

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

SUMMARY RECORD OF 19TH MEETING OF THE COMMITTEE OF THE RE-CONSTITUTION OF EXPERT APPRAISAL COMMITTEE FOR ENVIRONMENTAL APPRAISAL OF NON-COAL MINING PROJECTS CONSTITUTED UNDER THE EIA NOTIFICATION, 2006.

The 19th meeting of the Re-constitution of Expert Appraisal Committee (EAC) for Environmental Appraisal of Mining Projects (Non-Coal) of the Ministry of Environment, Forest and Climate Change was held during 24-25 August, 2023 through video conference. The list of participants is annexed herewith. After login of the Committee Members through video conference link provided by NIC, discussion on each of the Agenda Items was taken up ad-seriatim.

(1.0) Deliberation & Circulation on the Minutes of 18th EAC (Non-Coal Mining) meeting held during 31st July & 1st August, 2023:

The minutes of the 18th EAC meeting held during 31st July & 1st August, 2023 were placed before the members of the EAC.

(1.1) Addendum in Minutes of 18th EAC (Non-Coal Mining) meeting held during 31st July & 1st August, 2023 w.r.t Agenda 1.2 of M/s SAIL for amendment in EC's dated 30.07.2020, 05.08.2021 & 19.09.2022 for extension of validity of Environmental Clearance for further period of 02(Two) years to liquidate entire stock of old Dump Fines from Bolani Iron Ore Mines along with Beneficiation and Pellet Plant by keeping total production within approved EC capacity of 12.0 MTPA in the mine lease area of 1321.45 ha, located at Village Bolani, Tehsil- Barbil, District Keonjhar, Odisha regarding

The instant proposal was considered in the 18th EAC (Non-Coal Mining) meeting held during 31st July & 1st August, 2023 and during the EAC meeting, the Project Proponent has showed the Certified Compliance report dated 25.07.2022 and informed the EAC that the monitoring for issuance of the latest certified compliance report is yet to be conducted shortly by the Regional Office, Bhubaneswar.

After detailed deliberations made by the Project Proponent, the EAC recommended the proposal for amendment in EC's dated 30.07.2020, 05.08.2021 and 19.09.2022 of M/s SAIL for extension of validity of Environmental Clearance for further period of 02 (Two) years to liquidate entire stock of old Dump Fines from Bolani Iron Ore Mines by (i) continue excavation of iron ore fines from old Fines Dumps maximum up to 3 MTPA for selling in open market or supplying to external pellet conversion agencies for captive use of converted pellets keeping the total production within EC capacity of 12 MTPA, (ii) continue dispatch of 8.5 MTPA ROM Iron Ore from mines, 1.5 MTPA from fines dump with total dispatch up to 10 MTPA

by SAIL's Bolani Rly. Siding and dispatch of 0.5 MTPA from Iron Ore from Mines and 1.5 MTPA from fines dump with total up to 2 MTPA through public roads leading to Public Sidings at Bolani / Barbilor beyond NH 520 within approved EC Capacity 12.0 MTPA, in the mine lease area of 1321.45 ha, located at Village Bolani, Tehsil-Barbil, District Keonjhar, Odisha with certain terms and conditions.

Then, the Project Proponent vide email dated 16.08.2023 has submitted the Certified Compliance Report issued by the Regional Office, Bhubaneswar dated 14.08.2023. Site visit was conducted by Regional Office, Bhubaneswar on 04.08.2023. The same was circulated to all the EAC (non—coal) members vide email dated 17.08.2023 for their perusal. The EAC noted the certified compliance report issued by the Regional Office, Bhubaneswar stating that the no non-compliances detected and no further action is required.

Day 1: 24th August, 2023 (Thursday)

1.1 Lakheri Limestone Mine of M/s. ACC Ltd with Limestone Production Capacity of 1.5 Million TPA and OB Waste: 1.96 Million TPA with Total Excavation: 3.46 MTPA along with existing wobbler & screening plant of 400 TPH in the mine lease area of 1516.88 Ha, located at Villages Gendoli Kala, GendoliKhurdh, Pholai, Gutha, Mahuwa, Dangaheri, Budel, Kankra, Chamavali, Uttarana, Lakheri, Sakhoda, Nayagaon & Papadi, Tehsil: Indergarh, District: Bundi, Rajasthan -[F.No: J-11015/167/2018-IA.II(M), Proposal No: IA/RJ/MIN/426653/2023; EIA Consultant: M/s J.M. EnviroNetPvt. Ltd.] - Revalidation of EC under MoEF&CC Notification S.O 1530(E) dated 6thApril, 2018

The instant proposal is for revalidation of EC under MoEF&CC Notification S.O 1530(E) dated 6thApril, 2018 of M/s. ACC Ltd for mining of Limestone with Limestone Production Capacity of 1.5 Million TPA and OB Waste: 1.96 Million TPA with Total Excavation: 3.46 MTPA along with existing wobbler & screening plant of 400 TPH in the mine lease area of 1516.88 Ha, located at Villages Gendoli Kala, GendoliKhurdh, Pholai, Gutha, Mahuwa, Dangaheri, Budel, Kankra, Chamavali, Uttarana, Lakheri, Sakhoda, Nayagaon&Papadi, Tehsil: Indergarh, District: Bundi, Rajasthan.

2. The details of the project as ascertained from the document submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude: 25°31'54.6"N to 25°39'39" N and Longitude: 75°56'46.4"E to 76°15'27.2"E. The mine lease area falls under the Survey of India Toposheet No: 45 O/14 & 54 C/2 and falls in Seismic Zone-II.
- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and falls under Category "A" as the mining lease area is greater than 250ha and appraised at the Central level.

- iii. The instant proposal was earlier considered in the 14th EAC (Non-Coal Mining) meeting held during 3-4 May, 2023 wherein the EAC deferred the proposal. The Project Proponent submitted the information on 05.06.2023 and 25.07.2023 in Parivesh portal. Accordingly, the proposal was reconsidered in the 19thEAC (Non-Coal Mining) meeting held during 24-25 August, 2023.

Based on observation of EAC in its EAC meeting held during 3-4 May, 2023 and compliance of observation of EAC made by Project Proponent are detailed below:

S. No	Observation of EAC in its meeting held during 3-4 May, 2023	Reply by Project Proponent
1	The Project Proponent needs to submit the current status from the State Govt. in reference to the 45 th meeting of the Standing Committee of National Board for Wildlife held on 04.09.2017 and Ministry's letter dated 12.09.2017.	<p>The Project Proponent has submitted the Letter from the Forest Department, Govt. of Rajasthan vide letter no P.1(63) VAN/2015 dated 26.05.2023 along with enclosure of the denotification of forest area of 436.35 ha including 409.88 ha area land from buffer zone of Ranthambore Tiger Reserve (RTR) vide letter no P1 (63) Van/2017 dated 26.05.2022.</p> <p>The Project Proponent also submitted the letter from the Forest Conservator & Field Director, Mukandra Hills Tiger Reserve, Kota vide letter No F()Tech/CCFWL/2023-24/2132 dated 23.05.2023 stating that the distance of RamgarhVishdhari Tiger Reserve Sanctuary is located at a distance of 2.90 km in WSW direction from mine site.</p>
2	Ministry may also seek comments from NTCA.	<p>The NTCA gave their comments on 13.07.2023 as given below: -</p> <ol style="list-style-type: none"> i. The proposal was perused and it was observed that the total ML area is 1516.88 ha comprising of 409.88 ha forest land, 461.13 ha Government land and 645.87 ha of Private land. ii. Forest area of 409.88 ha falling under buffer zone of Ranthambhore Tiger Reserve for which NBWL had approved de-notification during its 45thStanding Committee meeting held on 04.09.2017. iii. In compliance to this, Government of Rajasthan has already denotified 436.35 ha including 409.88 ha of forest land for the ML area from the buffer of Ranthambhore Tiger Reserve (vide letter no P1 (63) Van/2017 dated 26.05.2022). iv. The ML area is situated at an approximate distance of 2.6 km from the core of RamgarhVishdhari Tiger Reserve (RVTR). Eco-sensitive Zone for RVTR is not yet been declared and therefore ML area falls within default ESZ (10 km) of RVTR. v. RamgarhVishdhari Tiger Reserve currently has

		<p>resident tiger population and it acts as an important tiger dispersal corridor in between Ranthambhore (only 'source' tiger population in the landscape) and Mukundara Hills Tiger Reserve situated further south. This habitat permeability is crucial for maintaining tiger metapopulation dynamics in the landscape and for future recovery of Mukundara Hills Tiger Reserve which is currently at its below potential.</p> <p>vi. However, approximately 10-15 thousand people depend on these mines for their livelihood. In case of closure of these mines, the local economy will get severely impacted with a likelihood of local community's enhanced dependence on forest resources. This is likely to compromise local community support for tiger conservation. This was considered during the 14th meeting of NTCA held on 04-09-2017.</p> <p>vii. It would, therefore, be prudent and of best interest for tiger conservation objectives that these mines be operational complying with all statutory clearances in adherence to the approved mining plan and using advanced mining technologies available so as to ensure minimal ecological impacts.</p> <p>viii. EAC may like to take cognizance of these information while making decision pertaining to this instant proposal.</p> <p>Based on the comments from the NTCA, IA Division has requested the ESZ Division to provide comments as the mine lease area is located very near to the RamgarhVishdhari Tiger Reserve. The ESZ Division gave their comments on 18.07.2023 as given below: -</p> <p>i. The ESZ around RamgarhVishdhari Tiger Reserve is yet to be finalised and the ESZ Division has no proposal to this effect from the State Government as on date. Under the circumstances, default ESZ of 10 km from the boundary of the PA applies for which clearance from the Standing Committee of the NBWL is a pre-requisite for undertaking any developmental activity. In the instant case, perusal of the available records, indicates that the operating mine has a NBWL clearance in place.</p>
3	<p>The EAC noted the river Mez is located to the close proximity of the mine lease area. The Project Proponent</p>	<p>The Project Proponent has submitted that the Mej river flows from SW to NE direction and tangential to mine lease. The distance of nearest Sakhoda Pit is 2.0 km from Mej River. Ground level of Sakhoda pit is 225 meter above MSL and ground level of Mej river is</p>

	<p>needs to explore the likelihood of river water entering into the mine pit below the RL of the HFL and the measures that are required to be taken for prevention of seepage and in the event of seepage to drain out the water through settling tank.</p>	<p>201 meter above MSL.A hillock is also situated between mines pit and Mej river having top RL 295 meter above MSL. HFL is 210.6 meter above sea level recorded by Central Water Commission on 23.08.2022. In light of above-mentioned geographical facts, there is no possibility of water from Mez River to mines pit. Project Proponent also submitted that the images of hydrograph.</p>																								
<p align="center">4</p>	<p>The Project Proponent needs to submit the methodology of mining and year wise sequence of mining w.r.t railway line and also the measures to be taken to mitigate the impact of mining activity. The details of the train passing, frequency of the trains, train timings, blasting time and safety distances shall be provided.</p>	<p>The Project Proponent has submitted that the methodology of mining as given below: -</p> <ol style="list-style-type: none"> i. Mining operation is being/will be carried out by fully mechanized opencast method for excavation of limestone. ii. Maximum bench height will be 9 mts and minimum width of 9 mts will be maintained. iii. Drilling is being/will be carried out crawler mounted 115 mm fast drills. iv. Controlled blasting method is being/will be practiced. v. The blasting is being/will be done using ANFO, slurry, emulsion etc. vi. NONEL detonating fuse are being/ will be used to reduce the ground vibration, noise, fly rock etc. due to blasting. vii. Blasted limestone is being transported to Wobbler along with screen having 400 TPH capacity within lease area. viii. Wobbled & screened material/raised limestone is transported to the crusher having 400 TPH capacity (situated in cement plant) by Rail/Road & crushed limestone is being/will be supplied to the Cement plant by covered conveyor belt. <p>The Project Proponent has submitted that the Railway line is 600 m away from nearest mining pit. PP also submitted the year wise sequence of mining w.r.t railway line as given below:</p> <table border="1" data-bbox="627 1659 1398 1973"> <thead> <tr> <th>S. No</th> <th>Block/Pit</th> <th>Reserves available</th> <th>Life of block</th> <th>Sequence of mining</th> <th>Distance w.r.t railway line</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>P3 lower</td> <td>0.4 Mio Tns</td> <td>6 months</td> <td>2023-24</td> <td>>5km</td> </tr> <tr> <td>2.</td> <td>P3 upper</td> <td>0.04 Mio Tns</td> <td>3 months</td> <td>2023-24</td> <td>>5km</td> </tr> <tr> <td>3.</td> <td>Sakhawada</td> <td>0.15 Mio Tns</td> <td>6 months</td> <td>2023-24</td> <td>>0.5km</td> </tr> </tbody> </table>	S. No	Block/Pit	Reserves available	Life of block	Sequence of mining	Distance w.r.t railway line	1	P3 lower	0.4 Mio Tns	6 months	2023-24	>5km	2.	P3 upper	0.04 Mio Tns	3 months	2023-24	>5km	3.	Sakhawada	0.15 Mio Tns	6 months	2023-24	>0.5km
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5	<p>The Project Proponent needs to submit the real time data monitored for ground vibration for each blast for the past 6 months in line with the DGMS permission and the measures to mitigate impact of the fly rock.</p>	<p>The Project Proponent has submitted the real time data monitored for ground vibration for each blast carried out in the last six months in line with DGMS permission. The Project Proponent has mentioned the details of date of monitoring, location, no. of holes, vibration levels, charge per delay, spacing, burden and distance from monitoring of blast.</p> <p>Project Proponent also submitted the copy of the permission obtained from the Directorate General of Mines Safety letter dated 22.04.2023 to conduct deep hole blasting within 300m of danger zone but beyond 100m of surface structures not belonging to owner. Further, Project Proponent has submitted that the vibration levels are well within the prescribed limits.</p> <p>The Project Proponent has submitted the following mitigation measures to combat the ground vibrations due to blasting as given below: -</p> <ol style="list-style-type: none"> i. Ground vibrations do not affect the structures in the vicinity of ML area as controlled blasting is being done within the standards prescribed by DGMS. ii. Explosives charge per hole and per delay is being maintained as per DGMS guidelines. iii. NONEL is being used to control ground vibrations, noise & fly rocks. iv. Blasting is being carried out only during day time only. v. The same practices will also be followed in future. 																		

6	The Project Proponent needs to submit the action plan for shifting the School within the mine lease area along with timeline and cost.	<p>The Project Proponent has informed that a School is situated within the mine lease area. A request letter has submitted to School Principal for shifting of school with better facilities and at suitable location. Project Proponent also submitted the action plan for shifting the School within the mine lease area along with timeline and cost.</p> <table border="1" data-bbox="624 450 1409 1485"> <thead> <tr> <th rowspan="2">S. No.</th> <th rowspan="2">Activity</th> <th rowspan="2">Timeline</th> <th colspan="3">Budget (Rs in Lacs)</th> </tr> <tr> <th>1st Year</th> <th>2nd Year</th> <th>3rd Year</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Permission and seeking support from District Administration</td> <td>1st Year (Started)</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2.</td> <td>Meeting with stack holders to resolve the issue and analysis of alternative land</td> <td>1st Year (Started)</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>3.</td> <td>Arrangement of land through Government</td> <td>1st Year</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td rowspan="2">4.</td> <td>Construction of School</td> <td rowspan="2">2nd Year</td> <td>-</td> <td>60</td> <td>-</td> </tr> <tr> <td>Construction of complete school building - classrooms x10, office x1, drinking water facilities x1, toilets with water facilities x1, electric fittings and ensuring all basic infrastructure facilities.</td> <td>-</td> <td>8</td> <td>-</td> </tr> <tr> <td>5.</td> <td>Developing smart classrooms / digital classrooms with solar back up.</td> <td>3rd Year</td> <td>-</td> <td>-</td> <td>3</td> </tr> <tr> <td>6.</td> <td>Training and capacity building of teachers.</td> <td>3rd Year</td> <td>-</td> <td>-</td> <td>0.20</td> </tr> <tr> <td colspan="3">Total</td> <td>-</td> <td>68</td> <td>3.20</td> </tr> <tr> <td colspan="3">Sub Total</td> <td colspan="3">71.20</td> </tr> </tbody> </table>	S. No.	Activity	Timeline	Budget (Rs in Lacs)			1 st Year	2 nd Year	3 rd Year	1.	Permission and seeking support from District Administration	1 st Year (Started)	-	-	-	2.	Meeting with stack holders to resolve the issue and analysis of alternative land	1 st Year (Started)	-	-	-	3.	Arrangement of land through Government	1 st Year	-	-	-	4.	Construction of School	2 nd Year	-	60	-	Construction of complete school building - classrooms x10, office x1, drinking water facilities x1, toilets with water facilities x1, electric fittings and ensuring all basic infrastructure facilities.	-	8	-	5.	Developing smart classrooms / digital classrooms with solar back up.	3 rd Year	-	-	3	6.	Training and capacity building of teachers.	3 rd Year	-	-	0.20	Total			-	68	3.20	Sub Total			71.20		
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	<p>clearance for remaining forest land of 201.88 ha.</p>	<p>land of 409.88 Ha and General approval has been obtained on 27.12.2017 for entire 409.88 ha of forest land.</p> <p>The Project Proponent also submitted the chronological events for diversion of 201.88 ha forest land as given below: -</p> <table border="1" data-bbox="627 450 1401 1594"> <thead> <tr> <th>S no</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06-07-2012</td> <td>Mining lease is in operation since 1913 and buffer zone of RTR was declared on 06.7.2012. By mistake, an area of 409.88 ha of forest land within the mining lease was also included in buffer zone of RTR.</td> </tr> <tr> <td>2</td> <td>18-07-2012</td> <td>Application for diversion of forest land over an area of 201.88 ha was submitted.</td> </tr> <tr> <td>3</td> <td>21-01-2015</td> <td>NBWL in its 32nd meeting of standing committee held on 21.01.2015 recommended for wild life clearance and advised to State Government for exclude our forest land from buffer zone of RTR.</td> </tr> <tr> <td>4</td> <td>08-05-2015</td> <td>Meeting of State wildlife board held on 08.05.2015 approved the de-notification of area of 436.67 ha. including 409.88 ha of forest land which falls under buffer zone of RTR.</td> </tr> <tr> <td>5</td> <td>04-09-2017</td> <td>NBWL in its 45th Meeting of the Standing Committee of National Board of Wildlife held on 4th September 2017 approved the proposal for de-notification.</td> </tr> <tr> <td>6</td> <td>27-12-2017</td> <td>Letter from Sr. Assistant Inspector General of Forest (FC), MoEF&CC to the Principal Secretary (Forests), Govt. of Rajasthan dated 27th Dec 2017 which mentioned about extension of general forest under section 2 (iii) of FC Act 1980 for 409.88 ha of forest land.</td> </tr> <tr> <td>7</td> <td>11-01-2018</td> <td>Letter from APCCF & Nodal office FCA to ACC to pay NPV of Rs19.39 Cr</td> </tr> <tr> <td>8</td> <td>17-01-2018</td> <td>ACC submitted a NPV amount to DCF office RTR Sawaimadhopur on 17.01.2018 & got receipt letter from DCF & dy. FD dated 19.01.2018 for confirming the deposition of amount Rs 19.39 Cr.</td> </tr> <tr> <td>9</td> <td>15-02-2018</td> <td>Received general approval letter from Sec. Forest Govt. of Rajasthan after deposition of Rs19.39 crore as NPV dated 15.02.2018.</td> </tr> <tr> <td>10</td> <td>26-05-2022</td> <td>On 26-05-2022 final denotification order from Govt. of Rajasthan.</td> </tr> </tbody> </table>	S no	Date	Description	1	06-07-2012	Mining lease is in operation since 1913 and buffer zone of RTR was declared on 06.7.2012. By mistake, an area of 409.88 ha of forest land within the mining lease was also included in buffer zone of RTR.	2	18-07-2012	Application for diversion of forest land over an area of 201.88 ha was submitted.	3	21-01-2015	NBWL in its 32 nd meeting of standing committee held on 21.01.2015 recommended for wild life clearance and advised to State Government for exclude our forest land from buffer zone of RTR.	4	08-05-2015	Meeting of State wildlife board held on 08.05.2015 approved the de-notification of area of 436.67 ha. including 409.88 ha of forest land which falls under buffer zone of RTR.	5	04-09-2017	NBWL in its 45 th Meeting of the Standing Committee of National Board of Wildlife held on 4 th September 2017 approved the proposal for de-notification.	6	27-12-2017	Letter from Sr. Assistant Inspector General of Forest (FC), MoEF&CC to the Principal Secretary (Forests), Govt. of Rajasthan dated 27 th Dec 2017 which mentioned about extension of general forest under section 2 (iii) of FC Act 1980 for 409.88 ha of forest land.	7	11-01-2018	Letter from APCCF & Nodal office FCA to ACC to pay NPV of Rs19.39 Cr	8	17-01-2018	ACC submitted a NPV amount to DCF office RTR Sawaimadhopur on 17.01.2018 & got receipt letter from DCF & dy. FD dated 19.01.2018 for confirming the deposition of amount Rs 19.39 Cr.	9	15-02-2018	Received general approval letter from Sec. Forest Govt. of Rajasthan after deposition of Rs19.39 crore as NPV dated 15.02.2018.	10	26-05-2022	On 26-05-2022 final denotification order from Govt. of Rajasthan.
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3	21-01-2015	NBWL in its 32 nd meeting of standing committee held on 21.01.2015 recommended for wild life clearance and advised to State Government for exclude our forest land from buffer zone of RTR.																																	
4	08-05-2015	Meeting of State wildlife board held on 08.05.2015 approved the de-notification of area of 436.67 ha. including 409.88 ha of forest land which falls under buffer zone of RTR.																																	
5	04-09-2017	NBWL in its 45 th Meeting of the Standing Committee of National Board of Wildlife held on 4 th September 2017 approved the proposal for de-notification.																																	
6	27-12-2017	Letter from Sr. Assistant Inspector General of Forest (FC), MoEF&CC to the Principal Secretary (Forests), Govt. of Rajasthan dated 27 th Dec 2017 which mentioned about extension of general forest under section 2 (iii) of FC Act 1980 for 409.88 ha of forest land.																																	
7	11-01-2018	Letter from APCCF & Nodal office FCA to ACC to pay NPV of Rs19.39 Cr																																	
8	17-01-2018	ACC submitted a NPV amount to DCF office RTR Sawaimadhopur on 17.01.2018 & got receipt letter from DCF & dy. FD dated 19.01.2018 for confirming the deposition of amount Rs 19.39 Cr.																																	
9	15-02-2018	Received general approval letter from Sec. Forest Govt. of Rajasthan after deposition of Rs19.39 crore as NPV dated 15.02.2018.																																	
10	26-05-2022	On 26-05-2022 final denotification order from Govt. of Rajasthan.																																	
9	<p>The Project Proponent needs to submit the certified past production detail for the year 2018-19.</p>	<p>Limestone production for the year 2018-19 was 11,57,701 Tonnes. In support of this, Project Proponent has submitted the letter from DMG, Kota Rajasthan dated 10.06.2022.</p>																																	
10	<p>The Project Proponent needs to submit the complete details and background regarding the complaint lodged in Hon'ble NGT Bhopal on 11.02.2023 and its</p>	<p>The Project Proponent has submitted that a complaint was filed in Hon'ble NGT Bhopal by Shri Devidas Khatri on 11.02.2023 seeking cancellation of the CTO. The Company has filed its objections both on maintainability and the merits. During hearing on 13.03.2023, Hon'ble NGT constituted a joint committee consisting of the following members,</p>																																	

	<p>present status with supporting documents.</p>	<p>i. District Collector, Bundi, Rajasthan ii. Representative of Chief Wild Life Worden iii. Representative of Rajasthan Pollution Control Board.</p> <p>The committee was directed to visit the place and submit the factual and action taken report within six weeks. The committee visited the site on 21.04.2023. The Committee has filed its report stating there is no illegal mining in the forest area. The complainant has also filed its objections against the committee report. NGT has sought our reply on the objections and listed the matter on 20th July, 2023. ACC has submitted its affidavit with additional document and listed the matter for 31st August, 2023 for final arguments.</p>
<p>11</p>	<p>The Project Proponent needs to submit the proof of payment Rs 5.0 Cr made into the corpus of Ranthambore Tiger Conservation Foundation for carrying out the conservation activities.</p>	<p>The Project Proponent has submitted that an amount of Rs 5.0 Cr (DD no 107248) was deposited into Ranthambhore Tiger Conservation Foundation for conservation activities vide letter dated 14.10.2017.</p> <p>The Project Proponent also submitted the letter from the Office of the Chief Conservator of Forests, Wildlife and Field Director, Project Tiger Ranthambore vide letter dated 14.10.2017 stating that M/s ACC Ltd, Lakheri has deposited with Ranthambhore Tiger Conservation Foundation a sum of Rs 5.0 Crores vide Demand Draft No. 107248 dated 14.10.2017.</p>

3. Observation and Recommendation of the Committee: -

The EAC noted that the validity of the accreditation of the EIA Consultant expired on 07.08.2023. The EIA Consultant informed the EAC the validity of the accreditation has been extended upto 31.10.2023. As informed during the EAC, the EIA Consultant vide email dated 24.08.2023 submitted the validity of the accreditation of the EIA Consultant that has been extended upto 31.10.2023. The EAC deliberated on the additional details submitted by the Project Proponent and the Consultant.

The Project Proponent/Consultant has informed the EAC that in reference to the 45th meeting of the Standing Committee of National Board for Wildlife held on 04.09.2017 and Ministry's letter dated 12.09.2017, the letter has been obtained from the Forest Department, Govt. of Rajasthan vide letter dated 26.05.2023. The forest area of 436.35 ha including 409.88 ha area land from buffer zone of Ranthambore Tiger Reserve (RTR) has been denotified vide letter dated 26.05.2022. Letter has also obtained from the Forest Conservator & Field Director, Mukandra Hills Tiger Reserve, Kota vide letter dated 23.05.2023 mentioning the distance of Ramgarh Vishdhari Tiger Reserve Sanctuary is 2.90 km in WSW direction from mine site.

The EAC asked the Project Proponent to demarcate and show the distance of the boundaries of the National Park and the Wildlife Sanctuary from the mine lease area in KML file. The Project Proponent has informed the EAC that the Chambal Gharial Sanctuary, RamgarhVishdhari Tiger Reserve and Ranthambhore Tiger Reserve are located in the study area. Chambal River is located in the eastern direction of the mine lease area. The Project Proponent has informed the EAC that the Ranthambhore Tiger Reserve is located at a distance of 9.36 km, Ranthambhore Tiger Reserve: 0 km (buffer zone), Chambal Garihal Sanctuary: 2.62 km, Ramgarh Vishdhari Tiger Reserve: 2.90 km. The EAC asked the Project Proponent whether the NBWL clearance has been obtained for all three (Chambal Gharial Sanctuary, RamgarhVishdhari Tiger Reserve and Ranthambhore Tiger Reserve) or not? The Project Proponent has showed the minutes of 32nd meeting of SCNBWL dated 21.01.2015 and informed the EAC that the NBWL clearance has been recommended for RamgarhVishdhari Sanctuary and National Chambal Sanctuary. The Project Proponent also informed the EAC that the protected area is not located in buffer zone. The EAC noted that the Ranthambhore Tiger Reserve is not mentioned in the said minutes. The Project Proponent has showed the minutes of 45th meeting of the Standing Committee of NBWL held on 4th September 2017, wherein the Standing Committee decided to recommend the proposal for denotification of the buffer zone area of Ranthambore Tiger Reserve and renotify after rationalization excluding the lease area of M/s ACC Limited. During the NBWL meeting, the Project Proponent has voluntarily agreed to provide an amount of Rs 5 Cr into the corpus of Ranthambore Tiger Conservation Foundation for carrying out the conservation activities. Accordingly, the Project Proponent has deposited an amount of Rs 5.0 Cr into Ranthambore Tiger Conservation Foundation for conservation activities vide letter dated 14.10.2017. The EAC asked the Project Proponent to show the letter from the State Forest Department which has been granted after the recommendations of SCNBWL. The Project Proponent has informed the EAC that the State Govt has not issued the letter so far. The State Govt has asked the Project Proponent to submit the Affidavit to comply with the conditions as recommended by SCNBWL and informed that the formal letter will be issued only after the submission of the Affidavit.

The EAC opined that the due to its close proximity of Chambal Gharial Sanctuary, RamgarhVishdhari Tiger Reserve and Ranthambhore Tiger Reserve the Ministry may seek comments from the Wildlife Division on whether any protected areas located in the buffer zone of the Tiger Reserve/Wildlife Sanctuary and also to seek clarification that the NBWL clearance has been recommended for which Tiger Reserve/Wildlife Sanctuary (Chambal Gharial Sanctuary, RamgarhVishdhari Tiger Reserve and Ranthambhore Tiger Reserve) in reference to the minutes of 32nd meeting of SCNBWL dated 21.01.2015 and minutes of 45th meeting of the Standing Committee of NBWL held on 4th September 2017.

The EAC asked about the status of Forest Clearance for remaining forest land of 201.88 ha. The Project Proponent has informed the EAC that the general approval

has been obtained from the Secretary, Forest, Govt. of Rajasthan on 15.02.2018 after deposition of NPV of Rs19.39 crore. The EAC asked the Project Proponent whether transportation route is passing through tiger corridors in the study area. The Project Proponent has informed the EAC that the transportation route is not passing through tiger corridors and the same has been verified from the KML file available from the NTCA website. The EAC asked the Project Proponent since the mine lease area is in vicinity of the hills, what are the precautions measures are taken during rainy season. The Project Proponent informed the EAC that the natural drains will not be disturbed at any stage and the fencing will be done around the mine pits and bund will be formed and thick plantation will be carried out.

The Project Proponent has informed the EAC that there are seven mine pits, out of which Sakhawada mine pit is 600m away from the railway line and other pits are more than 5km. The reserves are available for a period of 6 months only in Sakhawada mine pit. No mining will be carried out within 500m from the railway line. The Project Proponent has showed the blast monitored data for last six months at distance between 215m – 260m from mine pit. The EAC noted that the Project Proponent has not carried out vibration monitoring near the railway line. The EAC asked the Project Proponent to undertake the vibration monitoring during blasting near the railway line and SOP followed during blasting during movement of railways and also to submit the specifications of the rock breaker.

The Project Proponent has informed the EAC that the distance of nearest Sakhoda Pit is 2.0 km from Mej River. A hillock is also situated between mines pit and Mej river having top RL 295 meter above MSL. HFL is 210.6 meter above sea level recorded by Central Water Commission on 23.08.2022. Hence, there will be no possibility of water from Mez River flow into mines pit. The Project Proponent has informed the EAC that the location for shifting the school will be finalized in consultation with the Gram Panchayat and consent will be obtained. The EAC asked the Project Proponent to revisit the action plan for shifting the school along with the timeline. The EAC was of the view that the timeline for 3 no.s of CAAQMS has to be installed within 1 year only. The Project Proponent also agreed to install 3 no.s of CAAQMS within one year. Production has been carried out well within the limits of EC capacity of 1.5 MTPA.

The EAC asked the Project Proponent whether the public consultation has been carried out as per EIA Notification, 2006. The Project Proponent has informed the EAC that the notice for advertisement for public consultation was advertised in the Times of India and Rajasthan Patrika on 22.02.2023. Rajasthan State Pollution Control Board (RSPCB) vide letter dated 29.03.2023 has informed that the 17 no of representations have been received from the stakeholders through email during the notice period. As informed during the meeting, the Proponent vide email dated 24.08.2023 submitted the copy of the Rajasthan State Pollution Control Board (RSPCB) letter dated 29.03.2023.

The EAC asked the about the status of Consent to Operate for the period 01.05.2018 to 18.12.2022. The Project Proponent has informed the EAC that the CTO was deemed renewal during the period 01.05.2018 to 18.12.2022. A matter is pending in the Hon'ble NGT, Bhopal on 11.02.2023 regarding cancellation of the CTO. Based on the directions of the Hon'ble NGT, Bhopal, the joint committee has visited the site on 21.04.2023 and submitted the report to Hon'ble NGT, Bhopal. The matter is listed on 31st August, 2023 for final arguments. The EAC asked the Project Proponent to submit the report of the joint committee and as informed during the meeting, the Project Proponent vide email dated 24.08.2023 submitted the joint committee report. Based on the discussions held, the EAC **deferred** the proposal for want of following additional information: -

- i. The EAC opined that the due to the close proximity of Chambal Gharial Sanctuary, RamgarhVishdhari Tiger Reserve and Ranthambhore Tiger Reserve, the Ministry may seek comments from the Wildlife Division whether any protected areas are located in the buffer zone of the Tiger Reserve/Wildlife Sanctuary and also to seek clarification that whether the NBWL recommendations has been obtained for each of them or not in reference to the minutes of 32nd meeting of SCNBWL dated 21.01.2015 and minutes of 45th meeting of the Standing Committee of NBWL held on 4th September 2017. Project Proponent informed that they are yet to receive the formal letter for NBWL clearance as recommended in the aforesaid minutes dated 21.01.2015. Since, the Project Proponent is undertaking the mining without obtaining the formal letter, the wildlife division of the Ministry may clarify whether this tantamount to violation or not. The Ministry may also seek clarification from wildlife Division whether Project Proponent needs to obtain the NBWL clearance for Ranthambore Tiger Reserve, since the sanctuary is located at a distance of 9.36 km from the mine site.
- ii. The Project Proponent needs to submit the map showing the distance of the railway line & railway boundary from the Sakhawada mine pit. The Project Proponent needs to undertake the vibration monitoring study during blasting near the railway line and SOP followed during blasting during movement of railways and also to submit the specifications of the rock breaker. The Project Proponent shall also consider the direction of the blasting w.r.t railway line to avoid any fly rocks during blasting.
- iii. The EAC asked the Project Proponent to revisit the action plan for shifting the school along with the timeline. The Project Proponent needs to submit the safety precautions to be taken during mining activity till the shifting of the school.

- iv. The Project Proponent needs to provide the document supporting the deemed extension of CTO from State Pollution Control Board during the period 01.05.2018 to 18.12.2022.
- v. The Project Proponent needs to submit the status of the court case matter which is listed on 31st August, 2023 for final arguments before the Hon'ble NGT, Bhopal.

1.2 Proposed Diggaon Limestone Block of M/s. UltraTech Cement Limited with Limestone Production Capacity 5.1 Million TPA, Top soil 0.03 Million TPA and Over Burden 0.36 Million TPA (Total excavation 5.49 Million TPA) along with Crusher of capacity 1200 TPH & Wobbler of 400 TPH in the mine lease area of 786.32 ha, located at Villages- Diggaon, Taluka- Chittapur, District- Kalaburagi, Karnataka – [F.No: IA-J-11015/20/2023-IA-II(NCM), Proposal No: IA/KA/MIN/438921/2023; EIA Consultant: M/s J.M. EnviroNet Pvt. Ltd] – Terms of Reference (ToR)

The instant proposal is for grant of Terms of Reference (ToR) of M/s. UltraTech Cement Limited for mining of Limestone in Diggaon Limestone Block with Limestone Production Capacity 5.1 Million TPA, Top soil 0.03 Million TPA and Over Burden 0.36 Million TPA (Total excavation 5.49 Million TPA) along with Crusher of capacity 1200 TPH & Wobbler of 400 TPH in the mine lease area of 786.32 ha, located at Villages- Diggaon, Taluka- Chittapur, District- Kalaburagi, Karnataka.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude 17°05'33.9959" N to 17°07'03.5964" N and Longitude: 77°09'33.0013"E to 77°11'41.9997" E. The mine lease area falls under the Survey of India Toposheet No: 56 C/16 & 56 G/4 and falls in Seismic Zone - II.
- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals & 2(b) Mineral beneficiation and falls under Category "A" as the mining lease area is greater than 250ha and appraised at the Central level.
- iii. Details of Mine Lease:
 - a) The Project Proponent has informed that the Letter of Intent (LoI) for grant of mining lease was granted by the Government of Karnataka vide Lr no. DMG-17012/10/2022/2022-23/1823 dated 11.05.2022 for "Diggaon Limestone Block" Kalburgi District over an area of 786.32 Ha to M/s UltraTech Cement Limited in pursuant to Rule 10 (2) of the Mineral (Auction) Rules, 2015 and the Letter of Intent is valid for a period of 3 years from the date of its issuance.

iv. Land Use/Land Cover of the Mine Lease Area:

Private Agriculture land	786.32 ha
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Government waste land	-
Forest Land	-
Total Mining lease area (MLA), Ha	786.32 ha
Private land for crusher, workshop & other infrastructure outside the MLA	No infrastructure is proposed outside the mine lease area.

v. Details of Mining Plan: -

Mining Plan along with Progressive Mine Closure Plan was approved by Indian Bureau of Mines	Letter No.	MCDR-MPC0LST/1/2023-BNG-IBM_RO_BNG(E4719)
	Date	20.03.2023
	Mineral & (Major/Minor)	Limestone (Major)
	Mine Lease Area, Ha	786.32 ha
	Validity	5 years from the date of Mining Lease deed execution
Mining Parameters	Quantitative Description	
Method of Mining	Fully Mechanized Opencast Mining Method.	
Drilling/Blasting	Drilling will be done with wet drilling process. Controlled blasting with proper spacing, burden, stemming and optimum charge/delay to be adopted.	
Geological Reserves	812.67 Million Tonnes	
Mineable Reserves	570.62 Million Tonnes	
Breakup of Total Excavation (Topsoil/OB/SB/IB/Mineral Rejects/ Waste, MTPA)	Total Excavation: 5.49 Million TPA <u>Breakup of Total Excavation:</u> 1. Limestone: 5.1 Million TPA 2. Top Soil: 0.03 Million TPA 3. Over Burden (OB): 0.36 Million TPA	
Life of mine	116 years (w.e.f. 01/10/2020)	
Mine Bench Height & Bench Width	Bench height: 9 m (Maximum) Bench Width: 15- 20 m (Minimum)	
No. of Mine Benches	15 benches at conceptual stage	
Existing Depth, m bgl	It's a greenfield project so not applicable.	
Ultimate Depth of Mining, m bgl	145 m bgl (maximum depth)	
Ground Water Table, m bgl	367 m AMSL (60 to 65 m bgl)	
Details of ground water intersection	Water table will be intersected at the conceptual stage and necessary permission will be taken before intersecting ground water table.	
Individual bench slope	80°	
Overall pit slope	45°	
Details of existing/ proposed Crusher	Crusher of capacity 1200 TPH & wobbler 400 TPH	
Mineral Beneficiation	Nil	
RoM output size	<50 mm	
Transportation details including capacity of dumper/tipper, mode of	Limestone will be transported from mine face to crusher by dumpers via haul road. Crushed limestone will be transported to UTCL	

transport and distance	Cement Plant via Road/Covered Conveyor belt.
Generation of Topsoil/OB & its Management during plan period & conceptual period.	<p><u>Top Soil:</u></p> <ul style="list-style-type: none"> ➤ During plan period, 27,923.17 cu.m amount of topsoil will be generated, which will be simultaneously utilized for greenbelt development. ➤ At conceptual stage, 1.57 millioncu.m amount of topsoil will be generated, which is spread over the backfilled area and afforestation will be carried out over it. <p><u>Over Burden:</u></p> <ul style="list-style-type: none"> ➤ Approx. 0.514 million tonnes of over burden will be generated during plan period which will be dump in proposed waste dump (TD-1) over an area of 4.78 ha. <p><u>Management:</u> During plan period, overburden soil shall be generated as reject. The overburden soil is proposed to be stacked in temporary waste dump (TD-1) during plan period.</p> <ul style="list-style-type: none"> ➤ Approx. 15.72 million tonnes of over burden will be generated during conceptual stage. <p><u>Management:</u> During conceptual period entire overburden soil and inter-burden rocks are proposed to be utilized for back filling of exploited pit area.</p>
Generation of Mineral Rejects/ Waste & its Management during plan period & conceptual period	-

vi. Water requirement:

Total water requirement	250 KLD	Fresh Water	250 KLD
		Treated water	-
Source	Water will be sourced from surface water (rainwater accumulated in pits & mining pits of Rajashree limestone mine). Permission will be taken from State Govt. for using Ground water.		
Permission for withdrawal/ intersection along with details of grant and its validity	Working depth during the plan period will be 407 m AMSL and at conceptual stage, ultimate working depth will be 299 m AMSL. Depth of water table in the area is 367 m AMSL. Water table will be intersected at the conceptual Stage and necessary permission will be taken before intersecting ground water table.		

vii. Nearest village/town/ highway/interstate boundary/railway station/water bodies/monument/ forest:

Particulars	Particular's Name	Directions
Nearest Village	Diggaon	~0.85 km in SW direction
Nearest Town	Chittapur	~7.5 km in West direction
Nearest State/National	SH -126	~6.5 km in SW direction

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Highway	SH-15	~7.0 km in East direction
	SH-10	~8.5 km in NNE direction
Interstate Boundary	None	None
Railway Station/Railway line	Malkhaid Road	~15 km in North Direction by road
Water Bodies	Kagina River	~8.0 Km in NNW Direction aerial distance
Forest	None	None

viii. Presence of Environmentally Sensitive areas in the study area:

Forest Land / Protected Area / Environmental Sensitivity Zone	Yes/No	Details of Certificate/letter issued by the concerned Department mentioning the Lr no, date of grant and remarks
Forest Land within the mine lease area and (if yes) status of Forest Clearance	No	No Forest land involved in mining lease area.
National Park	No	No National Park, Wild Life Sanctuaries, Eco Sensitive Zone (ESZ)/ Eco-Sensitive Area (ESA) etc. within 10 km radius of the study area.
Wildlife Sanctuary	No	
Elephant/Tiger Reserve	No	
Eco-Sensitive Zone (ESZ) /Eco-Sensitive Area (ESA)	No	
Coastal Regulation Zone (CRZ)	No	--
Schedule-I species (No.s and name of schedule-I species with authenticated letter)	-	This proposal is for ToR, study will be carried out, if schedule -I species is found in the study area, Wildlife Conservation Plan will be prepared during the preparation of EIA/EMP Report.
Wildlife Conservation Plan	-	

ix. Green belt/Plantation details:

Proposed area for green belt/plantation and no. of saplings proposed	Greenbelt and plantation will be carried out over an area of 351 ha (10.08 ha area on 7.5 m lease periphery, 117.50 ha area under safety zone on nala, road and electric line etc and 223.42 ha area will be under backfilled area and reclaimed benches followed by plantation).
Budget for green plant & plantation till the end of life of mine.	Rs. 21.32 Cr. (351 ha, 8,77,500 Saplings)
Budget for nursery	Rs. 10 lakhs
Details of existing plantation and its survival rate	It's a greenfield project.
No. of tree cuts in the mine lease area and compensatory afforestation	330 no.s
Particulars for Green belt/plantation	Area covered (in Ha)
7.5 m barrier & non-mineralized zone	10.08 ha

50 m safety zone of nallah, roads, electric lines	117.50 ha
500 m safety zones of nearest habitation villages	Nil

x. Rehabilitation & Resettlement:

R & R details	The Project Proponent has submitted that the total mine lease area is 786.32 ha and entire land is private land which spreads in Diggaon Village. Approx 395 PAFs will be affected due to this project. Exact No. of PAFs will be covered in detailed R&R report. R&R will be followed as per Central and State Government Rules & Notifications. A detailed study has been planned as a part of EIA/EMP to understand all the issues involved.
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- xi. The Project Proponent has submitted an undertaking vide letter no nil dated nil stating that there is no litigation pending against the project and/or any direction/order passed by any Court of Law against the project and/or land in which the project is proposed and that for any such litigation whatsoever, the sole responsibility will be borne by the Company.
- xii. The Project Proponent has submitted an affidavit in a non-judicial stamp duty amount of Rs 100 dated 11.08.2023 stating that the company hereby undertake by affidavit to comply with all the statutory requirement & judgment of Hon'ble Supreme court dated 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors before grant of ToR/EC.

xiii. Details of project cost and employment:

Particulars	Budget (Rs. in Crores)
Project Cost	Rs. 644.74 Crores
Employment	58 persons

3. Observation and Recommendation of the Committee: -

The Project Proponent/Consultant presented the KML file to indicate the site features in the study area. The Project Proponent has shown the proposed mine lease area, existing mine adjacent to the instant mine lease and the cement plant adjacent to the existing mine. Nearest Village is Diggaon which is located at a distance of ~0.85 km in SW direction. A village road is passing within the mine lease area and a safety distance of 50m will be left on either side of the road. The excavated Limestone from this instant mine will transported to existing crusher of adjacent mine by road till 4th year and after installation of proposed crusher, crushed limestone will be transported to Cement Plant by covered conveyor belt. The entire mine lease area is a Private land. There are 5 mine pits proposed in the mine lease area. An electric line of 11 kV is passing between the proposed Pit 1 and Pit 2 and a safety distance of 50m will be left on either side of the electric line. The EAC asked the Project Proponent to refer the latest guidelines of Ministry of Power regarding

shifting of electric lines and asked to submit the plan for the same at the time of appraisal of EC.

The Project Proponent has informed the EAC that there is no National Park, Wildlife Sanctuary, ESZ/ESA within 10 km radius of the study area. No schools are located within 1km radius of the mine lease area. One nallah exists within the mine lease area in Northern direction and will not to be disturbed at any stage of mining & 50 m safety barrier will be left on both side of Nallah. The EAC asked the Project Proponent to submit the action plan for reducing the water consumption. The Project Proponent has informed the EAC that the Mineable reserves estimated is 570.62 Million Tonnes. Life of the mine will be 116 years. The proposed maximum production capacity of 5.10 MTPA will be achieved in the 5th year. An area of 223.42 ha will be backfilled and an area of 433.60 ha will be converted into water reservoir. Greenbelt/plantation will be developed over an area of 340.92 ha.

After detailed deliberations made by the Project Proponent and the Consultant, the EAC under the provisions of EIA Notification, 2006 and subsequent amendments therein, **recommended** the proposal for grant of Terms of Reference (ToR) to M/s. UltraTech Cement Limited for mining of Limestone in Diggaon Limestone Block with Limestone Production Capacity 5.1 Million TPA, Top soil 0.03 Million TPA and Over Burden 0.36 Million TPA (Total excavation 5.49 Million TPA) along with Crusher of capacity 1200 TPH & Wobbler of 400 TPH in the mine lease area of 786.32 ha, located at Villages- Diggaon, Taluka- Chittapur, District- Kalaburagi, Karnataka for undertaking detailed EIA/EMP study subject to the following specific conditions in addition to the standard ToR conditions and 2(b) applicable for non-coal mining projects:-

- i. In view of the agricultural land proposed under the mining lease area, the Project Proponent needs to submit the Cost Benefit analysis comparing the current agricultural production and annual turnover including the cost and the benefits drawn by the local villages vis-a-vis the mineral cost and beneficiaries at the time of submission of EC proposal.
- ii. The Project Proponent needs to submit the sequential mining operation proposed in the 5 mine pits and plan for backfilling along with the timeline.
- iii. The Project Proponent needs to monitor the ambient air quality and noise level at the mine lease boundary, nearest village, crusher, predominant downwind direction and at other sensitive receptors. Accordingly, Project Proponent shall propose to install Continuous Ambient Air Quality Monitoring Station within certain timeline.
- iv. The Project Proponent shall monitor the water quality in the impact zone such as water reservoir, river water with specific reference to the parameter Langelier Saturation Index which will denote the impact of calcium carbonates

on water bodies and these parameters and determine the tendency of water to form calcium carbonate scaling.

- v. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- vi. The Project Proponent needs to carry out the cumulative impact assessment by considering all the mining activity of the proposed mine, existing mines, cement plant and other operating mines including the transport scenario in the study area and should indicate the capacity of each mine considered for predication of air quality modeling. The control case and worst-case scenario needs to be demonstrated with controlling factor and GLCs values for all the pollutants needs to be clearly mentioned. The input parameters and data used for each activity of the modeling also needs to be submitted at the time of appraisal of EC.
- vii. The Project Proponent needs to submit the detailed site specific measures for protection of surface features such as nallah, electric lines, village road, habitations in the vicinity of the mine lease area etc., due to mining activity at the time of submission of EC proposal. The Project Proponent also needs to submit the mitigation plan for control of ground vibration and fly rocks.
- viii. The Project Proponent needs to refer the latest guidelines of Ministry of Power regarding shifting of electric lines and to submit the plan for the same at the time of appraisal of EC.
- ix. The Project Proponent needs to submit the water management plan for conversion of area of 433.60 ha into water reservoir and its effective utilization during submission of EC proposal. The Project Proponent should also explore the possibility of installing floating solar panels and their effective utilization.
- x. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. PP should also submit the time bound action plan on concerns of the public through a separate budget with capital expenditure with a timeline of 3 years. The Project proponent shall ensure that the activities proposed under the public hearing shall be different from the CSR activities.
- xi. The Project Proponent needs to submit the action plan for undertaking the plantation along the 7.5m barrier, safety zone of nallah, village road, electric line etc., PP should also submit the details no of saplings to be planted, type of saplings proposed and the area to be covered under greenbelt/plantation along with the timeline and budget. The greenbelt/plantation plan shall be prepared in such a way that the ecology of the area shall be restored.

- xii. The Project Proponent shall carry out the assessment of impact due to the proposed project as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP. The project proponent shall conduct hydrological study for projects involving intersection of ground water table as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP.
- xiii. The Project Proponent shall explore the possibility of reduction of specific water requirement by optimization / technology up gradation, etc. The efforts shall be delineated in the EIA/EMP.
- xiv. The Project Proponent shall prepare the scheme for mandatory recycle/re-use of water as specified by the Central Ground Water Authority for different category areas seeking NoC for ground water withdrawal and the shall submit as part of EIA/EMP report.
- xv. The Project Proponent needs to submit the detailed R&R plan covering all the components viz. number of Project Affected Families (PAF) and details of the land owned by them, break up of total compensation to be paid including method of calculation including the sources/references adopted and mode of payment etc. PP need to submit the plan for Socio economic development of the neighbourhood habitats based on the need based survey along with the time bound action plan. PP also needs to submit the possession certificate and timeline for acquiring the land at the time of submission of EC proposal.
- xvi. The Project Proponent shall conduct drone survey of the mine lease area and buffer area and submit during the appraisal for EC.

1.3 Tirodi Manganese Ore Mining Project of M/s MOIL Limited for expansion in production capacity of Manganese from 0.109 MTPA to 0.2 MTPA (0.09 MTPA Max. from Mining & 0.131 MTPA Max. from Dump Recovery) through opencast mining and dump rehandling in the mine lease area of 254.593 ha, located at Villages Tirodi & Jamrapani, Tehsil Katangi, District Balaghat, Madhya Pradesh – [F.No: J-11015/476/2007-IA.II(M), Proposal No: IA/MP/MIN/439224/2023, EIA Consultant: M/s Srushti Seva Private Limited] - Terms of Reference under Ministry's SOP Violation dated 07.07.2021

The instant proposal is for mining of for expansion in production capacity from 0.109 MTPA to 0.2 MTPA of Manganese through opencast mining and dump rehandling in Tirodi Manganese Ore Mining Project of M/s MOIL Limited in the mine lease area of 254.593 ha, located at Villages Tirodi & Jamrapani, Tehsil Katangi, District Balaghat, Madhya Pradesh.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude: 21°39'45.91"N to 21°42'9.90"N and Longitude: 79°42'57.70"E to 79°44'34.74"E. The mine lease area falls under the Survey of India Toposheet No: 55 O/10.
- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and falls under Category "A" as the mining lease area is greater than 250ha and appraised at the Central level.
- iii. Details of previous Environmental Clearance (EC):
 - a) Initially, the Project Proponent has obtained Environmental Clearance vide EC letter dated 22.12.2008 for a production capacity of 0.109 million tonnes of Manganese ore over an area of 478.043 ha in favour of M/s Manganese Ore (India) Limited.
- iv. Details of Mine Lease:
 - a) The Project Proponent has submitted that initially mining lease was granted for mining of Manganese Ore over an area of 478.043 Ha for a period of 20 years from 01.07.1962 to 30.06.1982 in the name of M/s Manganese Ore (India) Limited.
 - b) Then, the first mining lease was renewed for a period of 20 years from 01.07.1982 to 30.06.2002.
 - c) Again, the second renewal of mining lease was renewed vide Order No. F 3-6/2004/12/2 Bhopal dated 26.09.2010 for a period of 20 years from 01.04.2002 to 30.06.2022 over an area of 254.593 Ha in favour of Manganese Ore (India) Limited. Subsequently, name of the Company was changed from M/s Manganese Ore (India) Limited to M/s MOIL Limited on 07.08.2010.
 - d) Thereafter, the Govt. of Madhya Pradesh vide Order No.1439/166/2022/12/2, Bhopal dated 03.03.2022 have extended the validity of mine lease for further period of 10 years from 01.07.2022 to 30.06.2032. Mine lease deed executed on 30.06.2022 for the period upto 30.06.2032 over an area of 254.593 Ha in favour of M/s MOIL Limited.
- v. The total mine lease area is 254.593 Ha, out of which 21.932 Ha is a Private land and 232.661 Ha is a Government land.
- vi. Details of Mining Plan:
 - a) The Project Proponent has submitted that the Mining Plan has been submitted to Indian Bureau of Mines (IBM) for approval.
 - b) The method of mining will be Opencast Mechanized Mining with deep hole Drilling & Blasting.
 - c) Geological Reserves estimated as 5,47,666 Tonnes, Mineable Reserves estimated as 5,16,349 Tonnes and Proved Reserves in existing OB dumps is 5,07,478 Tonnes. Life of the mine will be 7 years. The life of the mine may be increased after the proposed exploration is completed.

- d) Loading of the mineral and OB will be carried out through excavators of 2.2 cu.m & 2.4 cu.m bucket capacity. Transportation of mineral and overburden within the mining lease area will be done through 35 cum capacity dumpers and 10 cum capacity Tippers. The transport from mine-head to the Consumer will be done through tipper/trucks by road or by rail, as per availability.
- e) During the plan period 18,00,960 tonnes of overburden will be generated from mining of Manganese ore. Apart from this, 7,53,741 tonnes of OB will be generated due to dump re-handling for recovery of manganese Ore. The OB will be stacked in existing OB dumps located within the mining lease area. There is no proposal of backfilling during the mining plan period.
- f) There is no top soil generation during the proposed mining plan period. There will not be any mineral reject generation during the mining plan period.
- g) There is no proposal for beneficiation of mineral except manual sizing and sorting.

vii. Water requirement:

Total water requirement	450 KLD	Ground water	120 KLD
		Mine Pit water	330 KLD
Source	Ground water and Mine pit water		
Permission for withdrawal/ intersection along with details of grant and its validity	NOC has been obtained from CGWA vide CGWA/NOC/MIN/ORIG/2021/13243 dated 04.10.2021 for ground water abstraction of 120 KLD fresh water & dewatering of 330 KLD for the period upto 03.10.2023.		

viii. Nearest village/town/ highway/interstate boundary/railway station/water bodies/monument/ forest

Particulars	Particular's Name	Distance & Directions
Village	Tirodi Jamrapani Dongargaon	Adjacent, E Adjacent, S Adjacent, NE
Highway	SH-54	5.4 km, E
Interstate Boundary	MP-Maharashtra	6.7 km, S
Railway Station/Railway line	Tirodi R.S.	0.8 km, W
Water Bodies	Tirodi Lake Dhoriya Nala	0.05 km, E 0.8 km, SW
Forest	Garraghat RF PF(1) Garra North RF	0.12 km, E 0.17 km 1.8 km, SE

ix. Presence of Environmentally Sensitive areas in the study area:

Forest Land/Protected Area/Environmental Sensitivity Zone	Yes/No	Details of Certificate/letter issued by the concerned Department mentioning the Lr no, date of grant and remarks
Forest Land within the mine lease area and (if yes) status of Forest	No	No forest land involved in the mine lease area

Clearance		
National Park	No	ESZ of Pench Tiger Reserve – 11km, SW
Wildlife Sanctuary		
Eco-Sensitive Zone(ESZ) /Eco-Sensitive Area(ESA)		
Critically Polluted Area	No	Nil

x. The Project Proponent has submitted that the plantation has been carried out over an area of 124.46 ha in an undisturbed area in the mining lease. Further gap filling plantation will be carried out. Inactive dumps will be afforested with plantation. Top benches of the mined out pits will be stabilized by grass plantation.

xi. Details of CTE/CTO, past production details and certified compliance report:

Consent to Operate (CTO)	Consent to Operate (CTO) issued by the Madhya Pradesh Pollution Control Board vide Consent No:AW-57408 dated 23.01.2023 for mining of Manganese Ore of 1,09,000 Metric Ton per year for the period upto 30/04/2028.	
Past Production details	The Project Proponent has submitted the certified production details vide letter dated 26.07.2023 from the year 1993-94 to 2022-23 as given below in table.	
	Year	Actual production (Tonnes)
	EC sanctioned capacity (Tonnes)	
	-	85536
	-	84748
	-	100951
	-	94947
	-	114935
	-	94166
	-	107415
	-	93325
	-	111111
	-	101111
	-	110111
	-	120360
	-	108563
	-	125001
	-	141141
	109000	123549
	109000	106764
	109000	98333
	109000	90329
	109000	106897
	109000	95616
	109000	99001
	109000	100786
	109000	103786
	109000	104900
	109000	106900
	109000	108801
	109000	106998
	109000	100739
	109000	108911

	* EC granted on 22.12.2008
Details of Violation as informed by the Project Proponent	<p>The Project Proponent has submitted that the following violations were committed as given below: -</p> <ul style="list-style-type: none"> i. Exceeded the capacity of Consent to Operate (CTO) during the year 1993-94 (85536 Tonnes), 1994-95 (84748 Tonnes), 1995-96 (100951 Tonnes) against the CTO capacity of 70,000 Tonnes, 2006-07 (125001 Tonnes) and 2007-08 (141141 Tonnes) against the CTO capacity of 1,25,000 Tonnes. ii. Part of the area of mine pit and dump is presently falling outside the revised mine lease boundary of 254.593 Ha. iii. The reduction in mine lease area from 478.043 Ha to 254.593 Ha during the second renewal of mining lease was inadvertently not communicated to MoEF&CC.

xii. If violation under SOP, dated 7th July, 2021. Point-Wise Compliance to SoP:

S. No.	SOP dated 07.07.2021			Compliance
1	S. No	Status of EC	Actions	Order to revert the activity/ production to permissible limits
	1	If no prior EC has been taken	Order to close its operation	
	2	If prior EC is available for existing/old unit	Order to revert the activity/ production to permissible limits	
	3	If prior EC was not required for earlier production level but is now required	Restrict the activity/production to the extent to which prior EC was not required	
2	Action under Environment (Protection), Act 1986			The Ministry to initiate action under section 15 read with section 19 of the Environment (Protection) Act, 1986 against the Project Proponent
3	Appraisal under EIA Notification, 2006			As per Ministry's SOP dated 07.07.2021
4	Penalty Provisions for Violation Cases and applications a. For new projects: i. Where operation has not commenced: 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs. 1 lakh for project cost of Rs 1 Cr] ii. Where operations have commenced without			The penalty shall be decided during the time of appraisal for EC.

	<p>EC: 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report PLUS 0.25% of the total annual turnover during the period of violation. [Ex: For Rs. 100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs. 1 Cr + Rs 0.25 Cr = Rs 1.25 Cr].</p> <p>b. For expansion projects:</p> <p>i. Where operation/ production with expanded capacity has not commenced: 1% of the total project cost attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.</p> <p>ii. Where operation/ production with expanded capacity have commenced: 1% of the total project cost (attributable to the expansion activity), incurred up to the date of filing of application along with EIA/EMP report PLUS 0.25% of the total annual turnover (attributable to the expanded activity/capacity) involved during the period of violation.</p>	
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xiii. The Project Proponent has submitted that the mine lease area of 254.593 Ha is a partly Govt. revenue land and partly Private land. There are village habitations and staff colony located within few blocks of the mine lease area. However, it is not proposed to acquire any additional private land for this project. Thus, neither there will be any Land Oustee nor any R & R of the Project Affected Persons shall be involved in the Tirodi Manganese Ore Mining Project.

xiv. The Project Proponent has submitted that the estimated capital cost of the project is Rs 79.19 Crores. Existing manpower employed is 363 no.s. Additional 50 persons will be employed. Total manpower requirement after expansion will be 413 persons.

3. Observation and Recommendation of the Committee:

The Project Proponent/Consultant presented the KML file to indicate the site features in the study area. The Project Proponent has showed the boundaries of the mine lease area in 14 different blocks. The mine lease is in operation since from the year 1962. There are 10 pits and 15 dumps located in the mine lease area. No forest land is involved in the mine lease area and the mine lease area is surrounded by 11 Reserve Forest/Protected Forest within 10km radius and the nearest Forest is Garraghat RF: 0.12 km in eastern direction and the ESZ of Pench Tiger Reserve is located at a distance of 11 km in south western direction. Nearest Village is Tirodi

adjacent to the mine lease area on the eastern direction. Madhya Pradesh-Maharashtra Interstate Boundary is located at a distance of: 6.7 km on southern direction. Tirodi Lake is located at a distance of 0.05 km on the eastern direction. Bwanthadi River is located at a distance of 6.5 km, S. Nawegaon Nagzira Tiger Reserve is located at a distance of 60km on the south eastern direction from the mine lease area. The EAC noted that there are two solar power plants in the mine lease area. The Project Proponent informed the EAC that two solar power plants are located in the non-mineralized zone in the mine lease area. The EAC asked about the status of the Wildlife Conservation Plan. The Project Proponent has informed the EAC that the approval of Wildlife Conservation Plan is under process. Action plan is being submitted as a part of compliance.

The Project Proponent has informed the EAC that the instant proposal is submitted under Violation category. Existing production capacity of Manganese is 0.109 MTPA. Proposed production capacity is 0.2 MTPA of Manganese ore of which 0.09 MTPA (max) from mining and 0.131 MTPA (max) from dump recovery. Total material handling will be 1.118 MTPA. Mine lease is valid upto 30.06.2032. Mining Plan has been submitted for approval. Life of the mine is 7 years and which may increase after exploration. No change is proposed in the method of mining. Mining will be carried out in the same area of 30.96 ha.

By suo moto, the Project Proponent has informed the EAC that the instant proposal falls under violation. The Project Proponent also informed the EAC that the EC production was exceeded during the year 2008-09 (1,23,549 Tonnes) against the EC capacity of 0.109 MTPA. Further, the Project Proponent has informed the EAC that the production of Consent to Operate (CTO) was exceeded during the year 1993-94 (85,536 Tonnes), 1994-95 (84,748 Tonnes), 1995-96 (1,00,951 Tonnes) against the CTO capacity of 70,000 Tonnes, 2006-07 (1,25,001 Tonnes) and 2007-08 (1,41,141 Tonnes) against the CTO capacity of 1,25,000 Tonnes. The mine lease area was reduced from 478.043 Ha to 254.593 Ha during the second renewal of mining lease and the same was inadvertently not communicated to MoEF&CC. The EAC noted that the Project Proponent has changed the Company name from M/s Manganese Ore (India) Limited to M/s MOIL Limited on 07.08.2010 and thereafter the Project Proponent has not obtained Transfer of EC in favour of M/s MOIL Limited. The Project Proponent has informed the EAC that part of the area of mine pit and dump is presently falling outside the revised mine lease boundary of 254.593 Ha. The EAC noted that as per Hon'ble Supreme Court order in the Writ Petition (Civil) No. 435 of 2012 in the matter of Goa Foundation vs Uol & Ors, it has directed that *"the dumping of minerals outside the leased area of the mining lessees is not permissible under the MMDR Act and the Rules made there under;"*. The EAC opined that the instant proposal attracts the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors and violation of the EIA Notification, 2006. The EAC reiterated the Ministry's SOP dated 07.07.2021 for identification and

handling of Violation cases under EIA 2006 stating that “*the percentage rates shall be halved if the project proponent suo-moto reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint*”. The EAC asked the Ministry to take action against the Project Proponent under the provisions of the Environment (Protection) Act, 1986.

After detailed deliberations made by the Project Proponent and the Consultant, the EAC under the provisions of EIA Notification, 2006 and subsequent amendments therein and as per Ministry’s SOP dated 07.07.2021 for identification and handling of Violation cases under EIA 2006, **recommended** the proposal for grant of Terms of Reference (ToR) to Tirodi Manganese Ore Mining Project of M/s MOIL Limited for expansion in production capacity of Manganese from 0.109 MTPA to 0.2 MTPA (0.09 MTPA Max. from Mining & 0.131 MTPA Max. from Dump Recovery) through opencast mining and dump rehandling in the mine lease area of 254.593 ha, located at Villages Tirodi & Jamrapani, Tehsil Katangi, District Balaghat, Madhya Pradesh for undertaking detailed EIA/EMP study subject to the following specific conditions in addition to the standard ToR conditions applicable for non-coal mining projects:-

- i. The instant Terms of Reference (ToR) will be issued only after the Project Proponent obtained the Transfer of EC from M/s Manganese Ore (India) Limited to M/s MOIL Limited. The Project Proponent shall submit the proposal on Parivesh portal for Transfer of EC from M/s Manganese Ore (India) Limited to M/s MOIL Limited.
- ii. The Ministry has to initiate action under section 15 read with section 19 of the Environment (Protection) Act, 1986 against the project proponent. Further, no consent to operate to be issued till the project is granted EC. The action initiated by the State Govt./State PCB, status of the same may be submitted to the Ministry.
- 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.
- iv. 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.

- v. 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.
- vi. 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.
- vii. Details of benefit accrued during the violation period along with capital cost of the project needs to be submitted.
- viii. The Project Proponent needs to submit the penalty provisions as per Ministry's SOP dated 07.07.2021 at the time of appraisal of EC.
- ix. The Project Proponent needs to undertake the Scientific study w.r.t rehandling of dump and slope stability from the view point of environment and safety.
- x. The Project Proponent needs to submit the measures taken to regularize the part of the area of mine pit and dump is presently falling outside the revised mine lease boundary of 254.593 Ha.
- xi. The Project Proponent needs to submit the action plan to monitor the movement of tigers and other wildlife in the study area and the Project Proponent needs to ensure the tiger corridors passing in the study area from Digital Support System (DSS) available in NTCA website. The Project Proponent also needs to submit the measures already taken towards the protection of wildlife in the study area.
- xii. The Project Proponent needs to submit the letter from the State Forest Dept of Madhya Pradesh and Maharashtra regarding the distance of the location of the National Park, Wildlife Sanctuary, Tiger Reserves/ Tiger Corridor etc., along with the authenticated map and also the authenticated list of flora and fauna since the study area of the 10km radius of the buffer zone falling in the State of Madhya Pradesh and Maharashtra (6.07 km, S).
- xiii. The Project Proponent needs to monitor the ambient air quality and noise level at the mine lease boundary, nearest village, crusher, predominant downwind direction and at other sensitive receptors. Accordingly, Project Proponent shall propose to install Continuous Ambient Air Quality Monitoring Station within certain timeline.

- xiv. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- xv. The Project Proponent needs to submit the action plan for carrying out plantation along the 7.5m barrier, safety zone and gap plantation. PP should also submit the details of no of saplings planted and to be planted, type of saplings existing and proposed, existing survival rate and the area covered and to be covered under greenbelt/plantation along with the timeline and budget. The Project proponent also needs to submit the successful rate in compliance to the earlier EC.
- xvi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. PP should also submit the time bound action plan on concerns of the public through a separate budget with capital expenditure with a timeline of 3 years. The Project proponent shall ensure that the activities proposed under the public hearing shall be different from the CSR activities. The Project Proponent also needs to submit the implementation status of the earlier public hearing concerns.
- xvii. The Project Proponent shall carry out the assessment of impact due to the proposed project as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP. The project proponent shall conduct hydrological study for projects involving intersection of ground water table as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP.
- xviii. The Project Proponent shall explore the possibility of reduction of specific water requirement by optimization / technology up gradation, etc. The efforts shall be delineated in the EIA/EMP.
- xix. The Project Proponent shall prepare the scheme for mandatory recycle/re-use of water as specified by the Central Ground Water Authority for different category areas seeking NoC for ground water withdrawal and the shall submit as part of EIA/EMP report.
- xx. The Action Plan on the compliance of the recommendations of the CAG as per Ministry's Circular No. J-11013/71/2016-IA.I(M), dated 25.10.2017 needs to be submitted at the time of appraisal of the project and included in the EIA/EMP Report.

- xxi. The Project Proponent needs to submit the latest Certified Compliance Report (CCR) by the Ministry's Regional Office as per Ministry's OM dated 08.06.2022 at the time of appraisal of EC.
- xxii. The project proponent needs to submit the affidavit as per Ministry's O.M dated 30.05.2018 at the time of EC appraisal.
- xxiii. The Project Proponent shall conduct drone survey of the mine lease area and buffer area and submit during the appraisal for EC.

1.4 Kalay Mineral Block- Block IV (Auction Block) of M/s Fomento Resources Private Limited for mining of Iron Ore with proposed production capacity of 0.75 MTPA, Waste: 3.0 MTPA in the mine lease area of 152.5073 Ha, located at Village Santona, Sanguem Taluka, South Goa District, Goa - [F.No: IA-J-11015/11/2023-IA-II(NCM), Proposal No: IA/GA/MIN/422578/2023, EIA Consultant: M/s Mineral Engineering Services] -Terms of Reference (ToR)

The instant proposal is for mining of Iron Ore in Kalay Mineral Block - Block IV (Auction Block) of M/s Fomento Resources Private Limited with proposed production capacity of 0.75 MTPA, Waste: 3.0 MTPA in the mine lease area of 152.5073 Ha, located at Village Santona, Sanguem Taluka, South Goa District, Goa.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude: 15°17'01.6125" N to 15°18'08.7974" N and Longitude: 74°08'55.2583" E to 74°09'44.8333" E. The mine lease area falls under the Survey of India Toposheet No: D43C3 and falls in Seismic Zone-II.
- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and instant proposal attracts the general conditions as the mine lease area is located within 5km radius of BhagwanMahavir Wildlife Sanctuary and falls under Category "A" and appraised at the Central level.
- iii. The proposal was earlier considered in the 15thEAC (Non-Coal Mining) meeting held during 30-31 May, 2023 wherein the EAC deferred the proposal for want of requisite information. Then, the Project Proponent submitted the information on 22.06.2023 in Parivesh portal and accordingly the proposal was considered in the 17th EAC (Non-Coal Mining) meeting held during 11-12 July, 2023. After detailed deliberations made by the Project Proponent and the Consultant, the EAC again deferred the proposal and was of the view that the proposal may be considered only after obtaining the comments from the ESZ Division. The Project Proponent vide letter dated 26.07.2023 informed to the Ministry that the ESZ Division of Ministry by oversight has observed that, one of the point (15° 18'08.7974" N, 74°09'44.8333" E) of the project is lying inside both the ESZ boundary of BhagwanMahaveer Wildlife Sanctuary &

National Park and WGESA boundary as per the 5th draft notification of the WGESA dated 06.07.2022. The Project Proponent also requested to consider the proposal for grant of Terms of Reference or in an alternate to provide the personal hearing to explain the matter. The ESZ Division gave their comments on 27.07.2023 in the instant matter. Accordingly, the proposal was again reconsidered in the 19th EAC (Non-Coal Mining) meeting held during 24-25 August, 2023.

Based on observation of EAC in its EAC meeting held during 11-12 July, 2023 and compliance of observation of EAC are detailed below:

S. No	Observation of EAC in its meeting held during 11-12 July, 2023	Reply by Project Proponent
1	The EAC observed that both the letter dated 05.07.2023 and 07.07.2023 does not mention about the Western Ghats ESA. The EAC opined that the Ministry may again refer the matter to the ESZ Division with reference to the letter issued by the Dy. Conservator of Forest dated 05.07.2023 and Directorate of Mines & Geology dated 07.07.2023 as submitted by the Project Proponent.	The ESZ Division gave their following comments on 27.07.2023 as given below: - i. The ESZ Division has informed that the Kalay mineral block falls partly within the ESZ boundary of Bhagwan Mahaveer Wildlife Sanctuary. And w.r.t. draft WGESA boundary, the ESZ Division has informed that the kml of kalay mineral block is outside the kml of draft WGESA boundary. ii. The ESZ Division has also informed that the Hon'ble Supreme Court by way of a clarification vide an Order dated 28.04.2023 in IA No. 3949 of 2016 in W.P (C) No. 202 of 1995: T.N GodavarmanThirumulpad Vs Uol&Ors. clarified that in specific terms that mining within 1.0 km from the boundary of the protected area shall be strictly prohibited. It also specified that even if the ESZ is less than 1.0 km, mining within 1.0 km from the boundary of the Protected Area, even beyond ESZ boundary shall be strictly prohibited.

3. Observation and Recommendation of the EAC: -

The EAC deliberated on the additional details submitted by the Project Proponent and the Consultant. The EAC noted the comments of the ESZ Division that the Kalay mineral block falls partly within the ESZ boundary of Bhagwan Mahaveer Wildlife Sanctuary and w.r.t. draft WGESA boundary, the kml of kalay mineral block is outside the kml of draft WGESA boundary.

The Project Proponent has informed the EAC that the Letter of Intent (LoI) was granted on 13.01.2023 over an area of 179.1826 ha comprised of an area which was forming part of the Eco-Sensitive Zone (ESZ) of Bhagwan Mahaveer Wild Life

Sanctuary & National Park. Then, the requisition letter was submitted to the Directorate of Mines and Geology, Government of Goa on 31.01.2023 for deletion of area approximately 26.6753 ha falling within 1km from the boundary of Eco Sensitive Zone (ESZ) w.r.t Block IV – Kalay Mineral Block. Accordingly, the Directorate of Mines and Geology vide letter dated 13.03.2023 revised the area of Block IV – Kalay Mineral Block from 179.1826 ha to 152.5073 ha and the revised area was excluding the Eco Sensitive Zone (ESZ) area of 26.6753 ha. The Project Proponent also showed the DGPS Plan before and after deletion of the 26.6753 ha, authenticated map from the Deputy Conservator of Forest and map showing the distance of the ESZ of boundary of Eco Sensitive Zone (ESZ) from the mine lease area i.e. is 1.04 km and 1.12 km respectively. Further, the Project Proponent also informed the EAC that the Village Santona is not listed in the Western Ghats ESA as per notification dated 06.07.2022.

After detailed deliberations, the EAC observed that the ESZ division of the Ministry has confirmed that the project area falls partly within the ESZ boundary of Bhagwan Mahaveer Wildlife Sanctuary, however, the project proponent is still claiming that the project area is outside the ESZ of Bhagwan Mahaveer Wildlife Sanctuary and Western Ghats Eco-Sensitive Area (ESA). Accordingly, the EAC was of view that Ministry's Regional Office (IRO), Bangalore and a Senior Officer from Forest Department, Government of Goa and a Senior Officer from Directorate of Mines and Geology, Government of Goa may be requested for a joint visit to the site for ground truthing and submit the report to the Ministry. Based on the discussions held, the EAC **deferred** the proposal.

1.5 Hutti Gold Mines (ML No: 2671) of M/s The Hutti Gold Mines Company Limited for expansion in production capacity from 0.6 MTPA to 0.9 MTPA (2000 TPD to 3000 TPD) and enhancement of processing plant capacity of 0.9 MTPA – 1.2 MTPA (3000 TPD to 4000 TPD) in the mine lease area of 528.35 ha, located at Hutti Village, Lingsugur Taluk, Raichur District, Karnataka - [File No: J-11015/13/2003-IA.II(M), Proposal No: IA/KA/MIN/436624/2023; EIA Consultant: M/s Hubert Enviro Care Systems] - Terms of Reference (Expansion)

The instant proposal is for Terms of Reference of M/s The Hutti Gold Mines Company Limited for expansion in production capacity from 0.6 MTPA to 0.9 MTPA (2000 TPD to 3000 TPD) and enhancement of processing plant capacity of 0.9 MTPA – 1.2 MTPA (3000 TPD to 4000 TPD) in the mine lease area of 528.35 ha, located at Hutti Village, Lingsugur Taluk, Raichur District, Karnataka.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude: 16°12'29.55813"N to 16°11'57.54790"N and Longitude: 76°39'38.73430" E to 76°39'42.06560"E. The mine lease area falls under the Survey of India Toposheet No: 56 D/12.

Minutes of 19th EAC (Non-Coal Mining) meeting held during 24-25 August, 2023

- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and 2(b) Mineral Beneficiation and falls under Category “A” as the mine lease area is greater than 250ha and appraised at the Central level.
- iii. The proposal was earlier considered in the 14th EAC (Non-Coal Mining) meeting held during 3-4 May, 2023 wherein the EAC returned the proposal in present form along with the requisite information. In view of the above, the Project Proponent has submitted the fresh proposal for Terms of Reference.

Based on observation of EAC in its EAC meeting held during 3-4 May, 2023 and compliance of observation of EAC made by Project Proponent are detailed below:

S. No	Observation of EAC in its meeting held during 3-4 May, 2023	Reply by Project Proponent																																												
1	The Project Proponent needs to submit the fresh proposal for both activity 1(a) Mining of Minerals and 2(b) Mineral Beneficiation.	The Project Proponent has submitted the fresh proposal for Terms of Reference for the project activity 1(a) Mining of Minerals and 2(b) Mineral Beneficiation.																																												
2	The Project Proponent needs to submit the certified past production details from the Department of Mines and Geology since the inception of the mine, copies of all Consent to Establish/Consent to Operate along with Annexure-III for detailed examination of violation.	<p>The Project Proponent has submitted the letter from the Office of the Senior Geologist, Dept of Mines & Geology, Raichur vide Letter No. DMG/RCR/ML2761/Gold/2023-24/185 dated 12.06.2023 for the year 2012-13 to 2021-22</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Tonnage (Metric Tonnes)</th> <th>Grade (g/t)</th> <th>Gold (gms)</th> </tr> </thead> <tbody> <tr> <td>2012-13</td> <td>486539</td> <td>3.15</td> <td>1534782.40</td> </tr> <tr> <td>2013-14</td> <td>486729</td> <td>3.24</td> <td>1577275.32</td> </tr> <tr> <td>2014-15</td> <td>468735</td> <td>3.04</td> <td>1425744.51</td> </tr> <tr> <td>2015-16</td> <td>524607</td> <td>2.66</td> <td>1396790.16</td> </tr> <tr> <td>2016-17</td> <td>538216</td> <td>3.03</td> <td>1632961.50</td> </tr> <tr> <td>2017-18</td> <td>508912</td> <td>3.28</td> <td>1668772.73</td> </tr> <tr> <td>2018-19</td> <td>537410</td> <td>3.21</td> <td>1723369.06</td> </tr> <tr> <td>2019-20</td> <td>499927</td> <td>3.32</td> <td>1661484.66</td> </tr> <tr> <td>2020-21</td> <td>380318</td> <td>2.78</td> <td>1055782.15</td> </tr> <tr> <td>2021-22</td> <td>419668</td> <td>2.96</td> <td>1242889.68</td> </tr> </tbody> </table> <p>The Project Proponent also submitted that they are unable to access the earlier production details i.e., from the year 2004-05 to 2011-12.</p> <p>Further, the Project Proponent has submitted that the addendum to Consent Order issued by the Karnataka State Pollution Control Board vide order dated 12.06.2023 stating that the Board has decided to extend the validity of present CFO for the period from</p>	Year	Tonnage (Metric Tonnes)	Grade (g/t)	Gold (gms)	2012-13	486539	3.15	1534782.40	2013-14	486729	3.24	1577275.32	2014-15	468735	3.04	1425744.51	2015-16	524607	2.66	1396790.16	2016-17	538216	3.03	1632961.50	2017-18	508912	3.28	1668772.73	2018-19	537410	3.21	1723369.06	2019-20	499927	3.32	1661484.66	2020-21	380318	2.78	1055782.15	2021-22	419668	2.96	1242889.68
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		01.04.2023 to 30.06.2025. The Project Proponent has submitted that they are unable to provide the copy of Consent to Operate for the period 2001 to 2004 and 2008-2019.
3	The Project Proponent needs to give proper justification that why the instant proposal was not submitted under the Ministry's Notification S.O 1530(E) dated 06.04.2018 for revalidation of EC.	<ul style="list-style-type: none"> i. The Project Proponent has submitted that they missed the opportunity to apply under the window period of Ministry's Notification S.O 1530(E) dated 06.04.2018 for revalidation of existing EC dated 17.11.2004. ii. The mining operations continued based on valid CFE/CFOs issued by Karnataka State Pollution Control Board from time to time. iii. The production quantities are well within the limits i.e., 0.6 MTPA as per EC dated 17.11.2004. iv. The Project Proponent also informed that they did not received any notice from concerned statutory authorities like KSPCB, MoEF&CC, DMG, etc, for revalidating EC, considering as Hutti Gold Mines Company Limited has not deviated any rule or regulations and hence the proposal was not applied under revalidation. v. Now, there is a proposal for enhancement in increase in production capacity from 0.6 MTPA to 0.9 MTPA and hence the proposal has been submitted to MoEF&CC vi. The existing EC which was issued on 17th Nov, 2004, is as per EIA 1994 Notification by undergone Public Hearing and other relevant procedures.

3. Observation and Recommendation of the Committee:

The Project Proponent/Consultant has informed the EAC that the instant proposal was earlier considered in the 14thEAC (Non-Coal Mining) meeting held during 3-4 May, 2023 wherein the EAC returned the proposal in present form to submit the requisite information. Now, fresh proposal for Terms of Reference has submitted along with the information sought by the EAC. The Project

Proponent/Consultant has presented the KML before the EAC and shown the boundary of the mine lease area, no. of existing shafts and proposed shafts, housing colony, infrastructure and tailing dams in the northern side of the mine lease area. The Project Proponent has informed the EAC that the fresh proposal for Terms of Reference has been submitted for both the project activity 1(a) Mining of Minerals and 2(b) Mineral Beneficiation.

The Project Proponent has shown the certified past production details from the Office of the Senior Geologist, Dept of Mines & Geology, Raichur vide letter dated 12.06.2023 for the year 2012-13 to 2021-22. The EAC asked the Project Proponent when the initial EC was obtained. The Project Proponent has informed the EAC that the EC was obtained on 17.11.2004 under EIA, 1994. The EAC asked the Project Proponent to show also the certified past production details from the year 2004-05 to 2011-12. The Project Proponent informed the EAC that the details of the production during the said period was not available with the Dept. of Mines & Geology (DMG) and hence the DMG has not certified the production details for the period 2004-05 to 2011-12. The EAC asked the Project Proponent whether mine lease were amalgamated after the grant of EC dated 17.11.2004. The Project Proponent informed the EAC they had two leases from 1978 to 2008 with ML No.'s 1564 and 1734. Based on the request made by the PP, the mining lease no. 1564 and 1734 were renewed as single lease bearing ML No. 2671 during the year 2008. The EAC noted that the Project Proponent has obtained the EC on 17.11.2004 and renewed as single lease during the year 2008. The EAC was of the view it is not able to ascertain the violation with limited information informed by the Project Proponent and hence the EAC asked the Project Proponent to submit the details regarding chronology of the mine lease including the amalgamation of the mine lease with supporting documents and also to clarify whether any amendment in EC has been obtained after renewal as a single mine lease during the year 2008. Then, the Project Proponent has shown the Annexure-III wherein the Project Proponent has mentioned that the copies of Consent to Operate (CTO) are not available with them. The EAC disagreed with the statement of the Project Proponent.

After detailed deliberations, the EAC opined that it is difficult to proceed further without the complete information w.r.t details of amalgamation of mine lease, certified past production details from the inception of the mining operations and copies of the Consent to Operate (CTO). The EAC also observed that the Project Proponent/Consultant is again and again submitting the incomplete information. Thus the EAC was of the view that the instant proposal shall be considered further only after the submission of the complete information by the Project Proponent. Based on the discussions held, the EAC **deferred** the proposal for want of following additional information: -

- i. The Project Proponent needs to submit the details of the chronology of the two mine leases and their amalgamation into single lease with supporting

documents clearly mentioning the mine lease area also to clarify whether any amendment in EC has been obtained after renewal as a single mine lease during the year 2008.

- ii. The Project Proponent needs to submit the certified past production details from the inception of the mining operation to 2011-12.
- iii. The Project Proponent needs to submit the copies of the Consent to Operate (CTO) from its inception.

Day 2: 25th August, 2023 (Friday)

2.1 Amendment in Environmental Clearance dated 01.11.2021 w.r.t specific condition no. xiii for extension of timeline for further two years for use of road for transportation of mineral from mine crusher to cement plant in Koni–Simariya Limestone Mine of M/s Jaykaycem (Central) Limited in the mine lease area of 3095.23 ha, located at Villages Koni, Boda, Gudha, etc., Tehsil Simariya, District Panna, Madhya Pradesh - [F.No: J-11015/80/2020-IA.II(M), Proposal No: IA/MP/MIN/438588/2023; EIA Consultant: M/s J.M. EnviroNet Pvt. Ltd] - Amendment in EC

The instant proposal is for amendment in EC dated 01.11.2021 w.r.t specific condition no. xiii for extension of timeline for further two years for use of road for transportation of mineral from mine crusher to cement plant in Koni–Simariya Limestone Mine of M/s Jaykaycem (Central) Limited in the mine lease area of 3095.23 ha, located at Villages Koni, Boda, Gudha, etc., Tehsil Simariya, District Panna, Madhya Pradesh.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and falls under Category “A” as the mine lease area is greater than 250ha and appraised at the Central level.
- ii. The Project Proponent has obtained Environmental Clearance (EC) vide EC letter dated 01.11.2021 for Koni - Simariya Limestone Block with total excavation of 9.05 Million TPA (Lime Stone: 5.08 MTPA; Soil: 2.94 MTPA and OB: 1.03 MTPA) with Crusher capacity - 1800 TPH in the mine lease area of 3095.23 ha. One of the specific conditions stipulates that *xiii. The Project Proponent should use the road for transportation of mineral from crusher to cement plant for one year only and later the same shall be transported by Over Land Belt Conveyor. The capacity of the truck/tipper should be 30 T only.*
- iii. Now, the Project Proponent requested for amendment in EC dated 01.11.2021 w.r.t specific condition (xiii) as mentioned below: -

Reference as per EC dated 01.11.2021	Description as per EC dated 01.11.2021	Amendment sought by the Project Proponent	Justification by the Project Proponent
Specific Condition No xiii	The Project Proponent should use the road for transportation of mineral from Crusher to Cement Plant for one year only and later the same shall be transported by Over Land Belt Conveyor. The capacity of truck/ tipper should be 30T only.	Extension of timeline for further period of three years from August 2023 to August, 2026 for the use of road for transportation of mineral from the mine crusher to the cement plant and later transportation by Over Land Belt Conveyor (OLBC).	Project for laying the Over Land Conveyor Belt (OLBC) from mine crusher to plant has been delayed due to: (i) lack of permission from Water Resources Department for laying the OLBC across the Ken River and, (ii) local problems in acquisition of complete land required for OLBC. In this regard, amendment in EC is sought for extension of timeline for further three years for use of road for transportation of mineral from mine crusher to cement plant in Koni-Simariya Limestone Mine.

- iv. The Project Proponent has submitted that the instant mine supplies Limestone to recently commissioned Greenfield cement plant in November 2022 and Limestone transportation by road started from the month of August, 2022. Project for laying the OLBC from mine crusher to plant has been delayed due to: (i) lack of permission from Water Resources Department for laying the OLBC across the Ken River and, (ii) local problems in acquisition of complete land required for OLBC.
- v. The Project Proponent also submitted that the total land required for the OLBC installation is 101.325 acres; out of which 16.2 acres have been purchased. Balance Govt. land 6.675 acres are under in process obtaining the surface right and 78.45 acres of Private land is under process of purchasing. Permission from the Water Resource Dept., Govt. of M.P. is in process for laying the OLBC across Ken River. Since the cement plant is dependent on this mine for the essential raw material, Limestone transportation by road is required for the operation of the plant till the commissioning of the OLBC.

- vi. The Project Proponent has submitted the certified past production details from the DMG vide letter dated 31.07.2023 for the period 2020-21 to 2023-24 (Till June – 2023) as given below:-

S.No	Financial Year	Production in Tonnes	Dispatch in Tonnes	Remarks
1	2020-21	0.0	0.0	Mining activity was not started
2	2021-22	0.0	0.0	Mining activity was not started
3	2022-23	852759.0	852759.0	Mining activity was started on 3 rd May, 2022
4	2023-24 (Till June – 2023)	804577.409	804577.409	-
	Total in Tonnes			

- vii. The Project Proponent submitted the certified compliance report issued by the Regional Office, MoEF&CC vide letter dated 08.08.2023 and site inspection was conducted on 16.06.2023.

3. Observation and Recommendation of the Committee: -

The Project Proponent has informed the EAC that the instant proposal is for amendment in EC dated 01.11.2021 w.r.t specific condition no. xiii for extension of timeline for further three years for use of road for transportation of mineral from mine crusher to cement plant in Koni–Simariya Limestone Mine of M/s Jaykaycem (Central) Limited in the mine lease area of 3095.23 ha. EC was obtained on 01.11.2021 and one of the specific condition (xiii) was that *the Project Proponent should use the road for transportation of mineral from crusher to cement plant for one year only and later the same shall be transported by Over Land Belt Conveyor. The capacity of the truck/tipper should be 30 T only.* The Project Proponent also informed the EAC that the transportation of Limestone by road started from the month of August, 2022. Project for laying the Over Land Conveyor Belt (OLBC) from mine crusher to plant has been delayed due to: (i) lack of permission from Water Resources Department for laying the OLBC across the Ken River and, (ii) local problems in acquisition of complete land required for OLBC. In this regard, amendment in EC is sought for extension of timeline for further three years for use of road for transportation of mineral from mine crusher to cement plant in Koni–Simariya Limestone Mine.

The Project Proponent has informed the EAC that the instant mine supplies Limestone to recently commissioned Greenfield cement plant in November 2022 and Limestone transportation by road started from the month of August, 2022. The challenge is to make alignment of the OLBC from the mine crusher to the Cement

Plant. After that only, it will possible to identify from where the Project Proponent shall cross the Ken River to lay OLBC. The identification of orientation is not finalized. To carry out the land survey it took nine months. After survey, the Project Proponent has approached the farmers for land acquisition and Water Resources Department (WRD) for necessary permission. The length of the OLBC is 2.6 km. The distance of the link road from the Crusher to the cement is 2.8 km which has been rebuilt and earlier it was a bituminous road of width of 3.75 m. Now it has been converted into concrete road with a width of 5.5 m. The EAC was of the view that the production will gradually increase in the coming years and the movement of trucks will too increase. The EAC noted that the width of the road is inadequate and asked the Project Proponent to increase the width of the road such that the width of the road shall be 3 times the width of the truck.

The EAC asked about the status of the land acquisition. Total area is 101.325 acres, out of which an area of 16.2 acres has been purchased and 78.45 acres is yet to be purchased. The EAC asked about the mitigation measures taken to control the dust during transportation. The Project Proponent has informed the EAC that the plantation was undertaken on both the sides of the road, speed of the truck is limited to 25 km/hr and capacity of the dumper is restricted to 30 T. The EAC asked the Project Proponent whether any tiger dispersal route is passing through the transportation route or not. The Project Proponent has informed the EAC that the tiger dispersal route is not passing through the transportation route. In support of this, the Project Proponent also showed the letter obtained from the Forest Dept dated 11.08.2023.

After detailed deliberations made by the Project Proponent and the Consultant, the EAC **recommended** the proposal for amendment in EC dated 01.11.2021 w.r.t specific condition no xiii for transportation of mineral from Crusher to Cement Plant by road for two years only for Koni–Simariya Limestone Mine of M/s Jaykaycem (Central) Limited in the mine lease area of 3095.23 ha, located at Villages Koni, Boda, Gudha, etc., Tehsil Simariya, District Panna, Madhya Pradesh along with the following additional specific conditions:-

- i. The Project Proponent should use the road for transportation of mineral from Crusher to Cement Plant for two years only and later the same shall be transported by Over Land Belt Conveyor. The capacity of truck/ tipper should be 30T only.
- ii. The Project Proponent shall strictly adhere to the production schedule as per the approved mining plan dated 29.06.2022.
- iii. The Project Proponent needs to increase the width of the road such that the width of the road shall be 3 times the width of the truck. The implementation

status of the same along with the photographs shall be submitted to MoEFCC, RO Bhopal.

- iv. The Project Proponent needs to undertake all the adequate measures to suppress the dust during transportation. The Project Proponent shall monitor the impact of transportation by road w.r.t fugitive dust emission and shall submit the report quarterly to the MoEFCC, RO Bhopal.
- v. The progress of implementation of the Wild Life Conservation Plan in consultation with Forest Department shall be reported to MoEFCC, RO Bhopal half yearly.
- vi. The Project Proponent needs to provide the apprenticeship to the local people. The data and the outcome should be maintained for the same imparted to the local people.
- vii. The Project Proponent needs to complete the construction of rain water harvesting structures within 6 months from the date of issue of this EC and the implementation status of the same shall be submitted to MoEFCC, RO Bhopal.
- viii. Project proponent needs to monitor the quality of surface run-off that may be generated in the monsoon season. Project proponent also needs to install an ETP at the workshop.
- ix. Construction of boundary wall around the cremation ground in Semariya Village needs to be completed within 1 year as per the commitments during public hearing.
- x. The Project Proponent shall create awareness among the local people working within the project area as well as its surrounding area on the ban of Single Use Plastic (SUP) in order to ensure the compliance of Notification published by MoEF&CC on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report.
- xi. All other terms and conditions mentioned in the EC letter dated 01.11.2021 shall remain unchanged.

2.2 Godbaem-Ou Cuttiem Curpem Mine (TC No. 63/51) of Smt. Vidya Rajesh Timblo with expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA over an extent of 70.7948 ha situated at Survey no 2(part) of Govt. Forest land and survey no's 5(part), 6(part), 7(part), 8(part), 10(part), 12(part), & 13(part) at Curpem Village, Sanguem Taluka, South Goa

District, Goa - [F.No: J-11015/40/2005-IA.II(M), Proposal No: IA/GA/MIN/439511/2023, EIA Consultant: M/s Mineral Engineering Services] – Terms of Reference (Expansion)

The instant proposal is for mining of Iron Ore in Godbaem-Ou Cuttiem Curpem Mine (TC No. 63/51) of Smt. Vidya Rajesh Timblo with expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA over an extent of 70.7948 ha situated at Survey no 2(part) of Govt. Forest land and survey no's 5(part), 6(part), 7(part), 8(part), 10(part), 12(part), & 13(part) at Curpem Village, Sanguem Taluka, South Goa District, Goa.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The mine lease area is located between Latitude: 15°07'49.48025" N to 15°08'23.34063"N and Longitude: 73°10'01.58212" E to 73°10'38.86888" E. The mine lease area falls under the Survey of India Toposheet No: D43C4.
- ii. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals and instant proposal attracts the general conditions as the Netravali Wildlife Sanctuary is located at a distance of 2.5 km from the mine lease area and falls under Category "A" and appraised at the Central level.
- iii. The Project Proponent has submitted that earlier proposal was submitted under window period under Ministry's Notification S.O 1530 (E) dated 06.04.2018 vide proposal no: IA/GA/MIN/77170/2018 on 30.08.2018. The proposal was considered in the EAC meeting held during October 23-24, 2018 wherein the Committee based on the information submitted by the project proponent recommended the proposal for grant of ToR subject to examination of following issues by the Ministry, (i) *The mine lease area is located within 2.5 km of Netravali Sanctuary and had carried out mining till 2013 without NBWL clearance, (ii) The committee noted that the project proponent had carried out mining till 2005 without EC and hence will be covered by the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. PP needs to submit the affidavit in compliance with Ministry's O.M No 3-50/2017-IA. II(M) dated 30.05.2018.* Then, the automatic standard Terms of Reference (ToR) was generated on 22.01.2019.
- iv. The Ministry vide letter dated 13.12.2018 requested the Director, Dept of Science and Technology & Environment to initiate credible action on M/s Rajesh P Timblo by invoking powers under section 19 of the Environment (Protection) Act, 1986 for taking necessary action under section 15 of the Act and the evidence may kindly be provided to the MoEFCC on the credible action taken for taking further necessary action. The Ministry also informed the Directorate of Mines and Geology that the committee observed that the mine lease area is located within 2.5 km of Netravali Sanctuary and the

project proponent had carried out mining till 2013 without NBWL clearance. The Committee also noted that the project proponent carried out mining till 2005 without EC and hence will be covered by the judgment of the Hon'ble Supreme Court order dated 02.08.2017. In view of the above, the Ministry requested to take action as per law and to send the action taken report to this Ministry for further necessary action.

- v. The Directorate of Mines and Geology vide letter dated 27.03.2023 informed that the Common Cause judgment provides that an existing leaseholder will require an EC from MoEF&CC to conduct mining operations only if he expands the mining operation or at the time of seeking renewal of his lease. In view of the above factual scenario, the judgment of Common Cause will not apply to this case as prior to 2005 this lease does not require any EC as per the judgment of common cause itself. The DMG also informed that w.r.t NBWL permission it may be noted that the subject lease is located within 10 km of National Park/Wildlife Sanctuary but outside the boundary limit of notified ESZ, therefore prior clearance from NBWL may not be necessary. However, if any such permission from NBWL is found to be necessary by EAC then the same will have to be explicitly mentioned in the EC.
- vi. In view of the above, the Project Proponent has submitted the fresh proposal for Terms of Reference for expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA.
- vii. Details of Previous Environmental Clearance (EC):
 - a) The Project Proponent has obtained Environmental Clearance (EC) vide EC letter dated 30.09.2005 for a production capacity of 0.10 MTPA over an area of 69.47 ha under the provisions of EIA Notification, 1994 in favour of M/s Chandrakantha Fonu Naik for a period of 2 years only during which, a detailed hydrogeological study (quality and quantity) on impact of mining on hydrogeology (pre-monsoon, monsoon and post-monsoon) shall be carried out and the report submitted to the Ministry. Based on the same a decision regarding continuation of mining beyond 2 years or otherwise will be taken.
 - b) Accordingly, Hydrological Report was prepared during the year 2005 - 06 and submitted to MoEF and condition laid down in the Environmental Clearance was deleted by MoEF vide letter no. I-11015140/2005-IA.II (M) dated 23.07.2007.
- viii. Details of Mine Lease:
 - a) The Project Proponent submitted that they have been granted a mining concession by name of Godbaem Ou Cuttiem (Curpem) Mine (TC No. 63/51) of 19th October 1951 situated at Survey no 2(part) of Govt. Forest land and survey no"s 5(part), 6(part), 7(part), 8(part), 10(part), 12(part), & 13(part) of private lands of Curpem Village, Sanguem District, South Goa District, Goa State of a total extent of 70.7948 ha., as per DGPS survey approved by DMG, Goa.

- b) Originally, this lease was held by Shri. ChandrakantFonduNaik of Curchorem, Goa as a mining concession. Lease area constituting of 38.6001 ha of forest land and 30.8744 ha of private lands.
- c) As per abolition of Concessions and Declaration of mining lease Act, 1987 by Government of Goa, this mining concession was declared as mining lease under MMRD Act, 1957. There upon the lessee has applied for the renewal of mining lease for the period of 20 years.
- d) While pendency of application, by a public will, dated 20.04.2000, the lessee has bequeathed all the rights in the said mining lease in favour of Shri. Rajesh P. Timblo and further on 20.06.2005 the lessee had expired. In view of the aforesaid will, Govt. of Goa has renewed the said mining lease in favour of Shri. Rajesh P. Timblo for a period of 20 years with effective from 22.11.1987 to 22.11.2007 by Order No. 96/385/86-Mines/3521 dated 23.02.2007.
- e) Further mining lease was renewed for a period of 20 years with effect from 22.11-2007 to 21.11.2027 vide Directorate of Mines and Geology, Goa, Order No. 96/377/88/IIR) - Mines/3243 of 14.12.2009 and corrigendum No. 3273 dated 21.12.2009. Mine lease deed was made on 30.12.2009 for a period of 20 years effective from 22.11.2007 to 21.11.2027.
- f) Shri Rajesh P Timblo, the lessee expired on 08.03.2021. The Directorate of Mines and Geology, Government of Goa vide letter no. 96/377/88/IIR-Mines (Part)/2023 dated 08.02.2022 informed that application for mutation is considered by this Directorate and Smt. Vilda alias Vidya Rajesh Timblo as a legal heir is entered in the records in place of the deceased lessee. However, the same is subject to the outcome of the proceedings initiated against Smt. Vilda alias Vidya Rajesh Timblo for the alleged violation of Rule 37 of the Mineral Concession Rules, 1960 as per the directions of the Hon'ble Supreme Court of India.
- ix. The Project Proponent has submitted that the DGPS Survey of the lease area has been carried-out as required under IBM circular No. 2/2010 dated 06.04.2010. The extent of the lease as per the DGPS survey is 70.748 ha out of which 37.9602 ha of forestland and 32.8346 ha of private lands.
- x. Details of Mining Plan:
 - a) The Project Proponent has submitted that the Mining Plan has been submitted for approval.
 - b) The method of mining will be Open Cast Mechanized Mining using HEMM. No Drilling and Blasting is involved.
 - c) Total Mineable Reserves estimated as 2.178 million tonnes. Life of the mine will be 05 years.
 - d) Systematic Mining with bench height & width of 6 m, slope 70° and overall pit slope 35° will be maintained.
 - e) The mineral will be transported from mine to Savardem Jetty- 35kms and Capxem-35kms via Rivona and Tilamol. Within the mine 25 T dumpers will be used and from Mine to Jetty 10.5T capacity of tippers will be used.
 - f) Waste will be temporarily dumped and backfilled within ML area.

- g) State Govt. of Goa, vide letter dated 01.06.2018, mentioned that, *“The quantum of extraction allotted to your lease at 0.1 Million Tons remains unchanged for this financial year as well as your lease is not within 88 leases quashed and set aside by Hon’ble Supreme Court of India in judgement and order dated 07/02/2018 in SLP No. 32138, unless the inport of the said judgement is extended beyond 88 leases, your capping limit remains unchanged. However, with regards commencement of mining operation s etc. it shall be as per MMDR Act and Rules and other clearances form relevant departments subject to their satisfaction”.*
- xi. The Project Proponent submitted that Forest clearance accorded under Section 2 of F (C) Act 1980 was accorded for 38.6001 Ha, vide Government of India, MoEF letter no. F.No.8-68/2012-FC dated 11.11.2008 and is Coterminous with the lease period under MMRD Act 1957.
- xii. The total water requirement will be 98.0 KLD. Water will be sourced from Rain water harvested in mine pit. Rehabilitation and Resettlement (R&R) is not involved in this project.
- xiii. The Project Proponent has submitted that there are no litigation/court cases pending against the project.
- xiv. The total cost of the project is Rs 950 Lakhs.

3. Observation and Recommendation of the Committee: -

The Project Proponent/Consultant has informed the EAC that the instant proposal is for Terms of Reference (ToR) for expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA. The Project Proponent has also informed that the earlier proposal was submitted under Ministry’s Notification dated 06.04.2018 for revalidation of EC for production capacity of Iron Ore from 0.10 million TPA. The proposal was considered in the EAC meeting held during October 23-24, 2018 wherein the Committee based on the information submitted by the project proponent recommended the proposal for grant of ToR subject to examination of following issues by the Ministry, (i) *The mine lease area is located within 2.5 km of Netravali Sanctuary and had carried out mining till 2013 without NBWL clearance, (ii) The committee noted that the project proponent had carried out mining till 2005 without EC and hence will be covered by the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. PP needs to submit the affidavit in compliance with Ministry's O.M No 3-50/2017-IA. II(M) dated 30.05.2018.* Then, the automatic standard Terms of Reference (ToR) was generated on 22.01.2019. The Project Proponent informed the EAC to consider this instant proposal for grant of Terms of Reference for expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA.

The EAC noted that the Ministry vide letter dated 13.12.2018 informed the Directorate of Mines and Geology that the committee observed that the mine lease area is located within 2.5 km of Netravali Sanctuary and the project proponent had

carried out mining till 2013 without NBWL clearance. The Committee also noted that the project proponent carried out mining till 2005 without EC and hence will be covered by the judgment of the Hon'ble Supreme Court order dated 02.08.2017. The Ministry also requested to take action as per law and to send the action taken report to this Ministry for further necessary action. The EAC also noted that the Directorate of Mines and Geology vide letter dated 27.03.2023 informed that the Common Cause judgment provides that an existing leaseholder will require an EC from MoEF&CC to conduct mining operations only if he expands the mining operation or at the time of seeking renewal of his lease. In view of the above factual scenario, the judgment of Common Cause will not apply to this case as prior to 2005 this lease does not require any EC as per the judgment of common cause itself. The EAC reiterated the minutes of EAC meeting held during October 23-24, 2018 wherein the committee noted that the project proponent had carried out mining till 2005 without EC and hence the instant proposal will be covered by the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

The EAC also noted that the mine lease area is located within 2.5 km of Netravali Sanctuary. The DMG vide letter dated 27.03.2023 also informed that w.r.t NBWL permission it may be noted that the subject lease is located within 10 km of National Park/Wildlife Sanctuary but outside the boundary limit of notified ESZ, therefore prior clearance from NBWL may not be necessary. However, if any such permission from NBWL is found to be necessary by EAC then the same will have to be explicitly mentioned in the EC. The EAC observed that a Draft notification, for declaration of Eco-Sensitive Zone around Netravali Wildlife Sanctuary in Goa, was published by MoEF vide S.O. 631 (E), dated 3rd March 2014 and the Final notification was published by MoEF vide S.O. 555 (E), dated 17.02.2015. The EAC also observed that the Project Proponent had carried out mining till the year 2013 without NBWL clearance. The Project Proponent also informed the EAC that at present mine is not in operation. The EAC opined that the instant proposal attracts the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors and violation of the EIA Notification, 2006.

The Project Proponent has informed the EAC that the mine lease is valid upto 22.11.2027. Nearest ESA of Western Ghats of Kurdi Village located at a distance of 0.05km and the instant mine lease located in Curpem village does not fall under ESA of Western Ghats as per Ministry's Notification dated 06.07.2022. Mining Plan has been submitted for approval. Total mineable reserves estimated as 2.178 million tonnes. Life of the mine will be 5 years. An area of 18.03 ha will be under mining. Waste will be dumped and backfilled within mine lease area. Mineral will be transported within mine using 25 T dumpers and from mine to jetty using tippers of 10.5 T.

After detailed deliberations made by the Project Proponent and the Consultant, the EAC under the provisions of EIA Notification, 2006 and subsequent amendments therein and as per Ministry's SOP dated 07.07.2021 for identification and handling of Violation cases under EIA 2006, **recommended** the proposal for grant of Terms of Reference (ToR) to Smt. Vidya Rajesh Timblo for mining of Iron Ore in Godbaem-Ou Cuttiem Curpem Mine (TC No. 63/51) with expansion in production capacity of Iron Ore from 0.10 million TPA to 0.5 million TPA over an extent of 70.7948 ha situated at Survey no 2(part) of Govt. Forest land and survey no's 5(part), 6(part), 7(part), 8(part), 10(part), 12(part), & 13(part) at Curpem Village, Sanguem Taluka, South Goa District, Goa for undertaking detailed EIA/EMP study subject to the following specific conditions in addition to the standard ToR conditions applicable for non-coal mining projects:-

- i. Ministry may seek comments from the ESZ division w.r.t Wester Ghats ESA.
- ii. The Ministry vide letter dated 13.12.2018 requested the Director, Dept of Science and Technology & Environment to initiate credible action on M/s Rajesh P Timblo by invoking powers under section 19 of the Environment (Protection) Act, 1986 for taking necessary action under section 15 of the Act and the evidence may kindly be provided to the MoEFCC on the credible action taken for taking further necessary action. The action initiated by the State Govt./State PCB, status of the same may be submitted to the Ministry. Further no Consent to Operate to be issued till the project is granted EC.
- 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.
- iv. 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.
- v. 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.

- vi. 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.
- vii. Details of benefit accrued during the violation period along with capital cost of the project needs to be submitted.
- viii. The Project Proponent needs to submit the penalty provisions as per Ministry's SOP dated 07.07.2021 at the time of appraisal of EC.
- ix. The Project Proponent needs to explore the likelihood of back water entering into the mine pit below the RL of the HFL and the measures that are required to be taken for prevention of seepage and in the event of seepage to drain out the water through settling tank.
- x. The Project Proponent needs to submit the detailed report on the engineering design for garland drain, settling tank and check dams and its efficacy to mitigate the potential impact of water body. The report should also include the per day silt load, settling velocity of the silt, retention time required based on the annual rainfall with a provision to monitor the turbidity of the overflow from the siltation tank as well as monitoring of the turbidity into the drains.
- xi. The Project Proponent needs to submit the year wise backfilling plan.
- xii. The Project Proponent needs to submit the map showing the transport route of the mineral from the mine lease area to the destination, impact of details of habitation at a distance of 100m from the centre on both sides of road, details of no. of trips/day to and fro, capacity of the dumper/tipper to be deployed and the dimensions of the road and the carrying capacity of the road at the time of submission of EC proposal.
- xiii. The Project Proponent needs to monitor the ambient air quality and noise level at the mine lease boundary, nearest village, crusher, predominant downwind direction and at other sensitive receptors. Accordingly, Project Proponent shall propose to install Continuous Ambient Air Quality Monitoring Station within certain timeline.
- xiv. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- xv. The Project Proponent needs to submit the action plan for carrying out plantation along the 7.5m barrier, safety zone and gap plantation. PP should also submit the details of no of saplings planted and to be planted, type of

saplings existing and proposed, existing survival rate and the area covered and to be covered under greenbelt/plantation along with the timeline and budget. The Project proponent also needs to submit the successful rate in compliance to the earlier EC.

- xvi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. PP should also submit the time bound action plan on concerns of the public through a separate budget with capital expenditure with a timeline of 3 years. The Project proponent shall ensure that the activities proposed under the public hearing shall be different from the CSR activities. The Project Proponent also needs to submit the implementation status of the earlier public hearing concerns.
- xvii. The Project Proponent shall carry out the assessment of impact due to the proposed project as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP. The project proponent shall conduct hydrological study for projects involving intersection of ground water table as per the guidelines issued by the Central Ground Water Authority from time to time and submit the same as a part of the EIA/EMP.
- xviii. The Project Proponent shall explore the possibility of reduction of specific water requirement by optimization / technology up gradation, etc. The efforts shall be delineated in the EIA/EMP.
- xix. The Project Proponent shall prepare the scheme for mandatory recycle/re-use of water as specified by the Central Ground Water Authority for different category areas seeking NoC for ground water withdrawal and the shall submit as part of EIA/EMP report.
- xx. The Action Plan on the compliance of the recommendations of the CAG as per Ministry's Circular No. J-11013/71/2016-IA.I(M), dated 25.10.2017 needs to be submitted at the time of appraisal of the project and included in the EIA/EMP Report.
- xxi. The Project Proponent needs to submit the latest Certified Compliance Report (CCR) by the Ministry's Regional Office as per Ministry's OM dated 08.06.2022 at the time of appraisal of EC.
- xxii. The project proponent needs to submit the affidavit as per Ministry's O.M dated 30.05.2018 at the time of EC appraisal.
- xxiii. The Project Proponent shall conduct drone survey of the mine lease area and buffer area and submit during the appraisal for EC.

2.3 SekinarKhunmoh Limestone mine of M/s Khyber Industries Private Limited with enhancement in production capacity of Limestone from 20,000 TPA to 2,50,000 TPA in the mine lease area of 14.93 ha, located at Khasra No. 2601 & 2608, Sekinar Village- Khunmoh, Tehsil- PanthaChowk, District- Srinagar, Union Territory: Jammu & Kashmir - [File. No: IA-J-11015/15/2023-IA-II(NCM), Proposal No: IA/JK/MIN/427380/2023, Consultant: M/s Grass Roots Research and Creation India (P) Ltd.] - Terms of Reference (Expansion)

The instant proposal is for mining of Limestone in SekinarKhunmoh Limestone mine of M/s Khyber Industries Private Limited with enhancement in production capacity of Limestone from 20,000 TPA to 2,50,000 TPA in the mine lease area of 14.93 ha, located at Khasra No. 2601 & 2608, Sekinar Village- Khunmoh, Tehsil- PanthaChowk, District- Srinagar, Union Territory: Jammu & Kashmir.

2. Observation and Recommendation of the Committee:

The EAC noted that the Project Proponent vide email and letter dated 24.08.2023 informed that due to some unavoidable circumstances they will not be able to attend the EAC meeting scheduled on 25.08.2023 and requested to defer the project. Based on the request of the Project Proponent vide email and letter dated 24.08.2023, the EAC **deferred** the proposal.

2.4 Amendment in EC dated 20.02.2009 granted to M/s National Aluminium Company Limited (NALCO) in the mine lease area of 1315.264 ha, located at Village: Damanjodi, Tehsil: Pottangi, District: Koraput, Odisha - [File. No: J-11015/49/2008-IA.II(M), Proposal No: IA/OR/MIN/294341/2022; Consultant: M/s Global Tech Enviro Experts Pvt Ltd] - Amendment in EC

The instant proposal is for amendment in EC dated 20.02.2009 granted to M/s National Aluminium Company Limited (NALCO) in the mine lease area of 1315.264 ha, located at Village: Damanjodi, Tehsil: Pottangi, District: Koraput, Odisha.

2. The details of the project as ascertained from the documents submitted by the Project Proponent and as revealed from the discussions held during the meeting are given as under:

- i. The Project Proponent initially obtained Environmental Clearance (EC) vide EC letter dated 20.02.2009 for annual production of 6.825 million tonnes of bauxite by opencast mechanized method in the mine lease area of 2414.263 ha.
- ii. Now, the Project Proponent requested for amendment in EC dated 20.02.2009 for the following: -
 - a) Change in mine lease area from 2414.263 ha to 1315.264 ha and
 - b) To establish a new Crusher of capacity of 900TPH at Central Block Sector-2 with screening & conveying system to load ore at mid-point

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loading facilities to the existing 14.6 cable belt conveyor without change in production capacity.

- iii. The proposal was earlier considered in the 10thEAC (Non-Coal Mining) meeting held on 8thFebruary, 2023 wherein the EAC after detailed deliberations deferred the proposal. Then, the Project Proponent submitted the information on 12.05.2023 in Parivesh portal. Accordingly, the proposal was considered in the 15th EAC (Non-Coal Mining) meeting held during 30-31 May, 2023 wherein the EAC deferred the proposal for want of requisite information. The Project Proponent submitted the information on 21.07.2023 in Parivesh portal. Accordingly, the proposal was again reconsidered in the 19th EAC (Non-Coal Mining) meeting held during 24-25 August, 2023.

Based on observation of EAC in its EAC meeting held on 8th February, 2023 and compliance of observation of EAC made by PP are detailed below:

S. No	Observation of EAC in its meeting held during 30-31 May, 2023	Reply by Project Proponent
1	The Project Proponent needs to submit the action taken report for the non-compliance's identified by the IRO and their closure report.	The Project Proponent has submitted that the status of compliance of non-complied/partially complied conditions submitted to the Ministry's Regional Office (RO), Bhubaneshwar on 22.06.2023. RO vide letter no. 101-836/EPE dated 11.07.2023 has informed the Ministry that in response to the observations/non-compliances, the project has submitted the action taken report to this office and the action taken report is enclosed for necessary action.
2	The EAC also observed that the Project Proponent has not mentioned the capacities mentioned in CTO from the 1993-94 to 1999-2000. Hence, the Project Proponent needs to mention the capacities granted in CTO from the 1993-94 to 1999-2000 for detailed examination.	The Project Proponent has submitted that the capacities of the CTO for the year 1993-94 to 1999-2000 was 2.4 MTPA.
3	The Project Proponent to submit the details regarding	The Project Proponent has submitted that the mine lease deed was executed on

<p>renewal of mine lease and the application submitted to the Ministry for obtaining EC at the time of renewal of mine lease for detailed examination of violation.</p>	<p>17.11.1982 for a period of 30 years i.e., upto 16.11.2012. Under Rule-24 A of MC Rules-1960, an application for renewal of mine lease for a further period of 20 years was filed in prescribed Form-J on 30.10.2010 and the lease renewal application was under process with Govt. of Odisha.</p> <p>In the meantime, MMDR Amendment Act, 2015 was notified and as per provision under section 8(A)8 of the said amendment, GOI issued order dated 06.02.2015 specifying the lease period of mining leases held by Govt. Companies till 31.03.2020, which has been applied for renewal in time. Accordingly, Govt. of Odisha have extended the lease period of Central & North Block till 31.03.2020 vide order no. 10370 dated 16.10.2015.</p> <p>Again, on 03.12.2015, Ministry of Mines, Gol notified Mineral (Mining by Government Company) Rule-2015. Under Rule 3(1) of the aforesaid Rule, the lease period is deemed to have been granted for a period of Fifty years. By virtue of this notification, the mining lease of Central & North Block was extended for 50 years from original date 17.11.1982 to 16.11.2032 (30+ 20 50 years). As the lease has already been extended up to 31.03.2020, the lease period was further extended up to 16.11.2032 vide order no. 8903/SM dated 27.10.2016.</p> <p>As such, due to the MMDR Amendment Act-2015 and under Rule- 3 of the Mining by Government Company Rules-2015, Mining Lease of Central & North Block was not renewed but extended up to 16.11.2032. A copy of the Supplementary Lease Deed specifying extension of lease</p>
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		<p>period up to 16.11.2032. As per Rules prevalent at that time, due to requirement of renewal of lease, application of renewal of EC had been filed on 30.9.2011. TOR had been issued by MoEF&CC on 28th February 2012 and its conditions were compiled too. While its compliance was going on, there was another notification from MoEF&CC dtd. 13th March 2013, (which was an amendment to the notification of GOI no. S.O. 1533 (E) Dtd 14th September 2006) to wherein it was notified that those organisations which have obtained EC as per EIA notification dtd. 14th September 2006, <i>"no fresh environmental clearance shall be required for a mining project or activity which at the time of renewal of mining lease, which has already obtained environmental clearance under this notification."</i> Due to the said notification there was no need for renewal of EC and no EC was issued by MoEF&CC. As such there has been no violation.</p>
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3. Observation and Recommendation of the Committee:

The EAC deliberated on the additional details submitted by the Project Proponent and the Consultant. The Project Proponent has showed the status of compliance of non-complied/partially complied conditions submitted to the Ministry's Regional Office (RO), Bhubaneshwar on 22.06.2023 and RO vide dated 11.07.2023 has informed the Ministry that in response to the observations/non-compliances, the project has submitted the action taken report to this office and the action taken report is enclosed for necessary action.

The Project Proponent has informed the EAC that initially mine lease deed was executed on 17.11.1982 for a period of 30 years i.e., upto 16.11.2012. Under Rule-24 A of MC Rules-1960, an application for renewal of mine lease for a further period of 20 years in prescribed Form-J was submitted on 30.10.2010 and the lease renewal application was under process with Govt. of Odisha. The mine was operating under deemed extension. The Project Proponent also informed the EAC that as per rules prevalent at that time, due to requirement of EC at the time of renewal of mine lease, application for renewal of EC was submitted on 30.9.2011 and accordingly Terms of Reference (ToR) obtained from the Ministry on 28.02.2012. While its compliance was going on, there was another notification issued by MoEF&CC on 13th March 2013 wherein it was notified that those organisations which

have obtained EC as per EIA notification dtd. 14th September 2006, *"no fresh environmental clearance shall be required for a mining project or activity which at the time of renewal of mining lease, which has already obtained environmental clearance under this notification."* Due to the said notification no EC was required at the time of renewal of mine lease. Further, the Project Proponent has informed the EAC that the Dept. of Steel and Mines, Govt. of Odisha vide order dated 08.09.2014 have accepted the 2nd part surrender of ML for Bauxite over 2087.919 ha out of the balance ML area of 3403.183 ha and extended the mine lease. Subsequently, the Govt. of Odisha, Dept. of Steel and Mines vide order dated 27.10.2016 have extended the period of the validity of the mining lease of M/s NALCO for Bauxite over an area of 1315.264 ha upto 16.11.2032 from the date of last extension i.e, beyond 01.04.2020. The EAC noted that the order dated 08.09.2014 is for accepting the 2nd part surrender of mine lease and there was no extension or renewal was mentioned by the Govt. of Odisha. The EAC also noted that the mine was operating under deemed extension after the year 2012 and Project Proponent did not have EC for an area of 1315.264 ha. The EAC opined that as per the judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause Versus Union of India and Ors *"the renewal of a mining lease after 27th January, 1994 will require an EC even if there is no expansion or modernization activity or any increase in the pollution load"*.

The EAC observed that excess production was done against the EC capacity of 4.8 MTPA during the year 2003-04 (48,16,762 MT), 2004-05 (48,51,726 MT) and 2005-06 (48,54,253 MT). The Project Proponent accepted that the excess production was done against the EC capacity of 4.8 MTPA during the year 2003-04, 2004-05 and 2005-06. The Project Proponent also presented the details of Consent to Operate (CTO) from the year 1993-94 to till date. The Project Proponent has informed the EAC that the capacities of the CTO for the year 1993-94 to 1999-2000 were 2.4 MTPA. The EAC noted that the Project Proponent has exceeded the production capacity of CTO during the year 1993-94 (24,35,596 MT), 1995-96 (24,08,472 MT), 1996-97 (25,58,002 MT), 1997-98 (26,61,557 MT), 1998-99 (28,06,288 MT), 1999-2000 (28,22,464 MT), 2000-01 (28,34,189 MT), 2001-02 (35,22,059 MT) and 2002-03 (47,77,003 MT) against the CTO capacity of 2.4 MTPA. The EAC opined that the instant proposal attracts the judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors and violation of the EIA Notification, 2006. After detailed deliberations made by the Project Proponent and the Consultant, the EAC was of the view that the Project Proponent needs to start the process *de novo* and shall submit a fresh proposal for Terms of Reference (ToR) under violation as per EIA Notification, 2006 and its subsequent amendments. Therefore, the EAC **returned the proposal in present form.**

ADDITIONALAGENDA:

2.5 Devapur Limestone Mine-II of M/s Telangana State Mineral Development Corporation Ltd.with Proposed Limestone Production Capacity: 9.06 Million TPA, Top Soil: 0.03 Million TPA, Over Burden: 1.19 Million TPA, Mineral Reject: 1.65 Million TPA (Total Excavation: 11.93 Million TPA) along with installation of 2 Crushers 1 x 1500 TPH &1 x 1100 TPH in the mine lease area of 588.26 Ha,located at Villages: Devapur&Gatrapalli, Tehsil: Kasipet, District: Mancherial, State: Telangana - [F.No: IA-J-11015/13/2023-IA-II(NCM), Proposal No: IA/TG/MIN/427637/2023; Consultant: M/s J.M. EnviroNet Pvt. Ltd.]-Terms of Reference

The instant proposal was earlier considered in the EAC (Non-Coal Mining) meeting held during 30-31 May, 2023 wherein the EAC recommended the proposal for grant of Terms of Reference (ToR) to M/s Telangana State Mineral Development Corporation Ltd. for mining of Limestone in Devapur Limestone Mine-II with Proposed Limestone Production Capacity: 9.06 Million TPA, Top Soil: 0.03 Million TPA, Over Burden: 1.19 Million TPA, Mineral Reject: 1.65 Million TPA (Total Excavation: 11.93 Million TPA) along with installation of 2 Crushers 1 x 1500 TPH &1 x 1100 TPH in the mine lease area of 588.26 Ha, located at Villages: Devapur & Gatrapalli, Tehsil: Kasipet, District: Mancherial, Telangana for undertaking detailed EIA/EMP study with certain terms and conditions in addition to the standard ToR conditions applicable for non-coal mining projects.

2. During processing, the Competent Authority has asked to provide details if mining in the Safety Zone for which no approval has been obtained from DMG. Also, details of the norms regarding distance of mining from schools/habitation. The Ministry on 10.07.2023 requested the Project Proponent to provide the details as sought above.

3. The Project Proponent submitted the information on 26.07.2023 in Parivesh portal as mentioned below: -

S. No	Query by the Ministry	Reply by Project Proponent
1	Provide details if mining in the Safety Zone for which no approval has been obtained from DMG.	The Project Proponent has submitted that i. Telangana State Mineral Development Corporation has existing Devapur Limestone Mine I of 210 ha since 1980 which is adjoining to the proposed Devapur Limestone Mine II of 588.26 ha. ii. Both the mining leases i.e. Devapur Limestone Mine-I and proposed Devapur Limestone Mine-II are

		<p>contiguous having common boundaries of same company.</p> <p>iii. Total 5.63 ha area is common boundary area of two mines which will come under mine working.</p> <p>iv. The mining in the 7.5 m safety zone of Devapur Limestone Mine II along Devapur Limestone Mine I has already been incorporated in Mining Plan which is approved by IBM, Hyderabad vide letter no. AP/ADB/MP/LST-46/Hyd dated 01.03.2023. In addition to this, it is also incorporated in the Forest Clearance Proposal, which is under consideration.</p> <p>v. Further, mining in the common boundary/safety zone will be carried out after obtaining necessary permission from DGMS. All the Necessary permission i.e. Forest Clearance & DGMS Permission will be obtained for the proposed Devapur Limestone Mine II prior to the start of mining operations.</p>
2	<p>Also, details of the norms regarding distance of mining from schools/habitation.</p>	<p>The Project Proponent has submitted that as per MMDR Act 1957 and the rules framed (MCR 1960 & MCR 2016) there under, lessee is not allowed to do mining within 50 m from habitation, buildings etc.</p> <p>The Project Proponent also submitted that the Mineral Concession Rules, 1960 (MCR 1960) states that <i>(h) the lessee shall not carry on, or allow to be carried on, any mining operations at any point within a distance of fifty meters from any railway line, except under and in accordance with the written permission of the railway administration concerned or under or beneath any ropeway or ropeway trestle or station, except under and in accordance with the written permission of the authority</i></p>

		<p><i>owning the ropeway or from any reservoir, canal or other public works, or buildings, except under and in accordance with the previous permission of the State Government;</i></p> <p><i>MCR 2016 states that the (d) the lessee shall not carry on or allow to be carried on, any mining operations at any point within a distance of fifty meters from any railway line, except under and in accordance with the previous written permission of the railway administration concerned or under or beneath any ropeway or ropeway trestle or station, except under and in accordance with the written permission of the authority owning the ropeway or from any reservoir, canal or other public works, or buildings, except under and in accordance with the previous written permission of any officer authorised by the State Government in this behalf.</i></p> <p><i>As per MMR, 1961, No Blasting is permitted within 300 m from the habitation before obtaining permission from DGMS. The Metalliferous Mines Regulations, 1961 (MMR, 1961) states that (b) Unless sufficient warning, by efficient signals or other means approved by the manager, is given over the entire area falling within a radius of 300 metres from the place of firing (hereinafter referred to as the danger zone) an also he has ensured that all persons within such area have taken proper shelter, and</i></p> <p><i>Further, the Project Proponent has submitted that the nearest habitation from the Proposed Devapur Limestone Mine II is of Village Ipulagudem at a distance of 530 m in NNW Direction and nearest school is at a distance of 1 km in ESE Direction</i></p>
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		which is outside the danger zone. The Project Proponent also submitted the Google Image showing the nearest habitation and school.
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4. Accordingly, the proposal was considered in the 19th EAC (Non-Coal Mining) meeting held during 24-25 August, 2023 for due deliberations.

5. Observation and Recommendation of the Committee:

The EAC noted that the instant proposal was earlier considered in the EAC (Non-Coal Mining) meeting held during 30-31 May, 2023, wherein the EAC recommended the proposal for grant of Terms of Reference (ToR) to M/s Telangana State Mineral Development Corporation Ltd. for mining of Limestone in Devapur Limestone Mine-II with Proposed Limestone Production Capacity: 9.06 Million TPA, Top Soil: 0.03 Million TPA, Over Burden: 1.19 Million TPA, Mineral Reject: 1.65 Million TPA (Total Excavation: 11.93 Million TPA) along with installation of 2 Crushers 1 x 1500 TPH & 1 x 1100 TPH in the mine lease area of 588.26 Ha, located at Villages: Devapur & Gatrapalli, Tehsil: Kasipet, District: Mancherial, Telangana for undertaking detailed EIA/EMP study with certain terms and conditions in addition to the standard ToR conditions applicable for non-coal mining projects.

The EAC also noted that during processing of the instant proposal for grant of Terms of Reference (ToR), the Competent Authority has asked to provide details if mining in the Safety Zone for which no approval has been obtained from DMG. Also, details of the norms regarding distance of mining from schools/habitation. The Ministry on 10.07.2023 requested the Project Proponent to provide the details as sought above and accordingly, the Project Proponent submitted the information on 26.07.2023 in Parivesh portal.

The EAC noted that the Project Proponent has submitted that the mining in the common boundary/safety zone will be carried out after obtaining necessary permission from DGMS. All the Necessary permission i.e. Forest Clearance & DGMS Permission will be obtained for the proposed Devapur Limestone Mine II prior to the start of mining operations. The EAC also reviewed the details of the norms regarding distance of mining from schools/habitation framed (MCR 1960 & MCR 2016) there under, lessee is not allowed to do mining within 50 m from habitation, buildings etc. The representative of the Indian Bureau of Mines and Directorate General of Mines Safety (members of the EAC) noted that the submission of the Project Proponent is in align with the MCR 1960 & MCR 2016. After detailed deliberations, the EAC agreed with the submission of the Project Proponent and was of the view that the Project Proponent shall undertake mining in the common boundary/safety zone after obtaining necessary permission from DGMS and Forest Clearance.

2.6 Mining of 1003 m³/annum of Black Granite in the mine lease area of 166.920 Ha, located at Survey No. 917 (Part) & 921 (Part), Village Mahimandalam, Katpadi Taluk, District Vellore, Tamil Nadu by M/s Tamil Nadu Minerals Limited (TAMIN) – [Proposal No.IA/TN/MIN/112499/2017, F.No.23-203/2018-IA.III(V)] -Environmental Clearance (EC) regarding.

The Project Proponent obtained Environmental Clearance on 09.04.2021 under Violation. Based on the recommendations of EAC, the Ministry granted the EC with a condition to spend an amount of Rs 61.40 Lakhs towards Remediation plan and Natural and Community Resource Augmentation plan within a span of three years.

2. The Project Proponent vide letter dated 19.04.2023 requested the Ministry to change of the scope of work under Remediation Plan, Community Resource Augmentation Plan and Natural Resource Augmentation Plan towards Greenbelt development, Construction of retention ponds etc., without reducing the amount of Rs61.40 Lakhs as directed by the Ministry and to transfer the entire proposal to SEIAA, Tamil Nadu.

3. The matter has been examined in the Ministry and the Ministry has noted that the EC dated 09.04.2021 was expired on 22.11.2022. The instant proposal was earlier considered in the EAC (Non-Coal Mining) meeting held during 30-31 May, 2023 wherein the EAC noted that the Project Proponent has not sent the brief to the members of the EAC and further there is no communication made by the Project Proponent regarding participation in the EAC meeting. Therefore, the EAC deferred the proposal.

4. Then, the Project Proponent vide letter dated 07.08.2023 addressed to the Member Secretary, SEIAA, Tamil Nadu with a copy to the Ministry has informed that they have requested the Ministry to transfer the entire file to SEIAA, Tamil Nadu as the project falls under 'B1' Category as per MoEF&CC Notification dated 20.04.2022 and Office Memorandum dated 27.09.2022. The Project Proponent also informed that the most of the works related to Remediation Plan and Community Resource Augmentation Plan are being funded and carried out by the District Administration through the District Mineral Foundation Trust as per the Tamil Nadu District Mineral Foundation Rules, 2017. TAMIN has proposed to spend the amount of Rs 61.40 Lakhs towards green belt development and construction of retention ponds as directed by MoEF&CC and requested to give extension of one year upto 31.03.2024 so as to complete the entire work. Accordingly, the proposal was considered in the 19th EAC (Non-Coal Mining) meeting held during 24-25 August, 2023 for due deliberations.

5. Observation and Recommendation of the Committee:

The Project Proponent has informed the EAC that initially Environmental Clearance was obtained from the Ministry on 09.04.2021 under Violation. The Project Proponent has also informed the EAC that as on date, the instant proposal pertains to the State Environment Impact Assessment Authority (SEIAA), TN. The EAC also observed that as per Ministry's Notification dated 20.04.2022 and 09.05.2022, the instant proposal falls under the purview of SEIAA, TN. Based on the request of the Project Proponent and as per the provisions of EIA Notification, 2006 and its subsequent amendments, the EAC **recommended** to transfer the instant proposal to SEIAA, TN.

List of members of Expert Appraisal Committee participated through VC

S.No	Member Name	Member Address	Designation	24 th Aug., 2023	25 th Aug., 2023
1	Dr. Dinesh Misra, IFS (Retd.)	Plot No 65, Sector 8, Gandhinagar, Gujarat, 382 008	Chairman	Yes	Yes
2	Sh. Niranjana Kumar Vasu, IFS (Retd.)	816, Shanti Nagar, Opposite Durgapur Railway Station, Jaipur-Rajasthan, 302018	Member	Yes	Yes
3	Dr. Asha Rajwanshi, Scientist 'G' (Retd.), WII	B/104/106 Rock Valley Apartments, GMS Road, Sewla Kalan, P.O. Majra, Dehradun, Uttarakhand-248171	Member	Yes	Yes
4	Shri. Avijit Ghosh (CMD- Heavy Engineering Corporation Limited) (Retd.)	Singhee Marg, A- 604 Shahadeo Tower, P.P.Compound, Ranchi 834001, Jharkhand	Member	Yes	Yes
5	Shri. Bandi Ramchandra Reddy (CMD-South Eastern Coalfields Limited) (Retd.)	Flat No-503 A, Jyoti Cosmos, White Fields, Hi-Tech City, Kondapur, Hyderabad-500081	Member	Yes	Yes
6	Prof. Pramod Kumar, Professor, Shri Aurobindo College, University of Delhi	Shri Aurobindo College, University of Delhi 1372, B-1, Vasant Kunj, New Delhi-110070	Member	Yes	No
7	Prof. Devesh Walia, Department of Environmental Studies	Department of Environmental Studies, NEHU, Shillong-793022 Meghalaya	Member	Yes	Yes

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8	Dr. Suresh Tiwari Scientist-F	Indian Institute of Tropical Meteorology, Pune, New Delhi Branch, Prof. Ram NathVijMargRajinder Nagar, New Delhi - 110060	Member	No	No
9	Dr. K.G Asha Manjari, Professor, University of Mysore	10/B, "SPARSHA", 2nd Main, 2 nd Cross, Bhogadi Ind Stage, Mysore-570026, Karnataka	Member	Yes	Yes
10	Prof. Dev Dutt Sharma, Vice- Chancellor	Sardar Patel University, Mandi H.P. 175001	Member	No	No
11	Shri V. K. Soni, Representative of India Meteorological Department	Government of India, Ministry of Earth Sciences, India Meteorological Department, Mausam Bhawan, Lodi Road, New Delhi – 110003	Member	Yes	Yes
12	Shri Yogesh Kale/ Shri Abhay Agarwal, Representative of Indian Bureau of Mines	Controller of Mines, IBM Block D, Second Floor, Indira Bhavan, Civil Lines, Nagpur - 440001	Member	Yes	Yes
13	Shri Upendra Rapolu/Shri Niazi Mohammed	Representative of Directorate General of Mines Safety	Member	Yes	Yes
14	Shri Pankaj Verma	3 rd Floor, Vayu Block, Indira Paryawaran Bhawan, MoEF&CC, Jorbagh, New Delhi- 110003.	Member Secretary	Yes	Yes
15	Dr. Saurabh Upadhyay	2 nd Floor, Vayu Block, Indira Paryawaran Bhawan, MoEF&CC, Jorbagh, New Delhi- 110003.	Scientist C	Yes	Yes
