

Minutes of the 112th SEAC Meeting held on 29th May 2018

112- F. 6215/2018	Existing Rough Stone mine over an extent of 2.54.5 Ha at S.F.No 69/1, 69/3, Kodanthur North, Aravakurichi Taluk, Karur District by Thiru. M/s. Niranjana Minerals – ToR to be issued under violation notification of MoEF & CC - Regarding.
	<p>The proponent, Thiru. M/s. Niranjana Minerals has applied for ToR to SEIAA –TN on 05.04.2018 for mining over an extent of 2.54.5 Ha at S.F.No 69/1, 69/3, Kodanthur North, Aravakurichi Taluk, Karur District.</p> <p>The Ministry of Environment, Forest and Climate Change (MoEF&CC) Notification S.O. 804 (E) dated 14.03.2017 has stated that the cases of violations will be dealt strictly as per the procedure specified in the following manner</p> <p><i>“In case the project or activities requiring prior Environmental Clearance under EIA Notification 2006 from the concerned Regulatory Authority are brought for Environmental Clearance after starting the construction work, or have undertaken expansion, modernization and change in product-mix without prior EC, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted Environmental Clearance by the SEIAA constituted under sub-section(3) section 3 of the Environment (Protection) Act 1986 shall be appraised for grant of Environmental Clearance only by the Expert Appraisal Committee and Environmental Clearance will be granted at the Central Level”.</i></p> <p>Accordingly it was informed that the application for seeking Environmental Clearance after starting activity without prior EC for Rough Stone over an extent of 2.50.0 Ha at S.F.No 814 Part I, Thimmarasanayakkanur Bit – I Village, Andipatty Taluk, Theni District, could not be processed at SEIAA-TN and the proponent was requested to submit the proposal to MoEF&CC for Environmental Clearance stating the violations.</p> <p>The MoEF&CC notification S.O.1030 (E) dated 08.03.2018 has stated</p>

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that the cases of violations projects or activities covered under category A of the Schedule to the EIA Notification, 2006, including expansion and modernization of existing projects or activities and change in product mix, shall be appraised for grant of Environmental Clearance by the EAC in the Ministry and the Environmental Clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.

The MoEF&CC office memorandum No. F.No.Z-11013/22/2017-IA.II(M) dated: 15.03.2018 have issued the following guidelines regarding implementation of Notification S.O.1030 (E)

- i. The proposals received up to 13th September, 2017 on the Ministry's portal, shall be considered by the EAC or the SEAC / SEIAA in the respective States / UTs, as the case may be, in order of their submission.
- ii. All the proposals of category 'B' projects / activities pertaining to different sectors, received within six months only i.e. up to 13th September, 2017 on the Ministry's portal, but yet not considered by the EAC in the Ministry, shall be transferred online to the SEAC / SEIAAs in the respective States / UTs.
- iii. The proposals submitted directly for considering of EC (in place of ToR), shall also be considered on the same lines, in order of their submission on the Ministry's portal.
- iv. All the projects of category 'B' pertaining of different sectors, although considered by the EAC in the Ministry and accorded ToR, shall be appraised for grant of EC by the SEAC / SEIAA in the respective States / UTs.
- v. All projects / activities of all sectors, shall be required to adhere to the directions of Hon'ble Madras High Court vide order dated 13th October, 2017 while upholding the Ministry's Notification dated 14th

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March, 2017.

The MoEF&CC office memorandum No. F.No.Z-11013/22/2017-IA. II(M) dated: 16.03.2018 has issued the following directions regarding compliance of directions of Hon'ble Madras High Court order dated 14th March, 2018 in WMP Nos.3361, 3362 & 3721 of 2018 in WP.No.11189 of 2017.

1. The project proponent, who have not submitted the proposals within six months window i.e up to 13th September, 2017 in pursuance of the ministry's notifications.O.804(E) dated 14.03.2017, are required to submit the proposals within 30 days, to the EAC for category A projects or the SEAC/SEIAA in the respective States/UTs for category B projects.
2. The project proponent, who have submitted the proposals on the Ministry's portal after 13th September, 2017 are also required to submit the proposals within 30 days, to the EAC for category A projects or the SEAC/SEIAA in the respective States/UTs for category B projects

In view of the above directions, the project proponent, who have **submitted the proposals within six months window** i.e up to 13th September, 2017 in pursuance of the ministry's notification S. O. 804(E) dated 14.03.2017, has submitted the details of the proposal to the O/o SEIAA-TN for obtaining specific Terms of Reference for Rough Stone over an extent of **2.54.5 Ha at S.F.No 69/1, 69/3, Kodanthur North, Aravakurichi Taluk, Karur District**

Now, the proposal was placed before the 111th SEAC Meeting held on 17.05.2018. The members of the SEAC interacted with the proponent regarding the project proposal and environmental implications of the mining operation.

The Essential features of the projects are as follows:

1. Government order/ Lease details:

The mining lease was granted in the name of M/s. Niranjana Minerals, Karurvide Proceeding Rc.No. 15334/MM3/2003, Dated: 03.03.2005.for a period of 20 years. The lease deed was executed

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on 02.08.2005 and the Mining operation commenced on 03.08.2005. The mining lease is valid upto 01.08.2025.

2. Mining Plan/Scheme of Mining approval details:

The Mining plan (2005-06 to 2009-10) was approved by Indian Bureau of Mines in Lr.No. TN/KRR/MP/MG-1556-A-MDS, dated 04.02.2005. The First Scheme of mining was approved by Indian Bureau of Mines in Lr.No. TN/KRR/MP/MG-DU/MS/735-MDS, dated 20.12.2012. In this Scheme of Mining (2015-16 to 2019-2020) was approved by the Indian Bureau of Mines vide letter no. Letter. No: TN/KRR/MG-DU/MS-1194.MDS, Dated: 08.05.2015..

The Mining operation and quantity of material mined are as follows:

Year	Planned		Actual (T)	
	MAGNESITE	DUNITE	MAGNESITE	DUNITE
2010-11	-	-	350	2
2011-12	-	-	1591	8
2012-13	138	92	175	-
2013-14	358	239	3395	-
2014-15	420	280	4215	32
Total	916	611	9726	42

The reason for higher production was informed by the proponent was due to high demand in the market.

3. As per the IBM, Scheme of Mining approved for the years 2015-16 to 2019-20, the production schedule for the years 2015-16 to 2019-20 states that the total quantity of recoverable Magnesite and Dunite should not exceed 3,369 tonnes and 2,022 Tonnes

For 2015-16 - 5,685 tonnes

For 2016-17 - 88,43tonnes

For 2017-18 - 1,793 tonnes

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For 2018-19- 4,256 tonnes

For 2019-20 - 6,375 tonnes

4. Quarrying operation will be carried out by Opencast Semi Mechanized Method with (Jackhammer) drilling and blasting.
5. Rough stone is to be transported by tippers of 10 T capacity.

Besides the project attracts violation as per MoEF & CC gazette notification S.O No 804 (E) Dated 14.03.2017.

The project proponent has submitted the documents regarding the particulars of the lease and mining working. It was observed that mine was in operation without obtaining Environmental Clearance. As the case above stands affirmative, the project is being granted Terms of Reference for undertaking Environmental Impact Assessment and preparation of EMP. The SEAC recommends the Terms of Reference for the project for assessment of Ecological damage, remediation plan and natural & community resource augmentation plan to be prepared as an independent chapter in the Environment Impact assessment report by the Accredited consultant and also with collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural & community resource augmentation plan to be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, accredited by NABET or a laboratory of council of Scientific and Industrial research Institutions working in the field of environment. Three months data relating to the ecological parameters is to be submitted with analysis.

The project proponent besides above has to also submit the No Objection certificate (NOC) in compliance of the orders of the Hon'ble Supreme court to approach State Mines and Geology Department for certification regarding payment of 100% cost of illegally mined minerals to the State Government in terms of the Section 21(5) of the MMDR Act, 1957. The amounts so payable to the state government for the granite block, would inter-alia, account for the mining operation in violation of the following:-

- Without Environmental Clearance (EC) or in excess of quantity

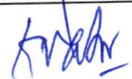
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approved in EC.

- Without consent to Operate (CTO) or in excess of quantity approved in CTO.
- Without mining plan/scheme of mining or in excess of quantity approved in mining plan/scheme of mining.
- Without forest clearance
- Any other violation.

The project proponent is hereby directed to furnish information and NOC as per the guidelines issued by MoEF & CC, orders of the Hon'ble Supreme court and the annexure provided by SEIAA, while submitting EIA/EMP for consideration of EC.

The proposal is recommended for the grant of Standard ToR for mining projects as specified by MoEF & CC subject to the above conditions in addition to the Additional TOR specified by the SEAC to deal with the violation aspects of the mining projects.

S.No	Name	Designation	Signature
1	Dr. K. Thanasekaran	Member	
2	Dr.K.Valivittan	Member	
3	Dr.Indumathi M. Nambi	Member	
4	Dr. G. S. Vijayalakshmi	Member	
5	Dr. M. Jayaprakash	Member	
6	Shri V. Shanmugasundaram	Member	
7	Shri B. Sugirtharaj Koilpillai	Member	

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8	Shri. P. Balamadeswaran	Co-opt Member	
9	Shri. M.S. Jayaram	Co-opt Member	

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