

Minutes of 5th meeting of Expert Appraisal Committee for the proposal involving violation of the EIA Notification, 2006 held on 21-22 March, 2018 at Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi

Day 1: Wednesday, 21st March, 2018

Time: 10:30 AM

5.1. Opening remarks of the Chairman

5.2. Confirmation of the minutes of the 4th meeting held on 19-21 February, 2018 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi

The EAC, having taken note that no comments were offered on the minutes of its 4th meeting held on 19-21 February, 2018 at New Delhi, confirmed the same.

5.3. Consideration of proposals

S. No.	Proposals												
5.3.1	<p>Karo Expansion OCP (11/15 MTPA normative/peak capacity) & integrated Karo Washery (7 MTPA) by M/s Central Coalfields Limited</p> <p>[IA/JH/CMIN/29962/2015] [F. No. 23-69/2018-IA.III]</p>												
5.3.1.1	<p>The proposal is for environmental clearance to the integrated project involving expansion of Karo Opencast Coal Mine from 1.5 MTPA to 15 MTPA (peak) and setting up washery of 7 MTPA of M/s Central Coalfields Limited in an area of 552.84 ha located at villages Karo, Amlo, Kargali & Baid Karo, District Bokaro (Jharkhand). Mining Plan and the Mine Closure Plan for the proposed expansion was approved by CCL Board on 10th June, 2016.</p> <p>The project area of 552.84 ha includes forest area of 311.60 ha. Out of it, 77.43 ha of forest land has already been diverted vide letter dated 31st March, 2004. Stage-1 forest clearance for 226.67 ha of forest land, has already been recommended by the FAC in its meeting held on 25th January, 2018. For the remaining forest area of 7.50 ha for conveyor to Kargali washery/siding, stage-1 forest clearance is under process.</p> <p>The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The project was earlier accorded EC by the Ministry vide letter dated 24th December, 2014 for a capacity of 1.50 MTPA in an area of 226.33 ha. Annual coal production after obtaining the EC, is reported to be as under:-</p> <table border="1" data-bbox="399 1792 1305 2027"> <thead> <tr> <th data-bbox="399 1792 587 1906">Year</th> <th data-bbox="587 1792 906 1906">Actual Coal Production (MTPA)</th> <th data-bbox="906 1792 1305 1906">Coal production in excess of EC capacity of 1.50 MTPA</th> </tr> </thead> <tbody> <tr> <td data-bbox="399 1906 587 1944">2014-15</td> <td data-bbox="587 1906 906 1944">1.63</td> <td data-bbox="906 1906 1305 1944">0.13</td> </tr> <tr> <td data-bbox="399 1944 587 1982">2015-16</td> <td data-bbox="587 1944 906 1982">1.95</td> <td data-bbox="906 1944 1305 1982">0.45</td> </tr> <tr> <td data-bbox="399 1982 587 2027">2016-17</td> <td data-bbox="587 1982 906 2027">1.50</td> <td data-bbox="906 1982 1305 2027">-</td> </tr> </tbody> </table>	Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 1.50 MTPA	2014-15	1.63	0.13	2015-16	1.95	0.45	2016-17	1.50	-
Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 1.50 MTPA											
2014-15	1.63	0.13											
2015-16	1.95	0.45											
2016-17	1.50	-											

2017-18

1.50

-

The chronology of events for seeking EC to the expansion of integrated project, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	7 th August, 2015
ToR granted	3 rd November, 2015
Public hearing conducted	5 th January, 2016
Proposal for EC submitted	31 st May, 2016
Appraisal by EAC in its meetings	June, 2016 31 st August, 2017
Recommendations of the EAC	

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained before increasing the production. Since this has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.3.1.2 *The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-*

(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.

(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.

(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may

also be stipulated at the ToR stage itself.

5.3.2 Ravindra Khani No. 8 Incline (RK-8 Incline) UCMP (0.16 MTPA) at Village Ramaraopet, Mandal & District Mancherial (Telangana) by M/s The Singareni Collieries Company Limited

[IA/TG/CMIN/64671/2017] [F. No. 23-70/2018-IA.III]

5.3.2.1 The proposal is for environmental clearance to Ravindra Khani No.8 Incline Underground coal mining project of capacity 0.16 MTPA in an area of 165.47 ha located at village Ramaraopeta, Mandal Mancherial & Jaipur, District Mancherial (Telangana).

The said mine is covered in three leases namely, Indaram Mining Lease (valid up to 28th July, 2020), North Godavari Mining Lease (valid up to 21st May, 2030) and Srirampur Mining Lease (valid up to 27th June, 2038). The 1993-94 base level production is reported to be 0.30 MTPA, whereas the proposed capacity is 0.16 MTPA.

Mining Plan and the Mine Closure Plan for the project was approved by Ministry of Coal vide letter dated 8th March, 2018.

All the project area of 165.47 ha is the forest land. Stage-1 forest clearance for 6.20 ha of forest land (surface rights) was obtained vide letter dated 23rd February, 1996. Whereas, 109.27 ha of forest land has the undisturbed/mining rights for underground mining. The remaining forest area of 50 ha, is reported to have been diverted prior to the Forest (Conservation) Act, 1980, and as such, diversion of the forest land not applicable.

The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of integrated project, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	14 th August, 2013
Recommendations of the EAC	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry	13 th May, 2017

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained while renewal of the mining leases. The needful is yet to be done, and thus amounts to violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil)

	<p>No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.</p> <p>The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>
<p>5.3.2.2</p>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p> <p><i>(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.</i></p> <p><i>(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.</i></p>
<p>5.3.3</p>	<p>Ramagundam Opencast-I Coal Mine Project Expansion - Phase-II at Village Nagepalli, Mandal Ramagiri, District Peddapalli (Telangana) by M/s The Singareni Collieries Company Limited</p> <p>[IA/TG/CMIN/64766/2017] [F. No. 23-71/2018-IA.III]</p>
<p>5.3.3.1</p>	<p>The proposal is for environmental clearance to the project for expansion of Ramagundam Opencast – I Coal Mine Project Expansion – Phase II from the present capacity 3.30 MTPA to 5.30 MTPA by The Singareni Collieries Company Limited in an area of 923.88 ha. at Village Nagepalli, Mandal Ramagiri, District Peddapalli (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2008 under South Godavari Mining Lease and South Godavari Additional Mining Lease. South Godavari Mining Lease was obtained vide letter dated 17th October, 1927 from 17th October, 1927 to 16th October, 1957; 1st renewed vide letter dated 29th November 1958 from 17th October, 1957 to 31st December, 1984; 2nd renewed vide letter dated 11th June 1986</p>

from 1st January, 1985 to 31st December, 2014; Third renewed vide letter dated 12th January, 2015 from 1st January, 2015 to 31st December, 2034. South Godavari Additional Mining Lease was obtained vide letter dated 17th September, 1975 up to 16th September, 2005; 1st renewed vide letter dated 31st July, 2008 from 17th September, 2005 to 16th September, 2025.

Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 17th October, 2014 for the capacity of 5.30 MTPA. This project involves 15.64 ha. of forest land which is a part of forest land (247.0 ha.) diverted vide letter dated 2nd May, 2008.

The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:-

EC granted by the Ministry	31 st July, 2008
Proposal for ToR submitted to the Ministry for the expansion project	17 th August, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	30 th October, 2014
Proposal for ToR submitted to the Ministry for the expansion project	26 th May, 2017
Recommendations of the EAC	-

The project was earlier accorded EC by the Ministry vide letter dated 31st July 2008 for a capacity of 3.30 MTPA in an area of 923.88 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 3.30 MTPA
2008-09	2.20	-
2009-10	2.98	-
2010-11	3.40	0.10
2011-12	4.08	0.78
2012-13	4.71	1.41

2013-14	5.29	1.99
2014-15	5.30	2.00
2015-16	5.03	1.73
2016-17	5.37	2.07

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.3.3.2 *The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.*

5.3.4 **Godavarikhani - 7 Life Extension Project at Village Janagaon, Mandal Ramagundam, District Peddapalli (Telangana) by The Singareni Collieries Company Limited**
[IA/TG/CMIN/65156/2017] [F. No. 23-72/2018-IA.III]

5.3.4.1 The proposal is for environmental clearance to Godavarikhani-7 Life Extension Project (GDK-7 LEP) of capacity 0.368 MTPA by The Singareni Collieries Company Limited in an area of 180.53 ha at Village Janagaon, Mandal Ramagundam, District Peddapalli (Telangana).

The said mine is an operating underground coal mine opened in the year 1990 under South Godavari Additional Mining Lease. Original Mining Lease was obtained vide GO No.900 dated 17th September, 1975 for 30 years. That was renewed vide GO Ms No.201 dated 31st July, 2008 for 20 years from 17th September, 2005 to 16th September, 2025. The 1993-94 base level production is reported to be 0.045 MTPA, whereas the proposed capacity is 0.368 MTPA.

Mining Plan and the Mine Closure Plan for the project was approved by Ministry of Coal vide letter dated 19/25th November, 2014. There is no forest land involved.

The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of integrated project, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	14 th August, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry	02 nd June, 2017

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained while renewal of the mining leases. The needful is yet to be done, and thus amounts to violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.3.4.2 *The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-*

- (i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.*
- (ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.*
- (iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.*
- (iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.*

(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.

5.3.5 Venkatesh Khani No-7 Incline at Village Rudrampur, Mandal Kothagudem, District Bhadradi Kothagudem (Telangana) by M/s The Singareni Collieries Company Limited

[IA/TG/CMIN/65213/2017] [F. No. 23-73/2018-IA.III]

5.3.5.1 The proposal is for environmental clearance to Venkatesh Khani No. 7 Incline (VK No.7 Incline) of capacity 0.843 MTPA by The Singareni Collieries Company Limited in an area of 580.20 ha at Village Rudrampur, Mandal Kothagudem, District BhadradiKothagudem (Telangana).

The said mine is an operating underground coal mine opened in the year 1954 under Kothagudem Mining Lease. The Lease was obtained vide HEH Nizam Govt. Lease on 07.02.1927 for 99 years from 01.01.1886 to 31.12.1984;1st renewed vide GO MS No.273, dated 15.09.2003 for 10 years from 28.04.1999 to 27.04.2009;2nd renewed for 20 years vide GO MS No.324, dated 12.12.2008 from 27.04.2009 to 26.04.2029.

The 1993-94 base level production is reported to be 0.843 MTPA, and the proposed capacity is also 0.843 MTPA.

Mining Plan and the Mine Closure Plan for the project was approved by Ministry of Coal vide letter dated 21st May, 2015. The project area of 580.20 ha includes 346.66 ha forest land and 233.54 ha is non-forest land. Whereas, 346.66 ha of forest land has the undisturbed/mining rights for underground mining vide letter dated 17.02.2009.

The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of project, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	03 rd June, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry	03 rd June, 2017

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained while renewal of the mining leases. The needful is yet to be done, and thus amounts to violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil)

	<p>No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.</p> <p>The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>
<p>5.3.5.2</p>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p>(i) <i>The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p>(ii) <i>Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.</i></p> <p>(iii) <i>The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p> <p>(iv) <i>The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.</i></p> <p>(v) <i>Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.</i></p>
<p>5.3.6</p>	<p>Koyagudem Opencast - II Expansion Project at Village Koyagudem, Mandal Tekulapalli, District Bhadradi Kothagudem (Telangana) by M/s The Singareni Collieries Company Limited</p> <p>[IA/TG/CMIN/65432/2017] [F. No. 23-74/2018-IA.III]</p>
<p>5.3.6.1</p>	<p>The proposal is for environmental clearance to the project for expansion of Koyagudem Opencast – II Expansion Project from 2.0 MTPA to 3.0 MTPA of M/s The Singareni Collieries Company Limited in an area of 446.10 ha (reduced area from 816.11 ha. as per existing EC) located at village Koyagudem, District BhadradiKothagudem (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2008 under Koyagudem OCP – I Mining Lease, Koyagudem OCP - II(Ph.I) and Koyagudem OCP – II (Ph.II). Koyagudem OCP – I Mining Lease was obtained vide letter dated 22nd April, 2002 from 14th May, 2001 to 13th May, 20131. Koyagudem OCP - II (Ph.I) Mining Lease was</p>

obtained vide letter dated 21st September, 2007 from 26th February, 2008 to 25th February, 2028. Koyagudem OCP – II (Ph.II) Mining Lease was obtained vide letter dated 31st July, 2015 from 13th October, 2015 to 12th October, 2035.

The project area of 816.11 ha. as per the existing EC includes 601.85 ha forest land and 214.26 ha non-forest land. This 601.85 ha forest land is covered in three forest diversions viz. 236 ha diverted vide F.No.8-113/99-FC, dated 19th May, 2001, 239.94 ha diverted vide F.No.8-90/2006-FC, Dated 8th January, 2018 and 231.84 Ha forest land diverted vide F.No.8-22/2014-FC, Dated 18th April, 2017. 214.26 ha non-forest land was under the possession of M/s Singareni Collieries Company Limited.

Mining Plan for KOC III Project annexing part of the above KOC II Project was approved vide letter dated 24.08.2016, subsequently obtained ToR from MoEF&CC vide Lr. No. J-11015/11/2017-IA.II(M), dated 30.03.2017.

Thus, the project area has now been reduced to 446.10 ha from 816.11 ha. The current proposed project area of 446.10 ha includes 214.26 ha of non-forest land and forest land of 231.84 ha which were already acquired/diverted.

Mining Plan and Mine Closure Plan for the proposed expansion was approved by Ministry of Coal vide letter dated 19.11.2014.

The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of Koyagudem Opencast – II Expansion Project, deliberations by the respective authorities and the actions taken are reported to be as under:-

EC granted by the Ministry	11 th June, 2007
Proposal for ToR submitted to the Ministry for the expansion project	12 th February, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	15 th June, 2017
Recommendations of the EAC	-

The project was earlier accorded EC by the Ministry vide letter dated 11th June, 2007 for a capacity of 2.00 MTPA in an area of 816.11 ha. Annual coal production after obtaining the EC, is reported to be as under: -

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 2.00 MTPA
2008-09	0.92	-
2009-10	3.10	1.10
2010-11	3.04	1.04
2011-12	3.58	1.58
2012-13	3.16	1.16
2013-14	2.97	0.97
2014-15	3.41	1.41
2015-16	3.03	1.03
2016-17	1.17	-

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.3.6.2 *The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 is not visible), in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.*

Day 2: Thursday, 22nd March, 2018
Time: 10:00 AM

5.4.1 Kasipet - 1 Incline Underground Coal Mine Project at Mandal Kasipet, District Mancherial (Telangana) by M/s The Singareni Collieries Company Limited
[IA/TG/CMIN/65753/2017] [F. No. 23-75/2018-IA.III]

5.4.1.1 The proposal is for environmental clearance to the project for expansion of Kasipet-1 Incline Underground Coal Mining project from the present capacity 0.18 MTPA to 0.54 MTPA by The Singareni Collieries Company Limited in an area of 315.54 ha at Village & Mandal Kasipet, District Mancherial(Telangana).

The said mine is an operating underground coal mine opened in the year 1994 under Kasipet Mining Lease. Original Mining Lease was obtained vide letter dated 28th December, 1998 for 30 years from 19th March, 1999 to 18th March, 2029.

Mining Plan and Mine Closure Plan for the proposed expansion was approved by Ministry of Coal vide letter dated 27th November, 2014. There is no forest land involved.

The said project/activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:-

EC granted by the Ministry for 0.18 MTPA capacity	26 th July, 2007
Proposal for ToR submitted to the Ministry for the expansion project	2 nd December, 2011
Appraisal by EAC/ToR issued	29 th February, 2012
Public hearing conducted	8 th February, 2013
Proposal for EC submitted	30 th April, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.

The project was earlier accorded EC by the Ministry vide letter dated 26th July, 2007 for a capacity of 0.18 MTPA in an area of 254 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 0.18 MTPA
1996-97	0.011	
1997-98	0.072	
1998-99	0.117	
1999-2000	0.159	
2000-01	0.220	
2001-02	0.214	
2002-03	0.207	
2003-04	0.218	
2004-05	0.253	
2005-06	0.259	
2006-07	0.261	
2007-08	0.277	0.097
2008-09	0.255	0.075
2009-10	0.275	0.095

2010-11	0.264	0.084
2011-12	0.273	0.093
2012-13	0.259	0.079
2013-14	0.248	0.068
2014-15	0.179	-
2015-16	0.225	0.045
2016-17	0.243	0.063

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.4.1.2 *The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.*

5.4.2 **Dorli Opencast - I Expansion Project of annual production of 0.70 MTPA at Village Dorli, Mandal Tiryani, District Kumram Bheem (Telangana) by M/s The Singareni Collieries Company Limited**

[IA/TG/CMIN/66047/2017] [F. No. 23-76/2018-IA.III]

5.4.2.1 The proposal is for environmental clearance to the project for expansion of Dorli Opencast - I Expansion Project from the present capacity 0.18 MTPA to 2.50 MTPA by The Singareni Collieries Company Limited in an area of 510.10 ha at Village Dorli, Mandal Tiryani, District Kumram Bheem (Telangana).

The said mine is an operating Opencast coal mine opened in the year 2007 under Dorli OCP - I Mining Lease. Original Mining Lease was obtained vide GO MS No.11 dated 26th May, 2007 for 30 years from 26th May, 2007 to 25th May, 2037.

Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 27th November, 2014 for the capacity of 1.70 MTPA. There is no forest land involved.

The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:-

EC granted by the Ministry for 0.7 MTPA capacity	19 th June, 2006
Proposal for ToR submitted to the Ministry for the expansion project	28 th March 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	30th October 2014
Proposal for ToR submitted to the Ministry for the expansion project	10th July 2017
Appraisal by EAC / ToR issued	22nd March 2018 /
Public hearing conducted	-
Proposal for EC submitted	-

The project was earlier accorded EC by the Ministry vide letter dated 19th June, 2006 for a capacity of 0.70 MTPA in an area of 510.10 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 0.70 MTPA
2007-08	0.03	-
2008-09	0.778	0.078
2009-10	1.578	0.878
2010-11	1.442	0.742
2011-12	1.627	0.927
2012-13	1.56	0.860
2013-14	1.09	0.390
2014-15	1.146	0.446
2015-16	2.166	1.466
2016-17	2.624	1.924

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957.

	While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government. The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14 th March, 2017 due to violation of the EIA Notification, 2006.						
5.4.2.2	<i>The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.</i>						
5.4.3	Jalagam Vengal Rao Opencast - I Expansion Project of annual production of 2.50 MTPA at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana) by The Singareni Collieries Company Limited [IA/TG/CMIN/66088/2017] [F. No. 23-77/2018-IA.III]						
5.4.3.1	<p>The proposal is for environmental clearance to the project for expansion of Jalagam Vengal Rao Opencast - I Expansion Project from the present capacity 2.50 MTPA to 5.00 MTPA by The Singareni Collieries Company Limited in an area of 544.81 ha. at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2007 under JVR OCP - I and JVR OCP – I Expansion Mining Leases. Original JVR OCP - I Mining Lease was obtained vide GO MS No.51 dated 23rd March, 2005 for 20 years from 23rd March, 2005 to 22nd March, 2025. Original JVR OCP - I Expansion Mining Lease was obtained vide GO MS No 115 dated 10th November, 2008 for 20 years from 10th November, 2008 to 9th November, 2028.</p> <p>Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 17th November, 2014 for the capacity of 5.00 MTPA. This project involves 380.52 ha. Forest land. The project area of 544.81 ha includes 380.52 ha of Forest land and 164.29 ha non-forest land. Out of 380.52 ha forest land, 244.02 Ha was diverted vide letter dated 02.02.2005 and 136.50 ha was diverted vide letter dated 03.07.2012. Non-forest land of 164.29 ha is under possession of The Singareni Collieries Company Limited.</p> <p>The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:-</p> <table border="1"> <tr> <td>EC granted by the Ministry for 0.7 MTPA capacity</td> <td>27th July, 2007</td> </tr> <tr> <td>Proposal for ToR submitted to the Ministry for the expansion project</td> <td>07th September 2013</td> </tr> <tr> <td>Action taken by MoEF</td> <td>On 16th December, 2013, the State Government was requested to initiate credible action for the violation under</td> </tr> </table>	EC granted by the Ministry for 0.7 MTPA capacity	27 th July, 2007	Proposal for ToR submitted to the Ministry for the expansion project	07 th September 2013	Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under
EC granted by the Ministry for 0.7 MTPA capacity	27 th July, 2007						
Proposal for ToR submitted to the Ministry for the expansion project	07 th September 2013						
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under						

	the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	11 th July 2017
Appraisal by EAC / ToR issued	22 nd March 2018 /
Public hearing conducted	-
Proposal for EC submitted	-

The project was earlier accorded EC by the Ministry vide letter dated 27^h July 2007 for a capacity of 2.50 MTPA in an area of 547.08 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 2.50 MTPA
2005-06	0.520	-
2006-07	1.280	-
2007-08	1.917	-
2008-09	2.679	0.179
2009-10	3.573	1.073
2010-11	3.529	1.029
2011-12	4.135	1.635
2012-13	3.963	1.463
2013-14	4.898	2.398
2014-15	4.500	2.000
2015-16	4.545	2.045
2016-17	5.219	2.719

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.4.3.2	The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&CC Notification dated 14 th March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.										
5.4.4	<p>Cluster of three operating underground coal mines namely, Godavarikhani No. 1 & 3 (GDK 1&3), Godavarikhani No. 2&2A Inclines (GDK-2&2A) & Godavarikhani No. 5 Inclines (GDK-5) with a combined production of 2.50 MTPA in District Peddapalli (Telangana) by The Singareni Collieries Company Limited</p> <p>[IA/TG/CMIN/66253/2017] [F. No. 23-78/2018-IA.III]</p>										
5.4.4.1	<p>The proposal is for environmental clearance to Cluster of GDK 1&3, GDK 2&2A & GDK 5 Incline UCMPs of capacity 1.734 MTPA by The Singareni Collieries Company Limited in an area of 1356.85 ha at Villages Janagaon, Musthyala, Jallaram, Sundilla, Mandal Ramagundam, District Peddapalli (Telangana).</p> <p>The said cluster of GDK 1&3, GDK 2&2A & GDK 5 Inclines are operating underground coal mines opened in the years 1960, 1959 and 1961 respectively under South Godavari Additional Mining Lease. The Lease was obtained vide HEH Nizam Govt. Lease on 17.10.1927 for 30 Years; 1st renewal was done vide GO MS No.1485, Dt.29.11.1958 for 27 Years, 2 Months and 15 Days; 2nd renewal was done vide GO MS No.291, Dt.11.06.1986 for 30 Years from 01.01.1985 to 31.12.2014; 3rd renewal was done vide GO MS No.2, Dt.12.01.2015 for 20 Years from 01.01.2015 to 31.12.2034.</p> <p>The 1993-94 base level production is reported to be 1.154 MTPA, and the proposed capacity is 1.743MTPA.</p> <p>Mining Plan and the Mine Closure Plan for the projects approved by Ministry of Coal are –</p> <ul style="list-style-type: none"> – GDK 1&3 - Vide MoCLr. No. 13016/2/2006-CA-II dated. 17.10.2014. – GDK 2&2A - Vide MoCLr. No. 13016/2/2006-CA-II dated 17.10.2014. – GDK 5 - Vide MoCLr. No. 13016/6/2013 dated 25.11.2014. <p>The project area of 1356.85 ha includes no forest land.</p> <p>The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of project, deliberations by the respective authorities and the actions taken are reported to be as under:-</p> <table border="1" data-bbox="256 1713 1442 2007"> <tr> <td>Proposal for ToR submitted to the Ministry</td> <td>08th June, 2012</td> </tr> <tr> <td>ToR issued on</td> <td>14th Dec, 2012</td> </tr> <tr> <td>Public Hearing</td> <td>20th Dec, 2013</td> </tr> <tr> <td>Final EIA/EMP submitted</td> <td>03rd Mar, 2014</td> </tr> <tr> <td>Action taken by MoEF</td> <td>On 07th May, 2014, the State Government was requested to initiate credible action for the violation under the EP Act,</td> </tr> </table>	Proposal for ToR submitted to the Ministry	08 th June, 2012	ToR issued on	14 th Dec, 2012	Public Hearing	20 th Dec, 2013	Final EIA/EMP submitted	03 rd Mar, 2014	Action taken by MoEF	On 07 th May, 2014, the State Government was requested to initiate credible action for the violation under the EP Act,
Proposal for ToR submitted to the Ministry	08 th June, 2012										
ToR issued on	14 th Dec, 2012										
Public Hearing	20 th Dec, 2013										
Final EIA/EMP submitted	03 rd Mar, 2014										
Action taken by MoEF	On 07 th May, 2014, the State Government was requested to initiate credible action for the violation under the EP Act,										

	1986, and to submit the action taken report.
Proposal for ToR submitted to the Ministry	15 th July, 2017

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained while renewal of the mining leases. The needful is yet to be done, and thus amounts to violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.4.4.2 *The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-*

(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.

(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.

(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.

5.4.5 Indaram Khani - 1A Incline (IK - 1A Incline) Underground Coal Mining Project with production of 0.54 MTPA at Village Indaram, Mandal Jaipur, District Mancherial (Telangana) by The Singareni Collieries Company Limited
[IA/TG/CMIN/68359/2017] [F. No. 23-79/2018-IA.III]

5.4.5.1 The proposal is for environmental clearance to Indaram Khani – 1A Incline (IK-1A Incline) of capacity 0.54 MTPA by The Singareni Collieries Company Limited in an area of 182.78 ha at Village Indaram, Mandal Jaipur, District Mancherial (Telangana).

The said mine is an operating underground coal mine opened in the year 1988 under Indaram Mining Lease. The Mining Lease was obtained vide GO MS No. 438 for 20 years from 29.07.1980 to 28.07.2000; 1st renewal was done vide GO MS No.15, Dt.23.01.2006 for 20 years from 24.07.2000 to 23.07.2020.

The 1993-94 base level production is reported to be 0.54 MTPA, and the proposed capacity is also 0.54MTPA.

Mining Plan and the Mine Closure Plan for the project was submitted to Ministry of Coal vide letter dated 20th Mar, 2018. The project area of 182.78 ha is non-forest land.

The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.

The chronology of events for seeking EC to the expansion of project, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	23 rd August, 2013
Action taken by MoEF	On 16 th December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report. On 17 th December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry	11 th September, 2017

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained while renewal of the mining leases. The needful is yet to be done, and thus amounts to violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

<p>5.4.5.2</p>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p> <p><i>(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.</i></p> <p><i>(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.</i></p>
<p>5.4.6</p>	<p>Selected Dhori Group of mines (Expansion) from 2.25 MTPA to 8.25 MTPA in Tehsil Bermo, District Bokaro (Jharkhand) by M/s Central Coalfields Limited</p> <p>[IA/JH/CMIN/68525/2017] [F. No. 23-80/2018-IA.III]</p>
<p>5.4.6.1</p>	<p>The proposal is for expansion of Selected Dhori Group of Mines from 2.25 MTPA to 8.25 MTPA (normative)/11 MTPA (peak) of M/s Central Coalfields Limited in an area of 264.85 ha located at villages Turio, Makoli, Tarmi & Gunjardih, Tehsil Bermo, District Bokaro (Jharkhand). Mining Plan and the Mine Closure Plan for the proposed expansion was approved by CCL Board on 29th December, 2007.</p> <p>The project area has now been reduced to 264.85 ha from 315.05 ha, which includes forest area of 212.23 ha. The forest area has since been diverted vide letters dated 1st July, 1996 (143.05 ha) & 2nd March, 2009 (69.183 ha).</p> <p>The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The project was earlier accorded EC by the Ministry vide letter dated 24th December, 1992 for a capacity of 2.25 MTPA in an area of 315.05 ha. Annual coal production, is reported to be as under:-</p>

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 2.25 MTPA
1992-93	2.15	-
1993-94	2.15	-
1994-95	1.74	-
1995-96	1.20	-
1996-97	0.85	-
1997-98	2.13	-
1998-99	2.20	-
1999-2000	2.22	-
2000-2001	2.17	-
2001-2002	2.29	0.04
2002-03	2.50	0.25
2003-04	2.59	0.34
2004-05	2.84	0.59
2005-06	3.40	1.15
2006-07	3.29	1.04
2007-08	3.41	1.16
2008-09	2.95	0.70
2009-10	4.57	2.32
2010-11	4.41	2.16
2011-12	4.43	2.18
2012-13	5.56	3.31
2013-14	6.62	4.37
2014-15	6.76	4.51
2015-16	2.54	0.29
2016-17	0.00	-
2017-18	0.00	-

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-

Proposal for ToR submitted to the Ministry	6 th March, 2013
Appraisal by EAC in its meetings	4 th June, 2013 25 th November, 2013
ToR granted	25 th February, 2014
Site visits conducted by the Regional Office	4 th September, 2013
Public hearing conducted	27 th August, 2016
Recommendations of the EAC	

*** As per PP the project has history of fire in coal seams which was visible on the surface in the year 1964. A report to deal with the fire was prepared in February 1997 and the main recommendation to quench fire was to excavate it so as to conserve the blocked coal reserves. Excavation of fire at faster rate will help in conservation of coal

reserves by preventing its propagation in coal seams and protection of environment . The PP further informed that though active fire has been dug out, the symptoms of heating are still there and if production is not done at a faster rate, probability of coal seams catching fire will remain. The mine produced more than EC capacity of 2.25 MTPA from 2001-02 mainly to deal with fire.

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained before increasing the production. Since this has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.4.6.2 *The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-*

(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.

(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.

(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.

5.4.7	<p>Tarmi Expansion OCP (Expansion) production from 1 MTPA to 1.70 MTPA in Tehsil Bermo, District Bokaro (Jharkhand) by M/s Central Coalfields Limited</p> <p>[IA/JH/CMIN/69047/2017] [F. No. 23-81/2018-IA.III]</p>																																								
5.4.7.1	<p>The proposal is for expansion of Tarmi OCP from 1 MTPA to 1.70 MTPA of M/s Central Coalfields Ltd in an area of 258.70 ha located at village Tarmi, Tehsil Bermo, District Bokaro (Jharkhand).</p> <p>Total project area includes forest area of 189.97 ha. Out of it, 55.06 ha of forest land has already been diverted vide letter dated 3rd July, 2009 for non-forestry purposes. For 97.44 ha, proposal for stage-I forest clearance is under consideration.</p> <p>The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The project was earlier accorded EC by the Ministry vide letter dated 20th April, 2010 for a capacity of 1 MTPA in an area of 258.70 ha, based on the ToR issued on 23rd May, 2007 and the public hearing conducted on 26th July, 2008.</p> <p>Annual coal production after obtaining the EC on 20th April, 2010, is reported to be as under:-</p> <table border="1" data-bbox="252 976 1449 1451"> <thead> <tr> <th>S. No</th> <th>Year</th> <th>Actual Coal Production (MTPA)</th> <th>Coal production in excess of EC capacity of 1.00 MTPA</th> </tr> </thead> <tbody> <tr> <td></td> <td>2010-2011</td> <td>0.17</td> <td>-</td> </tr> <tr> <td></td> <td>2011-2012</td> <td>1.16</td> <td>0.16</td> </tr> <tr> <td></td> <td>2012-2013</td> <td>1.70</td> <td>0.70</td> </tr> <tr> <td>1.</td> <td>2013-2014</td> <td>0.87</td> <td>-</td> </tr> <tr> <td>2.</td> <td>2014-2015</td> <td>0.095</td> <td>-</td> </tr> <tr> <td>3.</td> <td>2015-2016</td> <td>0.00</td> <td>-</td> </tr> <tr> <td>4.</td> <td>2016-2017</td> <td>0.00</td> <td>-</td> </tr> </tbody> </table> <p>The mine is not producing coal from 2015-16 as permission for site handover of released forest land is yet to be issued by State Govt. The mine is likely to resume coal production from 2018-19 as site handover is expected shortly.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-</p> <table border="1" data-bbox="260 1749 1441 1973"> <tbody> <tr> <td>Proposal for EC submitted to the Ministry</td> <td>25th March 2013</td> </tr> <tr> <td>Appraisal by EAC in its meetings</td> <td>4th June, 2013 November, 2013</td> </tr> <tr> <td>Site visits conducted by the Regional Office</td> <td>17th May, 2013</td> </tr> <tr> <td>Recommendations of the EAC</td> <td></td> </tr> </tbody> </table>	S. No	Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 1.00 MTPA		2010-2011	0.17	-		2011-2012	1.16	0.16		2012-2013	1.70	0.70	1.	2013-2014	0.87	-	2.	2014-2015	0.095	-	3.	2015-2016	0.00	-	4.	2016-2017	0.00	-	Proposal for EC submitted to the Ministry	25 th March 2013	Appraisal by EAC in its meetings	4 th June, 2013 November, 2013	Site visits conducted by the Regional Office	17 th May, 2013	Recommendations of the EAC	
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As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained before increasing the production. Since this has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2nd August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

5.4.7.2 *The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-*

(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.

(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iv) The project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the State Government at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court.

(v) Other conditions, which could be in conformity with the directions of Hon'ble Supreme Court and/or regulations/guidelines issued by the Ministry to deal with such cases, may also be stipulated at the ToR stage itself.

Members of the EAC for the proposal involving violation of EIA Notification, 2006 present during 5th meeting held on 21-22 March, 2018 at MoEF&CC, New Delhi

1.	Dr. S.R. Wate	Chairman
2.	Dr. Bharat Jain	Member
3.	Dr. G.V. Subrahmanyam	Member
4.	Shri K Gowarappan	Member
5.	Dr. Poonam Kumria	Member
6.	Dr. M.V. Ramanamurthy	Member
7.	Shri S.K. Srivastava	Member Secretary