

**Minutes of 25<sup>th</sup> meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 held on 29<sup>th</sup>-30<sup>th</sup> August, 2019 at Conference Hall (Brahmaputra), First Floor, Vayu Wing, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003**

**Day 1: 29<sup>th</sup> August, 2019**

**Time: 10:30 AM**

**25.1. Opening remarks of the Chairman**

**25.2. Confirmation of the minutes of the 24<sup>th</sup> meeting held on 22<sup>nd</sup>-24<sup>th</sup> July, 2019 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi**

Under Item no. 24.5.5.4 (M/s Tamil Nadu Magnesite Ltd.) specific condition no. viii shall be changed as:

“Already collected one season base line data may be used for the preparation of EIA/EMP report, provided data collected shall not be older than three years at the time of submission of EC application.”

**25.3 Proposal for consideration**

**25.3.1 Internal discussion for appraisal of proposal relating to violation of EIA Notification, 2006 - Further consideration:** EAC members discussed on the draft guidelines for preparation of damage assessment, remediation plan, natural and community resource augmentation plan and its quantification in Monetary Terms.

**Day 2: 30<sup>th</sup> August, 2019**

**Time: 10:00 AM**

S.No	Proposals
25.4.1	<b>Proposed 70200 TPA of Limestone production from Putka Limestone Mine (MLA 97.013 Ha) of M/s Jyoti Pramanik located at Village Putka, District Bargarh (Orissa) - Terms of Reference</b> [Old Proposal No. IA/OR/MIN/23194/2014 dated 16.05.2017] [F. No. 23- 151/2018-IA.III (V) ]
25.4.1.1	PP did not attend the meeting.
25.4.2	<b>Sandstone &amp; Khanda Mine (ML No. - 9/ 2000, Area 32.10 Ha) for proposed production capacity of 1,18,000 TPA of ROM of M/s Gopal Ram Kashyap, Village Bhidyani &amp; Sajjanwas, Tehsil Rupbas, District Bharatpur, Rajasthan - Terms of Reference</b> [IA/RJ/MIN/74350/2018 dated 12.04.2018] [F. No. 23-249/2018-IA.III (V)]
25.4.2.1	M/s Gopal Ram Kashyap has made online application vide proposal no. IA/RJ/MIN/74350/2018 dated 12.04.2018] [F. No. 23-249/2018-IA.III (V) seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level.
25.4.2.2	<b>Details of the project as per the submission of project proponent:</b>

## 1. Project Description

The Proposal of M/s Gopal Ram Kashyap is for Sand Stone Mine for total excavation 1,18,000 TPA [including 1,00,000 TPA Mineral and 18,000 TPA waste] from mining lease area (in 32.10 Ha.) located in the Village(s) - Bhidyani & Sajjanwas, Tehsil - Roopwas, District - Bharatpur, State- Rajasthan by M/s Gopal Ram Kashyap.

## 2. Project Background

The Proposal of M/s Gopal Ram Kashyap is for production of 1,18,00 TPA of total excavation/ ROM (1,00,000 TPA of the Minerals from Sand Stone and Khand Mine, ML Area:- 32.10 Ha, located at Khasra No. 76, 47, at Village(s) - Bhidyani & Sajjanwas, Tehsil - Roopwas, District - Bharatpur, State- Rajasthan. The mining lease is on Survey of India Toposheet no. 54F/9. The area is bounded between the coordinates Latitude: - 26°58'52.78" N to 26°59'4.6" N and Longitude:-77°36'11.79" E to 77°37'00.5" E.

## 3. Category of the Project (Refer cluster certificate if applicable)

The said project/activity is covered under category 1(a) of item B of the Schedule to the EIA Notification, 2006 as amended dated 14.08.2018, and requires prior EC from the MoEF&CC/ SEIAA based on the appraisal by Expert Appraisal Committee in different.

## 4. Violation Details & Sectorial EAC/SEAC Comments:

[Chronological submission of all the events with recommendation of the committee.]

S. No.	Particular	Date
1.	Terms of Reference have been issued from MoEF&CC, New Delhi	23.07.2012
2.	Baseline data was generated in October & November' 2012	2012
3.	Public hearing was conducted Successfully	06.09.2013
4.	Final EIA/ EMP submitted to MoEF&CC (Non-Coal Mining)	19.11.2013
5.	Technical Presentation for Environmental Clearance	28.01.2014
6.	Letter from Shri V. P. Upadhyay, Director, MoEF&CC for considering case as violation	01.04.2014
7.	Letter from Shri R. B. Lal, Dy. Director, MoEF&CC for two months AAQ Monitoring	01.04.2014
8.	Reply was submitted to Director, MoEF&CC with an affidavit not to repeat such violation activity in future.	29.04.2014
9.	Reply to Dy. Director, MoEF&CC with two months AAQ Monitoring report (February & March' 2014) submitted	29.05.2014
10.	Further action regarding environmental clearance from Shri V. P. Upadhyay, Director, MoEF&CC and Shri R. B. Lal, Dy. Director, MoEF&CC	26.12.2014
11.	Reconsidered in EAC (Non-Coal Mining) for technical presentation	29.07.2015

12.	Letter for initiating Legal Action against Project Proponent in compliance of Violation Submitted to Member Secretary, RPCB, Jaipur, Rajasthan	15.03.20 16
13.	Letter for initiating Legal Action against Project Proponent in compliance of Violation Submitted to Chairman, RPCB, Jaipur, Rajasthan	15.03.20 16
14.	Letter for initiating Legal Action against Project Proponent in compliance of Violation Submitted to Additional Principal Chief Conservator of Forest, Regional Office, MoEF&CC, Lucknow.	13.08.20 15
15.	Letter for initiating Legal Action against Project Proponent in compliance of Violation Submitted to Letter to Secretary, Department of Environment, Rajasthan, Jaipur.	11.08.20 15
16.	Letter for initiating Legal Action against Project Proponent in compliance of Violation Submitted to Member Secretary, RPCB, Jaipur, Rajasthan	06.08.20 15
17.	Project was uploaded online as per the provisions S. O. 804 (E) dated 14 <sup>th</sup> March' 2017 at MoEF&CC web portal vide proposal no. IA/ RJ/ MIN/ 74350/ 2018	12.04.20 18.
18.	Proposal was considered for Terms of Reference in the 11 <sup>th</sup> Meeting of Expert Appraisal Committee for the proposal involving of EIA Notification' 2006 at agenda Item No. 11.3.11. The project was deferred due to unavoidable circumstances.	31.07.20 18
19.	Proposal was again considered for Terms of Reference in the 13 <sup>th</sup> Meeting of Expert Appraisal Committee for the proposal involving of EIA Notification' 2006 at agenda Item No. 13.4.18. The project was deferred due to unavoidable circumstances.	19.09.20 18
20.	Proposal was again considered for technical presentation for obtaining ToR in 25 <sup>th</sup> Meeting of the Expert Appraisal Committee.	30.08.20 19.

#### 5. Application (Form-1 & PFR)

Fresh application was made online vide proposal no. IA/ RJ/ MIN/ 74350/ 2018 dated 12.4.2018 under violation category for Term of References (ToR) in terms of provision of the Ministry's Notification S.O. 804 (E) and submitted Form-1 and PFR.

#### 6. Details of Minerals:

Number of minerals. Whether mineral is major or minor. Status of same mineral before 2006 (major or minor).

Number of minerals: - **One**. Mineral is **minor**. Status of mineral was minor before 2006.

#### 7. Letter of Intent (LoI)/Mining Lease Details

The Mining Lease was originally sanctioned in favour of Sh. Rajai Ram S/ o Sh.

Mohan Niwas on 09.03.1976. After demise of lessee Sh. Rajai Ram, the lease was transferred to his legal heir Sh. Bhairon Singh for a period of twenty years w.e.f. After demise of lessee Sh. Bhairon Singh, the lease was transferred in favour of Gopal Ram Kashyap vide Govt. order no. 2168 – 80 dated 21.01.2011.

#### **8. Method of Mining & Mining Plan Details**

- The Mining Plan was approved from the Office of the Superintending Mining Engineer, Bharatpur Circle, DMG, Bharatpur dated 31.01.2019 as per which the method of mining will be opencast manual etc.
- Drilling and Blasting: - No drilling and blasting is proposed as the mineral is loosed in nature and will be done manually.
- Bench Height and Width:-The height and width of the benches will be 3m and slope of the faces will be kept at 75°
- Ultimate Pit Limit:- 158MSL
- Ultimate Pit Slope:- 45°
- Intersection of ground water table:-. Water table will be encountered during the life of mine. The water table in pre-monsoon is 166 MSL and post – monsoon is 168 MSL. The working depth in first year will be 180 MSL and in five year will be 180 MSL and ultimate pit limit will be 158 MSL. Water table will not be encountered in next twenty years. In future (after twenty years), water table will be intersected (if any); permission from CGWA will be obtained. **Source: - Approved Mining Plan with PMCP dated 31.01.2019.**
- Number of top soil dump:- Nil; Area:- Nil; Capacity:-Nil - Plan Period
- No. of Waste/ Reject Dump: Nil; Area:-Nil; Capacity: Nil-Plan period
- Number of top soil: Nil; Area:-Nil; Capacity: Nil-Conceptual Phase
- No. of Waste/ Reject Dump: - Nil; Area:-Nil; Capacity: Nil-Conceptual Phase
- Backfilling will be started after 11<sup>th</sup> year onwards.
- Detail of crushers/screen/beneficiation plant if any with capacity and numbers- Not applicable
- Water requirement- for the project 23 KLD, plantation details-and green belt details-14.0ha. area will be covered under plantation with 14,000 plants.
- Land use as per mining plan at the end of plan period and at conceptual stage:- As given below:-

S. No.	Particulars	Pre-Operational (Ha.)	Operational (Ha.)	Post-Operational (Ha.)
1.	Pits	8.5	16.50	30.1 (12.0:- Backfilled and Reclaimed & Rehabilitated by plantation; 18.10:- Water Reservoir)
2.	Top Soil Dump	0.25	1.36	00
3.	Overburden Dump	00	2.0	00
4.	Road	0.9	1.2	00
5.	Office/ Workshop	00	0.09	00
6.	Plantation	00	2.0	2.0
7.	Un-disturbed Area	22.45	8.95	--
<b>Total</b>		<b>32.10</b>	<b>32.10</b>	<b>32.10</b>

**9. Other Waste Generation, if any**

5kg/day of municipal waste will be generated which will be sent to Nagar Parishad, Bharatpur.

**10. Land use (Forests/Agricultural/Waste)**

No agriculture and forest land is involved within lease area. The lease area is Gair Mumkin Pahar as per revenue records.

**11. Detail of past production since inception of mine authenticated by DMG**

The past production record has been duly authenticated from the Office of the Mining Engineer, Bharatpur

S. No.	Year	Production (TPA)		Total (TPA)
		Sandstone	Khanda	
1.	1993-94	146	45	191
2.	1994-95	414	72	486
3.	1995-96	610	830	1440
4.	1996-97	552	140	692
5.	1997-98	368	24	392
6.	1998-99	370	245	615
7.	1999-2000	569	Nil	569
8.	2000-01	179	19	198
9.	2001-02	367	35	402
10.	2002-03	310	Nil	310

		11.	2003-04	500	Nil	500
		12.	2004-05	835	Nil	835
		<b>13.</b>	<b>2005-06</b>	<b>3,449</b>	<b>Nil</b>	<b>3449</b>
		14.	2006-07	2,119	296	2145
		15.	2007-08	850	Nil	850
		16.	2008 to till Date	Nil	Nil	Nil
	The mine is closed for want of Environmental Clearance. The same has been authenticated from the Office of Assistant Mining Engineer, DMG, Roopwas, Bharatpur vide letter no. Sa. Kha. Aa. / Roop/ Bharat/ Kha. P. 09/ 2000/ 2018 / 01 dated 01.01.2019.					
	<p><b>12. Applicability of General Condition &amp; Status of SEIAA</b></p> <p>Interstate Boundaries: - Rajasthan and Uttar Pradesh:-3.60 Km towards N.</p> <p><b>13. Project Cost &amp; Employment</b></p> <p>Project Cost: Rs. 10 Lacs; Employment -50 Workers. The CER under different heads &amp; budget details with respect to safety and environmental quality plantation programme and awareness will be elaborated by need based assessment and will be incorporated during the submission of Final EIA/ EMP report.</p>					
<b>25.4.2.3</b>	<p><b>Observations and recommendations of committee of 13<sup>th</sup> EAC meeting held on held on, 18<sup>th</sup> -20<sup>th</sup> September 2018:</b></p> <p>Project proponent did not attend the meeting.</p>					
<b>25.4.2.4</b>	<p><b>Observations and recommendations of committee in the 25<sup>th</sup> meeting (present meeting) held during 29<sup>th</sup> -30<sup>th</sup> August 2019:</b></p> <p>Project proponent alongwith the consultant made the detailed presentation before the EAC. PP made a request to transfer the proposal to the SEIAA in pursuance of the Ministry Notification dated 14.08.2018 as General Condition is not applicable to the project of B1 category in cluster. PP informed that mine lease was granted prior 2013.</p> <p>Member Secretary apprised EAC that a cluster shall be formed when the distance between the peripheries of one lease is less than 500 m from the periphery of other lease in a homogeneous mineral area shall be applicable to the mine leases or quarry licenses granted on and after 9<sup>th</sup> September 2013.</p> <p>In the instant case as per the PP, lease was granted prior to 2013 therefore cluster situation is not applicable hence General Condition is applicable and proposal shall be appraised by the EAC at the Central level.</p> <p>EAC deliberated on the submission made by the PP and <b>deferred</b> the proposal for want of following information:</p> <ol style="list-style-type: none"> <li>1. Valid mine lease documents to be submitted for confirming whether mine leases or quarry licenses granted on and after 9<sup>th</sup> September 2013.</li> <li>2. If cluster is applicable for this project, cluster certificate shall be submitted from the Department of Mines and Geology</li> <li>3. Past production details for both the minerals (Sandstone &amp; Khanda) authenticated by the State DMG.</li> <li>4. Details of total excavation including mineral, waste, OB etc to be submitted alongwith the revised Form 1.</li> </ol>					

	5. Transfer lease documents to be submitted.
<b>25.4.3</b>	<b>Bhurkunda OCP for capacity of 2.05 MTPA (1.75 MTPA for OC and 0.30 MTPA for UG) in area of 910.16 ha, located at District Ramgarh, Jharkhand by M/s Central Coalfields Limited - Further consideration for Terms of Reference</b>  <b>[IA/JH/CMIN/74128/2018 dated 13.04.2018] [F. No. 23-266/2018-IA.III (V) ]</b>
<b>25.4.3.1</b>	<b>M/s Central Coalfields Limited</b> has made online application vide proposal no. <b>IA/JH/CMIN/74128/2018 dated 13.04.2018</b> seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under ‘A’ category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level.
<b>25.4.3.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <ol style="list-style-type: none"> <li><b>1. Details of Project Proponent :</b> Mr. G.C Saha Project Officer , Bhurkunda Colliery ,Barka Sayal Area</li> <li><b>2. Details of Project-</b> <ol style="list-style-type: none"> <li>a) Name of Mineral :- Coal</li> <li>b) Project Area :- 910.16 Ha</li> <li>c) Village,Mandal, district :- Village- Bhurkunda Block: Patratu District: Ramgarh</li> </ol> </li> <li><b>3. Category of the project :- A</b></li> <li><b>4. Whether project attracts the General Condition specified in the Schedule of EIA Notification :- No.</b></li> <li><b>5. Details of river/water body/Name of the river/water body/Distance from the project/Direction :-</b> The Bhurkunda Colliery falls in the watershed of Nakari River, which flows in north-east direction. The distance of the quarry from Nakari River is at least 100 m in the north of the project. Nakari River meets master drainage Damodar river in the north of the project. Kurse Nallah which is the tributary of Nakari River flows through the leasehold area at around 60 m from the proposed Quarry No.2 and meets Nakari River in the north. The easterly flowing Damodar River is the major drainage and perennial source of water for the area.</li> <li><b>6. Details of forest issues :-</b> Total forest land: 621.14 Ha Status: Application done vide proposal No. FP/JH/MIN /39387/ 2019 DATED 29.03.2019 as per Section 2 (II) of Forest (Conservation) Act-1980 and accepted by Nodal Officer, FCA 1980, Govt. of Jharkhand on 29.07.2019.</li> <li><b>7. Details of Consent to Operate:</b> <ol style="list-style-type: none"> <li>(i) Whether Consent to operate obtained (Yes/No)? If yes, :- Yes</li> <li>(ii) Date of issue :- 22.07.2019</li> <li>(iii) Valid up to :- 31.12.2019</li> </ol> </li> <li><b>8. Mine Capacity in ROM (Run of Mine) :-</b> Bhurkunda Colliery: 2.05 MTPA (OC Working: 1.75 MTPA, UG Working: 0.30 MTPA )</li> <li><b>9. Whether the proposal is mining of Minor minerals project. :- No</b></li> <li><b>10. Whether the proposal is mining of Major minerals project. :- Yes</b></li> </ol>

**11. No. of Mineral to be Mined with name :- 1, Coal**

**12. Details of mine lease:** Acquisition under LA Act 1894 vide gazette notification published in Bihar and Orissa gazette dated 22.09.1924 issued by the governor of Bihar and Orissa and by heads of department vide No. 8990-IL-48-R-declaration under section 6 of 1894 and section 8(1) of act xviii and transferred to CIL via Nationalization of Coal mines

**13. Details of past production of mine since its inception duly in tabular form:**

Year	Coal( in MT)
1993-94	0.65
1994-95	0.5
1995-96	0.46
1996-97	0.32
1997-98	0.4
1998-99	0.32
1999-00	0.35
2000-01	0.37
2001-02	0.37
2002-03	0.37
2003-04	0.46
2004-05	0.51
2005-06	0.49
2006-07	0.49
2007-08	0.4
2008-09	0.28
2009-10	0.34
2010-11	0.23
2011-12	0.16
2012-13	0.21
2013-14	0.23
2014-15	0.23
2015-16	0.45
2016-17	0.79
2017-18	1.12

**14. Details of Violation :-** It is operating since 1924. It has no previous EC

**15. Legal interventions, if any:** Nil

**25.4.3.3 Observations and recommendations of committee of 14<sup>th</sup> EAC meeting held on 22<sup>th</sup> - 24<sup>th</sup> October, 2018:**

Technical presentation was made by the project proponent and EAC noted that present proposal of Bhurkunda, Colliery of total capacity is 2.05 MTPA (Open cast mining- 1.75 MTPA &Underground mining 0.30 MTPA), however in the Agenda it is mentioned 1.75 MTPA (OC) and same may be corrected as 2.05 MTPA (OC + UG).



	<p>After detailed presentation by the PP, EAC noted that PP has crossed the base year production of 0.65 MTPA without taking prior EC, hence a violation of EIA notification. The EAC deferred the proposal because of following short fall while appraising the project:</p> <ol style="list-style-type: none"> <li>I. As per the Form 1, no forest land is involved whereas from the annexures submitted by the PP, it manifested that Forest land of 625.47 ha is involved. Kml file submitted by the PP with the Form 1 was also studied on DSS, according to which proposed Mine project involves Reserved Forest Land and project site is falling under Ramgarh Forest Division. Committee noted the same and asked PP to submit the copy of application for stage-I Forest clearance and declaration about mining lease is not required for this project.</li> <li>II. On account of habitations existing in mining lease area, ecological sensitive areas such as Naikari river, Damodar river around the mines, the Committee recommended site visit for assessment of environmental impacts of the above project.</li> </ol>
25.4.3.4	<p><b>Observations and recommendations of committee in the 25<sup>th</sup> meeting (present meeting) held during 29<sup>th</sup> – 30<sup>th</sup> August 2019:</b></p> <p>PP along with the consultant made the detailed presentation on the information sought in the 14<sup>th</sup> EAC meeting and observation of the subcommittee visited the project site on 19.01.2019.</p> <p>The EAC, after detailed deliberations on the information presented and submitted by the PP, <b>recommended</b> for issuing <b>Standard Term of Reference</b> along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <ol style="list-style-type: none"> <li>i. The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</li> <li>ii. 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.</li> <li>iii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</li> <li>iv. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</li> </ol>

	<ul style="list-style-type: none"> <li>v. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.</li> <li>vi. The PP is required to conduct public hearing as per EIA notification, 2006.</li> <li>vii. One season base line data is to be collected and reported in the EIA/EMP report.</li> <li>viii. Details of Plantation already done/proposed to take up as per statutory requirement along with photographs and Budgetary provisions (year wise) to be provided.</li> <li>ix. Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</li> <li>x. In case of violation of undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</li> <li>xi. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to prepare accordingly.</li> <li>xii. The Action Plan on the compliance of the recommendations of the CAG as per Ministry's Circular No. J-11013/71/2016-IA.I (M), dated 25.10.2017 needs to be submitted at the time of appraisal of the project and included in the EIA/EMP Report. xii. Detailed R&amp;R plan is to be submitted in the EIA report.</li> <li>xiii. Details regarding Safe distance (110 m) to be maintained between Naikari river course and workings, the present dumps observed in close distance on the edges shall be removed and a three tier green belt shall be developed between the working and all along the bank on the quarry side.</li> <li>xiv. Details of toe wall and garland drain to be constructed along the OB dump.</li> <li>xv. Reclamation to be done using geo-texturing technique of the dumps close to habitation and a cause of visual intrusion</li> <li>xvi. Details of bund constructed along the Naikari river with stone pitching and development of green belt along the bund.</li> <li>xvii. Details of Water spraying (static water sprinklers) at coal stock yard and along the permanent haul road.</li> <li>xviii. Details of black topping of permanent haul roads.</li> <li>xix. Minimum 100 m distance to be maintained from dumps to habitation and three tier green belt to be developed.</li> </ul>
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	xx. Explore the possibility of STP in the township																																																											
<b>25.4.4</b>	<b>Proposal for ‘Change in Product Mix in the Bulk Drugs and Intermediates Manufacturing Unit’ at KIADB Industrial Area, Jigani village, Anekal Taluk, Bengaluru District, Karnataka State by M/s Acebright (India) Pharma Pvt Ltd - Further consideration for Terms of Reference</b>  <b>[IA/KA/IND2/64536/2016 dated 06.05.2017] [F. No. 23-2/2017-IA.III]</b>																																																											
<b>25.4.4.1</b>	<b>M/s Acebright (India) Pharma Pvt Ltd</b> has made online application vide proposal no. <b>IA/KA/IND2/64536/2016 dated 06.05.2017] [F. No. 23-2/2017-IA.III</b> seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under item 5(f) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level by the EAC.																																																											
<b>25.4.4.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves manufacturing APIs and intermediates of total production capacity 3,62,774 Kg/A (APIs: 2,45,154 Kg/A and Intermediates: 1,17,620 Kg/A) by M/s Ace Bright (India) Pharma Pvt Ltd., in an area of 15426.04 sqm (3.81 Acres) at Plot no. #116/117, KIADB Industrial Area, Jigani village, Anekal Taluk, Bengaluru District and State Karnataka</p> <p>The plant/ unit was earlier setup with the consent to establish dated 25-01-2002 in the name of M/s Intermed Labs Pvt. Ltd. vide ref: KSPCB/CFE/CELL/DEO/AEO-1/ILPL/DEO/6/2001-2002/362 from Karnataka State Pollution Control Board. Subsequently, the unit is reported to be in operation with Consent to Operate renewed from time to time by the KSPCB in the name of M/s Cdymax India Pharma Pvt. Ltd and subsequently in the name of M/s Acebright India Pharma Pvt.Ltd. The Consent to Operate is presently valid upto 30-06-2021.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: left;">Product List</th> </tr> <tr> <th rowspan="2" style="text-align: center;">Sl. No.</th> <th colspan="4" style="text-align: center;">Proposed 27 products</th> </tr> <tr> <th style="text-align: center;">Products</th> <th style="text-align: center;">API's in Kg/A</th> <th style="text-align: center;">Intermediate in Kg/A</th> <th style="text-align: center;">Total, Kg/A</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>CAPECITABINE</td> <td style="text-align: center;">28500</td> <td style="text-align: center;">-</td> <td style="text-align: center;">28500</td> </tr> <tr> <td style="text-align: center;">2</td> <td>EFAVIRENZ</td> <td style="text-align: center;">40000</td> <td style="text-align: center;">-</td> <td style="text-align: center;">40000</td> </tr> <tr> <td style="text-align: center;">3</td> <td>IMATINIB MESYLATE</td> <td style="text-align: center;">10010</td> <td style="text-align: center;">7098</td> <td style="text-align: center;">17108</td> </tr> <tr> <td style="text-align: center;">4</td> <td>LOPINAVIR IP</td> <td style="text-align: center;">18700</td> <td style="text-align: center;">22440</td> <td style="text-align: center;">41140</td> </tr> <tr> <td style="text-align: center;">5</td> <td>TENOFOVIR DISOPROPYL FUMERATE</td> <td style="text-align: center;">80090</td> <td style="text-align: center;">-</td> <td style="text-align: center;">80090</td> </tr> <tr> <td style="text-align: center;">6</td> <td>GABAPENTIN</td> <td style="text-align: center;">480</td> <td style="text-align: center;">-</td> <td style="text-align: center;">480</td> </tr> <tr> <td style="text-align: center;">7</td> <td>MONTELUKAST SODIUM</td> <td style="text-align: center;">260</td> <td style="text-align: center;">702</td> <td style="text-align: center;">962</td> </tr> <tr> <td style="text-align: center;">8</td> <td>MYCOPHONOLATE MOFETIL</td> <td style="text-align: center;">5000</td> <td style="text-align: center;">-</td> <td style="text-align: center;">5000</td> </tr> <tr> <td style="text-align: center;">9</td> <td>ABACAVIR SULPHATE</td> <td style="text-align: center;">20000</td> <td style="text-align: center;">46000</td> <td style="text-align: center;">66000</td> </tr> </tbody> </table>	Product List					Sl. No.	Proposed 27 products				Products	API's in Kg/A	Intermediate in Kg/A	Total, Kg/A	1	CAPECITABINE	28500	-	28500	2	EFAVIRENZ	40000	-	40000	3	IMATINIB MESYLATE	10010	7098	17108	4	LOPINAVIR IP	18700	22440	41140	5	TENOFOVIR DISOPROPYL FUMERATE	80090	-	80090	6	GABAPENTIN	480	-	480	7	MONTELUKAST SODIUM	260	702	962	8	MYCOPHONOLATE MOFETIL	5000	-	5000	9	ABACAVIR SULPHATE	20000	46000	66000
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10	GEFITINIB	5025	2400	7425
11	ATAZANAVIR SULPHATE	5032	5180	10212
12	PEMETREXED DISODIUM	193	785	978
13	GEMCITABINE HCL	160	240	400
14	ERLOTINIB HCL	150	150	300
15	NELFINAVIR MESYLATE	150	675	825
16	AMLODIPINE BESYLATE	3000	-	3000
17	MOXIFLOXACIN HYDROCHLORIC ACID	1050	840	1890
18	EMTRICITABINE	3000	-	3000
19	SAQUINAVIR MESYLATE	3000	-	3000
20	RITONAVIR	4968	-	4968
21	SORAFENIB TOSYLATE	1000	528	1528
22	OSELTAMIVIR PHOSPHATE	10000	22000	32000
23	GLATIRAMER ACETATE	21	153	174
24	DASATINIB	302	710	1012
25	TEMOZOLOMIDE	53	219	272
26	DARUNAVIR ETHANOLATE	5000	7500	12500
27	AGOMELATINE	10	-	10
<b>Total</b>		<b>245154</b>	<b>117620</b>	<b>362774</b>

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

- **Application for EC was submitted to Karnataka SEIAA on :- 30-01-2016**
- **Final observations/recommendations of the SEAC to the SEIAA/State Government As per extract of 179<sup>th</sup> Karnataka SEAC meeting held on 20-03-2017, Final observations /recommendations of the SEAC to Karnataka SEIAA is herewith reproduced as below:** “The committee noted the proponent has operated the industry without obtaining the CFO and EC for all the existing products which indicate clear violation of EIA Notification 2006. As per the Notification No S.O. 804 (E) dated 14<sup>th</sup> March 2017 issued by MoEF & CC, Government of India, the proposal shall be appraised for grant of Environmental Clearance only by Expert Appraisal Committee and Environmental Clearance has to be granted at the Central level. In view of the above said Notification, the committee opined that the proposal cannot be appraised in the SEAC.
- **Action taken by the State Government/SEIAA :-** Vide letter number SEIAA 2 IND 2016 dated 21-04-2017, Karnataka SEIAA decided to close the file and delist from pendency and instructed to approach MoEF & CC for the required EC in accordance

	<p>with the Notification No:S.O. 804 (E) dated 14-03-2017.</p> <ul style="list-style-type: none"> <li>• <b>Complaint case filed by the Karnataka State Government/Karnataka State SEIAA:-</b> Yes. The case has been registered under PCR No 367/2019 on 12-07-2019 in the court of I Additional Civil Judge &amp; JMFC at Anekal.</li> <li>• <b>Legal interventions, if any:-</b> The case has been registered under PCR No 367/2019 on 12-07-2019 in the court of I Additional Civil Judge &amp; JMFC at Anekal</li> </ul> <p>Thereafter the proposal was submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006 on 06-05-2017 (IA/KA/IND2/64536/2016 F.No.23-2/2017-IA.III).</p> <p>The proposal was considered in the 1<sup>st</sup> EAC meeting for projects related to violation of EIA Notification 2006 held on 22-06-2017. The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>-</p> <ul style="list-style-type: none"> <li>• The State Government of Karnataka to ensure compliance of the directions under section 5 of the EP Act, 1986 issued by SEIAA.</li> <li>• The State Government/SPCB shall take action against the project proponent under section 19 of the EP Act, 1986 and further, no Consent to Operate to be issued till the project is granted the EC.</li> </ul> <p>The Committee also decided that further course of action shall be taken after receipt of the compliance status on the above lines from the State Government. Meanwhile, the project proponent shall submit the details in respect of mass/raw material/water balance to establish the impact on the pollution load due to the increased production.</p> <p>Subsequently, upon issue of notification No: S. O. 1030 (E) dated 08-03-2018, the Ministry transferred the said proposal to Karnataka SEIAA on 03-04-2018.</p> <p>Further the following events have occurred:</p> <ol style="list-style-type: none"> <li>1. Proposal was Re-submitted to Karnataka SEIAA :- 03-05-2018</li> <li>2. TOR meeting held on (199<sup>th</sup> KSEAC meeting) :- 02-06-2018</li> <li>3. TOR awarded based on 151<sup>st</sup> KSEIAA meeting held on :- 26-06-2018 ,05-07-2018</li> <li>4. File transferred back to MoEF&amp; CC from Karnataka SEIAA :- 17-09-2018</li> <li>5. Submission of reply to MoEF&amp; CC No 23-2/2017-IA-III dated 14-03-2019, 01-08-2019</li> </ol> <p>Now, the proposal is being considered in the 25<sup>th</sup> meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 to be held on 30<sup>th</sup> August, 2019</p>
25.4.4.3	<p><b>Observations and recommendations of committee of 1<sup>st</sup> EAC meeting held on 22<sup>nd</sup> June, 2017:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following: -</p>

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25.4.4.4	<p><b>Observations and recommendations of committee in the 25<sup>th</sup> meeting (present meeting) held during 29<sup>th</sup> – 30<sup>th</sup> august 2019:</b></p> <p>PP along with the consultant made the detailed presentation before the EAC. EAC based on the information submitted, observed the following:</p> <p>EAC accorded Environment Clearance on 20.06.2002 for manufacturing of six products of bulk drug with capacity of 52 TPA to M/s Intermed Labs Pvt Ltd (name changes to AceBright (India) Pharma Pvt Ltd. in 24.04.2012).</p> <p>In the year 2009, number of products were increased without obtaining prior EC. PP continued production till 30.09.2015 for 16 products with valid CFO but without prior EC.</p> <p>Further, State PCB denied to give CFO for 16 products as PP was manufacturing without prior EC and the manufacturing was therefore restricted to 6 products (as per EC). However, PP obtained CFE for further expansion for the manufacture of 27 products.</p> <p>As CFO was denied for added products by State PCB, PP approached SEIAA/SEAC Karnataka for grant of ToR/EC to manufacture 27 products with the APIS production capacity of 245.15 TPA and 117 TPA of intermediates.</p> <p>Based on recommendation of SEAC, SEIAA in its meeting held on 11.03.2016 decided to issue ToR.</p> <p>Proposal was then submitted to SEIAA/SEAC for grant of EC. After detailed deliberation on the information submitted by the PP, SEAC opined that the industry is operating without prior EC from the Regulatory Authority for the change in the product mix, hence violation of EIA notification, 2006 and advised PP to seek EC in accordance with the MoEF&amp;CC Notification No. S.O. 804(E) dated 14.03.2017.</p> <p>Further, PP has submitted a proposal vide no. IA/KA/IND2/64536/2016 dated 06.05.2017 (first proposal) under the Ministry Notification dated 14.03.2017 dealing with violation of EIA Notification, 2006 as amended from time to time.</p> <p>The said proposal was considered for ToR by the EAC at MoEF&amp;CC on 22.06.2017.</p> <p>PP, further submitted another fresh application for the same proposal vide proposal no. IA/KA/IND2/66053/2017 dated 10.07.2017 (second proposal), before MoEF&amp;CC under violation Notification.</p> <p>As per the Ministry's Notification No. S.O. 1030 (E) dated 08.03.2018 many proposals of category B, where general condition was not applicable, were transferred to respective state. Proposal IA/KA/IND2/66053/2017 dated 10.07.2017 (second proposal) was also transferred to the SEIAA, Karnataka.</p>

	<p>Karnataka SEAC considered the transferred proposal for ToR. ToR was accorded for the project vide number SEIAA 30 IND (VOIL) 2018 dated 05.07.2018 in pursuance of the provision of Notification No. S.O. 1030 (E) dated 08.03.2018</p> <p>While issuing ToR, SEIAA/SEAC stipulated additional ToR that refers to furnishing details regarding the distance from the boundary of Bannerghatta National Park to the project site.</p> <p>The PP vide letter dated 17.09.2018 informed SEIAA that the industry is located at a distance of 6 kms from the boundary of Ragihalli Reserved Forest (part of Bannerghatta National park).</p> <p>EAC further noted that as boundary of Ragihalli Reserved Forest (part of Bannerghatta National park) is beyond the 5 km distance from the project site as per the letter dated 29.02.2016 issued by the Deputy Conservator of Forest, Bennerghatta National Park, Bangalore hence general condition may not applicable to the project.</p> <p>But during presentation, PP apprised EAC that Bennerghatta National Park, Bangalore is about 3.3km away from the project site hence General condition is applicable and project should be appraised at the Central level. In view of PP submission on General condition, EAC noted that ToR accorded for the project vide number SEIAA 30 IND (VOIL) 2018 dated 05.07.2018 in pursuance of the provision of Notification No. S.O. 1030 (E) dated 08.03.2018 is not valid.</p> <p>The EAC, after detailed deliberations on the information sought in the 1<sup>st</sup> EAC meeting held on 22<sup>nd</sup> June 2017 and as presented, confirmed the case to be of violation of the EIA Notification, 2006 and <b>recommended</b> for issuing <b>Standard Term of Reference</b> along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017:</p> <ol style="list-style-type: none"> <li>i. The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</li> <li>ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</li> <li>iii. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</li> <li>iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.</li> <li>v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to prepare accordingly.</li> <li>vi. The PP is required to conduct public hearing as per EIA notification, 2006 and as</li> </ol>
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	<p>amended thereof.</p> <p>vii. Base line data collected for the period Oct 2018 to Dec 2018 may be used for EIA/EMP preparation.</p> <p>viii. Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1st May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p> <p>ix. Wild life clearance shall be obtained from the standing committee of NBWL.</p> <p>x. Certificate from Chief Wildlife regarding distance of project site from Bennerghatta National Park to ascertain the applicability of the General Condition.</p> <p>xi. Details on solvents to be used, measures for solvent recovery and for emissions control.</p> <p>xii. Ambient air quality data should include VOC, other process-specific pollutants* like NH<sub>3</sub>*, chlorine*, HCl*, HBr*, H<sub>2</sub>S*, HP*, etc., (*-as applicable).</p> <p>xiii. Detailed effluent treatment scheme including segregation of effluent streams for units adopting "Zero" liquid discharge.</p> <p>xiv. Action plan for odour control to be submitted.</p> <p>xv. A copy of the Memorandum of understanding signed with cement manufacturers indicating clearly that they co-process organic solid/hazardous waste generated.</p> <p>xvi. Authorization/membership for the disposal of liquid effluent in CETP and solid/hazardous waste in TSDF, if any.</p> <p>xvii. Action plan for utilization of MEE/dryers salts.</p> <p>xviii. Authorization/Membership for the disposal of solid/ hazardous waste in TSDF.</p> <p>xix. Risk assessment for storage and handling of hazardous chemicals/solvents. Action plan for handling &amp; safety system to be incorporated.</p> <p>xx. Arrangements for ensuring health and safety of workers engaged in handling of toxic materials.</p> <p>xxi. Details of Disaster Management Plan in case of any Fire/Explosion and its catastrophic effect on the surrounding area of the plan.</p> <p>xxii. Details of Water balance to be submitted in the EIA/EMP report.</p> <p>xxiii. Worst case scenario to be generated and its impact and management with respect to AIR and Water in case of reactor or reaction failure during the manufacturing of drugs</p>
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	xxiv. Analysis of organic load in terms of BOD and COD be done and submitted in the report.
<b>25.4.5</b>	<b>Proposed Sponge Iron Plant of 3×100 TPD (90,000 TPA), Induction furnace 200 TPD (60,000 TPA), Rolling mill 200 TPD (60,000TPA) and Captive Power Plant (6MW) at Sy. No. 83A &amp; 76 Village Belagal, Taluk &amp; District Bellary, Karnataka by M/s Sri Sai Sapthagiri Sponge Pvt. Ltd. - Terms of Reference.</b>  [F.No. J-11011/43/2014-IA.II(I)]
<b>25.4.5.1</b>	<b>M/s Sri Sai Sapthagiri Sponge Pvt. Ltd.</b> has made online application vide file no. <b>F.No. J-11011/43/2014-IA. II (I)</b> seeking Term of Reference for the above mentioned proposed project. The proposed project activity is covered under ‘A’ category of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level.
<b>25.4.5.2</b>	<b>Details of the project as per the submission of project proponent:</b>  The Project Proponent and the accredited Consultant M/s. Green Circle Inc, Vadodara, made a detailed presentation on the salient features of the project and informed that:  <ol style="list-style-type: none"> <li>1. The proposal is for ToR to the project for proposed establishment of sponge iron unit, rolling mill, induction furnace and captive power plant at <b>Sr. no. 83 A &amp; 76, Belagallu Village, Bellary Taluka&amp; District, State Karnataka</b> by M/s. <b>Sri Sai Sapthagiri Sponge Pvt. Ltd.</b></li> <li>2. Existing land area is <b>48562.32 m<sup>2</sup></b> will be used for proposed expansion.</li> <li>3. Industry has already developed/will develop green belt in an area of 33% i.e., <b>16024m<sup>2</sup></b> out of total area of the project.</li> <li>4. The estimated project cost is Rs <b>98 crores</b> including existing investment of Rs<b>18 crores.</b></li> <li>5. Total Employment will be 100persons as direct &amp;150persons indirect after expansion. Industry proposes to allocate Rs 78 lakhs towards Corporate Environmental Responsibility (CER) as per Ministry OM dated 1st May, 2018.</li> <li>6. There are no national parks, wildlife sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, Wildlife Corridors etc within 10km distance from the project site.</li> <li>7. Ambient air quality monitoring was carried out at 8 locations during Oct, 2014 to Dec, 2014 and the baseline data indicates the range of concentrations as: PM<sub>10</sub> (100 µg/m<sup>3</sup>), PM<sub>2.5</sub> (49 µg/m<sup>3</sup>), SO<sub>2</sub> (19.8 µg/m<sup>3</sup>) and NO<sub>2</sub> (28.3µg/m<sup>3</sup>). AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the proposed project would be 0.010 µg/m<sup>3</sup>, 0.010 µg/m<sup>3</sup> and 0.010 µg/m<sup>3</sup> with respect to PM<sub>10</sub>, SO<sub>x</sub> and NO<sub>x</sub>. The resultant concentrations are within the National Ambient Air Quality Standards(NAAQS).</li> </ol>

8. Total water requirement is 588m<sup>3</sup>/day of which fresh water requirement of 588m<sup>3</sup>/day will be met from Borewell.
9. Effluent of “Nil” quantity will be treated through Nil. The plant will be based on Zero Liquid discharge system (**if applicable**)- Not Applicable
10. Power requirement after expansion will be N/A including existing 750 KVA and will be met from State power distribution corporation limited (SPDCL). Existing unit has no DG sets.
11. Existing unit has 11.5TPH fired boiler. Additionally, 13.5TPH fired boiler will be installed. Multi cyclone separator/ bag filter will be installed for controlling the particulate emissions with in the statutory limit of 115mg/Nm<sup>3</sup> for the proposed boilers.
12. Details of Process emissions generation and its management: Nil
13. Details of Solid waste/Hazardous waste generation and its management: Nil
14. Public Hearing for the proposed project has been conducted by the State Pollution Control Board on **18/01/2016**. The main issues raised during the public hearing are related to pollution control system.
15. Status of Litigation Pending against the proposal, if any: Nil
16. The details of product sand capacity as under:

S.No	Product Details	Existing Quantity	Proposed Quantity	Total Quantity
1	Sponge Iron			90,000 TPA
2	TMT Bars			60,000 TPA
3	Induction Furnace			60,000 TPA
4	Captive Power Plant	6 MW (5 WHRB and 1 AFBC)		

**25.4.5.3 Observations and recommendations of the present committee held during 29<sup>th</sup>-30<sup>th</sup> August 2019**

PP along with consultant made the presentation before the committee. EAC observed that proposal was earlier considered by the Industry 1 sector. The proposal was prescribed ToRs by the Ministry vide letter No. J-11011/43/2014-IA-II(I) dated 19<sup>th</sup> May, 2014. The Public Hearing was conducted on 18.01.2016. During the Public Hearing, the public stopped the presentation and none of the public spoke in the meeting. However, written representations were submitted.

In the public hearing proceedings, it is mentioned that the plant (50 TPD sponge) was operating without obtaining CFE/CFO and Environmental Clearance. The Karnataka Pollution Control Board has issued closure directions to the plant and also filed two criminal cases against the Industry namely CC No. 1244/2012 & PC No. 107/2015 at JMFC, Bellari.

	<p>The proposal was then considered in the EAC (Industry 1) meeting held during 29<sup>th</sup> -31<sup>st</sup> August, 2016. The committee desired some additional information from the PP and therefore deferred the project.</p> <p>The Project Proponent replied twice with a copy of EIA report vide letter even no. dated 28.02.2018 and 10.05.2018. The reply was incomplete and therefore, it was decided not to relist the proposal and issued show cause notice to the consultant, M/s Green Circle Inc vide letter even no. J-11011/43/2014-IA-II (I) dated 19.09.2018. In response, M/s Green Circle Inc vide letter dated 12.10.2018 submitted the reply to the Ministry.</p> <p>The case was referred by the Industry 1 sector to violation committee to consider the proposal under the EIA notification, 14.03.2017.</p> <p>EAC further observed that since PP had operated the plant (50 TPD sponge) without obtaining CFE/CFO and Environmental Clearance hence violation of the EIA Notification. EAC further noted that PP had unable to present the chronology of the events. EAC based on the information available in the records and as presented by the PP <b>deferred</b> the proposal for want of following information:</p> <ol style="list-style-type: none"> <li>i. Complete chronology of the events of the proposed project with supporting documents shall be submitted and presented before the committee.</li> <li>ii. Complete details of the products alongwith the production capacity is to be submitted.</li> <li>iii. Year wise production details since inception of the project is to be submitted by way of affidavit.</li> <li>iv. Revised Form 1 and prefeasibility report is to be submitted.</li> <li>v. Details alongwith present status of the criminal cases filed against Industry is to be submitted.</li> </ol>
25.4.6	<p><b>Proposed mineral beneficiation (Manganese Ore) of capacity 12,000 TPA of M/s Paonakhari Minerals and Chemicals (PMC) Pvt. Ltd., located at Village Paonakhari, District Bhandar, Maharashtra - Further consideration for Terms of Reference</b></p> <p>[IA/MH/MIN/26505/2012] [F. No. J-11015/269/2012-IA.II(M) ]</p>
25.4.6.1	<p>M/s Paonakhari Minerals and Chemicals (PMC) Pvt. Ltd. has made online application vide proposal no. IA/MH/MIN/26505/2012 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under 'A' category of the EIA Notification, 2006 and the proposal was appraised at Central level.</p>
25.4.6.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <ol style="list-style-type: none"> <li>1. <b>Project title, location (plot No./ Village/ Tehsil/ District):-</b> M/s. Paonarkhari Minerals and Chemicals Pvt. Ltd. ,Gut No. 330, Village Paonarkhari, Tumsar, District Bhandara. Maharashtra</li> <li>2. <b>Salient features of the project</b> <ul style="list-style-type: none"> <li>• Land use pattern/ Total plot area/ built up area :- 17600 m<sup>2</sup></li> <li>• Total water requirement and its source :- 20m<sup>2</sup>/day after expansion</li> <li>• Power requirement and source :- 200 KW after expansion</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• Investment/Cost of the project :- Rs. 105 Lac</li> <li>• Benefits of the project :- Employment generation</li> <li>• Employment potential :- 30-35</li> </ul> <p>3. Project/ activity covered under item of Schedule to the EIA Notification, 2006: <b>3(a)</b></p> <p>4. Why appraisal/ approval is required at the Central level:- Being a Primary Metallurgical Industry its Category ‘A’</p> <p>5. National Park/ Wild Life Sanctuary in 10 km radius area :- Nil</p> <p>6. Eco-Sensitive Zone in 10 km radius area:- Nil</p> <p>7. Details of Forest land involved, if any:- Nil</p> <p>8. ToR Details: - Letter No. J-11015/269/2012-IA. II (M) dated – 22<sup>nd</sup> August 2013</p> <p>9. Details of Public Hearing and main issues raised/response of the PP: - Public Hearing Conducted: 25.07.2014</p> <p>10. If any court case pending for violation of the environmental laws (supported by an undertaking) :- Nil</p> <p>11. Ground water withdrawal approval from CGWA :- Obtained. NOC is not valid as on date.</p> <p>12. For other sources, firm commitment of the water supply agency :- Nil</p>
25.4.6.3	<p><b>Observations and recommendations of committee of 16<sup>th</sup> EAC meeting held on held on, 13<sup>th</sup> -14<sup>th</sup> December, 2018:</b></p> <p>The EAC observed that earlier proposal was considered in the 45<sup>th</sup> EAC (Ind) meeting held on 11-12<sup>th</sup> August 2015. The committee observed that plant was established during 1995 and did not attract the provisions of the EIA Notification 1994 as the investment was less than 100 crores. The committee recommended the proposal for grant for EC as per EIA notification, 2006. However, EC was kept held as PP has enhanced the capacity of manufacturing unit from 1137 TPA to 1889 TPA in the year 2009-2010 without prior EC.</p> <p>Proposal was again placed in the meeting of EAC (Industry 1) held during 9<sup>th</sup> -10<sup>th</sup> April 2018. The committee reiterated its recommendations made earlier in 45<sup>th</sup> EAC meeting.</p> <p>The case was referred by the Industry 1 sector to violation committee to consider the proposal under the EIA notification, 14.03.2017.</p> <p>EAC (Violation) deliberated on this case and also discussed in detail with proponent about exact process that they followed, the existing status of what is being processed /manufactured. Facilities which are in place and also in operation. The PP informed that ROM obtained is</p>

	<p>physically separated into different grades and sell out as Manganese ore without any thermal/chemical procedure involved.</p> <p>The PP also admitted the mistake in writing in application about existing capacity MnO<sub>2</sub> (1750 TPA) &amp; MnO (1750 TPA) which was never manufactured either as MnO &amp; MnO<sub>2</sub>.</p> <p>PP also admitted that they have never manufactured MnO &amp; MnO<sub>2</sub>, though they have erected facility for making 1750 TPA MnO &amp; MnO<sub>2</sub>.</p> <p>The committee deliberated on various options that emerges for taking decisions:</p> <ul style="list-style-type: none"> <li>(i) If it is believed that MnO &amp; MnO<sub>2</sub> never manufactured though facility were in place, PP has only produced beneficiated ore, the prior EC condition is not applicable.</li> <li>(ii) If without EC after 2006, company has produced any quantity of MnO &amp; MnO<sub>2</sub>, project attracts violation for operating without EC. <ul style="list-style-type: none"> <li>a) Therefore, PP has to submit letter from Maharashtra Pollution Control Board (MPCB) with their comments on status of operations in these plants after 2006, particularly w.r.t operations of crucible (4 nos. installed before 2006) and any construction activity that has been carried out to meet the proposed expansion.</li> <li>b) PP has to submit affidavit clearly specify production capacity at the time of inception of work (1995) and in subsequent years (1996-till close of unit). Affidavit may also be sought that they made no manufacturing process or no modified manganese products were attempted after 2006 at project site.</li> <li>c) Various consents from State Pollution Control Board since inception of work</li> </ul> </li> </ul> <p>After submission of above information, a decision on establishment of violation will be taken by the EAC.</p>
<p><b>25.4.6.4</b></p>	<p><b>Observations and recommendations of committee in the 25<sup>th</sup> meeting (present meeting) held during 29<sup>th</sup>-30<sup>th</sup> August 2019:</b></p> <p>PP along with the consultant made the detailed presentation before the EAC on the information sought in the 16<sup>th</sup> meeting. EAC further deliberated on the project and observed following in the records available:</p> <p>M/s Paonarkhari Minerals and Chemicals Pvt. Ltd. (PMC) was established in 1995 for processing of Manganese ore and is registered as a small-scale industry with the District Industries Centre, Bhandara. The unit is involved in purchasing raw material (i.e. Manganese ore of required grade) from Manganese Ore India Ltd. (MOIL) and Product (i.e. roasted, calcined or reduced ore) is supplied to manufactures of Manganese Sulphate, which is used in fertilizers. PMC has proposed to expand its existing unit from capacity 3500 TPA of output (combined capacity of MnO &amp; MnO<sub>2</sub>) to 12000 TPA of combined capacity at Paonarkhari, Distt. Bhandara, Maharashtra.</p> <p>The committee (Industry 1) observed that the plant was established during 1995 and did not attract the provisions of the EIA Notification, 1994 as the investment (i.e. 80 lakhs) was less than 100 crs. Subsequently the State Pollution Control Board directed to obtain the prior environmental clearance under the EIA Notification, 2006 before grant of consent to operate. Accordingly, the PP has made an application for Terms of Reference, granted ToRs and conducted Public Hearing. The EAC has recommended for grant of EC.</p> <p>The project proponent neither have Consent to operate nor Environmental Clearance for the existing unit and it is observed that the production capacities varies with the enhancement from</p>

	<p>1137 TPA to 1889 TPA in the year 2009-10 wherein violation was found out. It is also mentioned that the ore beneficiation process falls under category 3(a) of the Schedule of EIA Notification, 2006, primary metallurgical industries.</p> <p>The EAC violation further observed that PP, in compliance of the ADS in the 16th meeting, submitted the letter from MPCB wherein it was mentioned that project site was visited on 04.05.2019 and observed that MnO plant though installed but not operative. Industry has installed 04 crucible furnace having capacity 3500 TPA &amp; plant and machinery found in the dilapidated conditions. Jigging machine and pulverizer plant installed in the premises but not found in operation.</p> <p>MPCB further informed that as per the records available with this office, it appears that industry was commissioned before 2006 and no activity was carried out for expansion thereafter.</p> <p>PP also submitted the affidavit wherein it was mentioned that in the instant project, process involves ROM obtained from MOIL is physically separated into different grades and sell out as Manganese ore without any thermal/chemical procedure. Further, it was also submitted that the quantity mentioned in 2009-2010 i.e from 1137 TPA to 1889 TPA is of trading and physical separation of ROM without any thermal/ chemical procedure.</p> <p>EAC based on the submission made by the PP on the ADS in the 16th meeting and information as available in the records, is of the view that Ministry may seek report from the concerned Regional Office, MoEF&amp;CC on the following points:</p> <ol style="list-style-type: none"> <li>1. Report regarding whether industry obtained ROM from Manganese Ore India Ltd. (MOIL) is physically separated into different grades and sell out as Manganese ore without any thermal/chemical procedure.</li> <li>2. Date of installation of MnO plant and four crucibles for the production capacity of 12000 TPA. Also examine whether MnO plant was ever operated for the above production capacity.</li> <li>3. Details of the infrastructure created for the proposed expansion after September, 2006.</li> </ol> <p>EAC opined that PP has to submit the following additional information to the Ministry:</p> <ol style="list-style-type: none"> <li>1. Affidavit clearly specify production capacity at the time of inception of work (1995) and in subsequent years (1996-till close of unit).</li> <li>2. Revised Form I &amp; prefeasibility report.</li> </ol> <p>After submission of above information by PP and receiving report from the concerned Regional Office, MoEF&amp;CC, a decision on establishment of violation will be taken by the EAC and therefore project is <b>deferred</b> for above clarification.</p>
<b>25.4.7</b>	<p><b>Expansion of Common Effluent Treatment Plant (CETP) of 9 MLD located at Bhiwadi, Rajasthan by M/s Bhiwadi Jal Pradushan Niwaran Association - Terms of Reference [IA/RJ/MIS/74517/2018 dated 13.04.2018] [F. No. 23-22/2019-IA.III (V) ]</b></p>
<b>25.4.7.1</b>	<p><b>M/s Bhiwadi Jal Pradushan Niwaran Association</b> has made online application vide proposal no. <b>IA/RJ/MIS/74517/2018 dated 13.04.2018</b> [F. No. 23-22/2019-IA.III (V)] seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under item 7(h) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level.</p>

25.4.7.2

**Details of the project as per the submission of project proponent:**

1. **Name of the project/s** :- Common Effluent Treatment Plant (CETP)
2. **S. No. in the schedule** :- 7 (h) : Common Effluent Treatment Plant
3. **Proposed capacity /area /length /tonnage to be handled/command area/lease area/number of wells to be drilled** :-Existing 6 MLD + Expansion 3 MLD = Total 9 MLD **New/Expansion/Modernization** :- 3 MLD Expansion (Violation)
4. **Existing Capacity/Area etc.** :- Existing 6 MLD
5. **Category of Project i.e. 'A' or 'B'** :- Category A
6. **Does it attract the general condition? If yes, please specify.** : Yes , Inter-State boundary of Haryana and Rajasthan lies at a distance of approx. 1.0 km in NW
7. **Does it attract the specific condition? If yes, please specify.** :- No
8. **Location Plot/Survey/Khasra No. Village, Tehsil, District, State** :- Bhiwadi Jal PradushanNivaran Trust, opposite New Bus Stand, BhiwadiMor, Bhiwadi, Alwar, Rajasthan -301019.
9. **Nearest railway station/airport along with distance in kms.** :- Nearest Railway StationRewari Railway Station, about 21.25 km (W), Nearest Airport IGI Airport, at 45 km (NNE) , (**Source of information:- Google Image**).
10. **Existing Ecosensitive Zone/s** : - (i) Sahibi River – 8.0 km; (ii) Rangalia & Gondhan Reserve Forest – 4.0 km in NE & SE respectively.
11. **Nearest Town, city, District Headquarters along with distance in kms.** :- Nearest Town: Bhiwadi at 1.52 Km, Nearest City: Vikas Nagar at 0.51 Km, District Headquaters: Alwar
12. **Village Panchayats, ZillaParishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)** :- Village: Bhiwadi, District: Alwar, State: Rajasthan, Mob : 9352449482
13. **Name of applicant**:- Mr. Satinder Singh Chauhan
14. **Registered Address**:- Bhiwadi Jal Pradushan Niwaran Trust, opposite New Bus Stand, BhiwadiMor, Bhiwadi, Alwar-301019.
15. **Address for correspondence**:- Mr. Satinder Singh Chauhan, Chairman, Bhiwadi Jal PradushanNiwaran Trust, opposite New Bus Stand, Bhiwadi Mor, Bhiwadi, Alwar-301019. Mobile:- 9352449482, Email. cetppradushan@gmail.com

The project is located at Village: Bhiwadi Tehsil: Tijara, District: Alwar, Rajasthan by M/s Bhiwadi Jal Pradushan Niwaran Association. The Common Effluent Treatment Plant(CETP) which is operated by Bhiwadi Jal Pradushan Niwaran Association (BJPNA) was initially operated by RIICO Ltd. It worked as Effluent Disposal System (EDS)and in the due course of time was modified to the present condition of CETP. This CETP was installed to treat industrial effluent of RIICO Ind. Area Bhiwadi but presently this CETP is treating industrial waste water.

The CETP receives a maximum of 09MLD of waste water. The total waste water discharged from RIICOI/ABhiwadi is being treated and pumped to the final destination by CETP Bhiwadi which is being operated by M/s Bhiwadi Jal Pradushan Niwaran Association (BJPNA)and the cost for treatment is finally born by the Industrial units.

	<p>The 9 MLD CETP project falls under <b>Category A schedule 7 (h)</b> as per the EIA notification 14<sup>th</sup>Sep,2006 and amended thereof as the interstate boundary of Haryana and Rajasthan lies at a distance of 1km form the project site.</p> <p>CETP have to be equipped with Stand by DGset of suitable capacity asst and-by power for operation of CETP.DGsets:1000 kVA (500+ 500 kVA).</p> <p>ETP Sludge– Approx. 25000 kg/day sent for land fill in gat RWMP site of Udaipur. Used oil– 500 liters /year sent for incineration.</p> <p>In green belt area about 200 trees per acre of land is recommended to give a thick green cover around the CETP (about total 600 plantation).</p> <p>The total cost of the scheme (included land cost as well as development cost) is 35 crores.</p> <p><b><u>Violation:</u></b></p> <p>Earlier project was functional with 6 MLD capacity, so Application was filed for Expansion from 6MLD to 9MLD on 13th September 2016 to MOEF&amp;CC, on 10th October 2016, Acceptance Letter for ToR (Terms of Reference) and Tor was Approved on 28<sup>th</sup> November 2016.</p> <p>On the basis of the ToR, Draft EIA report was prepared , and Public Hearing was conducted on 22.03.2018, in public hearing violation was Detected by Regional officer as construction has been already completed on site, so we Applied under violation category on 13.04.2018</p>
25.4.7.3	<p><b>Observations and recommendations of committee in the 25<sup>th</sup> meeting held during 29-30<sup>th</sup> August 2019:</b></p> <p>PP along with the consultant made the detailed presentation before the committee. EAC based on the information submitted and as presented observed that PP had undergone expansion without taking prior Environmental Clearance hence violation of the EIA Notification 2006 and as amended thereof.</p> <p>The EAC, after detailed deliberations on the information presented and submitted by the PP, <b>recommended</b> for issuing <b>Standard Term of Reference</b> along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <ol style="list-style-type: none"> <li>i. The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</li> <li>ii. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</li> <li>iii. Preparation of EMP comprising remediation plan and natural and community</li> </ol>



	<p>resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <ul style="list-style-type: none"> <li>iv. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter (13) in the EIA report by the accredited consultants.</li> <li>v. Budget of remediation plan and natural and community resource augmentation plan corresponding to the ecological damage shall be completed within three years and to prepare accordingly.</li> <li>vi. The PP is required to conduct public hearing as per EIA notification, 2006 and as amended thereof.</li> <li>vii. Already collected base line data (March –May 2019) may be used in the preparation of EIA/EMP report.</li> <li>viii. Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</li> <li>ix. The Action Plan on the compliance of the recommendations of the CAG as per Ministry's Circular No. J-11013/71/2016-IA. I (M), dated 25.10.2017 needs to be submitted at the time of appraisal of the project and included in the EIA/EMP Report. xii. Detailed R&amp;R plan is to be submitted in the EIA report.</li> <li>x. Green belt to be developed as per the CPCB norms. Photographs of plantation to be provided in the EIA/EMP report. Area of the project should also be mentioned.</li> <li>xi. Copies of CTO from 2014 onwards to be submitted.</li> <li>xii. Compliance of CTO condition for 6 MLD shall be submitted.</li> <li>xiii. Copy of MoU with TSDF Udaipur for sludge disposal.</li> <li>xiv. Details of disposal of liquid waste (used oil).</li> <li>xv. Documents regarding Qualitative analysis for both the inlet effluent and treated effluent as prescribed by the SPCB.</li> <li>xvi. Copies of Memorandum with Industries shall be submitted.</li> </ul>
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Members of the EAC for the proposal involving violation of EIA Notification, 2006 present during 25<sup>th</sup> meeting held on 29<sup>th</sup> – 30<sup>th</sup> August, 2019 at MoEF&CC, New Delhi and approved the above minutes.

Sl. No.	Name of the EAC member	Role/Designation	Signature
1.	Dr. S.R. Wate,	Chairman	
2.	Dr. G.V. Subrahmanyam	Member Acting Chairman	 29/8/19.
3.	Dr.A.L. Ramanathan	Member	
4.	Dr. M.V. Ramana Murthy,	Member	
5.	Shri K Gowarappan	Member	
6.	Dr.Dilip S. Ramteke,	Member	 29/8/19
7.	Dr. Poonam Kumria,	Member	
8.	Dr.Bharat Jain,	Member	
9.	Dr.SubrataMaity,	Member	 28/08
10.	Shri Ashok Agrawal	Member	
11.	Shri Raghu Kumar Kodali	Member Secretary	