

Minutes of 12th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 to be held on 28th-29th August 2018 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: Tuesday, 28th August, 2018

Time: 10:00 AM

12.1. Opening remarks of the Chairman

12.2. Confirmation of the minutes of the 11th meeting held on 31st July, 2018, 1-2 August, 2018 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi

The EAC also noted that no other comments were offered on minutes of its 11th meeting held on 31st July, 2018, 1-2 August, 2018 and confirmed the same.

12.3. Consideration of proposals

S. No.	Proposals
12.3.1	Stone & Metal Quarry over an area of 3.39 Ha at Sy. No. 132, Malgi Village, Nyalkal Mandal, Sangareddy District and Telangana State by Sri Gurnath M Kollur Mine, Telangana - for Terms of Reference [IA/TG/MIN/68612/2017 dated 12.09.2017] [F. No.23-218/2018-IA.III (V)]
12.3.1.1	Project proponent did not attend the meeting.
12.3.2	Proposed project of Adityana Limestone mine (97.61 Ha) of M/s Saurashtra Chemicals Division of Nirma Ltd. located at Survey No. 5 & 6, Village Adityana, Taluka Ranavav, District Porbandar, Gujarat - for Terms of Reference [IA/GJ/MIN/68604/2017 dated 12.09.2017] [F. No.23-219/2018-IA.III (V)]
12.3.2.1	M/s Saurashtra Chemicals Division of Nirma Ltd. has made online application vide proposal no. IA/GJ/MIN/68604/2017 dated 12.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under 'B' category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as general condition applies.
12.3.2.2	Details of the project as per the submission of project proponent: 1. The Project Proponent and the accredited consultant M/s Envirocare Technocrats Pvt. Ltd. made a detailed presentation on the salient features of the project.

2. The project involves manufacturing/extraction of **Limestone** of production capacity **(4,00,000 TPA)** by **M/s Saurashtra Chemicals Division of Nirma Ltd.** in an area of **97.61 hectare at Survey No 5 & 6, village Adityana Taluka/Mandal Ranavav, District Porbandar, (Gujarat).**

3. The said project/activity is covered under category B of item 1 (a) of the Schedule to the EIA Notification, 2006, however, requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal Committee as Barda wildlife Sanctuary exist within 5.0 km radius of lease boundary.

4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: **Yes, Barda wildlife Sanctuary exist within 5.0 km radius of lease boundary.**

5. River/water body **Bileswari River** (Seasonal River) is flowing at a distance of approx. **12 km in NE direction & Khambhala Damis** flowing located at a distance of approx. **6 km in NE direction.**

6. Details of Forest issues, if any: **Not Applicable**

7. Details of Consent to Operate:

(i) Whether Consent to operate obtained (Yes/No)? **Yes**

(ii) Date of issue: **27/01/2012** , **CTO Renewal on dated 01/12/2016**

(iii) Valid upto: **30/11/2021**

8. Mine Capacity in ROM (Run of Mine):**4,00,000 TPA**

9. Whether the proposal is mining of Minor minerals project(Yes/No)? **No**

10. Whether the proposal is mining of Major minerals project(Yes/No)? **Yes**

11. No. of Mineral to be Mined with name: **One i.e. Limestone**

12. Details of mine lease:-

(i) Date of entering into original leasedeed:**30.09.1955**

(ii) Date of expiry of original leasedeed:**29.09.1975**

(iii) Date of 1stleaserenewal:**30.09.1975**

(iv) Whether renewal or deemed renewal: **Renewal**

(v) Date of expiry of 1stlease renewal/deemedrenewal:**29.09.1995**

(vi) Date of 2ndleaserenewal:**30.09.1995**

(vii) Whether renewal or deemed renewal: **Deemed renewal**

(viii) Date of expiry of 2nd lease renewal / deemedrenewal:**29.09.2015**

(ix) Date of 3rdleaserenewal:**30.09.2015**

(x) Date of expiry of lease period: As per section 8A (5) of MMDR Amendment Act, 2015 w.e.f. 12.01.2015, lease period is extended up to 31.03.2030

13. Details of DGMS permission, if any: Permission under rule 106(2) (b) for HEMM & Deep Hole drilling & blasting has been obtained.

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

	<p>(Hard copy authenticated by Department of Mines & Geology, State Government to be submitted) Applied for Authentication of production data</p> <p>15. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification,2006): Adityana Limestone mine (Survey 5&6) of M/s. Saurashtra chemical (Division of Nirma limited.) is located at Near village – Adityana, Taluka– Ranavav and District Porbandar, Guj. Lease area is 97.61 ha (Govt. waste land).</p> <p>It is an existing mining unit (since 1955) of Limestone. Mining is being carried out by Opencast Semi-Mechanized method. Proposed production is 4,00,000 TPA (ROM). As per proposed production life of mine is 12 years. The lease area forms a part of Survey of India Topo-sheet no. 41G/9&10 restricted.</p> <p>The Project falls under Violation category as no prior EC has been obtained as per EIA notification 2006.However, Consent to Operate has been obtained from the Gujarat Pollution Control Board, Gandhinagar, Gujarat.</p> <p>16. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <p>Date of application for TOR/EC submitted to MoEF&CC/SEIAA: 12.09.2017</p> <p>Date of appraisal of EAC/SEAC meetings so far: NA</p> <p>Observations/recommendations of the EAC/SEAC in each meeting: NA</p> <p>Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: NA</p> <p>Complaint case filed by the State Government/State Pollution Control Board: None</p> <p>Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: A</p> <p>Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above: NA</p> <p>Legal interventions, if any: No</p>
<p>12.3.2.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations observed that based on the documents submitted by PP, project is only 0.146 km from boundary of Barda wildlife Sanctuary. However, on analysing the KML/SHAPE file on the DSS, the instant mine lease is at some places overlapped the boundary of the Sanctuary and major portion of the mine lease area is falling within 1 km of the Sanctuary.</p> <p>The Committee noted that Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs Union of India) had directed inter alia, that no mining activity should be granted within the safety zone and as an interim measure 1 Km safety zone shall be maintained subject to the orders that may be made in this IA regarding Jamua Ramgarh Sanctuary. This clearly suggests that no mining activity can be carried out within 1 Km. boundary of any sanctuary. Besides, Eco-Sensitive Zone has been notified of Barda Wildlife</p>

	<p>Sanctuary on 28.04.2017 which also clearly suggests at para 4 (1) that the “mining operation shall be carried out in accordance with the orders of Hon’ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavaram Thirumulpad Vs. Union of India in WP 202 of 1995 and dated the 21.04.2014 in the matter of Goa Foundation Vs. Union of India in WP (C) 435 of 2012”.</p> <p>In view of above, as the location of mine in question is within 1 km of The Barda wildlife Sanctuary, Committee therefore rejected the proposal for issue of TOR.</p>
12.3.3	<p>Pachhtardi Limestone Mining Project (Survey No 77/P) for production of limestone from a mine lease area measuring 76.19 Ha located near Village Pachhtardi, Tehsil Bhanwad, District Devbhoomi Dwarka, Gujarat by M/s TATA Chemicals Limited. For Terms of Reference</p> <p>[IA/GJ/MIN/68624/2017 dated 13.09.2017] [F. No.23-220/2018-IA.III (V)]</p>
12.3.3.1	<p>M/s TATA Chemicals Limited has made online application vide proposal no. IA/GJ/MIN/68624/2017 dated 13.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under ‘B’ category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as general condition applies.</p>
12.3.3.2	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent M/s TATA CHEMICALS LIMITED and the accredited consultant ENVIRTA Sustainable Solutions India Pvt. Ltd. made a detailed presentation on the salient features of the project. 2. The project involves extraction of Limestone of production capacity (110000 TPA) by M/s TATA CHEMICALS LIMITED in an area of 76.19 hectare at village Pachhtardi Taluka/Mandal Bhanwad, District Devbhoomi Dwarka State Gujarat. 3. The said project/activity is covered under category ‘B’ Mining of mineral of item 1 (a) of the Schedule to the EIA Notification, 2006, and however, requires prior EC from the MoEF & CC based on the appraisal by Expert Appraisal Committee as Barda Wildlife Sanctuary is about 0.5 km in East direction. 4. Whether projects attract the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: Yes. Barda Wildlife Sanctuary is about 0.5 km in East direction. 5. River/ water body: <ol style="list-style-type: none"> a) Vartu Dam is about 7.3 km in N direction b) Vartu River is about 7.3 km in N direction c) Krishnapur lake is about 5.45 km in SE direction d) Fodara Dam is about 8.07 km in SE direction e) Khambhada Reservoir is about 11.45 km in SE direction f) Gulabsagar Lake is about 8.17 km in E direction

- g) BileshwariNadi is about 11 km in SE direction
6. Details of Forest issues, if any: Barda Wildlife Sanctuary is 0.5 km from the project site in East direction.
7. Details of Consent to Operate:
- (i) Whether Consent to operate obtained (Yes/No)? Yes
 - (ii) Date of issue: 26.2.2010
 - (iii) Valid upto: 04.01.2015
8. Mine Capacity in ROM (Run of Mine): 110000TPA
9. Whether the proposal is mining of Minor minerals project (Yes/No)? No
10. Whether the proposal is mining of Major minerals project (Yes/No)? Yes
11. No. of Mineral to be mined with name: Limestone
12. Details of mine lease
- (i) Date of entering into original lease deed: 29.10.1964
 - (ii) Date of expiry of original lease deed: 28.10.1984
 - (iii) Date of 1st lease renewal: 29.10.1984
 - (iv) Whether renewal or deemed renewal: Deemed renewal
 - (v) Date of expiry of 1st lease renewal/ deemed renewal: 28.10.1994/Deemed renewal
 - (vi) Date of 2nd lease renewal: 25.10.1993
 - (vii) Date of 3rd lease renewal: 21.10.2003
 - (viii) Whether renewal or deemed renewal: Deemed renewal
 - (ix) Lease Extension: As per section 8A (5) of MMDR Amendment act, 2015, the lease period of Shri TATA Chemicals Ltd. At Pachhtardi, Taluka Bhanvad District Devbhoomi Dwarka, Survey No. 77/P area 76.19 ha. The matter was under consideration of the state Govt. and it has decided to extend the lease period up to 31.03.2030 on date 18.10.2017.
13. Details of DGMS permission, if any: Yes; Letter S. No. AR/MMR/Perm-106(2)(b)/2011/Jamnagar/853, 09.08.2011
14. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006):
- Mining starts without getting Environment Clearance.
16. The Chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: (Note: Do not furnish details in Annexure)
- (i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA: 13 September 2017
 - ii) Date of appraisal of EAC/SEAC meetings so far: 21 August 2018
 - (iii) Observations/recommendations of the EAC/SEAC in each meeting: Listed in 12th meeting of Expert Appraisal Committee for the proposal involving violation of

	<p>EIA Notification, 2006 to be held on 28th -29th August 2018</p> <p>(iv) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: NA</p> <p>(v) Complaint case filed by the State Government/State Pollution Control Board: None</p> <p>(vi) Legal interventions, if any: No</p>
12.3.3.3	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations observed that based on the documents submitted by PP, project is only 0.5 km from boundary of Barda wildlife Sanctuary. However, on analysing the KML/SHAPE file on the DSS, the instant mine lease is at some places overlapped the boundary of the Sanctuary and major portion of the mine lease area is falling within 1 km of the Sanctuary.</p> <p>The Committee noted that Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs. Union of India) had directed inter alia, that no mining activity should be granted within the safety zone and as an interim measure 1 Km. safety zone shall be maintained subject to the orders that may be made in this IA regarding Jamua Ramgarh Sanctuary. This clearly suggests that no mining activity can be carried out within 1 Km. boundary of any sanctuary. Besides, Eco-Sensitive Zone has been notified of Barda Wildlife Sanctuary on 28.04.2017 which also clearly suggests at para 4 (1) that the <i>"mining operation shall be carried out in accordance with the orders of Hon'ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavaram Thirumulpad Vs. Union of India in WP 202 of 1995 and dated the 21.04.2014 in the matter of Goa Foundation Vs. Union of India in WP (C) 435 of 2012"</i>.</p> <p><i>In view of above, as the location of mine in question is within 1 km of The Barda wildlife Sanctuary, Committee therefore rejected the proposal for issue of TOR.</i></p>
12.3.4	<p>Mokhana Limestone Mining Project (Survey No 51/P) for production of limestone from a mine lease area measuring 107.69 Ha located near Village Mokhana, Tehsil Bhanwad, District DevbhoomiDwarka, Gujarat by M/s TATA Chemicals Limited. For Terms of Reference</p> <p>[IA/GJ/MIN/68628/2017 dated 13.09.2017] [F. No.23-221/2018-IA.III (V)]</p>
12.3.4.1	<p>M/s TATA Chemicals Limited has made online application vide proposal no. IA/GJ/MIN/68628/2017 dated 13.09.2017 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.</p>
12.3.4.2	<p>Details of the project as per the submission of project proponent:</p> <p>1. The Project Proponent M/s TATA CHEMICALS LIMITED and the accredited</p>

consultant ENVIRTA Sustainable Solutions India Pvt. Ltd. made a detailed presentation on the salient features of the project.

2. The project involves extraction of Limestone of production capacity (0.35 MTPA) by M/s TATA CHEMICALS LIMITED in an area of 107.69 hectare at village Mokhana Taluka/Mandal Bhanvad, District Devbhoomi Dwarka and State Gujarat.

3. The said project/activity is covered under category 'A' Mining of mineral of item 1 (a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF & CC based on the appraisal by Expert Appraisal Committee.

4. Whether projects attract the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: Yes. Barda Wildlife Sanctuary is about 0.5 km in South direction.

5. River/ water body:

- a) Vartu Dam is about 4.2 km in NW direction
- b) Vartu River is about 5.0 km in NW direction
- c) Krishnapur lake is about 11.5 km in South direction
- d) Fodara Dam is about 9.56 km in SE direction
- e) Khambhada Reservoir is about 14.6 km in SE direction
- f) Gulabsagar Lake is about 6.5 km in SE direction
- g) BileshwariNadi is about 11.5 km in SE direction

6. Details of Forest issues, if any: **Not applicable**

7. Details of Consent to Operate:

(i) Whether Consent to operate obtained (Yes/No)? Yes

(ii) Date of issue: 26.02.2010, Valid upto: 04.01.2015

8. Mine Capacity in ROM (Run of Mine): 0.35 MTPA

9. Whether the proposal is mining of Minor minerals project (Yes/No)?:**No**

10. Whether the proposal is mining of Major minerals project (Yes/No)?:**Yes**

11. No. of Mineral to be mined with name: **Limestone**

12 Details of mine lease

(i) Date of entering into original lease deed: **24.12.1973**

(ii) Date of expiry of original lease deed: **23.12.1993**

(iii) Date of 1st lease renewal: **21.12.1992**

(iv) Whether renewal or deemed renewal: **Deemed renewal**

(v) Date of expiry of 1st lease renewal/ deemed renewal: **Deemed renewal**

(vi) Date of 2nd lease renewal: **23.12.2002**

(vii) Whether renewal or deemed renewal: --

(viii) Lease Extension: As per section 8A (5) of MMDR Amendment act, 2015, the lease period of the captive lease is deemed to be extended for 50 years from the initial grant. In this regard, state government has

	<p>sanctioned the mine lease period deemed extended to 23.12.2023 on date 24.10.2017.</p> <p>13. Details of DGMS permission, if any: Yes; Letter S.No AR/MMR/Perm-106 (2) (b)/2011/Jamnagar/858 dated 09.08.2011.</p> <p>14. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Mining starts without getting Environment Clearance.</p> <p>15. The Chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: (Note: Do not furnish details in Annexure)</p> <p>(i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA:13 September 2017</p> <p>(ii) Accepted by MOEF&CC: 21 August 2018</p> <p>(iii) Date of appraisal of EAC/SEAC meetings so far: Listed in 12th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 to be held on 28th -29th August 2018</p> <p>(iii) Observations/recommendations of the EAC/SEAC in each meeting: --</p> <p>(iv) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: Nil</p> <p>(iv) Complaint case filed by the State Government/State Pollution Control Board: None</p> <p>(v) Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: Nil</p> <p>(vi) Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above - Nil</p> <p>(vii) Legal interventions, if any: No</p>
<p>12.3.4.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations observed that based on the documents submitted by PP, project is overlapping the boundary of Barda wildlife Sanctuary. However, on analysing the KML/SHAPE file on the DSS, the instant mine lease is at some places overlapped the boundary of the Sanctuary and major portion of the mine lease area is falling within 1 km of the Sanctuary.</p> <p>The Committee noted that Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs. Union of India) had directed inter alia, that no mining activity should be granted within the safety zone and as an interim measure 1 Km. safety zone shall be maintained subject to the orders that may be made in this IA regarding Jamua Ramgarh Sanctuary. This clearly suggests that no mining activity can be carried out within 1 Km. boundary of any sanctuary. Besides, Eco-Sensitive Zone has been notified of Barda Wildlife Sanctuary on 28.04.2017 which also clearly suggests at para 4 (1) that the</p>

	<p><i>“mining operation shall be carried out in accordance with the orders of Hon’ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavaram Thirumulpad Vs. Union of India in WP 202 of 1995 and dated the 21.04.2014 in the matter of Goa Foundation Vs. Union of India in WP (C) 435 of 2012”.</i></p> <p><i>In view of above, as the location of mine in question is within 1 km of The Barda wildlife Sanctuary, Committee therefore rejected the proposal for issue of TOR.</i></p>
12.3.5	<p>Pachhtar Limestone Mining Project (Survey No 160/P) for production of limestone from a mine lease area measuring 116.0544 Ha situated near Village Pachhtar, Tehsil Bhanwad, District Devbhoomi Dwarka, Gujarat by M/s TATA Chemicals Limited - for Terms of Reference</p> <p>[IA/GJ/MIN/68708/2017 dated 13.09.2017] [F. No.23-222/2018-IA.III (V)]</p>
12.3.5.1	<p>M/s TATA Chemicals Limited has made online application vide proposal no. IA/GJ/MIN/68708/2017 dated 13.09.2017 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.</p>
12.3.5.2	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent M/s TATA CHEMICALS LIMITED and the accredited consultant ENVIRTA Sustainable Solutions India Pvt. Ltd. made a detailed presentation on the salient features of the project. 2. The project involves manufacturing/extraction of Limestone of production capacity (0.4 MTPA) by M/s TATA CHEMICALS LIMITED in an area of 116.0544 hectare at village Pachhtar Taluka/Mandal Bhanvad, District Devbhoomi Dwarka State Gujarat. 3. The said project/activity is covered under category ‘A’ Mining of mineral of item 1 (a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF & CC based on the appraisal by Expert Appraisal Committee. 4. Whether projects attract the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: Yes. Barda Wildlife Sanctuary is adjoining to the mine site. 5. River/ water body: <ol style="list-style-type: none"> (a) Fodra Dam is 7.85 Km in SE direction (b) Krishnapur Lake is 7.0 Km in South direction (c) Khambanda Reservoir is 11.0 Km in SE direction (d) Bileshwar River is 10.95 Km in SE direction (e) Vartu Dam is 6.37 Km in North direction (f) Gulabsagar Lake is 7.51 in SE direction.

(g) Vartu River is 6.4 Km in North East direction

6. Details of Forest issues, if any: Not applicable

7. Details of Consent to Operate:

Whether Consent to operate obtained (Yes/No)? Yes

Date of issue: 26.02.2010, valid upto: 04.01.2015

8. Mine Capacity in ROM (Run of Mine): 400000 Tonne

9. Whether the proposal is mining of Minor minerals project (Yes/No)? No

10. Whether the proposal is mining of Major minerals project (Yes/No)? Yes

11. No. of Mineral to be mined with name: Limestone

12 Details of mine lease

(i) Date of entering into original lease deed: 29.10.1964

(ii) Date of expiry of original lease deed: 28.10.1984

(iii) Date of 1st lease renewal: 29.10.1984

(iv) Whether renewal or deemed renewal: renewal

(v) Date of expiry of 1st lease renewal/ deemed renewal: 29.10.1994

(vi) Date of 2nd lease renewal: 04.12.1996

(vii) Whether renewal or deemed renewal: --

(viii) Lease Extension: As per section 8A (5) of MMDR Amendment act, 2015, the lease period of the captive lease is deemed to be extended for 50 years from the initial grant. In this regard, the State Government has sanctioned the mining the mining lease for the lease period deemed extension to 31.03.2030 vide letter no. MCR-1564-14966-Chh.1 dated 25.10.2017.

13. Details of DGMS permission, if any: Yes; Letter S. No AR/MMR/Perm-106 (2) (b)/2011/Jamnagar/853 dated 09.08.2011

14. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Mining starts without getting Environment Clearance.

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

(i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA: 13 September 2017

(ii) Accepted by MOEF&CC: 21 August 2018

(iii) Date of appraisal of EAC/SEAC meetings so far: Listed in 12th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 to be held on 28th -29th August 2018

	<p>(iii) Observations/recommendations of the EAC/SEAC in each meeting: --</p> <p>(iii) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: Nil</p> <p>(iv) Complaint case filed by the State Government/State Pollution Control Board: None</p> <p>(v) Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: Nil</p> <p>(vi) Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above - Nil</p> <p>(vii) Legal interventions, if any - No</p>
12.3.5.3	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations observed that based on the documents submitted by PP, project is overlapping with boundary of Barda wildlife Sanctuary. However, on analysing the KML/SHAPE file on the DSS, the instant mine lease is major places overlapped the boundary of the Sanctuary and major portion of the mine lease area is falling within 1 km of the Sanctuary.</p> <p>The Committee noted that Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs. Union of India) had directed inter alia, that no mining activity should be granted within the safety zone and as an interim measure 1 Km. safety zone shall be maintained subject to the orders that may be made in this IA regarding Jamua Ramgarh Sanctuary. This clearly suggests that no mining activity can be carried out within 1 Km. boundary of any sanctuary. Besides, Eco-Sensitive Zone has been notified of Barda Wildlife Sanctuary on 28.04.2017 which also clearly suggests at para 4 (1) that the <i>"mining operation shall be carried out in accordance with the orders of Hon'ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavaram Thirumulpad Vs. Union of India in WP 202 of 1995 and dated the 21.04.2014 in the matter of Goa Foundation Vs. Union of India in WP (C) 435 of 2012"</i>.</p> <p><i>In view of above, as the location of mine in question is within 1 km of The Barda wildlife Sanctuary, Committee therefore rejected the proposal for issue of TOR.</i></p>
12.3.6	<p>Godhana Limestone Mining Project (Survey No 6III ,7112) for production of Limestone from a mine lease area measuring 86.65 ha situated near Village Godhana, Tehsil Ranavav, District Porbandar Gujarat M/s TATA Chemicals Limited - for Terms of Reference</p> <p>[IA/GJ/MIN/68827/2017 dated 13.09.2017] [F. No.23-223/2018-IA.III (V)]</p>
12.3.6.1	<p>M/s TATA Chemicals Limited has made online application vide proposal no. IA/GJ/MIN/68827/2017 dated 13.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered</p>

	under 'B' category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as general condition applies.
12.3.6.2	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent M/s TATA CHEMICALS LIMITED and the accredited consultant ENVIRTA Sustainable Solutions India Pvt. Ltd. made a detailed presentation on the salient features of the project. 2. The project involves extraction of Limestone of production capacity (0.83 MTPA) by M/s TATA CHEMICALS LIMITED in an area of 86.65 hectare Located in Village - Godhana, Tehsil - Ranavav, District – Porbandar, Gujarat. 3. The said project/activity is covered under category 'B' Mining of mineral of item 1 (a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF & CC based on the appraisal by Expert Appraisal Committee as Barda Wildlife Sanctuary is about 0.5 km in NE direction. 4. Whether projects attract the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: Yes. Barda Wildlife Sanctuary is about 0.5 km in NE direction. 5. River/ water body: <ol style="list-style-type: none"> a) Vartu Dam is about 13.19 km in NE direction b) Vartu River is about 10.6 km in North direction c) Krishnapur lake is about 7.04 km in SE direction d) Gulabsagar lake is about 13.04 in NE direction e) Fodara Dam is about 10.5 km in East direction f) Khambhada Reservoir is about 10.56 km in SE direction g) BileshwariNadi is about 12.9 km in East direction 6. Details of Forest issues, if any: Not applicable 7. Details of Consent to Operate: Whether Consent to operate obtained (Yes/No)? No 8. Mine Capacity in ROM (Run of Mine): 0.83 MTPA 9. Whether the proposal is mining of Minor minerals project (Yes/No)? No 10. Whether the proposal is mining of Major minerals project (Yes/No)? Yes 11. No. of Mineral to be mined with name: Limestone 12. Details of mine lease:- <ol style="list-style-type: none"> (i) Date of entering into original lease deed: 14.05.1968 (ii) Date of expiry of original lease deed: 13.05.1988 (iii) Date of 1st lease renewal: 12.05.1987 (iv) Whether renewal or deemed renewal: Deemed renewal on 09.12.1991 (v) Date of expiry of 1st lease renewal/ deemed renewal: 13.05.1998

(vi) Date of 2nd lease renewal: 12.05.1997

Lease Extension: Due to amendment in Section 8A (5) of the MMDR Amendment Act, 2015, lease validity of the leases is extended upto 31.03.2030 by Government of Gujarat, Industries & Mines Department vide letter no. MCR-1584-(T-12)-GOI-349-CHH, New Sachivalaya, Gandhinagar dated 03.04.2018.

13. Details of DGMS permission, if any: **No**

14. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Mining starts without getting Environment Clearance.

15. The Chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: (Note: Do not furnish details in Annexure)

(i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA: 13 September 2017

(ii) Accepted by MOEF&CC: 21 August 2018

(iii) Date of appraisal of EAC/SEAC meetings so far: Listed in 12th meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006 to be held on 28th -29th August 2018

(vi) Complaint case filed by the State Government/State Pollution Control Board: None

(vii) Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: Nil

(viii) Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above - Nil

(ix) Legal interventions, if any - No

<p>12.3.6.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations observed that based on the documents submitted by PP, project is only 0.5 km from boundary of Barda wildlife Sanctuary. However, on analysing the KML/SHAPE file on the DSS, the instant mine lease is at some places 0.26 km from the boundary of the Sanctuary and major portion of the mine lease area is falling within 1 km of the Sanctuary.</p> <p>The Committee noted that Hon'ble Supreme Court in its interim order dated 04.08.2006 in IA 1000 WP 202 of 1995 (T.N. Godavaram Vs. Union of India) had directed inter alia, that no mining activity should be granted within the safety zone and as an interim measure 1 Km. safety zone shall be maintained subject to the orders that may be made in this IA regarding Jamua Ramgarh Sanctuary. This clearly suggests that no mining activity can be carried out within 1 Km. boundary of any sanctuary. Besides, Eco-Sensitive Zone has been notified of Barda Wildlife Sanctuary on 28.04.2017 which also clearly suggests at para 4 (1) that the <i>“mining operation shall be carried out in accordance with the orders of Hon'ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavaram Thirumulpad Vs. Union of India in WP 202 of 1995 and dated the 21.04.2014 in the matter of Goa Foundation Vs. Union of India in WP (C) 435 of 2012”</i>.</p> <p><i>In view of above, as the location of mine in question is within 1 km of The Barda wildlife Sanctuary, Committee therefore rejected the proposal for issue of TOR.</i></p>
<p>12.3.7</p>	<p>Baga- Bhalag Limestone and Shale mine (expansion from 3.10 MTPA to 5.25 MTPA) within existing lease area (331.424 Ha) located at Village Baga&Bhalag, Taluka Arki, District Solan, Himachal Pradesh by M/s UltraTech Cement Ltd. For Terms of Reference</p> <p>[IA/HP/MIN/69006/2017 dated 13.09.2017] [F. No.23-224/2018-IA.III (V)]</p>
<p>12.3.7.1</p>	<p>M/s Ultra Tech Cement Ltd has made online application vide proposal no. IA/HP/MIN/69006/2017 dated 13.09.2017 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.</p>
<p>12.3.7.2</p>	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent made a detailed presentation on the salient features of the project. 2. The project involves extraction of Limestone & Shale of production capacity (5.25 Million TPA) by M/s Ultra Tech Cement Limited an area of 331.424 ha hectare at Village Baga & Bhalag, Taluka Arki, District Solan, Himachal Pradesh. 3. The said project/activity is covered under category “A” of item 1 (a) column 3 of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC / SEIAA based on the appraisal by Expert Appraisal Committee. 4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No): Yes, Bandli Wild Life Sanctuary at distance of 8.5 km in

north direction and Majhathal Wild life sanctuary at distance of 4.5 km in SE

5. River/ water body: Satluj river is flowing at a distance of 2.5 KM in NW direction.

6. Details of Forest issues, if any: 239.5096 ha of forest land involved, for which Forest Clearance has already been obtained Forest Clearance vide letter.No.8-72/2005-FC dated 02.06.2006.

7. Details of Consent to Operate:

- (i) Whether Consent to operate obtained (Yes/No)? If yes, : Yes
- (ii) Date of issue: 17.06.2016 void latter no. HPSPCB/PCB-ID,14118
- (iii) Valid up to : 31.03.2018

- a) CTO dated 29.01.2010 valid upto 31.03.2010
- b) CTO dated 02.07.2011 valid upto 31.03.2012
- c) CTO dated 07.01.2013 valid upto 31.03.2014
- d) CTO dated 20.11.2014 valid upto 31.03.2016
- e) CTO dated 17.06.2016 valid upto 31.03.2018

M/s Jaiprakash Associates Limited has applied for renewal of CTO to the HP State Pollution Control Board On 13.04.2017. M/s Ultra Tech Cement Limited has also applied to the HP State Pollution Control Board on 07.07.2017 for change of name in the CTO granted to M/s Jaiprakash Associates Ltd., after change of ownership of the unit in the name of M/s UTCL from M/s JAL. The renewal of CTO is pending as the change of name in the EC for Baga Bhalag Limestone & Shale mine is awaited from MoEF&CC.

8. Mine Capacity in ROM (Run of Mine): 5.25 Million TPA

9. Whether the proposal is mining of Minor minerals project (Yes/No)? : No

10. Whether the proposal is mining of Major minerals project (Yes/No)? : Yes

11. No. of Mineral to be Mined with name: Limestone & Shale

12. Details of mine lease:

- (i) Date of entering into original lease deed: 29/09/2007
- (ii) Date of expiry of original lease deed: 28/09/2057
- (iii) Date of 1st lease renewal: Nil
- (iv) Whether renewal or deemed renewal: Nil
- (v) Date of expiry of 1st lease renewal/deemed renewal: Nil
- (vi) Date of 2nd lease renewal: Nil
- (vii) Whether renewal or deemed renewal: Nil
- (viii) Date of expiry of 2nd lease renewal / deemed renewal: Nil
- (ix) Date of 3rd lease renewal: Nil

13. Details of DGMS permission, if any:

- (i) Permission under regulation 106(2) (b) of MMR,1961, to work with deep hole drilling and blasting and with the help of HEMM, dated 05.07.2010.
- (ii) Permission under regulation 155(1) and 162 (5) of MMR, 1961, for use of Ammonium Nitrate Fuel oil (ANFO), 11.08.2010.
- (iii) Permission under regulation 164(18) of MMR,1961, for deep hole blasting in 300 Mtr and up to 200 Mtr. From the structure not belonging to the owner, 08.04.2011.

14. Details of past production of mine since its inception duly in tabular form:
For Mineral Limestone:

Period/Year	Opening Stock (Tonnes)	Production (Tonnes)	Dispatch (Tonnes)	Closing Stock (Tonnes)
2009-10	NIL	229775	229775	NIL
2010-11	NIL	2679511	2679511	NIL
2011-12	NIL	2651578	2651578	NIL
2012-13	NIL	3789261	3789261	NIL
2013-14	NIL	3351924	3351924	NIL
2014-15	NIL	3354162	3354162	NIL
2015-16	NIL	2707507	2707507	NIL
2016-17	NIL	2210448	2210448	NIL
2017-18	NIL	1560773	1488319	72454

For Mineral Shale:

Period/Year	Opening Stock (Tonnes)	Production (Tonnes)	Dispatch (Tonnes)	Closing Stock (Tonnes)
2009-10	NIL	80434	80434	NIL
2010-11	NIL	669723	669723	NIL
2011-12	NIL	690160	690160	NIL
2012-13	NIL	544065	544065	NIL
2013-14	NIL	410549	410549	NIL
2014-15	NIL	419129	419129	NIL
2015-16	NIL	335163	335163	NIL
2016-17	NIL	287541	287541	NIL
2017-18	NIL	175088	168075	7013

15. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Existing operating Baga – Bhalag Limestone & Shale mine (331.424 Ha.) comes under the violation due to higher production, from 2010/11 to 2014/15.beyond the limit of Environmental Clearance granted by MoEF & CC vide letter Ref. no: J-11015/11/2006-IA II (M) dated 7th September, 2006, under the provision of the EIA Notification, 2006, for production of 3.10 MTPA Limestone & Shale.

However, Environmental Clearance for expansion of Baga-Bhalag Limestone & Shale mine (from 3.10 MTPA to 5.25 MTPA) was granted by MoEF&CC vide letter Ref. no: J-11015/105/2013-IA II (M) dated 26th May, 2016.

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

I. Date of application for TOR/EC submitted to MoEF&CC/SEIAA: **02/04/2013**

II. Date of appraisal of EAC/SEAC meetings so far: **21/03/2016**

III. Observations/recommendations of the EAC/SEAC in each meeting: Committee recommended the proposal for grant of Environmental Clearance for expansion of production from 3.10 to 5.25 Million TPA limestone and shale.

IV. Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006:

a) HP State Pollution Control Board has filed a petition in the Hon'ble Court of Chief Judicial Magistrate, Arki under section 15, 16 & 19 of the Environment Protection Act, 1986 for the violation of the provision of EIA Notification 2006 and under Section 22- A, 37, 39 40 & 43 of the Air Act 1981 against the company M/s Jaiprakash Associates Limited, vide case No. Environment Protection Act/0000001/2018.

b) The matter is pending for disposal in the Hon'ble Court.

V. Complaint case filed by the State Government/State Pollution Control Board:

a) A show cause notice was issued by the State Govt. on 07.06.2014 to M/s Jaiprakash Associates Limited regarding excess production. The company has filed an appropriate reply on 02.07.2014 and 23.07.2014.

b) State Govt. of Himachal Pradesh has forwarded the matter to the Indian Bureau of Mines on 22.08.2015 to initiate suitable action as per MCDR 1988, wherein the Law Deptt. of HP State has opined that

“----- the company is a lease holder and question of illegal mining is not involved in the case in question -----”

In pursuant to the above communication Indian Bureau of mines has filed a petition No. 4717/2016 in the Hon'ble court of Chief Judicial Magistrate, Dehradun on 24.11.2016 in respect of violation of rule 13(1) of MCDR. The case got disposed of on 10.02.2017 with the penalty of Rs. 20000/-.

VI. Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: - Committee recommended the proposal for grant of Environmental Clearance for expansion of limestone & shale production from 3.10 to 5.25 Million TPA limestone and shale.

VII. Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above: -Environmental Clearance for enhanced capacity of 5.25 Million TPA was obtained from MoEF & CC vide letter Ref. no: J-11015/105/2013-IA II (M) dated 26th May, 2016.

VIII. Legal interventions, if any : Mentioned above at point no IV & V

<p>12.3.7.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations recommended to defer the proposal for want of following information</p> <ol style="list-style-type: none"> 1. The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking interalia include commitment of the PP not to repeat any such violation in future. 2. Status of Forest Clearance and copy. 3. Documentary proofs for the credible action already taken by the state Government. 4. Detailed presentation to be made on violation of the before the EAC. 5. Status of Wild Life Clearance. 6. Certified production details since inception of mines from department of State Mines and Geology.
<p>12.3.8</p>	<p>Manufacturing of fine chemicals, bulkdrug intermediates at No. 11/2, KIADB Industrial Area, Attibele Hobli, Anekal Taluk, Bangalore (Karnataka) by M/s Sonia Organics - Further consideration of Terms of Reference</p> <p>[IA/KA/IND2/66973/2017 dated 26.07.2017] [F. No. 23-102/2018-IA.III (V)]</p>
<p>12.3.8.1</p>	<p>M/s Sonia Organics has made online application vide proposal no. IA/KA/IND2/66973/2017 dated 26.07.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under 'B' category of item 5(f) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as general condition applies.</p>
<p>12.3.8.2</p>	<p>Details of the project as per the submission of project proponent:</p> <p>The project involves manufacturing of Active Pharmaceuticals Ingredients, Speciality Chemical and Intermediates of production capacity of 10 MT by M/s Sonia Organic in an area of 4552 sqm at No 11/2, Attibele Industrial Area, Balaganahalli Village, Anekal Taluk District Bangalore South, Karnataka 562107</p> <p>The project activity is listed at S.N. 5(f) Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC as the project site is falling within</p>

	<p>5 Kms from Karnataka – Tamil Nadu interstate boundary (4.4 Km)</p> <p>The plant/unit was earlier set up with the consent to establish dated September 2007 from the 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 SPCB. The consent to operate is presently valid up to July 2022.</p> <p>CFE obtained : Sep – 2007 CFO & HWM Authorization validity: 30.06.2022 CFE for new products : 08-04-2010 (got CFE with a condition to obtain EC)</p> <p>Applied to SEAC Karnataka: The industry applied for EC to State SEAC during 2010. SEAC advised to approach EAC since the site is falling within 5 Kms from Karnataka – Tamil Nadu interstate boundary (4.4 Km)</p> <p>Application to MoEF, 2010 for the existing two products and new products with increase in capacity for existing product: EAC recommended for Legal action and directed Department of Forest, Environment and Ecology to file case under Section 19, of the Environment (Protection) Act, 1986 for Violation of EIA Notification. State government directed KSPCB to file case.</p> <p>KSPCB legal notice : on 28th March, 2013 Court case : No Court case filed against Sonia organics so far Violation committee hearing: 17.05.2018 (7th EAC)</p>
<p>12.3.8.3</p>	<p>7th EAC meeting recommendations</p> <p>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. The committee observed that the present application was both for existing capacity production and proposed expansion with new products.</p> <p>The committee was of the opinion that unless environmental clearance for existing products viz. MEKP catalyst and Cobalt Octate is obtained, then only the PP could submit a separate application for expansion to the respective sectoral committee for seeking environmental clearance.</p> <p>Therefore, the committee suggested to the PP to submit the revised Form 1 with updated information along with the PFR for existing products to the MoEF&CC. Based on above observations and suggestions, committee recommended to defer the proposal.</p>
<p>12.8.4</p>	<p>Observations and recommendations of committee:</p> <p>The EAC noted that in the 7th EAC meeting, committee recommended the PP to submit the revised Form1 for existing project only under violation excluding proposed expansion with new products.</p> <p>Thereafter, it was decided by the EAC in earlier meetings that proposal for both existing and expansion will be appraised simultaneously. Proposal of M/s Sonia Organics was re-considered in line of the same decision.</p> <p>Project proponent has submitted the letter from the concerned Gram Panchayat</p>

regarding interstate distance from the project boundary.

The EAC also noted that present proposal is for two existing and five proposed products as details mentioned in the table given below:

S. No.	Description	Productions Kgs per month	Production in Kgs per annum
A	Existing products:		
1	MEKP-CATALYST	5000	60000
2	Cobalt Octate	5000	60000
	Total	10000	120000
B	Proposed new products:		
1	Glucosamine HCl	6000	72000
2	Methyl Sulphonyl Methane	2000	24000
3	Magnesium Ascorbate	500	6000
4	Calcium Ascorbate	500	6000
5	Calcium Dobesilate	500	6000
	total	9500	114000
	GRAND TOTAL	19500	234000

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 issuing Standard Term of Reference** along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):

(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 to be issued till the project is granted EC.

(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.

(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.

(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.

(v) The remediation plan and the natural and community resource augmentation

	<p>plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Certified compliance report of CTO conditions from concerned State Pollution Control Board.</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>
12.3.9	<p>Karo Expansion OCP (11/15 MTPA normative/peak capacity) & integrated Karo Washery (7 MTPA) by M/s Central Coalfields Limited - Environmental Clearance</p> <p>[IA/JH/CMIN/74033/2018][F. No. 23-69/2018-IA.III]</p>
12.3.9.1	<p>M/s Central Coalfields Limited has made online application vide proposal no. IA/JH/CMIN/74033/2018 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.</p>

12.3.9.2	<p>Details of the project as per the documents submitted by the project proponent and also as informed during meeting are reported as under:</p> <p>1. Project Title, location (plot No./Village/Tehsil/District): Karo Expansion OCP (15 MTPA) & Integrated washery (7 MTPA), Plot / Survey / Khasra No. The geological blocks are covered on Survey of India Toposheet Map no. 73E/13. Village- Karo, Amlo, Tehsil- Bermo, District- Bokaro</p> <p>2. Salient features of the project Land use pattern/Total plot area/built up area: Proposed land use of Core Zone Area: 552.84 Ha.</p> <table border="1"> <thead> <tr> <th>Sl. no</th> <th>Particulars of land (Area Ha)</th> <th>Forest</th> <th>Non- Forest</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quarry</td> <td>185.07</td> <td>110.68</td> <td>295.75</td> </tr> <tr> <td rowspan="2">2</td> <td>External OB dump-1</td> <td>24.73</td> <td>13.27</td> <td>38.00</td> </tr> <tr> <td>External OB dump-2</td> <td>5.00</td> <td>52.24</td> <td>5 .24</td> </tr> <tr> <td>3</td> <td>Infrastructures</td> <td>36.77</td> <td>8.31</td> <td>45.08</td> </tr> <tr> <td>4</td> <td>Road, nala diversion, green belt/vacant land & safety zone</td> <td>52.53</td> <td>32.72</td> <td>85.25</td> </tr> </tbody> </table>	Sl. no	Particulars of land (Area Ha)	Forest	Non- Forest	Total	1	Quarry	185.07	110.68	295.75	2	External OB dump-1	24.73	13.27	38.00	External OB dump-2	5.00	52.24	5 .24	3	Infrastructures	36.77	8.31	45.08	4	Road, nala diversion, green belt/vacant land & safety zone	52.53	32.72	85.25
Sl. no	Particulars of land (Area Ha)	Forest	Non- Forest	Total																										
1	Quarry	185.07	110.68	295.75																										
2	External OB dump-1	24.73	13.27	38.00																										
	External OB dump-2	5.00	52.24	5 .24																										
3	Infrastructures	36.77	8.31	45.08																										
4	Road, nala diversion, green belt/vacant land & safety zone	52.53	32.72	85.25																										

5	Residential colony*	0.00	5.00	5.00
6	Conveyer to Kargali Washery/ siding *	7.50	19.02	26.52
Total Land Required		311.60	241.24	552.84

*Land requirement outside core zone

Buffer Zone:

Classes		Buffer Zone	
Level-I	Level-II	Area (Km ²)	% of Total
Forest Land	Dense Forest	66.22	14.70
	Open Forest	48.29	10.72
	Total Forest Land	114.51	25.42
	Scrubs	91.16	20.24
Plantation Area	Social Forestry	5.56	1.23
	Plantation on OB	1.91	0.42
	Plantation on Backfill	2.86	0.63
	Total Plantation Area	10.33	2.29
Agriculture Land	Crop land	51.42	11.42
	Fallow Land	111.69	24.80
	Total Agriculture Land	163.11	36.21
Waste Land	Waste Land	30.86	6.85
	Sand Body	5.63	1.25
	Fly Ash Pond	0.95	0.21
	Barren Rocky Land	0.00	0.00
	Total Waste Land	37.44	8.31
Mining Area	Coal Quarry	4.52	1.00
	Barren OB Dump	4.58	1.02
	Back Fill	2.13	0.47
	Coal Dump	0.63	0.14
	Water Filled Qry	2.24	0.50
	Total Mining Area	14.10	3.13
Settlements	Urban Settlements	6.80	1.51
	Rural Settlements	4.03	0.89
	Industrial Settlements	1.76	0.39
	Total Settlement Area	12.59	2.79
Water Body	River/ Ponds	7.21	1.60
	Total Area	450.45	100.00

3. Total water requirement and its source

Purpose	Present water Supply Existing of Karo OCP (m ³ /day)	Peak Water Demand of Karo Expansion OCP (m ³ /day)
INDUSTRIAL		
HEMM Washing	230	230
CHP/Industrial Premises	80	330
Workshop	20	100
Fire Service	160	650
Haul Road watering	240	1000
Land Reclamation & Plantation	70	70
Total	800	2380
DOMESTIC (Township)		
Housing	400	405
Service Building	40	40
Process & Loss	40	45
Total	480	490
Washery		1590 (to be supplied from Gati Nala Check dam)

Source: Surface / Ground Water / Sea / Others

4. Waste water generation, treatment and disposal

Type / Source	Quantity of Waste Water Generated (Kilo Litre per Day)	Treatment Capacity (Kilo Litre per Day)	Treatment Method	Mode of Disposal
Mine discharge	4700	4700	Settling tank	Re-use for industrial and domestic purposes, and artificial recharge
Residential and related	370	370	Septic tanks with soak pit	Sewage disposal
Workshop	430	430	ETP with Oil and Grease Trap and settling tank	Reuse after treatment

5. Municipal solid waste generated disposal facility

Item	Quantity per Annum	Mode of Disposal
OB	90.42 Million m3 of overburden (OB) will be generated from Karo OCP	56.26 Million m3 will be dumped internally (back-filled) and rest (34.13 Million m3) will be dumped externally covering an area of 95.24 Ha

6. Power requirement and source: 7.5 MVA. The power at 33 kV level will be made available through an overhead transmission line (OHTL) from proposed sub-station of Karo OCP located at a distance of about 0.5 km from the washery site. During construction period, power shall be supplied from the Excavation workshop of Karo OCP, which is at a distance of 0.5 km (approx.) through overhead line.

7. Proposed energy saving measures: - The project will replace the existing lighting system with LED lights.

8. RWH: - Check dam on Godo nallah constructed at an amount of Rs 72.76 Lakh.

9. Car parking:- Parking space provided at the project office and pit office for Light and commercial vehicles. Parking space provided at workshop for Heavy Earth Moving Machines.

10. Investment /Cost of the project: Rs. 1626.92 crore for Karo Expansion OCP & Rs. 269.88 crore for Karo Washery.

11. Benefits of the project: This project has become a major source for both direct and indirect employment in that area. The project has given direct employment to 114 the land losers within the mine lease area as per company's norms. It is required for meeting the demand of coal in country. It also contributes towards regional, state and national economy by means of Govt. taxes like royalty, clean energy cess etc., and development of neighboring villages under CSR programme and generation of direct and indirect employment. As against 311.60 Ha of forest land to be diverted, 317.63 Ha of land in the project area is proposed to be covered with plantation. Additionally, 42.58 Ha of mine void will be converted into water body which will benefit the community.

13. Project/activity covered under item of Schedule to:- This proposal is covered under Schedule I (a) (Mining of minerals) of EIA Notification, 2006

14. Why appraisal/approval is required at the Central level: Category A, Coal Mining Project

15. National Park/ Wild Life Sanctuary in 10km radius:- Nil

16. Eco-Sensitive Zone in 10 km radius area:- Nil

17. Details of Forest land :- Forest land- 311.60 Ha including 7.50 Ha in conveyor layout outside core zone.

- FC granted for 77.43 ha forest land in core zone diverted vide letter number: F.No.8-22/2003- FC Dated 31st March 2004.
- FC applied for 226.67 ha forest land in core zone on 9.03.2006. Proposal recommended by MoEF&CC for Stage-I clearance in FAC meeting held on 25.01.2018.
- Stage I for diversion of 7.50 Ha. of land for Conveyor to Kargali Washery/siding is under process.

18. ToR Details: - ToR was granted vide F.No.23-69/2018-IA(III) dated 17.07.2018

19. Details of Public Hearing and main issues raised/response of the PP:- Public hearing was held on 05.01.2016 in District Bokaro. The issues raised in the PH includes land verification work; arrangement of drinking water, road, electricity etc; employment to local people; benefits to the project affected villagers, land reclamation, after extraction of coal, technical education and training arrangement for they youth etc.

20. If any court case pending for violation of the Environmental laws (supported by an undertaking) : - Nil.

21. Ground water with drawl approval from CGWA: - The application under process.

22. For other sources, firm commitment of the water supply agency:- Major water requirement for both domestic and industrial activities will be met by the mine discharge.

23. Undertaking to the effect that no activity has since been taken up: The Mine has an EC of 1.50 MTPA within the area of 226.33 Ha (Quarry 1). The mine has already reached its EC capacity in the month of November, 2017 and has stopped production of coal.

24. Appraisal by State Coastal Zone Management Authority: NA

25. Details of earlier EC, if any and compliance thereof: The EC of project Karo OCP was granted for 1.50 MTPA capacity in Quarry-I only (limited to part area having released forest land and non-forest land only) vide letter number J-11015/544/2009-IA. II(M) dated 24.12.2014 within project area of 226.33 Ha.

26. Details of earlier appraisal by EAC/SEAC; observation and compliance: - This project was earlier appraised by EAC (Violation) on 22.03.2018 for the grant of ToR. The EAC recommended for ToR. Subsequently, ToR was granted on 17.07.2018.

12.3.9.3

Observations and recommendations of committee:

The EAC during the meeting observed that project proponent (PP) has requested vide letter dated 03.08.2018 to the Ministry for amendment in the ToR letter issued on 17.07.2018 regarding waive off public hearing as it was conducted on 05.01.2016 and valid on the date of submission of EIA/EMP report to the Ministry. PP therefore, requested to appraise the project for Environmental clearance considering the earlier Public Hearing.

The EAC, noted that Public Hearing (PH) has been conducted on dated 05.01.2016 covering all the issues, Committee felt that one time PH as per the order of Hon'ble High Court of Madras has already taken care and hence repeat PH is not required in the instant case. Hence committee agreed to waive off Public Hearing (PH) condition in ToR letter issued on 17.07.2018

However, committee after detailed presentation made by the PP observed the following shortcomings in the EIA/EMP report, hence **recommended to deferred the proposal** for want of submission of following information:

- (i) Submission of basic information for EC as per proforma relevant to the coal sector
- (ii) Latest certified compliance report from the regional office of MoEF&CC.
- (iii) Declaration from QCI/NABET consultant in EIA report.
- (iv) Indexing of all the chapters in EIA/EMP report.
- (v) Copy of MoU with other accredited laboratory for carrying out base line studies.
- (vi) Validation of base line data with one-month monitoring as data submitted in the EIA is two years old.
- (vii) Hydrological studies as per GEC 2015 guidelines to be prepared and submitted.
- (viii) NOC from CGWA for ground water withdrawal.
- (ix) Revised water balance needs to be prepared and submitted.
- (x) Integrated impact assessment of mine and coal washeries on environmental attributes.
- (xi) Copies of stage- I Forest Clearance.
- (xii) Revised land use plan to be submitted.
- (xiii) Base line health status of villagers within 5 km of lease area.
- (xiv) Stage wise mining plans to be incorporated in EIA/EMP report.
- (xv) Provision of STP for residential colonies.
- (xvi) The colony construction shall comply National Building code, MSW RULES-2016, EC BC-2016, and other MOEF guidelines related to green belt, solar energy, rain water harvesting, etc.
- (xvii) Alternative technology available for coal washing and justification for selecting the present technology and also to submit proposal for reduction of tailings leading to size reduction of ponds and consequent leachate control measures to be detailed in the EIA/EMP.
- (xviii) **submit proposal for reduction of tailings leading to size reduction of ponds and consequent leachate control measures to be detailed in the EIA/EMP**
- (xix) Year wise green belt plan to be prepared with cost and type of species.
- (xx) Preparation of damage assessment and remediation plan as chapter 13 in the EIA report as per notification dated 14/03/2017.
- (xxi) Details of R&R to be incorporated in the EIA/EMP report.

	<p>(xxii) Certificate of Ground water clearance from CGWA for mining operations and also permission from concerned authority for utilization water from Gati Nala Check dam for washeries.</p> <p>(xxiii) 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>(xxiv) Revised EIA/EMP to be prepared and submitted by incorporating all the above points and also as per the generic structure of EIA notification,2006.</p> <p>(xxv) Copy of approved mining plan</p> <p>(xxvi) Filled in Form-2 along with above information.</p>																																					
12.3.10	<p>Selected Dhori Group of mines (Expansion) production from 2.25 MTPA to 8.25 MTPA in Tehsil Bermo, District Bokaro (Jharkhand) by M/s Central Coalfields Limited - Environmental Clearance</p> <p>[IA/JH/CMIN/68525/2017] [F. No. 23-80/2018-IA.III]</p>																																					
12.3.10.1	<p>M/s Central Coalfields Limited has made online application vide proposal no. IA/JH/CMIN/68525/2017 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.</p>																																					
12.3.10.2	<p>Details of the project as per the documents submitted by the project proponent and also as informed during meeting are reported as under:</p> <p>1. Project title, location (Plot No./Village/Tehsil/District): Selected Dhori Group of Mines(11 MTPA), within project area of 264.85Ha.The project is situated in the eastern part of East Bokaro coalfield and covered on Survey of India Toposheet Map no. 73 I/1 (RF 1:50000). Village: Turio, Makoli, Tarmi & Gunjardih, Tehsil: Bermo, Dist: Bokaro, State: Jharkhand</p> <p>2 Salient features of the project Land use pattern/Total plot area/built up area: - Total Project Area is 264.85 Ha. Proposed land use is as given below: -</p> <table border="1"> <thead> <tr> <th rowspan="2">Sl. No</th> <th rowspan="2">Land Use</th> <th colspan="3">Area (in Ha)</th> </tr> <tr> <th>Fores t</th> <th>Non-Forest</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Quarry</td> <td>183.35</td> <td>28.24</td> <td>211.59</td> </tr> <tr> <td>2</td> <td>Infrastructure like W/S, Haul Road, Colony etc</td> <td>23.50</td> <td>0.00</td> <td>23.50</td> </tr> <tr> <td>3</td> <td>Safety Zone</td> <td>5.38</td> <td>21.23</td> <td>26.61</td> </tr> <tr> <td>4</td> <td>Tisri nallah</td> <td>0.00</td> <td>3.15</td> <td>3.15</td> </tr> <tr> <td></td> <td>Total</td> <td>212.23</td> <td>52.62</td> <td>264.85</td> </tr> </tbody> </table> <p>3. Total water requirement and its source: -</p> <table border="1"> <thead> <tr> <th>Purpose</th> <th>Peak Demand (m³/day)</th> </tr> </thead> <tbody> <tr> <td><u>Mine site</u></td> <td><u>Selected Dhori Quarry</u></td> </tr> </tbody> </table>	Sl. No	Land Use	Area (in Ha)			Fores t	Non-Forest	Total	1	Quarry	183.35	28.24	211.59	2	Infrastructure like W/S, Haul Road, Colony etc	23.50	0.00	23.50	3	Safety Zone	5.38	21.23	26.61	4	Tisri nallah	0.00	3.15	3.15		Total	212.23	52.62	264.85	Purpose	Peak Demand (m ³ /day)	<u>Mine site</u>	<u>Selected Dhori Quarry</u>
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1.Mine operation	-
2.Land reclamation	504
3.Dust suppression	756
4.Drinking	84
5.Green belt	10
6.CHP	186
7.Washeries	-
8.Workshop	60
9.Fire service	371
10.Others (specify)	-
Total (A)	1,971
B.Township	
1.Green belt	124
2.Domestic	622
3.Other (ServiceBuilding like GM office, Guest house, Hospital, Club, School etc)	124
Total (B)	870
Grand Total (A+B)	2,841

4. Waste water generation, treatment and disposal

Type / Source	Quantity of Waste Water Generated (Kilo Litre per Day)	Treatment Capacity (Kilo Litre per Day)	Treatment Method	Mode of Disposal	Quantity of Treated Water Used in Recycling / Reuse (Kilo Litre per Day)	Quantity of Discharged Water (Kilo Litre per Day)
Workshop (including CHP)	36	36	Effluent treatment Plant with Oil & grease trap, and settling tank	Nala Bund/ Agriculture land	36	nil
Domestic (domestic waste water)	609		Septic tanks with soakpit	Land Disposal	Nil	365 (Approx.)

5. Municipal solid waste generated disposal : - The Municipal solid waste is disposed into the worked out quarry and covered with Over burden.

6. Power requirement and source: - The approximate requirement of power is 3.20 MVA. CCL has one regional sub-station at Kargali, where power is received at 33kV from DVC's Bokaro Thermal Power Station and stepped down to 11kV and 3.3kV and distributed to various projects. Selected Dhori OCP receives power from Kargali Regional sub-station.

7. Proposed energy saving measures: - Office lights will be replaced by LED lights.

8. RWH: A check dam on tisri nallah at an approximate cost of 70 lakh proposed. Roof top rain water harvesting proposed in project office.

9. Car parking: There is sufficient space available in office premises for passenger vehicles and space in workshop is used for heavy earth moving machines.

10. Investment /Cost of the project: Rs. 145.81 Cr.

11. Benefits of the project: This project is a major source for employment in that area. Direct employment to about 1600 and indirect employment to about 2500-3000 persons will be provided.

12. It is required for meeting the demand of coal in country. It also contributes towards regional, state and national economy by means of Govt. taxes like royalty, clean energy cess etc., and development of neighboring villages under CSR programme.

13. Employment potential: This project is a major source for employment in that area. Direct employment to about 1600 and indirect employment to about 2500-3000 persons will be provided.

14. Project/activity covered under item of Schedule to:- This proposal is covered under Schedule I (a) (Mining of minerals) of EIA Notification, 2006

15. Why appraisal/approval is required at the Central level Category A, Coal Mining Project

16. National Park/ Wild Life Sanctuary in 10 km radius:- No

17. Eco-Sensitive Zone in 10 km radius area:- No

18. Details of Forest land Total forest land for the current proposal is 212.23 Ha has been made/applied for mining. The detail of clearance is given below.

143.05 Ha of Forest land has been diverted vide letter no 8-122/90-FC, dt. 01-07-1996.

69.183 Ha of forest land has been diverted vide letter no 8-69/2004-FC, dt. 02-03-2009.

19. ToR Details: EAC granted ToR vide F.No. 23-80/2018-IA(III) dt. 29.06.2018.

20. Details of Public Hearing and main issues raised/response of the PP:
The Public Hearing for Selected Dhori GoM was held on 27.08.2016 at Dhori Area. The issues raised in the PH includes plantation, employment, arrangement of drinking water, skill development programme for they outh etc.

21. If any court case pending for violation of the environmental laws (supported by an undertaking): No

22. Land use planning: Total Project Area is 264.85 Ha. Proposed land use is as given below:

Sl. No	Land Use	Area (in Ha)		
		Forest	Non-Forest	Total
1	Quarry	183.35	28.24	211.59
2	Infrastructure like W/S, Haul Road, Colony etc	23.50	0.00	23.50
3	Safety Zone	5.38	21.23	26.61
4	Tisri nallah	0.00	3.15	3.15
	Total	212.23	52.62	264.85

23. Ground water with drawl approval from CGWA: The application under process

24. For other sources, firm commitment of the water supply: agency Major water requirement for both domestic and industrial activities has been met by the mine discharge.

25. Undertaking to the effect that no activity has since been taken up: The project has history of fire in coal seams. The fire was visible on the surface in the year 1964. A report to deal with the fire was prepared in February 1997 with the main recommendation of quenching of fire and digging out the same to conserve the blocked coal reserves. As per the report, the only solution of conservation of coal reserves and protection of environment was to excavate the maximum quantity of coal to protect it from propagation of fire in coal seams. 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.

	<p>26. The mine produced more than EC capacity of 2.25 MTPA from 2001-02 mainly to deal with fire.</p> <p>27. Appraisal by State Coastal Zone: NA</p> <p>28. Details of earlier EC, if any and compliance there of: J-11015/4/89-IA.II(M) dated 24.01.92.</p> <p>29. Details of earlier appraisal by EAC/SEAC; observation and compliance: This Project was earlier appraised by EAC (Violation) on 22.03.2018 for the grant of ToR. The EAC recommended for ToR. Subsequently, ToR was granted for Selected Dhori GoM on 29.06.2018.</p>
<p>12.3.10.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC during the meeting observed that project proponent has requested vide letter dated 03.08.2018 to the Ministry for amendment in the ToR letter issued on 29.06.2018 regarding waive off Public Hearing (PH) as it was conducted on 27.08.2016 and valid on the date of submission of EIA/EMP report to the Ministry. PP therefore, requested to appraise the project for Environmental clearance considering the earlier Public Hearing.</p> <p>The EAC, noted that PH has been conducted on dated 27.08.2016 covering all the issues, Committee felt that one time PH as per the order of Hon'ble High Court of Madras has already taken care and hence repeat PH is not required in the instant case. Hence committee agreed to waive off PH condition in ToR letter issued on 29.06.2018</p> <p>However, committee after detailed presentation made by the PP observed the following shortcomings in the EIA/EMP report, hence recommended to deferred the proposal for want of submission of following information:</p> <ul style="list-style-type: none"> (i) Submission of basic information for EC as per proforma relevant to the coal sector (ii) Latest certified compliance report from the regional office of MoEF&CC. (iii) Declaration from QCI/NABET consultant in EIA report. (iv) Indexing of all the chapters in EIA/EMP report. (v) Copy of MoU with other accredited laboratory for carrying out base line studies. (vi) Collection of one season (3 months) base line data (vii) Hydrological studies as per GEC 2015 guidelines to be prepared and submitted. (viii) NOC from CGWA for ground water withdrawal. (ix) Revised water balance needs to be prepared and submitted. (x) Copy of stage- I Forest Clearance. (xi) Revised land use plan to be submitted. (xii) Base line health status of villagers within 5 km of lease area. (xiii) Stage wise mining plans to be incorporated in EIA/EMP report. (xiv) Provision of STP for residential colonies and The EIA/EMP shall provide details of compliance to National Building code and other MOEF guidelines

	<p>related to colony buildings.</p> <p>(xv) Year wise green belt plan to be prepared with cost and type of species.</p> <p>(xvi) Preparation of damage assessment and remediation plan as chapter 13 in the EIA report and as per notification dated 14/03/2017.</p> <p>(xvii) Details of R&R to be incorporated in the EIA/EMP report.</p> <p>(xviii) 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>(xix) Revised EIA/EMP to be prepared and submitted by incorporating all the above points and also as per the generic structure of EIA notification, 2006.</p> <p>(xx) Certificate of Ground water clearance from CGWA.</p> <p>(xxi) Copy of approved mining plan.</p> <p>(xxii) Filled in FORM-2 along with above points.</p>
12.3.11	<p>Cluster XVII Kalyaneshwari OCP Project 5.20 MTPA Peak and Kalyaneshwari Washery 3.65 MTPA capacity in an ML area 1459.10 ha to 1844.09 ha of M/s Bharat Coking Coal Ltd., Asansol located at District Burdwan, (West Bengal) - for Terms of Reference.</p> <p>[IA/WB/CMIN/20226/2013, F.No.J-11015/373/2013-IA.II(M)]</p>
12.3.11.1	<p>M/s Bharat Coking Coal Ltd. has made online application vide proposal no. IA/WB/CMIN/20226/2013 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.</p>
12.3.11.2	<p>Details of the project as per the documents submitted by the project proponent and also as informed during meeting are reported as under:</p> <p>(i) MoEF approved Cluster concept for Raniganj Coalfield vide letter dated J-11015/09/2010-IA.II (M), dated 27.04.2010 and directed to apply for ToR for cluster XVI and XVII accordingly. The EC to Cluster XVI was granted on 6th Feb 2013.</p> <p>(ii) The Expert Appraisal Committee prescribed the „Terms of Reference“ for the cluster-XVII (vide letter J-11015/184/2010-IA.II(M), dated 28.05.2010)for normative capacity of 0.035 MTPA and Peak Capacity of 0.0455 MTPA for mining lease area of 833.13 ha. The environmental baseline data was generated and draft EMP was submitted to WBPCB in Nov 2011 for Conducting PH.</p> <p>(iii) Meanwhile, the Kalyaneshwari Block that was transferred earlier to West Bengal Power Development Corporation vide Ministry of Coal Order No. 38306/46/2006-CA-1 dated 27th Feb 2009, was subsequently de-allocated by Ministry of Coal and has been allocated back to Coal India /BCC.This Kalyaneshwari Block now falls under Cluster –XVII group of mines of BCCL.</p> <p>(iv) Considering the above BCCL has applied for a fresh TOR for Peak production 5.2 MTPA and a washery of 3.65 MTPA capacity within the lease hold area of Cluster XVII. The earlier ToR was withdrawn by BCCL in October,</p>

2013.

(v) The Expert Appraisal Committee prescribed the „Terms of Reference“ for the cluster which was issued by MoEF&CC vide letter no. J-11015/373/2013-IA.II (M) dated 21 May, 2014.

(vi) Base Line Data for the project was generated from Jan-16 to March-16 by PDIL Sindri and M/s VRDS Consultants, Chennai.

(vii) Further MOEF&CC approved extension of validity of ToR for Cluster XVII vide letter no. J- 11015/373/2013-IA.II (M)pt dated 25 Dec, 2017.

(viii)Public hearing was conducted by WBPCB on 27.04.2018 and final EMP was submitted on 10.05.2018.

(ix) Latitude and Longitude of the project as under:

Latitude - 23⁰43'8" to 23⁰46'26" North

Longitude - 86⁰47'46 to 86⁰52'11" East

(x) Details of coal linkage: The major production from the project will be dispatched to Steel & Power plants after washing. Rest coking coal will be linked to the nearby coking coal washery. The jhama produced from the mine may be marketed as power grade coal of G7 to G8 depending on its calorific value.

Kalyaneshwari OCP: Coal will be dispatched to Kalyaneshwari coal washery through conveyor belt.90% of coal will be dispatched through rail to consumers, 10 % coal will be dispatched through roads.

(xi) Whether the project is in the Critically Polluted Area (CPA): No

(xii) Cost of the project: Capital Cost of the Project (including Kalyaneshwari Washery) is Rs. 2563.74 crores.

(xiii)Employment generated/to be generated: - BCCL has existing manpower.

(xiv)However, 512 nos of additional employment will be provided against land acquisition and also indirect employment may be generated through contract works.

(xv) Benefits of the project: Mining in the area will provide direct and indirect employment opportunities. It will bridge the gap of demand and supply of Coal in India to meet the requirement of Coking coal, substantial savings in Foreign Exchange. It will boost up the local and regional economy and have direct contribution to the state exchequer. It will also bring enhanced Socio-economic benefits to local population as per CIL's CSR Policy.

(xvi)No. and Date of the ToR letter issued by the MoEF (if this is a case for EC): ToR was granted for Cluster XVII vide letter no. J-11015/373/2013-IA.II(M) dated 21/05/2014 and extension of validity of ToR was granted vide letter no. J-11015/373/2013-IA.II(M). pt dated 26.12.2017.

(xvii) It is Opencast-cum-Coal Washery with the Normative Capacity of 4.00 MTPA, Peak Capacity of 5.20 MTPA and Washery Capacity of 3.65 MTPA.

(xviii) ML Area, as per approved mine plan is 844.09 ha.

(xix) Date of approval of mine plans, Status & date: Mining Plan and Mine Closure Plan for Kalyaneshwari OCP was approved in 342nd BCCL Board Meeting held on 04.05.2018.

(xx) Date of Board's approval: Mining Plan and Mine Closure Plan for Kalyaneshwari OCP was approved in 342nd BCCL Board Meeting held on 04.05.2018. Mine Closure Plan of Mines of Begunia Colliery was approved in 345th BCCL Board meeting held on 03.08.2018.

(xxi) Date of Ground water clearance: Ground water clearance applied on 16.06.2018.

(xxii) Date of Mine Closure approval: Mine closure plan with Mining Plan has been approved on 04.05.2018 for Kalyaneshwari OC and Begunia UG closure Plan approved on 03.08.2018.

(xxiii) Barakar River is flowing along west boundary of cluster from north to south.

(xxiv) Details of Reserve:

i. Total geological reserve: 136.62 MT

(xxv) Mineable (Mte): 122.96 MT

i. Extractable reserve: 122.96 MT

ii. Percent (%) of extraction: 90%

(xxvi) Total estimated water requirement is 2.67 MLD (1691 m³/day). The level of groundwater ranges 0.45-3.37 m below groundwater in pre-monsoon and 1.15-2 m below ground in post-monsoon period.

(xxvii) Method of mining : Opencast mining using Shovel Dumper Combination.

(xxviii) Life of mine (yrs) :Kalyaneshwari OCP – 39 years and Kalyaneshwari Washery – 31 Years

(xxix) Details of External O.B. Dumps

No of Dumps	2 (Proposed)
Area (Ha)	474.22 Ha
Height (m)	120 m
Quantity(Mcum)	264.11Mm ³
Year of back filling	During the mine closure

(xxx) Details of Internal Dumps

No of Dumps	1 (Proposed)
Area (Ha)	184 Ha

Height (m)	270 m from base of quarry
Quantity(Mcum)	154.62 Mm ³
Year of back filling	From 14 th Year of operation

(xxxi) Details of final Mine Voids: Area : 24.87 and Depth : 30-35 m

(xxxii) Out of total quarry area of 401.70 ha, 180 ha shall be biologically reclaimed, 156 ha of batter will be reclaimed through grass carpeting. A void of 24.87 Ha at an average depth of 30-35 m will be left in post-mining period which is proposed to be converted into a water body.

(xxxiii) The total area of the cluster of the project is 1844.09 ha. The details of land use in the cluster is as under:

Sl.No.	Type of land use		Present mining land use (in Ha)	Post-mining land use (in Ha)
1	Running Quarry	Backfilled	0.00	0.00
		Not Backfilled	0.00	0.00
2	Abandoned Quarry	Backfilled	48.12	0.00
		Not Backfilled	42.14	0.00
3	External OB dump		16.64	0.00
4	Service building/ Mine Infrastructure		27.20	0.00
5	Homestead land		197.91	74.98
6	Old Coal dump		3.31	0.00
7	Road and rail		64.86	67.80
8	Agricultural Land		557.81	60.60
9	Forest Land		0.00	0.00
10	Plantation	Plantation	24.78	914.04
		Grass carpeting	0.00	156.00
11	Water Body		130.08	130.97
12	Barren Land		731.24	439.70
	Total		1844.09	1844.09

(xxxiv) No forest land is involved in the ML area.

(xxxv) Wildlife issues involved, if any: There are no National Park, Wildlife Sanctuary, Biosphere Reserve found in radius of 10 km of the project.

(xxxvi) Transportation: Coal will be dispatched to Kalyaneshwari coal washery through conveyor belt. 90% of coal will be dispatched by rail to consumers and the remaining 10 % coal will be dispatched by roads.

(xxxvii) Rehabilitation and Resettlement: As per Master Plan, a total of 88.231 ha of land has been affected with fire and subsidence. In this regard, for dealing fire, subsidence and rehabilitation in the leasehold of BCCL, 3025 families from 8 unstable sites are to be rehabilitated at a cost of Rs. 28982.29 lakhs . For operation of Kalyaneshwari OC a total of 1123 families to be rehabilitated out of which 23 has already been covered under Master Plan and rest 1100 will be rehabilitated as per CIL R&R policy at a cost of Rs. 40568.32 lakhs.

(xxxviii) Total capital cost of the Project (including Kalyaneshwari Washery) is Rs. 2080. 40 crores.

(xxxix) Fund for CSR will be allocated based on 2% of the average net profit of the company for the three immediate preceding financial years or Rs. 2.00 per tonne of coal production of the previous year, whichever is higher and amounts to Rs. 918.58 crores.

(xl) Capital cost for environment Management will be Rs. 2247.94 lakhs and revenue cost Rs. 107.07 lakhs/year.

(xli) There is no court case pending with the project proponent in respect to the project.

(xlii) Baseline data has been generated from January 2016 to March 2016. All parameters are within limit.

(xliii) Public hearing was held on 27th April, 2018 at New Kali Mandir Premises in Damagoria Colliery. Main issues raised during the public hearing include CSR, employment, rehabilitation and resettlement, environment protection, development of infrastructure in the area etc. Project proponent has assured for compliance under R&R policy & CSR policy and environmental norms.

(xliv) Details of actual coal production vis-à-vis sanctioned capacity since the inception of mine in following format – Kalyaneshwari OC & Washery are New Projects:

(Production in Metric Tonnes)

Year	Victoria west Colliery	Damagoria Colliery	Begunia Colliery	Total
1993-94	51946	779903	75767	9076
1994-95	51714	631873	76974	7605
1995-96	58647	547201	81477	6873
1996-97	266657	199755	34397	2608
1997-98	42151	215421	41251	2988
1998-99	59700	418111	72169	5499
1999-2000	76927	481525	71011	6294

2000-01	54054	483007	69290	6063
2001-02	21185	472450	81265	5749
2002-03	-----	496439	106921	6033
2003-04	-----	480821	106006	5868
2004-05	-----	229281	83335	3126
2005-06	-----	162414	66770	2291
2006-07	-----	122799	42136	1649
2007-08	-----	128842	31784	1606
2008-09	-----	96054	33375	1294
2009-10	-----	28028	34658	6268
2010-11	-----	-----	28869	2886
2011-12	-----	-----	33970	3397
2012-13	-----	46402	19572	6597
2013-14	-----	1546887	-----	1546
2014-15	-----	1048433	-----	1048
2015-16	-----	2557413	-----	2557
2016-17	-----	2141770	-----	2141
2017-18	-----	1380834	-----	1380

(xlv)The proposal was earlier considered for EC in sectorial 32nd EAC meeting held on 28.06.2018.The Proposal of cluster-XVII is for reorganisation of old operative and inoperative mines, more than 100 years old, in which no lease or technology is changed yet.

Sl. No.	Name of Colliery/Washery	Normative Prod. (Mty)	Peak Prod. (Mty)	Lease Hold (Ha)	Remarks
1	Begunia Colliery (Closed for Production)	0	0	306.00	Taken over mine
2	Victoria West Colliery	0	0	310.00	Taken over mine
3	Victoria Colliery (Closed for Production)	0	0	0	Taken over mine , Earlier lease of 223 Ha merged in proposed Kalyaneshwari OC
4	Damagoria Colliery (to be replaced with Kalyaneshwari)	0	0	0	Taken over mine , Earlier lease of 620Ha merged in proposed Kalyaneshwari OC
5	Proposed Kalyaneshwari OCP (KOCP)	4.00	5.20	1212.43	Proposed by merging 223 Ha in the LH of Victoria Colliery, 620 Ha in the LH of Damagoria Colliery & 369.33 Ha outside LH (for external OB Dumping)

6	Proposed Kalyaneshwari Coal Washery with approach road	3.60	3.60	15.66	Proposed Washery
Cluster XVII (Total)		4.00	5.20	1844.09	

(xvi) Compliance of EAC meeting dated 28.06.2018

“32.1.6 The Committee, after deliberations and especially in view of the order dated 2nd August,2017 of Hon’ble Supreme Court in WP (Civil) No.114/2014, asked for annual coal production in the past (from 1994-95 onwards) as submitted to the Coal Controller, separately from all the mines in the Cluster boundary.”

“The Committee also desired for clarification and/or comments from Ministry of Coal regarding applicability of Mine Closure Plans for the individual mines in the Cluster, presently reported to non-producing.”

The compliance was submitted on 07.08. 2018. Production of mines and approval of applicable Mine closure plans were also provided. It was also clarified that:

- i. This is a regularization case of very old mines taken over in 1972 by BCCL from private mine owners, before promulgation of EIA notification 2006.
- ii. However, after EIA notification 2006 and approval of cluster concept for EC by MoEF&CC, BCCL applied for TOR on 18.03.2010 with Begunia as operative mines. ToR was granted on 28.05.2010. The Begunia operated under consent from WBPCB up to 2012-13 and since then it became inoperative for technical reason as it is located in highly populated zone having unstable areas identified under Master Plan. Other mines were also inoperative which were duly considered by EAC.
- iii. Kalyaneshwari Block (Damagoria Colliery) was de allocated and returned back to Coal India on 21.10.2011 and as per direction of MoC, operation at Damagoria was resumed under deemed consent.
- iv. Fresh ToR was applied on 19.08.2013 in which Begunia was also inoperative and Kalyaneshwari OC was proposed replacing Victoria West and Damagoria colliery. The ToR was granted on 21.05.2014 considering all aspects.
- v. The Validity of ToR extension was again examined by the EAC on 27.10.2017 and ToR validity extension was granted by MoEFCC on 26.12.2017.
- vi. WBPCB, Kolkata conducted public Hearing on 27.04.2018 in which stakeholders favoured the project. The proceedings are uploaded on WBPCB website and forwarded by WBPCB to MoEFCC.

- vii. WBPCB has neither rejected CTO application nor initiated any action against the mines as these are old mines.
- viii. It will be appropriate to mention that these aspects of past production were considered by previous EAC while granting ToR .
- ix. Further it is also clarified by Central Empowered Committee (CEC, constituted by Hon'ble Supreme Court) letter dated 04th December 2017 addressed to The Chief Secretary, Government of Odisha that the Hon'ble Supreme court judgement applies to only identified leases of iron and Mn ore and even Bauxite mine within identified leases to whom demand notice was sent by DMG, was exempted by CEC from the execution of judgment. Hence it doesn't apply to coal mines. CEC has neither given any notice nor is any information sought from mines of BCCL. However, the production figure is enclosed for your reference.
- x. No notice is issued by WB state linking it with order dated 2nd August,2017 of Hon'ble Supreme Court in WP (Civil) No.114/2014. Earlier, for mines located in Jharkhand, DMO of various districts issued demand letter for excess production beyond 1993-94, linking with the order dated 2nd August,2017 of Hon'ble Supreme Court in WP (Civil) No.114/2014 with coal and other minerals which is stayed by Hon'ble Coal tribunal at Ministry of Coal in case of coal mines of BCCL and CCL, and Hon'ble high court in case of other minerals. Copy of stay order in respect of Mines of BCCL is enclosed.
- xi. As per notification issued on 27th August 2009 by Ministry of coal, all operative mines were to adopt Mine Closure plan.
- xii. The provision of Mine Closure Plan as per MoC notification is duly complied, the issue is covered in EIA/EMP.
- xiii. It is to be mentioned that no mine is due for final closure. Out of 04 existing taken over mine, Damagoria and Victoria Collieries are part of proposed Kalyaneshwari OC for which Mine Closure is already approved and Rs 13.37 cr is already deposited in Escrow A/C.
- xiv. Victoria west Colliery is inoperative since 2001-2002 and hence Mine Closure guidelines are not applicable as per Ministry of Coal notification. However, all the requirement of DGMS are duly complied and Mine Closure Status report is prepared.
- xv. Since the Begunia UG went inoperative in 2012-13, Mine closure Plan is approved.
- xvi. For expediting the EC for facilitating Implementation of Master Plan a representation was made to MoEF&CC dated 11.07.2018.
- xvii. Again it was communicated to MoC for taking up matter for expediting EC process on 01.08.2018

	<p>xviii. For resolving the EC/FC issues, a review meeting was held on 16.08.2018 at MoEF&CC in which both MoEF&CC and MoC participated. To expedite and complying the directives of Hon'ble Supreme court WP (C) 381/1997 and GOI approved Master Plan, it was decided to grant environmental clearance for cluster XVII on fast track mode by routing through EAC for violation cases.</p> <p>Now project is listed for consideration for grant of ToR under violation. The Coking coal availability of nation is required to be increased for financial security and also, implementation of Jharia Master Plan, as per directive of Hon'ble Supreme court of India, is being monitored HPCC chaired by Secretary, Ministry of Coal and by Hon'ble Supreme Court, which is a remedial plan for mitigation of impacts of past production done before nationalisation, by rehabilitation and fire dealing.</p>
<p>12.3.11.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC after detailed presentation noted that the coal mine has been reported to be producing coal prior to 1994 and production still continues. PP has increased the base level production quantity i.e 1993-94 in the year 1996-97 in Victoria west Colliery and also increased the base level production quantity i.e 1993-94 in the year 1994-95 in Begunia Colliery. It is also observed that PP has increased the base level production quantity i.e 1993-94 from 2013-14 onwards in Damagoria colliery The PP has increased the production capacity from the mine i.e Damagoria colliery without obtaining the prior EC. Hence, proposal involves violation of the EIA notification.,2006</p> <p>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 issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environmental Management Plan (EMP):</p> <p>(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 or occupancy certificate to be issued till the project is granted.</p> <p>(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.</p> <p>(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</p>

	<p>field of environment.</p> <p>(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.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) Public Hearing (PH) has been conducted on dated 27.04.2018 covering all the issues, Committee felt that one time PH as per the order of Hon'ble High Court of Madras has already taken care and hence repeat PH is not required.</p> <p>(vii) Socio Economic Study following standard procedures to be included, impacts due to project activities to be assessed and remedial measures, during Construction and Operation, to be proposed based on the Field Study and Public Hearing.</p> <p>(viii) Validation of base line data with ongoing post monitoring data and snapshot if required 15 days BLD.</p> <p>(ix) 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>(x) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter alia include commitment of the PP not to repeat any such violation in future in case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</p> <p>(xi) NoC from ground water point of view from CGWA/concerned state authority</p> <p>(xii) Study the alternative technologies and justification for selected technology for coal washing.</p> <p>(xiii) Copy of approved mining plan</p> <p>(xiv) Certificate of Ground water clearance from CGWA.</p>
	<p>Day 2: Wednesday, 29th August, 2018,</p> <p>Time: 10:00 AM to 10:30 AM, Discussion on draft minutes of Day 1 proposals.</p>
<p>12.4.1</p>	<p>Mancherial Cement Works (MCW) Limestone Mine over an extent of 278.50 Ha of non forest ML area for production of 0.4 MTPA of limestone at Survey No.31, Thimmapur Village, Mandamarri Mandal and Survey No 21, Gadpur Village, Mancherial Mandal, Mancherial District, Telangana by M/s Mancherial Cement Company Pvt. Ltd. - for Terms of Reference</p> <p>[IA/TG/MIN/69291/2017 dated 13.09.2017] [F. No.23-225/2018-IA.III (V)]</p>

12.4.1.1	Proponent requested to defer the proposal.
12.4.2	<p>Kaladagi Limestone Mine over an extent of 167.32 Ha in 126-131, 150-156, 160, & part of 113, 115-117, 119-125, 132, 143-146, 149, 157-159, 161, Village Kaladagi, Taluk Bagalkot, District Bagalkot, Karnataka by M/s Bagalkot Cement & Industries Ltd (BCIL) - for Terms of Reference</p> <p>[IA/KA/MIN/73558/2018 dated 19.03.2018] [F. No.23-226/2018-IA.III (V)]</p>
12.4.2.1	M/s Bagalkot Cement & Industries Ltd (BCIL) has made online application vide proposal no. IA/KA/MIN/73558/2018 dated 19.03.2018 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.
12.4.2.2	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent and the accredited consultant M/s. B.S. Envi-Tech Pvt.Ltd, made a detailed presentation on the salient features of the project. 2. The project involves Limestone mining of 0.6 MTPA production capacity by M/s. Bhagalkot Cement & Industries Ltd in an area of 167.32 Hectare at Kaladagi Village, Bagalkot Taluk, Bagalkot District, Karnataka. 3. The said project/activity is covered under category 'A' of item 1(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal. 4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No)? [provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: General Conditions do not apply 5. River/ water body Ghatprabha River is flowing at a distance of 4.8 km in North direction. 6. Details of Forest issues, if any: No Forest land is involved 7. Details of Consent to Operate: <ol style="list-style-type: none"> (i) Whether Consent to operate obtained (Yes/No)? No, CFO not obtained (ii) Date of issue: NA (iii) Valid upto: NA (iv) Submit Copies of all Consent to operate obtained since inception: NA 8. Mine Capacity in ROM (Run of Mine): 0.6 MTPA 9. Whether the proposal is mining of Minor minerals project (Yes/No)? No 10. Whether the proposal is mining of Major minerals project (Yes/No)? Yes

11. 01 No. of Mineral to be Mined with name is Limestone
12. Details of mine lease: -
- (i) Date of entering into original lease deed: 13/03/1981
 - (ii) Date of expiry of original lease deed: 12/03/2001
 - (iii) Date of 1st lease renewal: It is under deemed renewal since 13-3-2001
 - (iv) Whether renewal or deemed renewal: Deemed Extended as per Section 8A (5) of the MMDR (Amendment) Act, 2015. Letter No: CI 106 CMC 2016 Dated: 08.08.2017.
 - (v) Date of expiry of 1st lease renewal/ deemed renewal: 12/03/2031
 - (vi) Date of 2nd lease renewal: NA
 - (vii) Whether renewal or deemed renewal: NA

13. Details of DGMS permission, if any: Permission obtained - Letter No BT-64/AP(1062B)/3424 Dt 30th Oct 1998.

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

Sl.No.	Year	Production in MT	Despatches in MT
1.	1997-1998	13822.685	13785.00
2.	1998-1999	104378.00	104378.00
3.	1999-2000	148403.00	104375.00
4.	2000-2001	Nil	NIL
5.	2001-2002	13468.150	13000.00
6.	2002-2003	58468.750	58468
7.	2003-2004	107823.00	59455.900
8.	2004-2005	136650.00	104952.00
9.	2005-2006	125.400	125
10.	2006-2007	NIL	Nil
11.	2007-2008	Nil	Nil
12.	2008-2009	61452.00	32600.00
	Total:	644590.585 MT	491138.00 MT

15. Details of Violation (Brief description of the project activity that leads to

	<p>violation of EIA Notification, 2006): Operated the mine without Environmental clearance</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: Applied on 01/10/2001 to MOEF, Delhi Application in Form 1 format submitted on 30/08/2008.</p> <p>(i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA: 01/10/2001 and 30/08/2008</p> <p>(ii) Date of appraisal of EAC/SEAC meetings so far: The proposal was considered in the EAC meeting held during 23rd and 24th October 2017 for grant of TOR</p> <p>Observations/recommendations of the EAC/SEAC in each meeting: Based on the past production details, the committee advised to apply afresh as per the provisions of S.O.804 (E) dated 14th March 2017.</p>
<p>12.4.2.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC observed that mining was done without taking prior environmental clearance. EAC also observed that certified production detail submitted by the PP is from 1997-1998 onwards. 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 issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environmental Management Plan (EMP):</p> <p>(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 to be issued till the project is granted EC.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the</p>

	<p>accredited consultants.</p> <p>(vi) The Project Proponent is required to conduct Public Hearing as per EIA notification, 2006.</p> <p>(vi) Fresh base line data to be generated for EIA/EMP preparation.</p> <p>(vii) Details of past production of mine since its inception duly authenticated by Department of Mines & Geology, State Government.</p> <p>(viii) Consent letters from all the land owners with survey numbers.</p> <p>(ix) Ownership details and certification from revenue authorities</p> <p>(x) 50m safety zone to be left on either side of railway track, road and canal and also bund to be constructed along the canal</p> <p>(xi) Land use plan showing single crop and double crop details</p> <p>(xii) Ultimate land use plan to be submitted along with EIA/EMP report.</p> <p>(xiii) Ground water permission from CGWA/State ground water department</p> <p>(viii) To submit the KML/Shape Files of the mine lease area at the time of presentation before EAC</p> <p>(ix) 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>(xiv) DGMS permission for drilling and blasting at project site.</p> <p>(xv) Detailed hydrological study to be carried out in core and buffer zone of the project as per GEC 2015 guidelines.</p>
12.4.3	<p>Chettichavadi Jagbir Magnesite and Durite Mines over an extent of 449.364 Ha located at Village Chettichavadi, Taluk Salem, District Salem, Tamil Nadu by M/s Dalmia Bharat Sugar and Industries Limited - for Terms of Reference</p> <p>[IA/TN/MIN/73566/2018 dated 19.03.2018] [F. No.23-227/2018-IA.III (V)]</p>
12.4.3.1	<p>M/s Dalmia Bharat Sugar and Industries Limited has made online application vide proposal no. IA/TN/MIN/73566/2018 dated 19.03.2018 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.</p>
12.4.3.2	<p>Details of the project as per the submission of project proponent:</p> <p>1. The Project Proponent and the accredited consultant M/s. Aadhi Boomi Mining and Enviro Tech (P) Ltd, Salem, Tamil Nadu, made a detailed presentation on the salient features of the project.</p>

2. The project involves mining of **Magnesite and Dunite** with production capacity of **Magnesite : 50,000 T/yr and Dunite : 1,00,000 T/yr** by **M/s. Dalmia Bharat Sugar and Industries Ltd.,** in an area of **449.364 hectares** at **Chettichavadi Village, Salem Taluk, Salem District, Tamil Nadu State.**

3. The said project/activity is covered under category '**A**' of item **1(a)** of the schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal Committee.

4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No)? [Provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: **No, it does not attract the general condition. Kurumbapatti Zoological Park is located at a distance of 4km from the mining lease boundary on north eastern side. It does not fall under the Wild Life Protection Act,1972.**

5. River/ water body Kannangkurichi **PudhuEri** is located at a distance of **4.7km** on **East** direction

6. **Details of Forest issues, if any:** Nagaramalai RF is located about 300m on SE side

7. **Details of Consent to Operate:**

(i) **Whether Consent to operate obtained (Yes/No)? If yes,**

(ii) **Date of issue** 08.11.2012

(iii) **Valid up to** 31.03.2013

8. **Mine Capacity in ROM (Run of Mine):** 55,000 MT of Magnesite (ROM) and 1.19 Million tonnes of Spoils (waste) with associated dunite as bye product.

9. **Whether the proposal is mining of Minor minerals project (Yes/No)?**
NO

10. **Whether the proposal is mining of Major minerals project (Yes/No)?**
YES

11. **No. of Mineral to be Mined with name:** Magnesite and Dunite

12. **Details of mine lease: -**

(i) **Date of entering into original lease deed:**

Under G.O.Ms. No.903 Industries, Labour and Co-operation Department dated 25-2-1966 and executed on 20.08.1966 for 20 years.

(ii) **Date of expiry of original lease deed:** 19-8-1986.

(iii) **Date of 1st lease renewal:**

G.O.Ms.No.74 Industries Department dated 11th March, 1997

(iv) **Whether renewal or deemed renewal:** Renewed

(v) **Date of expiry of 1st lease renewal/deemed renewal:** 19.8.2006

(vi) **Date of 2nd lease renewal:**

Application for second mining lease renewal was made on July 11, 2005 vide letter No. SL: GO: 55200(1). No orders were passed by the Govt. of Tamil Nadu

so far. The company operates the mine by virtue of Order of injunction passed in MP No.1 of 2006 in W.P.Nos. 25518 and 25519 of 2006 of the Honourable High Court of Madras.

Presently as per Sec 8(A)(5) of the Mines and Minerals (Development & regulation) Amendment (MMDR) Act, 2015, the lease period has been extended under captive use valid up to 31st March 2030.

(vii) Whether renewal or deemed renewal: Deemed renewal under Court Order

(viii) Date of expiry of 2nd lease renewal / deemed renewal: 31.03.2030

(ix) Date of 3rd lease renewal: Not Applicable (No further renewal is permitted under MMDR Act, 2015)

13. Details of DGMS permission, if any: DGMS permission obtained to keep bench height as 7.5m under Reg. 106 (2) (b) of MMR,1961.

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

(Hard copy authenticated by Department of Mines & Geology, State Government to be submitted)

Year	Production Quantity of Raw Magnesite in tonnes	Production Quantity of Dunite/Reject Dunite in tonnes	Mine Spoil Containing earth, reject Dunite and some Magnesite in tonnes
1994-95	109745	-	2263000
1995-96	98142	-	2387964
1996-97	107657	60	2467666
1997-98	105727	200	2361094
1998-99	87772	1459	1794096
1999-2000	87148	1,329	1730764
2000-01	87,933	NIL	1741896
2001-02	66,005	113	962352
2002-03	42,187	1,750	260244
2003-04	31,413	1,823	267732
2004-05	42,081	96	440532
2005-06	26,376	445	267912
2006-07	15,181	252	228312
2007-08	29,123	2004	331416
2008-09	41,738	1623	935188
2009-10	60,574	12049	207464

2010-11	41,323	3395*	881832
2011-12	27,483	3,900	353088
2012-13	6651	15150	144500
2013-14	4125	9355	76623
2014-15	16596	47500	65378
2015-16	15027	37815	179064
2016-17	10344	11620	116372
2017-18	3361	11720	27756

15. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006):

As per statutory requirement, the company has to obtain EC at the time of renewal of Mining lease. In view of the above, the company applied for Environment Clearance to MoEF along with Application Form (Schedule-II), questionnaire for environmental appraisal, Comprehensive EIA/EMP Report and copy of Mining plan on 17.08.2010. The MoEF vide letter No.F.No. J-11015/327/2010-IA.II (M) dated 06.12.2010, directed the company to submit the requisite documents as per EIA Notification, 2006, instead of EIA Notification, 1994. The company submitted the application as per MoEF letter vide Letter SL:G.O: 55200 (1) on 12.10.2011.

The MoEF again on 16.12.2011 vide letter No.F.No. J-11015/327/2010-IA.II (M), directed the company to submit the proposal for prescribing Terms of Reference (ToR) in the prescribed format (Form-1) along with pre-feasibility report as per EIA Notification, 2006. Hence, the company again applied for issue of Terms of Reference vide Letter SL:G.O: 55200 (1), dt 10.01.2012. Based on the recommendation of EAC (Mining) during Presentation held on 17.04.2012 at 4.00Pm in Scope Complex, New Delhi the company directed to submit the modified Form-1. Hence, the company submitted the modified Form-1 vide Letter SL:G.O: 55200 (1), dt 14.05.2012. Finally, the Terms of Reference was granted on 12.08.2012.

The validity of ToR expired on 11.08.2014 after two years but it was not renewed in time by the company due non awareness of that notification of validity period of ToR. Now, the company again applied for fresh issue of Terms of Reference (ToR) under violation as per MoEFCC Notification No. S.O 804 (E), dated 14.03.2017.

16. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: (Note: Do not furnish details in Annexures)

(i) Date of application for TOR – **17.08.2010** submitted to **MoEF&CC under EIA Notif. 1994 12.10.2011 & 10.01.2012** “ under EIA Notification, 2006

(ii) Date of appraisal of EAC meetings for ToR on **17.04.2012** in Scope Complex, New Delhi

	<p>(iii) Observations/recommendations of the EAC in each meeting: ToR granted on 12.08.2012</p> <p>(iv) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: Mining operation was stopped w.e.f 11.01.2017 by oral instruction by State Govt.</p> <p>(v) Complaint case filed by the State Government/State Pollution Control Board: Notice issues to the company by TNPCB to stop the activity and obtain EC from MoEF CC.</p> <p>(vi) Further consideration of the proposal by the EAC, in case action was taken as mentioned in point (i) and (v) above. If yes, furnish details: Nil</p> <p>(vii) Final recommendations of MOEF&CC in reference to point (vi) above : Call for EAC - ToR meeting under Violation case on 29.08.2018 based our Application for TOR on 19.03.2018.</p> <p>(viii) Legal interventions, if any : Nil</p>
<p>12.4.3.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed presentation by PP observed that mining started by the PP in the year 1966. First renewal of mining lease was granted over an extent of 531.98 Ha (to make them co-terminus), vide G.O Ms.No: 74 dated 11.03.1997 for a period of 20years (20.08.1986 to 19.08.2006). Thereafter, application for second mining lease renewal was made vide Letter No: SL:G.O: 55200 (1) dated 11.07.2005 over an extent of 449.364 Ha. Now the company operates the mine by virtue of Order of injunction passed in MP No.1 of 2006 in W.P.Nos. 25518 and 25519 of 2006 of the Hon'ble High Court of Madras. Mining activity stopped on 11.01.2017.</p> <p>EAC also observed that in Annexure II submitted to MoEF&CC, PP mentioned that general condition does not applies to the project whereas in Form 1 it is mentioned that general condition applies to the project.</p> <p>EAC after detailed deliberation recommended to defer the proposal for want of following documents to be submitted:</p> <ul style="list-style-type: none"> (i) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking interalia include commitment of the PP not to repeat any such violation in future. In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith. (ii) Details of past production of mine since its inception duly authenticated by Department of Mines & Geology, State Government. (iii) Letter of Intent for mining lease to be submitted from State department of Mines and Geology.

	(iv) As per Form 1, details about the general condition is to be submitted.						
12.4.4	Limestone mine (ML Area 29.4151 Ha) for proposed production of 1,25,400 MTPA of M/s Cemtac Cements Pvt. Ltd. located at Village SulnarSatur Marg Khrew, Tehsil Pampore, District Polwama, Jammu & Kashmir - for Terms of Reference [IA/JK/MIN/73601/2018 dated 23.03.2018] [F. No.23-228/2018-IA.III (V)]						
12.4.4.1	M/s Cemtac Cements Pvt. Ltd has made online application vide proposal no. IA/JK/MIN/73601/2018 dated 23.03.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under 'B' category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as Dachigam National Park is located at 4.85 Km from the lease area in North direction.						
12.4.4.2	<p>Details of the project as per the submission of project proponent:</p> <p>The Project Proponent Mr. Riyaz Ahmad Panjraand the accredited consultant M/s.Perfact Enviro Solutions Pvt. Ltd. made a detailed presentation on the salient features of the project.</p> <p>The Project involves extraction of Limestone of production capacity 0.12 Million TPA by M/s Cemtac Cements Pvt. Ltd in an area of 29.4151 ha at Vill- Sulnar, Satur Marg, Khrew, Tehsil-Pampore, District- Pulwama, State- Jammu & Kashmir.</p> <p>The project is covered under category 'B' of item 1(a) of the schedule to the EIA Notification,2006, and requires prior EC from the MoEF&CC based on appraisal by Expert Appraisal Committee as Dachigam National Park is located at 4.85 Km from the lease area in North direction</p> <p>Yes, General Condition is applicable for the project as Dachigam National Park is located at 4.85 Km from the lease area in North direction.</p> <p>River water body tributary of Jhelum river and Bod sar lake are located at 2.20 Km E and 8.85 Km SW respectively from the lease area.</p> <p>There is no forest land involve.</p> <p>Details of Consent to Operate:</p> <table border="1"> <tr> <td>Whether Consent to operate obtained (Yes/ No)? If yes</td> <td>Yes</td> </tr> <tr> <td>Date of issue</td> <td>CTO has renewed dated 18.02.2017 (No consent from 2003-2012)</td> </tr> <tr> <td>Valid up to</td> <td>17.01.2020</td> </tr> </table>	Whether Consent to operate obtained (Yes/ No)? If yes	Yes	Date of issue	CTO has renewed dated 18.02.2017 (No consent from 2003-2012)	Valid up to	17.01.2020
Whether Consent to operate obtained (Yes/ No)? If yes	Yes						
Date of issue	CTO has renewed dated 18.02.2017 (No consent from 2003-2012)						
Valid up to	17.01.2020						

8. Mine Capacity in ROM (Run of Mine): 0.12 Million TPA of limestone
 9. Whether the proposal is mining of Minor minerals project (Yes/No): No
 10. Whether the proposal is mining of Major minerals project (Yes/No): Yes
 11. No. of mineral to be mined with name: Only one mineral will be mined i.e. Limestone.
 12. Details of mine lease: -

(i) Date of entering into original lease deed	Mining Lease was granted on 28.03.2002 and lease agreement was executed on 09.09.2002 in favor of Mr. Riaz Ahmad Panjra
(ii) Date of expiry of original lease deed	Lease will be valid for 50 years from the date of grant i.e. up to 08.09.2052 as per MMDR Act 2015.
(iii) Date of 1 st lease renewal	Nil
(iv) Whether renewal or deemed renewal	Nil
(v) Date of expiry of 1 st lease renewal/deemed renewal	Nil
(vi) Date of 2 nd lease renewal	Nil
(vii) Whether renewal or deemed renewal	Nil
(viii) Date of expiry of 2 nd lease renewal/deemed renewal	Nil
(ix) Date of 3 rd renewal	Nil

13. Details of Past production of mine since its inception duly in tabular form: There has been past production during 2003-2017. As per details of dispatch of limestone from Government of Jammu and Kashmir Department of Geology and Mining, Srinagar vide letter no. MJM/DGM/Sgr/F-28/498 Dated 08-02-2018.

S. No.	Period	Dispatches (Tons)
01	2003 to 2004	120
02	2004 to 2005	32
03	2005 to 2006	220
04	2006 to 2007	1670
05	2007 to 2008	2680
06	2008 to 2009	6872

07	2009 to 2010	4525	
08	2010 to 2011	6321	
09	2011 to 2012	11940	
10	2012 to 2013	12000	
11	2013 to 2014	33519.89	
12	2014 to 2015	21958	
13	2015 to 2016	25054	
14	2016 to 2017	35295	
	Total	162206.89	

14. Details of Violation (Brief description of the project that leads to violation of EIA Notification, 2006)-

- Mining Lease was granted on 28.03.2002 and lease agreement was executed on 09.09.2002 in favor of Mr. Riaz Ahmad Panjra.
- First Mining Plan was approved vide letter no. 614(2)/MP-B-135-2001-DDN dated 17.05.2000.
- The existing mine lease was accorded in year 2002, the mining activity was started in 2003 over 29.4151 Ha of land without Environment Clearance considering mining project to be a minor mineral project. Whereas, as per EIA Notification, 1994 any mine with lease area more than 5 Ha was required to take Environment Clearance.
- The commencement of mining operations without obtaining Environment Clearance was in contravention to the EIA Notification vide S.O. 60(E) Dated 27.01.1994, Hence the project is under violation of EIA Notification, 1994.
- CTO was obtained on 01.02.2018. Till that time the mining was undertaken without Consent to operate.

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

Date of the application for ToR/EC submitted to MoEF&CC: -

M/s Cemtac Cement Pvt. Ltd had applied for grant of EC to MoEF&CC for both Cement Plant expansion and extraction of limestone for the cement plant in an area 29.4151 ha. In the 3rdreconstituted meeting of EAC(industry) held during 3rd-5th Dec, 2012 the committee prescribed ToR for cement plant and also mentioned that for mining, the ToR shall be obtained from EAC.

The Public hearing was conducted on 2nd may, 2013 at Khrew, Tehsil-Pampore, District-Pulwama under the chairmanship of Additional District Magistrate Pulwama. The proposal was considered by Expert Appraisal Committee in its 43rd EAC meeting held during 2nd -3rd July,2015 and 47th meeting held on 3rd - 4th September, 2015.

In the 43rd EAC meeting the committee desired additional information on the following for further consideration of the proposal:

EC for mine to be obtained.

1-month baseline data should be collected and submitted.

In the 47th meeting of EAC the PP vide letter dated 13th August, 2015 submitted the additional information as desired by the Committee. It was mentioned that they had yet to apply for environment clearance for the mining project. However, they had conducted PH for both mine and cement project. As per minutes of aforementioned 47th meeting, PH conducted will remain valid for both cement plant and mines. Further, the Ministry of Environment, Forest and Climate Change had considered the application based on the recommendations of the Expert Appraisal Committee (Industry) and thereby decided to grant Environmental Clearance to the proposal of Expansion of Cement Plant.

ToR was recommended to PP for mining of limestone from lease area 29.4151 ha in the 2nd meeting of reconstituted committee of EAC (non coal mining) held during 20th-22nd Jan, 2016. A ToR Vide letter No J-11015/25/2016-IA.II (M) Dated 08.02.2016 was issued to Project Proponent for extraction of limestone from the lease area 29.4151 ha. While the EIA was under preparation, the notification vide S.O. 804(E) dated 14.03.2017 was published. Accordingly, we have applied for a fresh ToR under violation category on 23.03.2018.

Date of appraisal of EAC meeting so far: -

EAC(Industry) meetings-

- (a) 3rd reconstituted meeting held during 3rd-5th Dec,2012
- (b) 43rd meeting held during 2nd -3rd July,2015 and
- (c) 47th meeting held on 3rd - 4th September, 2015.

EAC(Non-coal Mining) meeting-

- (a) 2nd meeting of reconstituted committee held during 20th-22nd Jan, 2016

Observation/recommendations of the EAC in each meeting-

It was recorded in the Minutes of meetings of EAC(Industry), that lessee should apply for Environmental Clearance for the mining project separately. It was also agreed by the said committee that the public hearing already conducted on 02.05.2013 for both mine and cement project should be permissible.

ToR for Limestone Mine of Mr. Riaz Ahmad Panjra was recommended by EAC(non-coal mining)in its2nd meeting of reconstituted committee held during 20th-22nd Jan, 2016.

Details of action taken by the State Government/SEIAA u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006-None

Complaint Case Filed by the State Government/ State Pollution Control Board- None

**Further Consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details-
No**

	<p>Final recommendations of MoEF&CC in reference to point (vi) above-</p> <p>A ToR Vide letter No J-11015/25/2016-IA.II (M) Dated 08.02.2016 was issued to Project Proponent for extraction of limestone from the lease area 29.4151 ha. While the EIA was under preparation, the notification vide S.O. 804(E) dated 14.03.2017 was published. Accordingly, we have applied for a fresh ToR under violation category on 23.03.2018.</p> <p>Legal interventions, If any- None, there is no litigation pending pertaining to the project.</p>
<p>12.4.4.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC observed that PP has started the mining activity of major mineral (lime stone) in 2003 over 29.4151 Ha of land without Environment Clearance. 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 issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environmental Management Plan (EMP):</p> <p>(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 to be issued till the project is granted EC.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Fresh base line data to be generated for EIA/EMP preparation</p> <p>(viii) To submit the KML/Shape Files of the mine lease area at the time of presentation before EAC</p>

	<p>(ix) 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>(xi) Submission of certificate to be obtained from Director Mines and Geology of State Government for PP has not carried out any mining activity beyond mining lease area.</p> <p>(xiv) DGMS permission for blasting at project site, if any.</p> <p>(xv) Detailed hydrological study to be carried out in core and buffer zone of the project as per GEC 97 guidelines.</p> <p>(xvi) Certificate from Chief Wild Life Warden that the Dachigam National Park is located at 4.85 Km from the project site.</p> <p>(xvii) Status of Wild life Clearance</p>
12.4.5	Pandarathu Limestone mine in an extent of 234.9407 Ha located at S.F. Nos. 1580/2 and 1580/3 of Pudussery East Village, 866/1, 867/12, 867/13, 867/14, 868/2, 869/1, 874/33 of Malampuzha I Village, Palakkad Taluk & District, Kerala by M/s Malabar Cement Limited. For Terms of Reference [IA/KL/MIN/73756/2018 dated 28.03.2018] [F. No.23-229/2018-IA.III (V)]
12.4.5.1	Proponent requested to defer the proposal.
12.4.6	Proposal for Damodarpur, Palkiri, Chatatand, Bhojudih, Narkera Sand Mining Project for collection of river bed sand from the River Izri and Gowai with 0.35 MTPA production capacity in M.L. Area 50.17 Ha. at Village Damodarpur,Palkiri,Chatatand, Bhojudih, Narkera, Tehsil Chandankyari, District Bokaro, Jharkhand by M/s Tata Steel Limited - for Terms of Reference [IA/JH/MIN/73786/2018 date 29.03.2018] [F. No.23-230/2018-IA.III (V)]
12.4.6.1	M/s Tata Steel Limited has made online application vide proposal no. IA/JH/MIN/73786/2018 date 29.03.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is covered under 'B' category of item 1(a) of the Schedule to the EIA Notification, 2006 and the proposal was appraised at Central level as the sand lease lies at a distance of 0-0.5 kms from the interstate boundary of Jharkhand and West Bengal.
12.4.6.2	<p>Details of the project as per the submission of project proponent:</p> <p>1. The Project Proponent and the accredited consultant M/s. Ecomen Laboratories Pvt. Ltd., Lucknow, made a detailed presentation on the salient features of the project.</p> <p>2. The project involves extraction of Sand of production capacity 0.35 Million Tonnes per Annum by M/s Tata Steel Limited in an area of 50.17 hectare at Damodarpur, Palkiri, Chatatand, Bhojudih, Narkera villages in Chandankiyari Taluka, Bokaro District, Jharkhand State.</p>

3. The said project/activity is covered under **category B** of item **1 (a)** of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal Committee as the sand lease lies at a distance of 0-0.5 kms from the interstate boundary of Jharkhand and West Bengal.

4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (YES/NO)? [provide name of Inter-state boundary and distance from the project]: **Yes**. The sand lease lies at a distance of 0-0.5 kms from the interstate boundary of Jharkhand and West Bengal.

5. Rivers **Izri & Gowairiver** (tributaries of Damodar river) is flowing at a distance of 0 km in West to Eastern direction. River bed of these rivers shall be used for sand mining in a lease area of 50.17 ha.

Rivers Damodar, Damohani, KaramdahaJora, Harai and Sarberia are flowing at a distance of 0.6, 2.4, 2.9, 7.6 and 7.8 km in North, North, South-East, South and South direction respectively.

6. Details of Forest issues, if any: **Nil**

7. Details of Consent to Operate:

(i) Whether Consent to operate obtained (Yes/No). If yes, : **No**

(i) Date of issue: **Not Applicable**

(ii) Valid up to: **Not Applicable**

(iii) Submit Copies of all Consent to operate obtained since inception: **Not Applicable**

8. Mine Capacity in ROM(Run of Mine): **0.35 MTPA of sand**

9. Whether the proposal is mining of Minor minerals project(Yes/No): No

10. Whether the proposal is mining of Major minerals project (Yes/No): Yes. Sand for Stowing is major mineral.

11. No. of Mineral to be Mined with name: Sand (for stowing purpose)

12. Details of mine lease: -

(i) Date of entering into original lease deed: 29th November 1983

(ii) Date of expiry of original lease deed: 28th November 2003

(iii) Date of 1st lease renewal: 12th November 2002(application date)

(iv) Whether renewal or deemed renewal: Deemed renewal

(v) Date of expiry of 1st lease renewal/deemed renewal:

(vi) Date of 2nd lease renewal:

(vii) Whether renewal or deemed renewal:

(viii) Date of expiry of 2nd lease renewal/deemed renewal:

(ix) Date of 3rd lease renewal:

As per MMDR Act, 2015- Lease validity is extended for fifty years i.e. till 28th November, 2033.

13. Details of DGMS permission, if any: Not applicable

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

Year	Production(in tonnes)	Year	Production (in tonnes)
1993-94	265,756	2006-07	125,997
1994-95	215,654	2007-08	152,574
1995-96	80,793	2008-09	60,322
1996-97	80,954	2009-10	9,530
1997-98	-	2010-11	60,194
1998-99	995	2011-12	46,315
1999-2000	29,398	2012-13	4,417
2000-01	35,166	2013-14	-
2001-02	38,684	2014-15	-
2002-03	89,320	2015-16	-
2003-04	185,427	2016-17	-
2004-05	117,366	2017-18	-
2005-06	293,546	2018-19	-

15. Details of Violation (**Brief description of the project activity that leads to violation of EIA notification, 2006**):

i. The above sand mining lease was granted in favor of M/s Tata Steel Limited for a period of 20 years on 29.11.1983 for lifting of sand from the river bed for stowing purpose in our coal mines located at Jharia Coalfield and its validity was up to Nov'2003. The renewal application was made in Nov'2002.

ii. The Govt. of Jharkhand asked for approved Mining Plan and EIA/EMP in June'2007 vide letter no. 1318/M, Ranchi dated 07.06.2007.

ii. Accordingly, we prepared the Mining Plan and got it approved from IBM in Nov'2007. The EIA/EMP was also prepared and submitted to MOEF in Jan'2010 for environment clearance.

v. Both the reports were then submitted to the Govt. of Jharkhand as per their requirement for consideration of the application for grant of renewal of lease.

As per Mineral Concession Rules 1960, Rule 24 (A), the lease was deemed to have been extended by a further period till the State Government passes order thereon. In the light of the same, the work of lifting sand was continued.

v. Meanwhile, MOEF, Delhi issued us a letter vide ref. No. J-11015/425/2008-IA.II(M) dated 02.06.2011 informing us that **the sand lease continued to operate even after the date it fell due for renewal without obtaining requisite prior EC** as was required under the EIA Notification, 2006 thereby violating the provisions of the EP Act, 1986.

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

This application is for TOR grant applied on 29th March 2018. The previous EC application details is as follows-

(i) Date of application for TOR/EC submitted to MoEF&CC: **TOR application was submitted on 02.04.2008.**

(ii) Date of appraisal of EAC meetings so far: **22-24 October, 2008**

(iii) Observations/recommendations of the EAC in each meeting: Based on the TOR granted, EIA/EMP study was done and submitted to MOEF. Presentation for EC was held on 23 February, 2011. EAC recommended the project for grant of EC.

(iv) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of EP Act, 1986 for the alleged violation of the EIA Notification, 2006.: JSPCB Regional Office Dhanbad filed a case in CJM court, Bokaro on 20.10.2016 to take cognizance of the offence U/S 19 of Environment Protection Act.

(v) Complaint case filed by the State Government/State Pollution Control Board: Jharkhand State Pollution Control Board

(vi) Further consideration of the proposal by the EAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: Not applicable as MoEF&CC issued a notification on 14.03.2017 and issued a letter vide J-11015/425/2008-IA.II (M) dated 27.04.2017 advising to apply afresh online under said notification.

(vii) Final recommendations of MoEF&CC in reference to point (vi) above.: Not applicable

(viii) Legal interventions, if any: **Not yet**

Now the proposal has been 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.

<p>12.4.6.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC noted that sand mining lease was granted in favour M/s Tata Steel Limited for a period of 20 years on 29.11.1983 for lifting of sand from the river bed for stowing purpose in coal mines located at Jharia Coalfield and its validity was up to Nov'2003. The renewal application was made in Nov'2002. Thereafter, as per MMDR Act, 2015- Lease validity is claimed to be extended for fifty years i.e. till 28thNovember 2033 by the PP. PP mined the lease without EC and consent under Air/Water act.</p> <p>The EAC, after detailed deliberations recommended to defer the proposal for want of following information:</p> <ol style="list-style-type: none"> i. Letter from the State department of Mines and Geology that validity of mines has been extended as per MMDR Act, 2015 for fifty years i.e. till 28thNovember 2033. ii. Submission of certified production details since inception by Director Mines and Geology of State Government. iii. Submission of certificate to be obtained from Director Mines and Geology of State Government for PP has not carried out any mining activity beyond mining lease area. iv. The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2ndAugust 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking interalia include commitment of the PP not to repeat any such violation in future.
<p>12.4.7</p>	<p>M/s SreeKalyana Rama Company for producing Mica,Quartz and Feldspar of mining lease area of 116.428 Ha at Sy no. 153, 160/P, 161 & 165/P, Kalichedu Village, Sydapuram Mandal, S.P.S.R Nellore District, Andhra Pradesh - for Terms of Reference</p> <p>[IA/AP/MIN/73933/2018 dated 03.04.2018] [F. No.23-231/2018-IA.III (V)]</p>
<p>12.4.7.1</p>	<p>M/s Sree Kalyana Rama Company has made online application vide proposal no. IA/AP/MIN/73933/2018 dated 03.04.2018 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.</p>
<p>12.4.7.2</p>	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The project proponent Sree Kalyana Rama Company made a detailed presentation on the salient features of the project. 2. The project involves extraction of Mica, Quartz & Feldspar of production capacity 1500 TPA of Quartz, 1500 TPA of Quartz and 6000 TPA of Feldspar (Max) by M/s SreeKalyana Rama Company in an area of 116.428 Ha, (1164280 Sq.m) at Kalichedu Village, Sydapuram Mandal, SPSR Nellore District, Andhra Pradesh.

3. The said project/activity is covered under **category A** of item **1 (a)** of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC/SEIAA based on the appraisal by Expert Appraisal.

4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No)? [provide name of WL/CPA/ESA/Inter-state boundary/International boundary and distance from the project]-**NO**

5. River/water body Pennarriver is flowing at a distance of 0.97 kms in South direction.

6. Details of Forest issues, if any: Not applicable.

7. Details of Consent to Operate:

i) Whether Consent to operate obtained (Yes/No)- No

ii) Date of issue: Nil

iii) Valid up to: Nil

8. Mine Capacity in ROM (Run of Mine): 59994 Cu.m. for five years

9. Whether the proposal is mining of minor minerals project (Yes/No) – Yes

10. Whether the proposal is mining of Major minerals project (Yes/No)- No

11. No of mineral to be mined with name: 3 minerals- Quartz, Mica & Feldspar

12. Details of mine lease:

i) Date of entering into original lease deed: 23.03.1956

ii) Date of expiry of original lease deed: 08.12.1977

iii) Date of 1st lease renewal: 16.02.1976

iv) Whether renewal or deemed renewal: renewal

v) Date of expiry of 1st lease renewal/deemed renewal: 08.12.1997

vi) Date of 2nd lease renewal: 11.02.2000, with effect from 09.12.1997

vii) Whether renewal of deemed renewal: renewal

viii) Date of expiry of 2nd lease renewal/deemed renewal: renewal on 08.12.2017.

ix) Date of 3rd lease renewal: renewal notice issued 10.5.2017

13. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Mine work started without EC. Project attracts violation and court case filed in 2nd Addl. Judicial Magistrate of first class, Nellore. Court case cleared vide CC No. 30/2014.

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

i) Date of application for ToR/EC submitted to MoEF&CC: ToR: 02.08.2014.

ii) Date of appraisal of EAC/SEAC meetings so far: ToR EAC 22nd meeting held on August 26-27, 2014

	<p>iii) Observations/recommendations of the EAC/SEAC in each meeting: ToR issued with stipulated conditions.</p> <p>iv) Details of action taken by the State Government/SEIAA u/s 5/u/s/ 19 of the EP Act 1986 for the alleged violation of the EIA notification, 2006:PCB, AP filed court case in 2nd Addl. Judicial Magistrate of First Class.</p> <p>v) Complaint case filed by the State Government/State Pollution Control Board: Court case was filed in the Magistrate of First Class, SPSR Nellore and cleared vide CC No: 30/2014</p> <p>vi) Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: Nil</p> <p>vii) Final recommendations of MoEF &CC/SEIAA in reference to point above: ToR issued with stipulated conditions</p> <p>viii) Legal interventions, if any: Nil</p>
<p>12.4.7.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC observed that it's an old mine and Mine work started without EC. Also past production details submitted by the PP is from 2000-01 onwards only.</p> <p>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 issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environmental Management Plan (EMP):</p> <p>(i) The State Government/SPCB to ensure that the case already filed against the project proponent and reportedly disposed off was actually for violation of the EP Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(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.</p> <p>(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.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed</p>

and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) Public Hearing (PH) has been conducted on dated 28.10.2017 covering all the issues, Committee felt that one time PH as per the order of Hon'ble High Court of Madras has already taken care and hence repeat PH is not required.

(vii) One-month Baseline data to be collected for validation of earlier BLD already collected.

(viii) To submit the KML/Shape Files of the mine lease area at the time of presentation before EAC

(ix) 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.

(x) Submission of production details since inception of mine duly certified by Director Mines and Geology of State Government.

(xi) Detailed hydrological study to be carried out in core and buffer zone of the project as per GEC 2015 guidelines

(xii) District Survey Report as per the provisions of the EIA Notification, 2006 as amended on 15.01.2016

(xiii) Ground water withdrawal permission from CGWA or from the concern department of State Government is to be submitted.

(xiv) Proper protection measures construction of bund as penna river flowing at 0.97 kms from project site in South direction to be submitted.

(xv) Subsidence prediction study in and around the project site.

(xvi) Plan showing safety zone maintaining between opencast and underground workings along with cross section.

(xvii) DGMS permission for working of opencast cum underground mining.

(xviii) Systematic dumping plan to be submitted with dump mining safety features.

(xix) Detailed study on soil quality status to be submitted.

(xx) Details about total water balance chart to be prepared and submitted.

12.4.8	<p>Jhillingburu-I Iron & Manganese Ore Mining project of M/s Steel Authority of India Ltd. for enhancement of production capacity of manganese ore from 42,000 TPA to 61,362 TPA located at P.O. Gua, Block Noamundi, District Singhbhum West, Jharkhand (ML Area 210.526 Ha) - for Terms of Reference</p> <p>[IA/JH/MIN/73909/2018 dated 04.04.2018] [F. No.23-232/2018-IA.III (V)]</p>
12.4.8.1	<p>M/s Steel Authority of India Ltd has made online application vide proposal no. IA/JH/MIN/73909/2018 dated 04.04.2018 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.</p>
12.4.8.2	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. The Project Proponent (M/s. Steel Authority of India Limited) and the accredited consultant M/s. MECON LIMITED, made a detailed presentation on the salient features of the project. 2. The project involves resumption of mining: manganese ore @ 61,362 t/yr by M/s Steel Authority of India Limited in an area of 210.526 hectare located at Gua, Noamundi block in West Singhbhum district of Jharkhand. 3. The project is covered under Category 'A' of item 1 (a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC based on the appraisal by Expert Appraisal Committee. 4. Whether project attracts the General Condition specified in the Schedule of EIA Notification (Yes/No)? [provide name of WL/CPA/ESA/Inter-state boundary / International boundary and distance from the project]: No 5. River/waterbody Karo river flows adjacent to the lease area. 6. Details of Forest issues, if any: Entire ML area (210.526 ha) is forest land. MoEFCC had granted diversion of 32.11 ha of forest land within Jhillingburu-I ML area for renewal of the Mining Lease vide no. F.No. 8-75/98-FC dated 23.11.2000. The total ML area (210.526 ha) falls under Saranda Reserve Forest of Singhbhum West district of Jharkhand. The Stage-I FC for diversion of 210.526 ha of forest land has been granted by MoEFCC on 25.09.2017 for the current renewal period. 7. Details of Consent to Operate: <ol style="list-style-type: none"> (i) Whether Consent to operate obtained (Yes/No)? If yes, No (ii) Date of issue Not Applicable (iii) Valid up to Not Applicable 8. Mine Capacity in ROM (Run of Mine): Manganese ore @ 61,362 t/yr 9. Whether the proposal is mining of Minor minerals project (Yes/No)? No

10. Whether the proposal is mining of Major minerals project (Yes/No)? Yes

11. No. of Mineral to be Mined with name One; Manganese ore

12. Details of mine lease: -

Date of entering into original lease deed: 12.05.1950 The Mining Lease for Jhillingburu-I was granted in favour of Indian Iron & Steel Company Ltd. (IISCO) with effect from 12.5.1950 for 30 years.

Date of expiry of original lease deed: 11.05.1980

Date of 1st lease renewal: 12.05.1980 The renewal application was filed on 7.5.1979 for another 30 years period as per the provisions of MCR 1960.

Whether renewal or deemed renewal: Deemed Renewal

Date of expiry of 1st lease renewal/ deemed renewal: 11.05.2010

Date of 2nd lease renewal: Application for second renewal of the mining lease was submitted vide ref. no.-Gua/E&L/JP-I/09-10/011 dated 24.04.2009 for renewal for a period of 20 years.

Whether renewal or deemed renewal: The extension of lease period is under consideration with Govt. of Jharkhand as per the provisions of MMDR Amendment Act 2015 & Mineral (Mining by Govt. Company) Rules 2015.

13. Details of DGMS permission, if any: Necessary permissions will be obtained from the Directorate General of Mine Safety under Regulations 34 & 106(2)(b) of Metalliferrous Mines Regulations, prior to resumption of mining operation.

14. Details of past production of mine since its inception duly in tabular form:(Hard copy authenticated by Department of Mines & Geology, State Government to be submitted) :-Under process of authentication and will be submitted later.

15. Details of Violation (Brief description of the project activity that leads to violation of EIA Notification, 2006): Violation of Environment (Protection) Act, 1986 as the mine have operated during 2008-2011 without requisite prior environment clearance.

The mine had operated during the period 1961–1971 with maximum production of 42532 t/yr of manganese ore in 1964. The mine was in operation without EC during 2008 to 2011. Mining has been suspended since 2012 for want of Environment Clearance.

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

(i) Date of application for TOR/EC submitted to MoEF&CC/SEIAA 21.11.2011

(ii) Date of appraisal of EAC/SEAC meetings so far: 24.01.2012 & 22.06.2012

(iii) Observations / recommendations of the EAC/SEAC in each meeting: The proposal was considered for ToR during 3rd meeting of EAC for Environmental appraisal of mining projects constituted under EIA notification, 2006 on

	<p>24.01.2012, wherein the Committee had deferred prescribing of TOR till appropriate control measures are implemented to improve the air quality as the project is located in identified severely polluted area.</p> <p>The proponent has reported that road conditions have been improved and water sprinkling en-route the minerals transportation has been undertaken and as a result the RSPM levels have come down as revealed by the data for the period of March – April, 2012.</p> <p>Accordingly, the proposal was again considered by the Reconstituted Expert Appraisal Committee for Environmental Appraisal of Mining Projects (Non-Coal) of the MoEFCC during June 20-22th, 2012 for prescribing Terms of Reference (TOR).</p> <p>(iv) Details of action taken by the State Government/SEIAA u/s 5/ u/s 19 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006: Actions on violation have been intimated to MoEF&CC by Jharkhand State Pollution Control Board (JSPCB) vide letter no. PC/NOC/JSR/94381 dated 25.11.2014.</p> <p>(v) Complaint case filed by the State Government/State Pollution Control Board: Complaint case was filed under section 15 of the E(P) Act, 1986 by JSPCB "in the Court of the Chief Judicial Magistrate, West Singhbhum, Chaibasa, Jharkhand" vide complaint case no. 58/2014 dated 04.03.2014</p> <p>(vi) Further consideration of the proposal by the EAC/SEAC, in case action was taken as mentioned in point (iv) and (v) above. If yes, furnish details: ToR issued on 04.03.2015 and Public Hearing conducted on 12.11.2016. Final EIA/EMP report submitted to MoEFCC on 04.01.2017 which was accepted by MoEFCC on 10.02.2017. Hard Copies of documents submitted to MoEFCC on 16.02.2017.</p> <p>(vii) Final recommendations of MOEF&CC/SEIAA in reference to point (vi) above :- MoEFCC vide letter dated 03.04.2017 informed that EC proposal will be considered after approval of Carrying Capacity report by Competent Authority. Subsequently, MoEFCC raised EDS on 13.11.2017 and indicated that the proposal is a violation case under the provisions of notification dated 14.03.2017.</p> <p>(viii) Legal interventions, if any Complaint case filed under section 15 of the E(P) Act, 1986 by JSPCB" in the Court of the Chief Judicial Magistrate, West Singhbhum, Chaibasa, Jharkhand" vide complaint case no. 58/2014 dated 04.03.2014 is pending.</p>
<p>12.4.8.3</p>	<p>Observations and recommendations of committee:</p> <p>The EAC, after detailed deliberations recommended to defer the proposal as the application for second renewal of the mining lease was submitted vide ref. no.-Gua/E&L/JB-I/09-10/011 dated 24.04.2009 for renewal for a period of 20 years is under consideration. Hence the project proponent is required to submit the following information for further consideration:</p> <p>(i) Letter of Intent for the validity of Mine lease of 210.526 hectare located at Gua, Noamundi block in West Singhbhum district of Jharkhand.</p> <p>(ii) Submission of certified production details since inception of mine by Director Mines and Geology of State Government.</p>

	<p>(iii) Status of Forest Clearance.</p> <p>(iv) Complete details regarding starting and closing of mining activity.</p> <p>(v) If not submitted, the Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking interalia include commitment of the PP not to repeat any such violation in future.</p>
12.4.9	<p>Kadadiha China Clay Mine of M/s Jagdish Mines & Metals Pvt. Ltd. for exploration of China Clay occurring in the ML area of 367.058 Ha located at villages Kadadiha No.26, Khandabandha No. 43, Kudarbisida No.45 and Rugudi No. 44, Tehasil Jashipur, District Mayurbhanj, Odisha - for Terms of Reference</p> <p>[IA/OR/MIN/73975/2018 dated 04.04.2018] [F. No.23-233/2018-IA.III (V)]</p>
12.4.9.1	Proponent requested to defer the proposal.
12.4.10	<p>Mordhar Bauxite Mine with production capacity of 34350 TPA over an extent of 8.44 Ha located at Village Mewasa, Taluka Kalyanpur, District Devbhoomi Dwarka, Gujarat by M/s Orient Abrasives Ltd. For Terms of Reference</p> <p>[IA/GJ/MIN/74082/2018 dated 09.04.2018] [F. No. 23-234/2018-IA.III (V)]</p>
12.4.10.1	Proponent requested to defer the proposal.
12.4.11	<p>Mohanpur Opencast Coal Mine Expansion Bengal of M/s Eastern Coalfields at Villages: Mohanpur, Pahargora & Binodikat; Tehsil Salanpur; District Paschim Bardhaman; State West Bengal. For Terms of Reference.</p> <p>[IA/WB/CMIN/74477/2018] [F. No. 23-235/2018-IA.III (V)]</p>
	<p>Details of the project as per the submission of project proponent:</p> <ol style="list-style-type: none"> 1. Name of the project: Mohanpur Expansion OCP (Phase – II), Eastern Coalfields Ltd., P.O. Sanctoria, District Paschim Bardhaman, West Bengal, Phone No.- 0314-2254510 2. Expansion project- Capacity Expansion from 1.0 MTY to 2.5 MTY and Leasehold Expansion from 164.91 Ha to 415.71 Ha. 3. Earlier EC was granted vide letter no. J-11015/1128/2007-IA.II(M) dated 10-12-2009. The project has been considered earlier on 14.08.2014 & 31.08.2017.

4. Total Leasehold area of the project is 415.71 ha. Land use type is as:

Present Land-use type	Area (Ha)	Land use Type (proposed during mining)	Area (Ha)
Present Quarry Area	45.72	Excavated area	148.16
External OB dump	11.97		
Old quarry (water logged)	14.00		
Village	9.00	External OB Dump	142.12
	Infrastructure, Road and others		
Agriculture	79.00	Safety Zone	30.94
Scrubby vegetation	93.00	Colliery Infrastructure Area for top soil storage, open space and others	32.00*
Waste land	141.02		
Water body/Tank	9.00	Residential Colony	6.50*
Total	415.71		415.71

(*Area of 18.71 ha involved in infrastructure, colony and diverted road is outside project boundary)

5. Date of approval of mine plan, mine closure plan, status & date: 30.11.2016
6. Date of Ground water clearance: Application to be submitted to SWID, West Bengal shortly. Fee payment has been made.
7. Any river/Nallah flowing near or adjacent to the proposed mine. If yes, please give
8. Details: A seasonal nallah, Nunia, flowing from West to East along the present northern leasehold boundary of the mine will be diverted in order to facilitate external dumping. Alternate channel of equivalent carrying capacity will be provided along the project boundary. Since the proposed project will alter the surface run-off pattern, garland drains will be provided along the quarry and OB dump to allow smooth run-off from the mining area.
9. Geological Reserve:
 - Total geological reserve-44.20 MT
 - Mineable reserve- 25.10 MT
 - Extractable reserve-25.10 MT
 - Per cent (%) of extraction-100 %
 - Range of ground water level- Pre – monsoon variation : 1.30 m to 6.50 m
 - (average – 4.30 m) BGL; Post – monsoon variation : 0.50 m to 1.40 m (average

- 0.90 m) BGL
- Total estimated water requirement-1050 m³/day (for all purposes), 490 m³/day
- (for Mining and other activities), 560 m³/day (for domestic- township)

10. Method of mining- Open cast

11. Life of mine- 14 years.

12. Total forest area involved (in ha) for mining- Nil

13. If the project is within 10 KM of radius of the wild life sanctuary, whether the Wild Life Management Plan has been prepared and approved. If so, pl give the status, date of approval with the budgetary provision- Nil

14. Pl give details , if the proposal is under any investigation- Nil

15. Give details of actual coal production vis-à-vis sanctioned capacity since the inception of mine in following format:

Year	EC sanctioned capacity (MTPA)	Actual production(MT PA)	Excess production beyond the EC sanctioned capacity
2008-09	1.00	0.39	-
2009-10		0.66	-
2010-11		0.98	-
2011-12		1.39	0.39
2012-13		1.07	0.07
2013-14		0.84	-
2014-15		0.30	-
2015-16		0.81	-
2016-17		0.99	-
2017-18		0.99	-

11. Any violation cases pending- Yes, The mine has exceeded EC capacity in the financial year 2011 – 12 and 2012 – 13. However, there is no court case against the project

Observations and recommendations of committee:

It was observed that project proponent has uploaded the Executive summary instead of Project Pre-Feasibility report inadvertently while uploading the Form-1 application in the Ministry web portal. Subsequently proponent has submitted the hard and soft copies of above Pre-Feasibility report to the Ministry.

The EAC noted that present proposal is for both expansions of: a) production capacity from 1.0 MTY to 2.5 MTY and b) mine lease area from 164.91 Ha to 415.71 Ha. The committee also noted that Coal mining lease has been deemed

extended vide letter dated 24.03.2003 till date the State Government passes an order on coal mining lease renewal application of project proponent.

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 issuing Standard Term of Reference** along with the following specific Term of Reference for undertaking EIA and preparation of Environmental Management Plan (EMP).

(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 to be issued till the project is granted EC.

(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.

(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.

(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.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) The PP is required to conduct public hearing as per EIA notification, 2006.

(vii) Fresh base line data to be generated for EIA/EMP preparation.

(viii) To submit the KML/Shape Files of the mine lease area at the time of presentation before EAC

(ix) 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.

(x) Detailed hydrological study to be carried out in core and buffer zone of the project as per GEC 2015 guidelines.


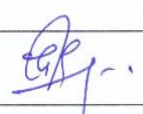
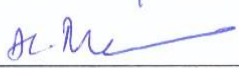


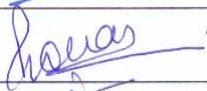
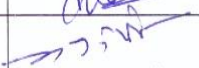

(xi) Submission of detailed R&R plan.

(xii) Submission of certified compliance report from the regional office of MoEF&CC for the earlier environmental clearance

(xiii) Impact assessment study on traffic density to be carried out in coal

	<p>transportation route.</p> <p>(xiv) Nunia Nallah diversion permission from the competent authority.</p> <p>(xv) Submission of production detail since inception of mine duly certified by the State DMG.</p> <p>(xvi) Revised affidavit to be submitted: "The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter alia include commitment of the PP not to repeat any such violation in future."</p> <p>(xvii) submission of valid mining lease copies for both existing and expansion proposal</p>
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Members of the EAC for the proposal involving violation of EIA Notification, 2006 present during **11th meeting held on 28-29 August, 2018** at MoEF&CC, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi and approved the above minutes.

Sl. No.	Name of the EAC member	Role / Designation	Signature
1.	Dr. Satish R Wate	Chairman	
2.	Dr. P. A. Joshi	Member	
3.	Dr. G. V. Subrahmanyam	Member	
4.	Dr. A. L. Ramanathan	Member	
5.	Dr. M.V. Ramana Murthy	Member	
6.	Shri K Gowarappan	Member	
7.	Dr. Dilip S. Ramteke	Member	
8.	Dr. Poonam Kumria	Member	
9.	Dr. Bharat Jain	Member	
10.	Dr. Subrata Maity	Member	
11.	Shri Raghu Kumar Kodali	Member Secretary	