

MINUTES OF THE 60TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 13TH & 14TH AUGUS, 2018

The 60th meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand was held on 13th & 14th August, 2018 under the Chairmanship of Sh. K.P. Bhawsinka in the Conference Room at SEAC, Ranchi.

1. Sri K.P. Bhawsinka - Chairman
2. Dr. B.K. Tewary - Member
3. Sri R.N. Singh - Member
4. Dr. V.P. Sinha - Member
5. Sri S.P. Srivastava - Member
6. Sri Y.K. Singh - Member
7. Dr. R. V. Singh - Member
8. Sri U.P. Singh - Member
9. Sri Om Prakash, - Member Secretary

Sri Mohan Sriram Bhagwat, Member, SEAC could not attend the meeting due to personal reason. Various projects which were received by SEIAA after the previous SEAC meeting on 23rd & 24th July, 2018 and forwarded to SEAC for their technical appraisal came up for discussions. Besides, those Projects which were appraised in SEAC's earlier meetings, in which PP's were asked to provide additional information / clarifications, were also considered for examination / scrutiny, where the Project proponents had submitted replies. Accordingly, the Project proponents were asked to make technical presentation for the appraisal of their project before the committee.

The following salient observations / recommendation were made during the Presentation (Project -wise), as under:-

A. Discussion on matter related to :

1. MoEF & CC Notification dated 25.07.18 regarding procedure for preparation of DSR.

SEAC discussed **and analysed the** DSR of different districts of Jharkhand. In this regard the committee had observed a number of shortcomings during the appraisal process. The SEAC in the meeting held on 23-24.07.2018 suggested to update & modify the quality of DSRs.

In the meantime, MoEF & CC notification S.O. 3611(E), dated 25.07.2018 has issued the guidelines for preparation of DSR. The committee finally recommends to follow the said guidelines of MoEF and updates & modify all the DSR approved earlier. As a follow-up SEIAA is requested to issue advisory to all the DEIAAs of Jharkhand.

2. Site Inspection report of projects submitted by JUIDCO :

- (i) Ravindra Bhawan
- (ii) Convention Centre
- (iii) Civic Centre

The Project Proponent - the Jharkhand Urban Infrastructure Development Company Ltd (JUIDCO), Ranchi submitted 03 proposals for construction of following buildings :

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- i. Ravindra Bhawan building construction project of JUIDCO at Kutchery Chowk, Opposite Jaipal Singh Stadium, Ranchi.
- ii. Proposed Convention Centre Building Construction Project of JUIDCO, Ranchi Smart City, HEC Campus, Ranchi.
- iii. A Civic Tower building construction Project of JUIDCO, Ranchi Smart City, HEC Campus, Ranchi.

The SEAC had decided in its 58th meeting on 25-26.06.2018 to carry out Site inspection in order to proper appraisal of the said projects.

Site inspection was conducted by the Chairman & members of committee on 24.07.2018.

Field Observations / findings

(i) Ravindra Bhawan,

Project Built up Area: 34,624 Sq.m.

Location : Kutchery Chowk, Near Jaipal Singh Stadium, Ranchi.

Boundary : North : Ranchi Collectriate

South : Wide road

East : Kutchery Road

West : Road

- i. The committee found GI sheet covered fencing all along the proposed plot and a gate.
- ii. A make-a-shift Site office was found.
- iii. Considerable portion of the site was found excavated (approx. more than 10 feet deep).
- iv. Some heavy excavating equipments were found at the site.
- v. Soil heaps were found
- vi. M S rods were lying as site.
- vii. The said project is likely to create additional traffic load on near by Kutchery road etc.

(ii) Convention Centre Site,

(iii) Civi Tower Location :Near Project Building, HEC campus, Ranchi

These 02 proposed sites are adjoining to each other and on the south Project. Building, HEC campus, Ranchi and a natural "nalla" was found and on the South of the project site a dense grove was found. During site inspection muddy and inaccessible katcha road was found, all along the boundary & location could not be ascertained. Adjoining site - 3 is located.

The project proposals submitted with Form I on 24.04.18 before SEIAA and later on, resubmitted on 28.05.18

In both Form I (II) Activity serial no 1.15 it has been recorded that "The work of STP is initiated along with project" in all the 03 project proposals.

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Relevant Notification/Guidelines/Circular

EIA Notification 2006

a) Para 2 road as under :

“The following projects or activities shall require prior environmental clearance from the concerned regulatory authority which shall hereinafter referred to be as the Central Govt. in the Ministry of Environment and Forests for matters falling under Category ‘A’ in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category ‘B’ in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project nor activity.”

(i) All view projects or activities listed in schedule to this notification. Schedule under para-8 mentions buildings 20,000 Sqm. Built up area for covered construction.

b) In MoEF OM dated 19.08.2010 following clarification has been given

*“It is to reiterate that the EIA Notification, 2006 mandates prior environment clearance to be obtained in respect of all the activities listed therein following the prescribed procedure. **No activity relating to any project covered under this Notification including civil construction, can be undertaken at site without obtaining prior environmental clearance except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s)”***

The SEAC found during the site inspection that more than 10 feet deep excavation work was done in all the 03 said project sites.

Conclusion

As per EIA Notification, 2006 under section 2, prior EC from the concerned regulatory authority is required before commencing any construction work or preparation of land by the project management for securing the land.

The PP thus has carried out prohibited activities i.e. excavation of more than 10 feet deep work^{as} mentioned in the aforesaid OM dated 19.08.2010 without obtaining prior EC, which amounts to violation of E (P) Act, 1986 would attract penal action under the provisions thereof.

Lead

RV Singh

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Delwary Singh

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3. CBWTF of M/s Medicare Environment Management Pvt Ltd., Dhanbad.

With reference to SEIAA letter no. 186 dt. 06.08.2018, the SEAC discussed the matter. As per MoEF & CC OM No J-11013/36/2014-IA-I dated 04.04.2016 "Public Hearing" is exempted for projects situated in industrial area.

In this regard Prof.. Ranvijay Singh, SEAC member opined that the Public Hearing for this type of industry will enhance the propose of better safeguard of environment of the area.

Accordingly SEAC recommends for exemption of "Public Hearing" in the light of OM dated 04.04.2016.

4. Regularization-cum-Expansion of M/s Santpuria Alloys (P) Ltd at Vill. Manjhladih, Giridih.

Earlier SEAC sought some clarification regarding whether the credible action has been taken or not against the P.P. In response, JSPCB vide letter no. D-290, dated 11.07.2018 intimated that the no case has been lodged by JSPCB, against the said PP.

As per the OM no. J-11013/41/2006-IA-II(I)(Part), dated 07.11.2014 Section 3(c) which quotes

"In case of project proponent seeking Environmental Clearance for expansion of the existing unit but had committed certain violation and the project proponent has submitted all the information and details but the State has not filed case under section 15/19 of Environment (Protection) Act, 1986, such cases shall also be considered by the Authority, as the project proponent is not at fault."

Dr. Ranvijay Singh & Sri Yugal Kishore Singh, Member, SEAC recommend that credible action may be taken as per the recommendation of previous committee (Part A 27th Meeting of SEAC dated 24-27.03.2015 and 29th Meeting of SEIAA dated 02.04.2015) .

Committee recommend that ToR extension may be considered for another 01 year with a recommendation to take credible action, as per law.

5. Standard Operating Procedure for disposal of EC proposals.

MOEF& CC from time to time issues time issues for disposal of EC proposals. SEAC follows the said time line more over SEAC does not mandate for amendment/revision of timeline for disposal of EC proposal.

B. Projects for which SEAC has sought clarifications from PP.

1. Mahesh Munda Sand Mine Project on Ajay River of M/s Mehar Developers (Sri Anil Kumar Singh) at Village- Maheshmunda, Nala, Jamtara (16.19 Ha).

Project Proponent seeks for withdrawal of proposal. File to be returned to SEIAA for dropping the case with a request to forward the proposal only after through scrutiny.

2. Madhopur & Parodih Stone Mines of M/s Mahesh Kumar Verma & Other at Vill.- Madhopur & Parodih, Dhanwar, Giridih (0.52 Ha).

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	During construction phase estimated power requirement will be 75 KW which will be met by Jharkhand State Electricity Board.	During operation phase power requirement is 800 KVA and will be sourced from Jharkhand State Electricity Board.
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Built up Area details :

Sl. No.	Description	Unit-wise area			
		(m ²)			
1.	FAR Permissible as per By-laws	35,762.01			
2.	FAR Achieved	29,181.08			
3.	Ground Coverage Permissible (35%)	5,006.86			
4.	Ground Coverage Achieved	2,482.82			
5.	Green Area	3,809.85			
6.	Road Area / Paved Area	4,496.63			
7.	Open Parking Area	3,515.50			
8.	Total Car Parking	272			
9.	Total Scooter Parking	239			
10.	No. of Floors	Half Stilt + 13 Floors			
11.	Height of Building	41.75 m			
	Total Area of Units	2 BHK + 2 Toilet	3 BHK + 2 Toilet	3 BHK + 2 Toilet	239 Units
		80 Units	135 Units	24 Units	

In the earlier presentation on 25-26.06.2018 a number of queries were raised by the committee. The PP has replied and submitted all the documents. Point wise replies were made.

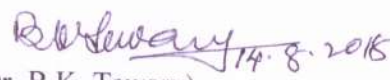
The committee sought clarification regarding the distance from Eco Sensitive Zone of Dalma Wild Life Sanctuary and the EC qualification. The PP replied with the available MoEF & CC circular and notification.


In Form-I Dalma Wildlife Sanctuary was recorded to be situated at a distance of 4.5 KM. However in the presentation, write up it was written as 1.5 KM. DFO, Jamshedpur certificate letter no. 2382, dated 25.07.2018 mentioned the minimum distance of forest as 200 m however RFO mentioned the said distance as 1070 m.


DFO, Jamshedpur & DFO, Saraikela Kharsawan has certified the contradictory report regarding presence of project site within 10 KM of Wildlife Sanctuary.

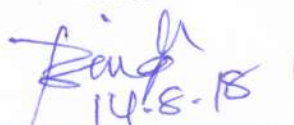
- C. Note :** Sri S.P. Srivastava, Member, SEAC did not participate in the inspection of Ravindra Bhawan proposed project site in view of conflict of interest undertaken furnished by him at the time of accepting the offer of nomination in SEAC.

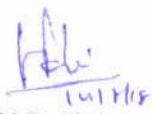
The meeting concluded with thanks to all present.

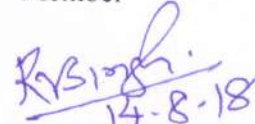

(Dr. B.K. Tewary)
Member

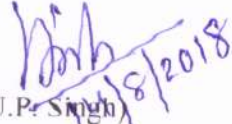

(S.P. Srivastava)
Member

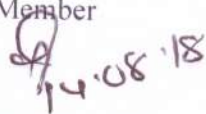

(R. N. Singh)
Member

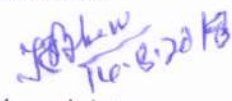

(Y.K. Singh)
Member


(Dr. V.P. Sinha)
Member


(Dr. R. V. Singh)
Member


(U.P. Singh)
Member


(Om Prakash)
Member Secretary


(K.P. Bhawsinka)
Chairman