

State Environment Impact Assessment Authority, Bihar

2nd floor, Beltron Bhawan, Shastri Nagar, Patna - 800 023.

Ref. No. - 52.

Patna, Date:- 16/02/2019.

Minutes of the meeting of SEIAA, Bihar, convened on 12th February, 2019

A meeting of SEIAA was convened today on 12-02-2019. Following members were present in the meeting:-

Present :-

- | | | |
|-------------------------------|---|-------------------|
| 1. Shri B.N. Jha, | - | Chairman |
| 2. Dr. Nityanand Singh Maurya | - | Member |
| 3. Shri Surendra Singh | - | Member Secretary. |

Agenda Item No.-1 to 2

- Nalanda Sand Blocks (Block II of Stretch I) Mining Project, Village- Patoriya, Tehsil- Biharsharif, District- Nalanda, Area- 25.08 ha, (Proposal No. - SIA/1(a)/344/16, Online Proposal No.:-SIA/BR/MIN/25920/2017).
- Nalanda Sand Blocks (Block I of Stretch I) Mining Project, Village- Katona, Tehsil- Rajgir, District- Nalanda, Area- 26.99 ha, (Proposal No. - SIA/1(a)/345/16, Online Proposal No.:- SIA/BR/MIN/17393/2016).

The SEAC had considered these proposals in its meeting of 31 August 2018 and meeting of 7/8 December 2018 when the Project Proponents were directed to revise report on certain points which is stated in the concerned minutes of the meeting at page no. 06 to 8 and page no. 25 to 28. Again on 25 January 2019 the proposal was appraised and reports of the Project proponent were considered. Now SEAC has recommended the proposal for Environmental Clearance with conditions attached there in its proceedings concerned.

SEIAA while discussing the proposals has observed the followings:-

- (i) In public hearing main concern of the people has remained dust-emissions.
- (ii) The objection received in public hearing are addressed in the conditions / stipulations recommended by SEAC.

Taking these facts into consideration and recommendation of SEAC, SEIAA resolves to grant EC with all usual conditions /stipulations recommended by SEAC.

Agenda Item No.-3 to 4

- Banka Sand Blocks (Block 16 and 17 of Stretch-I) Mining Project, Village- Kunani, Jogipahadi Tehsil- Banka, District- Banka, Area- 32.6 ha, (Proposal No. - SIA/1(a)/347/16, Online Proposal No.:-SIA/BR/MIN/17507/2016).

- Banka Sand Blocks (Block 5 of Stretch-I) Mining Project, Village- Kanka, Tehsil- Banka, District- Banka, Area- 29.00 ha, (Proposal No. - SIA/1(a)/348/16, Online Proposal No.:-SIA/BR/MIN/17509/2016).

The SEAC had considered these proposals in its meeting of 31 August 2018 and meeting of 7/8 December 2018 when the Project Proponents were directed to revise report on certain points which is stated in the concerned minutes of the meeting at page no.08 to 10 and page no. 25 to 28. Again on 25 January 2019 the proposal was appraised and reports of the Project proponent were considered. Now SEAC has recommended the proposal for Environmental Clearance with conditions attached there in its proceedings concerned.

SEIAA while discussing the proposals has observed the followings:-

- (i) In public hearing main concern of the people has remained dust-emissions.
- (ii) The objection received in public hearing are addressed in the conditions / stipulations recommended by SEAC.

Taking these facts into consideration and recommendation of SEAC, SEIAA resolves to grant EC with all usual conditions /stipulations recommended by SEAC.

Agenda Item No.-5

Gere Block No.- 04 stone mining project, Village - Gere, Tehsil - Manpur, District - Gaya (Online Proposal No.-SIA/BR/MIN/17387/2015).

Grant of EC to this proposal was pending for a reply from District Magistrate, Gaya for very long period. Reminder was sent to District Magistrate from this Authority vide letter no. 118/SEIAA/17 dated 30.06.2017 and letter no. 224 dated 03/10/2018. In response reply of District Magistrate, Gaya

has been received vide his letter no. 3230/Mines Gaya dated 14.12.2018. Report of District Magistrate, Gaya establishes that three illegal houses are existent within 500 meter of the proposed mining block and they are illegal habitations. SEAC has recommended to relocate the houses, but has not suggested any modus of relocation. SEIAA resolved to impose an additional condition that "illegal occupant may be relocated by the district administration and cost of the relocation shall be borne by Project Proponent.

Taking these facts into consideration and recommendation of SEAC, SEIAA resolves to grant EC with all usual conditions.

Agenda Item No.-6

PROPOSED RESIDENTIAL APARTMENT "SAI ENCLAVE" Developer: M/s Sri Anuanand Construction Pvt. Ltd., Village:-Mustafapur, Tehsil:- Danapur, District:- Patna, State:- Bihar, Total Plot Area:- 24,633.43 m² Total Built-up Area:- 72,661.74 m². (Proposal No. - SIA/8(a)/602/18, Online Proposal No.:-SIA/BR/MIS/83570/2018).

In the light of resolve taken in Agenda item No. 7, this proposal was deferred from consideration.

Agenda Item No.-7

Discussion on the issuance of ToR by SEAC.

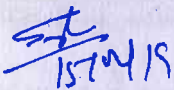
Here the issue involved is Grant of ToR; whether it is to be granted by SEAC or SEIAA. The SEIAA observed that:-

- (i) In its meeting of dated 25-01-2019 the SEAC, Bihar has granted ToR to M/s Anuanand Construction Pvt. Ltd, whereas practice of granting ToR was done by SEIAA prior to this case since the year 2016.
- (ii) It is also learnt that in its infancy SEAC Bihar used to grant ToR which was changed by the then Chairman SEIAA probably in the year 2016; so the SEAC was initially granting ToR and thereafter SEIAA took this responsibility from SEAC, and now SEAC has suo motto again started earlier procedure without consultation with SEIAA. Therefore now the issue requires a final settlement by the regulator.



For taking decision on this issue the S.O.996 (E), dtd. 10-04-2015, letter of GoI, No. J-11013/41-IA II(I), dated 18-05-2012 and introductory part of Standard ToR developed by GoI. in April, 2015 throws ample light on this matter. S.O. dated 10-04-2015 only enables SEAC for amending SToR if found necessary and also to impose additional conditions; again if found necessary. The letter of MoEE&CC dated 18-05-2012, quoted above, includes a clear reference in its Para 2 page 1 that grant of ToR is the duty of SEIAA. The introductory part of SToR, developed by MoEF&CC also clarifies well that the granting ToR is the jurisdiction of SEIAA. As an assisting body it would be only befitting to recommend ToR by SEAC and as "Regulator" SEIAA must continue granting ToR. Provision of uploading ToR is only available on the portal of SEIAA. Uploading ToR on the portal of SEIAA requires formal acceptance of ToR recommended by SEAC and thereafter its acceptance and grant and finally its uploading.

Hence it was resolved that present practice shall continue; SEAC shall continue only to recommend the ToRs and SEIAA shall grant ToR.



(Surendra Singh)
Member Secretary, SEIAA



(Dr. Nityanad Singh Maurya)
Member, SEIAA



(B. N. Jha)
Chairman, SEIAA