

**Minutes of 6<sup>th</sup> meeting of Expert Appraisal Committee for the proposal involving violation of the EIA Notification, 2006, held on 19-20 April, 2018 at Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi - 3**

**Day 1: Thursday, 19<sup>th</sup> April, 2018**

**Time: 10:30 AM**

**6.1. Opening remarks of the Chairman**

**6.2. Confirmation of the minutes of the 5<sup>th</sup> meeting held on 21-22 March, 2018 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi**

**6.3. Consideration of proposals**

S. No.	Proposal
6.3.1	<p><b>Proposed expansion project for production of Ferro Alloys from 16,100 TPA to 37,800 TPA at Village Bhutberia, P.O. Mihijam, District Jamtara (Jharkhand) by M/s Anjaney Ferro Alloys Ltd.</b></p> <p><b>[IA/JH/IND/63576/2017] [F. No. J-11011/128/2017-IA-II (I)]</b></p>
6.3.1.1	<p>The project involves expansion of production of Ferro Alloys from 16,100 TPA (46 TPD) to 37,800 TPA (108 TPD) on a total plot area of 2.61 ha by M/s Anjaney Ferro Alloys Ltd at Plot No.155, 589/A and Kharsa No 24/1, 27/A Village Bhutberia, P.O. Mihijam, District Jamtara (Jharkhand).</p> <p>M/s Anjaney Ferro Alloys Limited has installed 1x3.5 MVA SAF #1 of capacity 7 TPD for production of Ferro Silicon in the year 1991 at the cost of Rs.300 lakhs. No environmental clearance was required for the project as per the EIA Notification, 1994. During the year 2005, the Company have again increased the capacity of the plant to 46 TPD by installation of 1x8.25 MVA SAF #2 of capacity 31 TPD for production of Ferro Alloys at the cost of Rs.800 lakhs. No environmental clearance was required for the project as per the EIA Notification, 1994.</p> <p>Third expansion of the plant took place during the year 2007 when the Company has further augmented the capacity to 108 TPD by installation of 2x8.25 MVA SAF #3 &amp; 4 of capacity 31 TPD, each for production of Ferro Alloys at the cost of Rs. 2338.52 lakhs. The plant has received the NOC for installation of the Units on 3<sup>rd</sup> October, 2007 and subsequently received 'Consent to Operate' from Jharkhand State Pollution Control Board till 31<sup>st</sup> December, 2012 vide letter dated 31<sup>st</sup> May, 2012.</p> <p>However, for installation of 2x8.25 MVA SAF #3 &amp; 4 of capacity 31 TPD (62 TPD), environmental clearance was required as per the EIA Notification, 2006. The present proposal is for capacity expansion of the plant from 16,100 TPA to 37,800 TPA (which include production from SAF# 3 &amp;4, under violation. Production from the SAF # 3 &amp;4 (62 TPD) has stopped.</p> <p>The said project/activity 'Metallurgical industries (ferrous &amp; nonferrous)' is covered under category A of item 3(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC. The interstate boundary of West Bengal is at distance of 0.15</p>

km from the project site.

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

Consent to Establish for SAF 3&4 (2x31 TPD) by SPCB	3/10/2007
Consent to Operate by SPCB (for the total capacity of 108 TPD)	28/3/2012 and validity up to December, 2012. SPCB, while renewal of CTO for the existing capacity of 46 TPD, directed the project proponent vide letter dated 31/5/2013 to stop production from the expansion units beyond December, 2012 and to obtain EC for the same.
Application for ToR submitted to MoEF&CC for the proposed expansion from 46 TPD to 108 TPD (addition of SAF 3&4 of 2x31 TPD)	23/7/2013
Appraisal by EAC	30 <sup>th</sup> September & 1 <sup>st</sup> October, 2013
Final observations/recommendations of the EAC	Committee recommended that MoEF&CC shall deal this violation matter in accordance with OM dated 12 <sup>th</sup> December, 2012 and 27 <sup>th</sup> June, 2013
Action by SPCB	Closure notice on 30/8/2016 for stopping operation of SAF 3&4 of capacity 62 TPD
Application re-applied for ToR was submitted to MoEF&CC	3/11/2016
Appraisal by EAC	24/11/2016 8/6/2017

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

**6.3.1.2**

The project proponent filed an Appeal in Jharkhand High Court against the refusal of CTO and closure notice dated 31/5/2013 issued by SPCB. Hon'ble High Court vide order dated 28/11/2013, directed for the said closure notice to kept in abeyance. The matter was subsequently transferred to the NGT (EZ) at Kolkata.

The National Green Tribunal (EZ) at Kolkata vide order dated 19/4/2017 in OA No. 48-THC/2011/EZ in the matter of M/s Anjaney Ferro Alloys Ltd. Vs State of Jharkhand & Ors. has directed the MoEF&CC to consider the application submitted by the petitioner/applicant and dispose it of expeditiously in accordance with law. Hon'ble Tribunal vide their further order dated 30/5/2017 has directed the MoEF&CC to dispose off the matter within a reasonable period thereafter having regard to the fact that the unit of the applicant has remained closed for a long time.

<p><b>6.3.1.3</b></p>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p>						
<p><b>6.3.2</b></p>	<p><b>Expansion of Shopping Mall cum Hotel Project at Survey Nos. 132/2, 132/3, 132/4, 132/13, 132/15, 132/16, Village and Municipality Maradu, Taluk Kanayannur, District Ernakulam (Kerala) by M/s Kool Home Builders</b></p> <p><b>[Old Proposal No. IA/KL/NCP/64934/2017 dated 25.05.2017] [IA/KL/NCP/70106/2017] [F. No. 23-84/2018-IA.III (V)]</b></p>						
<p><b>6.3.2.1</b></p>	<p>The project involves expansion of Shopping Mall cum Hotel with total built up area from 27000 sqm to 34,920.85 sqm in total plot area of 6,608 sqm by M/s Kool Home Builders at Survey Nos.132/2, 132/3, 132/4, 132/13, 132/15, 132/16, Village and Municipality Maradu, Taluk Kanayannur, District Ernakulam (Kerala).</p> <p>The project site is permitted for Shopping Mall cum Hotel use as per approved land use of the area. Planning/Building permission for built up area of 28,886 sqm was obtained from Maradu Municipality, the Local Self Govt. (the concerned Authority) vide building permit No.BA 141/12-13 dated 13<sup>th</sup> August, 2013 and building permit No.BA No. 141/12-13 dated 29<sup>th</sup> December, 2012 for built-up area of 2,906.67 sqm.</p> <p>The said project/activity is covered under category B of item 8(a) of Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA in Kerala based on the appraisal by SEAC. Due to non-existence of SEIAA/SEAC in Kerala, the proposal was appraised at central level in the Ministry.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-</p> <table border="1" data-bbox="312 1720 1434 2016"> <tr> <td data-bbox="312 1720 852 1832">Environmental Clearance by SEIAA Kerala</td> <td data-bbox="852 1720 1434 1832">22<sup>nd</sup> February, 2013 for a built-up area of 27,000 sqm and plot area of 6610 sqm</td> </tr> <tr> <td data-bbox="312 1832 852 1906">Application for revised EC was submitted to SEAC/SEIAA in Kerala</td> <td data-bbox="852 1832 1434 1906">21<sup>st</sup> October, 2015</td> </tr> <tr> <td data-bbox="312 1906 852 2016">Final observations/recommendations of the SEAC to the SEIAA/ State Government</td> <td data-bbox="852 1906 1434 2016">Reported delisted at SEIAA, Kerala</td> </tr> </table>	Environmental Clearance by SEIAA Kerala	22 <sup>nd</sup> February, 2013 for a built-up area of 27,000 sqm and plot area of 6610 sqm	Application for revised EC was submitted to SEAC/SEIAA in Kerala	21 <sup>st</sup> October, 2015	Final observations/recommendations of the SEAC to the SEIAA/ State Government	Reported delisted at SEIAA, Kerala
Environmental Clearance by SEIAA Kerala	22 <sup>nd</sup> February, 2013 for a built-up area of 27,000 sqm and plot area of 6610 sqm						
Application for revised EC was submitted to SEAC/SEIAA in Kerala	21 <sup>st</sup> October, 2015						
Final observations/recommendations of the SEAC to the SEIAA/ State Government	Reported delisted at SEIAA, Kerala						

	<p>The construction for the earlier proposed/approved built up area of 27000 sqm (FAR 2.50) was reported to be started in March, 2013 and completed in December, 2014. The construction over and above the approved built-up area and based on the revised FAR, was started in January, 2015 and completed in June, 2015 (7920.85 sqm) without obtaining the prior EC, and thus amounts to violation of the EIA Notification, 2006.</p> <p>Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
<b>6.3.2.2</b>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-I, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p>
<b>6.3.3</b>	<p><b>Modification and Expansion of Bulk drug and Intermediates unit at Plot No. 200, KIADB Kolhar Industrial Aea, Taluk &amp; District Bidar (Karnataka) by M/s Chandra Life Sciences Pvt. Ltd.</b></p> <p><b>[IA/KA/IND2/65040/2017 dated 30.05.2017] [F. No. 23-85/2018-IA.III (V)]</b></p>
<b>6.3.3.1</b>	<p><i>The project proponent did not attend the meeting. The project was, therefore, deferred.</i></p>
<b>6.3.4</b>	<p><b>Proposed Bulk LPG Storage &amp; Bottling Facility at Gangaikondan, Tirunelveli (Tamil Nadu) by M/s Indian Oil Corporation Limited (IOCL)</b></p> <p><b>[Old Proposal No. IA/TN/IND2/65250/2015 dated 08.06.2017] [IA/TN/IND2/72673/2018] [F. No. 23-86/2018-IA.III (V)]</b></p>
<b>6.3.4.1</b>	<p>The project involves setting up of LPG storage (1800 MT) with bottling facility of 120 TMTPA capacity by M/s Indian Oil Corporation Limited (IOCL) in an area of 42 acres at S.F Nos. B37/pt to B43/pt, B50/pt, B51/pt, C30 to 41 etc, at SIPCOT Industrial Growth Centre, Gangaikondan village, Taluk &amp; District Tirunelveli (Tamil Nadu).</p> <p>The said project/activity is covered under category A of item 6(b) of the schedule to the EIA Notification, 2006, due to the applicability of general conditions (Gangaikondan Wildlife Sanctuary at a distance of 0.9 km) and requires prior EC from the MoEF&amp;CC.</p> <p>The plant/unit was set up with Consent to Establish dated 18/9/2012 from the Tamil Nadu State Pollution Control Board. Subsequently, the unit obtained CTO on 7/4/2015</p>

from TNPCB. Though, the project has been mechanically completed in November, 2014, its commissioning was kept on hold for want of environmental clearance.

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

Proposal for ToR submitted to MoEF&CC	18/5/2015
Appraisal by EAC	20/21 July, 2015
ToR granted	15/9/2015
MoEF&CC directions to Department of Environment, Govt of Tamil Nadu to initiate credible action against the unit	30/10/2015
Action taken by the State Government	The Environment & Forests Department, Govt of Tamil Nadu directed SPCB vide letter dated 25/4/2016 to take action against the unit under the relevant provisions of the Environment (Protection) Act, 1986 for the alleged violation of the EIA Notification, 2006.  In response, SPCB vide its letters dated 9/5/2016 & 6/4/2018 has asked the project proponent to furnish certain details regarding occupiers/officers responsible during the alleged violation.
Proposal for EC submitted to MoEF&CC	January, 2016
Appraisal by EAC	11-12 February, 2016 8-9 December, 2016 17-18 April, 2017
Final recommendations of EAC	EAC, while considering the proposal vis-à-vis this Ministry's Notification, 2006, in its meeting held on 17-18 April, 2017 recommended for additional ToR. The formal letter was, however, not issued.

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

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

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

*(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment*

	<p><i>Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p>
<b>6.3.5</b>	<p><b>Ayurvedic Resort Project at Punnayur Village, Chavakkad, Thrissur (Kerala) by M/s Rajah Islands</b></p> <p><b>[Old proposal No.IA/KL/MIS/65485/2017 dated 16.06.2017] [F.No.23-87/2018-IA.III(V)]</b></p>
<b>6.3.5.1</b>	<p><i>The project proponent did not attend the meeting. The project was, therefore, deferred.</i></p>
<b>6.3.6</b>	<p><b>Expansion of Residential cum Commercial Project at Survey Nos. 1834/1-1, 1834/3, 1828 &amp; others Village Vanchiyoor, Municipal Corporation Thiruvananthapuram, Taluk &amp; District Thiruvananthapuram (Kerala) by M/s Artech Realtors Pvt Ltd.</b></p> <p><b>[Old Proposal No.IA/KL/NCP/65463/2017 dated 16.06.2018] [IA/KL/NCP/70265/2017] [F.No.23-88/2018-IA.III(V)]</b></p>
<b>6.3.6.1</b>	<p><i>The project proponent did not attend the meeting. The project was, therefore, deferred.</i></p>
<b>6.3.7</b>	<p><b>Expansion of Hospital cum Medical campus Project 'Sreevalsam Institute of Medical Sciences' at Survey Nos. 157/2, 159/3 &amp; Others, Village Edappal, Taluk Ponnani, District Malappuram (Kerala) by M/s Sreevalsam Educational Trust</b></p> <p><b>[Old Proposal No. IA/KL/NCP/65646/2017] [IA/KL/NCP/70246/2017] [F.No.23-89/2018-IA.III (V)]</b></p>
<b>6.3.7.1</b>	<p>The project involves construction of Hospital cum Medical campus 'Sreevalsam Institute of Medical Sciences' by M/s Sreevalsam Educational Trust with total built up area of 1,38,937.5 sqm in total plot area of 94,534.56 sqm at Survey Nos. 157/2, 159/3, 158/1, 157/0, 158/1, 159/3, 158/2, 158/5, 159/1, 159/2, 157, 159/3, 164/3, 164/7, 164/4, 163/3, 158/7, 158/3, 158/4, 166/2, 166/1, 156/3, 164/1, 156/3, 164/1, 164/2, 156/4 of Village Edappal, Taluk Ponnani, District Malappuram (Kerala).</p> <p>The project site is permitted for Hospital cum Medical College campus use as per approved land use of the area. Planning/Building permission for built-up area of 5783.7 sqm was first obtained from the Edappal Grama Panchayat vide letter dated 3<sup>rd</sup> November, 2011, for built-up area of 32,160 sqm vide letter dated 27<sup>th</sup> June, 2012 and for built-up area of 42636.4 vide letter dated 24<sup>th</sup> March, 2014.</p> <p>The said project/activity is covered under category B of item 8(a) of Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA, Kerala based on the appraisal by SEAC. Due to non-existence of SEIAA/SEAC in Kerala, the proposal was appraised at central level in the Ministry.</p>

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-	
Proposal for EC submitted to SEAC/SEIAA Kerala	12 <sup>th</sup> January, 2017
Final observations/ recommendations of the SEAC/SEIAA	Proposal delisted

Out of the total proposed built up area of 138937.5 sqm, construction in an area of 53,889.72 sqm has been completed without obtaining prior EC, which amounts to violation of the EIA Notification, 2006. Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017.

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

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

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

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

**Day 2: Friday, 20<sup>th</sup> April, 2018**  
**Time: 10:00 AM**

**6.4.1** **Existing Pig Iron (1 X 23 M<sup>3</sup>) 12,000 TPA, Hard Coke Plant (24 Ovens) 15000 TPA and to install Induction furnace of (1X 6 Ton) 18000 TPA at Village Biswasdih, P.O. Gadi Srirampur, District Giridih (Jharkhand) by M/s Lal Ferro Alloys Co. (P) Ltd**

**[IA/JH/IND/65610/2017] [F.No.23-90/2018-IA.III(V)]**

**6.4.1.1** The project involves existing Pig Iron (1 X 23 M<sup>3</sup>) 12,000 TPA, Hard Coke Plant (24 Ovens) 15000 TPA and to install Induction furnace of (1 X 6 Ton) 18000 TPA on a total plot area of 4.755 ha by M/s Lal Ferro Alloys Co. (P) Ltd at Plot/Khasra No. 167,168,168,167,173,169,170,168,164,280,281,159,165,162,279,172,172,158,158,163, 151,171,171,157,287,289,288 of Village Biswasdih, P.O. Gadi Srirampur, District Giridih (Jharkhand).

M/s Lal Ferro Alloys Co.(P) Ltd has installed Mini Blast Furnace of capacity 23 m<sup>3</sup> for production of 12,000 TPA Pig Iron, Non-recovery Top Charging Coke Plant (24 Ovens) for production of 15,000 TPA Coke during the year 2007 after obtaining NOC from

Jharkhand State pollution Control Board on 25<sup>th</sup> January, 2007. The said project/activity 'Metallurgical industries (ferrous & nonferrous)' is covered under category A of item 3(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&CC.

The project proponent has applied for Consent to Operate (CTO) on 30<sup>th</sup> December, 2008. During processing of CTO, the project proponent was given to understand that EC is required for Pig iron plant and Coke Ovens before grant of CTO. However, there was no mention in CTE and correspondences during processing of CTE.

JSPCB vide letter dated 31<sup>st</sup> July, 2015 has requested, Judicial Court, Girdih to issue notice to M/s Lal Ferro Alloys Co Pvt Ltd and case No. 63/15 was filed against M/s Lal Ferro Alloys Co Pvt Ltd. u/s 37 of the Air (Pollution & Control of Pollution) Act, 1981 and u/s 44 of the Water (Prevention & Control of Pollution) Act, 1974.

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

Establishment of Pig Iron plant of 12000 TPA (using mini blast furnace of 23 m <sup>3</sup> ), Coke Oven plant of 15000 TPA	.... 2007 after Consent to Establish from SPCB on 25/1/2007.
Application for ToR submitted to MoEF&CC	19 <sup>th</sup> August, 2009 For the existing Pig Iron plant of 12000 TPA (using mini blast furnace of 23 m <sup>3</sup> ), Coke Oven plant of 15000 TPA, and the proposed MS Ingots plant of 18000 TPA (using induction furnace of 1x6 tonne)
ToR granted	8 <sup>th</sup> January, 2010
Public hearing conducted	22 <sup>nd</sup> January, 2013
Proposal for EC submitted to MoEF&CC	30 <sup>th</sup> October, 2013
Appraisal by EAC	13-14 October, 2014 (The Committee referred the matter to the Ministry seeking clarification whether the EC application can be considered by EAC).  MoEF&CC vide letter dated 9 <sup>th</sup> December, 2014 informed the project proponent to consider the proposal after the matter relating to violation is put-up to the Board of Directors of the Company or the Managing committee for consideration of environment related policy/plan of action and the State Govt to initiate credible action.  Also, MoEF vide letter dated 16 <sup>th</sup> December, 2014 issued directions u/s 5 of the EP Act, 1986
Action taken by the State	In response to this Ministry's letter



	<p>Govt/Project proponent</p> <p>Final observations/recommendations of the EAC</p>	<p>dated 9<sup>th</sup> December, 2014, the project proponent submitted copy of the credible action initiated by JSPCB and the vide letter dated 15<sup>th</sup> July, 2016 Resolution passed by the Board of Director, Lal Alloys Co. Pvt Ltd on 9<sup>th</sup> March, 2015 that no violation under the Environment Protection (Act), 1986 shall be repeated in future and also requested to the Member Secretary, Jharkhand State Pollution Control Board (JSPCB) to take credible action against the Unit and file a case.</p> <p>After submission of the desired information from the project proponent on 4<sup>th</sup> August, 2016, the proposal was not taken up by the EAC.</p>	
<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>			
<p><b>6.4.1.2</b></p>	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p>		
<p><b>6.4.2</b></p>	<p><b>Manufacturing of sodium cyanide &amp; other cyanide based products in Gujarat by M/s Hindusthan Chemicals Company</b></p> <p><b>[Old Proposal No. IA/GJ/IND2/65701/2011] [F. No. 23-91/2018-IA.III (V)]</b></p>		
<p><b>6.4.2.1</b></p>	<p><i>The project proponent did not attend the meeting. The project was, therefore, deferred.</i></p>		
<p><b>6.4.3</b></p>	<p><b>Residential Building Project at Sy. Nos. 135/2, 138 and 226/1 of Village Elamkulam, Taluk Kanayannur, District Ernakulam (Kerala) by M/s Kent Constructions Pvt Ltd</b></p> <p><b>[Old Proposal No. IA/KL/NCP/65726/2017] [IA/KL/NCP/67123/2017]</b></p>		

	<b>[F.No.23-92/2018-IA.III (V) ]</b>
<b>6.4.3.1</b>	<p>The project involves construction of residential building by M/s Kent Constructions Pvt Ltd with total built up area of 29,687.51 sqm in total plot area of 237226.72 sqm at Sy. Nos.135/2, 138 and 226/1 of Village Elamkulam, Taluk Kanayannur, District Ernakulam (Kerala).</p> <p>M/s Kent constructions Pvt Ltd was granted building permit for construction of residential apartments comprising of 2 towers at Sy. Nos.138 and 226/1 of Village Elamkulam, Taluk Kanayannur, District Ernakulam by the Cochin Corporation. The project proponent unaware of the EIA Notification, 2006, started the construction of this project after obtaining following statutory approvals.</p> <ul style="list-style-type: none"> <li>(i) Building Permit from Cochin Corporation dated 22/8/2006.</li> <li>(ii) Consent to Establish from Kerala State Pollution Control Board dated 29.03.2011.</li> <li>(iii) NOC from Fire and rescue services, Govt. of Kerala</li> <li>(iv) Height clearance approval from Southern naval Command</li> </ul> <p>The said project/activity is covered under category B of item 8(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA in Kerala based on the appraisal by SEAC. Due to non-existence of SEIAA/SEAC in Kerala, the proposal was appraised at central level in the Ministry.</p> <p>The construction was reported to be started in August, 2006 and completed on 18<sup>th</sup> June, 2010 in December, 2012 without obtaining the prior EC. Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
<b>6.4.3.2</b>	<p><i>The EAC, after deliberations, observed that many of the proceedings related to consideration of the proposal were not informed in letter and spirit. The project proponent was asked to submit the complete details in the format for further consideration of the proposal.</i></p> <p><i>The proposal was, therefore, not taken forward.</i></p>
<b>6.4.4</b>	<p><b>Existing and proposed expansion of cosmaceutical, active pharmaceuticals and specialty chemicals manufacturing unit at Plot No. 36A/B/60/62/63/64/65 and 83 &amp; 84, KIADB Industrial Area, Jigani village, Anekal Taluk, District Bengaluru (Karnataka) by M/s Kumar Organic Products Ltd - Further consideration</b></p> <p><b>[Old Proposal No. IA/KA/IND2/64539/2016 dated 06.05.2017] [IA/KA/IND2/67915/2017] [F.No.23-47/2018-IA.III]</b></p>
<b>6.4.4.1</b>	<p>The project involves manufacturing of cosmaceutical, active pharmaceuticals and specialty chemicals by M/s Kumar Organic Products Ltd at Plot No. 36A/B/60/62/63/64/65 and 83 &amp; 84, KIADB Industrial Area, Jigani village, Anekal Taluk, District Bengaluru (Karnataka).</p> <p>The said project/activity is covered under category B of item 5(f) of the schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA based on the appraisal by State Expert Appraisal Committee in Karnataka.</p>

	<p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:-</p> <table border="1" data-bbox="304 241 1442 869"> <tr> <td data-bbox="304 241 810 315">Application for EC was submitted to SEAC/SEIAA, Karnataka</td> <td data-bbox="810 241 1442 315">7/4/2017</td> </tr> <tr> <td data-bbox="304 315 810 389">Appraisal by SEAC in its meetings</td> <td data-bbox="810 315 1442 389">19/4/2017</td> </tr> <tr> <td data-bbox="304 389 810 687">Final observations/recommendations of the SEAC to the SEIAA/State Government</td> <td data-bbox="810 389 1442 687">SEAC in its meeting held on 19/4/2017, noted that the industry has gone for expansion in 2011 without obtaining prior EC, and also without consent to establish/operate. During the meeting, the proponent agreed the proposal involving violation of the EIA Notification, 2006.</td> </tr> <tr> <td data-bbox="304 687 810 869">Action taken by the State Government/SEIAA</td> <td data-bbox="810 687 1442 869">SEIAA in its 135<sup>th</sup> meeting held on 26-27 April, 2017 asked the project proponent to obtain EC in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</td> </tr> </table> <p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>	Application for EC was submitted to SEAC/SEIAA, Karnataka	7/4/2017	Appraisal by SEAC in its meetings	19/4/2017	Final observations/recommendations of the SEAC to the SEIAA/State Government	SEAC in its meeting held on 19/4/2017, noted that the industry has gone for expansion in 2011 without obtaining prior EC, and also without consent to establish/operate. During the meeting, the proponent agreed the proposal involving violation of the EIA Notification, 2006.	Action taken by the State Government/SEIAA	SEIAA in its 135 <sup>th</sup> meeting held on 26-27 April, 2017 asked the project proponent to obtain EC in pursuance of the Ministry's Notification dated 14 <sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.
Application for EC was submitted to SEAC/SEIAA, Karnataka	7/4/2017								
Appraisal by SEAC in its meetings	19/4/2017								
Final observations/recommendations of the SEAC to the SEIAA/State Government	SEAC in its meeting held on 19/4/2017, noted that the industry has gone for expansion in 2011 without obtaining prior EC, and also without consent to establish/operate. During the meeting, the proponent agreed the proposal involving violation of the EIA Notification, 2006.								
Action taken by the State Government/SEIAA	SEIAA in its 135 <sup>th</sup> meeting held on 26-27 April, 2017 asked the project proponent to obtain EC in pursuance of the Ministry's Notification dated 14 <sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.								
6.4.4.2	<p>The project was earlier considered by the EAC in its 4<sup>th</sup> meeting held on 19-21 February, 2018, wherein the EAC observed that many of the proceedings related to consideration of the proposal for EC were not reported. The project proponent was asked to submit the complete details in the format for consideration of the proposal. The proposal was, therefore, not taken forward.</p>								
6.4.4.3	<p><i>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:-</i></p> <p><i>(i) The State Government/SPCB to take action against the project proponent under the provisions of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</i></p> <p><i>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in Annexure-II, along with public hearing.</i></p> <p><i>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</i></p>								
6.4.5	<p><b>Proposed expansion of Sponge Iron Plant (1X50 TPD) and proposed installation of Induction Furnace of capacity 30,000 TPA, Rolling Mill of capacity 30,000 TPA and Captive Power Plant of Capacity 4 MW (3MW – AFBC + 1 MW – WHRB) at Village</b></p>								

**Halkundi, Taluk & District Bellary (Karnataka) by M/s Rangineni Steels Pvt. Ltd.**

**[Old Proposal No. IA/KA/IND/65868/2009 dated 03.07.2017] [IA/KA/IND/73463/2018]  
[F. No. 23-93/2018-IA.III(V)]**

**6.4.5.1** The project involves expansion of Sponge Iron Plant from (1x35 TPD) to (1x50 TPD) along with installation of Induction Furnace of capacity 30,000 TPA, Rolling Mill of capacity 30,000 TPA and Captive Power Plant of capacity 4 MW (3 MW-AFBC & 1 MW-WHRB) by M/s Rangineni Steels Pvt Ltd at Sy No.279B, 283/1, 284B and 286, Village Halkundi, Taluk & District Bellary (Karnataka).

The said project/activity is covered under category B of item 3(a) 'Metallurgical industries (Ferrous & non-ferrous) of the Schedule to the EIA Notification, 2006, and requires prior environmental clearance from the SEAC/SEIAA in Karnataka. However, due to applicability of general condition (interstate boundary at 1 km), the proposal was appraised at central level in the Ministry.

The sponge iron plant/unit of capacity 1x35 TPD was set up in 2005 with the consent to establish dated 28<sup>th</sup> October, 2004 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB. Presently, the unit is in operation with the consent to operate valid up to 30<sup>th</sup> June, 2022.

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

Application for ToR submitted to MoEF&CC	01/12/2009
ToR granted	16/3/2010
Public Hearing	31/12/2010
Appraisal by EAC	26-27 August, 2011  Project was recommended for grant of EC. However, the same was put on hold due to ban on iron ore mining in three Districts of Karnataka including Bellary.  20-21 February, 2014  The project was again recommended for grant of EC subject to specific conditions stipulated earlier by the EAC.
Final observations/recommendations of the MoEF&CC	Proposal was considered involving violation of the EIA Notification, 2006 and not taken forward.

Now the proposal has been submitted to the Ministry for consideration in pursuance of

	the Ministry's Notification dated 14 <sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.
<b>6.4.5.2</b>	<p>The EAC, during deliberations, noted that the proposal is for expansion of Sponge Iron plant of capacity (1x50 TPD) and proposed installation of Induction Furnace of capacity 30,000 TPA, Rolling Mill of capacity 30,000 TPA and Captive Power Plant of Capacity 4 MW (3 MW – AFBC + 1 MW – WHRB), this facility have not been established by the project proponent.</p> <p>The unit is presently engaged in manufacturing Sponge iron with its capacity of 35 TPD. The project proponent informed the Committee that while seeking ToR for the proposed expansion of sponge iron plant from 35 TPD to 50 TPD (along with installation of induction furnace of 30000 TPA to produce steel billets, rolling mill of 30000 TPA to produce the rolled products and CPP of 4 MW), the same was mentioned as 85 TPD inadvertently. Based on the proposal submitted, even the ToR dated 16<sup>th</sup> March, 2010 for the proposed expansion, finds mention of the sponge iron plant capacity as 85 TPD instead of 35 TPD.</p>
<b>6.4.5.3</b>	<i>The EAC, after deliberations, acknowledged the default of the project proponent as bonafide and inadvertent, while submitting the proposal for ToR, which may not constitute violation of the EIA Notification, 2006. The Committee further desired that since the project has already been recommended twice by the sectoral EAC in the Ministry, the revised/corrected proposal along with an undertaking, may be put up to them again for deliberations and/or corrections in their recommendations.</i>
<b>6.4.6</b>	<p><b>Proposed expansion of Bulk drug and Intermediates unit at Plot No. 4/A-D, KIADB Kolhar Industrial Area, Taluk and District Bidar (Karnataka) by M/s Vani Organics Pvt. Ltd.</b></p> <p><b>[IA/KA/IND2/66204/2017 dated 14.07.2017] [F.No.23-94/2018-IA.III (V)]</b></p>
<b>6.4.6.1</b>	<i>The project proponent did not attend the meeting. The project was, therefore, deferred.</i>
<b>6.4.7</b>	<p><b>Proposed expansion of M/s Shogun Organics Ltd at Plot No.D-18, MIDC Kurkumbh, Taluka Daund, District Pune (Maharashtra) by M/s Shogun Organics Limited</b></p> <p><b>[IA/MH/IND2/64652/2017 dated 09.04.2018] [F.No.J-11011/241/2017-IA-II(I)]</b></p>
<b>6.4.7.1</b>	The National Green Tribunal, Principal Bench at New Delhi vide order dated 10/4/2018 in O.A. No.179 of 2018 in the matter of M/s Shogun Organics Ltd Vs Uol & Ors, has directed the Ministry to expeditiously dispose of the proceedings with regard to Environmental Clearance, as per the law.
<b>6.4.7.2</b>	<i>During deliberations, the EAC noted that the project related documents namely, EIA/EMP reports, were not circulated to the Committee members in advance for their perusal. The Committee took a serious note of the same and deferred the proposal to the next EAC meeting.</i>

## **List of the Members**

- |     |                                              |   |          |
|-----|----------------------------------------------|---|----------|
| 1.  | Dr. S.R. Wate                                | - | Chairman |
| 2.  | Dr. P.A. Joshi                               | - | Member   |
| 3.  | Dr. G.V. Subrahmanyam                        | - | Member   |
| 4.  | Dr. A.L. Ramanathan                          | - | Member   |
| 5.  | Shri K Gowarappan                            | - | Member   |
| 6.  | Dr.Dilip S. Ramteke                          | - | Member   |
| 7.  | Dr. Poonam Kumria                            | - | Member   |
| 8.  | Dr. Bharat Jain                              | - | Member   |
| 9.  | Dr.Subrata Maity                             | - | Member   |
| 10. | Shri S.K. Srivastava<br>Scientist E, MoEF&CC | - | Member   |