

**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA)**

: MEGHALAYA :

Silviculture Building, Lower Lachumiere, Shillong – 793 001

MINUTES OF THE MEETING OF THE SEIAA, MEGHALAYA,

HELD ON 08th April, 2019, AT 12: 30 PM,

IN THE OFFICE CHAMBER OF THE CHAIRMAN.

The Members present in the Meeting:

1. Shri T.T.C. Marak, IFS (Retd.)..... Chairman, SEIAA
2. Dr. H.J. Syiemlieh, Dept. of Geography, NEHUMember, SEIAA,
3. Shri P.S. Nongbri, IFS, CCF, SF & EMember Secy. SEIAA

Proceedings :

The meeting was chaired by the Shri T.T.C. Marak, IFS (Retd), Chairman, SEIAA. He welcomed the Members of SEIAA and then invited the Member Secretary to present the Agenda points for discussion.

First, the Member Secretary informed about the action taken on the decisions taken in the SEIAA meeting dated 5th July, 2018 and circulated the Minutes of the said meeting. The meeting approved the action taken and confirmed the Minutes. Then the following agenda items were discussed and decided upon in the meeting.

Agenda : 1- Application for prior EC/TOR for the proposed Stone Mine(10ha.) at Rangdhigopa, West Garo Hills - by Smt. Evalyni Kharbani, R/o-Mawryngkang village, E.K.H.

The Member Secretary circulated copies of the recommended TOR and other documents relating to the project in the meeting and narrated the

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Status/position of the application : that in first instance the Project Proponent (PP) had applied online for prior EC not for TOR as it was proposed for boulder-stones mining(10ha.) on 25/07/2018. '*Essential Document Sought*' (EDS) - to the PP was given on 31.07.2018 and PP resubmitted (replied) on 06/08/18. But the term of SEIAA & SEAC, Meghalaya ended on 05/08/2018, hence, no action could be taken further. After the State Govt., vide letter dated 03/12/2018 had forwarded the MoEF & CC, New Delhi, the reconstitution notification (dtd.26/11/2018 relating to the SEIAA & SEAC, Meghalaya) the above said application was accepted by the Member Secretary on 07/12/2018 and the application got forwarded automatically to the SEAC, Meghalaya on the same day.

The Secretariat, SEIAA, Meghalaya on 04/01/2019 forwarded to the Member Secretary, SEAC, Meghalaya, a copy of the MoEF&CC - O.M -No.F.No.L-11011/175/2018-IA-II (M) dtd.12/12/2018 along-with its enclosures- (i.e.NGT Principal Bench, New Delhi Order - dated 13th September, 2018-relating to O.A. No.186 of 2016 and dated 04th September, 2018-relating to O.A. No.173 of 2018). The MoEF & CC- O.M. mentioned above directed for compliance by all SEIAAs on both the O.As. In the above O.M. Para 2, briefly specified on the direction to be taken relating to O.A. 186 of 2016, and in one of the sub Para - Sub-Para (i)-it stated- '*Providing for EIA, EMP and therefore, Public Consultation for all areas from 5ha. to 25ha.falling member Category B-2 at par with Category B-1 by SEIAA/SEAC as well as for cluster situation wherever it is not provided.*'

'*Additional Information Sought*' (ADS) was communicated to the PP by SEAC on 25/01/2019 and resubmitted (replied) by PP on 29/01/19. The SEAC accepted the above application on 29/01/2019; and in its meeting held on 08/02/2019, the SEAC decided that this case is to be dealt as per the above NGT Order in O.A. 186 of 2016- Para 2(i). The site was visited by the SEAC on 18/02/2019 and copy of the Report was forwarded to the SEIAA.TOR in hard copy was recommended by the SEAC on 12/03/2019. The SEAC informed that the TOR could not be uploaded and the SEAC also informed that MoEF & CC, New Delhi

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had been apprised by email on the matter but no response was received, by the SEAC.

The PP had also petitioned the SEIAA, Meghalaya on 08/03/2019 through the Chairman, narrating how her prior EC application above was delayed from the date of the application (i.e. 25/07/2018). In page 2 of PP's letter, she pleaded that the above NGT Order did not mention that the case could be made applicable retrospectively, hence in her case it would not be applicable, as she had applied prior to the date of receipt of the Order by the SEIAA, Meghalaya and her application was also accepted prior to that date. The position/status of the application had been presented above.

The SEIAA after taking into consideration the above facts and situations relating to this case, had noted as follows:

Whereas in first instance the Project Proponent (PP) had applied online on 25/07/2018 for prior EC not for TOR as it was proposed for boulder-stones mining (10ha.), as per EIA 2006 and its consequent amendments.

And, whereas, the PP had replied to EDS and ADS as desired/required by the SEIAA/SEAC.

And whereas, the PP had petitioned the SEIAA, Meghalaya praying that she had applied EC prior to the above Order, hence no TOR was required and the PP also mentioned about the delay in issuing of the EC.

And whereas, the said MoEF & CC, New Delhi, O.M. above, did not mention that the said NGT Order dated 13/09/18, will be applicable retrospectively.

And whereas, the SEAC in its field/site visit Report to the above proposed mining site mentioned about the tracts of illegal mining inside and around the site by unknown persons, which may result in reduction of the volume of the raw material proposed to be mined by the PP being the law binding person, who had applied EC for undertaking of mining of boulders in the above site leased by the PP, as per EIA 2006 and MMCR 2016.

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And whereas, the SEAC had recommended TOR to the above project and forwarded off-line to the SEIAA, Meghalaya on 12/03/2019, as the TOR could not be uploaded by the SEAC for online recommendation to the SEIAA.

Now therefore, -

⇒ the SEIAA, Meghalaya unanimously approve the TOR as recommended by the SEAC, for the above Project.

⇒ In the interest of environment protection (to stop illegal mining by unknown persons) in the above said site and to scientifically mine in the area as per the approved Mining Plan;

= And to increase the revenue collection of the Govt. through scientific mining

= And in the interest of the PP, who had prayed in her petition that being not her fault, her application had been delayed due to expiry of the Term of SEIAA & SEAC, Meghalaya (on 05/08/2018), the reconstitution of SEIAA / SEAC Meghalaya (only on 26 Nov.2018) and the NGT Order, etc.

The SEIAA, Meghalaya unanimously decided to grant "*In-principle Provisional Environmental Clearance (IPPEC)*" to this project with the following riders:

⇒ The PP shall furnish an Undertaking on a Stamp Paper of Rs.100/- Rupees-(hundred) to the Member Secretary, SEIAA, Meghalaya that 'the PP shall submit within 3(three) months from the date of issue of this 'In Principle Provisional EC', the EIA and EMP duly incorporating all the points specified in the approved TOR and all the requirements raised in the Public Hearing.

⇒ IPPEC for the project will be issued by the SEIAA, Meghalaya only after the PP had submits the 'Undertaking'

The Member Secretary, shall prepare a draft IPPEC for the Project and circulate the same to all members of the SEIAA for scrutinizing /checking; the duly checked draft EC shall be signed by all members. The IPPCE shall valid only for 6(six) months from the date of issue.

The Member Secretary was authorized to issue the IPPEC to the PP.

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- ⇒ Final EC will be issued only after the PP has submitted the EIA and EMP duly incorporated (1) all the points specified in the approved TOR and (2) all the requirements raised in the Public Hearing.

Agenda : 2 - Shillong Municipal Board Sanitary Landfill at Marten, Mawlai, Shillong- Application for Renewal of expired EC.

The Member Secretary circulated copies of the plain application submitted by the Chief Executive Officer, Shillong Municipal Board(SMB), Shillong dtd.19/02/2019 for renewal of the EC to Marten Sanitary landfill, the Show Cause Notice dtd.30.01.19 to the SMB issued by Meghalaya State Pollution Control Board, the MoEF&CC S.O.2944(E) dtd.14.09/2016,etc.

The SEIAA after deliberation and discussion on the subject, and as the SMB applied for renewal of the expired EC for the said project, which was after the gap of more than 90(ninety) days, hence as per Para (iii)(b) – of S.O.2944(E) dtd.14.09.2016,no condoning is permissible.

The SEIAA, Meghalaya unanimously decided to direct the PP to apply afresh. The Member Secretary to take necessary action.

Agenda 3: ADDITION OF 'SCIENTIFIC STORAGE OF COAL' AS ADDITIONAL CONDITION IN THE ECs OF CEMENT PLANTS IN THE STATE:

(A) The Member Secretary circulated in the meeting copies of (1) the Action Plan for Restoration of Environment in Areas Affected by Coal Mining in Meghalaya, formulated by the Committee headed by Hon'ble Justice B.K. Katakey, Former Judge of Guwahati High Court, the Committee which was constituted vide Order of Hon' ble National Green Tribunal, New Delhi dated 31.08.2018 in O.A. No. 110(TH-HC)/2012 in matter of Threat to Life Arising Out of Coal Mining in South Garo Hills District Vrs State of Meghalaya & Ors, etc. which was forwarded by vide letter No. MFG. 39/87/ NGT (C)/Vol. II/16,305-306 dtd. 04/02/2019 by the

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Additional Principal of Forests, (Planning, Development and Legal), Office of the Principal Chief Conservator & Head of Forest Forces, Meghalaya, (2) copies of the SEAC, Meghalaya No. SEAC/Circular/13/2015/356/58 dtd. 13/ 03/ 19 recommendations on the subject to the SEIAA, Meghalaya and (3) copies of MoEF &CC, NER, Shillong letter No. RONE/E/NGT/O.A.No.110(THC) of 2012/4020 dtd.13/03/2019. RONE, Shillong, on the same subject- Para (i) & (ii).

The SEIAA after deliberation and discussion on the subject, and also noted that although the SEIAA had already stipulated in the EC conditions - for scientific storage of raw materials, clubbing together storage of coal also, the SEIAA, unanimously decided to amend the ECs of the following Cement Plants as directed by the NGT Committee and also as suggested by the RONE, Shillong in the ECs of Cement Plants in the State granted by the SEIAA, Meghalaya:

(a). Expansion of Cement Plant from 600TPD to 1200TPD at Umiam Industrial Area, Ri Bhoi District with 10MW Captive Power Plant by M/s RNB Cements (P) Ltd.; EC. No. SEIAA/PR-25/2013/14 dated 19/11/2013,

(b) Construction of Integrated Cement Plant of 600TPD with 10MW Captive Power Plant at Umiam Industrial Area, Ri Bhoi District by M/s RNB Cements (P) Ltd EC. No. SEIAA/PROJECT-8/2008/5 dated 11/09/2008,

(c) Modernisation and expansion of Cement Plant (from 0.594MTPA to 0.792MTPA at Lum Shnong, Khliehriat, East Jaintia District by M/s Cement Manufacturing Company (P) Ltd.- (presently known as 'Star Cements Ltd.); EC. No. SEIAA/PROJECT-6/2008/23 dated 16/03/2010

(d) Construction of Integrated Cement of 1300TPD expandable to 2600TPD along with 2 X 10MW Captive Coal Based Thermal Plant at Nongsning Chiehruphi, East Jaintia Hills by M/s Green Valliey Industries Cements (P) Ltd.; EC. No. SEIAA/PROJECT-1/2007/22 dated 28/03/2009,

(e) Expansion of Cement Plant from 900TPD to 2600TPD with 18MW Captive Power Plant at Thangskai, East Jaintia Hills by M/s Meghalaya Cements (P) Ltd.; EC. No. SEIAA/PROJECT-2/2007/18 dated 25/03/2009.

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(f) Construction of Integrated 900TPD Cement along with 10MW Captive Power Plant at Wahiajer, Jaintia Hills by M/s JUD Cements (P) Ltd., EC. No. SEIAA/PROJECT-5/2007/22 dated 26/11/2008,

The Member Secretary, to prepare a draft ECs amendment as required for and circulate the same to all members of the SEIAA for scrutinizing /checking; the duly checked draft shall be signed by all members.

The Member Secretary to issue the amend ECs to all concerned.

(B) On matter relating to Para (iii) of the MoEF &CC, NER, Shillong letter No. RONE/E/NGT/O.A.No.110(THC) of 2012/4020 dtd.13/03/2019. RONE, Shillong- on "Monitoring Agency should be specified for monitoring of CSR Activities",

The SEIAA after deliberation and discussion on the subject, unanimously decided to set up a Monitoring Committee for CSR, consisting of the Chairman, SEIAA, Meghalaya- as Chairman and Chairman, SEAC, Meghalaya- and Member Secretary, SEIAA, Meghalaya- as Member. The Committee will however co-opt members specializing in the particular CSR activities, as when required.

Agenda 4: Other (Misl)

(a) M/s Meghalaya Cement Ltd., Thangskai, Lumshnong, East Jaintia Hills - prayer by the Company for amendment of EC condition, relating to pro - duction from TPD to MTPA.

The Member Secretary circulated in the meeting a copies of (1) letter dated 29/03/19 received from the PP and (2) SEIAA, Meghalaya letter dated 25/07/2018 relating to the subject. The Member Secretary informed that the PP did not reply to the SEIAA's letter.

The SEIAA after deliberation and discussion on the subject, unanimously decided to go by the same decision of the SEIAA in the meeting dated 23/04/18.

The Member Secretary to take necessary action.

(b) Proposed LPG bottling plant by IOCL ,at Umiam, Ri Bhoi District.

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The Member Secretary circulated the letter dated 22/03/2019, sent by the Secretariat of SEIAA, Meghalaya to the MoEF & CC, New Delhi regarding the said LPG Bottling Plant. The Member Secretary informed in the meeting that the IOCL had applied also to the MoEF&CC due to the expiry of the Term of SEIAA, Meghalaya but without intimation to the SEIAA; hence after the PP replied to EDS on 07/03/2019 (i.e. after the re-constitution of the SEIAA, Meghalaya), their application was accepted on 13/03/19.

The SEIAA after deliberation and discussion on the subject, unanimously decided to wait for the reply of the above letter and to take necessary action if the case is re-transferred by the MOEF&CC.


The Meeting ended with vote of thank, from and to the Chair.


Chairman, SEIAA, Meghalaya.

Memo.No.ML/SEIAA(2018)/Meeting/11/2019/19 Dated, Shillong the 22nd Apr.'19

Copy to :

1. The Member, SEIAA, Meghalaya for information
2. File concern for record.


Member Secretary, SEIAA, Meghalaya