

Minutes of the 46th Meeting of State level Environment Impact Assessment Authority, Jharkhand, held on 10th March, 2017.

The 46th meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 10/03/2017 in the office of SEIAA, Ranchi. The meeting was chaired by Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand. The attendance in the meeting was as follows:-

1. Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand, Ranchi.
2. Shri Jabber Singh, Member Secretary, SEIAA, Jharkhand, Ranchi.
3. Shri S.C. Narayan, Member, SEIAA, Jharkhand, Ranchi.

The decisions taken in the 46th SEIAA meeting are as follows –

- 1. SEIAA considered the recommendations made by SEAC in its 41st meeting held on 16th and 17th January, 2017 to grant the ToR to the following project proposal related to Coal Mining:-**

- I. Balkudra OCP (1.0 MTPA Normative & 1.3 MTPA Peak) of M/s Central Coalfield Limited at Village- Balkudra, District- Ramgarh, Jharkhand (149.50 Ha).

It was decided to grant ToR to the above mentioned project proposal.

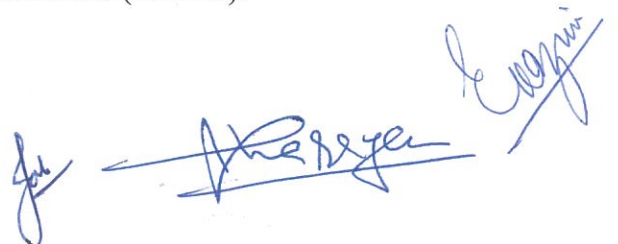
- 2. SEIAA considered the recommendations made by SEAC in its 40th meeting held on 22nd and 23rd December, 2016 (Part - B) in respect of following project proposal related to Stone Mining and was deliberated upon.**

- I. Sirango Stone Deposit of M/s Eco Tech Coal Industries Pvt. Ltd. (Shri Kavach Kumar Nirmal) at Village- Sirango, Block- Kanke, District- Ranchi, Jharkhand (16.39 Ha).

The authority examined the recommendations made by SEAC. It was observed that the EMP was to be submitted by the Project Proponent under appendix- XI of the S.O. 141 (E) dated 15.01.2016. But the SEAC recommended the proposal stating that the EMP is not needed. It also came to the notice of SEIAA, that the information submitted by DMO, Ranchi wherein he has informed that within a distance of 500 meters three more projects for stone mining having an area of 40.00 Acre, 12.62 Acre and 41.50 Acre are in pipeline apart from the present application. Later the project proponent submitted a certificate from DMO, Ranchi wherein it was mentioned that there is no mining lease within a distance of 500 meter but DMO is silent on the projects which were in pipeline, whether these projects are still under consideration or rejected. Thus the question of cluster formation in this case remained unanswered. The DMO didn't clear the position on cluster mining formation in categorical terms. The SEAC should have been satisfied either by examination of papers or visiting the site before classifying the proposal under cluster mining or otherwise. The proposal should be again examined by the SEAC in the light of above observations.

- 3. SEIAA considered the recommendations made by SEAC in its 40th meeting held on 22nd and 23rd December, 2016 (Part - B) in respect of following project proposal related to Sand Mining:-**

- I. Heben Sand Mining Project on Sanka River of Sri Binay Kumar Agarwal at Mouza- Heben, Thana- Simagunda, District- Saraikela-Kharsawan, Jharkhand (6.24 Ha).



The recommendations made by SEAC were examined. The SEAC observed that the EMP is not to be obtained from the PP whereas appendix XI of the S.O.- 141(E), dated- 15/01/2016 clearly mentions otherwise. In case of sand mining the guidelines in appendix XII of S.O. 141(E), dated- 15/01/2016 must be incorporated in the form of mining management plan which was not submitted by the PP.

The proposal is returned back to SEAC for examination under above observations of the SEIAA.

4. SEIAA considered the recommendations made by SEAC in its 40th meeting held on 22nd and 23rd December, 2016 (Part - B) in respect of following project proposal related to Industry:-

- I. Modernization-Cum-Expansion of Straight Bar & Wire Mill of M/s Usha Martin Limited at Village- Gamharia, Adityapur Industrial Area, District- Saraikela-Kharsawan, Jharkhand. (8.00 Ac).

The recommendation made by SEAC in this case state that as per EIA notification 2006 general condition shall apply. But certificates fulfilling the general conditions like distance from protected areas under the Wild Life (Protection) Act, 1972 within 10 KM and Eco Sensitive area as notified under 3 of the Environment (Protection) Act, 1986 within 10 KM were not submitted by the Project Proponent.

The proposal needs to be closely examined by SEAC in the light of existing notification and guidelines of MoEF & CC before making recommendations.

5. Decision on matters related to :-

- i. Gadwa Stone Deposit of Shri Ram Niwas Yadav at Village- Gadwa, Thana- Taljhari, District- Sahibganj, Jharkhand (3.67 Ha).

The authority considered the Application No.- Nil dated- 20.01.2017 of the project proponent and decided to withdraw the Environmental Clearance which was issued on the basis of wrong submission of the facts by the Project Proponent.

- ii. Chapandey Stone Mine of Shri Sanjay Kumar Bhalotia M/s Sanjay Mining & Minerals Trading Corporation at Mouza- Chapandey, P.S.- Ranga, District- Sahibganj, Jharkhand (8.38 Ha).

The Application No.- Nil dated- 09.01.2017 of Project Proponent was considered in the absence of proper records & feedback from the office and it was decides to refer it to the next meeting of SEIAA.

- iii. Chirodih Bauxite Mine of Sri Madan Mohan Prasad Singh at Village- Chirodih, Taluka- Bishunpur, Dist- Gumla, Jharkhand (31.417 Ha).

- iv. Narma Bauxite Mine of Sri Madan Mohan Prasad Singh at Village- Narma, Taluka- Bishunpur, District- Gumla, Jharkhand (21.00 Ha).

The Project Proponents of Sl. No. 5 (iii) and (iv) has submitted compliance report vide Letter No.- Nil, dated- 31.12.2016. The submission of half yearly compliance report as per the EIA notification, 2006 is mandatory for the project management. They are required to submit hard

and soft copies to the regulatory authority concerned on 1st June and 1st December of each calendar year.

It was observed that out of 1573 project proposals, only 12 Project Proponents have submitted compliance reports at their convenience. No one has submitted in the stipulated period of time.

It was decided to issue notices to the Project Proponents under section 5 of Environment Protection Act, 1986 for the violation of the terms & conditions of the EC granted.

v. Department of Forests, Environment and Climate Change, Government of Jharkhand Letter No.- 7/ पर्या० प्रदू०- 22/2015 424 व० प० राँची- 25.01.2017.

In the light of the S.O.- 3999(E), dated- 09.12.2016 of Ministry of Environment, Forests & Climate Change, Govt. of India and it was decided to write a letters to Municipal Corporations and the Deptt. of Urban Development, Govt. of Jharkhand to ensure effective implementation of notification for Environmental Clearance to the Building and Construction Projects & Township area development project before granting permission for construction.

Obtaining environmental clearance for Building and Construction projects & Township area development project is mandatory with the effect of the EIA notification, 2006. The list of projects which have not obtained the environmental clearance for Building and Construction projects & Township area development, should be obtained from the concerned authorities.

vi. District Level Environment Impact Assessment Authority, Giridih Letter No.- 12, DEAC Dated- 03.01.2017.

The Memo No.- 12, dated- 03.01.2017 of Assistant Mining Officer - cum - Member Secretary, DEAC, Giridih was considered and it was decided to direct the DEIAA for taking a decision as per the EIA notification, 2006. The DEIAA, Giridih must be asked to make all kind of correspondences with SEIAA through Member Secretary, DEIAA.

vii. District Level Environment Impact Assessment Authority, Pakur Meeting Dated – 28.09.2016.

While considering the proceeding of the minutes of DEIAA, Pakur it came to the notice to the SEIAA that DEIAA, Pakur has granted environmental clearances to the projects which committed violation of Environment Protection Act, 1986.

Hon'ble National Green Tribunal in its order dated – 07.07.2015 has passed stay order on granting environmental clearance to the violation cases of Environment Protection Act, 1986 by quashing the Office Memorandum of the MoEF & CC dated – 12.12.2012 and 27.06.2013, wherein the process of dealing of the cases of violation of Environment Protection Act, 1986 is mentioned.

S.O. – 1705(E), dated- 10.05.2016 of MoEF & CC is a draft notification which is placed on website of the Ministry for public consultation, therefore SEIAA directs DEIAA, Pakur and other DEIAA's of the Jharkhand to hold the proposals of violation cases of Environment Protection Act, 1986 in light of Hon'ble National Green Tribunal order dated- 07.07.2015. If any environmental clearance to the cases of violation of Environment Protection Act, 1986 have been issued then the EC should be withdrawn and be reported to the SEIAA, Jharkhand. The authority also decided to write separate letters to the DC's and DMO's for being more vigilant while issuing EC in such cases related to violation of Environmental Protection Act.

viii. District Mining Office, Bokaro Letter No.- 4516/ खनन, Bokaro Dated – 22.11.2016.

The site inspection report of the DEIAA, Bokaro which was communicated to the office of SEIAA vide Letter No.- 4516/ खनन Bokaro dated- 22.11.2016 through Assistant Mining Officer, Bokaro was examined and SEIAA decided to direct DEIAA, Bokaro to take decision as per the norms prescribe the EIA notification, 2006 and site inspection report of the DEIAA, Bokaro. The DEIAA, Bokaro must be asked to make all kind of correspondences with SEIAA through Member Secretary, DEIAA.

ix. Sub Divisional Officer- Cum- Member Secretary, DEIAA, Dhanbad Letter No.- 03 Dated- 17.01.2017.

After considering the Letter No.- 03 Dated- 17.01.2017 of Sub Divisional Officer- Cum- Member Secretary, DEIAA, Dhanbad it was decided to direct DEIAA, Dhanbad to take a decision as per the norms prescribed in the EIA notification, 2006.

x. Legal opinion of Advocate regarding violation cases of Environment Protection Act, 1986.

In the light of the legal opinion of the Advocate regarding violation cases of the Environment Protection Act, 1986 and it was decided to hold the issuance of EC to the violation cases of Environment Protection Act, 1986 till the latest orders of Hon'ble Supreme Court is obtained from MoEF & CC, Govt. of India.

xi. Department of Forests, Environment and Climate Change, Government of Jharkhand Letter No.- 3/ पर्यां प्रदू (विविध) - 01/2012 (खण्ड) 607 वं पं राँची- 06.02.2017.

The S.O. – 3518(E), dated- 23.11.2016 and D.O. No.- J-11013/12/2013-IA.II (I) (part), dated- 06.12.2016 of Joint Secretary, MoEF & CC, Govt. of India was placed before the authority and it was decided to make effective implementation of the provision of the notification in the State.

xii. M/s Manav Chemicals, Near ABCIL, Rehla, Palamu, Jharkhand.

The Letter No.- 3/ पर्यां प्रदू-03/2013 814 वं पं राँची- 20.02.2017 of Department of Forests, Environment and Climate Change, Government of Jharkhand with reference of S.O. 638(E), dated- 28.02.2014 although SEIAA is authorised to take credible action against the project which lies within jurisdiction. But considering it as a category 'A' project which come under the jurisdiction of MoEF & CC, Regional Office, Ranchi. So it was decided to forward this matter for their consideration as they are authorised vide S.O. 638(E), dated- 28.02.2014 to take credible action against the project under section 19 of Environment Protection Act, 1986.

xiii. While considering the recommendations made by SEAC for grant of EC, it was observed unanimously that there is a need to streamline the process for effective and faster disposals. Since SEAC is an expert committee so the members should submit their expert opinions / observations on each proposal separately well before the proposed meeting to the Project Proponent who, in turn will be present in the proposed SEAC meeting after due compliance of the directions / observations of the members.

Once the SEAC decides to recommend the proposal, the observations made by all the members should be submitted along with the proposal. This will help the SEIAA in faster decision making.

Each proposal should be forwarded separately by the Member Secretary, SEAC with the observations / queries of the members. It will be easier for the SEIAA to satisfy itself regarding compliances of the directions / observations.

- xiv. After considering the present system of calling SEIAA / SEAC meetings and the manpower strength in the SEIAA secretariat, it was decided that in future all the invited members will make their own lodging / boarding arrangements and the expenses will be reimbursed as per their entitlements.

The meeting concluded with vote of thanks to the Chairman.



Member
SEIAA



Member - Secretary
SEIAA



Chairman
SEIAA

