

State Environment Impact Assessment Authority, Bihar

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

Ref. No. - 266

Patna, Date:- 18/11/2020

Minutes of the meeting of SEIAA, Bihar, convened on 30th October, 2020

A meeting of SEIAA was convened on 30-10-2020. Following members were present in the meeting:-

Present :-

- | | | |
|-------------------------------|---|----------------------------|
| 1. Shri B. N. Jha | - | Chairman. |
| 2. Dr. Nityanand Singh Maurya | - | Member.(Joined through VC) |
| 3. Shri Sudhir Kumar, I.F.S. | - | Member Secretary. |

Agenda Item No.- 01

Stone Mining Project at Village:- Wazidpur & Kare, Tehsil:- Sheikhpura, District:- Sheikhpura, State:- Bihar. Area:- 5.06 Ha. Production Capacity:- 5.86,238 TPA (File No. - SIA/1(a)/525/18). Online Proposal No.:- SIA/BR/MIN/34115/2019).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Environmental Clearance with Standard conditions.**

➤ **Consideration by the SEAC and its recommendation:-**

The Committee considered final EIA submitted by Project Proponent and decided to recommend the proposal for grant of Environmental Clearance (as Annexure - I) with additional specific conditions mentioned below :-

1. Stone crusher shall be installed as per CPCB / SPCB norms to control particulate emission from crushing units and transfer points.
2. The mining lease area facing towards habitation should be properly fenced to prevent fall of human being or cattle in the mining pits.
3. Proponent will maintain all haul roads to prevent fugitive dust emission due to movement of vehicles.



4. Project proponent will also maintain all approach road leading to mine lease to prevent development of pot holes and fugitive emission due to plying of vehicles for transportation.

SEIAA noted that:-

- a) Google map of year October 2019 shows nearest human habitation at an aerial distance of 400 meter, whereas NGT (C) Bench in its order dated 09.07.2020 in the matter of Haridasson & Ors. Vs State of Kerala has quoted Regulation of danger zone (500 meter) prescribed by DGMS. Accordingly SEIAA resolved to have a site visit shortly with respect to location of human habitation as well as details of surround and to take a final view thereafter.

Resolve of the SEIAA:-

Environmental Engineer or Technical Officer of SEIAA shall make a site visit shortly and present their report. The project is deferred for next meeting.

Agenda Item No.- 02

Proposed Commercial cum Residential Building "M/s Surya Nest-build Limited" at Mauza:- Mustafapur, Village:- Mustafapur, Tehsil:- Danapur, District:- Patna, State:- Bihar, Total Plot Area :- 19,675.14 m², Total Built-up Area:- 1,03,891.91 m², (File No. - SIA/8(a)/987/20), Online proposal No.: - SAI/BR/MIS/135121/2020).

- **Proposal discussed in SEAC on 6th October, 2020 and recommended for Environmental Clearance with Standard conditions.**

➤ **Consideration by the SEAC and its recommendation: -**

The Committee considered the compliance as submitted by the Project Proponent and decided to recommend the proposal for grant of prior Environmental Clearance as per conditions given in Annexure – II.



Sudhi Kumar

➤ **SEIAA noted that:-**

On the basis of recommendation of SEAC, SEIAA resolved to grant Environmental Clearance with following additional conditions:-

- a) The Project Proponent shall explore the possibility of maximizing Solar Energy Utilization and submit the details urgently together with their plan for such maximization.
- b) Quality of treated wastewater must ensure so that the same can be recycled for the use of gardening, flushing in the campus.

➤ **Resolve of the SEIAA:-**

In the light of recommendation of SEAC, the SEIAA resolved to grant Environmental Clearance to the Project Proponent with all suggested conditions as imposed by SEAC in its Annexure - II.

Agenda Item No.- 03

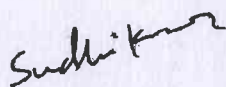
Proposed Residential cum Convenience Shopping Project "Lakshmi Heights" at Mauza - Jalalpur, Tehsil - Danapur, District - Patna, State - Bihar, Total Plot Area :- 7,357.17 m², Total Built-up Area:- 29,401.07 m², (File No. - SIA/8(a)/1029/20), Online Proposal No. : - SIA/BR/MIS/155013/2020).

- **Proposal discussed in SEAC** on 6th October, 2020 and recommended for Environmental Clearance with Standard conditions.

➤ **Consideration by the SEAC and its recommendation: -**

The Committee considered the compliance as submitted by the Project Proponent and decided to recommend the proposal for grant of prior Environmental Clearance as per conditions given in Annexure – III.

➤ **SEIAA noted that:-**



- a) The Project Proponent shall explore the possibility of maximizing Solar Energy Utilization and submit the details urgently together with their plan for such maximization.
- b) Quality of treated wastewater must ensure so that the same can be largely recycled for the gardening and flushing purposes in the campus.

➤ **Resolve of the SEIAA:-**

In the light of recommendation of SEAC, the SEIAA resolved to grant Environmental Clearance to the Project Proponent with all suggested conditions as imposed by SEAC in its Annexure - III, as well as additional conditions proposed in sub-Para a & b above..

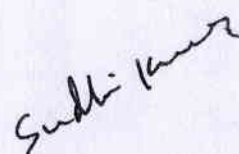
Agenda Item No.- 04

CRESCENT (Residential Building Project) at Mauza – Chitkohra, Tehsil:- Patna Sadar, District- Patna, State:- Bihar, Total Plot Area :- 12.908.34 m², Total Built-up Area:- 53.069.95 m², (File No. - SIA/8(a)/700/19), Online Proposal No. : - SIA/BR/MIS/123681/2019).

- **Proposal discussed in SEAC on 6th October, 2020 and recommended for delist / reject.**
- **Consideration by the SEAC and its recommendation:-**

The matter of application which was recommended for delisting in the SEAC meeting dated 3rd and 4th August 2020, and which is referred back by the SEIAA, Bihar for reconsideration, was discussed. It is observed that the concerned proponent, despite being given repeated chance / opportunities to present their case did not do the same. In the meeting referred to above the proponent or his consultant did not appear either. The letter received in the SEIAA office does not contained any satisfactory reasoning and it is not acceptable to the Committee. Mere the reason of sickness of architect is not adequate to justify the absence of the proponent and consultant from the meeting as the option of attending via video conferencing (VC) was available to them.

In the light of the above, the SEAC decided to stand by its earlier decision to delist / reject the proposal. However, the Regulatory Authority may accept a fresh proposal from the proponent for consideration if submitted.



➤ **SEIAA noted that:-**

- a) The proposal was not included in the agenda of SEAC for meeting on 06th October, 2020 however as per the MoM dated 20.10.2020 a decision to delist / reject the proposal has been taken by SEAC.
- b) SEIAA also noted that there is no such provisions to take decision by the SEAC either to delist or to reject a proposal; however a recommendation for rejection / acceptance of grant of Environmental Clearance lies with SEAC.

➤ **Resolve of the SEIAA: -**

SEAC may be requested to technically review the proposal as per EIA Notification 2006, and make available its recommendation either for grant / rejection.

Agenda Item No.- 05

Sand Mining Project on Son River at Bhojpur Son 21 Balu Ghat, of District- Bhojpur, Area - 45.30 Ha (File No. - SIA/1(a)/1240/2020), Online Proposal No.:- SIA/BR/MIN/54291/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.


Agenda Item No.- 06

Sand Mining Project on Son River at Bhojpur Son 27 Balu Ghat, of District- Bhojpur, Area - 51.90 Ha (File No. - SIA/1(a)/1242/2020), Online Proposal No.:- SIA/BR/MIN/54333/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

Agenda Item No.- 07

Sand Mining Project on Son River at Bhojpur Son 31 Balu Ghat, of District- Bhojpur, Area - 55.50 Ha (File No. - SIA/1(a)/1244/2020), Online Proposal No.:- SIA/BR/MIN/55333/2020).


Sudhakar

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 08

Sand Mining Project on Son River at Bhojpur Son 24 Balu Ghat, of District- Bhojpur, Area - 48.20 Ha (File No. - SIA/1(a)/1241/2020), Online Proposal No.:- SIA/BR/MIN/54324/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 09

Sand Mining Project on Son River at Bhojpur Son 30 Balu Ghat, of District- Bhojpur, Area - 48.60 Ha (File No. - SIA/1(a)/1243/2020), Online Proposal No.:- SIA/BR/MIN/54337/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 10

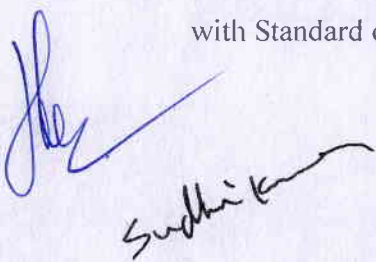
Sand Mining Project on Son River at Bhojpur Son 57 Balu Ghat, of District- Bhojpur, Area - 50.20 Ha (File No. - SIA/1(a)/1252/2020), Online Proposal No.:- SIA/BR/MIN/54473/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 11

Sand Mining Project on Son River at Bhojpur Son 74 Balu Ghat, of District- Bhojpur, Area - 31.0 Ha (File No. - SIA/1(a)/1253/2020), Online Proposal No.:- SIA/BR/MIN/54307/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**



Agenda Item No.- 12

Sand Mining Project on Son River at Bhojpur Son 33 Balu Ghat, of District- Bhojpur, Area - 28.10 Ha (File No. - SIA/1(a)/1245/2020). Online Proposal No.:- SIA/BR/MIN/55372/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

Agenda Item No.- 13

Sand Mining Project on Son River at Aurangabad Son 28 Balu Ghat, of District- Aurangabad, Area - 63.80 Ha (File No. - SIA/1(a)/1248/2020). Online Proposal No.:- SIA/BR/MIN/54317/2019).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

Agenda Item No.- 14

Sand Mining Project on Son River at Aurangabad Son 24 Balu Ghat, of District- Aurangabad, Area - 100.0 Ha (File No. - SIA/1(a)/1193/2020). Online Proposal No.:- SIA/BR/MIN/51929/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

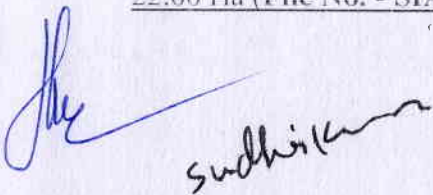
Agenda Item No.- 15

Sand Mining Project on Son River at Aurangabad Son 18 Balu Ghat, of District- Aurangabad, Area - 96.0 Ha (File No. - SIA/1(a)/1246/2020). Online Proposal No.:- SIA/BR/MIN/51402/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

Agenda Item No.- 16

Sand Mining Project on Son River at Aurangabad Son 31 Balu Ghat, of District- Aurangabad, Area - 22.60 Ha (File No. - SIA/1(a)/1249/2020). Online Proposal No.:- SIA/BR/MIN/55307/2020).


Sudhikumar

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 17

Sand Mining Project on Son River at Aurangabad Son 33 Balu Ghat, of District- Aurangabad, Area - 58.30 Ha (File No. - SIA/1(a)/1250/2020), Online Proposal No.:- SIA/BR/MIN/54292/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 18

Sand Mining Project on Son River at Aurangabad Son 27 Balu Ghat, of District- Aurangabad, Area - 73.40 Ha (File No. - SIA/1(a)/1247/2020), Online Proposal No.:- SIA/BR/MIN/54309/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

- **SEIAA noted that:-**

In the light of hon'ble NGT (P) Bench, New Delhi in its order dated 28.09.2020 in the matter of OA. No. 66/2020/EZ, OA. No. 71/2020/EZ, OA. No. 72/2020/EZ, OA. No. 73/2020/EZ, OA. No. 62/2020/EZ. The next hearing date of Hon'ble NGT fixed in this application is on 06.11.2020.

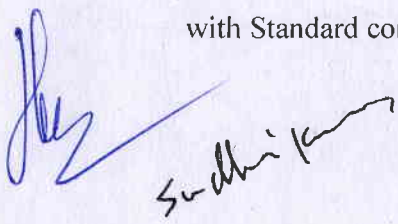
- **Resolve of the SEIAA:-**

Consideration for grant / rejection of Terms of reference is deferred till next hearing of the Hon'ble NGT.

Agenda Item No.- 19

Sand Mining Project on Falgu River at Gaya Falgu 09 Balu Ghat, of District- Gaya, Area - 99.0 Ha (File No. - SIA/1(a)/1251/2020), Online Proposal No.:- SIA/BR/MIN/51560/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**



Agenda Item No.- 20

Sand Mining Project on Morhar River at Gaya Morhar 40 Balu Ghat, of District- Gaya, Area – 80.60 Ha (File No. - SIA/1(a)/1055/2020), Online Proposal No.:- SIA/BR/MIN/51392/2020).

- **Proposal discussed in SEAC on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.**

Agenda Item No.- 21

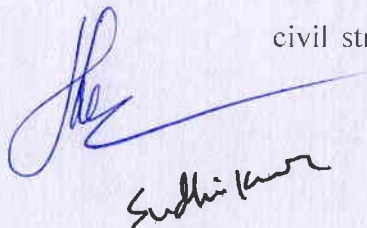
Sand Mining Project on Kiul River at Lakhisarai Kiul 08 Balu Ghat, of District- Lakhisarai, Area – 76.60 Ha (File No. - SIA/1(a)/1010/2020), Online Proposal No.:- SIA/BR/MIN/51348/2020).

- **Proposal discussed in SEAC on 06th October, 2020.**

- **Consideration by the SEAC and its recommendation:-**

SEAC recommended the proposals for grant of Terms of Reference as per standard ToR conditions of MoEF&CC, Govt. of India (as Annexure II) along with following additional specific conditions:-

- a) To submit a report based on cumulative assessment of increase in air pollutants due to increase in traffic load in view of proposed mining activities on all the roads located within aerial distance of 10 km using suitable air model.
- b) To submit a map on appropriate scale to show extraction paths to be used outside the mining lease boundary to approach major public roads (Rural / District road or State / National Highway). Alternative route to be explored if extraction path is passing through dense population / human settlements. Also to submit cumulative traffic management plan for cluster sand mining proposal.
- c) To submit a map of the area falling within 2.5 km radius from boundary of each mining lease showing all man-made public utility features such as bridge / public civil structure (including water intake points), culverts etc. and highways; and



Sudhi Kumar

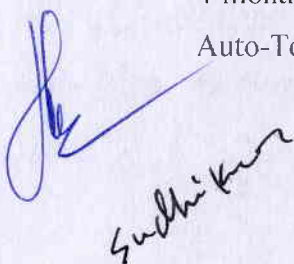
also a table showing distance of the above mentioned man-made features from the mining lease boundary to facilitate decision making pertaining to relevant rules / Guidelines.

- d) To submit District Survey Report (DSR) and other relevant documents prepared in accordance with extant MoEF&CC, Govt. of India Notifications / rules / guidelines.
- e) If the proposed mining lease has overlapping areas with previously allotted mining lease or already working or worked out mining lease then same should be clearly marked on current mining plan. Details about quantity of sand extracted from overlapped area should be furnished duly certified from District Mining Officer.
- f) To submit Satellite imagery of last three years for summer, rainy and winter seasons of each proposed mining lease.
- g) To prepare cluster EIA / EMP of mining ghats / blocks qualified to fall in a cluster on a river within a district

♦ **On general consideration of applications for grant of Terms of Reference mentioned in the agenda item pertaining to discussion of today No. 19 to 21 all proposals appear standing on similar footings to those which were discussed in earlier meetings. Therefore, same consideration shall be applicable to all these applications. Accordingly, the minute shall have similar content which is stated below.**

❖ **SEIAA again took note of the following facts-**

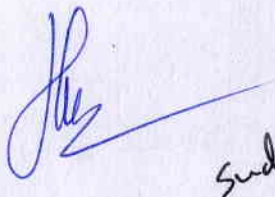
1. Due to lock down for covid-19 from March to August, 2020 and several restrictions to be followed in succeeding unlocks regular meetings of SEAC / SEIAA could not be held for 3-4 months. In this mean time several proposals have already been granted system generated Auto-ToR with "Standard conditions" requiring several specific conditions too.


Sudhikumar

- II. Letter of Intent (L.o.I.) in most of the proposals for River Bed mining (sand) have though been issued by Deptt. of Mines & Geology, Bihar, but provisions of "Enforcement & Monitoring Guidelines of Sand mining, January 2020" has not been followed and several information requiring inclusion in L.o.I. / Mine Plan / DSR^s are lacking.
- III. The hard copies of applications/proposals for grant of EC do not bear original signature of concerned applicants together with his address / Mob. No. etc. this situation may give rise to legal problems specially when it may come to service of notices, obtaining their replies on different matters (if applicant/Project Proponent choose to do so) and other matters. Therefore, the applications/proposals would require authentication at some stage before EC is granted to them.
- IV. SEAC has also stipulated several very pertinent conditions in above described situations. More so when it is very difficult to load full set of document which are submitted with each application/proposal by the applicant required for appraisal by video conferencing in present pandemic condition.

In the light of above situation the SEIAA resolved the followings: -

- (1) To grant the ToR^s to mining proposals recommended by SEAC with all standard and additional/specific conditions stipulated by SEAC.
- (2) The environment protection requires a strictly regulated mining in terms of area, quantity as well as most importantly replenishment thereof EIA / EMP shall be considered only for grant of EC when following instructions of SEIAA are addressed by the project proponent & Deptt. of mines and Geology, Bihar Govt. together.
- A. Department of Mines and Geology, Govt. of Bihar to revise or to make addendum in its L.o.I. incorporating following basic information: -


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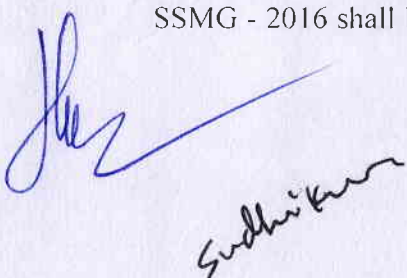
- (i) Details of "Geo-co-ordinates of lease area (corner points)"
- (ii) Involvement of Forest land/Distance from forest land/wildlife or otherwise protected areas/ Archeological sites and details of cluster situation if any.
- (iii) Minal area and prohibited area (where mining shall remain prohibited due to safety of Bridges/structures/Archeological sites, other structures etc.)
- (iv) Annual production capacity of the concerned Sand ghat which should not be more than 60,000 m³/ha/year.
- (v) Nature of river (perennial or seasonal).

B. Mining Plan updation:-

- (i) "Red line" or Bench mark with respect to msl in mining channel reaches (MCR) below which no mining shall be allowed.
- (ii) Recording of the initial level of mining lease at shorter interval, say 25mx25m grid.
- (iii) To leave buffer distance (unmined block) at least 50m after every block of 1000 m.
- (iv) To show only a maximum of 60% leased land for removal of minerals.
- (v) Mining plan to include the certificate from PCCF on Forest land, distance from wildlife protected area (PP^s). mine plan in pieces shall only be unacceptable.

C. Preparation of District Survey Report (DSR) being an important initial step before grant of mining lease after ensuring/identification of areas of aggradation where mining can be allowed and also identification of areas of erosion and proximity to infrastructural structure/installation where mining has to be prohibited & calculation of Annual rate of replenishment etc; - therefore having a DSR is precondition for grant of EC; duly prepared DSR be made available. Submission of an Adhoc or interim DSR must be avoided. In case of any ambiguity on the subject DMG may kindly obtain clarification from the MoEF&CC, GoI.

Sustainable Sand Mining Management Guideline-2016 (SSMG - 2016), and these two guidelines viz. "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM - 2020) and SSMG - 2016 shall be read and implemented in sync with each other. In case, any ambiguity or



variation between the provisions of both these documents arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining - 2020" shall prevail.

Agenda Item No.- 22

"Smrity Paper Mill" Pulp and paper industry excluding manufacturing of paper from waste at Village:- Mahuli Road, Chhitma, P.O.:- Kothiya, P.S.:- Didarganj, Tehsil:- Patna Sadar, District:- Patna, State:- Bihar, Existing Capacity:- 30 TPD, Proposed expansion:- 30 TPD, Total capacity after expansion (writing paper, printing paper, unbleached paper):- 80 TPD, Total Plot Area:- 0.48 Ha. (File No. - SIA/5(i)/1028/20), Online proposal No.: - SAI/BR/IND/53470/2020).

- **Proposal discussed in SEAC** on 06th October, 2020 and recommended for Terms of Reference with Standard conditions.

➤ **Consideration by the SEAC and its recommendation: -**

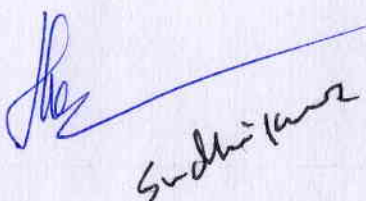
The Committee considered the compliance submitted by Project Proponent. It is seen that the concerned unit was granted Consent to Establish (CTE) by Bihar State Pollution Control Board, Patna in the year 2008 and Consent to Operate (CTO) in 2010, and has been operating since then. It appears that the unit existed prior to the coming in force of Patna Master Plan, 2031, as also that there is no expansion of area beyond the existing premise.

In the light of above, the SEAC is of considered opinion that the proponent is allowed ToR for necessary EIA / EMP studies (as Annexure - V)

➤ **SEIAA noted that:-**

- a) District Industries Officer Patna has issued a NOC to the Project Proponent through his letter No. 849 dated. 01.09.2020
- b) The unit obtained CTE from Bihar State Pollution Control Board in the year 2008 and CTO in the year 2010 as conveyed by the Project Proponent.
- c) Patna Master Plan has come into picture in the year 2016.

➤ **Resolve of the SEIAA:-**


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In the light of recommendation of SEAC, the SEIAA resolved to grant Terms of Reference to the Project Proponent with suggested conditions as imposed by SEAC in its Annexure - V with following additional conditions:-

- a) The Project Proponent shall submit details of its factory site with respect to area of Patna Master Plan, 2031. In case the industry falls within PPA (Patna Planning Area), then the Project Proponent shall submit clearance from the Deptt. of Industries / competent Authority for proposed expansion.
- b) The Project Proponent shall submit above given details / information preferably within 3 months or before submission of Final EIA.

Agenda Item No.- 23

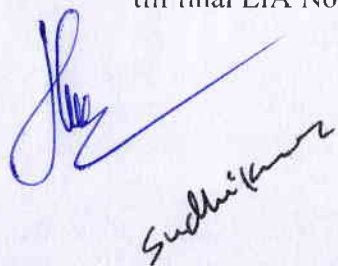
Expansion of IIT Patna, Village:-Bihta, Tehsil:-Bihata, District- Patna, State:-Bihar by IIT Patna, Total Plot Area-20.23.436.50 m², Existing Built-up Area-1.37.997.62 m², Total Built-up Area (After Expansion):-2.76.998 m² (File No. - SIA/8(b)/685/2019), Online Proposal No.:- SIA/BR/NCP/26199/2010).

➤ **Recommendation of SEAC:-**

The SEAC in its meeting noted that neither the Project Proponent or the Consultant attended the meeting, nor was there any communication from applicant about their absence therefore SEAC felt that Project Proponent is not interested in pursuing its proposal and recommended for delisting of the Project.

➤ **SEIAA noted that:-**

As the proposal involves violation of EIA Notification - 2006, and currently there is no provision / window available to consider regularization of violation; however Draft EIA 2020 provides for regularization. Therefore the Project Proponent may withdraw his proposal or wait till final EIA Notification 2020 is notified with provisions of regularization of violation.



➤ **Resolve of the SEIAA:-**

SEIAA, discussed in the light of I.I.T, Patna letter dated 07.10.2020, however it couldn't arrive to conclusion due to non availability of any window for regularization of violation case and matter was deferred.

Agenda Item No.- 24

Sand Mining Project on Son River at Rohtas Son 25 Balu Ghat, of District- Rohtas, Area - 65.40 Ha (File No. - SIA/1(a)/1082/2020), Online Proposal No.:- SIA/BR/MIN/51203/2020).

- Proposal discussed in SEAC on 18th August, 2020 and recommended for Terms of Reference with Standard conditions.

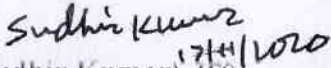
Agenda Item No.- 25

Sand Mining Project on Son River at Rohtas Son 27 Balu Ghat, of District- Rohtas, Area - 76.20 Ha (File No. - SIA/1(a)/1083/2020), Online Proposal No.:- SIA/BR/MIN/52013/2020).


- Proposal discussed in SEAC on 18th August, 2020 and recommended for Terms of Reference with Standard conditions.

➤ **Resolve of the SEIAA:-**

SEIAA accept the request of project proponent and allowed withdrawal of both the proposals in agenda item No. 24 and 25.


(Sudhir Kumar), IFS
Member Secretary, SEIAA

Sd/-
(Nityanand Singh Maurya),
Member, SEIAA


(B. N. Jha)
Chairman, SEIAA

