

Minutes of the 49th Meeting of State level Environment Impact Assessment Authority, Jharkhand, held on 07th August, 2017.

The 49th meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 07/08/2017 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 49th SEIAA meeting are :-

1. SEIAA considered the recommendations made by SEAC in its 43rd meeting held on 22nd and 23rd May, 2017 to grant the EC to the following project proposal related to Stone Mining:-

- I. Siddhpahari Stone Mine of Sri Lutfal Haque at Village- Siddhpahari, Block - Pakur, Dist.- Pakur, Jharkhand (5.46 Ha).

The Authority examined the recommendation made by SEAC it was observed unanimously that in environment management plan all the turning points of the proposed site have not been marked with latitude and longitude. The EMP does not mention/explain the basis for calculation about dust suppression properly. The GARLAND Drain have not been indicated in Development Plan. There is mismatch of land use data for green belt mentioned in present proposal land use pattern at the conceptual stage of (4.86 Acre) and those given in table indicating the break up of areas in the mining lease for calculation of financial assurance (4.10 Acre) in the mine plan. The proposal may be re-examined thoroughly by the SEAC in the light of above observation.

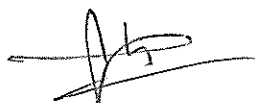
2. SEIAA considered the recommendations made by SEAC in its 43rd meeting held on 22nd and 23rd May, 2017 to grant the ToR to the following project proposal related to Industry:-

- I. Proposed Capacity increase of the existing Cement Grinding / Blending unit from 2.1 MTPA to 3.0 MTPA of M/s Dalmia Cement East Limited at Village- Kanari, Bokaro Industrial Park, Tehsil- Chas, District- Bokaro, Jharkhand.

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

- II. Proposed Cement Grinding Unit of 3.0 MTPA of M/s Ultratech Cement Limited (Unit - Bokaro Cement Works) at Village- Gorabail, Tehsil- Balidih, Dist. - Bokaro, Jharkhand.

The authority examined the recommendation made by SEAC. It was observed unanimously that land lease agreement paper of proposed site is not available. Hence proposal is referred back to SEAC for detail examination and recommendation.



3. SEIAA considered the recommendations made by SEAC in its 43rd meeting held on 22nd and 23rd May, 2017 to grant the ToR to the following project proposal related to Major Mining:-

- I. Bicha Limestone Mine of Sri Karma Oraon at Village- Bicha, Thana- Patratu, Dist.- Ramgarh, Jharkhand (4.11 Ha).

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

4. SEIAA considered the recommendations made by SEAC in its 43rd meeting held on 22nd and 23rd May, 2017 to the following project proposal related to violation cases.

- I. Kedro Quartzite Mine Project of M/s Bharat Mining Company, Village.-Khar, Dist-East Singhbhum, (5.879 ha).
- II. M/S Bihar Hard Coke Mfg. Co. Pvt. Ltd. Sri Jog Narayan Singh, Village- Udaipur, Tehsil- Kalayanpur ISM, Dist.- Dhanbad.
- III. Maharajganj Pyroxenite Mine of M/s Jaganath Cement Works Pvt. Ltd. at Village- Maharajganj, Thana- Rajnagar, Dist.- Saraikela, Kharsawan, (13.644 Ha).
- IV. Khaprajola Stone Mine of M/s Otan Das & Co. at Village- Khaprajola, P.O. & P.S.- Pakur, Dist.- Pakur, (9.18 Ha).
- V. Luti Murup Fireclay Mine of M/s Ram Avatar Singh Village - Luti & Murup, P.S. - Balumath, District Latehar, (47.61 Ha).
- VI. Bagru Bauxite Mines of Shri Madan Mohan Prasad Singh at Village Bagru, Taluka - Kisko, Dist. - Lohardaga, (10.117 Ha).
- VII. Purnadih-Sehra Graphite Mine & Beneficiation Unit of M/s Singhania Commercial Company at Village- Purnadih-Sehra, Tehsil- Satbarwa, Dist.- Palamu, (47.4834 Ha).
- VIII. Jyoti Pahari Kyanite Opencast Mine Project of M/s Jharkhand State Mineral Development Corporation Ltd at Village- Jyoti Pahari, Block- Bahragora, Dist.- East Singhbhum, (20.33 Ha).
- IX. Angara Graphite Mine of M/s Arunjay Narayan Sinha at Village- Angara, P.S. - Panki, Dist.- Palamu, (6.28 Ha).

The Authority examined the recommendation made by SEAC to the above mentioned project proposals and it was observed that these are cases of violation of EP Act, 1986. Hence project proponents may be asked to Act as per the direction contained in S.O.- 804 (E) dated – 14.03.2017 of Ministry of Environment Forest and Climate Change Govt. of India.

5. SEIAA considered the recommendations made by SEAC in its 44th meeting held on 22nd and 23rd June, 2017 to the following project proposal related to Stone Mining:-

- I. Majurahi Stone Deposit of M/s Maa Guru Construction at Village- Majurahi, Thana- Nawdiha Bazar, Dist.- Palamu, (5.868 Ha).

The Authority examined the recommendation made by SEAC. It was observed unanimously that point raised in this case is unaddressed in proceeding of SEAC. Hence proposals is referred to SEAC to examine the proposal in the light of observation made in 48th meeting of SEIAA.



6. SEIAA considered the recommendations made by SEAC in its 44th meeting held on 22nd and 23rd June, 2017 to grant the EC to the following project proposal related to Stone Mining:-

- I. Gangupara Bedo Stone Mine of Sri Mainul Ansari at Village- Gangupara Bedo, Tehsil- Pathna, Dist.- Sahibganj, (2.025 Ha).

The Authority examined the recommendation made by SEAC. It was observed unanimously that there is mismatch in present land use status for balanced land is 1.7720 Ha in EMP and those given in existing land use pattern for balanced land 1.1826 Ha of the mine plan. Hence proposal is referred to the SEAC for proper examination the recommendation.

- II. Idpe (Gadai Bhatta) Stone Mine of Sri Ramesh Kumar Dokania at Village- Idpe (GadaiBhatta), P.S.- Ranga, Dist.- Sahibganj, (2.90385 Ha).

The Authority examined the recommendation made by SEAC. It was observed that all pillars especially at turning point of the proposed site have not been marked with latitude/longitude. The proposal is referred back to the SEAC for detail examination and recommendation.

- III. Matku Quartzite Deposit of M/s Alliance Infratech Pvt Ltd at Village- Matku, Thana- Ghatsila, Dist.- East Singhbhum, (7.28 Ha).

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

- IV. Kairasai Stone Deposit of M/s Vision & Vision Pvt Ltd at Village- Kairasai, P.S.- Ghatsila, Dist.- East Singhbhum, (6.92 Ha).

The authority examined the recommendation made by SEAC. It was observed unanimously that issues related to environment needs to be addressed properly. The longitude/latitude of all pillars especially at turning point have not been seen properly. The proposal may be re-examined thoroughly by the SEAC in the light of above observation.

- V. Pusre & Roro Stone Mine of M/s Jai Bharat Construction Company at Village- Pusre & Roro, P.O. & P.S. - Taljhari, Dist.- Sahibganj, (4.98 Ha).


The authority examined the recommendation made by SEAC. It was observed unanimously that in the Environment Management Plan all the turning points of the map needs to be marked with latitude/longitude. The proposal is referred back to the SEAC for detail examination and recommendation.

7. SEIAA considered the recommendations made by SEAC in its 44th meeting held on 22nd and 23rd June, 2017 to grant the EC to the following project proposal related to Industry:-

- I. Common Biomedical Treatment Facility of M/s Medicare Environmental Management Pvt Ltd at Village- Lohardaga, Dist.- Lohardaga, Jharkhand.

The authority examined the recommendation made by SEAC. It was observed that as per S.O. 695(E) dated 14th September, 2006 of ministry of Environment, Forest and Climate Change Govt. of India under schedule 7(d) general condition shall apply on the proposal.

Project proponent vide letter no.- MEMPL/LOH/CBMWTF/23062017/2 dated 23.06.2017 claiming since the project is situated under Lohardaga Industrial area therefore as per sub clause (a) of clause no. 6 location criteria of Central



Pollution Control Board guidelines updated on 21st December, 2016 that “A CBMWTF shall preferably be developed in notified Industrial area without any requirement of buffer zone”, therefore general conditions shall not be applicable on project.

Hence authority examined the proposal on the basis of facts/affidavit submitted by the project proponent and decided to grant of EC to the above mentioned project proposal.

8. SEIAA considered the recommendations made by SEAC in its 44th meeting held on 22nd and 23rd June, 2017 to grant the ToR to the following project proposal related to Industry:-

- I. Proposed Bulk LPG Storage & Bottling Plant of M/s Bharat Petroleum Corporation Limited at Bokaro Industrial Area, Village- Maraphari & Gorabali, Tehsil- Chas, Dist.- Bokaro, Jharkhand.

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

9. SEIAA considered the recommendations made by SEAC in its 44th meeting held on 22nd and 23rd June, 2017 to delist the following project proposals related to Sand Mining:-

- I. Dungri Sand Lease Area, Dhanbad of M/s Tata Steel Limited at Mouza - Dungri, Tehsil- Dhanbad, Dist- Dhanbad, Jharkhand (24.127 Ha).

The authority examined the recommendation made by SEAC. It was observed that ToR was issued for aforesaid proposal on 30th January, 2013 by MOEF & CC and then proposal was referred to SEIAA after its constitution on 2nd December, 2014.

Project proponent have submitted final EIA as per ToR condition on 26.03.2015 and the proposal was appraised by SEAC, Jharkhand twice in its 38th (part G) meeting held on 18th to 24th December, 2015 and 39th meeting held on 06th and 07th December, 2016 and committee has sought some clarification from PP and clarification have not been submitted by PP yet.

Hence proposal is considered in the light of office memorandum no. – J-11013/41/2006-IA-II(I)(part) dated 22nd August, 2014 of MoEF & CC where as mentioned.

Quote

“Instances have also come to the notice of this Ministry wherein, though the EIA/EMP report is submitted by the proponent within the validity period of ToRs, the case remains pending for want of additional information from the proponent, State Government, etc., as sought by the EAC / Ministry. This Ministry has already decided vide OM No. J-11013/5/2009-IA-II (part), dated 30.10.2012 that such cases will be delisted in case such information is not received within six months.”

As such this case is delisted.

- II. Tetangabad Sand Lease of M/s Tata Steel Limited at Mouza- Tetangabad, Tehsil+Dist- Dhanbad, Jharkhand (34.66 Ha).

The authority examined the recommendation made by SEAC. It was observed that ToR was issued for aforesaid proposal on 31st January, 2013 by MOEF &

CC and then proposal was referred to SEIAA after its constitution on 2nd December, 2014.

Project proponent have submitted final EIA as per ToR condition on 26.03.2015 and the proposal was appraised by SEAC, Jharkhand twice in its 38th (part G) meeting held on 18th to 24th December, 2015 and 39th meeting held on 06th and 07th December, 2016 and committee has sought some clarification from PP and clarification have not been submitted by PP yet.

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As such this case is delisted.

10. SEIAA considered the recommendations made by SEAC in its 45th meeting held on 10th and 11th July, 2017.

- I. The Authority examined minutes of the 45th meeting of SEAC held on 10th and 11th July, 2017. It was observed unanimously that presence of the Chairman SEAC in the aforesaid meeting was missing.

Member Secretary SEAC, vide his letter no. 167 dated 19.07.2017 intimated that above mentioned meeting was conducted under Chairmanship of Shri B. K. Tiwary, Member SEAC and the verbal acceptance of the Chairman was taken from Shri K. P. Bhawshinka, Chairman, SEAC.

As per EIA notification S.O. No. 695 dated 14.09.2006 under appendix-11 clause (5) norms prescribed for nomination for vice Chairmanship clearly states that-

Quote

“The Chairperson shall nominate one of the members as the vice Chairperson who shall preside over the EAC in the absence of the Chairman/Chairperson.”

After going through the EIA notification 2006 the authority decided in this case that neither the written nomination for vice Chairmanship by Chairman for the meeting was obtained nor the minutes were signed by the Chairman. Hence it is found in violation of the norms of Ministry of Environment, Forest and Climate Change Govt. of India. The minutes of the 45th meeting of SEAC may be returned back to the SEAC for necessary action.

11. SEIAA considered the recommendations made by SEAC in its 46th meeting held on 27th and 28th July, 2017.

The Authority examined the minutes of the 46th meeting of SEAC. In order to bring uniformity and standard bench mark for deciding the proposals a letter no.- 111 dated 13.07.2017 of this



office regarding formation of new guideline for minimum distance from forest for renewal and new cases of mining leases was issued to the member secretary SEAC.

Aforesaid meeting was called by the MS, SEAC, in the light of SEIAA letter no.- 111 dated – 13.07.2017 to frame the new guidelines for minimum distance from forest to decide the proposals of renewal and new cases of mining leases.

The issue of distance of mining leases from forest boundaries remained unaddressed in this meeting of SEAC. The authority felt that after SEIAA decided to draw new guidelines with regard to the distance of mining leases from forest boundaries it will not be fair and justified to consider any proposal on the basis of present guidelines because it can result into selective approach. It will be just and proper to decide the proposals after 13.07.17 in the light of new guidelines and parameters. Hence minutes of the 46th meeting of SEAC held on 27th and 28th July, 2015 are referred back to the SEAC to take up the proposals after the SEAC decides the issue of distance of mining leases from forest boundaries.

12. Decision on matters related to:-

i. Hazardous Waste Management Facility of M/s Adityapur Auto Cluster at Village – Dugni, Tehsil – Saraikela, Dist - Saraikela-Kharsawan, Jharkhand.

The proposal was considered by the authority. It was observed that proposal was applied for issuance of ToR with change of product mix in existing project.

Environmental Clearance was already been issued vide letter no.- 1944 dated 30.11.2015 for existing project. Hence authority has decided to treated this case as new because it is case of product mix therefore PP has asked to submit the processing fee for above mentioned purpose.

ii. Kamarhatu Limestone Mine of Shri Banwarilal Newatia at Village – Kamarhatu, Dist – West Singhbhum, Jharkhand (6.419 Ha).

The authority examined the letter no.- zero dated 21.04.2017 and it was observed that scrutiny have been done by SEIAA at the time of submission of the proposal, hence the processing fees will not be refunded.

iii. Hon'ble National Green Tribunal Eastern Bench, Kolkata order in OA No. - 120/2016/EZ Md. Rizwan Vs State of Jharkhand and Ors. dated 27.03.2017, 25.04.2017, 26.05.2017 and 13.07.2017.

The Hon'ble NGT in its orders in O.A. no 120 Md. Rizwan Vs. State of Jharkhand and others observed that there were prima facie instances of sand mining in the rainy season and the challans were issued to the sand minors hence Hon'ble Court in its order dated 13.07.17 directed the DCs of three districts namely Dumka, Pakur and Deoghar to take action against the lease holders and to submit the final report.

The lease holders were asked to submit their explanations with regard to the sand mining in the rainy season and the challans which were produced as evidences in the court by the respective DMOs/DCs. The show causes submitted by the lease holders were received by the authorities and in one of the cases like the Deputy Commissioner, Deoghar vide letter no. 893/M dated 27.07.17 as forwarded a copy of the explanation of the lease holder to SEIAA for further action.

The Authority examined the letter no.- 819/M dated 20.07.2017 and letter no.- 893/M dated – 27.07.2017 of the Deputy Commissioner, Deoghar and decided to inform Deputy Commissioner, Deoghar that as per Environmental Clearance under specific condition (3) the Environmental Clearance is co-terminus with mining lease period therefore action needs to be taken against the lease of the lease holder.

Authority also felt that the facts and information submitted by the Director, Rural Development and Marketing Pvt. Ltd. should be verified and appropriate action needs to be taken if required. Since the Environmental Clearance is co-terminus with mining lease period the decision taken with regard to the validity of the lease will automatically terminate the EC granted if the lease ceases to exist.

- iv. The issue of large number of copies of the old proposals stored in the office was discussed. Since the project proponent submits 20 copies of each proposal and once the decision is taken there is no need of the copies of the members to be kept in the office. The authority felt that extra copies of many proposals are unnecessarily kept. Hence authority decided to dispose off the extra copies as per the norms while keeping one copy for the purpose of future record.
- v. At the time of scrutiny of the proposals in SEIAA it was felt that a common check list of the documents and their type (original/photo copy) is necessary to keep uniformity. This will enable the project proponents to prepare the proposals accordingly so that unnecessary delays will be avoided. The authority will finalise the check list once the SEAC drafts the same in the light of directions vide letter no. 128 dated 04.08.17.
- vi. Shri Mani Lal, Head Clerk has intimated to MS, SEIAA after assuming the charge of Account section of SEIAA that there are discrepancies in the records, like records are not maintained properly in some places and some of the records were not found in files.
The authority considered the matter and decided that these points should be brought to the notice of the Auditor at the time of Audit. The observations of the auditor in the audit report will be taken into account before taking a final view on this issue.
- vii. Earlier case filing fees and related expenses of advocates in Hon'ble National Green Tribunal were not paid as per the letter no.- 1448 dated 29.07.2015 of Law (Justice) department, Govt. of Jharkhand. The authority decided to process the pending bills of advocates and the future payments in the light of above mentioned circular of Law Department, Govt. of Jharkhand.
- viii. A proposal for constitution of SEIAA secretariat was submitted to the Deptt. of Forest, Environment and Climate Change, Govt. of Jharkhand vide SEIAA letter no.- SEIAA//Estb/01/2013-24 dated 27.02.2017 and it is pending for consideration and a reminder in this regard has been sent to Govt. The absence of qualified manpower and other support systems needed for the secretariat is a major cause of concern. For speedy and timely disposal of the proposals for EC after due examination a proper secretariat equipped with qualified manpower and required resources is urgently needed.
The authority decided to send a reminder to Govt. for sanction of a SEIAA secretariat and to request for making temporary arrangements during the pendency of the sanction order in this regard.
- ix. Application for enhancement of wages/payments to the manpower working in the SEIAA and SEAC was submitted to the MS of SEIAA and the matter was placed before the authority for consideration. It was observed that neither the formal procedure of any kind was followed nor their qualifications were decided before hiring them for the services. The random and selective



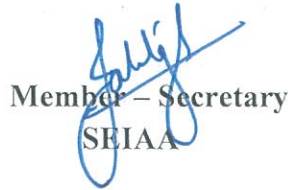
criteria was followed to hire. No formal letter for hiring the services was issued and no contract was entered into with the present manpower. Thus this is a pure case of daily wage employment. Hence the authority decided to make the payments on the basis of latest circular of labour dept. regarding minimum wages. However due care shall be taken not to reduce the payments drastically if the case arises.

- x. The authority decided to install Wi-Fi facility in the secretariat of SEIAA & to purchase two Laptops and dongle/modem for the SEIAA as well as visiting cards for the Chairman and members of SEIAA.

The meeting concluded with vote of thanks to the Chairman.



**Member
SEIAA**



**Member – Secretary
SEIAA**

**Chairman
SEIAA**