

Minutes of 38th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 held on 19th November, 2020

Following members were present in the meeting:

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

Dr. Ramana Murthy could not join the meeting

Day 1: 19th November, 2020

Time: 11.00 AM to 04.30 PM

38.1. Opening remarks of the Chairman

38.2. Confirmation of the minutes of the 37th meeting held on **22nd-23rd October, 2020** at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi

Item 37.3.8 Subject of the project proposal:

Expansion of Iron Ore production from 4.0 MTPA to 15.0 MTOA at Thakurani Iron Ore Mining project of M/s Sarda Mines Pvt. Ltd. at Village (s) Soyabali&Balitand, Tehsil Barbil, District Kendujhar, Orissa”

shall be read as

“Mining of Iron Ore from Thakurani Iron Ore Mine Block-B for (Total Excavation: 16.024 MTPA) [including Iron Ore production capacity of 15 Million TPA (ROM) (Iron Ore: 12.77 MTPA and Mineral Reject: 2.23 MTPA), Top Soil: 0.024 MTPA, Waste: 1.0 MTPA along with installation of 5 nos. of mobile/static screening units of 350 to 1000 TPH capacity] from mining lease area (ML Area: 947.046 ha) located at Villages

Soyabali, Balita and Thakurani RF, Tehsil: Barbil, District: Keonjhar, Odisha by M/s. Sarda Mines Private Ltd.”

38.3 Proposal for consideration

38.3.1 Enhancement of production capacity of Ball Clay from 13,587 TPA (ROM) to 1,00,000TPA [94630.17 Ball Clay(ROMJ, Inter burden 4980.53 TPA, over burden 39251.88 TPA, nil production of Red and Yellow Ochre, (Total excavation including Ball Clay, Over Burden, Inter Burden, Top Soil etc 138862.580TPA)] of Jai Singhdesar Ball Clay, Red and Yellow Ochre mine of M/s Sharda Sales Corporation. The mine is located at village Jai Singhdesar, Tehsil Nokha, District Bikaner, Rajasthan (M.L. No 18/83, Area: 129.50ha) – Environmental Clearance

[Proposal no. IA/RJ/MIN/181564/2017] [F. No. J-11015/219/2015-IA.II (M)]

Project Proponent along with the consultant made the detailed presentation and submitted the following information:

- The mining lease for Ball Clay, Red & Yellow Ochre, over an area of 129.50 Hectare (M.L.No.18/83) situated near village Jaisinghdesar, Tehsil-Nokha, District- Bikaner (Rajasthan) was granted vide order No. F-1(82)/Khan/Gr.2/84 dated 02.02.85 in favor of M/s Sharda Sales Corporation, Proprietor, Smt. Sharda Devi Poddar, BachhawatokaMohalla, Bikaner (Rajasthan). The mining lease agreement was executed on 27.06.1985 and registered on 11.10.85. So the lease period was valid from 11.10.1985 to 10.10.2005. Subsequently, the project proponent applied for renewal of the mining lease on 25.11.2004. Initially the renewal application was rejected by the DMG vide order dated 24.7.06, but ultimately the renewal had to be granted after intervention of honorable Rajasthan High Court, Jodhpur. Thus the mining lease period was extended by a period of 4 years 5 months 24 days with effect from 28.07.2008. Now according to Sec 8A (6) of the Mines and Minerals (D&R) Amendment Act, 2015 the lease period shall be valid upto 21st January, 2043. In this regard, order No. 18/43/5369 dated 16/02/2015 has been received by the lessee.
- The proposal of M/s Sharda Sales Corporation is for production of 1,00,000 Tonne per annum (MTPA)/ Tonne per annum (TPA) [including 94630.17 Ball Clay (ROMJ, Inter burden 4980.53 TPA, over burden TPA, nil production of Red and Yellow Ochre, (Total excavation including Ball Clay, Over Burden, Inter Burden, Top Soil etc. 138862.580TPA)] of Ball Clay, Red Ochre and Yellow Ochre from Jaisinghdesar Ball Clay, Red Ochre and Yellow Ochre Mine (M.L. No. 18/1983) having an area of 129.50 Ha, situated near village Jaisinghdesar, Tehsil Nokha, District Bikaner, State Rajasthan. The mining lease is located on Survey of India Topo-sheet No. 45E/2. The area is bounded between the coordinates Latitude 27°41'26.22" N to 27°42'25.83" N, Longitude 73° 8' 38.2"E to 73° 9' 8.45"E.
- **Whether the project is in the Critically Polluted Area (CPA) :** The project area does not fall within the Critically polluted area.
- **Cost of the project :** Rs. 2.00 Crore

- **Employment** : 40 person
- **Benefit of the Projects** :- Availability of Raw materials, employment generation and revenue generation. Over all development of locality.
- **Whether new or expansion project. If expansion** : So far Environment Clearance (E.C.) has not been granted to the project. Consent to Operate was given for producing @ 13587 TPA of Ball Clay Red and Yellow Ochre. Now the Project Proponent has applied for E.C. to produce @ 1,00,000 TPA of Ball Clay Red and Yellow Ochre.
 - (i) from- : 13,587 TPA to 1,00,000 TPA
 - (ii) What is the % of expansion : 735.9976%
- If expansion, please indicate the number and date of the certified Compliance Report of Regional Office of the MoEF : New project(the mine worked in the past with CTO, without EC)

8. If for expansion, whether the application is under 7(ii) of the EIA Notification, 2006. : Not for expansion (No E.C. was granted earlier).
- **If expansion, please indicate the number and date of the certified Compliance Report of Regional Office of the MoEF** : Not applicable.
- **No. and Date of the ToR /and revised ToR, if any, letter issued by the MoEF (if this is a case for EC)- :**
 1. J-11015/219/2015-I.A.II(M) 25.08.2015
 2. J-11015/219/2015-I.A.II(M) 20.09.2019
- **No. and Date of the EC and the revised EC letter issued by the MoEF (if this is a case for reconsideration. If so, what specific reconsideration(s) being sought by the proponent)- :** Not applicable.
- **If the project was considered in EAC, Pl. gives dates of the meeting (s). :**

Presentation for prescription of ToR was made before EAC in the 18th meeting held on July, 29-30, 2015.

Presentation for submission of Final EIA/EMP was made before EAC in the 18th meeting held on May, 29, 2017. Presentation for in response discrepancies pointed out, necessary clarification /information was made before EAC in the 22nd meeting held on September, 18th -19th, 2017. Presentation for the required additional information was made before EAC in the 28th meeting held on February, 26th -27th, 2018.
- **Type of Mine:** (Open cast/Underground/mixed) : Open Cast Mine
- **Capacity of the mine applied for** : 1,00,000 TPA
- **ML Are** :

- (i) As per block Allotment : Not applicable
- (ii) As per approved mine plan : 129.50 Ha

- **Date of approval of mine plan, mine closure plan, status & date** : Date of Approval Mine Plan:-20.11.2017 Status:- Plan period 2017-18 to 2022-23
- **Date of Board's approval** : This is a proprietorship firm.
- **Date of Ground water clearance and surface water approval** : The mining operations were carried out in the past above the ground water table. Necessary clearance / approval will be taken in future when required.
- **Existing Ground water level in (M)** : 193 m AMSL (100 m. bgl)
- **Date of mine closure approval** : Nil
- **Any river/Nallah flowing near or adjacent to the proposed mine. If yes, please give details.** : There are no Rivers within the study area. Only some seasonal ponds are located within the study area. The details are given below:
 - Perennial Pond- 0.73 Km. (W)
 - Seasonal Pond- 0.289 Km. (SW)
- Details of mine Lease:-

<ul style="list-style-type: none"> • Date of entering into original lease deed. 11.10.85 • Date of expiry of original lease deed- 10.10.05.* [In compliance of the 	<ul style="list-style-type: none"> • Date of 1st lease Renewal-16.2.2015. • Whether renewal or deemed renewal- Deemed renewal. • Date of expiry of 1st lease renewal/deemed 	<ul style="list-style-type: none"> • Date of 2nd lease Renewal- Not Applicable • Whether renewal or deemed renewal- Not Applicable 	1. Date of 3rd lease Renewal- Not Applicable <ul style="list-style-type: none"> • Not Applicable • Not
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			i c a b l e [A L S O F O R S U B S E Q U E N T
Hon'ble High Court's order, the validity of lease period was extended up to 21.01.2013]	renewal- 21.01.2043	3. Date of expiry of 2nd lease renewal / deemed renewal- Not Applicable	REN EWA LS...]

***Note- The lease was granted for a period of 20 years, vide order no. F.-1(82) Khan/Gr-2/84, dated 02.02.85.**

- The mining lease agreement was executed on 27.06.1985 and registered on 11.10.1985, so the lease period was from 11.10.1985 to 10.10.2005.
- The mining lease remained under cancellation w.e.f. 18.07.2001, vide DMG order dated 10.07.2001.
- Proponent filed revision application to the Central Govt. against the order.
- Pending litigation, the party applied for 1st renewal on 25.11.2004.

- The renewal application was rejected vide DMG order dated 24.07.2006, which was set aside by Hon. High Court, Jodhpur, on 3.12.2007 which reads as under:-
“The period of the mining lease granted in favour of the petitioner shall stand extended equal to the period the petitioner did not remain in possession thereof from 18.07.2001 to 10.10.2005”
- The possession of the lease was handed over to the party on 28.07.2008 and the DMG passed an order on 02.08.2008 that in compliance of order of Honorable High Court the period of mining lease is being extended from 28.07.2008 for a period of 4 years 5 months 24 days, that is up to 21.01.2013.
- Vide letter no. 18/43/5369 dated 16/02/2015 the validity of mining lease period has been extended up to 21st January, 2043 in the light of the amendment made in MMDR Act, 2015.

TECHNICAL DETAILS

- **Geological Reserve**
 - (i) Total geological reserve : 32,56,627.5 Tonnes
 - (ii) Mineable reserve : 19,93,100.00 Tonnes
 - (iii) Extractable reserve : 15,94,480.00 Tonnes
 - (iv) Percent (%) of extraction : About 80%
 - (v) Range of ground water level : 100 m (BGL) (193 mRL)
 - (vi) Total estimated water requirement: 6.00 KLD
 - (vii) Details of intersecting ground water level : Since the mining operations will be carried out only up to 272 m AMSL, they will not intersect the ground water level which is at 193 m AMSL.
- **Details of Deposits**
 - (i) Depth of over body : 12.50 Meter (The mineral is available under 12.5 meters of overburden and its thickness is 15.5 meters)
 - (ii) Grade of ore : A, B and C grades of Ball Clay
 - (iii) Stripping ratio : 1:0.20 (Mineral: Overburden)
- **Method of mining** : Open Cast Semi mechanized.
- **Life of mine** : 19.931 Years Say, 20Years (of course the life of the mine may increase if additional reserves are found after carrying out exploration).Hence the period of EC will be for 20 years and if additional reserves are proved and on certification from the statutory authority,the lessee may approach MOEF for extension well in stipulated time for consideration.
- **Whether ambient air quality seasonal data has been monitored. If so, from which season to Which season and whether the results are within the prescribed limits.-** : Yes. AAQ monitoring was done during the period October 2015 to December 2015 (Post Monsoon

Season) and October 2019 to December 2019 (Post Monsoon Season). The results are within prescribed limits.

- **Whether the monitoring report of earlier EC from MoEF Regional Office has been obtained, in case the proposal is for expansion.-** : Environmental Clearance for this project could not be obtained in the past. Moreover, the mine has been lying closed since 31.12.2012 for want of Environmental Clearance

- **Details of O.B. :**

- (i) External OB dumps : Yes
- (ii) No of OB dumps : Nil
- (iii) Area of each dump : Nil
- (iv) Height of each dump : Nil
- (v) Quantity (in MCm) of OB in each dump :
- (vi) Year of back filling : Back filling has not started so far. Backfilling will be possible only after complete extraction of the mineral from the pit.
- (vii) No. of OB dumps reclaimed : Nil
- (viii) If garland drains and settlement facility for runoff created : Yes
- (ix) Whether runoff water being utilized : No. The mine has been lying closed since 31.12.2012.

- **Details of Internal Dumps :**

- (i) Number of internal dumps : 2
- (ii) Area of each dump : (i) 1.072 Ha. (ii) 0.731Ha.
- (iii) Height of each dump : (i) 10 m (ii) 2 m
- (iv) Quantity of wastes filled (MCM) : (i) 0.1072 (ii)0.014495

- **Utilization potential of wastes**

- (i) Within the mines : None
- (ii) Outside mines : None
- (iii) Efforts made by proponent : The proponent has been trying to find some use of the waste material.

- **Details of final Mine Voids**

- (i) Area : 13.450 Ha.
- (ii) Depth : 272 mRL or 28 m. bgl

- **Details of Quarry**

- (i) Total quarry area : 13.450 Ha.
- (ii) Backfilled quarry area of 0.0 : About 2.240 Ha, of area will be backfilled after ha shall be reclaimed with plantation- completed extraction of minerals.
- (iii) A void of 11.210 Ha at a depth of 28 m which is proposed to be converted into water Body 11.210 Ha.
- (iv) Green belt created in ha. : Greenbelt will be created 3.540 Ha., of area & Plantation will be proposed over an area of 41.740 Ha., under plantation at the end of mine life

- **Details of Land usage**

(i) Pre-mining : Since the mine was opened as back as the year 1985, the pre mining land use records are not available. The present land use pattern is as follows:

S. No.	Land Use	Within ML Area (Ha)	Outside ML Area (Ha)	Total
1.	Agriculture land	Nil	Nil	Nil
2.	Forest land	Nil	Nil	Nil
3.	Wasteland	129.50	Nil	129.50
4.	Grazing Land	Nil	Nil	Nil
5.	Surface water bodies	Nil	Nil	Nil
6.	Settlements	Nil	Nil	Nil
7.	Other (Specify)	Nil	Nil	Nil
	TOTAL	129.50		129.50

***The area of this row is not calculated in total.*

- **Post-Mining:**

S. No.	Land use during Mining	Land Use (Ha)				
		Plantation	Water Body	Public Use	Undistributed	Total
1.	External O B Dump	0.990	-	-	-	0.990
2.	Excavated backfilled	2.240	-	-	-	2.240
3.	Excavation	-	11.210	-	-	11.210
4.	Roads	-	-	1.1250	-	1.1250
5.	Built up area	-	-	0.020	-	0.020
6.	Green Belt	3.54	-	-	-	3.54
7.	Plantation inside lease area	36.96	-	-	-	36.96
8.	Undisturbed Area	-	-	-	73.415	73.415
	TOTAL	43.73	11.210	1.1250	73.415	129.50

- **Core Area:- Nil**

- **Details of Forest issues : No forest involved**

- (i) Total forest area involved (in ha) for mining lease : Nil
 - (ii) Total broken forest area : Nil
 - (iii) Status of Forest Clearance and extend of forest land diverted in ha. : Not applicable.
 - (iv) Is there any National Park, eco-sensitive Zones, within 10 km radius? If so, give the Details. : No
 - (v) Extent of forest land in the project (including safety zone and all types of forest land) (in ha) : Nil
 - (vi) Total forest land for which Stage-1 FC is available (give area in ha), provide breakup of this area in following format : Not applicable.
- **Costs of the project :-**
 - (i) Total capital Cost : 2.0 Crore
 - (ii) Cost of Production : Rs. 700 per tonne (Avg. price of all grades of mineral).
 - (iii) Sale Price : About Rs. 800/- Per tone
 - (iv) CSR cost: : 5,00,000/-Year.
 - (v) R&R Cost : Nil
 - (vi) No of PAFs :
 - (vii) Cost for implementing EMP : Capital Cost- 4.96 Lac.+ Annual Cost- 12.045 Lac=17.005 Lac.
- **Details of villages/habitation in mine lease area :**
 - (i) Inside the lease : 50
 - (ii) Surrender by lease : None
 - (iii) Extent of cropland acquired/ being acquired in ha. : None
- **Details of transportation of mineral :**
 - (i) In pit : By road
 - (ii) Surface to siding : By road
 - (iii) Siding to loading : By road
 - (iv) Quantity being transported by Road/Rail/conveyor /ropeway : Total production will be transported by road.
 - (v) Proposed change in transportation means if any, give details : Nil
- **Details of reclamation : Reclamation will be done after the pit gets matured or mineral is exhausted.**
 - (a) a. Afforestation shall be done covering an area of 42.735ha
 - (i) Reclaimed external OB dump (in ha) : 0.990 ha.
 - (ii) Internal dump (in ha) : 2.240 Ha. (backfill)
 - (iii) Green belt (in ha) : 3.540 ha.
 - (iv) Density of tree plantation (in no of plants) : About 1000 saplings/Ha
 - (v) Void (in ha) at a depth of (in m)which is proposed to be converted into water body- : A void of 11.210 Ha. at a depth of 28 m. will be converted into a water body.
 - (vi) Others in ha (such as excavation area along ML boundary, along roads and infrastructure, embankment area and in township located outside the lease etc). : 13.450 ha. inside lease area.
 - (vii) Agriculture and horticulture : Nil

- (viii) Fisheries : 11.210 Ha (In the water reservoir developed in the void).
- (ix) ECO Tourist/recreation spot : Nil

III LEGAL ISSUES :

- **Any court case pending. If so, please provide a list with details as annexure. : No cases related to the project are pending.**
 - (i) Environment (Protection) Act : -
 - (ii) Air (P&CP) Act : -
 - (iii) Water (P&CP) Act : -
 - (iv) MMRD Act : -
 - (v) The Factories Act : -
 - (vi) Other land R&R related cases : -
- **Any violation cases pending. If so, please provide a list with details as annexure. :** None expect this project.
- **Give details of actual production vis-à-vis sanctioned capacity since the inception of mine in following format or since 1993- 94 as applicable: The details are given below:**

Year	EC sanctioned capacity (MTPA)	Actual production (MTPA)	Excess production beyond the EC sanctioned capacity
	EC has not been granted so far.		Nil
11.10.91 to 10.10.92		13,587.00	
11.10.92 to 10.10.93		11,818.00	
11.10.93 to 10.10.94		Nil	
11.10.94 to 10.10.95		Nil	
11.10.95 to 10.10.96		Nil	
11.10.96 to 10.10.97		Nil	
11.10.97 to 10.10.98		Nil	
11.10.98 to 10.10.99		Nil	
11.10.99 to 10.10.2000		Nil	

11.10.2000 to 18.7.2001		Nil	
19.7.2001 to 27.7.2008		Lease area was in possession with State Govt.	
28.7.2008 to 27.7.2009		7066.637	
28.7.2009 to 27.7.2010		13,182.200	
28.7.2010 to 27.7.2011		13,152.00	
27.7.2011 to 27.7.2012		13450.00	
28.07.2012 to 31.12.2012		13450.00	
01.01.2013 to 31.03.2013		Nil	
01.04.2013 to 31.03.2014		Nil	
01.04.2014 to 31.03.2015		Nil	
01.04.2015 to 31.03.2016		Nil	
01.04.2016 to 31.03.2017		Nil	
01.04.2017 to 31.03.2018		Nil	
1.04.2018 to 31.03.2019		Nil	
1.04.2019 to 31.03.2020		Nil	

PUBLIC HEARING ISSUES: :

- Date and Place of public hearing : On 29.9.2016 at Atal Seva Kendra (village Panchayat Bhawan), Gram Panchyat Jaisingh Desar Magra, Tehsil- Nokha, District-Bikaner, Rajasthan.
- The designation of officer presided over the PH : Shri Hari Prasad Pipralia, Additional District Collector (Administration), Bikaner, Rajasthan.
- Number of representation received in writing from the district and outside of district, please give details : 6 representations were received. The details have been given in Annexure-13

V. Consultant :

- Name of the EIA consultant who prepared the EIA/EMP report : Apex Mintech Consultants, Udaipur
- Whether the consultant has been accredited by the QCI and NABET as per the MoEF OM dated 2nd December, 2009. : Yes. Accreditation No. QCI/NABET/ENV/ACO/17/0332

Observation and Recommendation of the EAC in the present (38th) meeting

EAC after detailed presentation by the PP, noted that the proposal was considered by the sectoral EAC in its meeting held during May 29, 2017. The EAC deferred the proposal and sought additional information. PP vide letter dated 14.08.2017 had submitted the requisite information and accordingly the same was appraised in the EAC in its meeting held during September 19-20, 2017 wherein the Committee deliberated on the proposal. The matter was examined in the Ministry in light of the judgment in the matter of Common Cause Vs Union of India and noted that as per production details, no mining was carried out in 1993-94; however, in 1992-93 Project Proponent produced 11818MT and 13587 M.T in 1991-92, Hence as per the Hon'ble Supreme Court judgment dated 02.08.2017 in the matter of Common Cause Vs union of India the base year of expansion becomes 1992-93 i.e. 11818 M.T and PP exceeds the production of 11818M.T in 2009-10; 2010-11,2011-12,(up to 31.12.2012) hence the instant case is covered under the Supreme court Judgment dated 02.08.2017.

EAC after detailed deliberation on the project proposal, deferred the case for want of following information from the project proponent:

- Clarification from the mining department, that mining has not been done outside the mining lease area.
- Details of nallah and ponds inside mining lease area including safety measures and respective LULC analysis with damage assessment.
- Details regarding proximity of dwelling units near the mining lease area and safety measures taken already and proposed distance to be maintained @440 mtrs from them as committed in the PH.
- Depth of ultimate and present pit.
- Details of green belt plan in tabular form having details on the number of trees required to be planted and already planted.
- Conservation plan of Schedule I species to be prepared and submitted to the concerned Chief Wildlife warden for approval.
- Details of hydrology as per GEC 2015 to be submitted.
- Details of profit should be revised as notional amount mentioned in the presentation cannot be accepted.
- Revised damage assessment of all the environmental attributes and preparation of Remediation, Natural and Community Resource Augmentation Plan.
- Damage assessment shall be done considering agricultural loss due to the mining activity, revised plantation cost, top soil management, Schedule I species conservation plan not in place, profit accrued during the violation period (3% to CRA), cost of EMP saved during the violation period.
- RP, NRA & CRA should have limited activities with capital investments and beneficial to the society.

- Status of Credible action u/s 19 of the E(P) Act.

**38.3.2 Color Granite Quarry (ML Area 15.00 Ha) at Village Gagarajapuram, Mandal Meliaputti, District Srikakulam (Andhra Pradesh) by M/s Vishwaksen Industries Pvt. Ltd. - Terms of Reference
[Old Proposal No. IA/AP/MIN/27523/2013 dated 20.07.2017] [F. No. 23- 171/2018-IA.III (V)]**

Observation and Recommendation of the EAC in the present (38th) meeting

EAC observed that earlier proposal was listed for Terms of Reference in 10th meeting, but project could not be appraised as project proponent did not attend the meeting. In the present meeting, PP informed to defer the project till next meeting as PP is having COVID 19 illness. EAC after detailed deliberation deferred the project till next meeting.

**38.3.3 Proposed expansion of pesticide technical products manufacturing unit of M/s Meghmani Organics Limited at Plot No. 5001/B, 5027 to 5034, 5037, 4707/B and 4707/P, GIDC, Ankleshwar, 393 002, DistBharuch ,Gujarat - Terms of Reference
[Proposal no. IA/GJ/IND2/74410/2018] [F. No. 23-13/2020-IA.III (V)]**

The project involves manufacturing Pesticide technical of production capacity 1374.5 MTPM by M/s MEGHMANI ORGANICS LIMITED in an area of 57,986 sqm at Plot No. 5001/B, 5027 to 5034, 5037, 4707 B & 4707P, GIDC Industrial Estate village Ankleshwar, Taluka/Mandal Ankleshwar District : Bharuch, (Gujarat). The said project/activity is covered under category A of item 5(b) Pesticides industry and pesticide specific intermediates (excluding formulations) 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 dated 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 **01/08/2025**.

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

<p>Application for EC was submitted to SEAC- III/SEIAA in</p>	<p>We submitted the application on 27 June 2017 at MOEF&CC (Proposal No: IA/GJ/IND2 /65696/2017). In connection with email receive from monitoring-ec@nic.in dated 03/04/2018 that our case (IA/GJ/IND2/65696/2017) was transferred to Gujarat SEIAA (Proposal no SIA/GJ/IND2/23416/2018).</p>
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Final observations/recommendations of the SEAC to the SEIAA/State Government	DELETE
Action taken by the State Government/SEIAA	<p><i>The Environment Department of the State Government vide letter August, 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 25th August, 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 13th February, 2015, with the directions to stop the construction work till EC is obtained from the competent authority.</i></p> <p><i>SEIAA asked the project proponent to furnish a resolution expressing apology on the violation already committed.</i></p> <p><i>This was done and complied.</i></p>
Complaint case filed by the State Government/State Pollution Control Board	State Pollution Control Board.
Further consideration of the proposal by the SEAC and recommendations	Again we submitted a new application on 13 April 2018 at MOEF&CC (IA/GJ/IND2/74410/2018) after that same day we receive mail from Gujarat SEIAA (Proposal no SIA/GJ/IND2/23416/2018) transfer the project at MOEF because being a Category 5 (b) project, Proposal appraised at MOEF&CC.
Final recommendations of SEIAA	<p><i>SEIAA via E-mail came to the conclusion that (Proposal no SIA/GJ/IND2/23416/2018) transfer the project at MOEF because being a Category 5 (b) project, Proposal appraised at MOEF&CC.</i></p> <p><i>SEIAA delete Proposal and transfer to MOEF</i></p>

Legal interventions, if any	• NA/ -
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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.

Observation and Recommendation of the EAC in the present (38th) meeting

EAC observed that PP has submitted the application on 27/06/2017 at MOEF&CC (Proposal No: IA/GJ/IND2/65696/2017), which was inadvertently transferred to SEIAA considering Category B. SEIAA Gujarat referred the proposal to the MoEFCC being covered under Schedule 5b of the EIA Notification 2006 and as amended thereof. Proposal (No. IA/GJ/IND2/65696/2017) was then taken to EAC meeting held on 13.06.2018 but the case was deferred on the request of project proponent.

EAC further noted that in addition to above project, PP had submitted another proposal vide no. Proposal no. IA/GJ/IND2/74410/2018 dated 13.04.2018. PP informed EAC in the present meeting that this is a duplicate proposal.

EAC further noted that earlier, M/s. Meghmani Organics Ltd. has already been granted the Environmental Clearance (EC) for pesticide technical products vide letter F. No. J-11011/18/2005-IA- II (I) dated 12/08/2005 by MoEF&CC, New Delhi. The instant proposal is for TOR to proposed expansion in production capacity of existing products as well as addition of new agrochemicals and intermediates products within the existing premises at Plot No. 5001/B, 5027 to 5034 & 5037, 4707/B & 4707/P, GIDC Estate, Ankleshwar, District- Bharuch- 393 001, Gujarat. Following are the existing and proposed products:

Sr.No	Product Details	Existing Quantity	Proposed Quantity	Total Quantity
1	Sodium Salt of TrichloroPyridinol Organic (Sodium Salt of HTCP)	73.75	26.25	100
2	2-(2', 2'-dichlorovinyl)-3-3-Dimethylcyclopropane carboxylic Acid Chloride (D.V. Acid Chloride) (CMAC)	17	183	200
3	1,2,4 Triazole	4.5	0	4.5
4	Acetamaprid	4.167	15.833	20
5	Imidacloprid	8.33	11.67	20
6	Chloropyriphos	104.16	45.84	150
7	Triazophos	16.67	3.33	20
8	Bifenthrin	4.167	15.833	20
9	Cyfluthrin and Beta Cyfluthrin	4.167	15.833	20
10	Lambda Cyhalothrin	4.167	10.833	15
11	Indoxacarb	10	0	10
12	Deltamethrin	4.167	15.833	20

13	Trichlopyr Ester	4.167	45.833	50
14	Cypermethrin	0	150	150
15	Beta Cypermethrin	0	25	25
16	Alphamethrin	0	25	25
17	Thiocyclam Oxalate	0	50	50
18	Zeta Cyper	0	100	100
19	Lambda Cyhalothric Acid	0	100	100
20	Diafenthiuron	0	25	25
21	Permethrin	0	150	150
22	Metaphenoxy Benzyl Alcohol (MPB Alcohol)	0	100	100
	Total	259.412	1115.088	1374.5

EAC observed that, PP in the present meeting requested for the withdrawal of the above applications (proposal no. IA/GJ/IND2/65696/2017 & IA/GJ/IND2/74410/2018). EAC deliberated on the PP request and opined that the proposal cannot be withdrawn until it is proved as non-violation case. EAC, therefore, after detailed deliberation **deferred** the proposal and advised PP to submit the following information within a month to the Ministry. Report from Regional Office, MoEFCC on the compliance of EC conditions may also be sought. Ministry examine the case on the violation based on the information submitted by the PP and may refer the case to EAC as appropriate:

- Details along with documentary proof of all Consent to establish and consent to operate obtained by the industry.
- Year wise production details of all technical products since inception to till date.
- Details of infrastructure created for proposed expansion.
- Details of any court case, if any.
- Communications regarding direction u/s 5 of the E(P) Act from the State Government

38.3.4 Mining of Mica, Quartz and Feldspar of production capacity 1500 TPA of Mica, 1500 TPA of Quartz, 6000 TPA of Feldspar (Max) in a mining lease area of 116.428 Ha at Sy no. 153, 160/P, 161 & 165/P, Kalichedu Village, Sydapuram Mandal, S.P.S.R Nellore District, Andhra Pradesh by M/s Sree Kalyana Rama Company - Amendment to Environmental Clearance [F. No. 23-231/2018-IA.III (V)]

Project Proponent did not attend the meeting.

38.3.5 Expansion of Vakipalli Mine (VKP) Underground Coal Mining Project (0.35 MTPA) in ML area 205.34 Ha of M/s Singareni Collieries Company Ltd., located Village Vakilpalli, Mandal Kamanpur, District Peddapalli, Telangana - Amendment to Terms of Reference [F. No. 23-253/2018-IA.III (V)]

Details of the project submitted by the Project Proponent

The Singareni Collieries Company Limited (SCCL) is operating Vakilpalli Mine (GDK 9 Incline extension) underground coal mining project since 1975 with project area of 205.34 ha and production capacity of 0.45 MTPA. The project is located near Vakilpalli village, Kamanpur Tehsil, District Peddapalli, Telangana state.

The project area is covered under Survey of India Topo Sheet No. 56N/10 and is bounded by the geographical coordinates ranging from Latitudes 18° 40' 14" to 18° 41' 32" N and longitudes 79° 33' 21" to 79° 34' 11" E.

The Environmental Clearance was obtained vide Lr. No.J-11015/29/68-1A.II, Dt: 14.08.1989 with a peak capacity of 0.45 MTPA in the name of GDK 9 Incline Extension project. In 2006, the mine was renamed as Vakilpalli mine in the name of local village "Vakilpalli" located near the mine. The mine is covered in South Godavari mining Lease, granted vide GO MS No.2, dt.12.01.2015 for 20 years valid up to 31.12.2034.

Form-I for Vakilpalli Underground coal mine was submitted on 19.08.2013 to MoEF&CC for issue of ToR with a production capacity of 0.6 MTPA in the mine take area of 205.34 ha. The proposal was delisted for violation of excess coal production by MoEF&CC vide letter No.J-11015/293/2013-IA.II(M), Dt.17.12.2013.

In accordance with the MoEF&CC notification S.O. 804(E) dated 14th March 2017, S.O.1030 (E), dated 8th March, 2018 and OM dated 16th March, 2018, SCCL submitted application in Form-I for issue of ToR/EC for a capacity of 0.35 MTPA (reduced capacity from 0.45 MTPA) in the mine take area of 205.34 ha (FL:27.12 ha & NFL: 178.22 ha) under violation category.

The EAC meetings were held on 20.09.2018 and 28.03.2019 for grant of ToR. Accordingly, Terms of Reference (ToR) for Vakilpalli underground coal mining project for a reduced capacity of 0.35 MTPA in the project area of 205.34 ha (FL: 27.12 ha & NFL: 178.22 ha) was granted.

Present proposal: The present proposal is for amendment to the ToR issued for Vakilpalli Underground Coal Mining Project (VKP) for changes in FL from 27.12 ha to 48.78 ha and NFL from 178.22 ha to 156.56 ha without any change in mine take area of 205.34 ha for a capacity of 0.35 MTPA.

Reasons for change in extent of forest land involved in the project:

- SCCL acquired 330.18 ha of Upparlakesaram land as Non Forest Land in phased manner from 1972 to 1987 for mining in Ramagundam Region.
- Recently, the State Forest Dept., identified SCCL acquired Upparlakesaram Non Forest Land of 330.18 ha as Forest Land and advised SCCL to submit an application for regularization of 330.18 ha of land under section (2) of Forest (C) Act, 1980. A part of this Forest Land is falling in Vakilpalli Mine (21.66 ha) which was previously acquired as non forest land as declared by Revenue dept., at that time.
- SCCL submitted online application for regularization of 330.18 ha of forest land and received PCCF's authentication vide Rc.No.17918/2019/FCA-3/PS, dt.07.11.2019 &

Rc.No.17918/2019/FCA-1/PS, dt.07.01.2020.The application for regularization is under process.

- Further, SCCL deposited an amount of Rs.14.78 Crores in CAMPA account as CA charges (for double the land i.e. for 660.66 ha.) for regularization of 330.18 ha of forest land.
- Owing to these changes, out of 205.34 ha of project area of Vakilpalli mine, the total forest land involved in Vakilpalli Mine is increased from 27.12 ha to 48.78 ha and non-forest land reduced from 178.22 ha to 156.56 ha. However, there is no change in total project area of [205.34](#) ha.
- The details of changes in land of Vakilpalli Mine are furnished hereunder (Area in ha):

S.No.	Description	Earlier submitted	Revised
1	Forest Land	27.12	48.78
2	Non-Forest Land	178.22	156.56
Total Mine Lease Area		205.34	205.34

Observation and Recommendation of the EAC in the present (38th) meeting

EAC after detailed presentation by the project proponent, observed that [Terms of Reference](#) (ToR) was granted under violation category to Vakilpalli underground coal mining project for a reduced capacity of 0.35 MTPA in the project area of [205.34](#) ha (FL: 27.12 ha & NFL: 178.22 ha).

EAC further noted that, recently, the State Forest Dept., identified SCCL acquired Upparlakesaram Non Forest Land of [330.18](#) ha as Forest Land and advised SCCL to submit an application for regularization of 330.18 ha of land under [section \(2\)](#) of Forest (C) Act, 1980. A part of this Forest Land is falling in Vakilpalli Mine (21.66 ha) which was previously acquired as non-forest land as declared by Revenue dept., at that time. SCCL submitted online [application](#) for regularization of 330.18 ha of forest land and received PCCF's [authentication](#) vide Rc.No.17918/2019/FCA-3/PS, dt.07.11.2019 & Rc.No.17918/2019/FCA-1/PS, dt.07.01.2020.The application for regularization is under process.

EAC after detailed deliberation **recommended** the proposal for amendment in ToR with following changes in land of Vakilpalli Mine:

S.No.	Description	Earlier submitted	Revised
1	Forest Land	27.12	48.78
2	Non-Forest Land	178.22	156.56
Total Mine Lease Area		205.34	205.34

38.3.6 Expansion of Pesticide Manufacturing Unit from 15 TPA to 471.5 TPA at Plot nos. E-24, E-24 (Part) and E-23/1, MIDC, LotePrashuram, Taluka Khed, District Ratnagari, Maharashtra by M/s Godrej Agrovet Limited – Environmental Clearance
[Proposal No. IA/MH/IND2/183739/2017] [F. No. J-11011/231/2003-IA-II(I)]

The Project Proponent and the accredited Consultant Rightsource Industrial Solutions Pvt. Ltd, made a detailed presentation on the salient features of the project and informed following to the EAC:

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

- Industry has already developed greenbelt and plantation in an area of 2346.17 sq. m and proposed greenbelt in an area of 1225.15 sq. m. Total greenbelt area would be 3571.32 sq. m i.e. 33.25% out of total area of the project.
- The estimated project cost is Rs. 10 Crores excluding existing investment of Rs 13.47 Crores. Total capital cost earmarked towards environmental pollution control measures is Rs 0.62 Crore and the Recurring cost (operation and maintenance) will be about Rs 0.11 Crore per annum.
- Direct Employment will be 10 persons and indirect employment would be 20 persons after expansion. Industry proposes to allocate Rs 0.10 Crore @ of 1.0 % towards Corporate Environment Responsibility (CER) as per Ministry OM dated 1st May 2018.
- There are no national parks, wildlife sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, and Wildlife Corridors etc. within 10 km distance from the project site. River Vashishti is flowing at a distance of 4.15 Km in South west direction.
- Ambient air quality monitoring was carried out at 8 locations during 1st March 2018 to 31st May 2018. The baseline data indicates the ranges of concentrations as: PM10 (40.7-79.8 $\mu\text{g}/\text{m}^3$), PM2.5 (18.4-43.7 $\mu\text{g}/\text{m}^3$), SO2 (16.3-44.5 $\mu\text{g}/\text{m}^3$) and NOx (11.9-40.5 $\mu\text{g}/\text{m}^3$). AAQ modeling study for point source and Line Source emissions indicates that the maximum GLCs after the proposed project would be 0.021 $\mu\text{g}/\text{m}^3$, 1.62 $\mu\text{g}/\text{m}^3$ and 0.235 $\mu\text{g}/\text{m}^3$ with respect to PM₁₀, SO_x and NO_x. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).
- Total water requirement is 52.12 m³/day of which fresh water requirement of 37.18 m³/day will be met from MIDC water supply.
- Effluent of 18.09 m³/day is segregated into HTDS (5.98 m³/day) and LTDS (12.11 m³/day). HTDS effluent will be sent to MEE system followed by BTP and LTDS effluent will be treated in BTP followed by RO Plant. RO Rejects to MEE System and RO permeate to reuse, Condensate from MEE to reuse and MEE concentrated to ATFD, ATFD salts will be sent to TSDF and will achieve Zero Liquid Discharge (ZLD).
- Power requirement after expansion will be 400 KVA including existing 135 KVA and will be met from Maharashtra State Electricity Distribution Company Limited (MSEDCL). Existing unit has 1 DG sets of 200 KVA capacity, DG set is used as standby during power failure. Stack (height 10 m) will be provided as per CPCB norms to the proposed DG sets.
- Existing unit has 1* 0.6 TPH FO fired boiler and 100000 kcal/hr Thermic fluid heater. Additional 1* 0.6 TPH FO fired boiler will be installed. Stack of height 21 meters is already installed for 0.6 TPH FO fired boiler and additionally stack of height 21 meters will be installed for controlling the particulate emissions within the statutory limit of 150 mg/Nm³ for the proposed boilers.

- Process emissions are CO₂, H₂, NH₃, O₂, HBr, HCl & SO₂ which will liberate from manufacturing process of proposed products. Carbon dioxide and oxygen will be dispersed into the atmosphere, hydrogen will be diffused by using nitrogen through flame arrestor, ammonia and hydrogen chloride will be scrubbed by using chilled water media, hydrogen bromide and sulphur dioxide will be scrubbed by using C. S. lye solution.
- Solid wastes generated are organic and inorganic wastes. All the inorganic solid waste generated in the plant will be sent to TSDF for secure Land Fill and all the Organic Solid Waste will be sent to Cement Industries / TSDF for secure Land Fill.
- Public Hearing for the proposed project is Exempted as per OM Vide F. No. 22-28/2020-IA.III dated 12.11.2020.
- The Compliance of Environmental Clearance conditions for the existing unit are certified by the Regional Office, Nagpur, MoEF & CC Vide F. No. 5-50/2004(ENV)/4848 dated 29th January 2019.
- No Litigations against the Project Proponent.
- The details of products and capacity are as under:

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

10.	Hitweed Pyrethiobac Sodium (10%)	36	0	36
	TOTAL (B)	534.525	0.0	534.525
	GRAND TOTAL (A+B)	635.125	370.90	1006.025

Observations and recommendations of committee of 37th EAC meeting held on held on 22nd-23rd October, 2020:

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

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

Observation and Recommendation of the EAC in the present (38th) meeting

EAC after detailed presentation by the PP, observed that the proposal was considered by the Expert Appraisal Committee (Industry-2) in its meeting held during 29-31st July, 2019. The committee noted that the existing environmental clearance dated 28th May 2004 granted by the Ministry was for manufacturing capacity @ 1.25 TPM (15 TPA). The unit is, however, engaged in production @100.60 TPA and as such, amounts to violation of the EIA Notification, 2006.

The proposal was considered by the Expert Appraisal Committee (violation) in its meeting held on 30-31 December, 2019 in the Ministry. The committee, after detailed deliberations on the proposal in terms of the provisions of the above said Notification, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for Terms of Reference.

EAC further noted that earlier proposal of EC was considered by the EAC (violation) in the 37th meeting, however project proposal was returned as PP did not conduct Public Hearing and damage assessment study. Therefore, project proposal was returned in the present form.

PP vide proposal number IA/MH/IND2/183739/2017 submitted the revised report and accordingly proposal is listed for appraisal in the present meeting. EAC also noted that, Ministry Vide OM No. 22-28/2020-IA - III dated 12.11.2020 has clarified about the requirement of Public hearing for violation cases. The relevant part of the O. M. dated 12.11.2020 is reproduced herein as under;

"while considering the application for Environmental Clearance under the violation category as per the provisions of S. O. 804(E) dated 14.03.2017, the EAC/SEACs may insist upon public hearing to be conducted only for those categories of project for which the EIA Notification, 2006 itself requires public hearing to be conducted."

EA deliberated on the project including damage assessment part. EAC observed that environmental damage assessment is required to be revised. EAC after detailed deliberation **deferred** the project for want of following information:

- In view of the above OM dated 12.11.2020, PP should submit the copy of notified Industrial area.
 - 3 % of the profit/ benefit accrued during violation period should be added to CRAP.
 - Green belt and plantation development to be revisited and verified and details to be submitted in tabular form for existing green belt/plantation and to be planted to comply with 33% requirement..
 - Cost saved for not having EMP in place should be added to the damage cost.
 - Rework on the entire damage assessment of all the environmental attributes and preparation of Remediation, Natural and Community Resource Augmentation Plan.
 - Damage to environmental attributes during the construction phase should be done.
 - Damage assessment shall be done considering profit accrued during the violation period (3% to CRA), cost of EMP saved during the violation period.
 - RP, NRA & CRA should have limited activities with capital investments and beneficial to the society.
 - Details of sensors in the plant for even small emission/solvent leakage along with photographs. Emergency preparedness plan in the event of failure of sensors to detect the emission.
 - Worst Case Scenario and risk assessment shall be studied using 3D modelling.
 - Land use plan before and after establishment of the industry should be submitted in tabular form.
 - Details of reaction and mass balance shall be submitted.
 - Status of Credible action u/s 19 of the E(P) Act.
- **Discussion on any other item with permission of the Chair.**

38.3.7 a. Discussion on Guidelines for assessment of environment damage.