



# HP State Environment Impact Assessment Authority

HPSEIAA Secretariat, Himachal Pradesh  
Ministry of Environment Forest & Climate Change, Government of India,  
at Department of Environment Science Technology & Climate Change,  
Paryavaran Bhawan, Near US Club, Shimla-1  
Ph: 0177-2656559, 2659608 Fax: 2659609

No. HPSEIAA/2008/22/ Vol -X/ 67<sup>th</sup> Meeting/-

Dated: 12/11/2024

PROCEEDINGS OF 67<sup>th</sup> MEETING OF SEIAA, HIMACHAL PRADESH, HELD UNDER THE CHAIRPERSONSHIP OF SH.ARVID MEHTA, IAS (RETD.) ON DATED 28-12-2023.

## ITEM NO. 1: CONFIRMATION OF MINUTES OF 67<sup>th</sup> MEETING OF SEIAA.

The Authority after discussions confirmed the minutes of 66<sup>th</sup> meeting of SEIAA held on 17/11/2023.

## ITEM NO. 2: PROJECT PROPOSALS FOR GRANT OF EC (ENVIRONMENT CLEARANCE) & TOR (TERM OF REFERENCES)

### 2.1 Sh. Karan Singh Pathania, Prop. M/s K.K. Grit Udyog, Village-Bain Attarian, P.O. Kandrori, Tehsil-Indora, Kangra, H.P. (2-96-23 ha)

#### Brief outline of the project:

a)	Proposal No.	SIA/HP/MIN/71961/2022, HP SEIAA/2022-937 (TOR) SIA/HP/MIN/441670/2023, HP SEIAA/2023-937 (EC)
b)	Project type	Extraction/collection of Sand, Stone & Bajri
c)	Project Location	Khasra number 177/2 falling in Mauza&Mohal-Bain Attarian, Tehsil-Indora, District-Kangra, HP.
d)	Jamabandi	2016-2017
e)	Land Status	Private Land/terrace deposit.
f)	Capacity	26,610 TPA.
g)	Mining Area	02-96-23 ha.
h)	Leases with in 500 meter from the periphery of the area applied.	Two mining leases exist within 500 meters, 1. Sh. Karan Singh Pathania, having an area of 2-94-00 ha. 2. Sh. Karan Singh Pathania, having an area of 4-55-61 ha.
i)	Letter of Intent	Extension of Letter of Intent issued on dated 18.01.2022 (extended and valid upto 14.12.2023)
j)	EMP Cost	Capital Cost- Rs. 1.50 Lakhs, Recurring Cost- Rs. 1.7 Lakhs annually.
k)	CER cost	Revised cost.

The proposed project is Extraction/ Collection of Sand, stone & Bajri. The TOR letter was earlier issued in favour of the project proponent vide proposal No. SIA/HP/MIN/71961/2022 & file number HP SEIAA/2022-937 dated 04.03.2023.

Thereafter, online proposal for granting EC was submitted on dated 24/08/2023 and accepted by the SEIAA secretariat on dated 30/11/2023 and forwarded to SEAC secretariat.

After completion of EIA report, the proponent through SPCB hold the public hearing (PH) on dated 09/06/2023 for said project being B1 category project and proceedings of PH were received on dated 01/12/2023 from the Director DEST&CC.

The case application was listed before the SEAC in 97<sup>th</sup> meeting held on 7/12/2023. The committee examined the clarification submitted by the proponent to the fact that the mining lease has been approved as per approved DSR and also the fact that proposed mining lease is neither river bed nor hill slope type and is proposed on terrace sites which does not involve any replenishment process after the exhausting of the mineral as per approved mining plan. Such sites are to be closed with restoration.

The case was listed in 97<sup>th</sup> meeting of the SEAC held on 7<sup>th</sup> Dec, 2023. The SEAC recommended the case application for consideration of grant of environmental clearance by the SEIAA, subject to fulfillment of conditions annexed at Annexure-I with following special conditions that:

1. The capital cost (@ Rs. 4.00 lacs per  $\leq$  ha.) under CER, shall be deposited in the form of Demand Draft/ Transfer in the Bank Account Number mentioned in EC letter; to the office of Director (DEST&CC), GOHP. The Director

- (DEST&CC) shall device a plan for this purpose within one month for that area in consultation with project proponent.
- The project proponent shall provide 12 solar street lights with pole (including installation cost), 1 plastic waste shredder with washing arrangements, 1 pattal and dona making machine, 1 organic waste composteer of one tone capacity within one month from the issuance of EC letter.
  - The project proponent shall make provision to construct retaining wall (wire mesh) of 418 meters length x 2mx2m within 6 months of issuance of EC letter in the downstream boundary of the lease area.
  - The project proponent shall furnish the mining site closure plan within fifteen days.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the grant of Environment Clearance in favor of the project proponent as per the terms & conditions recommended by SEAC in its 97<sup>th</sup> meeting held on 7/12/2023.

**2.2 Sh. Karan Singh Pathania, M/s Jai Shree Hari Gram Udyog Stone Crusher, Village-Bain Attarian, P.O. Kandrori, Tehsil-Indora, Kangra, H.P. (2-94-00 ha)**

**Brief outline of the project:**

- |    |   |  |
|----|---|--|
| a) | Proposal No.  | SIA/HP/MIN/71484/2022, HP SEIAA/2022-939 (TOR)<br>SIA/HP/MIN/441767/2023, HP SEIAA/2023-939 (EC)   |
| b) | Project type  | Extraction/collection of Sand, Stone & Bajri   |
| c) | Project Location  | Khasra number 177/1 falling in Mohal & Mauza-Bain Attarian, Tehsil-Indora, Kangra, H.P   |
| d) | Jamabandi   | 2016-2017  |
| e) | Land Status   | Private Land, terrace deposit  |
| f) | Capacity  | 26,365 TPA   |
| g) | Mining Area   | 02-94-00 ha  |
| h) | Leases within 500 meter from the periphery of the area applied. | Two mining leases exist within 500 meters,<br>1. Sh. Karan Singh Pathania, having an area of 2-96-23 ha.<br>2. Sh. Karan Singh Pathania, having an area of 4-55-61 ha. |
| i) | Letter of Intent  | Extension of Letter of Intent issued on dated 17.12.2020   |
| j) | EMP Cost  | Capital Cost- Rs.0.20 Lakhs, Recurring Cost- Rs.1.85 Lakhs annually.   |
| k) | CER cost  | Capital Cost- Rs.2.5 Lakhs.  |

The proposed project is Extraction/ Collection of Sand, stone & Bajri. The TOR letter was earlier issued in favour of the project proponent vide proposal No. SIA/HP/MIN/71484/2022 and File No. HP SEIAA/2022-939 dated 04.03.2023.

Online proposal for granting EC was submitted on dated 25/08/2023 and accepted by the SEIAA secretariat on dated 25/10/2023 and forwarded to SEAC secretariat. After completion of EIA report, the proponent through SPCB hold the public hearing (PH) on dated 09/06/2023 for said project being B1 category project and proceedings of PH were received on 01/12/2023 from the Director DEST.

The case application was listed before the SEAC in 97<sup>th</sup> meeting held on 7/12/2023. The committee examined the clarification submitted by the proponent to the fact that the mining lease has been approved as per approved DSR and also the fact that proposed mining lease is neither river bed nor hill slope type and is proposed on terrace sites which does not involve any replenishment process after the exhausting of the mineral as per approved mining plan. Such sites are to be closed with restoration.

The case was listed in 97<sup>th</sup> meeting of the SEAC held on 7<sup>th</sup> Dec, 2023. The SEAC recommended the case application for consideration of grant of environmental clearance by the SEIAA, subject to fulfillment of conditions annexed at Annexure-I with following special conditions that:

- The capital cost (@ Rs. 4.00 lacs per ≤ ha.) under CER, shall be deposited in the form of Demand Draft/ Transfer in the Bank Account Number mentioned in EC letter; to the office of Director (DEST&CC), GOHP. The Director (DEST&CC) shall device a plan for this purpose within one month for that area in consultation with project proponent.
- The project proponent shall provide 12 solar street lights with pole (including installation cost), 1 plastic waste shredder with washing arrangements, 1 pattal and dona making machine, 1 organic waste composteer of one tone capacity within one month from the issuance of EC letter.
- The project proponent shall make provision to construct retaining wall (wire mesh) of 418 meters length x 2mx2m within 6 months of issuance of EC letter in the downstream boundary of the lease area.
- The project proponent shall furnish the mining site closure plan within fifteen days.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the grant of Environment Clearance in favor of the project proponent as per the terms & conditions recommended by SEAC in its 97<sup>th</sup> meeting held on 7/12/2023.

### ITEM NO. 3: CORRECTIONS/AMENDMENTS, EXPANSIONS, EXTENSIONS & TRANSFER OF EC

#### 3.1 Sh. Sanjay Suri, Chief Executive Officer, M/s Morepen Laboratories Limited, Village-Malku Majra, Tehsil-Nalagarh, District-Solan, Himachal Pradesh, Pin-173205.

##### Brief outline of the project:

- a) Proposal No. SIA/HP/IND2/194921/2020, EC HP SEIAA/2021-811
- b) Project type SIA/HP/IND3/302029/2023 (Amendment in EC) applied on dated 01.09.2023  
Expansion of APIs, bulk drug manufacturing unit.  
Category 5(f)-Synthetic Organic chemicals.
- c) Project Location Khasra number 1330,1329, 828, 824, 1328, 1327, 1325, 1324, 832, 833, 834, 1323 falling in village- Masulkhana, Tehsil-Kasauli, District-Solan, H.P.
- d) Prior Environment Clearance obtained by the company Nil
- e) Land Status Own land, 1.2266 ha, Proposed expansion shall be undertaken within existing unit.
- f) Total plot area 12,266 m<sup>2</sup>
- g) Total production Capacity in TPA
- | Sr. # | Product name                   | Existing quantity (TPA) | Proposed additional quantity (TPA) | After expansion |
|-------|--------------------------------|-------------------------|------------------------------------|-----------------|
| 1     | Loratadine & Its Inter-mediate | 180                     | 50                                 | 230             |
| 2     | Montelukast                    | 72                      | 50                                 | 122             |
| 3     | Desloratadine                  | 24                      | 25                                 | 49              |
| 4     | Olmesartan                     | 0                       | 50                                 | 50              |
| 5     | Rosuvastatin                   | 0                       | 50                                 | 50              |
| 6     | Candesartan                    | 0                       | 25                                 | 25              |
|       | Total                          | 276                     | 250                                | 526             |
- h) Estimated cost of expansion project 34.09 crores
- i) EMP Cost Capital Cost: Rs. 1,117 lakhs; Recurring cost: Rs. 367.05 lakhs.
- j) CER cost Capital Cost: Rs. 36 lakhs;

The project proponent was granted Environment Clearance vide this office letter number HP SEIAA/2020-811-562 dated 02.07.2021. Now, project proponent has applied for amendment of Environment Clearance w.r.t Boiler. The details are given as below:-

Sr. No.	Particulars	Unit	Quantity	Changes requested by project proponent.
1	Boiler	TPH	2 boiler each capacity 3 TPH, Total 6 TPH	2 boiler each capacity 5 TPH and fuel to be used LPG/Diesel. Total 10 TPH

The case was listed before the SEAC in 96<sup>th</sup> meeting held on 29/11/2023. The SEAC recommended that the SEIAA may issue amendments in Environment Clearance w.r.t. change in capacity & quantity of Boiler from "2 boiler each capacity 3 TPH, Total 6 TPH" to "2 boiler each capacity 5 TPH and fuel to be used LPG/Diesel. Total 10 TPH"

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA, as per the recommendations of SEAC in its 96<sup>th</sup> meeting held on 29/11/2023, approved to issue amendments in Environment Clearance w.r.t. change in capacity & quantity of Boiler from "2 boiler each capacity 3 TPH, Total 6 TPH" to "2 boiler each capacity 5 TPH and fuel to be used LPG/Diesel. Total 10 TPH".

#### 3.2 Sh. Sanjay Suri, Chief Executive Officer, M/s Morepen Laboratories Limited, Village-Malku Majra, Tehsil-Nalagarh, District-Solan, Himachal Pradesh, Pin-173205.

##### Brief outline of the project:

- a) Proposal No. SIA/HP/IND2/155943/2020 (EC granted)  
HP SEIAA/2020-736  
SIA/HP/IND3/302000/2023 (Amendment in EC) applied on dated

20.07.2023

- b) Project type Expansion of pharmaceutical Bulk Drug and intermediate manufacturing unit at village Malku Majra, Nalagarh, Solan.  
Category 5(f)-Synthetic Organic chemicals
- c) Project Location Khasra number 613, 614, 1053/619, 1054/619, 1057/637, 1058/637, 1059/638, 1060/638, 639 falling in village- Malku Majra, Tehsil- Nalagarh, District-Solan H.P.
- d) Prior Environment Clearance obtained by the company The EC was granted by MoEF&CC vide letter no J.11011/90/2003-IA(II)-I on dated 7<sup>th</sup> December, 2003.
- e) Land Status Private Land
- f) Total production Capacity in TPA Existing: 3006 TPA  
Proposed: 2000 TPA  
Total: 5006 TPA
- g) Estimated cost of expansion project 160 crores
- j) Area Existing plot area: 10.52 ha  
Proposed plot area: 1.22 ha  
Total plot area after expansion: 11.74 ha
- k) EMP Cost Capital Cost: Rs. 288 lakhs; Recurring cost: Rs.13.89 lakhs.  
Capital Cost: Rs. 1,117 lakhs (Revised)
- l) CER cost Capital Cost: Rs. 120.7 lakhs

The project proponent was granted Environment Clearance vide this office letter number HP SEIAA/2020-736-5178 dated 31.03.2021. Now, project proponent has applied for amendment of Environment Clearance w.r.t change in fuel of Boiler. The details are given as below:-

Sr. No.	Particulars	Unit	Quantity	Changes requested by project proponent.
1	Boiler	TPH	1*3TPH 1*4TPH 2* 6TPH, Fuel FO/Petcoke	Fuel to be used Bio fuel /wood/biomass/briquettes

The case was listed before the SEAC in 96<sup>th</sup> meeting held on 29/11/2023. The SEAC recommended that the SEIAA may issue amendments in Environment Clearance w.r.t. change in fuel of Boiler from "FO/Petcoke" to "Bio Fuel/wood/biomass/briquettes".

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA, as per the recommendations of SEAC in its 96<sup>th</sup> meeting held on 29/11/2023, approved to issue amendments in Environment Clearance w.r.t. change in fuel of Boiler from "FO/Petcoke" to "Bio Fuel/wood/biomass/briquettes".

3.3

**M/s Mahindra Holidays and Resorts India Limited, Village Shichera, Tehsil Kandaghat District Solan, Himachal Pradesh 173215.**

M/s Mahindra Holidays and Resorts India Limited, Village Shichera, Tehsil Kandaghat District Solan Himachal Pradesh 173215 vide online application No. SIA/HP/MIS/305319/2023 dated 05 Oct 2023 has requested to extend the validity of Environment Clearance issued by SEIAA, Himachal Pradesh vide letter No. HPSEIAA/2016/519 dated 26/5/2017 & corrigendum letter dated 22/9/2017 with following details:

- a) Proposal no. Online Proposal No. SIA/HP/NCP/62000/2017 dated 24/01/2017
- b) Project type Expansion of Time Share Resorts by M/s Holiday On Hills Resorts Pvt. Ltd.  
(Schedule 8(a) Building and Construction projects)
- c) Project Location Khasra number 507, 508, 509, 510, 511, 512/2, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 539, 540, 542, 543, 618/559, 620/560, 622/561, 647/538, 648/538, 649/541, 650/541, 653/506/1, 663/655/506/2, 658/535 516/101 at village-Shichera, Tehsil-Kandaghat, District Solan, Himachal Pradesh.
- d) Total Plot area 54,264 m<sup>2</sup> (5.4264 acres)
- e) Existing Built up area 10003.16 m<sup>2</sup> (after demolition)
- f) Total Built up area 31,712.14 sq. meter
- g) Cost of project Rs. 210 Crores
- h) EMP Cost Capital Cost: Rs. 47.5 lakhs; Recurring cost: Rs. 17.35 lakhs
- i) CSR cost Rs. 40.00 lakhs
- j). Institutional The following will be responsible for maintenance of APCDs and Solid Waste



- |                                   |   |
|-----------------------------------|---|
| Mechanisms for Env.<br>Protection | Management sites:<br>i) Construction phase: Developer/ Project Proponent.<br>ii) Operational Phase: Developer/ Project Proponent. |
| k) Validity period of EC          | 7 Years from date of issue.   |

The applicant has submitted hard copies of:

1. Application with relevant forms mentioning online proposal number duly signed by PP (in ink).
2. Affidavit stating that there is no change in project design.
3. Copy of Earlier EC granted vide letter No. HPSEIAA/2016/519 dated 26/5/2017
4. Latest Jamabandi (in original)
5. 6 monthly EC compliance report.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the extension of validity of EC as per the provision of office memorandum issued by Ministry of Environment & Forests & Climate Change (IA) vide F.NO. 1A3-22/ 28/2022-1A.111 (E 181584) dated 13-12-2022 with same terms and conditions of earlier issued EC vide letter No. HPSEIAA/2016/519 dated 26/5/2017.

**3.4 M/s Shiv Shakti Stone Crusher Co-op, Ind. Society Sand, Stone, & Bajri, Mining Project, Village Naira, Rajol, Bhareel and Jangal, PO Trilokpur, Tehsil Jawali, Distt. Kangra, HP-176225**

The project proponent vide online proposal No. SIA/HP/MIN/302628/2023 dated 18 Aug 2023 has submitted the application for grant of extension of EC issued vide letter No. HPSEIAA/2016/470/M/s Shiv Shakti Stone Crusher dated 18/11/2016. The project proponent has also submitted the desired documents on dated 12/12/2023 in response to this office letter dated 25/11/2023.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the extension of validity of EC in accordance with office memorandum issued by Ministry of Environment & Forests & Climate Change (IA) vide F.NO. 1A3-22/ 28/2022-1A.111 (E 181584) dated 13-12-2022 for the period of 5 years or validity of approved mining plan issued by Deptt. of Industries vide letter No. Udyog-Bhu(Khani-4)Laghu 501/95-VOL-III 3986 dated 20/1/2022 whichever is earlier without change in project location, capacity, T&C etc. mentioned in earlier EC and with following additional conditions:

1. The capital cost (@ Rs. 4.00 lacs per  $\leq$  ha.) under CER, shall be deposited in HDFC Saving Bank Account No. 50100626488752, IFSC: HDFC0006405, office of Member Secretary (SEIAA), EC Monitoring Cell, DEST&CC, GOHP. The Director (DEST&CC) will devise a plan for this purpose in consultation with project proponent.
2. The project proponent shall provide one Pattal & Duna making machines within 15 days from the issuance of this letter in the office of Director (DEST&CC) for further distribution under CER. Pattal & Duna Machines shall be purchased from authorised/ approved sources and CMC/AMC shall be assured with supplier for at least three year from date of installation. The Project proponent shall be responsible for functioning of the machines.
3. The project proponent shall sensitize and create awareness among people working within the project area as well as its surrounding area on the ban of 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 being submitted by the project proponents.
4. The project proponent, before start of mining operations, shall install CCTV cameras on the mining site covering all angles of mining site including entry & exit points. These cameras shall be theft and tamper proof. Where electricity/power is not available solar energy based cameras shall be installed with adequate battery backups. Date-wise video records w.r.t. CCTV camera shall be hosted & stored online and online portal link shall be shared with the office of Director-cum-Member Secretary, HPSEIAA through official e-mail: dbt-hp@nic.in.
5. Other terms and conditions of Environmental Clearance letter shall remain same as imposed in earlier issued EC letter referred above.
6. The implementation of terms and conditions shall be sole responsibility of project proponent during the extended period of EC and after the project is commissioned or made functional.
7. The project proponent shall submit video clips of previously mined area of the restoration works carried out with photographs of activities undertaken with expenditure details under CER/EMP within 15 days from the issuance of EC letter.

**3.5 Sh. Surinder Jamwal, S/o Shri Bhup Singh Jamwal ,Ward No. 5 Near Subhash Chowk, Village Post Office Palampur Himachal Pradesh.**

The project proponent vide online proposal No. SIA/HP/MIN/306638/2023 dated 23 Nov 2023 has submitted the application for grant of extension of EC issued vide letter No. HPSEIAA/2016/485 dated 15/12/2016. The project proponent has also submitted the desired documents on dated 8/12/2023.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the extension of validity of EC in accordance with office memorandum issued by Ministry of Environment & Forests & Climate Change (IA) vide F.NO. 1A3-22/ 28/2022-1A.111 (E 181584) dated 13-12-2022 for the period of 5 years or validity of approved mining plan issued by Deptt. of Industries vide letter No. Udyog-Bhu(Khani-4)Laghu 124/2012 9623 dated 7/1/2023, whichever is earlier without change in project location, capacity, T&C etc. mentioned in earlier EC and with following additional conditions:

1. The capital cost (@ Rs. 4.00 lacs per  $\leq$  ha.) under CER, shall be deposited in HDFC Saving Bank Account No. 50100626488752, IFSC: HDFC0006405, office of Member Secretary (SEIAA), EC Monitoring Cell, DEST&CC, GOHP. The Director (DEST&CC) will devise a plan for this purpose in consultation with project proponent.
2. The project proponent shall provide one Patal & Duna making machines within 15 days from the issuance of this letter in the office of Director (DEST&CC) for further distribution under CER. Patal & Duna Machines shall be purchased from authorised/ approved sources and CMC/AMC shall be assured with supplier for at least three year from date of installation. The Project proponent shall be responsible for functioning of the machines.
3. The project proponent shall sensitize and create awareness among people working within the project area as well as its surrounding area on the ban of 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 being submitted by the project proponents.
4. The project proponent, before start of mining operations, shall install CCTV cameras on the mining site covering all angles of mining site including entry & exit points. These cameras shall be theft and tamper proof. Where electricity/power is not available solar energy based cameras shall be installed with adequate battery backups. Date-wise video records w.r.t. CCTV camera shall be hosted & stored online and online portal link shall be shared with the office of Director-cum-Member Secretary, HPSEIAA through official e-mail: dbt-hp@nic.in.
5. Other terms and conditions of Environmental Clearance letter shall remain same as imposed in earlier issued EC letter referred above.
6. The implementation of terms and conditions shall be sole responsibility of project proponent during the extended period of EC and after the project is commissioned or made functional.
7. The project proponent shall submit video clips of previously mined area of the restoration works carried out with photographs of activities undertaken with expenditure details under CER/EMP within 15 days from the issuance of EC letter.
8. The project proponent shall submit revised EMP & CSR Plan with budgetary provisions (capital & recurring cost) for extended period of EC within 15 days from the issuance of the EC letter.

3.6 Sh. Rajat Thakur, Village- Chanjyar, P.O. Dhawali, Tehsil- Sarkaghat, District- Mandi, H.P. Himachal Pradesh 175024

The project proponent vide online proposal No. SIA/HP/MIN/304066/2023 dated 12 Sep 2023 has submitted the application for grant of extension of EC issued vide letter No. HPSEIAA/2013/161-1504 dated 09/03/2016. The project proponent has also submitted the desired documents on dated 7/12/2023.

The case was listed in 67<sup>th</sup> meeting of SEIAA held on dated 28<sup>th</sup> December, 2023. The SEIAA approved the extension of validity of EC in accordance with office memorandum issued by Ministry of Environment & Forests & Climate Change (IA) vide F.NO. 1A3-22/ 28/2022-1A.111 (E 181584) dated 13-12-2022 for the period of 5 years or validity of approved mining plan issued by Deptt. of Industries vide letter No. Udyog-Bhu(Khani-4)Laghu 242/2003 -7506 dated 25/11/2021 whichever is earlier without change in project location, capacity, T&C etc. mentioned in earlier EC and with following additional conditions:

1. The capital cost (@ Rs. 4.00 lacs per  $\leq$  ha.) under CER, shall be deposited in HDFC Saving Bank Account No. 50100626488752, IFSC: HDFC0006405, office of Member Secretary (SEIAA), EC Monitoring Cell, DEST&CC, GOHP. The Director (DEST&CC) will devise a plan for this purpose in consultation with project proponent.
2. The project proponent shall provide one Patal & Duna making machines within 15 days from the issuance of this letter in the office of Director (DEST&CC) for further distribution under CER. Patal & Duna Machines shall be purchased from authorised/ approved sources and CMC/AMC shall be assured with supplier for at least three year from date of installation. The Project proponent shall be responsible for functioning of the machines.

3. The project proponent shall sensitize and create awareness among people working within the project area as well as its surrounding area on the ban of 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 being submitted by the project proponents.
4. The project proponent, before start of mining operations, shall install CCTV cameras on the mining site covering all angles of mining site including entry & exit points. These cameras shall be theft and tamper proof. Where electricity/power is not available solar energy based cameras shall be installed with adequate battery backups. Date-wise video records w.r.t. CCTV camera shall be hosted & stored online and online portal link shall be shared with the office of Director-cum-Member Secretary, HPSEIAA through official e-mail: dbt-hp@nic.in.
5. Other terms and conditions of Environmental Clearance letter shall remain same as imposed in earlier issued EC letter referred above.
6. The implementation of terms and conditions shall be sole responsibility of project proponent during the extended period of EC and after the project is commissioned or made functional.
7. The project proponent shall submit video clips of previously mined area of the restoration works carried out with photographs of activities undertaken with expenditure details under CER/EMP within 15 days from the issuance of EC letter.
8. The project proponent shall submit revised EMP & CSR Plan with budgetary provisions (capital & recurring cost) for extended period of EC within 15 days from the issuance of the EC letter.

#### ITEM NO. 4: ADDITIONAL ITEMS

##### 4.1 Approval of District Survey Report

It was submitted that a District Survey Report of district Kangra prepared by Geologist, Directorate of Industries, Shimla has been received in the office of SEIAA. A DO letter dated 16/12/2023 has also been written to Principal Secretary, Industries to the GoHP to get District Survey Reports' (DSRs) of all the Districts approved from HP SEIAA.

The Authority was apprised that, the SEIAA in its 63<sup>rd</sup> meeting held on 13/6/2023 deliberated upon the Office Memorandum issued by the MoEF&CC, GoI vide F. No. IA3-22/11/2023-IA.III (E-208230) dated 28<sup>th</sup> April, 2023 in view of the compliance of order dated 07.12.2022 passed by Hon'ble NGT in O.A.142 of 2022 in the matter of Jayant Kumar vs. MoEF&CC. As per the MoEF&CC directions, SEIAA is required to scrutinize and appraise the proposals based on the checklist provided below:

1. Completely filled up Form-2 as per Ministry's OM dated 15.12.2021
2. Pre-Feasibility Report (PFR) as per MoEF Guidelines dated 30.12.2010
3. Valid Mine Lease Document
4. Approved Mining Plan from the concerned Authorities
5. **District Survey Report approved by SEIAA as per Ministry's Notification S.O 3611(E) dated 25.07.2018**
6. Implementation of "Sustainable Sand Mining Management Guidelines, 2016" and "Enforcement & Monitoring Guidelines for Sand Mining, 2020" in case of sand mining proposals.
7. Details of forest land involved in the mine lease area and availability of Stage-I/II Forest Clearance (FC) for diversion of forest land for non-forestry purpose.
8. Details of Eco Sensitive Zones (ESZ) and Eco Sensitive Areas (ESAs), National Parks, Wildlife Sanctuary, Coastal Zone, Water bodies and other ecological sensitive areas within/ in the vicinity of the mine lease area and if so details of NOC/ Clearances obtained.
9. If any Schedule-I species is present in the study area, proof of submission of Wildlife Conservation Plan to the Forest Department.
10. Cluster Certificate from State Mines and Geology Department.
11. Compliance of Hon'ble Supreme Court judgment dated 02.08.2017 passed in Common Cause vs Union of India Writ Petition (C) 114 of 2014.
12. Proposal of re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. in compliance to the direction dated 8<sup>th</sup> January, 2020 of Hon'ble Supreme Court in Writ Petition(s) Civil No. 114/ 2014, Common Cause vs Union of India & Ors.

The District Survey Report of district Kangra was placed before SEIAA in its 67<sup>th</sup> meeting held on dated 28<sup>th</sup> December, 2023. The representative of Department of Industries did not appear before the SEIAA for making power point presentation despite telephonic messages. After detailed deliberation on DSR it was decided that:

- a) Forward the DSR Report to SEAC for technical scrutiny/appraisal through expert members of SEAC and representative/expert from Department of Industries (Geological Wing), Himachal Pradesh may make power point presentation before SEAC. The SEAC to submit its recommendations for further approval by SEIAA.
- b) A letter may be written by the State Government for preparation of District Survey Report on priority.



- c) The Director (Industries) to apprise about the date of earlier DSRs by DEIAAs as to ascertain the position of validity of these DSRs up till 28<sup>th</sup> April, 2024.

#### 4.2 Processing & disposal of proposals from PARIVESH portal

The Authority was apprised that there are few proposals which are shown on PARIVESH portal as pending proposals from long time, due to technical & other reasons. These proposals are required to be disposed off from the portal.

#	Proposal No	Project Name	Company Name	Sector	Submission Date	Proposal Status
1	SIA/HP/IND2/226188/2021	M/s Shriom Organics Pvt. Ltd. Unit-II at Plot Nos. 30 & 109-113, Gondpur Industrial Area, Paonta Sahib, District Sirmaur, Himachal Pradesh.	M/S SHRIOM ORGANICS PVT. LTD. UNIT-II	IND2	25 Aug 2021	<b>Rejected by SEAC</b> in 94 <sup>th</sup> meeting. Application cannot be considered on the basis of 31-12-2021 timeline, however, the committee advised the project proponents to file a fresh application for seeking EC as per provisions.
2	SIA/HP/IND3/244861/2021	Proposed Setting up a Active Pharmaceutical Ingredient (API) Manufacturing Unit	M/S CMG BIOTECH LIMITED	IND3	21 Dec 2021	
3	SIA/HP/IND3/247844/2021	API and Intermediate Manufacturing Facility	JAGS PHARMA PRIVATE LIMITED	IND3	27 Dec 2021	
4	SIA/HP/RIV/438730/2023	Phina Singh Multipurpose Project	Department of Irrigation	RIV	31 Jul 2023	Rejected by SEAC in 94 <sup>th</sup> meeting (8/8/23), Multiple application of the same project.

Following applications are required to be online returned to SEAC for further necessary action:

5	SIA/HP/MIN/428137/2023	Extraction of Sand from hill slope at Mauza/Mohal Mangarh, Tehsil Pachhad, District Sirmaur H.P	THE SARAHAAN BLUES	MIN	05 May 2023	<b>Return to SEIAA (Violation)</b> Appraised in 95 <sup>th</sup> Meeting of HPSEAC, decided to initiate the process for cases of violation, and list it in next meeting after completion of the process.
6	SIA/HP/MIN/428193/2023	Extraction of Sand from hill slope at Mauza/Mohal Mangarh, Tehsil Pachhad, District Sirmaur H.P	THE SARAHAAN BLUES	MIN	05 May 2023	

The matter was placed before SEIAA in its 67<sup>th</sup> meeting held on 28<sup>th</sup> December, 2023. The SEIAA decided that the Member Secretary (SEIAA) may process the application online and take necessary action accordingly.

#### 4.3 DECISION OF HON'BLE HIGH COURT ORDER DATED 18/8/2023 IN THE MATTER OF CHANDER KAMAL BALJEES VS. STATE of HPSEIAA IN CWP No. 2807 of 2023

It is submitted that the matter was placed in 66<sup>th</sup> meeting SEIAA held on 17-11-2023 wherein it was decided that:

- The matter be referred to the State Government with background of the case and informing that the SEIAA has ordered to implement the orders of the Hon'ble High Court dated 18/08/2023 passed in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023 to grant formal EC forthwith enabling petitioner to go ahead with project in question in terms of plan/drawing approved by MC, Shimla on 14/12/2016 and further the license granted by TCP Department on 8/6/2017.
- The Hon'ble High Court in its order directed the SEIAA based on the fact that since requisite approvals have already been granted by the other departments of the State Government such as TCP & MC Shimla before the orders of the Hon'ble NGT dated 16.11.2017 in the matter of OA No. 121/2014 and the fact that this is a case of deemed approval.
- Therefore withholding EC at this stage by the SEIAA is not justified. So, in that case, till other departments of the State Government review and cancel their approvals, there are no ground to assail this order further.



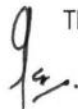
- Therefore, keeping in view the advise of Ld. AG recorded on copy of order the matter may be examined at the Government level whether or not the orders of the Hon'ble High Court dated 18/08/2023 passed in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023 need to be assailed further by these departments or not.

In compliance to the decisions of the SEIAA matter was referred to the State Government i.e. the Chief Secretary to the GoHP vide letter No. SEIAA/Secretariat Main/2021-Vol-I 1845 dated 18/11/2023.

In response to this letter an advise has been received from the office of the Chief Secretary to the GoHP vide letter No. STE-E(2)-3/2023 dated 26/12/2023 reproducing the advice of Law Department of Himachal Pradesh with the request to take necessary action in the matter accordingly.

The matter was placed before SEIAA in its 67<sup>th</sup> meeting held on 28<sup>th</sup> December, 2023. The SEIAA decided that the matter may be dealt as per the advise of AD vide letter No. STE-E(2)-3/2023 dated 26/12/2023.

The Meeting ended with a vote of thanks to & from the Chair.



(D.C. RANA, IAS)  
Member Secretary  
HPSEIAA



(ARVIND MEHTA, IAS)  
Chairman  
HPSEIAA

Date: 12/11/2024  
Place: Shimla



# HP State Environment Impact Assessment Authority

HPSEIAA Secretariat, Himachal Pradesh  
Ministry of Environment Forest & Climate Change, Government of India,  
at Department of Environment Science Technology & Climate Change,  
Paryavaran Bhawan, Near US Club, Shimla-1  
Ph: 0177-2656559, 2659608 Fax: 2659609

No. HPSEIAA/2008/22/ Vol -XI/ 66<sup>th</sup> Meeting/-

Dated: 17<sup>th</sup> Nov., 2023

**PROCEEDINGS OF 66<sup>th</sup> MEETING OF SEIAA, HIMACHAL PRADESH, HELD UNDER THE CHAIRPERSONSHIP OF SH.ARVIND MEHTA, IAS (RETD.) ON DATED 17-11-2023.**

## ITEM NO. 1: CONFIRMATION OF MINUTES OF 65<sup>th</sup> MEETING OF SEIAA.

The Authority after discussions confirmed the minutes of 66<sup>th</sup> meeting of SEIAA held on 7-10-2023.

## ITEM NO. 2:

### DECISION OF HON'BLE HIGH COURT ORDER DATED 18/8/2023 IN THE MATTER OF CHANDER KAMAL BALJEES VS. STATE of HPSEIAA IN CWP No. 2807 of 2023

The Authority was apprised that Sh. C.K. Baljee, Chairman & Managing Director, H.No. 124, 3<sup>rd</sup> Main Defense Colony, Indira Nagar, Bangalore, Karnataka vide online application No. SIA/HP/MIS/184041/2020 had submitted application for grant of Environment Clearance. The brief outline of the project is as under:

a)	Proposal No.	SIA/HP/MIS/184041/2020 HP SEIAA/2020-781
b)	Project type	"Resorts & Mountain Homes at Bharari village", Bharari-Kuffar Link road, Shimla. Building and construction project, Housing colony (category 8-a).
c)	Project Location	Khasra number 7 & 8 at village-Bharari, Tehsil-Shimla, District-Shimla, H.P.
d)	Total land area	20,235.86 m <sup>2</sup>
e)	Built up area	22873.02 m <sup>2</sup>
f)	Cost of project	56.39 Crores
g)	EMP Cost	Capital Cost: Rs.1.20 Crores; Recurring cost: Rs.12.00 lakhs /pa
h)	CER Cost	Capital Cost: Rs. 2.00 Crores;

The 1<sup>st</sup> time proposal was listed & appraised by SEAC in its 78<sup>th</sup> meeting held on 8/4/21, thereafter it was again listed in 78<sup>th</sup> meeting of SEAC on dated 8<sup>th</sup> April, 2021 subsequently in 79<sup>th</sup> meeting of SEAC on dated 23<sup>rd</sup> June, 2021, in 80<sup>th</sup> meeting of SEAC on 9<sup>th</sup> July, 2021, 53<sup>rd</sup> meeting of SEIAA on 12<sup>th</sup> July, 2021, 82<sup>nd</sup> meeting of SEAC on 11<sup>th</sup> Oct, 2021, 83<sup>rd</sup> meeting of SEAC on 29<sup>th</sup> Nov, 2021, 85<sup>th</sup> meeting of SEAC during 19<sup>th</sup> & 20<sup>th</sup>, July 2022, in 58<sup>th</sup> meeting of SEIAA on 21<sup>st</sup>, July 2022, in 59<sup>th</sup> meeting of SEIAA on, 28<sup>th</sup>, September 2022, in 87<sup>th</sup> meeting of SEAC on 28<sup>th</sup> December 2022 & finally in 60<sup>th</sup> meeting of SEIAA on dated 17<sup>th</sup>, February 2023.

The SEIAA in its 60<sup>th</sup> meeting decided that the Environment Clearance cannot be granted at this stage in view of prevailing orders of Hon'ble National Green Tribunal Order dated 16.11.2017 in the matter of OA No. 121/2014 titled as "Yogendra Mohan Sengupta Vs. Union of India and others. Accordingly the project proposal is disposed off.

Thereafter, the project proponent filed an appeal before the Hon'ble High Court, Himachal Pradesh against the decision of SEIAA taken on dated 17<sup>th</sup>, February 2023. The Hon'ble High Court on dated 18/08/2023 and passed an order in the matter in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023. The operative part of the Hon'ble High Court order is as under:

..... Consequently, in view of above, detailed discussion made herein above and law taken into consideration, this court finds merit in the petition and same is allowed, Annexure P-24 i.e. Minutes of Meeting dated 17.2.2023, in so far as they relate to the petitioner are concerned, are quashed and set aside and respondent No. 1 is directed to grant formal Environmental Clearance ...

The matter was listed in 64<sup>th</sup> meeting of SEIAA held on dated 5<sup>th</sup> Sept., 2023 wherein the SEIAA decided that the Environment Clearance is granted in favour of the project proponent in consonance with the Hon'ble High Court Orders in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023.

The applicant had applied for grant of Environment Clearance online vide application No SIA/HP/MIS/184041/2020 under Category 8(a): Building and construction project for construction of "Resorts & Mountain Homes at Bharari village", Bharari-Kuffar Link road, Shimla. The application was further rejected by SEIAA, Himachal Pradesh in its 60<sup>th</sup> meeting held on 17<sup>th</sup> February, 2023, in view of the Hon'ble NGT order dated 16.11.2017 in the matter of OA No. 121/2014. Accordingly, the application was also rejected on PARIVESH portal and matter was disposed off.

It is further apprised that on PARIVESH portal application No SIA/HP/MIS/184041/2020 stands disposed off and the Authority is not allowed to upload Environment Clearance letter. In order to resolve this issue a request letter was sent to the Secretary, MoEF&CC, Gol to:

- 1) Enable application No. SIA/HP/MIS/184041/2020 for issuance EC letter with EC identification number; OR
- 2) Issue necessary directions to SEIAA, Himachal Pradesh for taking further necessary action in the matter.

Copy of request letter is placed for kind reference. Further directions from MoEF&CC, Gol are awaited as yet.

Now afterwards, recently a communication vide letter No. 9-32/2023-Ravi Chauhan, Dy. AG, Office - 56561 dated 30/10/2023 has been received from the office of Lt. Dy. Advocate General, Himachal Pradesh enclosing the certified copies of the orders in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023 for further necessary implementation of the orders. In one of the copy of orders earlier received on 7/10/2023 there are some remarks made to SEIAA for examining the matter further. The remarks are as under:

*"...In this case SEIAA must standby its stand that present construction is in violation NGT orders & Environment conservation norms. Since that order is still in force pending adjudication before SC as well as in SDP-2041 such constructions is not feasible, hence appeal be preferred in this case..."*

Accordingly, the matter was referred to the AD vide this office letter No. Env.S&T(E)5-83/2023-CWP No. 2807/2023 -1979-80 dated 19<sup>th</sup> October, 2023 to seek advice of the Law Department . Copy of the letter is at Annexure-I.

The AD vide letter No. STE-E(2)-3/2023 dated 10/11/2023 has advised as under:

*"....The Administrative Department is not a party in CWP No. 2807 of 2023 and therefore there was no occasion to file a reply. The directions were given by the Court to respondent No. 1 i.e HP. State Environment Impact Assessment Authority (SEIAA). Needless to say that this authority is independent of the Government, duly notified by the Govt. of India. We may as an AD facilitate to take an opinion from the Law Department. You are requested to intimate the view taken by the SEIAA regarding whether they wish to assail the order of the Hon'ble High Court dated 18-08-2023 passed in the SWP No. 2807 of 2023 or not?..."*

Therefore, in the light of these comments, note the discussions are required to take further necessary action.

**The SEIAA in its 66<sup>th</sup> meeting held on dated 17/11/2023; deliberated on following:**

- a) Request letter forwarded to the Secretary, MoEF&CC, Gol regarding enabling application No. SIA/HP/MIS/184041/2020 for issuance EC letter with EC identification number.
- b) The advise of AD received vide letter No. STE-E(2)-3/2023 dated 10/11/2023.
- c) Communication from the office of Advocate General, Himachal Pradesh vide letter No. 9-32/2023-Ravi Chauhan, Dy. AG, Office - 56561 dated 30/10/2023 & written remarks of Ld. Advocate General, Himachal Pradesh in the matter.

The SEIAA after detailed discussion and deliberations decided that:

1. The matter be referred to the State Government with background of the case and informing that the SEIAA has ordered to implement the orders of the Hon'ble High Court dated 18/08/2023 passed in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023 to grant formal EC forthwith enabling petitioner to go ahead with project in question in terms of plan/drawing approved by MC, Shimla on 14/12/2016 and further the license granted by TCP Department on 8/6/2017. The Hon'ble High Court in its order directed the SEIAA based on the fact that since requisite approvals have already been granted by the other departments of the State Government such as TCP & MC Shimla before the orders of the Hon'ble NGT dated 16.11.2017 in the matter of OA No. 121/2014 and the fact that this is a case of deemed approval. Therefore withholding EC at this stage by the SEIAA is not justified. So, in that case, till other departments of the State Government review and cancel their approvals, there are no ground to assail this order further. Therefore, keeping in view the advise of Ld. AG recorded on copy of order the matter may be examined at the Government level whether or not the orders of the Hon'ble High Court dated 18/08/2023 passed in the matter of CHANDER KAMAL BALJEES VS. STATE of HPSEIAA in CWP No. 2807 of 2023 need to be assailed further by these departments or not.

The Meeting ended with a vote of thanks to & from the Chair.



(D.C.RANA, IAS)  
Member Secretary  
HPSEIAA

Approved by:

(ARVIND MEHTA, IAS)  
Chairman  
HPSEIAA

Date: 17<sup>th</sup> November, 2023.  
Place: Shimla