

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(IMPACT ASSESSMENT DIVISION)
NON-COAL MINING SECTOR**

SUMMARY RECORD OF 39th MEETING OF THE COMMITTEE OF THE EXPERT APPRAISAL COMMITTEE FOR ENVIRONMENTAL APPRAISAL OF NON-COAL MINING PROJECTS CONSTITUTED UNDER THE EIA NOTIFICATION, 2006.

The 39th meeting of the Expert Appraisal Committee for Environmental Appraisal of Mining Projects (Non-Coal) of the Ministry of Environment, Forest and Climate Change was held during 11th – 12th October, 2021 through video conference. The list of participants is annexed herewith. After login of the Committee Members through video conference link provided by NIC, discussion on each of the Agenda Items was taken up ad-seriatim.

(1.0.0) Deliberation & Circulation on the Minutes of the 38th EAC meeting held during 29th – 30th September, 2021.

The minutes of 38th EAC meeting held during 29th – 30th September, 2021 were placed before the members of the Committee.

DAY 1: 11.10.2021 (Monday)

1.1 Proposal for Terms of Reference (ToR) for existing opencast mining project and proposed underground project of Kheratarla Wollastonite and Calcite mine (M.L. No. 1/95) in the mining lease area of 49.48 ha for minerals: Wollastonite, Calcite, Quartz and Feldspar with total production of 3,38,000 TPA (ROM) (Wollastonite: 2,10,000 TPA + Calcite: 30,000 TPA + Quartz & Feldspar: 98,000 TPA), located at Villages: Uparla Khera & Nichla Khera, Tehsil: Bali & Kotra, District: Pali & Udaipur, Rajasthan - [Proposal no: IA/RJ/MIN/230440/2021; File No. JJ-11015/158/2003-IA.II(M); Consultant: Wolkem India Limited] – ToR

1. EAC Meeting Details:

EAC meeting	39 th EAC Meeting
Date of Meeting	11 th – 12 th October, 2021

2. Project details:

Name of the Proposal	Kheratarla Wollastonite and Calcite mine	
Location	Village	Uparla Khera & Nichla Khera
	Tehsil/Taluka	Bali & Kotra
	District	Pali & Udaipur
	State / UT	Rajasthan

	Latitudes	24°45'57.85" to 24°45'30.02"
	Longitudes	73°10'24.63" to 73°10'24.63"
	SOIToposheet No.	45H/1, 45H/2, 45H/5 & 45H/6
Company's Name	M/s Wolkem Industries Limited	
Accredited Consultant and certificate no.	Wolkem India Limited NABET/EIA/1821/SA103, valid till 28/10/2021,	
KML file	Submitted	
Seismic zone	II	

3. Category details:

Category of the project	Category B - 1(a) (Applied at MoEF&CC, New Delhi in absence of SEIAA/ SEAC, Rajasthan).
Provisions	EIA Notification, 2006
Mining lease Area	49.48 Ha

4. ToR/EC Details:

ToR Proposal No.	IA/RJ/MIN/230440/2021
Online application date for Form-I	21 st September,2021
Documents submitted	Cover letter, Form-1, PFR, KML, mine lease documents, approved mining plan, past production details.
Production capacity	Total production:- 3,38,000 TPA of Mineral (Wollastonite: 2,10,000 TPA + Calcite: 30,000 TPA + Quartz & Feldspar: 98,000 TPA)
Soil	Already excavated area and proposed underground mining. So negligible soil will be generated.
Waste	Being a running mine by mechanized open cast & proposed underground mining, a total annual 9.84 Lac tons of OB/IB waste.
Total Excavation	Fifth year ROM 10,93,078 Tonne
Crusher	Existing – 3 Nos (20 HP capacity)
Previous EC details	J-11015/158/ 2003-IA.II (M) dated 09.02.2005 and 11.11.2009 for inclusion of minerals.

5. Lease Details:

Mine lease	Mining lease for mineral Wollastonite and Calcite was granted in 122.253 ha. of forest land in 1976 for period of 20 years in favor of Mr. S. P. Agarwal, & renewal up to 2016 vide letter dated 02.03.1998 and subsequently transferred & registered on 01.08.2000 to Wolkem Industries Ltd., Udaipur.
Forest Diversion	At the time of Forest Diversion in 1998, the ML area was reduced to 49.48 ha.

	Obtained the diversion of forest for an area of 54.13 ha (49.48 ML area and 4.65 adjacent areas from MoEF&CC (Forest wing) vide letter no. No.8/FC dated 12.1.1998 and further extended vide letter dated 21.3.2016.
Validity of mine lease	31.03.2030

6. Observation and Recommendation of the Committee:

The proposal for Terms of Reference was considered in the 39th EAC meeting held during 11th – 12th October 2021. The Committee noted that initially the project proponent obtained Environmental Clearance from the Ministry vide F.No. J-11015/158/ 2003-IA.II (M) dated 09.02.2005 over a mine lease area of 84.63 ha for Wollastonite and Calcite minerals. Later, the project proponent obtained the Environmental Clearance from the Ministry vide F.No. J-11015/158/ 2003-IA.II (M) dated 11.11.2009 for inclusion of minerals Quartz & Feldspar. The Committee observed that the project falls under Category B as per the Ministry's Notification S.O 3977 (E) dated 14.08.2018 as the mine lease area is less than 100 ha i.e., 84.63 ha and no general condition exists. The project proponent submitted the proposal to MoEF&CC due to absence of SEIAA, Rajasthan. The Member Secretary informed the Committee and the project proponent that SEIAA, Rajasthan will be constituted soon and so, the project proponent agreed to transfer the instant proposal to the State Committee. Further, SEIAA, Rajasthan constituted vide SO 4256 (E) dated 12.10.2021. Therefore, the Committee recommended to **transfer the proposal** to State Level Impact Assessment Authority (SEIAA), Rajasthan.

1.2 Proposal for amendment in ToR w.r.t exemption of public hearing and inclusion of Shale in ToR letter no. J-1105/153/2018-IA-II(M) dated 29.01.2021 for production capacity 7.72 MTPA (Limestone & Shale) and waste / topsoil 5.0 Lakhs CuM per annum (Maximum) with existing three nos. of Crushers with capacity of 850 TPH, 1000 & 1200 TPH located at Villages Ingalgi & Ravor, Taluka Chittapur, District Kalaburagi, Karnataka by M/s ACC Limited - [File No. J-11015/153/2018-IA-II(M); Proposal No. IA/KA/MIN/231497/2021; Consultant: J.M. EnviroNet Pvt. Ltd.] – ToR amendment

1. EAC Meeting Details:

EAC meeting	39 th EAC Meeting
Date of Meeting	11 th – 12 th October, 2021

2. Project details:

Name of the Proposal	Amendment in ToR w.r.t exemption of Public hearing in light of the Ministry's latest Office Memorandum ref no: 22-4/2020-IA.III dated 16th February 2021 and Inclusion of Shale in ToR Letter for existing captive Mine (Area: 471.03 ha.) for Production Capacity 7.72 Million TPA (Limestone & Shale) and waste / topsoil 5.0 Lakhs CuM per annum (Maximum) with existing three nos. of Crushers with capacity of 850 TPH, 1000 & 1200 TPH	
Location	Village	Ingalgi & Ravoore
	Tehsil/Taluka	Chittapur
	District	Kalaburagi
	State / UT	Karnataka
	Latitudes	17 ⁰ 03' 25.95718" N to 17 ⁰ 04' 54.27953" N
	Longitudes	76 ⁰ 57' 36.56397" E to 76 ⁰ 59' 31.53570" E
	SOI Topo sheet No.	Core Zone - 56C/16 Buffer Zone - 56C/16 56-G/4, 56-H/1 and 56-D/13
Company Name	M/s. ACC Ltd.	
Accredited Consultant and certificate no.	J.M. EnviroNet Pvt. Ltd. Accredited EIA Consultant by NABET (QCI) Certificate No: NABET/EIA/2023/RA 0186, dated 17.12.2020 & valid up to 07.02.2023	
KML file	Submitted	
Seismic zone	Seismic Zone – II	

3. Category details:

Category of the project	Category "A", Project or Activity 1(a)(3) for Mining of Mineral
Provisions	EIA Notification dated 14 th September, 2006
Mining lease Area	471.03 ha

4. ToR/EC Details

ToR Proposal No.	IA/KA/MIN/231497/2021
Online application date for Form-I	27.09.2021
Documents Submitted	Covering Letter, Authorization, Brief Summary, KML, SOI Toposheet, Pre Feasibility Report, etc.
EAC meeting date	11.10.2021
ToR Letter No.	J-1105/153/2018-IA-II(M)
ToR grant Date	29.01.2021
Production capacity	Limestone & Shale: 7.72 Million TPA
Soil	Waste/Top Soil: 0.8 million TPA

Waste	
Others	Nil
Total Excavation	8.52 Million TPA
Crusher	3 Nos. Existing at Mining Lease (1 x 850 TPH, 1 x 1000TPH and 1 x 1200 TPH)
Previous EC details	J-11015/7/2000-IA.II (M) on 07.09.2000 under the EIA notification 1994
Date of earlier EAC meetings	38 th meeting held on 16.11.2018 (For ToR) 25 th EAC meeting on 23.12.2020 (For Reconsideration of ToR)
Reason of Amendment	(a) Exemption of Public hearing in light of the Ministry's latest Office Memorandum ref no: 22-4/2020-IA.III dated 16th February 2021. (b) Inclusion of Shale - 7.72 MTPA (Limestone & Shale) in ToR vide letter no. J-1105/153/2018-IA-II(M) dated 29.01.2021. (c) MoEFCC accorded standard terms of Reference under Notification S.O.1530(E) dated 6th April 2018 and additional TOR in view of the violation for undertaking detailed EIA / EMP Study. PP is requesting that project not to be considered under violation.

5. Lease Details:

Granted Prospecting License	Area	The mining lease was issued in 1963. During that period mining lease was granted directly. Hence not applicable.					
	Execution date						
	PL No.						
Application for the Mining lease area and Date	This mining lease was issued on 19 th February 1963. Hence the application details are not available						
Validity of mine lease	31.03.2030						
Letter of Intent	Letter No.	Already granted ML No. 2641 (471.03Ha)					
	Date						
Additional information	S. No	Mineral	ML No.	Date of Grant	For Period	Ending with	Remarks
	1.	Limestone	1963	19.02.1963	20 Years	18.02.1983	Date of entering into Original Lease Deed
	2.	Clay	802	03.06.1968	20 Years	18.02.1983	
	3.	Limestone	1853	02.12.1982	20	18.02.2003	

		& Clay			Years		Renewal
4.	Shale	1949	19.07.1984	20 Years	18.02.2003	-	
5.	Limestone, Shale & Clay	2641	28.06.2010	20 Years	18.02.2023	Date of Renewal- 28.06.2010	
6.	As per Section 8A (5) of MMDR (Amendment) 2015, Lease period of Mining leases used for captive purpose has been extended upto 31.03.2030.						

6. Observation and Recommendation of the Committee:

The proposal for amendment in Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021. During the meeting, the Committee noted that the ToR dated 29.01.2021 was granted under violation. Further the SOP dated 07.07.2021 issued by the Ministry for identification and handling of violation cases under EIA, 2006 has been stayed by the Madurai bench of Hon^{ble} High Court of Madras vide order dated 15.07.2021. Therefore, the Committee **returned the proposal in present form** and was of the view that PP should approach Ministry after the final adjudication of the Hon^{ble} High Court.

1.3 Proposal for Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 for M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Arasmeta Limestone mine with production capacity of Limestone 2.7 million TPA, Top Soil 0.365 million TPA & Waste rock 0.470 million TPA (Total excavation: 3.535 million TPA) in the mine lease area of 499.987ha, located at Villages Arasmeta, Amora, Gondadih and Ghagrabod, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh – [File No: J-11015/44/2019-IA-II (M), Proposal No: IA/CG/MIN/231609/2021, Consultant: J.M. EnviroNet Pvt. Ltd] – Reconsideration of ToR.

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) is for grant of Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 for M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Arasmeta Limestone mine with production capacity of Limestone 2.7 million TPA, Top Soil 0.365 million TPA & Waste rock 0.470 million TPA (Total excavation:

3.535 million TPA) in the mine lease area of 499.987ha, located at Villages Arasmeta, Amora, Gondadih and Ghagrabod, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh. The mine lease area is located between Latitude 21°56'52.22350"N to 21°58'03.89423"N and Longitude 82°19'26.83800"E to 82°22'08.86171"E. The mine lease area falls under the Survey of India Toposheet No: 64 K/1, 64 K/5, 64 J/4 & 64 J/8 and falls in Seismic Zone-II.

Details submitted by Project Proponent:

2. As per the Ministry's Notification S.O. 1530(E) dated 06.04.2018 wherein it has mentioned that the Hon'ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors. has reiterated that the validity of the environmental clearance for mining projects granted under the EIA Notification, 1994 shall be five years and whereas, all mining projects mentioned in clause (b) of fourth paragraph above are required to obtain environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgments of the Hon'ble Supreme Court 1. The clause (b) of the notification is -mining projects, which were granted environmental clearance under the EIA Notification, 1994, and but not obtained environmental clearance for expansion / modernization / amendment under the EIA Notification, 2006. In the instant case the PP has obtained the EC on 18.07.2005 under EIA Notification 1994 for expansion of production in limestone from 1.9 MTPA to 2.7 million TPA in a total lease area of 521.887ha. The proposal is for grant of Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 in the name of M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Arasmeta Limestone mine with production capacity of Limestone 2.7 million TPA, Top Soil 0.365 million TPA & Waste rock 0.470 million TPA (Total excavation: 3.535 million TPA) in the mine lease area of 499.987ha, located at Villages Arasmeta, Amora, Gondadih and Ghagrabod, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh. As per the notification the PP shall make application within six months (i.e. up to 5.10.2018) from the date of issue of this notification in Form-1 as given in Appendix-II of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide on the due diligence necessary including preparation of Environmental Impact Assessment Report and public consultation and the application shall be appraised accordingly for grant of environmental clearance.

3. The Project Proponent initially submitted the proposal for grant of Terms of Reference vide proposal no: IA/CG/MIN/80494/2018 dated 27.09.2018 along with Form1 and Prefeasibility report as per MoEF&CC Notification dated 06.04.2018. The proposal was considered in the 5th EAC Meeting held during May 29-30, 2019 and

based on the presentation made by PP and discussion held, the Committee observed the following things:

- i. The EC dated 18.07.2005 was granted to M/s. Lafarge India Limited. The name change has been occurred on 10 March 2017 from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd, however, EC not transferred in the name of M/s. Nuvoco Vistas Corp. Ltd and PP is mining till date without transfer of EC and it may be a case of violation. However, PP submitted the application form on 18.03.2019 for transfer of EC.
- ii. The lease is transferred from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd with the validity period of 30.05.2019, however, the extension of lease from 31.05.2019 to 31.03.2030 is still in the name of M/s. Lafarge India Limited. Thus, PP does not have valid lease document beyond 30.05.2019 and needs to submit the valid lease document.
- iii. PP mentioned that the total mine lease area is 499.987 ha. However, the PP not submitted the land separation details and PP needs to submit the same.
- iv. The EC dated 18.07.2005 was granted over an area of 521.887 ha, afterwards lease area was reduced to 499.987 ha in the year 2009, however, EC was not amended with respect to reduction in lease area and the mining underway till date without amendment in the EC. Hence, it is a violation.
- v. PP needs to submit the copy of EC document with capacity of 1.9 MTPA.
- vi. The CTO copy dated 06-05-1994 (1985-1994), 07-07-1995 (1994-95), 06-04-1996 (1995-96), 28-1-1998 (1996-98), 10-08-1999 (1998-2000), 18-08-2000 (2000-2001) mentioned that 2.0 MTPA as an production capacity. Furthermore, CTO copy dated 11-1-2001 mentioned 27 Lacs MT/year as production capacity and CTO copy dated 30-08-2005 (2002- 2005) mentioned 22.4 Lacs MT/Year as a production capacity. However, the past production details revealed that PP exceeded the CTO capacity in the year of 1997-98, 1999-2000, 2000-2001, 2001-02, 2002-03, 2003-2004 and 2004-2005. After the 2005, PP received CTO with capacity same as the EC capacity (2 .7 MTPA) and PP has mined out well within the EC capacity from 2005-2006 to 2018-19-till date.
- vii. PP not submitted the compliance report for the EC dated 18.07.2005, PP needs to submit the copy of certified compliance report since the mining started.

In view of the above, the Committee returned the proposal in present form and suggested the Ministry to take necessary action on excess production as well as carrying out mining without transfer of EC. PP was asked to apply a fresh subjected to

transfer of EC and extension of mine lease validity in the name of M/s. Nuvoco Vistas Corp. Ltd.

4. The Ministry vide Lr F. No. J-11015/44/2019-IA-II (M) dated 01.08.2019 directed (i) The Secretary, Department of Forest, Chhattisgarh and (ii) The Director, Chhattisgarh Environment Conservation Board, Chhattisgarh to take necessary action on M/s Nuvoco Vistas Corp. Ltd by invoking powers under section 19 of the Environment (Protection) Act, 1986 and for taking necessary action under section 15 of the Act. Ministry also vide Lr F. No. J-11015/44/2019-IA-II (M) dated 01.08.2019 directed the Secretary, Directorate of Mines and Geology, Chhattisgarh to take necessary action on excess production and carrying out mining without amending the EC (i.e., reduction in the lease area) as per the law and send the action taken report to Ministry for further necessary action. Now, the Project Proponent applied a fresh proposal vide proposal no: IA/CG/MIN/231609/2021 dated 27.09.2021 and submitted Form1 and Prefeasibility report along with the information sought in the 5th EAC Meeting held during May 29-30, 2019 as mentioned below:-

Point (i): The EC dated 18.07.2005 was granted to M/s. Lafarge India Limited. The name change has been occurred on 10 March 2017 from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd, however, EC not transferred in the name of M/s. Nuvoco Vistas Corp. Ltd and PP is mining till date without transfer of EC and it may be a case of violation. However, PP submitted the application form on 18.03.2019 for transfer of EC.

Reply: The Project Proponent submitted that the change of name of the Company from Lafarge India Ltd to Nuvoco Vistas Corp Ltd (NVCL) had been intimated to MoEF&CC on 18.04.2017. An Offline application for name change in EC has been submitted to MoEF&CC vide letter dated 25.05.2018. Further, an email was received from MoEF&CC on 18.06.2018 for submission of online application and the same has been submitted to MoEF&CC on 18.03.2019 under Para 11 of EIA Notification, 2006 vide Proposal No. IA/CG/MIN/11603/2004. EDS was on 31.03.2020 that *PP may kindly submit whether the application under S.O. 1530(E) dated the 6th April, 2018 has been made or not. If, yes, please submit the substantiating evidence for the same as the earlier EC was granted under EIA Notification, 1994.* PP submitted the reply on 01.06.2020. Again, EDS was sought on 01.09.2020 for which reply was submitted on 22.09.2020 and project for name change was delisted. Again, application for name change was submitted in Form 7 vide Proposal No.: IA/CG/MIN/181149/2020 on 30.10.2020. The Ministry sought EDS on 17.11.2020 that *it is noted that the EC dated 18.07.2005 was granted under EIA notification, 1994, As on date the validity of EC is only five years from the date of grant of EC, However to regularise those EC's Ministry issued the Notification 1530(E) dated 06.04.2018, If PP applied under this notification Please submit the proof of requisite document along with the valid mine lease mine plan*

in the name of New PP for further consideration and PP submitted the reply on 27.11.2020. Thereafter, Ministry again sought EDS on 19.12.2020 that the EC dated 09.12.2003 was granted under EIA notification, 1994, the validity of EC was only five years from the date of grant of EC. the EC dated 18.07.2005 is not valid as on date. So, the present proposal is delisted.

Point (ii): The lease is transferred from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd with the validity period of 30.05.2019, however, the extension of lease from 31.05.2019 to 31.03.2030 is still in the name of M/s. Lafarge India Limited. Thus, PP does not have valid lease document beyond 30.05.2019 and needs to submit the valid lease document.

Reply: The Project Proponent submitted that the name change in mining lease from Lafarge India Limited to Nuvoco Vistas Corp. Ltd. was passed by Govt of Chhattisgarh vide letter no F-3-86/2007/12 (2) dated 03.11.2017. Addendum to Mining lease agreement in favor of M/s. Nuvoco Vistas Corp. Ltd was executed on 30.11.2017.

Point (iii): PP mentioned that the total mine lease area is 499.987 ha. However, the PP not submitted the land separation details and PP needs to submit the same.

Reply: The Project Proponent submitted that total mine lease area is 499.987 ha, out of which 364.917 ha land is Pvt land and 135.07 ha is Govt Land.

Point (iv): The EC dated 18.07.2005 was granted over an area of 521.887 ha, afterwards lease area was reduced to 499.987 ha in the year 2009, however, EC was not amended with respect to reduction in lease area and the mining underway till date without amendment in the EC. Hence, it is a violation.

Reply: The Project Proponent submitted that the Mining Lease area was reduced on two separate occasions; by surrendering 18.07 ha in year 2007 & 3.83 ha in year 2012. The reduction of such area during both the occasions was duly intimated to MoEF&CC vide letters dated 28.04.2007 & 19.03.2012 respectively. Environment Clearance was granted on 18.07.2005 for 2.7 million TPA in the mine lease area of 521.887 ha under EIA Notification, 1994 and now, the proposal for Validation of EC as per EIA Notification, 2006 has been submitted.

Point (v): PP needs to submit the copy of EC document with capacity of 1.9 MTPA.

Reply: The Project Proponent submitted that, no EC obtained with capacity 1.9 MTPA production capacity. Initially, PP obtained Environment Clearance on 18.07.2005 for

expansion of production in limestone from 1.9 MTPA to 2.7 million TPA in a total lease area of 521.887ha.

Point (vi): The CTO copy dated 06-05-1994 (1985-1994), 07-07-1995 (1994-95), 06-04-1996 (1995-96), 28-1-1998 (1996-98), 10-08-1999 (1998-2000), 18-08-2000 (2000-2001) mentioned that 2.0 MTPA as an production capacity. Furthermore, CTO copy dated 11-1-2001 mentioned 27 Lacs MT/year as production capacity and CTO copy dated 30-08-2005 (2002- 2005) mentioned 22.4 Lacs MT/Year as a production capacity. However, the past production details revealed that PP exceeded the CTO capacity in the year of 1997-98, 1999-2000, 2000-2001, 2001-02, 2002-03, 2003-2004 and 2004-2005. After the 2005, PP received CTO with capacity same as the EC capacity (2.7 MTPA) and PP has mined out well within the EC capacity from 2005-2006 to 2018-19-till date.

Reply: The Project Proponent submitted the Authenticated past production details obtained from State Mines Dept vide letter dated 19.12.2018. Limestone production vis a vis CTO capacity for the period 1992-93 to 2004-05.

Period	Grant capacity as per CTO (million TPA)	Actual Production (million TPA)
1992 - 93	2.00	1.71
1993 - 94	2.00	1.34
1994 - 95	2.00	1.87
1995 - 96	2.00	1.65
1996 - 97	2.00	1.66
1997 - 98	2.00	2.17
1998 - 99	2.00	1.81
1999 - 2000	2.00	2.08
2000 - 2001	2.00	2.04
2001 - 02	2.70	2.20
2002 - 03	2.70	2.07
2003 - 04	2.70	2.05
2004 - 05	2.70	2.04
EC granted on 15.7.2005 for 2.7 million TPA		

PP also submitted that there is no increase in production capacity from the granted consent capacity during year 2001 to 2005.

Point (vii): PP not submitted the compliance report for the EC dated 18.07.2005, PP needs to submit the copy of certified compliance report since the mining started.

Reply: The Project Proponent submitted that compliance report of existing EC has been certified by RO, MoEF&CC vide letter No EC-1080/RON/2019-NGP/5770 dated 30.09.2019.

5. The Project Proponent submitted that the Ministry has accorded EC to M/s. Lafarge India Limited vide letter no. J-11015/64/2003-IA.II (M) dated 18.07.2005 for limestone production from 1.9 MTPA to 2.7 MTPA in the mine lease area of 521.887 ha under EIA Notification, 1994. Presently, M/s. Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) applied for regulation of this EC under Ministry notification dated 06.04.2018.

6. The Project Proponent submitted that the total mine lease area is 499.987 ha. Initially, the mine lease was granted to M/s. Raymond Ltd vide Letter no. 3/127/78/12 dated 24.05.1979 over an area of 510.588 ha for 20 years from 31.05.1979 to 30.05.1999. Furthermore, additional lease area of 11.299 ha was granted to M/s. Raymond Ltd vide letter no. 3/80/86/12/3 dated 16.05.1986 for 20 years from 18.07.1986 to 17.07.2006. Followed by, both leases were amalgamated and subsequently renewed under one mining lease of 521.887 ha vide letter no F-3/110/98/12/2, dated 26.4.2000 for 20 years from 30.05.1999. In addition, the lease was transferred from M/s Raymond Ltd to M/s Lafarge India Pvt. Ltd by vide letter No. M-3/110/2000/21-1 dated 08.12.2000 and the transfer agreement was made on 17.01.2001. Followed by, State Government order no 1079/3946/12/2004 dated 05.05.2005, the lease area of 18.07ha was surrendered for commissioning a Thermal Power Plant and the lease area is reduced to 503.817ha. Furthermore, State Government order no F-3-23/2009/12 dated 26.11.2009, the lease area of 3.83ha was surrendered and the lease area is further reduced to 499.987 ha and letter mentioned that the validity period from 31.05.1999 to 30.05.2019. The PP submitted that the name change in mining lease from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd. was passed by Govt. Chhattisgarh vide letter no. F-3-86/2007/12(2) dated 03.11.2017 and the addendum to lease deed was made on 30 November 2017 in the name of M/s. Nuvoco Vistas Corp. Ltd for 499.987 ha and it is mentioned that the lease have validity period of 20 years w.e.f. from 31.05.1999 to 30.05.2019.

7. The Project Proponent submitted the Review of Mining Plan along with Progressive Mine Closure Plan approved by Indian Bureau of Mines vide Lr No. Janjgir/Chup/Khayo 1261/2020 dated 12.02.2021 for the period 2021-22 to 2025-26 over an area of 499.987ha.

8. The Project Proponent submitted that the mining will be carried out by conventional open cast mechanized method, which includes drilling, and blasting (115mm diameter blast hole). PP reported that presently there are total three pits namely - Pit No. 1, Pit No. 1 Extension and Pit No. 2. PP also reported that total

Geological reserves is 47.332 million tonnes (as on 01.01.2021) and Mineable reserves is 24.97 million tonnes (as on 01.01.2021). Life of the mine will be 9.24 years. The bench height will be 6-8 (m) working & 6-8 (m) ultimate and bench width will be 21-50 (m) working & 5 (m) ultimate. Overall pit slope will be 45°. The hydraulic excavator of 4-4.5 m³ bucket capacity is presently being used for loading of materials. Blasted limestone is being loaded by hydraulic excavators into the dump trucks for onward dispatch to the crusher (for limestone) and at temporarily waste dump (for waste). Crushed Limestone is being/ will be transported from mine site through dumpers of 35 Tonnes capacity to the Cement Plant (3.4km from mine lease area) via covered conveyor belt. No topsoil is likely to be generated during the review of mine plan period as topsoil is already removed and used for plantation. PP also submitted that till date 49,06,674 tonnes of Topsoil and 1,14,48,906 tonnes of waste rock has been generated. PP reported that present working depth is 217m AMSL and ultimate working depth will be 210m AMSL.

9. Land Area Breakup

Private land	364.917 ha
Government land	135.07 ha
Total Mining lease area (MLA)	499.987 ha
Private land for crusher, workshop & other infrastructure outside the MLA	NIL

10. Nearest village / town/ highway/railway station / water bodies

Particulars	Details	Distance & Direction
Nearest Village	Arasmeta	~100 m in South direction
Nearest Town/ City	Bilaspur	~30 km in NW direction
Nearest Highway	NH-200	~1.0 km in West direction
Nearest Railway Station	Akaltara Railway Station	~24.0 km in NW direction
Water Bodies	Lilagar River	~60 to 150 m in West to NW direction
	i. One seasonal Upka nala passes along the North western boundary of the mining lease area ii. Part of Arasmeta tank falls within the lease area	

11. Water requirement

Total water requirement	150.0 KLD	Fresh water	150.0 KLD
		Treated water	Nil
Source	Ground water & mine sump		

Permission	NOC from CGWA has been obtained vide NOC no CGWA/NOC/MIN/ORIG/2019/6869 dated 26.12.2019 which is valid up to 16.12.2021.
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12. The Project Proponent submitted that there is no forest land involved in the mine lease area. Further, PP submitted that there is no National Park, Wild Life Sanctuaries, Biosphere Reserves, Tiger Reserves, and Wildlife Corridors etc. within 10 km radius of the mining lease area.

13. The Project Proponent submitted that total area for greenbelt is estimated as 17 ha in which 9 ha has been covered under greenbelt and 8 ha area will be covered within 5 years. Total area under plantation is estimated as 86 ha in which 75.29 ha has been covered under plantation and 10.71 ha area will be covered. PP also submitted that the following plant species (Arjun, Jamun, Khamar, Mango, Shisham, Satwan, Neem, Karanj, Bahera, Amla, Guava, Lemon, Ashok etc) has been planted @ 2500 trees/ha. PP earmarked a budget of Rs 432,60,000 towards green plant & plantation till the end of life of mine.

14. Previous EC compliance and production details:

Particulars	Letter no. and date
Certified EC compliance report	Certified by RO, MoEF&CC vide letter No EC-1080/RON/2019-NGP/5770 dated 30.09.2019
Certified Past Production	Authenticated by State Mines Department vide letter No 3023/Kha.Li/n.k./2018 dated 19.12.2018 for the period 1992-93 to 2018-19 (till Sept).
Renewal of CTO	Issued by Chhattisgarh Environment Conservation Board vide Letter No 7100/TS/CECB/2019 dated 11.01.2019 (Valid from 01.04.2019 to 31.03.2022) for production capacity of 2.7 MTPA.

15. Rehabilitation & Resettlement:

R & R details	This is an existing mine. No additional land is acquired.
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16. Court case details

Court Case	The Project Proponent submitted that there is no any litigation pending against the project and/or land in which
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	the project is proposed to be set up.
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17. Affidavit/Undertaking details

Affidavit as per Ministry's OM dated 30.05.2018	The Project Proponent submitted the Affidavit in a non-judicial stamp paper of Rs 100 bearing AA 276862 dated 21.12.2018 that the company will comply with all the statutory requirement & judgment of Hon'ble Supreme Court dated 2 nd August 2017 in writ Petition (civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors.
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18. Details of project cost and employment:

Particulars	Budget
Project Cost	Rs. 89.19 Crores.
Employment	64

19. Observation and Recommendation of the Committee:

The proposal for Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021 wherein the Committee noted that the Ministry vide Lr F. No. J-11015/44/2019-IA-II (M) dated 01.08.2019 has already directed (i) The Secretary, Department of Forest, Chhattisgarh and (ii) The Director, Chhattisgarh Environment Conservation Board, Chhattisgarh to take necessary action on M/s Nuvoco Vistas Corp. Ltd by invoking powers under section 19 of the Environment (Protection) Act, 1986 and for taking necessary action under section 15 of the Act. Ministry also vide Lr F. No. J-11015/44/2019-IA-II (M) dated 01.08.2019 directed the Secretary, Directorate of Mines and Geology, Chhattisgarh to take necessary action on excess production and carrying out mining without amending the EC (i.e., reduction in the lease area) as per the law and send the action taken report to Ministry for further necessary action. Project Proponent has now submitted the reply. Committee also noted that the extension of lease from 31.05.2019 to 31.03.2030 is still in the name of M/s. Lafarge India Limited. Therefore, Committee **deferred** the proposal and was of the view that the proposal may be considered after submission of following requisite information by the PP.

- i. The Project Proponent needs to submit the reason for reduction in mine lease area along with the supporting documents. PP should also submit the proof of

communication made to the Ministry vide letters dated 28.04.2007 & 19.03.2012, if any.

- ii. The Project Proponent should submit the valid extension of lease document in the name of current Project Proponent authenticated from the Department of Mines & Geology of concerned State Govt. PP should also submit the copy of Mining plan approval letter.
- iii. The Project Proponent needs to submit the action taken report by Concerned Department in compliance of the Hon'ble Supreme Court judgment dated 02.08.2017 and Under Section 15&19 of the EP(A) as per the Ministry's letters dated 01.08.2019.
- iv. The Project Proponent needs to clearly bring out the details of the grazing land, if any within the lease area.
- v. The Project Proponent should submit the Undertaking from the transferee and NOC from the transferor.
- vi. The Project Proponent should submit the proof of communication made to the Ministry with respect to amalgamations of ECs as stated by PP, if any.

1.4 Proposal for Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 for M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Kirari Limestone mine with production capacity of Limestone 0.36 million TPA, Soil 0.073 million TPA, OB 0.068 million TPA in the mine lease area of 167.048 ha, located at Villages Kirari & Chorbhatti, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh – [File No: J-11015/45/2019-IA-II (M), Proposal No: IA/CG/MIN/231275/2021, Consultant: J.M. EnviroNet Pvt. Ltd] – Reconsideration of ToR.

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) is for grant of Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 for M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Kirari Limestone mine with production capacity of Limestone 0.36 million TPA, Soil 0.073 million TPA, OB 0.068 million TPA in the mine lease area of 167.048

ha, located at Villages Kirari & Chorbhatti, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh. The mine lease area is located between Latitude 21°57'09.8764" N to 21°58'22.6330" N and Longitude of 82°27' 05.6571" E to 82°28'12.2246" E. The mine lease area falls under the Survey of India Toposheet No: Core zone: 64 K/5 and Buffer zone: 64 K/5 & 64 J/8 and falls in Seismic Zone-II.

Details submitted by Project Proponent:

2. As per the Ministry's Notification S.O. 1530(E) dated 06.04.2018 wherein it has mentioned that the Hon'ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors. has reiterated that the validity of the environmental clearance for mining projects granted under the EIA Notification, 1994 shall be five years and whereas, all mining projects mentioned in clause (b) of fourth paragraph above are required to obtain environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgments of the Hon'ble Supreme Court 1. The clause (b) of the notification is -mining projects, which were granted environmental clearance under the EIA Notification, 1994, and but not obtained environmental clearance for expansion / modernization / amendment under the EIA Notification, 2006. In the instant case the PP has obtained the EC on 09.12.2003 for 0.36 MTPA over an area of 167.048 ha under EIA Notification, 1994. The proposal is for grant of Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 in the name of M/s Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) for Kirari Limestone mine with production capacity of Limestone 0.36 million TPA, Soil 0.073 million TPA, OB 0.068 million TPA in the mine lease area of 167.048 ha, located at Villages Kirari & Chorbhatti, Tehsil Akaltara, District Janjgir-Champa, Chhattisgarh. As per the notification the PP shall make application within six months (i.e. up to 5.10.2018) from the date of issue of this notification in Form-1 as given in Appendix-II of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide on the due diligence necessary including preparation of Environmental Impact Assessment Report and public consultation and the application shall be appraised accordingly for grant of environmental clearance.

3. The Project Proponent initially submitted the proposal for grant of Terms of Reference vide proposal no: IA/CG/MIN/80467/2018 dated 27.09.2018 along with Form1 and Prefeasibility report as per MoEF&CC Notification dated 06.04.2018. The proposal was considered in the 5th EAC Meeting held during May 29-30, 2019 and based on the presentation made by PP and discussion held, the Committee observed the following things

- i. The EC dated 09.12.2003 was granted to M/s. Lafarge India Limited. The name change has been occurred on 10 March 2017 from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd, however, EC not transferred in the name of M/s. Nuvoco Vistas Corp. Ltd and PP is mining till date without transfer of EC and it may be a case of violation. PP has submitted the application form on 19.03.2019 for transfer of EC.
- ii. The lease is transferred from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd with the validity period of 26.08.2020; however, the extension of lease from 26.08.2020 to 25.08.2050 is still in the name of M/s. Lafarge India Limited.
- iii. PP submitted their own compliance report for the EC dated 9.12.2003, however, not submitted the report from Regional Office of the Ministry. PP needs to submit the copy of all compliance report since the mining started.
- iv. EC dated 9.12.2003 mentioned that the total mine lease area is 167.048 ha, out of which 97.321 ha is agricultural land and 69.277 ha is grazing land. However, the present application mentioned that 98.288 ha is agriculture land and 68.76 ha government land. PP needs to submit the clarification on the same.

In view of the above, the Committee returned the proposal in present form and suggested the Ministry to take necessary action on carrying out the mining activity without transfer of EC. PP was asked to apply a fresh subjected to transfer of EC and extension of mine lease validity in the name of M/s. Nuvoco Vistas Corp. Ltd. The proposal was again placed in the 9th EAC Meeting held during September 24-25, 2019 wherein the Member Secretary informed the Committee that this is a proposal for regularization of EC under Ministry's Notification dated 06.04.2018. The instant proposal was received by the Ministry within the window of this notification. The existing EC was granted to M/s. Lafarge India Limited but M/s. Nuvoco Vistas Corp. Ltd. has applied for regulation of EC under Ministry notification dated 06.04.2018. The existing EC is yet to be transferred to M/s. Nuvoco Vistas Corp. Ltd., however, PP has submitted application for transfer of EC which is under process. Therefore, in the instant case the decision to return the proposal in present form will deprive the PP to avail the time period stipulated for making application under the Ministry's Notification dated 06.04.2018 and henceforth the proposal cannot be considered under the provision of the said notification dated 06.04.2018. Therefore, Member Secretary requested the Committee to reconsider the decision/recommendations made on this proposal in earlier EAC meeting. The Committee deliberated the same and decided to revise the recommendation to defer the case, instead of returning it in present form. Accordingly, Ministry may issue necessary letter informing the PP to submit the required information and comply with the decisions made by the committee in its 5th meeting held during May 29-30, 2019, before approaching for regularization of EC. Ministry vide letter dated 03.12.2019 informed the

same and asked PP to submit the requisite information/clarifications sought by EAC during its meeting held during May 29-30, 2019 to the Ministry.

The proposal was again placed in the 14th EAC Meeting held during February 26-27, 2020 wherein the PP did not attend the EAC meeting therefore the Committee deferred the proposal and informed the Ministry the said proposal may be considered after request of the PP only. The proposal was delisted on 05.09.2020 from the Parivesh portal.

4. Now, the Project Proponent applied a fresh proposal vide proposal no: IA/CG/MIN/231275/2021 dated 27.09.2021 and submitted Form 1 and Prefeasibility report along with the information sought in the 5th EAC Meeting held during May 29-30, 2019 as mentioned below: -

Point (i): The EC dated 09.12.2003 was granted in favor of M/s. Lafarge India limited. The name change has been occurred on 10th March 2017 from M/s. Lafarge India Ltd to M/s. Nuvoco Vistas Corp. Ltd., however, EC not transferred in the name of M/s. Nuvoco Vistas Corp. Ltd. and PP is mining till date without transfer of EC and it may be case of violation. PP has submitted the application form on 19.03.2019 for transfer of EC

Reply: The Project Proponent submitted that the change of name of the Company from Lafarge India Ltd to Nuvoco Vistas Corp Ltd (NVCL) had been intimated to MoEF&CC on 18.04.2017. Offline application for name change in EC has been submitted to MoEF&CC on 20.05.2019 and email from MoEF&CC received on 18.06.2018 for submission of online application and the same has been submitted to MoEF&CC on 19.03.2019 under para 11 of EIA Notification, 2006. Ministry sought EDS on 31.03.2020 that *PP may kindly submit whether the application under S.O. 1530(E) dated the 6th April, 2018 has been made or not. If, yes, please submit the substantiating evidence for the same as the earlier EC was granted under EIA Notification, 1994.* PP submitted the reply on 01.06.2020. Again, Ministry sought EDS on 01.09.2020 for which PP submitted the reply on 22.09.2020 and project for name change was delisted. Again, application for name change was submitted in Form 7 vide Proposal No.: IA/CG/MIN/181115/2020 on 29.10.2020. Ministry sought EDS on 17.11.2020 that *it is noted that the EC dated 09.12.2003 was granted under EIA notification, 1994, As on date the validity of EC is only five years from the date of grant of EC, however to regularise those EC's Ministry issued the Notification 1530(E) dated 06.04.2018, If PP applied under this notification, please submit the proof of requisite document along with the valid mine lease mine plan in the name of New PP for further consideration* and PP submitted the reply for the same on 27.11.2020. Then, the Ministry again sought EDS on 19.12.2020 that *reply received on 27th Nov 2020 file is under examination. The PP requested the transfer of*

EC WHICH was given in the year 2003 under EIA,1994. The EC is not valid. So, this transfer proposal is delisted.

Point (ii): The lease is transferred from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd with the validity period of 26.08.2020; however, the extension of lease from 26.08.2020 to 25.08.2050 is still in the name of M/s. Lafarge India Limited.

Reply: The Project Proponent submitted that name change in mining lease from Lafarge India Limited to Nuvoco Vistas Corp. Ltd. was done by State Govt vide order no F-3-86/2007/12 (2) dated 03.11.2017. Addendum to Mining lease documents in favor of M/s. Nuvoco Vistas Corp. Ltd was done on 30.11.2017.

Point (iii): PP submitted their own compliance report for the EC dated 9.12.2003, however, not submitted the report from Regional Office of the Ministry. PP needs to submit the copy of all compliance report since the mining started.

Reply: The Project Proponent submitted the compliance report of existing EC has been certified by RO, MoEFCC vide their letter No EC-1078/RON/2019-NGP/5771 dated 30.09.2019.

Point (iv): EC dated 9.12.2003 mentioned that the total mine lease area is 167.048 ha, out of which 97.321 ha is agricultural land and 69.277 ha is grazing land. However, the present application mentioned that 98.288 ha is agriculture land and 68.76 ha government land. PP needs to submit the clarification on the same.

Reply: The Project Proponent submitted that total mining lease area is 167.048 ha in which 100.3569 ha is private land and 66.6916 ha land is Govt land.

5. The Project Proponent submitted that the Ministry has accorded EC to M/s. Lafarge India Limited vide letter no. J-11015/23/2002-IA-II(M) dated 09.12.2003 for 0.36 MTPA over an area of 167.048 ha under EIA Notification, 1994. Presently, M/s. Nuvoco Vistas Corp. Ltd. (Formerly Lafarge India Limited) applied for regulation of this EC under Ministry notification dated 06.04.2018.

6. The Project Proponent submitted that mining lease was granted by State Government vide order No. 3-133/95/12/2 dated 19.04.2000 in favor of M/s Raymond Ltd for 20 years in the MLA of 167.044 ha. The lease deed was made in the name of M/s Raymond Ltd on 26th August 2000. The lease was transferred from M/s Raymond Ltd to M/s Lafarge India Pvt. Ltd by State Government vide letter No. M-3/110/2000/12-1 dated 08.12.2000. PP submitted that the name change in mining lease from M/s. Lafarge India Limited to M/s. Nuvoco Vistas Corp. Ltd. was passed by Govt. Chhattisgarh vide letter no. F-3-86/2007/12(2) dated 03.11.2017. The addendum to

lease deed was made on 30 November 2017 in the name of M/s. Nuvoco Vistas Corp. Ltd (Formerly Lafarge India Limited) and it is mentioned that the lease have validity period of 20 years w.e.f from 26/08/2000 to 25/08/2020. PP further submitted that as per the MMDR, 2015 act lease shall be extended from 26.08.2020 to 25.08.2050 and the lease deed for this extension period was made on 13.04.2017 in the name of M/s. Lafarge India Limited.

7. The Project Proponent submitted the Review of Mining Plan along with Progressive Mine Closure Plan was approved by Indian Bureau of Mines vide Lr No. Janjgir/Chup/khayo/1262/2020 dated 12.02.2021 for the period 2021-22 to 2025-26 over an area of 167.048 ha.

8. The Project Proponent submitted that the mining will be carried out by fully mechanized opencast method of mining. Mining will be continued in the five benches in Pit, the first bench in OB and the rest in Limestone. PP reported that total Geological reserves is 58.997 million tonnes (as on 01.01.2021) and Mineable reserves is 34.625 million tonnes (as on 01.01.2021). Life of the mine will be 96.18 years. The bench height will be 7-8 (m) working & 7-8 (m) ultimate and bench width will be 21 (m) working & 6.5 (m) ultimate. Overall pit slope will be 45°. Limestone is being/will be transported from mine to the captive cement plant (24 km) by dumpers of 20 Tonner capacities. PP also submitted that since inception of mine, 1176233 tonnes of OB has been generated which is being dumped covering an area of 8.076 ha and 5,36,250 tonnes of top soil has been generated which is being stacked and used for greenbelt and bund formation. At the end of life of mine 5.72 million tonnes of top soil will be generated which will be stacked in soil dump between the UPL and mining lease boundary. PP reported that present working depth is 242m AMSL and ultimate working depth will be 70m (236m AMSL).

9. Land Area Breakup

Private land	100.3569 ha
Government land	66.6916 ha
Total Mining lease area (MLA)	167.048 ha
Private land for crusher, workshop & other infrastructure outside the MLA	NIL

10. Nearest village / town/ highway/railway station / water bodies

Particulars	Villages	Directions
Nearest Village	Kirari Chorbhatti	Adjacent in NE Adjacent in ESE
Nearest Town/ City	Bilaspur	~40 km in NW direction

Nearest Highway	NH-200	~2.0 km in West direction
Nearest Railway Station	Akaltara Railway Station	~7.0 km in NW direction
Water Bodies	Pawal Nala	~0.81 Km NNE direction
	Kanjil Nala	~5.6 Km East direction
	Utiyali Nala	~0.46 Km SW direction
	i. One minor/tributary canal passing across the mining lease	
	ii. One seasonal pond within ML Area	

11. Water requirement

Total water requirement	55.0 KLD	Fresh water	55.0 KLD
		Treated water	Nil
Source	Ground water		
Permission	NOC from CGWA has been obtained vide NOC no CGWA/NOC/MIN/ORIG/2019/6877 dated 26.12.2019 which is valid up to 16.12.2021.		

12. The Project Proponent submitted that there is no forest land involved in the mine lease area. Further, PP submitted that there is no National Park, Wild Life Sanctuaries, Biosphere Reserves, Tiger Reserves, and Wildlife Corridors etc. within 10 km radius of the mining lease area.

13. The Project Proponent submitted that total area for greenbelt is estimated as 5.486 ha in which 2.78 ha has been covered under greenbelt and 2.706 ha area will be covered within 2025-26. Total area under plantation is estimated as 37 ha in which 10 ha has been covered under plantation and 27 ha area will be covered. PP also submitted that the following plant species (Arjun, Jamun, Khamar, Mango, Shisham, Satwan, Neem, Karanj, Bahera, Amla, Guava, Lemon, Ashok etc) has been planted @ 2500 trees/ha. PP earmarked a budget of Rs 178,44,120 towards green plant & plantation till the end of life of mine.

14. Previous EC compliance and production details:

Particulars	Letter no. and date
Certified EC compliance report	EC-1078/RON/2019-NGP/5771 dated 30.09.2019
Certified past production	Authenticated by State Mines Department vide letter No 3024/Kha.Li/n.k./2018 dated 19.12.2018 for the period 2007-08 to 2018-19 (up to Sept)
Renewal of CTO	Issued by Chhattisgarh Environment Conservation Board vide Letter No 902/R.O/T.S/CECB/2021, Bilaspur dated 25.08.2021 (Valid from 01.10.2021 to 30.09.2024) for production capacity of 3.6

	MTPA.
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15. Rehabilitation & Resettlement:

R & R details	This is an existing mine. No additional land is acquired.
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16. Court case details

Court Case	The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.
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17. Affidavit/Undertaking details

Affidavit as per Ministry's OM dated 30.05.2018	The Project Proponent submitted the Affidavit in a non-judicial stamp paper of Rs 100 bearing AA 276861 dated 21.12.2018 that the company will comply with all the statutory requirement & judgment of Hon'ble Supreme Court dated 2 nd August 2017 in writ Petition (civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors.
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18. Details of project cost and employment:

Particulars	Budget
Project Cost	Rs. 20.32 Crores/-
Employment	81 persons

19. Observation and Recommendation of the Committee:

The proposal for Terms of Reference for Revalidation of EC under Ministry Notification S.O 1530(E) dated 06.04.2018 was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021 wherein the Committee noted that the extension of lease from 31.05.2019 to 31.03.2030 is still in the name of M/s. Lafarge India Limited. Therefore, the Committee deferred the proposal and was of the view that the Proposal may be considered after the following:

- i. The Project Proponent should submit the valid extension of lease document in the name of current Project Proponent authenticated from the Department of

Minutes of 39th EAC Meeting (Non-Coal Mining) held during 11th – 12th October, 2021.

Mines & Geology of concerned State Govt. PP should also submit the copy of Mining plan approval letter.

- ii. EC dated 9.12.2003 mentioned that the total mine lease area is 167.048 ha, out of which 97.321 ha is agricultural land and 69.277 ha is grazing land. However, the present application mentioned that 98.288 ha is agriculture land and 68.76 ha government land. PP needs to submit the clarification on the same. In this regard, the Project Proponent vide letter dated 27.09.2021 submitted that total mining lease area is 167.048 ha in which 100.3569 ha is private land and 66.6916 ha land is Govt land. PP need to give justification in this regard by clearly mentioning the reason for change in land classification.
- iii. The Project Proponent should submit the proof of communication made to the Ministry with respect to transfer of EC.

Day 2 – 12.10.2021 (Tuesday)

2.1 Proposal for Terms of Reference of M/s. UltraTech Cement Ltd for Borkhedi Nayagaon Limestone mine with Limestone Production Capacity 2.5 Million TPA, Soil: 0.17 Million TPA, Subgrade: 1.46 Million TPA, Overburden: 0.46 Million TPA (Total Excavation: 4.59 Million TPA) along with installation of 1200 TPH Capacity of Crusher in the mine lease area of 453.423 ha, located at Villages: Borkhedi & Nayagaon, Tehsil: Jawad, District: Neemuch, Madhya Pradesh – [File No: IA- J- 11015/68/2021-IA-II(NCM), Proposal No: IA/MP/MIN/230777/2021, Consultant: J.M. EnviroNet Pvt. Ltd] - Terms of Reference (ToR).

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s. UltraTech Cement Ltd is for grant of Terms of Reference for Borkhedi Nayagaon Limestone mine with Limestone Production Capacity 2.5 Million TPA, Soil: 0.17 Million TPA, Subgrade: 1.46 Million TPA, Overburden: 0.46 Million TPA (Total Excavation: 4.59 Million TPA) along with installation of 1200 TPH Capacity of Crusher in the mine lease area of 453.423 ha, located at Villages: Borkhedi & Nayagaon, Tehsil: Jawad, District: Neemuch, Madhya Pradesh. The mine lease area is located between Latitude 24°33' 55.62" N to 24°35' 36.28" N and Longitude 74°45'29.09" E to 74°47'43.48" E. The mine lease area falls under the Survey of India Toposheet No: G43U10, G43U11, G43U14 & G43U15 and falls in Seismic Zone – II.

Details submitted by Project Proponent:

2. M/s. UltraTech Cement Ltd has made an online application vide proposal no: IA/MP/MIN/230777/2021 dated 24.09.2021 and submitted Form1 and Prefeasibility report under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals under Category “A” of the schedule of the EIA Notification, 2006 as the mining lease area is greater than 100 ha and appraised at Central level.

3. Lease Detail:

S. no	Grant of PI/mine lease/ Order	Date of the grant	Name of the Mineral	Period of Grant	Granted by	Mine lease area in Ha
1	Prospecting license vide order No. F2-16/2009/12/1,	14.08.2013	Limestone	From 11.11.2013 to 10.11.2015(2 Years)	Mineral Resource Department, Madhya Pradesh	453.423
2	Extension of prospecting license vide order no. F-2- 1/2016/12/1,	01.04.2016	Limestone	2 years	Mineral Resource Department, Madhya Pradesh	453.423
3	Letter of intent (LOI) for grant of mining lease vide Lr No. F 3-54/2018/12/1,	07.09.2020	Limestone	50 years	Mineral Resource Department, Madhya Pradesh	453.423
4	Grant of mining lease vide order No-F-3-54/2018/12-1	30.12.2020	Limestone	50 years	Mineral Resource Department, Madhya Pradesh	453.423

4. Details of executed Mine leases.

S.no	Date of grant of Lease execution	Period of Grant		Details
		From	To	

1	Date of entering into original lease deed	07.01.2021	06.01.2071	MP279462021A1022073 dated 07.01.2021
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5. Details of Mine Plan

S.no	Mining Plan along with the Conceptual Plan Approved By	Letter no	Dated of Approval	For a period	Details
1	Mining Plan including Progressive Mine Closure Plan approved by IBM	MP/Neemuch/ Limestone/MP LN/G-12/ 2020-21/3263	27.11.2020	2020-21 to 2024-25	453.423 ha,

6. The Project Proponent submitted that method of mining will be fully mechanized open cast mining by utilizing heavy earth moving machineries with large diameter deep hole drilling and controlled blasting techniques NONEL (Non- Electrical Initiation system) for blasting. Mining Lease area is divided into Blocks comprising of 5 Blocks; namely Block-1, Block- 2, Block-3, Block-4 & Block-5 after curtailing the road & nallah. During first five years of operation, mining operation has been planned in Block - 5 comprising of three pits namely Pit 1, 2, & 3. PP reported that total Geological reserves is 217.68 Million Tones and Mineable reserves is 217.68 Million Tones. Life of the mine will be 27 years. The proposed bench height will be 8 to 10m and bench width is more than 20m. The individual bench slope will be 80° and Overall pit slope will be 45°. Loading operations will be carried out by hydraulic excavator of 4.5 m³ capacity. Initially, Limestone will be transported to crusher located at Cement Plant by 25 Tonner capacity of tippers via road & in later stage limestone will be sent to crusher (1200 TPH) to be located within lease area (7th year) by 40 Tonner capacity of dumper. Crushed Limestone shall be transported to its existing integrated Cement Plant through covered conveyor belt (~3.16 km). PP also submitted that during the plan period, 0.473 million tonne of soil will be generated out of which 0.368 million tonne of soil will be reused for greenbelt/plantation purpose & remaining 0.105 million tonne of soil will be stacked separately for future utilization. At conceptual stage 4.031 million tonne of soil will be generated & same will be used for greenbelt/plantation. During the plan period, total 0.371 million tonne of OB waste will be generated in which about 0.070 million tonne of

OB waste will be utilized for making the protective bunds along the quarry edge & remaining 0.288 million tonne of OB waste will be stacked separately for further use in future. Remaining 0.013 million tonne OB waste will be backfilled. At conceptual stage, 8.451 million tonne of OB will be generated out of which 7.95 million tonne will be backfilled an area of 15.603 ha, 0.07 million tonne will be used for the preparation of protective bunds & 0.431 million tonne will be stacked as dump covering an area of 2.04 ha. At conceptual stage, 23.159 million tonne sub- grade will be generated out of which 22.158 million tonne will be stored by backfilling covering an area of 24.969 ha and 1.001 million tonne will be stored as dump covering an area of 9.0 ha. PP reported that the ultimate working depth will be 74 to 86m bgl.

7. Land Area Breakup

Private land	353.442 ha
Government land	99.981 ha
Total Mining lease area (MLA)	453.423 ha
Private land for crusher, workshop & other infrastructure outside the MLA	NIL

8. Nearest village / town/ highway/railway station / water bodies.

Particulars	Details	Distance & Direction
Nearest Village	Habitation of Nayagaon	~75 m in SW direction (Closest distance from UPL~327 m)
	Borkhedi	~300 m in NW direction
Nearest Town/ City	Nimbahera	~8.0 km in NW direction
Nearest Highway	SH – 31	~100 m in West direction
	NH – 56	~9.0 km in WNW direction
Interstate Boundary	Madhya Pradesh- Rajasthan	Adjacent in North direction
Nearest Railway Station	Jawad Road Railway Station	~ 1.5 km in SW direction
	Nimbahera Railway Station	~ 8.5 km in NW direction
Water Bodies	Daru River	~ 3.5 Km in WSW direction
	Kadamali River	~ 4.5 Km in West direction
	Gambhir River	~ 6.0 Km in NNW direction
	Nimbahera River	~ 8.0 km in NW direction
	Gambhiri Reservoir	~ 9.0 Km NNW in direction

	PP submitted that two seasonal nallahs flowing in excluded part of the lease area which merge at a point and at last drained into Gambhiri River. ML boundary is minimum 50m away from either side of these nallah.
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9. Water requirement

Total water requirement	170 KLD		Dust suppression	120.0 KLD
	Fresh water 166.0 KLD	Treated water 4.0 KLD	Drinking/Domestic	4.0 KLD
			Greenbelt/Plantation	40.0 KLD
			Workshop	6.0 KLD
Source	Water will be met from existing mine sump of the Vikram Cement Limestone Mine during initial phase and subsequently from its own mine sump as and when it gets developed			
Permission	Necessary permission will be taken from CGWA before intersecting the Ground Water level			

10. The Project Proponent submitted that there is no forest land involved in the mine lease area. PP reported that two Protected Forest are located at ~8.5 Km, NNE and ~9.0 Km, NNE respectively. Further, PP submitted that there is no National Park, Wild Life Sanctuaries, Biosphere Reserves, Tiger Reserves, and Wildlife Corridors etc within 10 km radius of the mining lease area.

11. Green belt/plantation details

Proposed area for green belt/plantation	67.08 Ha (1,67,700 no. s of saplings)
Budget for green plan & plantation till the end of life of mine	Rs. 2.68 Crore (During the entire life)

Particulars for Green belt/plantation	Area covered (in Ha) and No. of Saplings proposed
7.5 m barrier & non-mineralized zone	15.66 Ha (39,150 no.s)
Backfilled area	15.60 ha (39,000 no.s)
OB Dump	2.04 ha (5100 no.s)
Un-worked area	33.78 ha (84450 no.s)
50 m safety zone of nallah, roads, electric lines	Lease was grant after excluding the road & nallah along with their 50m safety barrier.
500 m safety zones of nearest habitation villages	-

12. The Project Proponent submitted that the total mining lease area is 453.423 ha, out of which, 99.981 ha is Govt. Land and 353.442 ha is Pvt. Land. R&R will be followed as per Central and State Government Rules & Notifications. PP also submitted that preparation of detailed R&R plan is under process.

13. Court case details.

Court Case	The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.
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14. Affidavit/Undertaking details

Affidavit as per Ministry's OM dated 30.05.2018	The Project Proponent submitted the Affidavit dated 23.09.2021 that the company will comply with all the statutory requirement & judgment of Hon'ble Supreme Court dated 2 nd August 2017 in writ Petition (civil) No. 114 of 2014 in the matter of common cause versus Union of India & Ors.
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15. Details of project cost and employment:

Particulars	Budget (Rs. In Crore)
Capital Cost for Environment Protection	3.60
Total Cost for EMP	3.60
Recurring Cost for EMP	72 Lakh /annum
Project Cost	295
Employment	83 Nos.

16. Observation and Recommendation of the Committee:

The proposal for Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021. After detailed deliberations made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Terms of Reference of M/s. UltraTech Cement Ltd for Borkhedi Nayagaon Limestone mine with Limestone Production Capacity 2.5 Million TPA, Soil: 0.17 Million TPA, Subgrade: 1.46 Million TPA, Overburden: 0.46 Million TPA (Total Excavation: 4.59 Million TPA) along with installation of 1200 TPH Capacity of Crusher in the mine lease area of 453.423 ha, located at Villages: Borkhedi & Nayagaon, Tehsil: Jawad, District: Neemuch, Madhya Pradesh for undertaking detailed EIA/EMP study subject to the

following specific conditions in addition to the standard ToR conditions applicable for non-coal mining projects:

- i. The Project Proponent needs to carry out a cumulative impact assessment considering all the other mines, crushers and cement plants in the study area.
- ii. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- iii. The Project Proponent shall ensure that the controlled method of blasting operation should be adopted and shall install a permanent monitoring station at nearby habitation to monitor the ambient air quality, noise level and ground vibration.
- iv. The Project Proponent needs to submit the detailed R&R plan covering all the components. PP should clearly mention the number of Project Affected Families (PAF) and details of the land owned by them, break up of total compensation to be paid including method of calculation including the sources/references adopted and mode of payment etc. PP need to submit the plan for Socio economic development of the neighbourhood habitats based on the need-based survey along with the time bound action plan.
- v. The Project Proponent needs to submit the plan for protection of nallah, embankment, garland drains and settling ponds. An additional distance of 100 meters as a safety barrier on the both side of the nallah, embankment, garland drains and settling ponds shall be left apart from the distance already left while granting lease area by State Govt. as informed by PP. A safety barrier shall also be created all along the roads by leaving 100 meters distance (each side) in the direction of habitation and 100 meters distance (each side) in rest of the road.
- vi. Project Proponent shall ensure that the entire peripheral plantation and the safety barrier plantation shall be completed within 3 years from the start of mining operations.
- vii. The Project Proponent needs to submit an undertaking that no mining activity will be carried out in Block 1 and the peripheral plantation should be done in the entire Block-1.
- viii. The Project Proponent should submit the detailed block wise plantation plan in tabular format (year wise for entire life of mine) with proper time bound capital and recurring cost. Entire plantation shall be carried out by planting the seedling of 10 ft height with at least 90% survival rate. The causalities of each year shall

- be replaced every year with new saplings and such number of saplings shall not be counted in the number of sapling proposed to plant in that year.
- ix. The Project Proponent needs to submit the ecology restoration plan. PP shall include the progressive bench plantation up to HFL by planting fruit bearing plants for eco restoration of water bodies.
 - x. The Project proponent shall ensure that non-saleable or subgrade mineral shall not be used for backfilling purpose and stacked separately on earmarked site. The overburden and waste material obtained during mining operations shall not be mixed with non-saleable or subgrade minerals/ores. The ground selected for dumping of overburden, waste material, the subgrade or non-saleable ores/minerals shall be away from working pit.
 - xi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. PP should also submit the time bound action plan on concerns of the public through proper separate budget.
 - xii. The Project Proponent shall allocate separate budget for the concerns of the local people in terms of health care facilities for COVID, betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets, infrastructure and environment protection.
 - xiii. As Project Proponent submitted that initially, Limestone will be transported to crusher located at Cement Plant by tippers via road & in later stage limestone will be sent to crusher (1200 TPH) to be located within lease area. Hence, PP shall submit a note on the plan along with the timeline, mineral weightment mode and also the details of the mitigation measures to be adopted for pollution arising due to crusher operation and transportation of mineral both for initial and later stage.

2.2 Proposal for Terms of Reference of M/s The Ramco Cements Limited for Limestone Production of 2.70 MTPA with total excavation of 2.911 MTPA (Limestone: 2.70 MTPA + Top Soil: 0.211 MTPA) in the mine lease area of 735.72 Ha, located at Kolimigundla, Petnikota Villages, Kolimigundla Mandal, Kurnool District, Andhra Pradesh – [File No: J-11015/95/2017- IA.II(M), Proposal No: IA/AP/MIN/230981/2021, Consultant: B.S. Envi – Tech Pvt. Ltd] - Terms of Reference (ToR).

EAC Meeting Details:

EAC meeting	39 th
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Date of Meeting	11 th – 12 th October, 2021
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The proposal of M/s The Ramco Cements Limited is for grant of Terms of Reference for Limestone Production of 2.70 MTPA with total excavation of 2.911 MTPA (Limestone: 2.70 MTPA + Top Soil: 0.211 MTPA) in the mine lease area of 735.72 Ha, located at Kolimigundla, Petnikota Villages, Kolimigundla Mandal, Kurnool District, Andhra Pradesh. The mine lease area is located between Latitude 15°04'51.24875"N-15°06'44.36631"N and Longitude 78°03'35.27704"E- 78°06'23.60471"E. The mine lease area falls under the Survey of India Toposheet No: 57 I/4 and falls in Seismic Zone-II.

Details submitted by Project Proponent:

2. The Project Proponent initially submitted the proposal for grant of Terms of Reference vide proposal no: IA/AP/MIN/69990/2017 dated 29.09.2017 and along with Form1 and Prefeasibility report. The project proposal was considered in the EAC meeting held during 23-24th October 2017 for consideration of ToR. Based on the KML file submitted by the proponent, the committee noticed that land not owned by the PP is not properly demarcated. Committee after detailed deliberation recommended the proposal for grant of standard ToR subject to submission of revised KML file and map clearly showing the Mining lease area and land not owned by PP. Then, PP vide email dated 26.10.2017 submitted the revised KML file clearly showing the mining lease area and land not owned by PP. Thereafter, Ministry accorded ToR vide Lr File No: J-11015/95/2017-IA.II(M) dated 08.11.2017 for mining of 1.5 million TPA of Limestone from Nayanapalli Limestone mine (ML area 775.57ha).

3. Now, the Project Proponent submitted a fresh proposal for grant of Terms of Reference in view of the reduction of mine lease area as per DGPS Survey and modified production vide proposal no: IA/AP/MIN/230981/2021 dated 24.09.2021 along with Form1 and Prefeasibility report under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals under Category “A” of the schedule of the EIA Notification, 2006 as the mining lease area is greater than 100 ha and appraised at Central level.

4. Lease Detail:

S. no	Grant of PI/mine lease/ Order	Date of grant	Name of the Mineral	Period of Grant	Granted by	Mine lease area in Ha
1	Initial Grant of mine lease in	15.02.2000	Limestone	30 years	Govt., of Andhra	775.57

	favour of M/s Madras Cements Limited vide G.O.Ms. No.137				Pradesh	
2	Change of Company name from M/s Madras Cements Limited to The Ramco Cements Limited vide G.O. Ms No.96	13.10.2015	Limestone	-	Govt., of Andhra Pradesh	775.57
3	Extension of time for establishing cement plant and commencing mining activity vide Memo No. 576/M.III (1)/2015	16.10.2015	Limestone	16.10.2015 to 13.10.2018	Govt., of Andhra Pradesh	775.57
4	Extension of time vide Memo No. 5002/M.III(1) 2017	17.07.2017	Limestone	Up to 16.07.2020	Govt., of Andhra Pradesh	775.57
5	Extension of time for establishing cement plant and commencing mining activity vide Memo No. 510020/2018/A1-MINE-III-INDS	04.10.2018	Limestone	04.10.2018 to 13.10.2021	Govt., of Andhra Pradesh	775.57
6	Extension of mining lease vide G.O. No. 6	03.01.2019	Limestone	For a period of 50 years up to 08.08.2050	Govt., of Andhra Pradesh	775.57
7	Reduction of lease area from original grant vide G.O.Ms.No.40	04.06.2021	Limestone	09.08.2000 to 08.08.2050	Govt., of Andhra Pradesh	735.720

5. Details of executed Mine leases.

S.no	Date of grant of Lease execution	Period of Grant		Details
		From	To	

1	Date of entering into original lease deed	09.08.2000	08.08.2030	Form K in favour of M/s Madras Cements Limited
2	Supplementary lease deed	09.08.2000	08.08.2050	CM 604288 dated 12.08.2021

6. Details of Mine Plan

S.no	Mining Plan along with the Conceptual Plan Approved By	Letter no	Dated of Approval	For a period	Details
1	Modified Mining Plan along with Progressive Mine Closure Plan approved by Indian Bureau of Mines	AP/KNL/MP-LST-51/Hyd	28.06.2021	2021-22 to 2024-25	735.72 Ha

7. The Project Proponent submitted that mining operation will be carried out by opencast mechanized method of mining using Heavy earth moving machinery, deep hole drilling, blasting and deploying hydraulic excavators and tippers combination. PP reported that the total mineable reserves are 229.998 MT and with the proposed limestone production capacity of 2.7 MTPA life of mine is estimated to be 85.18 years. The proposed bench height is 8m and bench width is 20m. Overall pit slope is maintained to 45°. Loading of limestone will be carried out with Backhoe excavator of 4.3 CUM bucket capacity. The limestone produced will be transported to the crusher through Tippers of 25T capacity by road and unloaded in the crusher hopper with 1400 TPH capacity, which is located at cement plant at a distance of 3.0 km from the mine in eastern direction. There is no generation of waste material till the end of the lease period/life of the mine, there is no proposal for backfilling the worked-out pits. Total generation of top soil will be 1.3996 million Cum till the end of the lease period & the total quantity of top soil likely to be generated 5.6468 million Cu.m till life of mine which will be used for greenbelt development in 7.5m barrier zone and partial backfilling of mined out pit area. PP reported that the ultimate depth of mining will be 48m bgl and water table will not be intercepted. The mined-out limestone is used exclusively for captive consumption in the cement plant.

8. Land Area Breakup:

Private land	592.80 Ha is Patta land (561.46 owned by PP)
Government land	142.92 Ha
Total Mining lease area (MLA)	735.72 Ha
Private land for crusher, workshop & other infrastructure outside the MLA	Nil

9. Nearest village / town/ highway/railway station / water bodies

Particulars	Details	Distance & Direction
Nearest Village	Nayanipalle	0.2 km, S
Nearest town	Kurnool	80.0 km, N
Nearest Highway	State Highway (SH-57) connecting Kolimigundla – Gooty	1.6 km, SE
Nearest Railway station	Tadipatri RS	24.0km, SW
Nearest water bodies	Pedda Vanka	Adjacent, S

10. Water requirement

Total water requirement	100m ³ /day (Fresh water - 100m ³ /day)	Dust Suppression	70.0 KLD
		Drinking & Sanitation	10.0 KLD
		Greenbelt	20.0 KLD
Source	Initially from Cement Plant (Owk Reservoir) and later rainwater collected from mine pit		
Permission	Water drawl permission from Owk Reservoir vide Letter No. EE/SRBC Divn. No. 3/Owk/IWS/186M dated 27.05.2021		

11. The Project Proponent reported that there is no forest land involved in the mine lease area. PP submitted that Belum Caves is located at 0.9 to 1.7 km from the lease boundary in NE direction and as per the instructions of Archaeological Department, PP obtained report from National Institute of Rock Mechanics, Bengaluru regarding the impact of vibrations and impact of limestone mines for obtaining NOC and NOC from Archaeological Department is awaited.

12. The Project Proponent submitted that Wild Life Conservation Plan approved by CWLW for Rs. 175 lakhs which is common for cement plant, power plant and 4 nos. of mining leases.

13. The Project Proponent submitted that total area proposed under greenbelt/plantation will be 55.02ha. 7.5 m of mine periphery will be developed under plantation over an area of 18.14ha. Safety zone of 500 m will be developed under greenbelt over an area of 36.88ha. Native species like Species like Sisoo, Ganuga,

Neredu, Neem, Mango, Chinta and Amla, etc., are proposed for development of greenbelt/plantation.

14. The Project Proponent submitted that total mine lease area is 735.72 Ha, out of which 592.80ha (561.46 is owned by PP) is patta land and 142.92 Ha is Govt. land. PP has allowed the previous land owners to carryout agricultural activities till the lands are put to use as a goodwill gesture and they have agreed to vacate the lands as and when the factory comes up. Most of the Patta lands of the subject mine are purchased in the year 2000 and allowed the farmers to continue for cultivation till date (for a span of nearly 21 years). PP has paid an additional amount of Rs. 0.75 lakh per acre for all the lands purchased before 2008, through District Collector, Kurnool. PP will obtain surface rights for balance land of 31.34 Ha (3.77 Ha of private patta lands & 27.57 Ha of Endowment land) belonging to land owners with mutual consent of mine owners. Compensation will be paid considering two times of the market price while purchasing the land. About Rs 9.29 crores is budgeted for Land acquisition which is part of capital cost. The mine area does not cover any habitation. Hence the mining activities do not involve any displacement of human settlement. The mining operations will not disturb / relocate any village.

15. Court case details

Court Case	The Project Proponent submitted that there is no any litigation pending against the project and/or land in which the project is proposed to be set up.
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16. Details of project cost and employment:

Particulars	(Rs. In Crore)
Project Cost	28.46
Employment	69 persons

17. Observation and Recommendation of the Committee:

The proposal for Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021. After detailed deliberations made by the Project Proponent and the Consultant, the Committee **recommended** the proposal for grant of Terms of Reference of M/s The Ramco Cements Limited for total excavation of 2.911 MTPA (Limestone: 2.70 MTPA + Top Soil: 0.211 MTPA) in the mine lease area of 735.72 Ha, located at Kolimigundla, Petnikota Villages, Kolimigundla Mandal, Kurnool District, Andhra Pradesh for undertaking detailed EIA/EMP study subject to the following

specific conditions in addition to the standard ToR conditions applicable for non-coal mining projects:

- i. The Project Proponent needs to carry out a cumulative impact assessment considering all the other mines, crushers and cement plants in the study area.
- ii. The Project Proponent should prepare the EMP considering the scenario of pollution to be generated for normative and peak total excavation for assessing air and noise pollution.
- iii. The Project Proponent shall prepare a plan to put special efforts to carry out plantation as the subject area is dry area. The drip irrigation system should be installed and a tree guard should be deployed for ensuring the survival rate of not less than 90%. The multi-row plantation should be carried out by planting the seedling of not less than 10 ft height. The casualties of each year shall be replaced every year with new saplings and such number of saplings shall not be counted in the number of sapling proposed to plant in that year.
- iv. The PP should clearly bring out the details of the land to be developed as greenbelt all along the periphery of mine lease area by creating safety barrier of 7.5 m and safety zone of 300m. Project Proponent shall ensure that the entire peripheral plantation and the safety barrier plantation shall be completed within 3 years from the start of mining operations. Undertaking in this regard needs to be submitted by the PP.
- v. The Project Proponent needs to submit the ecology restoration plan. PP shall include the progressive bench plantation up to HFL by planting fruit bearing plants for eco restoration of water bodies.
- vi. The Project Proponent should submit the detailed plantation plan in tabular format (year wise for entire life of mine) with proper time bound capital and recurring cost.
- vii. The Project Proponent needs to update the Wildlife Conservation Plan duly authenticated from the Competent Authority in the State.
- viii. The Project Proponent needs to submit an undertaking that only controlled blasting method will be adopted and no multiple row blasting will be carried out in the direction of the Belum Cave. The Project Proponent shall leave a distance of

at least 1.5 km between Belum Cave & active mining area. PP needs to revise the mining plan accordingly.

- ix. The Project Proponent needs to submit the specific study carried out by specialized agency for protection of Belum Caves (0.9km, NE) from the impact of noise and vibration. NOC from Archaeological Department is pre-requisite for consideration of EC.
- x. The Project Proponent needs to address the impact of tourism on Belum Caves due to mining activity in the EIA report. Since the Project Proponent proposed to create a water body and reported that the ultimate depth of mining will be 48m bgl and ground water table is found at a depth of 60m bgl. The Committee noted that additional creation of water body may have impact on Belum Caves. Therefore, PP needs to address the impact of waterbodies on the Belum Caves due to mining activity through detailed hydrogeological modeling as a part of EIA report.
- xi. The Project Proponent needs to carry out the Public Hearing as per provisions of EIA Notification, 2006. PP should also submit the time bound action plan on concerns of the public through proper separate budget.
- xii. The Project Proponent shall allocate separate budget for the concerns of the local people in terms of health care facilities for COVID, betterment of schools nearby and to facilitate the online education system by providing Wi-Fi connectivity and desktops/tablets, infrastructure and environment protection.

2.3 Proposal for amendment in ToR dated 31.12.2020 granted to M/s Zuari Cement Ltd. for “Sitapuram Limestone (ML -1) for proposed production capacity of 1.6 MTPA over an area of 770.23 ha, located at Village/s – Dondapadu, Ramapuram and Revoor, District–Suryapet, Telangana– [File No: J-11015/63/2003-IA.II(M), Proposal No: IA/TG/MIN/231680/2021, Consultant: Grass Roots Research & Creation India (P) Ltd] - Amendment in ToR

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s Zuari Cement Ltd is for amendment in ToR dated 31.12.2020 granted for “Sitapuram Limestone (ML -1) for proposed production capacity of 1.6 MTPA over an area of 770.23 ha, located at Village/s – Dondapadu, Ramapuram

and Revoor, District–Suryapet, Telangana. The mine lease area is located between Latitude 16°48'41.69"N to 16°50'2.58"N and Longitude 79°59'17.31"E to 80°2'28.70"E. The mine lease area falls under the Survey of India Toposheet No: 56 P/13 and 65D/1 and falls in Seismic Zone-II.

2. M/s Zuari Cement Ltd has made an online application vide proposal no: IA/AP/MIN/231680/2021 dated 01.10.2021 in Form 3 for amendment in ToR under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals under Category “A” of the schedule of the EIA Notification, 2006 as the mining lease area is greater than 100 ha and appraised at Central level.

3. Details of Environmental Clearance:

- I. The Project Proponent obtained Environmental Clearance vide Lr No. J-11015/63/2003-IA.II (M) dated 09.05.2005 for production of 3.0 MTPA in respect of ML-1 only involving lease area of 777.09 ha in favour of M/s Sri Vishnu Cements Limited under EIA Notification, 1994 wherein it is specifically mentioned that in specific conditions that
 - i. *The environmental clearance is granted to ML-1 only for lease area of 777.09 ha.*
 - ii. *The Company shall obtain separate mine plan approval and environmental clearance for ML-2 for mining of limestone and until such time production should cease from ML-2.*

- II. Then, the Project Proponent obtained Environmental Clearance vide Lr.No J-11015/174/2005-IA.II (M) dated 04.04.2006 for production capacity of 30,000 tonnes (0.030 MTPA) of limestone involving lease area of 558.94 ha in favour of M/s Sri Vishnu Cements Limited under the EIA Notification, 1994 wherein it is specifically mentioned that in specific conditions that
 - i. *The maximum combined production from both the mining leases (ML-1: 777.09ha and ML-2: 558.94ha) shall not exceed 3.0 million tonnes per annum.*

- III. Thereafter, the Ministry issued corrigendum vide Lr No. J-11015/63/2003-IA.II (M) dated 04.04.2006 that in partial modification to this Ministry’s letter of even number dated 09.05.2005 granting environmental clearance to the above mentioned project. The following changes may be incorporated in the environmental clearance letter is as follows:

S. No	FOR	READ
1.	<p>A. Specific Conditions</p> <p>Condition No. 2: ii. “The Company shall obtain separate mine plan approval and environmental clearance for ML-2 for mining of limestone and until such time production should cease from ML-2”.</p>	<p>“It shall be ensured that the maximum combined production from both the mining leases (ML-1: 777.09ha and ML-2: 558.94ha) shall not exceed 3.0 million tonnes per annum”</p>

IV. The Ministry issued vide letter J-11015/63/2003-IA.II (T) dated 17.02.2011 transferred the above two EC granted to M/s Sri Vishnu Cements Limited in the name of M/s Zuari Cements Limited.

4. Initial application for Terms of Reference (combined lease area – 1336.03ha) dated 02.10.2018 (Proposal no. IA/TG/MIN/81043/2018)

I. The Project Proponent applied for Terms of Reference as a single application for both the mine leases (combined lease area – 1336.03ha) vide online proposal no. IA/TG/MIN/81043/2018 dated 02.10.2018 under Ministry’s Notification dated S.O 1530 (E) dated 06.04.2018. **The Ministry examined the proposal and sought EDS on 02.11.2018 and PP submitted the reply on 17.11.2018.**

II. The proposal was placed in the **1st EAC Meeting held during January 22-23, 2019.** The minutes of meeting is reproduced below:

The Committee **deferred** the proposal as the PP did not attend the meeting. The Committee is of the view that PP should submit the requisite information viz. complete details pertaining to mining lease (initial grant, transfer of mining lease, renewal of mining lease, validity of mining lease as on date), Past production details since the inception of mine duly authenticated from DMG, copy of CTO and CTE, comparative of all the figures (waste, O.B., land use,

water requirement, etc.) mentioned in the previous EC and what is proposed now, details of any modification/expansion/amendment/ change of scope of work/method of mining etc. if any carried out after grant of EC, any corrigendum/ amendment in EC granted by MoEF&CC. In addition to this the Committee observed that area of mining lease is mentioned as 1336.03 Ha in the Form-1 but EC uploaded in the Form 1 is for the mining lease having area of 777.09 Ha. Thus, PP is requested to provide the complete justification in this regard with supporting documents. The information sought by Committee needs to be submitted within one month. The PP submitted the information vide letter dated 20.02.2019.

- III. Again, the proposal was placed in the EAC meeting held during June 27-28, 2019. The minutes of meeting is reproduced below:

The Committee finally deferred the proposal and asked the Member Secretary to get the necessary inputs from IA-Policy division of Ministry for taking view on whether fresh individual applications of both the leases can be processed by Ministry in-lieu of the present single application for both the lease mines. The decision of the policy may be conveyed to the PP and PP should apply accordingly. Then, the Ministry vide Lr IA-J-11015/1/2019-IA-II(M) dated 08.08.2019 directed the PP to apply in Form-1 separately for each mining lease for taking necessary action on the proposals. The proposal was delisted on 18.10.2019 from Parivesh.

5. Fresh application for Terms of Reference for M.L-1 over an area 770.23ha on 12.09.2019 (Proposal no. IA/TG/MIN/117756/2019):

- I. The Project Proponent again submitted a fresh application for Terms of Reference for M.L-1 over an area 770.23ha vide online proposal no. IA/TG/MIN/117756/2019 dated 12.09.2019.
- II. The proposal was placed in the 10th EAC Meeting held during October 21-22, 2019. The minutes of meeting is reproduced below:

The Committee observed that EC in the instant case was granted on 9.05.2005 for a production capacity of 3.0 million Tonne /Annum. The Ministry vide Lr No. vide LR No J-11015/63/2003-IA.II(M) dated 4.04.2006 issued corrigendum in the EC granted for this mines and in the said corrigendum the Ministry restricted the maximum combined production from both the mining lease (ML-1: 770.09 Ha & ML-2: 558.94 Ha) to 3.0 Million Tonne. This means

that the production from ML-2 is 0.03 MTPA and Production from ML-1 (this mines) should not be more that 2.97 million TPA. But from the past production submitted by the PP it is found that the base year production 1993-94 was 914243 TPA and the same has been increased to 921059 TPA in the year 1994-95 at this stage PP was required to obtain EC but PP obtained EC on 9.05.2005 for 3.0 MTPA which was amended to 2.97 MTPA on 4.4.2006. Further, after grant of EC, PP did not increase the production over the approved EC capacity however period for which PP has mined without obtaining EC is a violation as per Hon'ble Supreme Court Judgment dated 02.08.2017. In addition to this Committee observed that proposal of the PP is for 3.0 MTPA but the existing mining plan is for 1.6 MTPA. The Committee therefore **deferred** the proposal as the capacity desired by PP is not matching with the approved mining plan/scheme capacity and ask the PP to justify the same with valid documents. PP is also required to submit the past production details duly authenticated by DMG and comparative land use, waste generation, water requirement etc, proposed at the time of grant of EC and what is proposed now. PP submitted the information vide Lr dated 26.12.2019 as mentioned below:

i. The Committee observed that the proposal of the PP is for 3.0 MTPA but the existing mining plan is for 1.6 MTPA. The capacity desired by PP is not matching with the approved mining plan/scheme capacity and ask the PP to justify the same with valid documents.

Reply by PP: PP submitted that the proposal has been revised with the revised production capacity of 1.6 MTPA, which is matching with the production capacity of Modified Mining Plan. The revised Proposal (Form 1, PFR) and approved mining plan has been submitted.

ii. PP is also required to submit the past production details duly authenticated by DMG

Reply by PP: PP has submitted past production details from 1986-87 to 2018-19 authenticated by Office of the Asst. Director of Mines and Geology, Department of Mines & Geology, Govt. of Telangana vide Lr No. 6517/M2/2002 dated 29.11.2019 as per which the base year production 1993-94 was 914243 TPA and the same has been increased to 921059 TPA in the year 1994-95 at this stage PP was required to obtain EC but PP obtained EC on 09.05.2005 for 3.0 MTPA which was amended to 2.97 MTPA on 4.4.2006. Further, after grant of EC, PP did not increase the production over the approved EC capacity.

ii. Comparative land use, waste generation, water generation etc which was proposed at the time of grant of EC and what is proposed now.

Reply by PP: PP submitted that the comparative land use pattern for area put to use at start of review of mining plan period and area put to use at the end of conceptual period. PP submitted that old mining proposal was having overburden (OB) which has been used for approach road. Now the proposed area of mining is having Limestone exposure, hence no Over Burden is generated. The Top Soil generated have been used for plantation. PP submitted that haul road area is increased so the sprinkling of water demand is increased for dust suppression. Water requirement will be met through the rain water accumulated in the existing pit.

III. Again, the proposal was placed in the **13th EAC Meeting held during January 30-31, 2020**. PP did not attend the meeting. The Committee therefore **deferred** the proposal. PP submitted the information on 27.11.2020 .

IV. Then, the proposal was placed in the **24th EAC (Non-coal Mining) held during 9th -10th December, 2020**. The minutes of meeting is reproduced below:

The Committee **recommended** the proposal for grant of standard TOR for undertaking EIA study **for production of 3.0 MTPA of Limestone by M/s Zuari Cement Ltd. having mining area of 770.23 ha of M.L-1 & 558.94 ha of M.L-2 located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil-Mellacheruvu, District: Nalgonda, Telangana with following additional TOR.**

6. Fresh application for Terms of Reference for M.L-2 over an area 558.71 ha on 13.09.2019 (Proposal no. IA/TG/MIN/117862/2019):

I. The Project Proponent again submitted a fresh application for Terms of Reference for M.L-2 over an area 558.71 ha vide online proposal no. IA/TG/MIN/117862/2019 dated 13.09.2019.

II. The proposal was placed in the **10th EAC Meeting held during October 21-22, 2019**. The relevant para of the minutes of meeting is reproduced below:

Based on the documents submitted and discussion held, the Committee observed that EC in the instant case was granted on 4.04.2006 for a production capacity of 0.03 Million Tonne /Annum. On the same date Ministry vide LR No. vide LR No J-11015/63/2003-IA.II(M) dated 4.04.2006 issued corrigendum in

the EC granted vide letter No J-11015/63/2003-IA.II(M) dated 9.05.2005 to another mining lease (ML-1 770.23 Ha) of the same PP. In the said corrigendum the Ministry restricted the maximum combined production from both the mining lease (ML-1: 770.09 Ha & ML-2: 558.94 Ha) to 3.0 Million Tonne. This means that the production from ML-2 is 0.03 MTPA and Production from ML-1 should not be more that 2.97 Million TPA. But from the past production submitted by the PP it is observed that the base year production 1993-94 was 8000 TPA and the same has been increased to 20000 TPA in the year 1994-95 at this stage PP was required to obtain EC but PP obtained EC on 4.04.2006 for 30000 TPA. Further, after grant of EC PP has increased the production over an above the approved EC capacity without obtaining expansion in the Environmental Clearance. The Mining without EC and in excess of EC capacity is a violation in pursuant to Ministry Notification S.O. 804(E) dated 14.03.2017 and also violation as per Hon'ble Supreme Court Judgment dated 02.08.2017. Being a violation proposal the Committee did not consider the proposal and ask the Ministry to take suitable action as applicable. The Committee therefore **return the proposal in present form.**

7. Grant of Terms of Reference for ML-1 vide F. No J-11015/63/2003 dated 31.12.2020:

The Ministry issued Terms of Reference vide F. No J-11015/63/2003 dated 31.12.2020 for production of 3.0 MTPA of Limestone by M/s Zuari Cement Ltd. having mining area of 770.23 ha of M.L-1 & 558.94 ha of M.L-2 located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil- Mellacheruvu, District: Nalgonda, Telangana.

8. Amendment in Terms of Reference dated 01.10.2021 by Project Proponent:

- I. Project Proponent obtained Terms of Reference vide F. No J-11015/63/2003 dated 31.12.2020 wherein it is specifically mentioned that in Specific Terms of Reference Point no. 10) *Concern expressed by people during public consultation, compliance of the same shall be documented/recorded and be submitted with final EIA/EMP report.*
- II. Project Proponent requested to delete the Specific Terms of Reference Point 10 from the ToR granted vide dated 31.12.2020 and submitted that the instant proposal involves: (i) No increase in production capacity and mining lease, (ii) No Change - In mining namely, mining method, mining plan, mineral transportation, water requirement, reclamation plan is involved, (iii) The mining operations were continued for first 5 years.

9. Observation and Recommendation of the Committee:

The proposal for amendment in Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th–12th October, 2021. During the meeting, the Committee observed that the Specific Terms of Reference Point no. 10) of the ToR dated 31.12.2020 mentions that “*Concern expressed by people during public consultation, compliance of the same shall be documented/recorded and be submitted with final EIA/EMP report*” and the Project Proponent wanted to delete the same. The Committee did not accept the request of the PP as the concerns of the public is essential to access the impact on local environment due to the mining activity. The Committee also noted that the application submitted on 12.09.2019 and the form-1, mining plan and other relevant document submitted by PP was for grant of ToR for ML-1 only with the mining lease area of 770.23 Ha and production of 1.6 MTPA. The same proposal was considered in the 24th EAC (Non-coal Mining) held during 9th -10th December, 2020 wherein the committee recommended the proposal but in the recommendation of the Committee, it was inadvertently mentioned that “The Committee recommended the proposal for grant of standard TOR for undertaking EIA study for production of 3.0 MTPA of Limestone by M/s Zuari Cement Ltd. having mining area of 770.23 ha of M.L-1 & 558.94 ha of M.L-2 located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil- Mellacheruvu, District: Nalgonda. Hence, Committee after due deliberation recommended the following amendment in ToR letter dated 31.12.2020:

S. No	Reference as per ToR	Existing ToR dated 31.12.2020	Recommended by EAC
1	Page 1, Clause 1	This is with reference to above mentioned proposal of M/s Zuari Cement Ltd. for seeking Terms of Reference for conducting EIA for Mining of Limestone for production of 3.0 MTPA of Limestone, mining area of 770.23 ha of M.L-1 & 558.94 ha of M.L-2 , located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil-Mellacheruvu, District: Nalgonda,	This is with reference to above mentioned proposal of M/s Zuari Cement Ltd. for seeking Terms of Reference for conducting EIA for Mining of Limestone for production of 1.6 MTPA of Limestone, mining area of 770.23 ha of M.L-1 , located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil-Mellacheruvu, District:

		Telangana. The applied area forms a part of Survey of India toposheet no. 56 P/13 & 65D/1. The lease is located at following latitude and longitudes: Latitude: 16°48'41.69"N to 16°50'2.58"N, Longitude: 79°59'17.31"E to 80° 2'28.70"E. The mine lease area is falling in seismic zone II.	Nalgonda, Telangana. The applied area forms a part of Survey of India toposheet no. 56 P/13 & 65D/1. The lease is located at following latitude and longitudes: Latitude: 16°48'41.69"N to 16°50'2.58"N, Longitude: 79°59'17.31"E to 80° 2'28.70"E. The mine lease area is falling in seismic zone II.
2	Page 5, Clause 12	Based on the discussion held and information submitted by the PP and the Consultant during the 24th EAC meeting held during 09-11 December, 2020, Committee recommended the proposal for grant of standard TOR for undertaking EIA study for production of 3.0 MTPA of Limestone by M/s Zuari Cement Ltd. having mining area of 770.23 ha of M.L-1 & 558.94 ha of M.L-2 , located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil-Mellacheruvu, District: Nalgonda, Telangana with following additional TOR	Based on the discussion held and information submitted by the PP and the Consultant during the 24th EAC meeting held during 09-11 December, 2020, Committee recommended the proposal for grant of standard TOR for undertaking EIA study for production of 1.6 MTPA of Limestone by M/s Zuari Cement Ltd. having mining area of 770.23 ha of M.L-1 , located at Villages-Dondapadu, Ramapuram and Revoor, Tehsil-Mellacheruvu, District: Nalgonda, Telangana with following additional TOR
3.	Specific Term of Reference in addition to existing ToR dated 31.12.2020		
(12)	As per the past production submitted by the PP it is found that the base year production 1993-94 was 914243 TPA and the same has been increased to 921059 TPA in the		

	year 1994-95 at this stage PP was required to obtain EC but PP obtained EC on 9.05.2005 for 3.0 MTPA which was amended to 2.97 MTPA on 4.4.2006. Further, after grant of EC, PP has carried out the mining without obtaining EC is a violation as per Hon'ble Supreme Court Judgment dated 02.08.2017. Hence Ministry may ask the State Government/ SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986.
(13)	The proposal of ML-2 cannot be considered along with the instant proposal of ML-1 as per the Ministry's letter dated 08.08.2019.
(14)	All the other terms and condition of ToR letter dated 31.12.2020 shall remain unchanged.

2.4 Proposal for amendment in ToR for M/s ACC Limited w.r.t exemption of Public hearing and inclusion of Shale & quartzite in ToR Letter dated 25.01.2021 and not to consider this project under Violation for Production Capacity of 4.5 Million TPA (Limestone, shale & Quartzite) and sub-grade mineral stacking 2,50,000 CuM per annum (Maximum) with two nos. of existing Crushers having capacity 1000 TPH & 400 TPH in the mine lease area of 231.25 ha located at Villages Nalag, Bhaterh Uprali, Barmana, Jamthal, DhawanKothi, Baloh & Panjgain, Tehsil Sadar, District Bilaspur, Himachal Pradesh – [File No: J-11015/130/2003-IA.II(M), Proposal No: IA/HP/MIN/231337/2021, Consultant: J.M. EnviroNet Pvt. Ltd] - Amendment in ToR.

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s ACC Limited is for amendment in ToR w.r.t. exemption of Public hearing and inclusion of Shale & quartzite in ToR Letter dated 25.01.2021 and not to consider this project under Violation for Production Capacity of 4.5 Million TPA (Limestone, Shale & Quartzite) and sub-grade mineral stacking 2,50,000 CuM per annum (Maximum) with two nos. of existing Crushers having capacity 1000 TPH & 400 TPH in the mine lease area of 231.25ha, located at Villages Nalag, Bhaterh Uprali, Barmana, Jamthal, DhawanKothi, Baloh & Panjgain, Tehsil Sadar, District Bilaspur,

Himachal Pradesh. The mine lease area is located between Latitude 31° 23'23.1"N to 31°24' 57.50"N and Longitude 76° 50' 15.5"E to 76°51'8"E. The mine lease area falls under the Survey of India Toposheet No: 53 A/15 and falls in Seismic Zone-V.

Details submitted by Project Proponent:

2. M/s ACC Limited has made an online application vide proposal no: IA/HP/MIN/231337/2021 dated 01.10.2021 in Form 3 for amendment in ToR under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals under Category "A" of the schedule of the EIA Notification, 2006 as the mining lease area is greater than 100 ha and appraised at Central level.

3. The Project Proponent initially obtained Environmental Clearance vide F.No. J-11015/130/2003-IA.II(M) dated 21.04.2005 for expansion of production of limestone from 1.5 MTPA to 4.5 MTPA in the mine lease area of 231.25ha. Then, the Project Proponent obtained the Terms of Reference vide F.No. J-11015/130/2003-IA.II(M) dated 25.01.2021 under Ministry Notification S.O 1530(E) dated 06.04.2018 and additional ToR in view of the violation for Gagaj Limestone mine with production capacity of 4.5 million TPA of Limestone and Sub grade mineral stacking 2,50,000 CuM per annum (Maximum) with two nos. of existing crushers having capacity of 1000 TPH & 400 TPH in the mine lease area of 231.25ha. The Ministry vide Lr No. J-11015/130/2003-IA.II (M) dated 25.01.2021 requested the Secretary, Dept. of Environment, Science and Technology, Govt., of Himachal Pradesh to initiate the action under the provisions of section 19 of the Environment (Protection) Act, 1986 against the project.

4. The Project Proponent reported that initially mining lease was granted in favor of M/s. ACC Limited vide order no. 5-205 / 77– Ind (Glg) - 6253 dated 11.08.1978 by Director of Industries, Shimla, Government of Himachal Pradesh. Mining Lease deed was executed in favor of M/s ACC Limited for an area of 265.97 ha with effect from 10.02.1979 for 20 years. Further lease area of 231.25 ha was renewed vide letter no. Udyog-Bhu (Khani-4) Major-47 / 98-I-7556 dated 29.01.2003 for further terms of 20 years w.e.f. 19.02.1999 to 18.02.2019. Further as per provision of section 8A(5) of Mines & Minerals (Development & Regulation) Amendment Act, 2015, the period of above mentioned lease has been extended up to 31.03.2030 vide letter no. Udyog-Bhu (Khani-4) Major 47/98-I-2540 dated 09.06.2015 and Udyog–Bhu (Khani-4) Major – 47 / 98–I-5133 dated 12.08.2015.

5. The Project Proponent submitted the Letter of Approval of Modified Mining Plan along with Progressive Mine Closure Plan approved by Indian Bureau of Mines vide Lr

File No:614(2)/MS-A-138/2003-DDN dated 09.02.2018 in respect of Gagal Limestone mine over an area of 231.25ha for the period 2018-19 to 2022-23.

6. The Project Proponent submitted the total Mining lease area is 231.25 ha, out of which waste Land is 128.23 ha and forest Land is 103.02 ha. PP obtained Forest Clearance vide MoEF F.No 8-21/2000-FC dated 25.01.2021 for diversion of 103.02ha forest land for renewal of mining lease. PP reported that Bandli Sanctuary is located at a distance of 4.1 kms for which PP has obtained recommendations from National Board for Wildlife vide letter No. 6-147/2015 WL (36th Meeting) dated 9th November 2015. PP also submitted the Corrigendum issued by the Himachal State Pollution Control Board vide order dated 28.04.2021 that in view of MoEF&CC Lr No. J-11015/130/2003-IA.II(M) dated 21.04.2005 for expansion of production of limestone from 1.5 MTPA to 4.5 MTPA in the mine lease area of 231.25ha, the name of the products in the renewal of consent to operate issued vide Lr No. 86 dated 05.02.2021 may be read as “Limestone (Crushed in Stone Crushers) @ 4.5 MT/year for Principle use @ 4.5 MTPA /15000 TPD limestone only in column no. of products by keeping all other conditions remains unchanged.

7. Now, the Project Proponent requested for amendment in ToR dated 25.01.2021 for the following: -

Clause & Page no	Clause in ToR	Amendment Sought by PP	Remarks
Inclusion of Shale & Quartzite in ToR Letter			
Clause 1 Page no 1	Limestone Production Capacity of 4.50 MTPA subgrade mineral stacking 2,50,000 CuM per annum (maximum) (0.51 million tons)” and two existing Crushers of capacity 1000 TPH & 400 TPH	Mineral Production Capacity of 4.50 MTPA (Limestone, Shale & Quartzite) subgrade mineral stacking 2,50,000 CuM per annum (maximum) (0.51 million tons) two existing Crushers of capacity 1000 TPH & 400 TPH	Proposal for ToR was submitted to MoEFCC for Limestone Production Capacity of 4.50 MTPA (including Shale & Quartzite) and for the same production capacity, proposal was appraised in EAC Meeting held on 20.12.2019, 23.06.2020 and 23.12.2020
Project not to be considered under Violation			
Clause 15 & 16, Page 4 & 5	MoEFCC accorded standard terms of Reference under	Project not to be considered under Violation	i. The EC issued in 2005 did not include ‘shale’ as

	<p>Notification S.O.1530(E) dated 6th April 2018 and additional TOR in view of the violation for undertaking detailed EIA / EMP Study</p>		<p>the mined out mineral while the Mining Plan, Mining lease and EIA report submitted to MoEF&CC, clearly mentioned about the mining of limestone, Shale & Quartzite.</p> <p>ii. Shale and Quartzite was included in the Mining Lease granted by State Govt. on 21.08.2003, which was also presented before the grant of EC.</p> <p>iii. Mining Plan was prepared for 4.5 million TPA Production capacity of limestone and shale and same was approved by IBM on 13.04.2004, which was also submitted along with the EIA Report.</p> <p>v. After obtaining the EC in the year, 2005, the total mineral production was well within the permitted capacity.</p> <p>v. Royalty paid against shale &</p>
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			Quartzite as per the higher rates applicable to Limestone.
<u>Public consultation in place of Public hearing as per MoEFCC OM dated 16.02.2021</u>			
Specific Condition no 6	PP needs to carry out the Public Hearing as the proposal attracts the violation and PH cannot be exempted	Request to amend the clause as “ Public consultation in place of Public hearing as per MoEFCC OM dated 16.02.2021”	<ul style="list-style-type: none"> i. No change in the production capacity & Mining lease ii. No Change in mining method, mining plan, mineral transportation, water requirement and reclamation plan. iii. The mine has not discontinued operations for period more than 5 years from the date of application for grant of EC v. Public Hearing conducted earlier on 20.10.2004

8. The Project Proponent reported that one case has been filed by M/s Archana Dutt. The case filed by M/s Archana Dutt is not a specific case under Environment (Protection) Act, Air (P& CP) Act & Water (P & CP) Act. It is filed in general under Article 226 of Constitution of India, by M/s Archana Dutt against the Union of India through the Ministry of Commerce & Industries, and made State of Himachal Pradesh, State agencies like HPSPCB and all the cement companies in the State of Himachal Pradesh as a respondent. 1) Union of India and others) 2) The State of Himachal Pradesh through its Chief Secretary, Civil, Secretariat, Chotta Shimla, Shimla 171002 (H.P) (3) The Himachal Pradesh Pollution Control Board, Him Parvesh, Phase-III, New Shimla, Shimla 171009 (H.P) (4) M/s ACC limited, Gagaj Cement works , Barmana, District Bilaspur - 174013 (H.P.) (5) Ambuja Cement Darlaghat , District - Solan (H.P) (6) Ultra tech cement limited, Bagga, District Solan (HP) (7) Cement corporation of India, Rajban,

District, Sirmou (HP). Last Hearing was on 29.08.2019, with an order as "Adjourned by four weeks." and no further hearing was held as on date and it is still pending.

9. Observation and Recommendation of the Committee:

The proposal for amendment in Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021. During the meeting, the Committee noted that the ToR dated 25.01.2021 was granted under violation. Further the SOP dated 07.07.2021 issued by the Ministry for identification and handling of violation cases under EIA, 2006 has been stayed by the Madurai bench of Hon^{ble} High Court of Madras vide order dated 15.07.2021. Therefore, the Committee **returned the proposal in present form** and was of the view that PP should approach Ministry after the final adjudication of the Hon^{ble} High Court.

2.5 Proposal for Terms of Reference of M/s Suryavansam Mining and Minerals Pvt Ltd for Barodiya Gosai Laterite Quarry with production of Laterite 30,000 MT/Yr in the mine lease area of 131.62 Ha at Khasra no. 01, located at Village: Barodiya Gosai, Tehsil - Sagar, District – Sagar, Madhya Pradesh – [File No: IA-J-11015/70/2021-IA-II(NCM) Proposal No: IA/MP/MIN/231558/2021] - Terms of Reference (ToR).

EAC Meeting Details:

EAC meeting	39 th
Date of Meeting	11 th – 12 th October, 2021

The proposal of M/s Suryavansam Mining and Minerals Pvt Ltd is for grant of Terms of Reference for Barodiya Gosai Laterite Quarry with production of Laterite 30,000 MT/Yr in the mine lease area of 131.62 Ha at Khasra no. 01, located at Village: Barodiya Gosai, Tehsil - Sagar, District – Sagar, Madhya Pradesh. The mine lease area is located between Latitude 23°56'31.3"N to 23°57'14.6"N and Longitude 78°37'53.5"E to 78°38'54.2"E. The mine lease area falls under the Survey of India Toposheet No: 54 I/9 & 1/5.

Details submitted by Project Proponent:

2. M/s Suryavansam Mining and Minerals Pvt Ltd has made an online application vide proposal no: IA/MP/MIN/231558/2021 dated 27.09.2021 and submitted Form1 under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 1(a) Mining of Minerals under Category "A" of the schedule of the EIA Notification, 2006 as the mining lease area is greater than 100 ha and appraised at Central level.

3. The Project Proponent submitted that Prospecting License was granted over an area of 131.62ha vide order dated 13.02.2014 for a period of 2 years. PP also submitted that LOI was issued by the Govt of Madhya Pradesh vide F.No 46/2018/12/1, Bhopal dated 06.10.2018 for a period of 30 years.

4. The Project Proponent submitted the Mining Plan approved on 08.08.2019 for the period 2018-19 to 2022-23. PP submitted that mining operation will be carried out opencast mechanized method of mining. PP reported that total mineable reserve is 383,99,845 MT and the life of the mine will be 128 years. The bench height will be 6m and bench width shall be more than the bench height. During plan Period (2018-19 to 2022 - 23) Waste Rock/rejects will be 83335 m³. The waste rock produced shall be loaded by excavator and dumped by dumpers for its transportation to the reject dump yard & when required for making road, the waste material shall be used for construction work in future. Excavated Laterite will be transported from mine to the end users by trucks of 10 tonne capacity. PP reported that the total water requirement will be 5.0 KLD which will be obtained from tankers from nearby villages and rainwater that will be accumulated in mine pit for dust suppression and plantation. Water for domestic use will be utilized from ground water. The total cost of the project is Rs 0.25 Cr and the total employment potential is 27 persons.

5. **Observation and Recommendation of the Committee:**

The proposal for Terms of Reference was considered in the 39th EAC (Non-Coal Mining) held during 11th – 12th October, 2021. The Project Proponent did not attend the meeting and there was no submission of documents to the EAC. However, EAC deliberated the proposal based on the documents and information submitted by the PP on the Parivesh portal and noted that PP submitted that proposal involves approval/clearance under the C.R.Z. notification, 2011 in S.No 21 (iii) of Form 1. The Committee also noted that PP has mentioned '0' in S.No 5 '*Existing Capacity/Area etc*' of Form 1. PP has also not uploaded the mandatory documents such as Prefeasibility report, Brief Summary of project, Toposheet and Authorization letter in Parivesh. Therefore, the Committee **deferred** the proposal and was of the view that the incomplete proposal may not be considered hence PP should submit the complete application along with the following:

- i. The Project Proponent needs to submit the normative and peak total excavation in tonnes including mineral, overburden, inter-burden, waste, top soil, rejects etc. to be handled annually and the management of topsoil and waste needs to be properly addressed. The mineable reserves, blocked reserves need to be mentioned along with the life of mine. Waste to be generated during the entire life of mine and details of the location of dumping/backfilling area need to be submitted.

Minutes of 39th EAC Meeting (Non-Coal Mining) held during 11th – 12th October, 2021.

- ii. The Project Proponent needs to revise the Form-1 with the complete details and documents.
- iii. The Project Proponent needs to submit the prefeasibility report as per Guidelines of MoEF published vide MoEF No. J-11013/41/2006-IA.II(I) dated 30.12.2010.
- iv. The Project Proponent also needs to submit the other mandatory documents such as Authorization letter, Toposheet and Brief Summary of the project along with the supporting documents in Parivesh.

List of members of Expert Appraisal Committee participated through VC

S.No.	Member Name	Member Address	Designation	11 th October 2021	12 th October 2021
1	Dr. S.R. Wate	Add. 148/149, Nagar Vikas Society, Narendra Nagar, Nagpur-440015, Maharashtra	Chairman	Yes	Yes
2	Dr. Ajay Deshpande	Building A-26, Flat-403, Happy Valley Homes, Manpada, Ghodbunder Road, Thane (West) - 400610, Maharashtra	Member	No	No
3	Shri B Ramesh Kumar	H-No. 6-1-134/6, Balram Compound, Padmarao Nagar, Secundrabad-500025, Andhra Pradesh	Member	Yes	Yes
4	Prof. S. Ramakrishna Rao	50-120-9/1, Tulasi Mani Regency North Extension, Seethammadhara, Visakhapatnam - 530013 Andhra Pradesh.	Member	Yes	Yes
5	Shri Santosh Gupta	Flat No. 405, Block -B, Gaur Green Vista, NyayKhand - 1, Indrapuram, Ghaziabad- 201014	Member	Yes	Yes
6	Dr. (Ms.) Asha Rajvanshi	Wildlife Institute of Inida, Chandrabani, Dehradun- 248001	Member	No	Yes
7	Shri G.P. Kundargi	Plot No. 32, MOIL Vatika, Chicholi Road, Fetri, Nagpur 441501, Maharashtra	Member	Yes	Yes

8	Dr. A.K. Malhotra	House no.33, Sector-11 Dwarka, New Delhi- 110075	Member	Yes	Yes
9	Dr. Gurdeep Singh	Centre of Mining Environment, Department of Environmental Science & Engg. Indian Institute of Technology (Indian School of Mines), Dhanbad-826004	Member	Yes	Yes
10	Dr. Parimal Chandra Bhattacharjee	A/3 Asiyana Housing Complex Maligaon, Guwahati-781011, Assam	Member	Yes	Yes
11	Prof. Mukesh Khare	Department of Civil Engineering, IIT, Delhi	Member	Yes	Yes
12	Mr. V. K. Soni	Government of India, Ministry of Earth Sciences, India Meteorological Department, MausamBhawan, Lodi Road, New Delhi – 110003	Member	No	No
13	Sh. Pankaj Kulakshethra	Regional Controller of Mines, IBM Block D, Second Floor, Indira Bhavan, Civil Lines, Nagpur – 440001.	Member	No	No
14	Sh. Mohd. Niyazi	Representative of DGMS	Member	Yes	Yes
16	Shri Pankaj Verma	2 nd Floor, Prithvi Block, Indira ParyavaranBhawan, MoEF&CC, Jorbag, New Delhi- 110003	Member Secretary	Yes	Yes
