated qualitatively and quantitatively and financial analysis/assessment/commitment with Budgetary provisions to be included separately.</p> <p>14. Details of damage assessment, remediation plan and natural and community resource augmentation plan along with budgetary requirement.</p> <p>15. The details of Corporate Environment Responsibility (CER) as per ministry's office memorandum F.No. 22-65/2017-IA.III dated 1st May, 2018 based on the issues raised during the public hearing and also issues emerged during the social impact assessment studies along with time bound action plan and budgetary requirement.</p>
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Terms of Reference for EIA and preparation of Environment Management Plan (EMP)

- Project description, its importance and the benefits,
- Project site details (location, toposheet of the study area of 10 km, coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage),
- Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Development Authorities, Local Body, Water Supply & Sewerage Board, etc,
- Land acquisition status, R&R details,
- Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km - Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986,
- Baseline environmental study for ambient air (PM₁₀, PM_{2.5}, SO₂, NO_x & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at minimum 5 locations in the study area of 10 km,
- Details on flora and fauna and socio-economic aspects in the study area
- Likely impact of the project on the environmental parameters (ambient air, surface and ground water, land, flora and fauna and socio-economic, etc),
- Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc,
- Waste water management (treatment, reuse and disposal) for the project and also the study area,
- Management of solid waste and the construction & demolition waste for the project vis-avis the Solid Waste Management Rules, 2016 and the Construction & Demolition Rules, 2016,
- Energy efficient measures (LED lights, solar power, etc) during construction as well as during operational phase of the project,
- 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.
- 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.
- 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.

Members of the EAC for the proposal involving violation of EIA Notification, 2006 present during 7th meeting held on 17th-18th May 2018 at MoEF&CC, New Delhi and approved the above minutes.

Sl. No.	Name of the EAC member	Role/Designation
1.	Dr. S.R. Wate	Chairman
2.	Dr. P.A. Joshi	Member
3.	Dr. G.V. Subrahmanyam	Member
4.	Dr.A.L.Ramanathan	Member
5.	Dr. M.V. Ramana Murthy	Member
6.	Shri K Gowarappan	Member
7.	Dr.Dilip S. Ramteke	Member
8.	Dr. Poonam Kumria	Member
9.	Dr. Bharat Jain	Member
10.	Dr.Subrata Maity	Member
11.	Shri Raghu Kumar kodali	Member Secretary