



**MINUTES OF THE 189<sup>th</sup> MEETING OF STATE EXPERT APPRAISAL COMMITTEE (SEAC),  
A.P., HELD ON – 13<sup>th</sup>& 14<sup>th</sup> June, 2022 AT VIJAYAWADA, A.P.**

**189<sup>th</sup>**

**SEAC, A.P.**

**(Day-1)**

**13<sup>th</sup>June, 2022**



सत्यमेव जयते

**MINUTES OF THE 189<sup>th</sup> MEETING OF STATE EXPERT APPRAISAL  
COMMITTEE (SEAC), ANDHRA PRADESH  
HELD ON  
13<sup>th</sup>June, 2022  
AT VIJAYAWADA  
A.P.**



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**Present: The following members were present. ( Through Video Conference)**

1.	Dr.G.V.R.SrinivasaRao, Professor, Civil Engineering Department, Andhra University, Visakhapatnam	Chairman
2.	Dr.DineshSankar Reddy Registrar(I/C),Professor of Chemical Engineering, NIT, Tadepalligudem, West Godavari	Member
3.	Prof. G. Gnana Mani, Retd., Professor of Zoology, Andhra University, Visakhapatnam	Member
4.	Prof. U. Shameem. Chairman, Dept. of Zoology, Andhra University, Visakhapatnam	Member
5.	Dr. Kiranmai, Assistant Professor, Dept. of Bio Technology, VikramaSimhapuriUniversity,Nellore,SPSRNelloreDistrict	Member
6.	Prof. C. Sasidhar, Professor, Civil Engineering Dept, JNTU, Anantapur	Member
7.	Prof. N. Siva Prasad Reddy, Director (Academics), Brindavan Institute of Technology &Science ,Kurnool	Member
8.	Prof. D. Bharathi, Professor, Dept. of Bio Sciences & Sericulture, Sri PadmavathiMahilaViswaVidhyalayam, Tirupati	Member
9.	Sri KatamneniVenkataRamana, Head of Mining Dept. Government Polytechnic, Narsipatnam.	Member
10.	Dr.M. Sunandana Reddy, Associate Professor,RGM College of Engineering & Technology (Autonomous), Nandyal.	Member
11.	Sri Matli. Chandra Sekhar Professor, Head of Department of Civil Engineering, NIT, Warangal.	Member
12.	Dr. G. Madhavi, Associate Professor, Department of Chemistry, Sri Venkateswara University, Tirupati	Member
13.	Prof. K. ThyagaRaju,Professor,Department of Bio-Chemistry, S.V.University, Tirupati	Member
14.	Dr.GummallaPrasanthi, Professor, Vijaya Institute of Pharmaceutical Sciences, Vijayawad	Member
15.	Sri. B Siva Prasad, Chief Environmental Engineer, Andhra Pradesh Pollution Control Board. Vijayawada	Member Secretary



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<b>Agenda Item: 189.01</b>	<b>0.809 Ha Ballast, Road Metal &amp; Boulders Quarry of M/s. Sri Vasavi Granites, Sy. No., 334 Duddukuru Village, Devarapalli Mandal, West Godavari District, Andhra Pradesh - TOR-Reg.</b>
SIA/AP/MIN/68739/2021	The proponent has not attended 175 <sup>th</sup> and 189 <sup>th</sup> meeting and hence, recommended to raise the ADS for latest cluster letter as the previous uploaded letter is more than six months old.
<b>Agenda Item: 189.02</b>	<b>1.0 Ha. Road Metal and Building Stone Quarry of M/s Parameswari Industries, Sy. Nos. 07, Sompuram Village, Vepada Mandal, Vizianagram District, Andhra Pradesh - Terms of Reference (ToR)- Reg.</b>
SIA/AP/MIN/68881/2021	The proponent has not attended 175 <sup>th</sup> and 189 <sup>th</sup> meeting and hence, recommended to raise the ADS for latest cluster letter as the previous uploaded letter is more than six months old.
<b>Agenda Item: 189.03</b>	<b>0.50 Ha. Road Metal and Building Stone Quarry of M/s Parameswari Industries, Sy. Nos. 07, Sompuram Village, Vepada Mandal, Vizianagram District, Andhra Pradesh. - Terms of Reference (ToR)- Reg.</b>
SIA/AP/MIN/68888/2021	The proponent has not attended 175 <sup>th</sup> and 189 <sup>th</sup> meeting and hence, recommended to raise the ADS for latest cluster letter as the previous uploaded letter is more than six months old.
<b>Agenda Item: 189.04</b>	<b>2.30 Ha Road Metal and Building Stone of Smt.P.Padma, Sy. No. 7, Pedadungada Village, Vepada Mandal, Vizianagaram District, Andhra Pradesh - TOR - Reg.</b>
SIA/AP/MIN/58913/2020	The proponent has not attended 158 <sup>th</sup> and 189 <sup>th</sup> meeting and hence, recommended to raise the ADS for latest cluster letter as the previous uploaded letter is more than six months old.
<b>Agenda Item: 189.05</b>	<b>2.711 Ha Ordinary Earth, Road Metal &amp; Boulders of M/s Isukapalli Veera Raju Granite Metal Suppliers, Sy. No., 238/2A2 &amp; 238/2B2 Decherla Village, Kovvur Mandal, West Godavari District, Andhra Pradesh - TOR - Reg.</b>
SIA/AP/MIN/72824/2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case. as it is construed that the proponent is not interested in project.
<b>Agenda Item: 189.06</b>	<b>12.588 Ha Road Metal Building Stone, M-Sand Boulders and Gravel of M/s. Lotus Construction Corporation, Sy. No. 231 of Chiyyedu Village Ananthapuramu Mandal, Ananthapuramu District Andhra Pradesh - TOR - Reg.</b>
SIA/AP/MIN/72898/2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case. as it is construed that the proponent is not interested in project.
<b>Agenda Item: 189.07</b>	<b>6.360 Ha Road Metal Building Stone, M-Sand Boulders and Gravel of M/s. Lotus Construction Corporation, Sy. No. 231 of Chiyyedu Village Ananthapuramu Mandal, Ananthapuramu District Andhra Pradesh - TOR - Reg.</b>
SIA/AP/MIN/72872/2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case. as it is construed that the proponent is not interested in project.
<b>Agenda</b>	<b>1.416 Ha Ordinary Earth, Ballast, Road Metal &amp; Boulders Quarry of M/s.</b>



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<b>Item: 189.08</b>	<b>Jai Granites, Sy. No. 296/2H1 &amp; 2H2 Duddukuru Village, Devarapalli Mandal, West Godavari District, Andhra Pradesh – TOR – Reg.</b>
SIA/AP/MI N/73520/ 2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise ADS seeking reasons for not attending and presenting the case. as it is construed that the proponent is not interested in project.
<b>Agenda Item: 189.09</b>	<b>2.00 Ha Road Metal &amp; Building Stone of M/s Sri Sai Krishna Stone Crusher, Sy. No. 464 in Kottam Village, S. Kota Mandal, Vizianagaram Dist. Andhra Pradesh – TOR – Reg.</b>
SIA/AP/MI N/73716/ 2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case.as it is construed that the proponent is not interested in project.
<b>Agenda Item: 189.10</b>	<b>2.75 Ha Road Metal &amp; Building Stone of Sri P. Ashok Chandra Thrimurthy Raju, Sy. No. 75 in Bowlawada Village, Sy.No. 01 in Marturu Village, Anakapalli Mandal, Visakhapatnam District. Andhra Pradesh – violation TOR – Reg.</b>
SIA/AP/MI N/73927/ 2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case and latest cluster letter with clear details of non- working mines status.
<b>Agenda Item: 189.11</b>	<b>1.00 Ha Road Metal &amp; Building Stone of Sri Malla Srinivasa Rao, Sy. No.07, Sompuram Village, Vepada Mandal, Vizianagaram District, Andhra Pradesh – TOR – Reg.</b>
SIA/AP/MI N/73930/ 2022	The proponent has not attended 189 <sup>th</sup> meeting and hence, recommended to raise the ADS seeking reasons for not attending and presenting the case.
<b>Agenda Item: 189.12</b>	<b>2.00 Ha Dimensional Stone useful for Cubes &amp; Kerbs mine of M/s. R.R Stones Private Limited, Sy. No. 114, Maldepalli village, Gudupalli Mandal, Chittoor District, Andhra Pradesh – Terms of Reference – Violation - Reg.</b>
SIA/AP/MI N/71419/ 2022	<b>Category: B2 (Violation TOR).</b>  The proposed project is for mining of Colour Granite-12171 Cum/Annum , Road metal & Building stone – 7303 Cum/Annum & <b>Cubes &amp; Kerbs –9883 Cum/ Annum</b> mine in an area of <b>2.0 Ha</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.  The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).  The representative of proponent and their consultant Prudhvi Enviro & Pvt Ltd., have attended the meeting.  The project proponent had filed in window period vide proposal no.22763 dt.28.03.2018.  The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Palamaner vide letter 2608/Q/2014, dt.06.06.2022 stating that there are <b>no</b> existing leases within 500 mtrs radius of Q.L. applied area. Cluster area<5Ha. This is a standalone mining project. The total reserves observed to be for colour granite-221082.25 Cum(53% in recoverable material) , cubes and kerbs-(179518 Cum)& Road metal and building stone-132649 Cum. The life of mine for colour granite is 9.6 years , Cubes and kerbs- 15.63 years and Road metal and building stone is 18 years.  The project proposal was placed in 188 <sup>th</sup> meeting and recommended to raise ADS for want of latest cluster letter and the proponent submitted cluster



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	<p>letter on 12.06.2022.</p> <p>The Committee examined the cluster letter and noted that the extent of proposed mine lease cluster area is 2.0 Ha which is &lt; 5.0 Ha. The project falls under B2 category.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to issue <b>violation TOR without public hearing</b> with additional following TORs:</p> <ol style="list-style-type: none"><li>1. Surface runoff protection measures all along the lease area.</li><li>2. Plantation all along the mine and approach roads.</li><li>3. Credible action to be initiated through concerned Regional Office, APPCB.</li><li>4. Damage assessment studies and its remedial plan.</li><li>5. The proponent is liable to pay the penalties as levied by the concerned authority, as per the OM No.28.1.2022 and clause no 12 of SOP dated 07-07-2021, duly incorporating the total production during the violation period and submit the calculation of penalties based on the project cost and the total turnover during the violation period.</li></ol>
<b>Agenda Item: 189.13</b>	<b>2.298 Ha. China clay quarry of JYOTHULA INDUSTRIES at Sy.No. 21/1, 22/1&amp;2 of Ramavaram Village, Jaggampeta Mandal, East Godavari District - Environmental Clearance - Reg.</b>
SIA/AP/MIN/259643/2022	<p><b>Category: B2</b></p> <p>The proposed project is for mining of <b>China clay</b> in an area of <b>2.298 Ha</b> with a proposed production quantity of <b>China clay -46332 TPA</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr. P. Vijay Kumar have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr.No.4270/Q/2019, dt.16.02.2022 there are 2 quarry leases existing within the radius of 500mts from the lease area and these two quarry leases were granted before 09.09.2013. Cluster area &lt;5Ha. This is a new mine without drilling and blasting.</p> <p>The Committee noted that the extent of proposed mine lease area is 2.298 Ha. The project falls under B2 category. Mine life 13.26 years.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to Environmental Clearance with following additional conditions:</p> <ol style="list-style-type: none"><li>1. Dust suppression measures to be adopted duly allocating separate budget as per the EMP.</li><li>2. 7.5m buffer shall be maintained all around the mine.</li><li>3. The mining shall be carried out without drilling and blasting activity.</li></ol>
<b>Agenda Item:</b>	<b>1.327 Ha. Earth, Road metal &amp; Boulders of M/s. Ravitej Projects, Sy. No.57/1C, Laxmipuram Village, Devarapalli Mandal, West Godavari</b>



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<b>189.14</b>	<b>District - Environmental Clearance - Reg.</b>
SIA/AP/MI N/227168 /2021	<p><b>Category: B2</b></p> <p>The proposed project is for mining of <b>Earth,Road Metal &amp; Boulder</b> in an area of <b>1.327 Ha</b> with a proposed production quantity of Mining of Earth – 23544 m<sup>3</sup>/annum, Ballast / Road metal – 23544 m<sup>3</sup>/annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr.P.Vijay Kumar have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Eluru vide letter dt.04.04.2022. The total cluster Area is 2.327 Ha which is &lt;5Ha. This is a new mine.</p> <p>The Committee noted that the extent of proposed mine lease area is 1.327 Ha. The project falls under B2 category. Mine life 5.27years.</p> <p>Earlier, ADS was raised for want latest cluster letter and photographs of nearest shed to be uploaded in online and the same was examined.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to Environmental Clearance with the following additional condition.</p> <p>1. <b>Buffer zone plantation should be maintained.</b></p>
<b>Agenda Item: 189.15</b>	<b>4.990 Ha Silica sand mine of M/s. SIVA MINES AND MINERALS, Sy No: 690-B Momidi Village, Chillakur Mandal SPSR Nellore District, Andhra Pradesh - Environmental Clearance - Reg.</b>
SIA/AP/MI N/268408 /2022	The project proponent has not attended the meeting. Hence, deferred for the ensuring meetings.
<b>Agenda Item: 189.16</b>	<b>4.801 Ha Limestone mine of Sri B. Rajendranath, Sy. No. 31/1, 193/1P, 193/2 &amp; 193/3, over an extent of 4.801 Ha. situated in Palkur Village, Banaganapalli Mandal, Kurnool District, Andhra Pradesh- Extension of Environmental Clearance - Reg.</b>
SIA/AP/MI N/231717 /202	<p><b>Category: B2</b></p> <p>The proposed project is for extension of EC for mining of Limestone mine in an area of <b>4.801 Ha</b> with a proposed production quantity of Limestone Mine - 41225 TPAwith a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The representative of proponent and their consultant AMPL Enviro Pvt Ltd., have attended the meeting.</p> <p><b>The committee noted the following:</b></p> <p>1. The mining lease was granted on 08.12.2005 and executed on 16.09.2006 for a period of 20 years, valid upto 15.09.2026. Subsequently, the lease period extended to 50 years i.e. upto 15.09.2056, as per the Mines &amp; Minerals (Development and</p>



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	<p>Regulation) Amendment Act. 2015 and supplementary lease deed was executed.</p> <ol style="list-style-type: none"><li>2. The EC was granted for limestone production of 41,225 TPA by SEIAA, Andhra Pradesh vide letter no. SEIAA/AP/KNL-108/2013/779, dated 30.04.2013, with a validity period of 05 years as per the life of the mine, calculated based on the available mineral reserves &amp; resources.</li><li>3. The EC was extended through letter dt.20.09.2021 by the thenSEIAA, Andhra Pradesh for a period of 0.6 years.</li><li>4. Again, the mine operator applied for extension of EC on 05.10.2021 for a period of 8 years as the mineable Limestone reserves of 3,26,949 tonnes are available as per the latest approved Modified Mining Plan approved by IBM, Hyderabad vide letter no. AP/KNL/MS/Lst-116/Hyd dated 11.03.2021. Accordingly, the life of the mine shall be 8 Years (i.e 3,26,949 tonnes /41225 TPA = 7.93 Years Say 8 Years).</li></ol> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended for Extension of Environmental Clearance upto 30.11.2029 with following additional conditions:</p> <ol style="list-style-type: none"><li>1. <b>The mine operator shall maintain buffer zone plantation and road side plantation.</b></li><li>2. <b>The applicant shall allocate at least 1.50 Lakhs per annum towards dust control measures.</b></li></ol>
<b>Agenda Item: 189.17</b>	<b>Construction of New Residential Group housing Building project in the name of "Me Anandamayya Constructions" at Sy.No: 401/A, Nallapadu village &amp;Nallapadu Mandal, Guntur district, Andhra Pradesh- Environmental Clearance -Reg.</b>
SIA/AP/MIS/263352/2022	The proponent did not attend 188 <sup>th</sup> AND 189 <sup>th</sup> meeting and hence to raise ADS that the proponent shall submit soil test report and structural drawings and effluent treatment plant and treated water safe disposal details.
<b>Agenda Item: 189.18</b>	<b>M/s Vijaya Raja Rajeswari Constructions Pvt Ltd. owned by Visionary Promoter &amp; Managing partners Sri. GopalamBrahmaiah have Proposed construction of New Residential Building project at R.S.NO'S: 415/2A(P),2B(P),2C(P) &amp; 417/1A, Poranki village &amp;Penamaluru Mandal, YSR Thadigadapa municipality, Krishna District, Andhra pradesh- Environmental Clearance -Reg.</b>
SIA/AP/MIS/272131/2022	The proponent did not attend in 189 <sup>th</sup> meeting and hence to raise ADS that the proponent shall submit soil test report and structural drawings and effluent treatment plant and treated water safe disposal details.
<b>Agenda Item: 189.19</b>	<b>22.946 Ha Quartz mine of Dr. S. Ravindranath Reddy, Sy No. 1/P, Yerrabommanapalli Village, Chakrayapeta Mandal, Kadapa District, Andhra Pradesh- Violation TOR- Reg.</b>
SIA/AP/MIN/76936/2022	<b>Category: B1 (violation TOR).</b> <p>The proposed project is for mining of <b>Quartz</b> in an area of <b>22.946 Ha</b> with a proposed production quantity of Mining of <b>Quartz – 10,80,000 TPA</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p>



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	<p>The proponent and their consultants M. Srinivasa Reddy of M/s. Team Labs have attended the meeting and presented their case.</p> <p>The proponent submitted application on 14.05.2022 through Parivesh Portal and as such this application not fall under the provisions of SO No. 804 (E) 14.03.2017.</p> <p>The committee noted that the mine is operating since 1992 without obtaining Environmental Clearance and as such it needs to be treated as violation case. The appraisal of this application is to be done as per the stipulated SOP vide OM dt.07.07.2021 duly stipulating damage assessment, remedial plan and community augmentation plan, public hearing if necessary and Bank guarantee equivalent to the amount of remediation plan as assessed by SEAC need to be considered at the time of processing TOR. The committee opined that, prior to TOR, the proponent shall submit an affidavit as prescribed in the violation window.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to raise ADS for uploading of violation affidavit.</p>
<b>Agenda Item: 189.20</b>	<b>1.926 Ha Fire Clay mine of Sri K.Krishna Shankar, Sy.No.20/2P &amp; 25/2P Z.Ragampeta Village, Jaggampeta Mandal, East Godavari District, Andhra Pradesh- Environmental Clearance- Reg.</b>
SIA/AP/MIN/270539/2022	<p>Category: B2</p> <p>The proposed project is for mining of <b>Fire Clay</b> in an area of <b>1.926 Ha</b> with a proposed production quantity of <b>Fire Clay</b> - 36407 TPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr.P.Vijaya Kumar, have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr. Dated: 20.04.2022 there are <b>five</b> quarry lease within the radius of 500mts. The total cluster area is 3.989 Ha which is &lt;5.0 Ha.</p> <p>The Committee noted that the extent of proposed mine lease area is <b>1.926 Ha</b>. The project falls under B2 category. Life of mine is 12 Years.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in the <b>Z.Ragampeta</b> Village as a part of Corporate Social Responsibility (CSR) activity. Allocated 2.0 Lakhs rupees towards fixed cost and Rs.90,000/- as recurring cost towards dust suppression measures.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to Environmental Clearance with the following additional conditions:</p> <ol style="list-style-type: none"><li>1. Buffer zone and road side plantation to be maintained.</li><li>2. Dust suppression measures to be adopted as proposed in EMP.</li></ol>





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<b>Agenda Item: 189.21</b>	<b>M/s.NCHEM LABORATORIES, PlotNo. 4A, YSR Jagananna Mega Industrial Hub[IndustrialEstate-APIIC],KopparthyPh-1,inSurveyNo.1212(Part), Ambavaram Village, Vallur Mandal, YSR Kadapa District, Andhra Pradesh-516293 - Environmental Clearance - Reg.</b>
SIA/AP/IN D3/24790 8/2021	<p>Category : B2-5(f)-API</p> <p>The Proposal of M/s Nchem Laboratories., is for Environmental Clearance for Production quantities of the APIs &amp; Intermediates – 50.0 TPM &amp; 500 Kgs/Month of R &amp; D Products</p> <p>The project proponent and their Consultant M/s. AM Enviro Engineers have attended the meeting.</p> <p>MoEF&amp;CC, GoI, New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&amp;CC Office Memorandum dated 13.04.2020, wherein " All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30<sup>th</sup> September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30<sup>th</sup> September 2020, shall be considered as per the provisions in force at that time." Further it is extended up to 30<sup>th</sup>March, 2021 vide S.O. No. 3636(E), dated 15.10.2020. Further extended up to 31<sup>st</sup>December, 2021 vide S.O. No. 2859(E), dated 16.07.2021.</p> <p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes &amp; dye intermediates &amp; bulk drug and intermediates).</p> <p>The Committee noted that earlier, the issue was placed in the 177<sup>th</sup> SEAC meeting and then the committee recommended to raise ADS for (1) Water quality analysis report of surface water sources nearer to the site (2) Estimation of GLCs for the predicted emissions from the industry during its peak production (3) Affidavit for TSDF Membership (4) Commitment for ZLD system.</p> <p>Accordingly ADS was raised on 14.02.2022 and the proponent submitted reply on 04.06.2022.</p> <p>The committee perused the reply furnished by the proponent noted that the surface water sample was collected in Ambavaram Lake located at 1.5 KM from the site and results are found to be normal.</p> <p>The predicted GLC concentrations through AERMOD modeling is observed to be within 500m distance from the air pollution source.</p> <p>The industry has submitted affidavit for taking TSDF member ship and commitment letter for ZLD on implementation of the project.</p> <p>The Committee after re-examining the project proposals and presentations recommended to issue Environmental Clearance.</p>
<b>Agenda Item: 189.22</b>	<b>4.940 Ha Colour Granite (Leptynite) mine of M/s. The Aishwarya Tribal Labour Contract Mutually Aided Co-Operative Society Limited, at Sy. No: 35/P, D. Bhimavaram Village, Addateegala Mandal, East Godavari District, Andhra Pradesh - Environmental Clearance (EC) – Reg</b>
SIA/AP/MI N/276567 /2022	<p>Category: B2</p> <p>The proposed project is for mining of <b>Colour Granite (Leptynite)</b> in an area of <b>4.940 Ha</b> with proposed production quantity of <b>Colour Granite (Leptynite)</b>- 8400 m<sup>3</sup>/Annum with a condition that the total production</p>



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	<p>during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant SV Enviro Labs &amp; Consultants, have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr. Dated: 29.03.2022, <b>no</b> quarry leases are existing within the radius of 500mts. This is a standalone mining project.</p> <p>The Committee noted that the extent of proposed mine lease area is <b>4.940 Ha</b>. The project falls under B2 category.</p> <p>Forest is located at a distance of 190m from the project site.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to raise ADS for submission of Forest NOC.</p>
<b>Agenda Item: 189.23</b>	<p><b>4.950 Ha Colour Granite (Leptynite Suit of Rock) mine of M/s. The Aishwarya Tribal Labour Contract Mutually Aided Co-Operative Society Limited, at Sy. No: 112 of 0.30 Ha (Patta land) and un-surveyed Government Land of 4.650 Ha Anukulapalem Village, Addateegala Mandal, East Godavari District, Andhra Pradesh - Environmental Clearance (EC) - Reg.</b></p>
SIA/AP/MIN/276662/2022	<p>Category: B2</p> <p>The proposed project is for mining of <b>Colour Granite (Leptynite Suit of Rock)</b> in an area of <b>4.950 Ha</b> with a proposed production quantity of <b>Colour Granite (Leptynite Suit of Rock)- 7000 m<sup>3</sup>/Annum</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant SV Enviro Labs &amp; Consultants, have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Rajamahendravaram Lr. Dated: 29.03.2022, no quarry leases are existing within the radius of 500mts. This is a standalone mining project.</p> <p>The Committee noted that the extent of proposed mine lease area is <b>4.950 Ha</b>. The project falls under B2 category.</p> <p>Forest is located at a distance of 120m from the project site.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to</p>



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	raise ADS for submission of Forest NOC.
<b>Agenda Item: 189.24</b>	<b>9.00 Ha Road Metal &amp; Building Stone of M/S. SGX MINERALS PRIVATE LIMITED, Sy.No: 1, Marturu Village, Anakapalli Mandal Visakhapatnam District, Andhra Pradesh – Environmental Clearance – Reg.</b>
SIA/AP/MI N/24505/ 2018	<p>Category: B1.</p> <p>The proposed project is for mining of <b>Road Metal &amp; Building Stone</b> in an area of <b>9.00 Ha</b> with a proposed production capacity of <b>Road Metal &amp; Building Stone- 165352.00 m<sup>3</sup> /Annum</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant M/s. SV Enviro Labs &amp; Consultants, have attended the meeting.</p> <p>The Committee noted that the mine operator obtained Violation TOR on 08.12.2020 and public hearing was held on 19.04.2022. The applicant submitted final EIA report on 04.06.2022. The reply furnished by the management for the issues raised by the public in Public hearing is as follows:</p> <p>The project proponent through their consultant replied that the management firmly believes in the concept of safety and environmentally sustainable growth and their staff are very much concern in Environmental issues. The management is going to develop scientifically designed greenbelt around the premises and along the approach road with 900 plants to mitigate air and noise pollution impacts on the surroundings and proposed to monitor ambient air as per APPCB guidelines. He further stated that all the employees will be provided with personnel protective equipment &amp; provide safety training to all employees periodically and regularly. He further stated that the management committed to provide drinking water facility i.e., one RO plant to Marturu village, Digital classrooms to school in marturu village and contribute to develop the shivalayam temple in Marturu village.</p> <p>Credible action has been initiated vide CC No.757/2022 before the Hon'ble junior civil judge, Anakapalli, Remedial plan submitted and Bank Guarantee provided for Rs.862712/-.</p> <p>The proposal was filled in amnesty window period vide proposal no.24505 dt.12.04.2018 as per S.O No. 804(E) dt.14.03.2017 and subsequent amendments.</p> <p>Life of mine is 39.40 Years.</p> <p>The AD mines department, Anakapalli has furnished the quantity of dispatch permits issued during the violation period vide letter dt.16.05.2022.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in the <b>Marturu</b> Village as a part of Corporate Social Responsibility (CSR) activity.</p>



	<p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to issue Environmental Clearance with the additional conditions as mentioned below.</p> <ol style="list-style-type: none"><li>1. Buffer zone should not be disturbed.</li><li>2. Controlled blasting and dust suppression measures shall be adopted.</li><li>3. The proponent is liable to pay the penalties as levied by the concerned authority and as per the OM No.28.1.2022 and clause no 12 of SOP dated 07-07-2021, duly incorporating the total production during the violation period and submit the calculation of penalties based on the project cost and the total turnover during the violation period.</li></ol>
<b>Agenda Item: 189.25</b>	<b>4.902 Ha Colour Granite (Variety of Srikakulam Blue) of M/s Sri Dharmana Lakshmandas, Sy.No. 81 (P) of Annupuram Village, Saravakota Mandal, Srikakulam District, Andhra Pradesh – Environment Clearance (EC) – Reg.</b>
SIA/AP/MI N/219281 /2021	<p>Category: B2</p> <p>The proposed project is for mining of <b>Colour Granite (Variety of Srikakulam Blue) mine</b> in an area of <b>4.902 Ha</b> with a proposed production quantity of <b>Colour Granite (Variety of Srikakulam Blue) - 7114 m<sup>3</sup>/Annum</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their Sri K.Santosh Kumar, RQP, have attended and presented their case to the committee.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines &amp; Geology, Srikakulam has issued a letter vide Lr. Dated: 18.03.2021 there is one existing quarry lease within the radius of 500mts and these one quarry leases was granted prior to 09.09.013 and total cluster area is &lt;5.0 Ha.</p> <p>The Committee noted that the extent of proposed mine lease area is <b>4.902 Ha</b>. The project falls under B2 category. Life of mine is 58 Years.</p> <p>This proposal was placed in 167<sup>th</sup> SEAC meeting and raised ADS for submission of Forest NOC and proponent submitted Forest NOC on 08.06.2022.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in the <b>Annupuram</b> Village as a part of Corporate Social Responsibility (CSR) activity.</p> <p>The Committee after re-examining the project proposals, forest NOC, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to issue Environmental Clearance with following additional conditions.</p> <ol style="list-style-type: none"><li>1. 660m trench all along the mine lease area.</li></ol>



	2. The project proponent shall develop greenbelt along the approach roads.
<b>Agenda Item: 189.26</b>	<b>11.390 Ha, Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No. 1, Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh – 533446- Terms of Reference – Reg.</b>
SIA/AP/MI N/73437/2022	<p><b>Category: B1.</b> The proposed project is for mining of Laterite in an area of <b>11.390 Ha</b> with a proposed production quantity of Laterite– 2,66,314 MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182<sup>nd</sup> SEAC meeting. The representative of proponent and their consultant SV Enviro Labs &amp; Consultants have attended the meeting and presented the case.</p> <p>The Committee noted that as per cluster letter issued by Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is &gt; 5 Ha. Hence, project falls under B1 category.</p> <p>As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.</p> <p>The issue was again placed in the 183<sup>rd</sup> meeting and the Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs, detailed deliberations, recommended to issue TOR with Public Hearing.</p> <ol style="list-style-type: none"><li>1. Implementation of Forest NOC measures in TOR.</li><li>2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures</li></ol> <p>The issue was placed in the 179<sup>th</sup> SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance &amp; Mines Department report.</p> <p>Again this issue was placed in the 185<sup>th</sup> SEAC meeting. The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs, detailed deliberations, <b>recommended to take legal opinion</b> keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.</p> <p>Accordingly legal opinion on the legal issues, vigilance &amp; Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:</p> <p><b>OPINION:</b></p>



In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?

I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.

Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is



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	<p>duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189<sup>th</sup> SEAC meeting:</p> <p>The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs, detailed deliberations, recommended to issue <b>Standard TOR with Public Hearing</b> with following additional TORs.</p> <ol style="list-style-type: none"><li>1. Implementation of Forest NOC measures in TOR.</li><li>2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures.</li></ol>
<b>Agenda Item No. 189.27</b>	<b>16.290 Ha Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No: 01 of Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh – 533446- Terms of Reference - Reg.</b>
SIA/AP/MI N/73434/2022	<p><b>Category: B1.</b></p> <p>The proposed project is for mining of Laterite in an area of <b>16.290 Ha</b> with a proposed production quantity of Laterite – 270509MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182<sup>nd</sup> SEAC meeting. The representative of proponent and their consultant SV Enviro Labs &amp; Consultants have attended the meeting and presented the case.</p> <p>The Committee noted that as per cluster letter issued by Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is &gt; 5 Ha. Hence, project falls under B1 category.</p> <p>As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.</p> <p>The issue was again placed in the 183<sup>rd</sup> meeting and the Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs, detailed deliberations, recommended to issue TOR with Public Hearing.</p> <ol style="list-style-type: none"><li>1. Implementation of Forest NOC measures in TOR.</li><li>2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures</li></ol>



The issue was placed in the 179<sup>th</sup> SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

Again this issue was placed in the 185<sup>th</sup> SEAC meeting. The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

**OPINION:**

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?"

I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per





	<p>information received.</p> <p>Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., &amp; (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 &amp; W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189<sup>th</sup> SEAC meeting:</p> <p>The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs.</p> <ol style="list-style-type: none"><li>1. Implementation of Forest NOC measures in TOR.</li><li>2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures.</li></ol>
<b>Agenda Item No. 189.28</b>	<b>12.650 Ha Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No: 01 of Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh - 533446- Terms of Reference - Reg.</b>
SIA/AP/MIN/73446/2022	<p><b>Category: B1.</b></p> <p>The proposed project is for mining of Laterite in an area of <b>12.650 Ha</b> with a proposed production quantity of Laterite – 264416 MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182<sup>nd</sup> SEAC meeting. The representative of proponent and their consultant SV Enviro Labs &amp; Consultants have attended the meeting and presented the case.</p> <p>The Committee noted that as per cluster letter issued by Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is &gt; 5 Ha. Hence, project falls under B1</p>



category.

As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.

The issue was again placed in the 183<sup>rd</sup> meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation purpose.
4. Surface runoff measures

The issue was placed in the 179<sup>th</sup> SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

Again this issue was placed in the 185<sup>th</sup> SEAC meeting. The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

**OPINION:**

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE



	<p>CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up “Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 &amp; 261 of 2022) rather than filing an application for review of the learned single judge order respectively?</p> <p>I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.</p> <p>Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon’ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., &amp; (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 &amp; W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189<sup>th</sup> SEAC meeting:</p> <p>The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&amp;CC’ Notifications &amp; OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs.</p> <ol style="list-style-type: none"><li>1. Implementation of Forest NOC measures in TOR.</li><li>2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures.</li></ol>
<b>Agenda Item No. 189.29</b>	<b>13.550 Ha, Laterite of M/s. Swarna Bharathi Enterprises, Sy. No. 1, Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh – 533446- Terms of Reference – Reg.</b>
SIA/AP/MI N/73569/ 2022	<b>Category: B1.</b> The proposed project is for mining of Laterite in an area of <b>13.550 Ha</b> with a proposed production quantity of Laterite – <b>275593MTPA</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.



The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).

The issue was placed in the 182<sup>nd</sup> SEAC meeting. The representative of proponent and their consultant SV Enviro Labs & Consultants have attended the meeting and presented the case.

The Committee noted that as per cluster letter issued by Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is > 5 Ha. Hence, project falls under B1 category.

As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.

The issue was again placed in the 183<sup>rd</sup> meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation purpose.
4. Surface runoff measures

The issue was placed in the 179<sup>th</sup> SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

**Again this issue was placed in the 185<sup>th</sup> SEAC meeting.**

The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

**OPINION:**

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court



appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?"

I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.

Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.

The above legal opinion is placed in 189<sup>th</sup> SEAC meeting:

The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs:

1. Implementation of Forest NOC measures in TOR.



**MINUTES OF THE 189<sup>th</sup> MEETING OF STATE EXPERT APPRAISAL COMMITTEE (SEAC),  
A.P., HELD ON – 13<sup>th</sup>& 14<sup>th</sup> June, 2022 AT VIJAYAWADA, A.P.**

	<ol style="list-style-type: none"><li>2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.</li><li>3. The proponent shall not use Forest internal roads for transportation purpose.</li><li>4. Surface runoff measures.</li></ol>
<b>Agenda Item No. 189.30</b>	<b>1.760 Ha, Colour granite quarry of Sri Mamidi Narasimha Murthy, Sy. No. 333 of Tarlakota Village, Palasa Mandal, Srikakulam District, Andhra Pradesh - Terms of Reference - Reg.</b>
SIA/AP/MIN/76938/2022	<p><b>Category: B2 at par with B1.</b></p> <p>The proposed project is for mining of <b>Colour Granite</b> in an area of <b>1.760 Ha</b> with a proposed production quantity of <b>Colour Granite 2360 m<sup>3</sup>/annum</b> with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (&lt;100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant M/s. Right Source have attended the meeting and presented the case.</p> <p>The Committee noted that Assistant Director of Mines &amp; Geology, Rajamahendravaram has issued a letter vide Lr.No. 4017/Q/2020, Dated: 01.02.2022 there is one existing quarry lease present within the radius of 500mts and this one quarry lease was granted after 09.09.2013 and the total cluster area is &gt;5.0 Ha.</p> <p>Hence, the project falls under B2 at par with B1 and life of mine is 20 years.</p> <p>The Committee after examining the project proposals, presentations, MoEF&amp;CC' Notifications &amp; OMs and detailed deliberations, recommended to TOR with public hearing with following additional conditions.</p> <ol style="list-style-type: none"><li>1. Forest NOC to be obtained.</li><li>2. Cluster EIA&amp; EMP.</li><li>3. The project proponent shall include surface runoff protection measures in EMP.</li><li>4. The project proponent shall include additional dump area with proper documents details in EMP.</li><li>5. The project proponent shall carry mining activity from North to South.</li></ol>

Sd/-

Member Secretary  
SEAC

Sd/-

Chairman  
SEAC