

**Minutes of the 112th SEAC Meeting held on 29<sup>th</sup> May 2018**

<p>112- F. 6600/ 2018</p>	<p>Existing Limestone mine over an extent of 4.70.0 Ha at S.F.No 1010/P Thenkulam Village, Tirunelveli Taluk, Tirunelveli District by Tmt. M. Ammaniammal– ToR to be issued under violation notification of MoEF &amp; CC - Regarding.</p>
	<p>The proponent, <b>Tmt. M. Ammaniammal</b> has applied for ToR to SEIAA –TN on 05.04.2018 for mining over an extent of 4.70.0 Ha at S.F.No 1010/P Thenkulam Village, Tirunelveli Taluk, Tirunelveli District.</p> <p>The Ministry of Environment, Forest and Climate Change (MoEF&amp;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 Limestone over an extent of 4.70.0 Ha at S.F.No 1010/P Thenkulam Village, Tirunelveli Taluk, Tirunelveli District, could not be processed at SEIAA-TN and the proponent was requested to submit the proposal to MoEF&amp;CC for Environmental Clearance stating the violations.</p> <p>The MoEF&amp;CC notification S.O.1030 (E) dated 08.03.2018 has stated 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</p>



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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 13<sup>th</sup> 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 13<sup>th</sup> 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 13<sup>th</sup> October, 2017 while upholding the Ministry's Notification dated 14<sup>th</sup> 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 14<sup>th</sup> March, 2018 in WMP



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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 13<sup>th</sup> 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 13<sup>th</sup> 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 13<sup>th</sup> 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 Limestone over an extent of 4.70.0 Ha at S.F.No 1010/P Thenkulam Village, Tirunelveli Taluk, Tirunelveli 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 vide G.O. (3D). No.12 Industries (MMD2) Department, Dated: 04.02.2000 for a period of 20 years. The lease was executed on 03.04.2000 and it will get expired on 02.04.2020.

2. Mining Plan/Scheme of Mining approval details:

The mining plan (2000-01 to 2004-05) was approved by Indian Bureau of Mines vide letter No.TN/TNL/MP/LST/1231-MDS, dated 15.12.1999. The first scheme of mining (2005-06 to 2009-10) was approved by



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Indian Bureau of Mines vide letter No.TN/TNL/LST/MS-433-MDS, dated 01.03.2007. The second scheme of mining (2010-11 to 2014-15) was approved by Indian Bureau of Mines vide letter No.TN/TNL/LST/MS/723-MDS, dated 24.09.2012 and it was valid upto 31.03.2015. Hence, this final Scheme of Mining (2015-16 to 2019-20) along with PMCP is prepared. During the time of submission of previous mining scheme [2010-11 to 2014-15], two year 2010-11 and 2011-12 lapsed and hence proposals was given only for three years i.e. from 2012-13 to 2014-15.

Year	Proposal (Tonnes)			Actual (Tonnes)		
	Rom (Ts)	Limestone 50% (Ts)	Mineral Rejects (50% ) Ts	Rom (Ts)	Limestone 50% (Ts)	Mineral Rejects (50%) Ts
2010-11	-	-	-	Development Work		
2011-12	-	-	-	7915	3958	3957
2012-13	7800	3900	3900	8704	4352	4352
2013-14	7800	3900	3900	8168	4084	4084
2014-15	7800	3900	3900	7971	3986 (upto Mar, 2015)	3985
<b>TOTAL</b>	<b>23400</b>	<b>11700</b>	<b>11700</b>	<b>32758</b>	<b>16379</b>	<b>16379</b>

- 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 Limestone should not exceed 90,792 Tonnes at 50% recovery  
 For 2015-16 - 18,330 tonnes  
 For 2016-17 - 17,732 tonnes  
 For 2017-18 - 18,366 tonnes



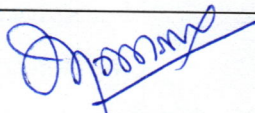


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	<p>For 2018-19- 18,252 tonnes For 2019-20 - 18,112 tonnes</p> <ol style="list-style-type: none"><li>2. Quarrying operation will be carried out by Opencast Semi Mechanized Method with (Jackhammer) drilling and blasting.</li><li>3. Limestone is to be transported by tippers of 10 T capacity.</li></ol> <p>Besides the project attracts violation as per MoEF &amp; CC gazette notification S.O No 804 (E) Dated 14.03.2017.</p> <p>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 &amp; 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 &amp; 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.</p> <p>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:-</p> <ul style="list-style-type: none"><li>• Without Environmental Clearance (EC) or in excess of quantity approved in</li></ul>
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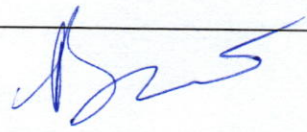


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	<p>EC.</p> <ul style="list-style-type: none"> <li>• Without consent to Operate (CTO) or in excess of quantity approved in CTO.</li> <li>• Without mining plan/scheme of mining or in excess of quantity approved in mining plan/scheme of mining.</li> <li>• Without forest clearance</li> <li>• Any other violation.</li> </ul> <p>The project proponent is hereby directed to furnish information and NOC as per the guidelines issued by MoEF &amp; CC, orders of the Hon'ble Supreme court and the annexure provided by SEIAA, while submitting EIA/EMP for consideration of EC.</p> <p>The proposal is recommended for the grant of Standard ToR for mining projects as specified by MoEF &amp; 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.</p>
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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	