

Proceedings of 169th meeting of State Environment Impact Assessment Authority (SEIAA) held on 17.08.2020 at 10:30 AM in the Conference Hall No - 2, Ist Floor, MGSIPA Complex, Sector- 26, Chandigarh through Video Conference.

In the meeting, the following members were present: -

- 1) Sh. Kuldip Singh, IFS (Retd.),
Chairman, SEIAA
- 2) Dr. Sunil Mittal,
Member, SEIAA
- 3) Sh. Charandeep Singh, PCS
Member Secretary, SEIAA

Item No. 01: Confirmation of the minutes of 167th & 168th meeting of State Environment Impact Assessment Authority (SEIAA) held on 31.07.2020 & 07.08.2020, respectively

The proceedings of 167th and 168th meetings of SEIAA held on 31.07.2020 & 07.08.2020 respectively, were circulated vide email dated 10.08.2020 and 14.08.2020 respectively. No observation was received from any member of SEIAA. As such, SEIAA confirmed the said proceedings.

Item No. 02: Action taken on the proceedings of 167th & 168th meeting of SEIAA held on 31.07.2020 & 07.08.2020 respectively.

SEIAA was apprised that action taken on the proceedings of 167th & 168th meeting of SEIAA held on 31.07.2020 & 07.08.2020, is being taken and the same will be placed in the next meeting. SEIAA directed that action on the said proceedings will be taken at the earliest without any further delay.

Item no. 169.01: CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India

The facts of the matter are as under: -

It is submitted that Advocate General Punjab vide email dated 01.08.2020 informed as under: -

- (i) CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India was listed at Sr.No.207 on 31.07.2020 before Hon'ble Division Bench comprising of Justice Rajan Gupta and Justice Karamjit Singh.
- (ii) By way of the said writ petition, the petitioner has laid challenge to the e-auction notice dated 30.05.2019 Annexure P-13 for auction notice for mines and subsequent proceedings thereto, including contracts/letter of intents issued in favor of Private Respondents also prayer has been made for quashing environment clearance granted by State Level Impact Assessment Authority in its 155th Meeting and declaring clause (iii) of Clause (iv) of the 2008 Mining Policy to be ultra vires of the sustainable guidelines and EIA notification dated 14.09.2016.
- (iii) It was requested to file a reply to the petition well before the next date of hearing i.e. 25.08.2020 after getting the same vetted from the office of Advocate General.

Petitioners have raised the following main questions of law involved in the writ petition:-

- i) Whether no mining activity can be permitted mechanically and mining is be done manually and the depth of mining shall be restricted to 3 m/water level, whichever is less?
- ii) Whether mining activity being carried out by Contractors is illegal and against the Sustainable Guidelines?
- iii) Whether each sand block was required to be prepared by the Assistant Geologist/Geologist, before putting it for auction allotment on the basis of Joint Inspection Committee report?
- iv) Whether the constitution of the Joint Inspection Committee on the basis of which the Joint Inspection Committee report has been obtained is against clause 5.5.2.2 of Sand Mining Framework?
- v) Whether e-auction was required to be conducted block wise and not for individual mine, which has been done to avoid Environmental Clearance from MoEF&CC as the area of the blocks 4 and 6 is more than is 50 ha?

- vi) Whether use of machinery is against the Sustainable Guidelines and the Environmental Clearance granted by the MoEF&CC and the SEIAA, Punjab?

Petitioner has prayed before the Hon'ble Court as under: -

- i) issue a writ of certiorari quashing the e-auction notice dated 30.05.2019 attached as Annexure P-13 and subsequent proceedings taken as a result thereof, including Contracts/ Letters of Intents issued in favour of Respondents No. 5 to 9 dated 22.07.2019 Annexure P-14, dated 31.07.2019 Annexure P-15, 31.07.2019 Annexure P-16, dated 04.09.2019 Annexure P-17, dated 09.07.2019 Annexure P-18 and dated 31.07.2019 Annexure P-19;
- ii) issue a writ of certiorari quashing the Environmental Clearance granted by the State Level Impact Assessment Authority, Punjab allowed in the 155th meeting of the State Level Environment Impact Assessment Authority, attached as Annexure P-20 to this writ petition;
- iii) issue a writ of certiorari quashing the constitution of the Joint Inspection Committee and the report submitted by the Joint Inspection Committee attached as Annexure P-36 and the Joint Inspection Committee reports attached as Annexure P-37 and P-38;
- iv) issue a writ mandamus directing the official respondents to initiate criminal action for illegal mining without Environmental Clearance and use of heavy machinery and extracting minor minerals out of the running river as is evident from the photographs;
- v) declare sub-clause (iii) of Clause 4 of the sub-clause (iii) of the 2018 Mining Policy dated 26.10.2018 attached as Annexure P-5 to be ultra vires the Sustainable Guidelines and the EIA Notification dated 14.09.2006 (Annexure P-2);
- vi) during the pendency of the writ petition, Respondents No. 5 to 9 may kindly be restrained to undertake mining operations, which is against the all cannon of justice.
- vii) A Local Commissioner may kindly be ordered to be appointed.

SEIAA perused the prayer made by the petitioners in the Hon'ble High Court and felt that before considering the EC cases placed in the instant Agenda, the following main points are required to be considered by the project proponents in their presentations:

- 1) Demarcation of the mining site in the presence of the Revenue officer, Mining officer, Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land and submission of the demarcation report duly signed by them.
- 2) Submission of Final District survey report, containing apart from other details as mentioned in the guidelines of 2016, specifically including the following points: -

- a) Recommendation regarding Environmentally safe depth of mining, safe distance from banks and suitability of site for mining or prohibition thereof, duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.
 - b) Replenishment study the river bed cases.
- 3) Consent of all the owners of the land in case of the private land.
 - 4) Applicability of general conditions carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018. The Project proponent shall provide the exact coordinates of all the corners of the site and the shortest distance of mining site from the followings: -
 - a) Protected area notified under the Wildlife (Protection Act, 1972)
 - b) Critically Polluted areas as identified by the Central Pollution Control Board from time to time,
 - c) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986,
 - d) Inter-State boundaries and international boundaries.
 - 5) All the cases having a mining area >5 hectare shall be considered at par with B1 category as per OM dated 12.12.2018.
 - 6) Proper justification of use of semi-mechanized/mechanized method, if any, over the manual method of mining considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment. Because as per Standard EC conditions provided in the Guidelines, 2016, a manual method of mining shall be preferred over any other method.
 - 7) Cross-section of the river with the establishment of red line, in case of river bed mining.
 - 8) Submission of an undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out.
 - 9) Submission of an undertaking to the effect that there is no other mine within 500 m. radius from the periphery of this site.

After detailed deliberations, SEIAA decided as under: -

- i) DECC be requested to engage an advocate in the matter.
- ii) Draft reply in the matter be prepared and same be placed in the next meeting of SEIAA so that same can be filed before the next date of hearing i.e. 25.08.2020
- iii) Project proponents of item no 168.12 to 168.21 be asked to re-examine and include the aforesaid points in their presentation.

1) In compliance to the aforesaid decision, the following action has been taken: -

- i) Director, DECC has been requested to engage Sh. Suveer Sheokand, Add, AG, Punjab in the matter on 11.08.2020 and the same has been approved. Sh. Suveer Sheokand, Add, AG, Punjab is being hired in the matter shortly.
- ii) Draft reply in the matter has been prepared and same is annexed at Annexure-2
- iii) The decision of SEIAA has been conveyed to the Environmental Consultant of Project proponents of item no 168.12 to 168.21 to re-examine and include the replies of certain points in their presentation. The said items are placed at 169.02 to 169.14 in the instant agenda.

1.0 Deliberations during the 169th meeting of SEIAA held on 17.08.2020.

SEIAA was apprised that the draft affidavit in the case has been prepared and same was annexed at Annexure-A2 of the agenda. SEIAA examined the said affidavit in detail and suggested some amendments therein and approved the same which is enclosed as **Annexure-A** of the proceedings.

After deliberations, SEIAA decided that Member Secretary shall file the reply on behalf of Respondent No. 4 i.e. SEIAA, Punjab in the Hon'ble High Court of Punjab and Haryana Chandigarh after getting the same vetted from the advocate engaged in the matter and approval on the record file.

Item No169.02: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals On Agricultural Land in the village Awan Vsau, Tehsil Ajnala & District Amritsar, Punjab submitted by Friends and Co. (Proposal No. SIA/PB/MIN/143673/2020).

SEIAA observed as under:

M/s Friends & CO has applied for obtaining Environmental Clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Awan Vsau, Tehsil Ajnala & District Amritsar, Punjab on 18.02.2020. The project is covered under category B2 of the Schedule appended to the said Notification.

Further, the said case was forwarded by SEIAA to SEAC on 16/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with the application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s friends & Co. Bakkar Mandi, Chabal Road, Khazana Gate, Amritsar 9815024434 friendsnco.asr.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details		
1.	Online Proposal No.	SIA/PB/MIN/143673/2020		
2.	Project Name & Location	Awan Vsau sand mining project at hadbast no-28 village– Awan Vsau, Tehsil- Ajnala, District- Amritsar, Punjab.		
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	1(a) mining of minor mineral		
4	Details of Mining Lease			
i)	Mineral (s) to be mined	Sand		
ii)	Capacity of Mine	14527.3 TPA (Total 43581.9 MT)		
iii)	Mining Lease Area	Total area is 1.92 Ha		
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 771/e auction/2019 Date of Issue: 31/07/2019 Validity of LOI: NA Mining Lease Area: 1.92 Ha. Mining Quantity: 14527.3 TPA (Total 43581.9 MT)		
5	HadBast No.	28		
6	Land Khasra No. & their consent details			
	Sr No	Type	Khasra No	Consent details
	1	Govt Land		
	2	Private Land	31/6, 7, 15,9,12.	
7.	Latitude & Longitude			
	Sr. No	Pillar No	Latitude N	Longitude E
	1	A	31°51'31.96"N	74°37'37.26"E
	2	B	31°51'28.08"N	74°37'37.26"E
	3	C	31°51'28.00"N	74°37'34.78"E
	4	D	31°51'31.97"N	74°37'34.64"E
	5	E	31°51'31.99"N	74°37'34.09"E
	6	F	31°51'29.84"N	74°37'34.18"E
	8	G	31°51'29.78"N	74°37'32.27"E
	9	H	31°51'31.98"N	74°37'32.08"E
	10	I	31°51'31.91"N	74°37'29.65"E
	11	J	31°51'31.84"N	74°37'27.14"E
	12	K	31°51'28.00"N	74°37'27.49"E
	13	L	31°51'27.96"N	74°37'29.92"E
8	Whether the project attracts the General Condition.	No		

9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof	No. The project proponent has obtained certificate from DFO Amritsar vide letter No 10139 dated 05.03.2020.																																													
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	No. As per the google map submitted by the project proponent, the Wild Life Sanctuary of Kathlour Kohlian is 86.52 Km away from the site.																																													
11.	Land requirement for the project	<table border="1"> <thead> <tr> <th colspan="3">Prior to the project proposal</th> </tr> <tr> <th>Sr No.</th> <th>Ownership pattern</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>1.92</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>1.92</td> </tr> <tr> <th colspan="3">Present Land use Break Up</th> </tr> <tr> <th>Sr No.</th> <th>Land use</th> <th>Area i</th> </tr> <tr> <td>i)</td> <td>Agriculture Area</td> <td>1.92</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td></td> </tr> </tbody> </table>	Prior to the project proposal			Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	1.92	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	1.92	Present Land use Break Up			Sr No.	Land use	Area i	i)	Agriculture Area	1.92	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	
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12.	Cost of the project	Rs. 12,59,081 Lakhs																																													
13.	Environmental Clearance. Fee details	Rs 3,840/- Submitted vide DD no 015498 in the corporation Bank Branch on 18.05.2020																																													
14.	Details of Final District Survey Report	Submitted																																													
15	Details of visit report of Sub Divisional Level Committee	Submitted																																													
16	Details of Mining Plan	Approved by:-State Geologists Approval Letter No: 56 dated:03.02.2020 Approved Mining Quantity: 14527.3 TPA Depth of Mining (m):2.40m																																													
17	Demarcation report of mining site	Submitted																																													
18.	Workers (when fully operational)	15 Persons.																																													
19.	Water Requirements & source	Domestic: 0.15 KLD (@ 45 lpcd) Dust Suppression:4.80 KLD Plantation:0.14 KLD																																													

		Total:5.09 KLD Ground water/Others: From water tanker.
20.	Waste water generation, Treatment & its Disposal	i) Quantity of Waste water: Nil (80% of water requirement) ii) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.
21.	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 633/Yr Funds Allocated: Rs 1,09,200/-
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Friends & Co. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.
	S. No	Particulars
	1	Pollution monitoring – Air, Water, Noise
	2	Pollution Control – Water sprinkling
	3	Green Belt Development
	4	Haul road and other roads repair and maintenance
		Total
		50,000
		1,09,200
		1,20,670
		2,79,870
24	CER activities along with budgetary break-up and responsibility to implement M/s. Friends & Co will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 12,59,056/- and Rs25,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018. It was proposed to spent on the followings: -	
	Sr. No.	Particulars
	1	PP will install water solar pump for villagers for use in irrigation
		Total
		Amount (in Rs)
		Rs 25,000/-
		Rs 25,000/-
25	Other important facts i) During the lease period, the deposit will be worked from the top surface to 2.4 m below ground level or above ground water table, whichever comes first. ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up. iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.	

	iv)	Compliance of various environmental regulations shall be ensured.			
	v)	Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No.77/E-auction/2019 dated 31.07.2019 issued by Department of Mines & Geology, Government of Punjab.			
	vi)	Extent of Mechanization The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -			
		Name of Equipment	Capacity	No. of Equipment	Standby Equipment
		Excavator	0.90 m ³	2	-
		Dumper	10 tonnes	1	1
		Water tankers	As & when required	-	-
	vii)	Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits: a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region. e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.			
	viii)	The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.			
	ix)	An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.			

SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
	Whether Final District Survey Report (DSR) has been approved?	The project proponent submitted a copy of the revised DSR for Amritsar. The said DSR was accompanied with a noting approved by the DC,

		Amritsar for the approval of the DSR, which was taken on record by SEAC.			
2.	The site falls in the notified area and the project proponent is required to earmark two tubewell/ borewells/ wells as observation well in the adjoining area within a radius of 500m of the project site. Also, monthly monitoring of the depth is to be carried out. District Mining Officer is to monitor the same.	The project proponent agreed to the same.			
3.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 3,16,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>			
4.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:			
	Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
	1	Domestic	20 L per person per day	15 Person	0.30
	2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	480-meter haul road twice daily 12 trucks per shit	4.8 0.24

	3	Green belt Development	10 L per plant per day	14 Plant (*in site buffer)	0.14
	Total water requirement				5.48
5.	The project falls in the notified block. Thus, the project proponent is required to submit application to the District Advisory Committee for permission to use the ground water for domestic use.		The project proponent informed that they were in process of submitting the application to the DAC. Later, the project proponent submitted a copy of receiving of the said application to the DAC, which was taken on record by SEAC.		
6.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.		The project proponent submitted the same with details given as under:		
	Sr. No.	Particulars		Amount (in Rs)	
		PP will install water solar pump for villagers for use in irrigation		25,000/-	
	Total		25,000/		
7.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.		The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, Panchayat Bhawan or any government building in consultation with the local administration.		

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Awan Vsau, Tehsil Ajnala, District- Amritsar, Punjab submitted by M/s Friends & Co., as per Annexure-II and the following additional conditions:

1. The project proponent shall earmark two tubewells/ borewells/ wells as observation wells in the adjoining area within a radius of 500m of the project site and monthly monitoring of the depth is to be carried out. District Mining Officer is to monitor the same.

2. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat bhawan/ any other government in consultation with the local administration.
3. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 25,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump for villagers for use in irrigation	25,000/-
Total		25,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the earlier raised observations as under: -

Query 1

The project proponent shall submit demarcation report duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc. within two days.

Reply 1:

The Project proponent submitted a report in reference to the earlier demarcation report dated 25.11.2019 to the effect that land located adjoining to the mining sites belongs to Sh. Tara Singh S/o Bhan Singh, Jasveer Singh, Angrej Singh, Kuldeep Singh S/o Balwinder Singh, Chanan Singh S/o Sarain Singh, Harjinder Singh S/o Pyara Singh, Sh. Darshan Karnail Singh S/o Dulha Singh, Sh. Chanda Singh S/o Banta Singh, Sh. Swaran Singh S/o Hajara Singh, Sh. Dool Singh S/o Harbans Singh, widow of Hajara Singh, Sh. Ajaib Singh S/o Som Singh, Sh. Balkar Singh, Sh. Sukhdev Singh S/o Balwant Singh.

The said report was duly signed by Sh. Prem Singh, Lambardar and Sh. Tara Singh S/o Bhan Singh, Jasveer Singh, Angrej Singh, Kuldeep Singh S/o Balwinder Singh, Sh. Balkar Singh, Sh. Sukhdev Singh S/o Balwant Singh, Son of Sh. Hajara Singh, Chanan Singh S/o Sarain Singh, Harjinder Singh S/o Pyara Singh, Sh. Swaran Singh S/o Hajara Singh, mining inspector Manjit Kumar and Jai Inder Singh, Contractor.

Query 2:

Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply 2:

As per the Standard Environmental Conditions for Sand Mining mentioned in the Sustainable Sand Mining Management Guidelines, 2016, the restriction of depth of mining is only mentioned for riverbed mining. There is no restriction of depth in agricultural land.

Further, as per Punjab Minor Mineral rules 2013, a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. has been constituted. This SAC after due sites visits approves the sites for mining. This SAC is consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel. The aforesaid provisions of the State Act cover the requirements as per SSMMG,2016.

The report dated 20.09.2017 duly signed by the Chairman of Site Appraisal Committee cum Sub Divisional Magistrate and Executive Engineer B&R, Executive Engineer Drainage, DFO, Chief Agriculture Officer, Block Development and Panchayat Officer and Mining Officer and Tehsildar has already been submitted.

SEIAA perused the report of Site Appraisal Committee dated 20.09.2017 and observed that SAC has no objection for the mining if, mining department allows the mining from the project site after getting the Environmental Clearance.

Query 3:

Consent of all the owners of the land shall be obtained in case of the private land.

Reply: The land owner NOC's have already been submitted by the Project Proponent.

Query 4:

Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply:

The area of the mining site is 1.92 ha which is less than 5 ha and hence it is a B2 category projects. All the B2 category projects are exempted from the general condition as per the notification dated 14.08.2018 issued by the MoEF&CC New Delhi.

Query 5: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over manual method of mining:

- i) The manual method will lead to employment of large number of labour which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

SEIAA was not satisfied with the reply of the project proponent and allowed the manual method of mining only.

Query 6:

Environmental Consultant is required to submit revised manpower along with the water calculation considering the manual method of mining.

Reply:

Environmental Consultant submitted that change in labour requirement and water requirement will be as under:

- i. The total capacity of mine is 14527.30 TPA
- ii. Number of working days = 300 Days
- iii. Mine capacity per day = 48 Tons
- iv. Labour required for excavation of sand = 12 (1 labour excavated 4 TPD)
- v. The water requirement of the project will be as under:

Sr. No	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
1	Domestic	20 L per person per day	17 Person	0.34
2	Dust Suppression	5 L per m haul road per time	480-meter haul road twice daily	4.8
		20 L per truck using water Mist spray	12 trucks per shift	0.24
3	Green belt Development	10 L per plant per day	14 Plant (*in site buffer)	0.14
Total water requirement				5.52

Query 7: Project cost shall be revised by considering the operational cost of the mining including the transportation cost. Capital cost of the project shall also be mentioned separately.

Reply: Project proponent submitted the reply as under: -

Sr. No.	Cost Head	Total (Rs.)
1	Contract Money to be paid to Department in 3 yrs	33,77,168
2	Cost of Labour & Machinery	53,55,000
3	Infrastructure Cost	2,50,000
		89,82,168/-

The capital investment of the project would be the royalty which the Project Proponent has paid to the government for one year i.e. Rs. 12,59,056/- the rest of the cost will be recovered by the project proponent during the operations and same shall be the

operational cost and as per MoEF&CC OM dated 01.05.2018 capital investment shall be considered for CER cost of the project.

Query 8: The project proponent shall submit an undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out.

Reply: An undertaking in this regard has already been submitted by the Project Proponent.

Query 9: The project Proponent shall submit the Site Specific Corporate Environmental Responsibility indicating the activity, amount to be spent and time schedule.

Reply: The project proponent submitted the revised proposal to spend Rs. 25,000 for the purpose of CER as per OM dated 01.05.2018 as under: -

Sr. No.	Particulars	Amount (in Rs)
1	Project Proponent will install 1KW Solar power mini station at Government Elementary School, Village Awan Vasau, Tehsil: Ajnala, District: Amritsar (Punjab).	40,000/-
Total		40,000/

Query 10: Rain water harvesting design including the dimensions and design of the same shall be submitted.

Reply: Project Proponent has submitted a proposal of rain water harvesting pit with de-silting chamber for Govt. Elementary School of the village, which was taken on record. He also submitted the detailed calculation for the rainwater as under:

Sr. No.	Particulars	Calculations
1.	Area of Govt. Elementary School building	148.21 m ²
2.	Area of Existing Toilet Block	7.75 m ²
3.	Area of School Play Ground	330.75 m ²
	Total	486.71m ²
Average Rainfall in year		750 mm
Calculation = 486.71 x 750 x .32 =116810.40 Ltr per year		

During discussions, representative of the promoter company agreed to comply with fully
Page 17

all the conditions as mentioned by SEAC.

The SEIAA observed that the case stands recommended by SEAC and the Committee has awarded 'Silver Grading' to the project proposal. The SEIAA looked into the details of the case and was satisfied with the same.

Therefore, the Authority decided to accept the recommendations of SEAC and grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Awan Vsau, Tehsil Ajnala, District- Amritsar, Punjab to M/s Friends & Co., as per approved mining Plan with the manual method of mining only & subsequent presentation /clarifications made by the project proponent and his consultant, with proposed measures and following conditions as recommended by SEAC & certain amendments therein & agreed by the Project proponent:

A. Specific conditions:

- (i) The environmental clearance will be valid for a period of seven years from the date of issuance, as per the provisions of the EIA Notification, 2006 as amended subsequently, for mining of minor minerals in the above said location and Khasra numbers.
- (ii) The project proponent shall demarcate the mining lease area in the presence of Lambardar of the village, project proponent/ contractor, owner of the land and owner of the adjoining land, revenue officer & Mining Officer, etc. Mining lease area will be demarcated on the ground with pucca pillars with reference to some permanent benchmark before starting any mining activity at site.
- (iii) Mining shall be carried out only by the manual method. No semi- mechanized or mechanized method of mining has been allowed as proposed in the mining plan.
- (iv) Mining shall be as per the approved Development/Mining Plan prepared for this project and as per the Mines & Mineral (Development & Regulation) Act, 1957 and rules framed there under as amended from time to time, other Acts/rules related with mining of minor minerals.
- (v) The mining activity shall be carried out strictly as per guidelines contained in the Sustainable Sand Mining Management Guidelines 2016 and provisions made in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by MoEF&CC, New Delhi as amended from time to time and guidelines issued by Geological Survey of India.
- (vi) The mining operation will be carried out only from sun-rise to sunset.

- (vii) The project proponent shall obtain Consent to Establish and Consent to Operate from the Punjab Pollution Control Board and effectively implement all the conditions stipulated therein.
- (viii) The project proponent shall observe the mining site after every 15 days and in case, a Schedule-I or Schedule-II species as per Wildlife Act or any rare or endangered species are reported, the Mining Officer will get a conservation plan prepared in consultation with the Department of Wildlife and ensure its implementation.
- (ix) The mining of minor mineral (sand) shall be carried out only up to a depth of 2.4 m as proposed in the approved mining plan or above the groundwater level, whichever is less.
- (x) The mining shall be carried out by the contractor/lessor as per the EMP prepared and development / mining plan prepared as per the Mines & Mineral (Development & Regulation) Act, 1957 / other Acts/Rules related with mining of minor minerals. It shall be ensured that no mining shall be carried out during the monsoon season as defined by the Meteorological Department.
- (xi) The Project Proponent and Mining Officer shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
- (xii) The project proponent shall undertake plantation/afforestation work by planting the native species in the nearby area adjacent to mine lease.
- (xiii) The project proponent shall ensure that effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Ministry of Environment & Forests/Punjab Pollution Control Board in this regard.
- (xiv) The project proponent shall undertake adequate safeguard measures during extraction of sand and ensure that due to this activity, the hydro-geological and ecological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area by establishing a network of existing wells, if any, and installing new piezometers during the mining operation.
- (xv) The periodic monitoring [(at least four times in a year- pre-monsoon (April May), monsoon (August), post-monsoon (November) and winter (January); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the data thus collected may be sent regularly to the Ministry of Environment and Forests and its Regional Office at Chandigarh, the Central Ground Water Authority, the Regional Director, Central Ground Water Board; SEIAA, Punjab and Punjab Pollution Control Board. If at any

stage, it is observed that the groundwater table is getting depleted or rising due to the mining activity, necessary corrective measures shall be carried out.

- (xvi) The project proponent shall obtain necessary prior permission of the competent authorities/CGWA for drawl of requisite quantity of water (surface water and groundwater), if any, required for the project.
- (xvii) In case, mining site falls in the notified block declared by the CGWA, the project proponent shall obtain necessary prior permission for drawl of requisite quantity of water for domestic purposes from District Advisory Committee (DAC) and only treated waste water will be used for dust suppression activities.
- (xviii) The project proponent shall construct rain water harvesting pits along with desilting chambers in the Govt. Elementary School of the village Awan Vsau, Tehsil Ajnala, District Amritsar and other Govt. building to recharge at least twice the quantity of withdrawal water. The project proponent shall follow the CGWA guidelines for constructing the rainwater recharging pits. In areas where ground water recharge is not feasible, the rainwater should be harvested and stored for reuse.
- (xix) Adequate numbers (not less than 100) of tree shall be planted, protected, maintained and established in vacant area in the village near to the mining site.
- (xx) Appropriate mitigation measures shall be taken by the project proponent to prevent pollution at the mining site in consultation with the Punjab Pollution Control Board. It shall be ensured that there is no leakage of oil and grease at the mining site from the vehicles/mining equipment's used for transportation.
- (xxi) Vehicular emissions shall be kept under control and regularly monitored. The project proponent shall ensure that, as far as possible, the transportation route will be away from the habitation area and will not pass through any village. The transportation hours of mined material shall be restricted to non-peak hours only.
- (xxii) The mineral transportation shall be carried out through the covered trucks only and the vehicles carrying the mineral shall not be overloaded. All the public roads as well as approach roads shall be maintained and it shall be ensured that tippers carrying mined material are not loaded beyond the permissible load as per designed load bearing capacity of the road. Moreover, provision of sufficient funds shall be made in the budget for the proper maintenance of the roads.
- (xxiii) Mineral handling area shall be provided with the adequate number of dust suppression systems. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
- (xxiv) A First Aid Room shall be provided in the project both during construction and operations of the project.

- (xxv) Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
- (xxvi) Provision shall be made for the housing of workers, if residing at site, within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project. In case of non-residential/daily workers, provision of adequate bath rooms, mobile toilets, and mobile STP shall be made to avoid open defecation and treated domestic effluent shall be discharged onto land for plantation.
- (xxvii) The municipal solid waste generated shall be disposed of as per Solid Waste Management Rules, 2016. Segregation of bio-degradable and non-biodegradable wastes shall be done at site and disposed of as per provisions of Solid Waste Management Rules. Dustbins will be provided at site and the workers will be guided to put the domestic waste and plastic carry bags etc. if any, in the dustbin. No littering will be permitted at the site as well as in the vicinity.
- (xxviii) The critical parameters such as RSPM (Particulate matter with size less than 10 microns i.e., PM10) and NO in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH, Faecal Coliform and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The Circular No. J-20012/1/2006-IA. II(M) dated 27.05.2009 issued by Ministry of Environment and Forests, which is available on the website of the Ministry www.envfor.nic.in shall also be referred in this regard for its compliance.
- (xxix) The project proponent shall take all precautionary measures during mining operation for conservation and protection of rare and endangered flora & fauna found in the study area. Action plan for conservation of flora and fauna shall be prepared in consultation with the State Forest and Wildlife Department. All the safeguard measures brought out in the Wildlife Conservation Plan so prepared specific to this project site shall be effectively implemented. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. A copy of action plan shall be submitted to the Regional Office of the Ministry of Environment and Forests, Chandigarh and SEIAA, Punjab.
- (xxx) The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility (CER). The project proponent shall adhere to the commitments made in the proposal for CER that an amount of Rs 40,000/- will be spent for installation of 1KW Solar Power Mini Station at Government

Elementary School, village Awan Vasau within 1st year of grant of environmental Clearance.

- (xxxi) Vehicles hired to be used for transportation of mined material should be in good condition and should conform to applicable air and noise emission standards as provided in the Vehicular Act.
- (xxxii) Ambient noise levels should conform to prescribed standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored.
- (xxxiii) The Risk assessment and disaster management plan should be prepared.
- (xxxiv) The project proponent shall submit the site plan showing the earmarked area for storage of mined material.
- (xxxv) No mining operation shall be carried out at any point within 75 m of railway line, 60 m from national highway, 50 m from HT line/any public works/reservoirs, tanks/canal/public roads and buildings or inhabited or 10 m of outer edge of any village road. A safety barrier of 7.5m width shall be left intact around the mine lease boundary.
- (xxxvi) The project proponent shall ensure the implementation of the post closure mining plan as proposed by the project proponent in the mining plan.
- (xxxvii) The project proponent shall comply with the condition imposed by District Forest Officer (DFO) while granting NOC.
- (xxxviii) The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

B. General Conditions:

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment, Forests & Climate Change.
- (ii) No change in the calendar plan including excavation, quantum of mineral sand/gravel (minor mineral) and waste should be made.
- (iii) Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for RSPM (Particulate matter with size less than 10micron i.e., PM) and NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the Punjab Pollution Control Board.
- (iv) Data on ambient air quality RSPM (Particulate matter with size less than 10micron i.e., PM) & NO_x should be regularly submitted to the Ministry of Environment and Forests including its Regional office located at Chandigarh and the Punjab Pollution

Control Board / Central Pollution Control Board once in six months and SEIAA, Punjab.

- (v) Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
- (vi) Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- (vii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- (viii) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Chandigarh and SEIAA, Punjab.
- (ix) The project proponent should inform to the Regional Office of the Ministry of Environment & Forests located at Chandigarh and SEIAA, Punjab regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (x) The Regional Office of Ministry of Environment & Forests located at Chandigarh and Punjab Pollution Control Board shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
- (xi) The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment and Forests, its Regional Office Chandigarh, the respective Zonal Office of Central Pollution Control Board and the Punjab Pollution Control Board and SEIAA, Punjab. The proponent shall upload the status of compliance of the environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh, the respective Zonal Office of Central Pollution Control Board and the Punjab Pollution Control Board and SEIAA, Punjab.
- (xii) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while

processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.

- (xiii) The Project Proponent should display a copy of the clearance letter at the Regional office, District Industries Centre and the Collector's office/ Tehsildar's office.
- (xiv) The environmental statement for each financial year ending 31 March in Form-V as is mandated to be submitted by the project proponent to the concerned Punjab Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh and SEIAA, Punjab by e-mail.
- (xv) The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the Environment Management Plan and Corporate Social Responsibility.
- (xvi) The project proponent should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the Punjab Pollution Control Board and also at web site of the Ministry of Environment and Forests at <http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of Ministry of Environment & Forests at Chandigarh and SEIAA, Punjab.
- (xvii) The Ministry of Environment, Forests & Climate Change and SEIAA, Punjab or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- (xviii) The SEIAA may cancel the environmental clearance granted to this project under the provisions of EIA Notification, 2006, if, at any stage of the validity of this environmental clearance, it is found/ come to the knowledge of the SEIAA that the project proponent has deliberately concealed and/or submitted false or misleading information or inadequate data for obtaining the environmental clearance.
- (xix) The project proponent shall get the micro chemical analysis of the mined material done from an approved laboratory once in a year and shall submit the analysis results to the Ministry of Environment & Forests/Punjab Pollution Control Board and SEIAA, Punjab.
- (xx) The project proponent shall ensure that the contractor shall engage people of local area for mining purpose as far as possible, so as to have opportunities of employment for them.
- (xxi) The project proponent may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the other contractor finalized by the

Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance.

- (xxii) The monitoring of the mining project in respect of Environment Management shall be carried out by the State/District Level Environment Management Cells constituted by the Govt. of Punjab vide notifications dated 03.12.2012.
- (xxiii) Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under.

Item No169.03: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Manochahl, Tehsil Zira District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/ 148050/ 2020)

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Manochahl, Tehsil Zira District Ferozepur on 09.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 16/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

iii)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
iv)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 <u>Manasvyas23@gmail.com</u>

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details			
1.	Online Proposal No.	SIA/PB/MIN/ 148050/ 2020			
2.	Project Name & Location	Manochahl Sand Mining Project at Hadbast No-13 Village-Manochahl, Tehsil- Zira, District-Firozpur, Punjab			
3	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	1(a) mining of mineral			
4	Details of Mining Lease				
i)	Mineral (s) to be mined	Sand			
ii)	Capacity of Mine	20544.85 TPA (61634.55 MT)			
iii)	Mining Lease Area	Total area is 2.42 Ha			
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years			
5	HadBast No.	13			
6	Land Khasra No. & their consent details				
	Sr No	Type	Khasra No	Consent details	
	1	Govt Land			
	2	Private Land	[86//25(8-0)], [87//22(8-0), 21(8-0)], [89//5 (8-0)], [88//1(8-0), 2(8-0)]	Yes	
7.	Latitude & Longitude				
	Sr. No	Pillar No	Latitude N	Longitude E	
	1	A	31°01'20.3"N	74°52'34.3"E	

	2	B	31°01'24.1"N	74°52'34.3"E																																							
	3	C	31°01'23.7"N	74°52'41.7"E																																							
	4	D	31°01'20.2"N	74°52'41.9"E																																							
8	Whether the project attracts the General Condition.		No																																								
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof		No, Forest NOC issued by DFO Ferozpur vide letter no 7676 dated 28.02.2020																																								
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof		No, Nearest Harike WLS is located approximately 13.71 Km from the site.																																								
11.	Land requirement for the project		<p>Prior to the project proposal</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Ownership pattern</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>2.42</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>2.42</td> </tr> </tbody> </table> <p>Present Land use Break Up</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Land use</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Agriculture Area</td> <td>2.42</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td>0</td> </tr> </tbody> </table>		Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	2.42	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	2.42	Sr No.	Land use	Area in Ha	i)	Agriculture Area	2.42	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	0
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v)	Other(Specify)	0																																									
12.	Cost of the project		Rs. 17,81,000/-																																								
13.	Environmental Clearance. Fee details		Rs 4840/- Submitted vide DD no 33104 in the Corporation Bank Branch on 14.06.2020.																																								
14.	Details of Final District Survey Report		<p>Approved by:- District Commissioner, Ferozpur Reference No: 728 Date of Issue: 8/05/2020 Mining Lease Area: 2.42</p>																																								
15.	Details of visit report of Sub Divisional Level Committee		Submitted																																								
16.	Details of Mining Plan		<p>Approved by: - State Geologist Approval Letter No: Glg/PB/M.P./2019/53 Date of Approval: 03.02.2020</p>																																								

		Approved Mining Lease Area:2.42 ha Approved Mining Quantity: 20544.85 TPA (61634.55 MT) Depth of Mining (m):2.40m																			
17.	Demarcation report of mining site	Submitted																			
18.	Workers (when fully operational)	15 Persons.																			
19.	Water Requirements & source	Domestic: 0.4 KLD Dust Suppression:3.44 KLD Total:3.84 KLD Ground water/Others: From water tanker.																			
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.																			
21.	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.																			
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 798 Funds Allocated: Rs 1,14,200/-																			
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.																			
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	<p>construction industry in the region.</p> <p>e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.</p> <p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>vii) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>
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SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozpur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozpur, which was taken on record by SEAC.
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 3,99,000/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:

Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
1	Domestic	20 L per person per day	15 Person	0.30
2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	427-meter haul road twice daily 12 trucks per Day	4.27 0.24
3	Green belt Development	10 L per plant per day	15 Plant (*in site buffer)	0.15
Total water requirement				4.96
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.		The project proponent submitted the same with details given as under:	
	Sr. No.	Particulars	Amount (in Rs)	
		PP will install water solar pump/light at any location as suggested by villagers.	36,000/-	
	Total		36,000/	
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.		The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.	

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Manochhal, Tehsil Zira, District- Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.

2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 36,000/- towards the following activities:

Sr.No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light at any location as suggested by villagers.	36,000/-
Total		36,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owner of the adjoining land revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which

approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by*

dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5 hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted.

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No169.04: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Dastul Sahib Wala, Tehsil Ferozepur District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/148404/ 2020)

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Dastul Sahib Wala, Tehsil Ferozepur District Ferozepur on 09.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 16/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details		
1.	Online Proposal No.	SIA/PB/MIN/148404/2020		
2.	Project Name & Location	Dastul Sahib Wala Sand Mining Project at Hadbast No-114 Village- Dastul Sahib Wala, Tehsil- Firozpur, District-Firozpur, Punjab		
3	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	1(a) mining of mineral		
4	Details of Mining Lease			
i)	Mineral (s) to be mined	Sand		
ii)	Capacity of Mine	40115.46 TPA (Total 120346.40 MT)		
iii)	Mining Lease Area	Total area is 4.57 Ha		
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years		
5	HadBast No.	114		
6	Land Khasra No. & their consent details			
	Sr. No.	Type	Khasra No	Consent details
	1	Govt Land		
	2	Private Land	28//16(7-4), 17(8-0), 18/2(3-2), 22/2(4-0), 23(8-0), 24(8-0), 25(8-0) [39//3/2(6-8), 4(8-0), 5(7-4), 6(7-4), 7(8-0), 15(7-4)].	Yes
7.	Latitude & Longitude			
	Pillar	Latitude		Longitude

	A	30°57'04.9"N	74°41'32.2"E																					
	B	30°57'06.9"N	74°41'32.2"E																					
	C	30°57'06.9"N	74°41'33.6"E																					
	D	30°57'07.5"N	74°41'33.6"E																					
	E	30°57'07.7"N	74°41'36.9"E																					
	F	30°57'08.8"N	74°41'37.2"E																					
	G	30°57'08.8"N	74°41'40.8"E																					
	H	30°56'59.3"N	74°41'40.8"E																					
	I	30°56'59.3"N	74°41'38.8"E																					
	J	30°57'01.0"N	74°41'38.5"E																					
	K	30°57'01.0"N	74°41'36.0"E																					
	L	30°57'03.2"N	74°41'35.9"E																					
	M	30°57'03.3"N	74°41'34.1"E																					
	N	30°57'04.9"N	74°41'34.4"E																					
8	Whether the project attracts the General Condition.	No																						
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof	No, Forest NOC issued by DFO Ferozepur vide letter no 7676 dated 28.02.2020																						
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	No, as per the google map submitted by the project proponent nearest Harike WLS is located approximately 32.01 Km from the site.																						
11.	Land requirement for the project	<p>Prior to the project proposal</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr No.</th> <th style="width: 60%;">Ownership pattern</th> <th style="width: 30%;">Area in Ha</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>2.</td> <td>Private land</td> <td>4.57</td> </tr> <tr> <td>3.</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>4.</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>5</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td></td> <td>Total land</td> <td>4.57</td> </tr> </tbody> </table> <p>Present Land use Break Up</p>		Sr No.	Ownership pattern	Area in Ha	1.	Forest Land	Nil	2.	Private land	4.57	3.	Government land	Nil	4.	Revenue land	Nil	5	Other land	Nil		Total land	4.57
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		Sr No.	Land use	Area in Ha
		1.	Agriculture Area	4.57
		2.	Waste/Barren Area	0
		3.	Settlement	0
		4.	Surface water Bodies	0
		5.	Other(Specify)	0
12.	Cost of the project	Rs. 34, 76,806.91 Lacs		
13.	Environmental Clearance. Fee details	Rs 9140/- Submitted vide DD no 33109 was deposited in the Corporation Bank Branch on 14.06.2020.		
14.	Details of Final District Survey Report	Approved by: -District Commissioner, Ferozepur Reference No: 728 Date of Issue: 08/06/2020 Mining Lease Area: 4.57		
15	Details of visit report of Sub Divisional Level Committee	Submitted		
16	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/Pb/M.P./2019/50 Date of Approval: 03-02-2020 Approved Mining Lease Area:4.57 ha Approved Mining Quantity: 40115.46 TPA (Total 120346.40 MT) Depth of Mining (m):3.0m		
17	Demarcation report of mining site	Submitted		
18.	Workers (when fully operational)	15 Persons.		
19.	Water Requirements & source	Domestic: 0.15 KLD Dust Suppression:6.40 KLD Plantation:0.32 KLD Total:6.87 KLD Ground water/Others: From water tanker.		
20.	Waste water generation, Treatment & its Disposal	Quantity of Waste water: Nil (80% of water requirement) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.		

22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 1509 Funds Allocated: Rs 1,35,700/-		
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.		
		S. No	Particulars	Amount (in Rs
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		2	Pollution Control – Water sprinkling	
		3	Green Belt Development	1,35,700/-
		4	Haul road and other roads repair and maintenance	3,79,750/-
			Total	5,95,450/-
24	CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 34,76,800/- and Rs 10,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -			
	Sr. No.	Particulars	Amount (in Rs	
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	2	Plantation shall be done in the area suggested by the gram panchayat	Rs 18,000/-	
	3	Providing Computer & stationary to nearby School as suggested by Locals	34,000/-	
		Total	Rs 70,000/-	
25	Other important facts i) During the lease period, the deposit will be worked from the top surface to 3.0 m below ground level. ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up. iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as			

	<p>recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.</p> <p>iv) Compliance of various environmental regulations shall be ensured.</p> <p>v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide 1709-10 dated 09.07.2019 issued by Department of Mines & Geology, Government of Punjab.</p> <p>vi) Extent of Mechanization The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -</p>				
	Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total
	Excavator	0.90 m ³	1	1	2
	Dumper	10 tonnes	2	1	3
	Water tankers	As & when required	-	-	-
	<p>vii) Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:</p> <ol style="list-style-type: none"> a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region. e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation. <p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>ix) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>				

SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant			
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozpur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozpur, which was taken on record by SEAC.			
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 7,54,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>			
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:			
	Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
	1	Domestic	20 L per person per day	15 Person	0.30
	2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	1519-meter haul road twice daily 12 trucks per shift	15.19 0.24
	3	Green belt Development	10 L per plant per day	32 Plant (*in site buffer)	0.32
	Total water requirement				16.05

4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.	The project proponent submitted the same with details given as under:									
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 10%;">Sr.No.</th> <th style="width: 60%;">Particulars</th> <th style="width: 30%;">Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td></td> <td>PP will install water solar pump/light at any location as suggested by villagers.</td> <td style="text-align: right;">36,000/-</td> </tr> <tr> <td colspan="2" style="text-align: center;">Total</td> <td style="text-align: right;">36,000/</td> </tr> </tbody> </table>	Sr.No.	Particulars	Amount (in Rs)		PP will install water solar pump/light at any location as suggested by villagers.	36,000/-	Total		36,000/	
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	PP will install water solar pump/light at any location as suggested by villagers.	36,000/-									
Total		36,000/									
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.	The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.									

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Dastul Sahib, Tehsil Ferozepur, District- Ferozepur, Punjab **submitted by M/s Prime Vision Industries Private Limited**, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 36,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light at any location as suggested by villagers.	36,000/-
Total		36,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon’ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department

- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- (i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- (ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- (iii)The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of

MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.

- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No169.05: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Gatti Harike, Tehsil Zira District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/148442/ 2020)

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Gatti Harike, Tehsil Zira District Ferozepur on 09.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under-

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 <u>Manasvyas23@gmail.com</u>

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02 and the case was accepted online on 20.06.2020. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.Item		Details			
1.	Online Proposal No.	SIA/PB/MIN/ 148442/ 2020			
2.	Project Name & Location	Gatti Harike sand mining project, Tehsil Zira District Ferozepur, Punjab			
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	1(a) mining of mineral			
4	Details of Mining Lease				
i)	Mineral (s) to be mined	Sand			
ii)	Capacity of Mine	5551.89 TPA (16655.6 MT)			
iii)	Mining Lease Area	Total area is 0.81 Ha			
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: NA			
5	HadBast No.	54/55			
6	Land Khasra No. & their consent details				
	Sr No	Type	Khasra No		Consent details
	1	Govt Land			
	2	Private Land	20//13(8-0), 14(8-0)		Yes
7.	Latitude & Longitude				
	Sr. No	Pillar No	Latitude N	Longitude E	
	1	A	31°09'19.0"N	75°54'46.6"E	
	2	B	31°09'17.1"N	75°54'46.6"E	
	3	C	31°09'17.3"N	75°54'51.8"E	
	4	D	31°09'19.1"N	75°54'51.7"E	
8	Whether the project attracts the General Condition.	No			
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof	No, Forest NOC issued by DFO Ferozepur vide letter no 7676 dated 28.02.2020			
10	Does the project fall within 10 km of eco-sensitive area/	No,			

	National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	Nearest Harike WLS is located approximately 2.04 Km form the site																																							
11.	Land requirement for the project	<p>Prior to the project proposal</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Ownership pattern</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>0.81</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>0.81</td> </tr> </tbody> </table> <p>Present Land use Break Up</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Land use</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Agriculture Area</td> <td>0.81</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td>0</td> </tr> </tbody> </table>	Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	0.81	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	0.81	Sr No.	Land use	Area in Ha	i)	Agriculture Area	0.81	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	0
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12.	Cost of the project	Rs. 4, 81,182.30 Lacs.																																							
13.	Environmental Clearance. Fee details	Rs 1620/- was deposited vide DD no 33107 in the corporation Bank Branch on 14.06.2020.																																							
14.	Details of Final District Survey Report	Approved by: -District Commissioner, Ferozepur Reference No: 728 Date of Issue: 08/06/2020																																							
15	Details of visit report of Sub Divisional Level Committee	Submitted																																							
16	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/Pb/M.P./2019/42 Date of Approval: 31.01.2020 Approved Mining Lease Area:0.81 ha Approved Mining Quantity: 5551.89 TPA (16655.6 MT) Depth of Mining (m): 3.0m																																							
17	Demarcation report of mining site	Submitted																																							
18.	Workers (when fully operational)	15 Persons.																																							
19.	Water Requirements & source	Domestic: 0.10 KLD Dust Suppression:1.00 KLD Plantation:0.05 KLD Total:1.15 KLD Ground water/Others: From water tanker.																																							

20.	Waste water generation, Treatment & its Disposal	<p>a) Quantity of Waste water: Nil (80% of water requirement)</p> <p>b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.</p>		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.		
22.	Green Belt Development Plan including no. of trees to be planted & its species.	<p>Tree cutting (if any): Nil</p> <p>No of plant to be planted: 267</p> <p>Funds Allocated: Rs 98,100/-</p>		
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.		
		S. No	Particulars	Recurring cost
		1	Pollution monitoring – Air, Water, Noise	50,000/-
		2	Pollution Control – Water sprinkling	
		3	Green Belt Development	98,100/-
		4	Haul road and other roads repair and maintenance	4,02,500/-
			Total	5,50,600/-
24	<p>CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 4,81,175/- and Rs 20,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -</p>			
	Sr. No.	Particulars		Amount (in Rs)
	1.	PP will install water solar Pumps for villagers for use in irrigation.		Rs 20,000/-
		Total		Rs 20,000/-
25	<p>Other important facts</p> <p>i) During the lease period, the deposit will be worked from the top surface to 3.0 m below ground level.</p> <p>ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up.</p> <p>iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.</p> <p>iv) Compliance of various environmental regulations shall be ensured.</p>			

	<p>Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No. 1709-10 dated 09.07.2019 issued by Department of Mines & Geology, Government of Punjab.</p>			
	<p>v) Extent of Mechanization</p> <p>The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -</p>			
	Name of Equipment	Capacity	No. of Equipment	Standby Equipment
	Excavator	0.90 m ³	1	1
	Dumper	10 tonnes	1	1
	Water tankers	As & when required	-	-
	<p>vi) Benefits of Semi mechanized method</p> <p>Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:</p> <ol style="list-style-type: none"> a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region. e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation. 			
	<p>vii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p>			
	<p>viii) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>			

SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozepur has sent the approved DSR to the Secretary, Mining vide letter

		number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozepur, which was taken on record by SEAC.				
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 20,000/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>				
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		Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
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		2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	1610-meter haul road twice daily 10 trucks per Day	16.1 0.20
		3	Green belt Development	10 L per plant per day	5 Plant (*in site buffer)	0.05
		Total water requirement				16.55
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.	The project proponent submitted the same with details given as under:				

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		PP will install water solar pump/light at any location as suggested by villagers.	20,000/-
	Total		20,000/
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.	The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.	

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Gaetti Harike, Tehsil Zira, District- Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 25,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light at any location as suggested by villagers.	20,000/-
Total		20,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply :

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations

for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.

- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

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Item No169.06: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Sfaderpur, Tehsil Sultanpur Lodhi District Kapurthala Punjab submitted by M/s Friends & Co. (Proposal No. SIA/PB/MIN/ 149298/ 2020)

SEIAA observed as under:

M/s Friends & Co. has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Sfaderpur, Tehsil Sultanpur Lodhi District Kapurthala on 09.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 16/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	Friends & Co., Address: - Bakkar Mandi, Chabal Road, Khazana Gate, Kapurthala-143001
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details		
1.	Online Proposal No.	Proposal No. SIA/PB/MIN/ 149298/ 2020		
2.	Project Name & Location	Sfaderpur Sand Mining Project at Hadbast No-67, Village- Sfaderpur, Tehsil- Sultanpur Lodhi, District- Kapurthala, Punjab		
3	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	1(a) mining of mineral		
4	Details of Mining Lease			
	i)	Mineral (s) to be mined	Sand	
	ii)	Capacity of Mine	53428.2 TPA (Total 160284.6 MT)	
	iii)	Mining Lease Area	Total area is 4.29 Ha	
	iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years	
5	HadBast No.	67		
6	Land Khasra No. & their consent details			
	Sr No	Type	Khasra No	Consent details
	1	Govt Land		
	2	Private Land	20/1,2,8,9,10,11,12,13,18,19,20.	Yes
7.	Latitude & Longitude			
	S.No.	Corner	Latitude	Longitude
	1	A.	31°21'0.92"N	75°10'17.19"E
	2	B.	31°21'0.98"N	75°10'22.43"E
	3	C.	31°20'58.92"N	75°10'22.33"E
	4	D.	31°20'58.92"N	75°10'24.83"E
	5	E.	31°20'53.02"N	75°10'24.58"E
	6	F.	31°20'53.13"N	75°10'17.42"E
8	Whether the project attracts the General Condition.	No		
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land.	No,		

	b. Status of the forest clearance. If No, submit documentary proof	Forest NOC issued by DFO Jalandhar & Phillur vide letter no 11294 dated 19.03.2020																																							
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	No, Nearest Harike WLS is located approximately 19.12 Km from the site.																																							
11.	Land requirement for the project	<p>Prior to the project proposal</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Ownership pattern</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>4.29</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>4.29</td> </tr> </tbody> </table> <p>Present Land use Break Up</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Land use</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Agriculture Area</td> <td>4.29</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td>0</td> </tr> </tbody> </table>	Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	4.29	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	4.29	Sr No.	Land use	Area in Ha	i)	Agriculture Area	4.29	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	0
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12.	Cost of the project	Rs. 46, 30,622.094/-																																							
13.	Environmental Clearance. Fee details	Rs 8,580/- deposited vide Cheque no 15483 in the corporation Bank Branch on 14.06.2020.																																							
14.	Details of Final District Survey Report	Submitted																																							
15	Details of visit report of Sub Divisional Level Committee	Submitted																																							
16	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/PB/M.P./2020/145 Date of Approval: 14.02.2020 Approved Mining Lease Area: 4.29 Ha Approved Mining Quantity: 53428.2 TPA (Total 160284.6 MT) Depth of Mining (m):3.0 m																																							
17	Demarcation report of mining site	Submitted																																							
18.	Workers (when fully operational)	20 Persons.																																							
19.	Water Requirements & source	Domestic: 0.15 KLD																																							

		Dust Suppression:4.80 KLD Plantation:0.14 KLD Total:5.09 KLD Ground water/Others: From water tanker.																	
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.																	
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.																	
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 1416 Funds Allocated: Rs 1,32,900/-																	
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Friends & Co. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.																	
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24	<p>CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 46,30,605/- and Rs 30,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Particulars</th> <th>Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PP will install RO water purification system in school/Panchayat Bhawan as desired by villagers.</td> <td>Rs 55,000/-</td> </tr> <tr> <td>2</td> <td>PP will install water tankers for villagers for use in irrigation.</td> <td>Rs 40,000/-</td> </tr> </tbody> </table>		Sr. No.	Particulars	Amount (in Rs)	1	PP will install RO water purification system in school/Panchayat Bhawan as desired by villagers.	Rs 55,000/-	2	PP will install water tankers for villagers for use in irrigation.	Rs 40,000/-								
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		Total	Rs 95,000/-																				
25	<p>Other important facts</p> <p>i) During the lease period, the deposit will be worked from the top surface to 3m below ground level.</p> <p>ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up.</p> <p>iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.</p> <p>iv) Compliance of various environmental regulations shall be ensured.</p> <p>v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No. 1709-10 dated 09/07/2019 issued by Department of Mines & Geology, Government of Punjab.</p> <p>vi) Extent of Mechanization The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width: 25%;">Name of Equipme nt</th> <th style="width: 25%;">Capacity</th> <th style="width: 25%;">No. of Equipme nt</th> <th style="width: 25%;">Standby Equipment</th> <th style="width: 25%;">Total</th> </tr> </thead> <tbody> <tr> <td>Excavator</td> <td style="text-align: center;">0.90 m³</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Dumper</td> <td style="text-align: center;">10 tonnes</td> <td style="text-align: center;">3</td> <td style="text-align: center;">-</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Water tankers</td> <td style="text-align: center;">As & when required</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> </tbody> </table> <p>vii) Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:</p> <ol style="list-style-type: none"> a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region. e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation. 			Name of Equipme nt	Capacity	No. of Equipme nt	Standby Equipment	Total	Excavator	0.90 m ³	1	-	1	Dumper	10 tonnes	3	-	3	Water tankers	As & when required	-	-	-
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	<p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>ix) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>
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SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent submitted a copy of the revised DSR for Amritsar. The said DSR was accompanied with a noting approved by the DC, Amritsar for the approval of the DSR, which was taken on record by SEAC.
2.	The site falls in the notified area and the project proponent is required to earmark two tubewell/ borewells/ wells as observation well in the adjoining area within a radius of 500m of the project site. Also, monthly monitoring of the depth is to be carried out. District Mining Officer is to monitor the same.	The project proponent agreed to the same.
3.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 7,08,000/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>
4.	The project proponent is required to submit the revised water	The project proponent submitted the same as under:

	requirement along with proper breakup as per the norms.		
	Sno	Usage	Criteria Considered
			Person/Area/Plants
			Total (KLD)
	1	Domestic	20 L per person per day
			20 Person
	2	Dust Suppression	5 L per m haul road per time
			1830-meter haul road twice daily
			20 L per truck using water Mist spray
			12 trucks per shift
			0.24
	3	Green belt Development	10 L per plant per day
			30 Plant (*in site buffer)
			0.30
	Total water requirement		
			19.24
5.	The project falls in the notified block. Thus, the project proponent is required to submit application to the District Advisory Committee for permission to use the ground water for domestic use.		The project proponent informed that they were in process of submitting the application to the DAC. Later, the project proponent submitted a copy of receiving of the said application to the DAC, which was taken on record by SEAC.
6.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.		The project proponent submitted the same with details given as under:
	Sr. No.	Particulars	Amount (in Rs)
	1	PP will install water solar pump for villagers for use in irrigation	58,000/-
	Total		58,000/
7.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.		The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Sfaderpur, Tehsil Sultanpur Lodhi, District- Kapurthala, Punjab submitted by M/s Friends & Co., as per Annexure-II and the following additional conditions:

1. The project proponent shall earmark two tubewell/ borewells/ wells as observation wells in the adjoining area within a radius of 500m of the project site and monthly monitoring of the depth is to be carried out. District Mining Officer is to monitor the same.
2. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building to compensate for the utilization of the groundwater for the domestic water requirement.
3. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 58,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump for villagers for use in irrigation	58,000/-
Total		58,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the earlier raised observations as under: -

Query 1: The project proponent shall submit demarcation report duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc. within two days.

Reply: The Project proponent submitted a report issued by Nambardar of village Sfaderpur in reference to the earlier demarcation report that the demarcation of khasra no. s 20//1-2-8-9-10-11-12-13-18-20//19-20 of village Sfaderpur is correct and none of the person has any objection for the operation of the mining site. He also certified the statements of the owners of the adjoining area regarding no objection for the operation of the mining site. The statements of Balwant Singh S/o Lal Singh, Mallu Singh S/o Fuman Singh, Sh. Joginder Singh S/o Amir Singh, Sh. Bachan Singh S/o Jagir Singh duly certified by the Village Nambardar were taken on record by SEIAA.

Query 2:

Final District survey report shall be prepared considering the recommendation regarding Environmentally safe depth of mining, safe distance from banks and suitability of site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

As per the Standard Environmental Conditions for Sand Mining mentioned in the Sustainable Sand Mining Management Guidelines, 2016, the restriction of depth of mining is only mentioned for riverbed mining. There is no restriction of depth in agricultural land.

Further, as per Punjab Minor Mineral rules 2013, a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. has been constituted. This SAC after due sites visits approves the sites for mining. This SAC is consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate

depth of the river channel. The aforesaid provisions of the State Act cover the requirements as per SSMMG,2016.

The report dated 05.03.2020 duly signed by the Chairman of Site Appraisal Committee cum Sub Divisional Magistrate and Executive Engineer B&R, Executive Engineer Drainage, DFO, Chief Agriculture Officer, Block Development and Panchayat Officer and Mining Officer and Tehsildar has already been submitted.

SEIAA perused the report of Site Appraisal Committee dated 05.03.2020 and observed that SAC has no objection for the mining if, mining department allows the mining from the project site after getting the Environmental Clearance.

Query 3:

Consent of all the owners of the land shall be obtained in case of the private land.

Reply: The land owners NOC's have already been submitted by the Project Proponent.

Query 4:

Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply:

The area of the mining site is 4.29 ha which is less than 5 ha and hence it is a B2 category projects. All the B2 category projects are exempted from the general condition as per the notification dated 14.08.2018 issued by the MoEF&CC New Delhi.

Query 5: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over manual method of mining:

- i) The manual method will lead to employment of large number of labour which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

SEIAA was not satisfied with the reply of the project proponent and allowed manual method of mining only.

Query 6:

Environmental Consultant is required to submit revised manpower along with the water calculation Considering manual method of mining.

Reply:

Environmental Consultant submitted that change in labour requirement and water requirement will be as under:

- i) The total capacity of mine is 53,428.20 TPA
- ii) Number of working days = 300 Days
- iii) Mine capacity per day =178 Tons
- iv) Labour required for excavation of sand = 45 (1 labour excavates 4 TPD)

The water requirement for the project will now become:

Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
1	Domestic	20 L per person per day	49 Person	0.98
2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	1830-meter haul road twice daily 12 trucks per shift	18.3 0.24
3	Green belt Development	10 L per plant per day	30 Plant (*in site buffer)	0.30
Total water requirement				19.82

Query 7: Project cost shall be revised by considering the operational cost of the mining including the transportation cost. Capital cost of the project shall also be mentioned separately.

Reply: Project proponent submitted the reply as under: -

S.no	Cost head	Total (Rs)
1	Contract Money to be paid to Department in 3 yrs	1,38,91,815
2	Cost of Labour & Machinery	1,15,00,000
3	Infrastructure Cost	3,50,000
		2,57,41,815/-

The capital investment of the project would be the royalty which the PP has paid to the government for one year i.e. Rs 46,30,605/- the rest of the cost will be recovered by the PP during the operations and same shall be the operational cost and as per MoEF &CC OM dated 01.05.2018 capital investment shall be considered for CER cost of the project.

Query 8: The project proponent shall submit an undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out.

Reply: An undertaking in this regard has already been submitted by the Project Proponent.

Query 9: The project Proponent shall submit the Site Specific Corporate Environmental Responsibility indicating the activity, amount to be spend and time schedule.

Reply: The project proponent submitted the revised proposal to spent Rs 80,000/- for the purpose of CER as per OM dated 01.05.2018 as under: -

Sr. No.	Particulars	Amount (in Rs)
1	Project Proponent will install 1KW Solar power mini station at Government Middle School, Safdarpur, Tehsil: Sultanpur Lodhi, District: Kapurthala (Punjab).	80,000/-
Total		80,000/

Query 9: Rain water harvesting design including the dimensions and design of the same shall be submitted.

Reply: Project Proponent submitted a drawing of rain water harvesting pit with de-silting chamber which was taken on record. He also submitted the calculation for the rainwater as per the detail given as under:

Sr. No.	Particulars	Calculations
1.	Area of Govt. Elementary School building	288 m ²
2.	Area of Existing Toilet Block	17.93 m ²
3.	Area of School Play Ground	26.84 m ²
4.	Area of General Room	16.72 m ²
5	Area of Kitchen Block	3577 m ²
	Total	3926.49 m ²
Average Rainfall in year		750 mm
Calculation = 3926.49 x 750 x .32 =942357.6 Ltr per year		

Query 10: Submit the Environment Management Plan along with Budgetary breakup and responsibility to implementation the same.

Reply: The details of the EMP is as under:

Sr. No.	Description	Capital Cost (Rs.)	Recurring Cost (Rs)
1	Pollution Control & Dust Subscription	Nil	50,000
2	Pollution Monitoring i) Air Pollution ii) Water Pollution iii) Noise Pollution		
3	Plantation and salary for one gardener (part time basis)	7,08,000	3,54,000
4	Haul road Maintenance Cost	4,57,500	1,37,250
Total		11,65,500	4,91,250

During discussions, representative of the promoter company agreed to comply with fully all the conditions as mentioned by SEAC.

The SEIAA observed that the case stands recommended by SEAC and the Committee has awarded 'Silver Grading' to the project proposal. The SEIAA looked into the details of the case and was satisfied with the same.

Therefore, the Authority decided to accept the recommendations of SEAC and grant Environmental Clearance for for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Sfaderpur, Tehsil Sultanpur Lodhi District Kapurthala Punjab to M/s Friends & Co., as per approved mining Plan with manual method of mining & subsequent presentation /clarifications made by the project proponent and his consultant, with proposed measures and following conditions as recommended by SEAC & certain amendments therein & agreed by the Project proponent:

A. Specific conditions:

- (i) The environmental clearance will be valid for a period of seven years from the date of issuance, as per the provisions of the EIA Notification, 2006 as amended subsequently, for mining of minor minerals in the above said location and Khasra numbers.
- (ii) The project proponent shall demarcate the mining lease area in the presence of Lambardar of the village, project proponent/ contractor, owner of the land and owner of the adjoining land, revenue officer & Mining Officer, etc. Mining lease

area will be demarcated on the ground with pucca pillars with reference to some permanent bench mark before starting any mining activity at site.

- (iii) Mining shall be carried out only by the manual method. No semi- mechanized or mechanized method of mining has been allowed as proposed in the mining plan.
- (iv) Mining shall be as per the approved Development/Mining Plan prepared for this project and as per the Mines & Mineral (Development & Regulation) Act, 1957 and rules framed there under as amended from time to time, other Acts/rules related with mining of minor minerals.
- (v) The mining activity shall be carried out strictly as per guidelines contained in the Sustainable Sand Mining Management Guidelines 2016 and provisions made in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 issued by MoEF&CC, New Delhi as amended from time to time and guidelines issued by Geological Survey of India.
- (vi) The mining operation will be carried out only from sun-rise to sunset.
- (vii) The project proponent shall obtain Consent to Establish and Consent to Operate from the Punjab Pollution Control Board and effectively implement all the conditions stipulated therein.
- (viii) The project proponent shall observe the mining site after every 15 days and in case, a Schedule-I or Schedule-II species as per Wildlife Act or any rare or endangered species are reported, the Mining Officer will get a conservation plan prepared in consultation with the Department of Wildlife and ensure its implementation.
- (ix) The mining of minor mineral (sand) shall be carried out only up to a depth of 3 m as proposed in the approved mining plan or above the groundwater level, whichever is less.
- (x) The mining shall be carried out by the contractor/lessor as per the EMP prepared and development / mining plan prepared as per the Mines & Mineral (Development & Regulation) Act, 1957 / other Acts/Rules related with mining of minor minerals. It shall be ensured that no mining shall be carried out during the monsoon season as defined by the Meteorological Department.
- (xi) The Project Proponent and Mining Officer shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
- (xii) The project proponent shall undertake plantation/afforestation work by planting the native species in the nearby area adjacent to mine lease.
- (xiii) The project proponent shall ensure that effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to

the norms prescribed by the Ministry of Environment & Forests/Punjab Pollution Control Board in this regard.

- (xiv) The project proponent shall undertake adequate safeguard measures during extraction of sand and ensure that due to this activity, the hydro-geological and ecological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area by establishing a network of existing wells, if any, and installing new piezometers during the mining operation.
- (xv) The periodic monitoring [(at least four times in a year- pre-monsoon (April May), monsoon (August), post-monsoon (November) and winter (January)); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the data thus collected may be sent regularly to the Ministry of Environment and Forests and its Regional Office at Chandigarh, the Central Ground Water Authority, the Regional Director, Central Ground Water Board; SEIAA, Punjab and Punjab Pollution Control Board. If at any stage, it is observed that the groundwater table is getting depleted or rising due to the mining activity, necessary corrective measures shall be carried out.
- (xvi) The project proponent shall obtain necessary prior permission of the competent authorities/CGWA for drawl of requisite quantity of water (surface water and groundwater), if any, required for the project.
- (xvii) In case, mining site falls in the notified block declared by the CGWA, the project proponent shall obtain necessary prior permission for drawl of requisite quantity of water for domestic purposes from District Advisory Committee (DAC) and only treated waste water will be used for dust suppression activities.
- (xxxix) The project proponent shall construct rain water harvesting pits along with desilting chambers in the Govt. Middle School Safderpur, Tehsil Sultanpur Lodhi, District Kapurthala and other Govt. building to recharge at least twice the quantity of withdrawal water. The project proponent shall follow the CGWA guidelines for constructing the rainwater recharging pits. In areas where ground water recharge is not feasible, the rainwater should be harvested and stored for reuse.
- (xl) Adequate numbers (not less than 100) of tree shall be planted, protected, maintained and established in vacant area in the village near to the mining site.
- (xviii) Appropriate mitigation measures shall be taken by the project proponent to prevent pollution at the mining site in consultation with the Punjab Pollution Control Board. It shall be ensured that there is no leakage of oil and grease at the mining site from the vehicles/mining equipment's used for transportation.
- (xix) Vehicular emissions shall be kept under control and regularly monitored. The project proponent shall ensure that, as far as possible, the transportation route will be away from the habitation area and will not pass through any village. The transportation hours of mined material shall be restricted to non-peak hours only.

- (xx) The mineral transportation shall be carried out through the covered trucks only and the vehicles carrying the mineral shall not be overloaded. All the public roads as well as approach roads shall be maintained and it shall be ensured that tippers carrying mined material are not loaded beyond the permissible load as per designed load bearing capacity of the road. Moreover, provision of sufficient funds shall be made in the budget for the proper maintenance of the roads.
- (xxi) Mineral handling area shall be provided with the adequate number of dust suppression systems. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
- (xxii) A First Aid Room shall be provided in the project both during construction and operations of the project.
- (xxiii) Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
- (xxiv) Provision shall be made for the housing of workers, if residing at site, within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project. In case of non-residential/daily workers, provision of adequate bath rooms, mobile toilets, and mobile STP shall be made to avoid open defecation and treated domestic effluent shall be discharged onto land for plantation.
- (xxv) The municipal solid waste generated shall be disposed of as per Solid Waste Management Rules, 2016. Segregation of bio-degradable and non-biodegradable wastes shall be done at site and disposed of as per provisions of Solid Waste Management Rules. Dustbins will be provided at site and the workers will be guided to put the domestic waste and plastic carry bags etc. if any, in the dustbin. No littering will be permitted at the site as well as in the vicinity.
- (xxvi) The critical parameters such as RSPM (Particulate matter with size less than 10 micron i.e., PM10) and NO in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH, Faecal Coliform and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The Circular No. J-20012/1/2006-IA. II(M) dated 27.05.2009 issued by Ministry of Environment and Forests, which is available on the website of the Ministry www.envfor.nic.in shall also be referred in this regard for its compliance.
- (xxvii) The project proponent shall take all precautionary measures during mining operation for conservation and protection of rare and endangered flora & fauna found in the study area. Action plan for conservation of flora and fauna shall be

prepared in consultation with the State Forest and Wildlife Department. All the safeguard measures brought out in the Wildlife Conservation Plan so prepared specific to this project site shall be effectively implemented. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. A copy of action plan shall be submitted to the Regional Office of the Ministry of Environment and Forests, Chandigarh and SEIAA, Punjab.

- (xxviii) The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility (CER). The project proponent shall adhere to the commitments made in the proposal for CER that an amount of Rs 80,000/- will be spent for installation of 2 KW Solar power mini station at Government Middle School, Safdarpur, Tehsil: Sultanpur Lodhi, District: Kapurthala, within 1st year of grant of environmental Clearance.
- (xxix) Vehicles hired to be used for transportation of mined material should be in good condition and should conform to applicable air and noise emission standards as provided in the Vehicular Act.
- (xxx) Ambient noise levels should conform to prescribed standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored.
- (xxxi) The Risk assessment and disaster management plan should be prepared.
- (xxxii) The project proponent shall submit the site plan showing the earmarked area for storage of mined material.
- (xxxiii) No mining operation shall be carried out at any point within 75 m of railway line, 60 m from national highway, 50 m from HT line/any public works/reservoirs, tanks/canal/public roads and buildings or inhabited or 10 m of outer edge of any village road. A safety barrier of 7.5m width shall be left intact around the mine lease boundary.
- (xxxiv) The project proponent shall ensure the implementation of the post closure mining plan as proposed by the project proponent in the mining plan.
- (xxxv) The project proponent shall comply with the condition imposed by District Forest Officer (DFO) while granting NOC.
- (xxxvi) The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

B. General Conditions:

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment, Forests & Climate Change.

- (ii) No change in the calendar plan including excavation, quantum of mineral sand/gravel (minor mineral) and waste should be made.
- (iii) Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for RSPM (Particulate matter with size less than 10micron i.e., PM) and NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the Punjab Pollution Control Board.
- (iv) Data on ambient air quality RSPM (Particulate matter with size less than 10micron i.e., PM) & NO_x should be regularly submitted to the Ministry of Environment and Forests including its Regional office located at Chandigarh and the Punjab Pollution Control Board / Central Pollution Control Board once in six months and SEIAA, Punjab.
- (v) Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
- (vi) Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- (vii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- (viii) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Chandigarh and SEIAA, Punjab.
- (ix) The project proponent should inform to the Regional Office of the Ministry of Environment & Forests located at Chandigarh and SEIAA, Punjab regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (x) The Regional Office of Ministry of Environment & Forests located at Chandigarh and Punjab Pollution Control Board shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
- (xi) The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment and Forests, its Regional Office Chandigarh, the respective Zonal Office of Central

Pollution Control Board and the Punjab Pollution Control Board and SEIAA, Punjab. The proponent shall upload the status of compliance of the environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh, the respective Zonal Office of Central Pollution Control Board and the Punjab Pollution Control Board and SEIAA, Punjab.

- (xii) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (xiii) The Project Proponent should display a copy of the clearance letter at the Regional office, District Industries Centre and the Collector's office/ Tehsildar's office.
- (xiv) The environmental statement for each financial year ending 31 March in Form-V as is mandated to be submitted by the project proponent to the concerned Punjab Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Chandigarh and SEIAA, Punjab by e-mail.
- (xv) The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the Environment Management Plan and Corporate Social Responsibility.
- (xvi) The project proponent should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the Punjab Pollution Control Board and also at web site of the Ministry of Environment and Forests at <http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of Ministry of Environment & Forests at Chandigarh and SEIAA, Punjab.
- (xvii) The Ministry of Environment, Forests & Climate Change and SEIAA, Punjab or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
- (xviii) The SEIAA may cancel the environmental clearance granted to this project under the provisions of EIA Notification, 2006, if, at any stage of the validity of this environmental clearance, it is found/ come to the knowledge of the SEIAA that the project proponent has deliberately concealed and/or submitted false or misleading information or inadequate data for obtaining the environmental clearance.

- (xix) The project proponent shall get the micro chemical analysis of the mined material done from an approved laboratory once in a year and shall submit the analysis results to the Ministry of Environment & Forests/Punjab Pollution Control Board and SEIAA, Punjab.
- (xx) The project proponent shall ensure that the contractor shall engage people of local area for mining purpose as far as possible, so as to have opportunities of employment for them.
- (xxi) The project proponent may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the other contractor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance.
- (xxii) The monitoring of the mining project in respect of Environment Management shall be carried out by the State/District Level Environment Management Cells constituted by the Govt. of Punjab vide notifications dated 03.12.2012.
- (xxiii) Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under.

Item No169.07: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Nidhana, Tehsil Guru Har Sahai District Ferozpur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/ 150543/ 2020).

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Nidhana, Tehsil Guru Har Sahai District Ferozpur, on 09.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address:	M/s Prime Vision Industries Pvt Ltd
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	Mobile No: Email ID:	312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details
1.	Online Proposal No.	SIA/PB/MIN/ 150543/ 2020
2.	Project Name & Location	Nidhana Sand Mining Project at Hadbast No-175, Village-Nidhana, Tehsil-Guru Har Sahai, District–Ferozepur, Punjab
3	Project/activity covered under item of scheduled to the EIA Notification,14.09.2006	1(a) mining of mineral
4	Details of Mining Lease	
i)	Mineral (s) to be mined	Sand
ii)	Capacity of Mine	5879 TPA (17636.84 MT)
iii)	Mining Lease Area	Total area is 0.7689 Ha
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years
5	HadBast No.	175

6	Land Khasra No. & their consent details			
	Sr No	Type	Khasra No	Consent details
	1	Govt Land		
	2	Private Land	[12//12(8-0), 13(7-4)]	Yes
7.	Latitude & Longitude			
	Pillar	Latitude	Longitude	
	A.	30°41'52.5"N	74°21'45.1"E	
	B.	30°41'52.4"N	74°21'49.9"E	
	C.	30°41'50.5"N	74°21'49.8"E	
	D.	30°41'50.7"N	74°21'45.1"E	
8	Whether the project attracts the General Condition.		No	
9.	Does the project involve diversion of forest land. If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof		No, Forest NOC issued by DFO Ferozpur vide letter no 7676 dated 28.02.2020	
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof		No, Nearest Harike WLS is located approximately 73.70 Km from the site.	
11.	Land requirement for the project		Prior to the project proposal	
			Sr No.	Ownership pattern
			vii)	Forest Land
			viii)	Private land
			ix)	Government land
			x)	Revenue land
			xi)	Other land
			xii)	Total land
				0.7689
			Present Land use Break Up	
			Sr No.	Land use
			vi)	Agriculture Area
			vii)	Waste/Barren Area
			viii)	Settlement
			ix)	Surface water Bodies
			x)	Other(Specify)
				0
				0
				0
				0
				0
12.	Cost of the project		Rs. 5,09,533 Lacs.	
13.	Environmental Clearance. Fee details		Rs 1538/- were deposited through NEFT on 11.05.2020.	
14.	Details of Final District Survey Report		Approved by: -District Commissioner, Ferozpur Reference No:728	

		Date of Issue: 08.06.2020																		
15	Details of visit report of Sub Divisional Level Committee	Submitted																		
16	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/Pb/M.P./2020/Nidhana/335 Date of Approval: 20.03.2020 Approved Mining Lease Area: 0.7689 Ha Approved Mining Quantity: 5879 TPA (17636.84 MT) Depth of Mining (m):2.4 m																		
17	Demarcation report of mining site	Submitted																		
18.	Workers (when fully operational)	20 Persons.																		
19.	Water Requirements & source	Domestic: 0.10 KLD Dust Suppression:1.20 KLD Plantation:0.05 KLD Total:1.35 KLD Ground water/Others: From water tanker.																		
20.	Waste water generation, Treatment & its Disposal	c) Quantity of Waste water: Nil (80% of water requirement) d) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.																		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.																		
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 255 Funds Allocated: Rs 97,689/-																		
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.																		
		<table border="1"> <thead> <tr> <th>S. No</th> <th>Particulars</th> <th>Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Pollution monitoring – Air, Water, Noise</td> <td></td> </tr> <tr> <td>2</td> <td>Pollution Control – Water sprinkling</td> <td>50,000</td> </tr> <tr> <td>3</td> <td>Green Belt Development</td> <td>97,689</td> </tr> <tr> <td>4</td> <td>Haul road and other roads repair and maintenance</td> <td>21342.5</td> </tr> <tr> <td></td> <td>Total</td> <td>1,69,031.5</td> </tr> </tbody> </table>	S. No	Particulars	Amount (in Rs)	1	Pollution monitoring – Air, Water, Noise		2	Pollution Control – Water sprinkling	50,000	3	Green Belt Development	97,689	4	Haul road and other roads repair and maintenance	21342.5		Total	1,69,031.5
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3	Green Belt Development	97,689																		
4	Haul road and other roads repair and maintenance	21342.5																		
	Total	1,69,031.5																		
24	CER activities along with budgetary break-up and responsibility to implement																			

	<p>M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 5,09,533/- and thus Rs 15,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr. No.</th> <th style="width: 60%;">Particulars</th> <th style="width: 30%;">Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>PP will install water solar light for villagers at a location of their choice</td> <td style="text-align: right;">Rs 15000/-</td> </tr> <tr> <td></td> <td style="text-align: right;">Total</td> <td style="text-align: right;">Rs 15000/-</td> </tr> </tbody> </table>				Sr. No.	Particulars	Amount (in Rs)	1	PP will install water solar light for villagers at a location of their choice	Rs 15000/-		Total	Rs 15000/-											
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1	PP will install water solar light for villagers at a location of their choice	Rs 15000/-																						
	Total	Rs 15000/-																						
25	<p>Other important facts</p> <ul style="list-style-type: none"> i) During the lease period, the deposit will be worked from the top surface to 2.4 m below ground level or above ground water table, whichever comes first. ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up. iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020. iv) Compliance of various environmental regulations shall be ensured. v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No.77/E-auction/2019 dated 31.07.2019 issued by Department of Mines & Geology, Government of Punjab. vi) Extent of Mechanization The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: - <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Name of Equipment</th> <th style="width: 25%;">Capacity</th> <th style="width: 15%;">No. of Equipment</th> <th style="width: 15%;">Standby Equipment</th> <th style="width: 20%;">Total</th> </tr> </thead> <tbody> <tr> <td>Excavator</td> <td style="text-align: center;">0.90 m³</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Dumper</td> <td style="text-align: center;">10 tonnes</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Water tankers</td> <td style="text-align: center;">As & when required</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> </tbody> </table> <ul style="list-style-type: none"> vii) Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits: <ul style="list-style-type: none"> a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. 				Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total	Excavator	0.90 m ³	1	-	1	Dumper	10 tonnes	1	-	1	Water tankers	As & when required	-	-	-
Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total																				
Excavator	0.90 m ³	1	-	1																				
Dumper	10 tonnes	1	-	1																				
Water tankers	As & when required	-	-	-																				

	<p>d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region.</p> <p>e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.</p> <p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>
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SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozpur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozpur, which was taken on record by SEAC.
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 1,27,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>
3.	The project proponent is required to submit the revised water	The project proponent submitted the same as under:

	requirement along with proper breakup as per the norms.		
	Sno	Usage	Criteria Considered
	1	Domestic	20 L per person per day
	2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray
	3	Green belt Development	10 L per plant per day
	Total water requirement		1.34
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.		The project proponent submitted the same with details given as under:
	Sr. No.	Particulars	Amount (in Rs)
	1	PP will install water solar light for villagers at a location of their choice.	15,000/-
	Total		15,000/
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.		The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Nidhana, Tehsil Guru Har Sahai, District- Ferozpur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 15,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar light for villagers at a location of their choice.	15,000/-
Total		15,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida.

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.

- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No: 169.08: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals On Agricultural Land in the village Baggi Patni urf Mohkam Wala, Tehsil Zira District- Ferozepur, Punjab submitted by Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/150571/2020)

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of Baggi Patni urf Mohkam Wala, Tehsil Zira District Ferozepur on 27.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 <u>Manasvyas23@gmail.com</u>

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S. No	Item	Details
1.	Online Proposal No.	Proposal No. SIA/PB/MIN/150571/2020
2.	Project Name & Location	Baggi Patni urf Mohkam Wala Sand Mining Project at Hadbast No-164
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	SI. No. 1(a)
4	Details of Mining Lease	
i)	Mineral (s) to be mined	Sand
ii)	Capacity of Mine	The Proposed production Capacity 13672.16 TPA (Total 41016.49 MT)
iii)	Mining Lease Area	Total area is 1.87 Ha.
iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No:1709-10 Date of Issue: -09.07.2019 Validity of LOI: Three years
5	HadBast No.	164
6	Land Khasra No. & their consent details	

Sr No	Type	Khasra No	Consent details
1	Govt Land	-	-
2	Private Land	Khasra No [27//11(5-18)] [26//13(8-0), 14(8-0), 15(8-0), 16(1-11, 17(3-0), 18(2-11)]	Submitted
7.	Latitude & Longitude		
	Pillar No.	Latitude N	Longitude E
	A.	31°01'09.6"N	75°03'01.2"E
	B.	31°01'09.6"N	75°03'11.2"E
	C.	31°01'08.9"N	75°03'11.2"E
	D.	31°01'01.2"N	75°03'06.8"E
	E.	31°01'07.3"N	75°03'01.1"E
8	Whether the project attracts the General Condition.	No	
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof	No, Forest NOC issued by DFO Ferozpur vide letter no 7676 dated 28.02.2020	
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	No Nearest Harike WLS is located approximately 11.53 Km from the site.	
11.	Land requirement for the project	Prior to the project proposal	
		Sr No.	Ownership pattern
		i)	Forest Land
		ii)	Private land
		iii)	Government land
		iv)	Revenue land
		v)	Other land
		vi)	Total land
			Area in Ha
		i)	Nil
		ii)	1.87
		iii)	Nil
		iv)	Nil
		v)	Nil
		vi)	1.87
		Present Land use Break Up	
		Sr No.	Land use
		i)	Agriculture Area
		ii)	Barren Area
			Area in Ha
		i)	---
		ii)	1.87

		iii)	Settlement	---
		iv)	Surface water Bodies	---
		v)	Other(Specify)	----
12.	Cost of the project	Rs. 11, 84,966/-		
13.	Environmental Clearance. Fee details	Rs 3740/- were deposited through NEFT on 11.05.2020.		
14.	Details of Final District Survey Report	Submitted		
15	Details of visit report of Sub Divisional Level Committee	Submitted		
16	Details of Mining Plan	Approved by: -State Geologists Approval Letter No: Glg/PB/M.P./2020/ Baggi patni urf Mohkam wala/359 Date of Approval: 20.03.2020 Approved Mining Lease Area: 1.87 Ha Approved Mining Quantity: 13672.16 TPA (Total 41016.49 MT) Depth of Mining (m): 3.0 m		
17	Demarcation report of mining site	Submitted		
18.	Workers (when fully operational)	15 Persons.		
19.	Water Requirements & source	Domestic: 0.15 KLD (@ 45 lpcd) Dust Suppression:6.40 KLD Plantation:0.15 KLD Total:6.70 KLD Ground water/Others: From water tanker.		
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.		
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 618 Funds Allocated: Rs 1,08,700/-		
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Private Limited will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.		

S. No	Particulars	Amount (in Rs)												
1	Pollution monitoring – Air, Water, Noise	50,000												
2	Pollution Control – Water sprinkling													
3	Green Belt Development	1,08,700												
4	Haul road and other roads repair and maintenance	1,99,240												
	Total	3,57,940												
24	<p>CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 11,84,966/- and thus Rs 36,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings:</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Particulars</th> <th>Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PP will install solar Pump/Light either at Gram panchayat office or at any location as may be suggested by the villagers</td> <td>Rs 12,000/-</td> </tr> <tr> <td>2</td> <td>Plantation shall be done in the area suggested by the gram panchayat</td> <td>Rs 12,000/-</td> </tr> <tr> <td></td> <td style="text-align: center;">Total</td> <td>Rs 36,000/-</td> </tr> </tbody> </table>		Sr. No.	Particulars	Amount (in Rs)	1	PP will install solar Pump/Light either at Gram panchayat office or at any location as may be suggested by the villagers	Rs 12,000/-	2	Plantation shall be done in the area suggested by the gram panchayat	Rs 12,000/-		Total	Rs 36,000/-
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2	Plantation shall be done in the area suggested by the gram panchayat	Rs 12,000/-												
	Total	Rs 36,000/-												
25	<p>Other important facts</p> <ul style="list-style-type: none"> i) During the lease period, the deposit will be worked from the top surface to 3.0 m below ground level. ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up. iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020. iv) Compliance of various environmental regulations shall be ensured. v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No.1709-10 dated 09.07.2019 issued by Department of Mines & Geology, Government of Punjab. vi) Extent of Mechanization 													

The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -				
Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total
Excavator	0.90 m ³	1	1	2
Dumper	10 tonnes	1	1	2
Water tankers	As & when required	-	-	-
<p>vii) Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:</p> <ol style="list-style-type: none"> a. Reduced duration of exposure to negative impacts of mining. b. Reduced production of sewage and solid waste at the project site to be treated. c. Reduced nuisance to the villagers. d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region. e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation. <p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>ix) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>				

SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozepur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of

		Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozepur, which was taken on record by SEAC.			
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 3,09,000/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>			
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:			
	Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
	1	Domestic	20 L per person per day	15 Person	0.30
	2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	796-meter haul road twice daily 12 trucks per shift	7.96 0.24
	3	Green belt Development	10 L per plant per day	15 Plant (*in site buffer)	0.15
	Total water requirement				8.65
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.	The project proponent submitted the same with details given as under:			

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light either at Gram Panchayat Office or at any location as may be suggested by villagers.	24,000/-
Total		24,000/
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.	The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Baggi Patni urf Mohkam Wala, Tehsil Zira, District-Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 24,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light either at Gram Panchayat Office or at any location as may be suggested by villagers.	24,000/-
Total		24,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon’ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights.*"

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the Moe& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply : The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.

- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No169.09: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Mallanwala Junabi, Tehsil Zira District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/150576/ 2020).

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Mallanwala Junabi, Tehsil Zira District Ferozepur on 28.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorised signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details		
1.	Online Proposal No.	SIA/PB/MIN/150576/2020		
2.	Project Name & Location	Mallanwala Junabi Sand Mining Project at Hadbast No-01, Village-Mallanwala Junabi, Tehsil-Zira, District-Ferozepur, Punjab		
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	1(a) mining of mineral		
4	Details of Mining Lease			
	i)	Mineral (s) to be mined	Sand	
	ii)	Capacity of Mine	15062.06 TPA (Total 45186.19 MT)	
	iii)	Mining Lease Area	Total area is 1.72 Ha	
	iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years	
5	HadBast No.	1		
6	Land Khasra No. & their consent details			
	Sr No	Type	Khasra No	Consent details
	1	Govt Land		
	2	Private Land	[252//10(8-0), 11 (4-0)] [253//4/2 (3-0), 5(8-0), 6 (8-0), 7/1(3-0),]	Yes
7.	Latitude & Longitude			
	S. No	Corner	Latitude	Longitude
	1	F.	31°01'51.00"N	74°49'36.10"E
	2	G.	31°01'50.90"N	74°49'39.50"E
	3	H.	31°01'49.10"N	74°49'36.60"E
	4	I.	31° 01'49.03"N	74°49'42.16"E
	5	J.	31°01'49.10"N	74°49'42.20"E
	6	K.	31°01'46.00"N	74°49'39.70"E
	7	L.	31°01'47.10"N	74°49'39.60"E

	8	M.	31°01'47.10"N	74°49'36.20"E																																							
8	Whether the project attracts the General Condition.		No																																								
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof		No, Forest NOC issued by DFO Ferozpur vide letter no 7676 dated 28.02.2020																																								
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof		No, Nearest Harike WLS is located approximately 16.04 Km from the site.																																								
11.	Land requirement for the project		<p>Prior to the project proposal</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr No.</th> <th style="width: 60%;">Ownership pattern</th> <th style="width: 30%;">Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>1.72</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>1.72</td> </tr> </tbody> </table> <p>Present Land use Break Up</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr No.</th> <th style="width: 60%;">Land use</th> <th style="width: 30%;">Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Agriculture Area</td> <td>1.72</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td>0</td> </tr> </tbody> </table>		Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	1.72	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	1.72	Sr No.	Land use	Area in Ha	i)	Agriculture Area	1.72	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	0
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12.	Cost of the project		Rs. 13,05,875/-																																								
13.	Environmental Clearance. Fee details		Rs 3,440/- Submitted vide DD no NEFT ref no 603723926 Dated 12.05.2020																																								
14.	Details of Final District Survey Report		<p>Approved by: -District Commissioner, Ferozpur Reference No:728 Date of Issue: 08.06.2020 Mining Lease Area: 1.72 Ha</p>																																								
15	Details of visit report of Sub Divisional Level Committee		<p>Date of visit: - 07.09.17 Recommendation: recommended for mining</p>																																								
16	Details of Mining Plan		Approved by: -State Geologist																																								

		Approval Letter No: Glg/Pb/M.P./2020/Mallanwala Junabi/365 Date of Approval: 20.03.2020 Approved Mining Lease Area: 1.72 Ha Approved Mining Quantity: 15062.06 TPA Depth of Mining (m):2.4 m		
17	Demarcation report of mining site	submitted		
18.	Workers (when fully operational)	13 Persons.		
19.	Water Requirements & source	Domestic: 0.13 KLD Dust Suppression:5.28 KLD Plantation:0.12 KLD Total:5.53 KLD Ground water/Others: From water tanker.		
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.		
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 579 Funds Allocated: Rs 1,07,200		
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.		
		S. No	Particulars	Amount (in Rs)
		1	Pollution monitoring – Air, Water, Noise	50,000
		2	Pollution Control – Water sprinkling	
		3	Green Belt Development	1,07,200
		4	Haul road and other roads repair and maintenance	2,72,870
			Total	4,30,070

24	<p>CER activities along with budgetary break-up and responsibility to implement Sh. Harkesh Singh of M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 13,05,875/-and Rs 30,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings:</p> <p style="text-align: center;">-</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 10%;">Sr. No.</th> <th style="width: 60%;">Particulars</th> <th style="width: 30%;">Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>PP will install RO water purification system in school/Panchayat bhawan as desired by villagers.</td> <td style="text-align: right;">Rs 15,000/-</td> </tr> <tr> <td style="text-align: center;">2</td> <td>PP will install Solar Pumps for villagers for use in irrigation</td> <td style="text-align: right;">Rs 15,000/-</td> </tr> <tr> <td colspan="2" style="text-align: center;">Total</td> <td style="text-align: right;">Rs 30,000/-</td> </tr> </tbody> </table>	Sr. No.	Particulars	Amount (in Rs)	1	PP will install RO water purification system in school/Panchayat bhawan as desired by villagers.	Rs 15,000/-	2	PP will install Solar Pumps for villagers for use in irrigation	Rs 15,000/-	Total		Rs 30,000/-								
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25	<p>Other important facts</p> <p>i) During the lease period, the deposit will be worked from the top surface to 2.4 m below ground level or above ground water table, whichever comes first.</p> <p>ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up.</p> <p>iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.</p> <p>iv) Compliance of various environmental regulations shall be ensured.</p> <p>v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No.77/E-auction/2019 dated 31.07.2019 issued by Department of Mines & Geology, Government of Punjab.</p> <p>vi) Extent of Mechanization The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 30%;">Name of Equipment</th> <th style="width: 15%;">Capacity</th> <th style="width: 15%;">No. of Equipment</th> <th style="width: 15%;">Standby Equipment</th> <th style="width: 15%;">Total</th> </tr> </thead> <tbody> <tr> <td>Excavator</td> <td style="text-align: center;">0.90 m³</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Dumper</td> <td style="text-align: center;">10 tonnes</td> <td style="text-align: center;">1</td> <td style="text-align: center;">-</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Water tankers</td> <td style="text-align: center;">As & when required</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> </tbody> </table> <p>vii) Benefits of Semi mechanized method Semi mechanized method, involving minimal use of machinery and optimal</p>	Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total	Excavator	0.90 m ³	1	-	1	Dumper	10 tonnes	1	-	1	Water tankers	As & when required	-	-	-
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SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozpur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozpur, which was taken on record by SEAC.
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 2,89,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of</p>

		which shall be decided after due consultation with the Local forest office and Panchayat.		
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:		
	Sr no	Usage	Criteria Considered	Person/Area/Plants
	1	Domestic	20 L per person per day	13 Person
	2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	1091-meter haul road twice daily 12 trucks per Day
	3	Green belt Development	10 L per plant per day	12 Plant (*in site buffer)
	Total water requirement			11.53
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.	The project proponent submitted the same with details given as under:		
	Serono.	Particulars		Amount (in Rs)
		PP will install water solar pump/light at any location as suggested by villagers.		15,000/-
	Total			15,000/
5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.	The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.		

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Mallanwala Junabi, Tehsil Zira, District- Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least minimum amount of Rs. 15,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light at any location as suggested by villagers.	15,000/-
Total		15,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

(iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.

- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.

- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No 169.10: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Behak Pachharian, Tehsil Zira District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB/MIN/ 150641/ 2020).

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Behak Pachharian, Tehsil Zira District Ferozepur on 29.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786
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	Email ID:	Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of the mining case along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.	Item	Details		
1.	Online Proposal No.	SIA/PB/MIN/150641/2020		
2.	Project Name & Location	Behak Pachharian Sand Mining Project at Hadbast No-141, Village- Behak Pachharian , Tehsil-Zira, District-Ferozepur, Punjab		
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006	1(a) mining of mineral		
4	Details of Mining Lease			
	i) Mineral (s) to be mined	Sand		
	ii) Capacity of Mine	14394.88 TPA (Total 43184.63 MT)		
	iii) Mining Lease Area	Total area is 1.79 Ha		
	iv) Details Letter of Intent (LOI)/E-Auction issued by the State Govt.	Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years		
5	HadBast No.	141		
6	Land Khasra No. & their consent details			
	Sr No	Type	Khasra No	Consent details
	1	Govt Land		

	2	Private Land	[19//9/2 (7-8)9/1(0-12)12/2(07)12/1(4-6)12/3(3-7)11/2(37)20(8-0)21/1(5-12)21/2(2-8)]	Yes
7.	Latitude & Longitude			
	Sr. No	Pillar No	Latitude N	Longitude E
	1	A	31° 3'5.05"N	74°58'48.20"E
	2	B	31° 3'5.05"N	74°58'45.75"E
	3	C	31° 3'0.97"N	74°58'45.83"E
	4	D	31° 3'1.03"N	74°58'43.34"E
	5	E	31° 3'5.70"N	74°58'43.45"E
	6	F	31° 3'5.72"N	74°58'45.87"E
	7	G	31° 3'8.73"N	74°58'48.16"E
8	Whether the project attracts the General Condition.		No	
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land. b. Status of the forest clearance. If No, submit documentary proof		No, Forest NOC issued by DFO Ferozepur vide letter no 7676 dated 28.02.2020	
10	Does the project fall within 10 km of eco-sensitive area/National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof		No, Nearest Harike WLS is located approximately 7.62 Km form the site	
11.	Land requirement for the project		Prior to the project proposal	
			Sr No.	Ownership pattern
			i)	Forest Land
			ii)	Private land
			iii)	Government land
			iv)	Revenue land
			v)	Other land
			vi)	Total land
				Area in Ha
				Nil
				1.79
				Nil
				Nil
				Nil
				1.79

		Present Land use Break Up		
		Sr No.	Land use	Area in Ha
		i)	Agriculture Area	1.79
		ii)	Waste/Barren Area	0
		iii)	Settlement	0
		iv)	Surface water Bodies	0
		v)	Other(Specify)	0
12.	Cost of the project	Rs 37,57,0629 Lacs.		
13.	Environmental Clearance. Fee details	Rs 3580/- were deposited through NEFT on 12.05.2020.		
14.	Details of Final District Survey Report	Approved by: -District Commissioner, Ferozepur Reference No: 728 Date of Issue: 08/06/2020		
15	Details of visit report of Sub Divisional Level Committee	Submitted		
16	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/PB/M.P./2020/ Behk Panchharian/350 Date of Approval: 20.03.2020 Approved Mining Lease Area:1.79 ha Approved Mining Quantity: 14394.88 TPA (Total 43184.63 MT) Depth of Mining (m):3.0m		
17	Demarcation report of mining site	Submitted		
18.	Workers (when fully operational)	15 Persons.		
19.	Water Requirements & source	Domestic: 0.20 KLD Dust Suppression:0.30 KLD Plantation:0.10 KLD Total:0.60 KLD Ground water/Others: From water tanker.		
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.		
21	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.		

22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 591 Funds Allocated: Rs 1,07,900/-																			
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.																			
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24	<p>CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 12,48,046/- and Rs 24,960/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Sr. No.</th> <th style="width: 60%;">Particulars</th> <th style="width: 30%;">Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>PP will install RO water purification system in school/Panchayat Bhawan as desired by villagers.</td> <td style="text-align: center;">Rs 15,000/-</td> </tr> <tr> <td style="text-align: center;">2</td> <td>PP will install Solar Pumps for villagers for use in irrigation.</td> <td style="text-align: center;">Rs 10,000/-</td> </tr> <tr> <td colspan="2" style="text-align: center;">Total</td> <td style="text-align: center;">Rs 25,000/-</td> </tr> </tbody> </table>			Sr. No.	Particulars	Amount (in Rs)	1	PP will install RO water purification system in school/Panchayat Bhawan as desired by villagers.	Rs 15,000/-	2	PP will install Solar Pumps for villagers for use in irrigation.	Rs 10,000/-	Total		Rs 25,000/-						
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<p>The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -</p>				
Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total
Excavator	0.90 m ³	1	-	1
Dumper	10 tonnes	1	-	1
Water tankers	As & when required	-	-	-

vii) Benefits of Semi mechanized method
Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:

- a. Reduced duration of exposure to negative impacts of mining.
- b. Reduced production of sewage and solid waste at the project site to be treated.
- c. Reduced nuisance to the villagers.
- d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region.
- e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.

viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.

x) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.

SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozepur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said

		letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozepur, which was taken on record by SEAC.				
2.	What is the plan of plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 2,95,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>				
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:				
		Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
		1	Domestic	20 L per person per day	15 Person	0.30
		2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	122-meter haul road twice daily 12 trucks per day	1.22 0.24
		3	Green belt Development	10 L per plant per day	10 Plant (*in site buffer)	0.1
		Total water requirement				1.86
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.	The project proponent submitted the same with details given as under:				
		Sr. No.	Particulars		Amount (in Rs)	
		1	PP will install water solar pump/light at any location as suggested by villagers.		12,000/-	
		2	PP will install water tankers for villagers for use in irrigation.		10,000/-	
		Total			22,000/	

5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.	The project proponent submitted an undertaking to effect that the rain water harvesting will be carried out in the nearby school, panchayat Bhawan, or any government building in consultation with the local administration.
----	--	---

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Behak Pachharian, Tehsil Zira, District- Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent is required to carry out rain water harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least a minimum amount of Rs. 22,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump/light at any location as suggested by villagers.	12,000/-
2	PP will install water tankers for villagers for use in irrigation.	10,000/-
Total		22,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights.*"

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;*"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.

- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No: 169.11: Application for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals on Agricultural Land in the village Kohala, Tehsil Zira District Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited. (Proposal No. SIA/PB /MIN/ 150650/ 2020).

SEIAA observed as under:

M/s Prime Vision Industries Private Limited has applied for obtaining environmental clearance under EIA notification dated 14.09.2006 for mining of minor minerals (Sand) from Agricultural land in the revenue estate of village Kohala, Tehsil Zira District Ferozepur on 29.03.2020. The project is covered under category 1 (a) of the Schedule appended to the said notification.

Further, the said case was forwarded by SEIAA to SEAC on 20/06/2020 after scrutiny of the application and the updated status of the documents attached with the application is as under: -

1.0 Status of documents attached with the application

(A) General

i)	Name of Applicant & Correspondence address: Mobile No: Email ID:	M/s Prime Vision Industries Pvt Ltd 312, Vishal Chamber P-1, Sector-18, Noida, Uttar Pradesh. 9646210786 Primevision.pb.ec@gmail.com
ii)	Name of Environmental Consultant Mobile No. Email ID	P and M solution 9910037943 Manasvyas23@gmail.com

(B) Detail of the Documents

The project proponent submitted all the requisite documents as per the checklist of mining cases along with Form-02. The project proponent submitted a hard copy of the same, which was taken on record.

2.0 Deliberations during 191st meeting of SEAC held on 24.07.2020

The case was considered by SEAC in its 191st meeting held on 24.07.2020 and the same was attended by the following on behalf of the project proponent:

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.

SEAC allowed the project proponent to present the salient features of the project and the Environment consultant of the promoter company presented the same as under:

S.No.		Item		Details	
1.	Online Proposal No.		SIA/PB/MIN/150650/2020		
2.	Project Name & Location		Kohala Sand Mining Project at Hadbast No-06, Village-Kohala, Tehsil-Zira, District-Ferozpur, Punjab		
3	Project/activity covered under item of scheduled to the EIA Notification, 14.09.2006		1(a) mining of mineral		
4	Details of Mining Lease				
	i)	Mineral (s) to be mined		Sand	
	ii)	Capacity of Mine		18792.86 TPA (Total 18792.86 MT)	
	iii)	Mining Lease Area		Total area is 1.99 Ha	
	iv)	Details Letter of Intent (LOI)/E-Auction issued by the State Govt.		Reference No: 1709-10 Date of Issue: 09/07/2019 Validity of LOI: Three years	
5	HadBast No.		06		
6	Land Khasra No. & their consent details				
		Sr No	Type	Khasra No	Consent details
		1	Govt Land		
		2	Private Land	[34//18(8-0)19(8-0)21(7-8)22(80)23(8-0)]	Yes
7.	Latitude & Longitude				
	S.No.	Corner	Latitude	Longitude	
	1	G.	31° 0'3.27"N	74°49'53.03"E	
	2	H.	31° 0'5.13"N	74°49'52.99"E	
	3	I.	31° 0'5.13"N	74°49'55.23"E	
	4	J.	31° 0'7.07"N	74°49'55.28"E	
	5	K.	31° 0'7.26"N	74°50'0.36"E	
	6	L.	31° 0'3.19"N	74°50'0.37"E	
8	Whether the project attracts the General Condition.			No	
9.	Does the project involve the diversion of forest land? If yes, a. Extent of the forest land.			No, Forest NOC issued by DFO Ferozpur vide letter no 7676 dated 28.02.2020	

	b. Status of the forest clearance. If No, submit documentary proof																																								
10	Does the project fall within 10 km of eco-sensitive area/ National park/Wild Life Sanctuary? If yes, Status of NOC. If No, If No, submit documentary proof	No, Nearest Harike WLS is located approximately 18.11 Km from the site.																																							
11.	Land requirement for the project	<p>Prior to the project proposal</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Ownership pattern</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Forest Land</td> <td>Nil</td> </tr> <tr> <td>ii)</td> <td>Private land</td> <td>1.99</td> </tr> <tr> <td>iii)</td> <td>Government land</td> <td>Nil</td> </tr> <tr> <td>iv)</td> <td>Revenue land</td> <td>Nil</td> </tr> <tr> <td>v)</td> <td>Other land</td> <td>Nil</td> </tr> <tr> <td>vi)</td> <td>Total land</td> <td>1.99</td> </tr> </tbody> </table> <p>Present Land use Break Up</p> <table border="1"> <thead> <tr> <th>Sr No.</th> <th>Land use</th> <th>Area in Ha</th> </tr> </thead> <tbody> <tr> <td>i)</td> <td>Agriculture Area</td> <td>1.99</td> </tr> <tr> <td>ii)</td> <td>Waste/Barren Area</td> <td>0</td> </tr> <tr> <td>iii)</td> <td>Settlement</td> <td>0</td> </tr> <tr> <td>iv)</td> <td>Surface water Bodies</td> <td>0</td> </tr> <tr> <td>v)</td> <td>Other(Specify)</td> <td>0</td> </tr> </tbody> </table>	Sr No.	Ownership pattern	Area in Ha	i)	Forest Land	Nil	ii)	Private land	1.99	iii)	Government land	Nil	iv)	Revenue land	Nil	v)	Other land	Nil	vi)	Total land	1.99	Sr No.	Land use	Area in Ha	i)	Agriculture Area	1.99	ii)	Waste/Barren Area	0	iii)	Settlement	0	iv)	Surface water Bodies	0	v)	Other(Specify)	0
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12.	Cost of the project	Rs. 16,29,266/-.																																							
13.	Environmental Clearance. Fee details	Rs 1760/- were deposited through NEFT on 12.05.2020.																																							
14.	Details of Final District Survey Report	Approved by: -District Commissioner, Ferozepur Reference No: 728 Date of Issue: 08.06.20																																							
15.	Details of visit report of Sub Divisional Level Committee	Submitted																																							
16.	Details of Mining Plan	Approved by: -State Geologist Approval Letter No: Glg/Pb/M.P./2020/kohala/356 Date of Approval: 20/03/2020 Approved Mining Lease Area: 1.99 Ha Approved Mining Quantity: 18792.86 TPA (Total 18792.86 MT) Depth of Mining (m):3.0m																																							
17.	Demarcation report of mining site	Submitted																																							
18.	Workers	20 Persons.																																							

	(when fully operational)																		
19.	Water Requirements & source	Domestic: 0.20 KLD Dust Suppression:0.30 KLD Plantation:0.10 KLD Total:0.60 KLD Ground water/Others: From water tanker.																	
20.	Waste water generation, Treatment & its Disposal	a) Quantity of Waste water: Nil (80% of water requirement) b) Treatment Method: Portable toilets are proposed to be provided by the proponent in the mining site. After treatment will be disposed of plantation purposes.																	
21.	Solid waste generation and its disposal	Solid waste will be disposed of through the local body.																	
22.	Green Belt Development Plan including no. of trees to be planted & its species.	Tree cutting (if any): Nil No of plant to be planted: 657 Funds Allocated: Rs 1,09,900																	
23.	Environment Management Plan along with Budgetary breakup and responsibility to implement	Prime Vision Industries Pvt Ltd. will be responsible for the implementation of EMP till the mining activities closed as per the mining plan.																	
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">S. No</th> <th style="width: 60%;">Particulars</th> <th style="width: 30%;">Amount (in Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Pollution monitoring – Air, Water, Noise</td> <td rowspan="2" style="text-align: center; vertical-align: middle;">50,000</td> </tr> <tr> <td>2</td> <td>Pollution Control – Water sprinkling</td> </tr> <tr> <td>3</td> <td>Green Belt Development</td> <td style="text-align: center;">1,09,900</td> </tr> <tr> <td>4</td> <td>Haul road and other roads repair and maintenance</td> <td style="text-align: center;">2,02,750</td> </tr> <tr> <td></td> <td style="text-align: center;">Total</td> <td style="text-align: center;">3,62,650</td> </tr> </tbody> </table>	S. No	Particulars	Amount (in Rs)	1	Pollution monitoring – Air, Water, Noise	50,000	2	Pollution Control – Water sprinkling	3	Green Belt Development	1,09,900	4	Haul road and other roads repair and maintenance	2,02,750		Total	3,62,650
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4	Haul road and other roads repair and maintenance	2,02,750																	
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24.	CER activities along with budgetary break-up and responsibility to implement M/s. Prime Vision Industries Pvt Ltd will be responsible for the implementation of Corporate Environmental Responsibility (CER). As the project cost is Rs 16,29,266/- and Rs 35,000/- have been reserved for CER activities as per Office Memorandum of CER dated 01.05.2018 and will be spent on the followings: -																		
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	1	PP will install RO water purification system in school/Panchayat Bhawan as desired by villagers.	Rs 20,000/-
	2	PP will install water tankers for villagers for use in irrigation.	Rs 15,000/-
		Total	Rs 35,000/-

25. Other important facts

- i) During the lease period, the deposit will be worked from the top surface to 3.0 m below ground level.
- ii) No court case/litigation is pending before any court of Law against the project and/or land in which the project is proposed to be set up.
- iii) All mitigation measures for each activity to be undertaken during the mining operation to minimize adverse environmental impacts as recommended in the sand mining guidelines, 2016 & Enforcement & Monitoring Guidelines for Sand Mining, 2020.
- iv) Compliance of various environmental regulations shall be ensured.
- v) Mining will be carried out as per the terms and conditions of the provisional acceptance letter issued vide No.1709-10 dated 09.07.2019 issued by Department of Mines & Geology, Government of Punjab.
- vi) Extent of Mechanization
The mining shall be performed using a semi-mechanized method as per approved mine plan and Punjab Minor Mineral rules 2013. For mining operation excavators, dumpers and tippers have been considered. The machinery considered for sand mining has been presented below: -

Name of Equipment	Capacity	No. of Equipment	Standby Equipment	Total
Excavator	0.90 m ³	1	-	1
Dumper	10 tonnes	1	-	1
Water tankers	As & when required	-	-	-

- vii) Benefits of Semi mechanized method
Semi mechanized method, involving minimal use of machinery and optimal no. of workers if allowed can provide the following benefits:
 - a. Reduced duration of exposure to negative impacts of mining.
 - b. Reduced production of sewage and solid waste at the project site to be treated.
 - c. Reduced nuisance to the villagers.
 - d. Feasibility to extract the required quantity and supply raw material to market to curb black marketing of minor minerals and support to the construction industry in the region.

	<p>e. Reduced social menace which may be caused due to large no. of laborers, in case of completely manual operation.</p> <p>viii) The operation will be done only from sunrise to sunset hence there will be no power requirement for the project at the site.</p> <p>xi) An undertaking has been submitted to the effect that no Cluster formation of mining site exists as no other mining site falls within a radius of 500 m from the periphery of the proposed site.</p>
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SEAC asked the project proponent and his Environmental Consultant to clarify the following observations to which he replied as under: -

Sr. No.	Observations	Reply submitted by the project proponent and his Environmental Consultant
1.	Whether Final District Survey Report (DSR) has been approved?	The project proponent intimated that the DC Ferozepur has sent the approved DSR to the Secretary, Mining vide letter number 728 dated 08.06.2020. Sh. Manoj Bansal, Executive Engineer, Department of Mines submitted the said letter along with a signed copy of the DSR by the Executive Engineer, Department of Mines, Ferozepur, which was taken on record by SEAC.
2.	What is the plan of the plantation of the project proponent? What is the location on which plantation will be carried out?	<p>(i) The total plantation that will be done across 3 years of our mining lease period the total capital cost of Plantation has been taken as 1000 Rs with (tree guard) totalling to Rs 3,28,500/-</p> <p>(ii) The Plantation shall be done alongside the haul road and as community plantation the location of which shall be decided after due consultation with the Local forest office and Panchayat.</p>
3.	The project proponent is required to submit the revised water requirement along with proper breakup as per the norms.	The project proponent submitted the same as under:

Sno	Usage	Criteria Considered	Person/Area/Plants	Total (KLD)
1	Domestic	20 L per person per day	15 Person	0.30
2	Dust Suppression	5 L per m haul road per time 20 L per truck using water Mist spray	811-meter haul road twice daily 12 trucks per day	8.11 0.24
3	Green belt Development	10 L per plant per day	10 Plant (*in site buffer)	0.1
Total water requirement				8.75
4.	The project proponent is required to submit revised CER as per the OM dated 01.05.2018.		The project proponent submitted the same with details given as under:	
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5.	The project proponent is required to make arrangements for rain water harvesting at least equal to the amount as same as that of the domestic water requirement.		The project proponent submitted an undertaking to affect that the rainwater harvesting will be carried out in the nearby school, panchayat Bhawan or any government building in consultation with the local administration.	

SEAC was satisfied with the presentation and reply given to the observation. SEAC took a copy of the presentation along with a reply on record.

3.0 Recommendation of SEAC

After deliberations, SEAC decided to award silver grading to the project and forward the application of the project proponent to SEIAA with the recommendations to grant Environmental Clearance for mining of minor minerals (Sand) on Agricultural Land located in the revenue estate of village Kohala, Tehsil Zira, District- Ferozepur, Punjab submitted by M/s Prime Vision Industries Private Limited, as per Annexure-II and the following additional conditions:

1. The project proponent shall carry out rainwater harvesting in the nearby school/panchayat Bhawan/ any other government building in consultation with the local administration.
2. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate

Environment Responsibility. The project proponent shall adhere to the commitments made in the proposal for CER activities for spending at least a minimum amount of Rs. 15,000/- towards the following activities:

Sr. No.	Particulars	Amount (in Rs)
1	PP will install water solar pump for villagers for use in irrigation	15,000/-
Total		15,000/

4.0 Deliberations during 168th meeting of SEIAA held on 07.08.2020

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon’ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

5.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Harkesh Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the reply to the observations conveyed in the 168th meeting of SEIAA held on 07.08.2020 as under:

SEIAA raised the following observation to which project proponent replied as under: -

Query 1: Demarcation report shall be duly signed by the Lambardar, project proponent/ contractor, owner of the land and owners of the adjoining land, revenue officer present at site & Mining Officer, etc.

Reply: The Demarcation reports of all the sites is already available and has been submitted to SEIAA by the proponents. These reports consist of signature of the following officials:

- 1) Patwari, Revenue Department
- 2) Kanugo, Revenue Department
- 3) Land Owner
- 4) Officials for mining Department
- 5) Project Proponent
- 6) Villager as witness

Signatures of other officials of the Revenue Department are already in the Demarcation reports submitted by the Project proponent. Thus, it can be said that the Revenue department is already fairly represented in the report. If at this stage Demarcation is done again for lambardar signature the projects will be delayed.

Signatures of the adjacent land owners cannot be taken on the demarcation report since it leads to unlawful demands by the land owner who see it as an opportunity to extract money from the project proponent.

Query 2: Final District survey report shall be prepared considering the recommendation regarding the Environmentally safe depth of mining, a safe distance from banks and suitability of the site for mining or prohibition thereof, shall be duly signed by the members of the Sub Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest department, Geology or mining officer.

Reply:

The above-mentioned point does not apply to the extraction of sand from the agricultural land.

"safe distance from banks and suitability of site for mining or prohibition thereof," cannot be applied to agricultural land.

Also, in the sustainable sand mining guidelines section: Standard Environmental Conditions for Sand Mining the restriction of depth of mining is only mentioned for **river bed mining**. There is no mention of depth restriction in agricultural land.

As per Punjab Minor Mineral rules 2013 a site Appraisal committee comprising of concerned SDM and officials from Revenue, Forest, Mining, Irrigation Departments etc. This SAC after due sites visits approves the sites for mining, this SAC is duly supported

by the JIR consisting of the mining and the irrigation department which approves the permissible depth of mining on any river bed site as per water levels and the ultimate depth of the river channel.

Apart from these the concerned XEN cum mining officers have provided with the Certified cross-section of the river which shows the bed levels the location of the site and the redline.

It is submitted that the above three provisions of the State Act cover the requirements as per SSMG,2016.

Query 3: Consent of all the owners of the land shall be obtained in case of the private land.

Reply: He requested to peruse the section 3 (1) of The Punjab Minerals (Vesting of Rights) Act, 1994, which is reproduced as under:

The above act **section 3(i)** "*The State Government may, from time to time, by notification, acquire the right to the minerals in any land and notwithstanding anything contained in any law for time being in force, from the date of publication of the notification of the right to the minerals in the land specified in the notification shall vest absolutely in the State Government shall subject to the provisions of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act no. 67 of 1957). have all the powers necessary for the proper enjoyment or disposal of such rights."*

In the cases being considered by SEIAA the landowner NOC's have already been submitted by the Project Proponent in most of the cases; only in the cases, the landowners are not available the NOC are missing.

The Project Proponent requested to consider the same in light of The Punjab Minerals (Vesting of Rights) Act,1994.

Query 4: Applicability of general condition shall be examined carefully considering the OM issued by the MoEF&CC dated 12.12.2018 and Notification dated 14.08.2018.

Reply: The NGT order dated September 13, 2018, has not redefined the Category B1 & B2 as defined by the notification dated 15.01.2016 as per which cases with area 0 to 25 ha were considered as B2 with 0 to 5 ha were disposed of by DEIAA & 5 to 25 ha by SEIAA. The order states that "*(i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/*

SEIAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for the recommendation of grant EC by SEIAA instead of DEAC/DEIAA;"

The NGT order clearly states that the 5 to 25 ha falling under B2 category will be at par with B1 category and it has not redefined the existing division of the project category as done by MoEF &CC.

Further, the Notification dated 14.08.2018 states that the General conditions shall be exempted from B2 category (area upto 25 ha) in case of minor minerals.

In the notification category as well the area for the exemptions has been defined by the MoEF& CC and accordingly, GC is not applicable for the projects upto 25 ha.

Query 5: All the cases having a mining area >5hectares shall be considered at par with B1 category as per OM dated 12.12.2018 and required public hearing.

Reply: The OM dated 12.12.2018 has asked SEIAA's to comply with the order until any fresh notification is issued by MoEF&CC.

Query 6: Proper justification of mechanized method over the manual method of mining shall be provided considering the location, thickness of sand, deposition, agriculture land/river bed, with detailed calculations and benefits to be achieved for the Environment.

Reply: The use of mechanized mining method is beneficial over the manual method of mining:

- i) The manual method will lead to the employment of a large number of labor which will increase the water consumption at the site, generation of waste.
- ii) Also, the labour will only be available during the non –monsoon as during the crop season the labour are employed in the sowing and reaping of crops.
- iii) The Semi-mechanized method as proposed by the PP is a balanced combination of manual and mechanized mining wherein both labours and machinery is used for conducting mining operation i.e. excavation and loading of the mineral.

Query 7: An undertaking to the effect that no litigation/court case is pending before any court of law against the project and on or land in which mining is to be carried out, shall be submitted

Reply: The same has been submitted by the PP.

SEIAA was not satisfied with the reply given at Sr. no. 1, 3, 4 & 6 and observed the following observations:

- 1) In reference to reply to Query 1, the demarcation report is not duly signed by the Lambardar and owners of the adjoining land.
- 2) In reference to reply to Query 3, as per the condition no. 1 mentioned in the Sustainable Sand Mining Guidelines, 2016, in the case of private land not owned by the leaseholder an affidavit should be obtained regarding consent of the concerned landowners for carrying out the mining operation. SEIAA is a body of MoEF&CC and following the guidelines issued by the Ministry not the State Government. Therefore, consent of the owners of the land is a must for grant of EC in this case.
- 3) In reference to reply to Query 4, as per the OM dated 12.12.2018, mining sites less than 5 ha will be treated as category B2. EIA, EMP and Public Consultations for all areas from 5 to 25 ha falling under Category B 2 at par with category B 1 as well as for cluster situation where it is not provided shall be considered by SEIAA/SEAC.
- 4) In reference to reply to Query 6, justification with respect to the semi-mechanized method of mining or the manual method of mining is not proper as no calculation has been provided with respect to the water consumption, solid waste and other factors making an impact on the environment such as noise, impact on the air due to movement of traffic, etc.

Besides this, SEIAA observed that project proponent is also required to submit the reply to the following observations: -

- 5) Site-specific Corporate Environmental Responsibility indicating the activity, amount to be spent and schedule to be submitted
- 6) Revised project cost by considering the operational cost of the mining including the transportation cost to be submitted. The capital cost of the project shall also be mentioned separately.
- 7) Site specific Rainwater harvesting scheme, for at least double the quantity of annual use of water, with detailed design including the dimensions of the same shall be submitted.
- 8) How many workers to be allowed on the project mining site considering the manual method of mining as a mechanized or semi-mechanized method is not justified in this case. Accordingly, revised calculations of water are required to be submitted.

Environmental Consultant of the project proponent sought some time to submit the reply to the aforesaid observations.

SEIAA decided to defer the case and asked the project proponent to submit the reply to the aforesaid observations. The case shall be placed in the next meeting of SEIAA after getting the reply from the project proponent.

Item No.:169.12 Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Amritsar for mining of minor minerals in the revenue estate of Village Kotli Barwala, Tehsil Ajnala, District Amritsar in the name of M/s Friends & Co. , Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar. (Proposal no. SIA/PB/MIN/154878/2020).

SEIAA observed as under:

The General Manager-Cum-Mining Officer, District Industries Centre, Amritsar was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no. SEIAA/M.S./2015/319 dated 02.02.2015 for carrying out mining of minor minerals (sand/Gravel) @ 25,896 TPA in an area of 2.55 hectares in the revenue estate of Village **Kotli Barwala, Tehsil Ajnala, District Amritsar**, subject to the conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The said Environmental Clearance was valid for a period of five years i.e. upto 01.02.2020. However, the validity of the said EC can be assumed valid upto 01.02.2022, in light of the provisions of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

The Executive Engineer-cum-District Mining Officer, Amritsar vide letter no. 111-14/Spl/Block no.5/Covid-19 & 34-37/Block No. 5 dated 07.05.2020 & 04.06.2020 respectively has requested to transfer the Environmental Clearance for the above noted mining site in the name of M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar upto the validity of environmental clearance i.e. upto 01.02.2022.

The contractor namely M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar has submitted application online vide proposal number

SIA/PB/MIN/154878/2020 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance dated 02.02.2015	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, Jalandhar vide letter no. 111-14/Spl/Block no.5/Covid-19 & 34-37/Block No. 5 dated 07.05.2020 & 04.06.2020 respectively	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 5 comprising of Districts Amritsar, Kapurthala and Tarn Taran – E – auction dated 31.07.2019.	Submitted
4	Resolution of the company regarding the authorized signatory	Submitted
5	Copy of Partnership Deed	Submitted
6	Undertaking to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
7	Fee @ Rs. 2000/- per hectare	Rs. 5100/- vide receipt no. 4389 dated 11.06.2020 (DD No. 472600, Dated-03.06.2020).
8	Site Demarcation on Aks Sajra Plan with report of the Mining and Revenue Department.	Submitted
9	CER plan as per Office Memorandum dated 01/05/2018	Submitted

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the salient features of the project and requested to transfer of Environmental Clearance as recommended by SEAC.

To a query of SEIAA regarding the demarcation report, Environmental Consultant of the promotor company submitted that the demarcation report already submitted has been duly signed by lambardar, project proponent/contractor/owner of the land, revenue officer present at site & mining officer, etc.

To another query of SEIAA regarding establishment of absolute elevation (Redline), Environmental Consultant of the promoter company replied that Redline has been defined and copy of the drawing of the same has already been submitted. SEIAA perused the said documents and was satisfied with the reply of the Environmental Consultant. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the Environmental Clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. .

SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Amritsar has requested to transfer the Environmental Clearance in the name of the contractor up to the expiry of Environmental Clearance.

SEIAA observed that as per the MoEF Notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to General Manager-Cum-Mining Officer, Amritsar vide letter no. 319 dated 02.02.2015 for carrying out mining of minor minerals (Sand/Gravel) @ 25,896 TPA in an area of 2.55 hectares in the revenue estate of Village Kotli Barwala, Tehsil Ajnala, District Amritsar in the name of M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar for a period up to expiry of Environmental Clearance, subject to the same conditions as mentioned in the Environmental Clearance issued vide no. 319 dated 02.02.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 25,000/- reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

Item No. 169.13 Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Amritsar for mining of minor minerals in the revenue estate of Village Jaloke, Tehsil Patti, District Tarn Taran in the name of M/s Friends & Co. , Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar.(Proposal No: SIA/PB/MIN/162493/2020).

SEIAA observed as under:

The General Manager-Cum-Mining Officer, District Industries Centre, Tarn Taran was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no. SEIAA/M.S./2015/1410 dated 05.03.2015 for carrying out mining of minor minerals (sand) @ 21,667 TPA in an area of 3.23 hectares in the revenue estate of Village **Jaloke, Tehsil Patti, District Tarn Taran**, subject to the conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The said Environmental Clearance was valid for a period of five years i.e. up to 04.03.2020. However, the validity of the said EC can be assumed valid up to 04.03.2022, in light of the provisions of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

The Executive Engineer - cum- District Mining Officer, Tarn Taran vide letter no. 191-194/Block no.5 Dated 07.07.2020 respectively has requested to transfer the Environmental Clearance for the above noted mining site in the name of M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar upto the validity of environmental clearance i.e. up to 04.03.2022.

The contractor namely M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar has submitted application online vide proposal number SIA/PB/MIN/162493/2020 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor along with the request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance dated 05.03.2015	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, Tarn	Submitted

	Taran vide letter no. 191-194/Block no.5 dated 07.07.2020	
3	Copy of Provisional Acceptance Letter for mining of Block no 5 comprising of Districts Amritsar, Kapurthala and Tarn Taran – E – auction dated 31.07.2019.	Submitted
4	Resolution of the company regarding the authorized signatory	Submitted
5	Copy of Partnership Deed	Submitted
6	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
7	Fee @ Rs. 2000/- per hectare	Rs. 6460/- vide R.No. (Cheque No. 673480, Dated-02.07.2020 in the corporation bank branch).
8	Demarcation Report	Submitted
9	CER plan as per Office Memorandum dated 01/05/2018	Submitted

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon’ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the salient features of the project and requested to transfer of Environmental Clearance as recommended by SEAC.

To a query of SEIAA regarding the demarcation report, Environmental Consultant of the promoter company submitted that the demarcation report already submitted has been duly signed by lambardar, project proponent/contractor/owner of the land, revenue officer present at site & mining officer, etc.

To another query of SEIAA regarding establishment of absolute elevation (Redline), Environmental Consultant of the promoter company replied that Redline has been defined and copy of the drawing of the same has already been submitted. SEIAA perused the said documents and was satisfied with the reply of the Environmental Consultant. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the Environmental Clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. .

SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Amritsar has requested to transfer the Environmental Clearance in the name of the contractor up to the expiry of Environmental Clearance.

SEIAA observed that as per the MoEF Notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to General Manager-Cum-Mining Officer, Amritsar vide letter no. 1410 dated 05.03.2015 for carrying out mining of minor minerals (sand) @ 21,667 TPA in an area of 3.23 hectares in the revenue estate of Village Jaloke, Tehsil Patti, District Tarn Taran in the name of M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar for a period up to expiry of Environmental Clearance, subject to the same conditions as mentioned in the Environmental Clearance issued vide no. 1410 dated 05.03.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 40,000/-

reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

Item No.169.14: Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District Industries Centre, Amritsar for mining of minor minerals in the revenue estate of Village Khanpur, Tehsil Baba Bakala, District Amritsar in the name of M/s Friends & Co. , Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar. (Proposal No: SIA/PB/MIN/161401/2020)

SEIAA observed as under:

The General Manager-Cum-Mining Officer, District Industries Centre, Amritsar was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no. SEIAA/M.S./2015/2149 dated 31.03.2015 for carrying out mining of minor minerals (sand) @ 35,381 TPA in an area of 0.91 hectares in the revenue estate of Village Khanpur, Tehsil Baba Bakala, District Amritsar, subject to the conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The said Environmental Clearance was valid for a period of five years i.e. upto 30.03.2020. However, the validity of the said EC can be assumed valid upto 30.03.2022, in light of the provisions of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

The Executive Engineer - cum- District Mining Officer, Amritsar vide letter no. 67-70/Block no.5 Dated 24.06.2020 respectively has requested to transfer the Environmental Clearance for the above noted mining site in the name of M/s Friends & Co. , Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar upto the validity of environmental clearance i.e. upto 30.03.2022.

The contractor namely M/s Friends & Co., Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar has applied online vide proposal number SIA/PB/MIN/161401/2020 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor along with the request:

Sr. No.	Documents	Remarks
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1	Copy of Environmental Clearance dated 02.02.2015	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, Amritsar vide letter no. 67-70/Block no.5 dated 24.06.2020	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 5 comprising of Districts Amritsar, Kapurthala and Tarn Taran – E – auction dated 31.07.2019.	Submitted
4	Resolution of the company regarding the authorized signatory	Submitted
5	Copy of Partnership Deed	Submitted
6	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
7	Fee @ Rs. 2000/- per hectare	Rs. 1820/- vide Cheque No. 673476, Dated- 01.07.2020 in the branch of corporation bank.
8	Site Demarcation on Aks Sajra Plan with report of the Mining and Revenue Department.	Submitted
9	CER plan as per Office Memorandum dated 01/05/2018	Submitted

The case was placed before SEIAA in its 168th meeting held on 07.08.2020. It was also brought to the notice of SEIAA that CWP no. 10239 of 2020 titled Rahul Pathania V/s Union of India and others regarding the illegal mining has also been received on 01.08.2020. SEIAA observed that the petitioners have also stressed upon certain points in the petition before the Hon'ble High Court.

After detailed deliberations, SEIAA decided to defer the case and to ask the project proponents/ consultants to re-examine their cases in the light of the points as mentioned in the Table Item No 1 of 168th meeting of SEIAA and include the replies in their presentation. These cases shall be examined by SEIAA in its next meeting as and when scheduled.

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Hardeep Singh, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Manas Vyas, FAE on behalf of M/s P & M Solutions, Noida, Environment Consultant of the promoter company.
- (iii) Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida.

Environmental Consultant of the Promoter company presented the salient features of the project and requested to transfer of Environmental Clearance as recommended by SEAC.

To a query of SEIAA, the project proponent submitted the demarcation report endorsed by the Lambardar and Sarpanch of the village within a period of two days, which was taken on record.

To another query of SEIAA regarding establishment of absolute elevation (Redline), Environmental Consultant of the promoter company replied that redline has been defined and copy of the drawing of the same has already been submitted. SEIAA perused the said documents and was satisfied with the reply of the Environmental Consultant. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the Environmental Clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. .

SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Amritsar has requested to transfer the Environmental Clearance in the name of the contractor up to the expiry of Environmental Clearance.

SEIAA observed that as per the MoEF Notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to General Manager-Cum-Mining Officer, Amritsar vide letter no. 2149 dated 31.03.2015 for carrying out mining of minor minerals (sand) @ 35,381 TPA in an area of 0.91 hectares in the revenue estate of Village Khanpur, Tehsil Baba Bakala, District Amritsar in the name of M/s Friends & Co. , Bakar Mandi, Chabbal Road, Opp. Khazana gate, Amritsar for a period up to expiry of Environmental Clearance, subject to the same conditions as mentioned in the Environmental Clearance issued vide no. 2149 dated 31.03.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 65,000/-

reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

Item No.169.15: Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District- SAS Nangar Mohali, for mining of minor minerals in the revenue estate of Village Bhankharpur, Tehsil-Dera Bassi, District SAS Nagar in the name of M/s Rakesh kumar Choudhary, 51B/D, Gandinagar, Jammu J&k. (Proposal no. SIA/PB/MIN/166583/2020).

SEIAA observed as under:

The Executive Director, Punjab Small Industries & Export Corporation Ltd.(PSIEC) was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no-J-11015/159/2010-IA.II(M) dated 20.02.2015 for carrying out mining of minor minerals (sand) @ 28,000 TPA in an area of 20.26 hectares in the revenue estate of Village Bhankharpur, Tehsil-Dera Bassi, District SAS Nagar, subject to the conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The said Environmental Clearance was valid for a period of five years i.e. upto 19.02.2020. However, the validity of the said EC can be assumed valid upto 19.02.2022, in light of the provisions of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

The Executive Engineer (Drainage)- cum- District Mining Officer, Mohali mining division SAS Nagar vide letter no. 4995-99 dated 14/10/2019 has requested to transfer the Environmental Clearance for the above noted mining site in the name of Rakesh Kumar Choudhary, 51B/D, Gandinagar, Jammu, J&k upto the validity of Environmental Clearance i.e. upto 19.02.2022.

The contractor namely Rakesh Kumar Choudhary, 51B/D, Gandhinagar, Jammu, J&k submitted online application vide proposal number SIA/PB/MIN/166583/2020 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor along with the request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance dated 20-02-2015	Submitted

2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, SAS Nagar Mohali vide letter no. letter no. 4995-99 dated 14/10/2019.	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 7 comprising of Districts SAS Nagar Mohali, Fatehgarh sahib, Patiala – E – auction dated 04.09.2019.	Submitted
4	Resolution of the company regarding the authorized signatory	Submitted
5	Copy of Memorandum of Articles of Association	Submitted
6	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
7	Fee @ Rs. 2000/- per hectare	Submitted Rs. 10130 vide NEFT no. JAKA200611393011 dated 11.06.20. Rs. 30390 vide NEFT no. JAKA200731772972 dated 31.07.20.
8	Site Demarcation report.	Undertaking to the effect that the same will be submitted at the time of meeting.
9	CER plan as per Office Memorandum dated 01/05/2018	Undertaking to the effect that the same will be submitted at the time of meeting.

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Amit Kumar, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Arun Kumar Yadav, M/s Overseas Mintech Consultant Jaipur.

Environmental Consultant of the Promoter company presented the salient features of the project and requested to issue Environmental Clearance as recommended by SEAC.

To a query of SEIAA regarding the as to whether demarcation report of the mining site is duly signed by Lambardar, owners of the land & adjoining land, project proponent/contractor, revenue officer and mining officer etc. To this, Environmental Consultant of the promoter company submitted that the demarcation report is signed by sarpanch, panchayat members, contractors, villages and JE cum Mining Inspector. SEIAA was not satisfied with the reply of the project proponent. Environmental Consultant of the promoter company sought some time to submit the revised demarcation report.

To another query of SEIAA regarding establishment of absolute elevation (Redline), Environmental Consultant of the promoter company replied that Redline has been defined and copy of the drawing of the same has already been submitted.

After detailed deliberations SEIAA decided to accept the request of Environmental Consultant, defer the case and asked the project proponent to submit the revised demarcation report. The case be placed in the meeting of SEIAA after getting the reply from the project proponent.

Item No.169.16 Regarding transfer of Environmental Clearance granted under EIA notification dated 14.09.2006 to General Manager-cum-Mining Officer, District- SAS Nangar Mohali, for mining of minor minerals in the revenue estate of Village Jhajon, Tehsil-Dera Bassi, District SAS Nagar in the name of M/s Rakesh Kumar Choudhary, 51B/D, Gandinagar, Jammu, J&k. (Proposal no. SIA/PB/MIN/147164/2020).

SEIAA observed as under:

The Executive Director, Punjab Small Industries & Export Corporation Ltd.(PSIEC) was granted Environmental Clearance under EIA notification dated 14.09.2006 vide no-J-11015/159/2010-IA.II(M) dated 20.02.2015 for carrying out mining of minor minerals (sand) @ 2,26,000 TPA in an area of 26.97 hectares in the revenue estate of Village Jhajon, Tehsil-Dera Bassi, District SAS Nagar, subject to the conditions including the following condition:

"The Mining Officer may apply for transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/lessor finalized by the Department of Industries & Commerce to SEIAA, Punjab. However, no activity shall be undertaken by the lessor/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance".

The said Environmental Clearance was valid for a period of five years i.e. upto 19.02.2020. However, the validity of the said EC can be assumed valid upto 19.02.2022, in light of the provisions of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

The Executive Engineer (Drainage)- cum- District Mining Officer, Mohali mining division SAS Nagar vide letter no. 4990-94 dated 14/10/2019 has requested to transfer the Environmental Clearance for the above noted mining site in the name of Rakesh Kumar Choudhary, 51B/D, Gandhinagar, Jammu, J&k upto the validity of Environmental Clearance i.e. upto 19.02.2022.

The contractor namely Rakesh Kumar Choudhary, 51B/D, Gandhinagar, Jammu, J&k submitted online application vide proposal number SIA/PB/MIN/147164/2020 for transfer of the said Environmental Clearance in its name. Following documents have been submitted by the contractor along with the request:

Sr. No.	Documents	Remarks
1	Copy of Environmental Clearance dated 20-02-2015	Submitted
2	Copy of request submitted by Executive Engineer - cum- District Mining Officer, SAS Nagar Mohali vide letter no. letter no. 4990-94 dated 14/10/2019.	Submitted
3	Copy of Provisional Acceptance Letter for mining of Block no 7 comprising of Districts SAS Nagar Mohali, Fatehgarh sahib, Patiala – E – auction dated 04.09.2019.	Submitted
4	Resolution of the company regarding the authorized signatory	Submitted
5	Copy of Memorandum of Articles of Association	Submitted
6	Affidavit to the effect that the promoter company will comply with conditions as imposed by SEIAA.	Submitted
7	Fee @ Rs. 2000/- per hectare	Submitted Rs. 13485 vide NEFT no. JAKA20061139001 dated 11.06.20. Rs. 40455 vide NEFT no. JAKA200731772569 dated 31.07.20.
8	Site Demarcation report.	Submitted
9	CER plan as per Office Memorandum dated 01/05/2018	Submitted

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020 and the same was attended by the following: -

- (i) Sh. Amit Kumar, Authorized signatory, on behalf of the project proponent.
- (ii) Sh. Arun Kumar Yadav, M/s Overseas Mintech Consultant Jaipur Sh. Subhash Kumar, EIA Coordinator, M/s P & M Solutions, Noida

Environmental Consultant of the Promoter company presented the salient features of the project and requested to issue Environmental Clearance as recommended by SEAC.

To a query of SEIAA regarding the demarcation report, Environmental Consultant of the promoter company submitted that the demarcation report already submitted has been duly signed by lambardar, project proponent/contractor/owner of the land, revenue officer present at site & mining officer, etc.

To another query of SEIAA regarding establishment of absolute elevation (Redline), Environmental Consultant of the promoter company replied that Redline has been defined and copy of the drawing of the same has already been submitted. SEIAA perused the said documents and was satisfied with the reply of the Environmental Consultant. Both the documents were taken on record by SEIAA.

The SEIAA observed that as per EIA notification dated 14.09.2006, the Environmental Clearance granted for a specific project or activity to an applicant can be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. .

SEIAA further observed that the Executive Engineer - cum- District Mining Officer, Amritsar has requested to transfer the Environmental Clearance in the name of the contractor up to the expiry of Environmental Clearance.

SEIAA observed that as per the MoEF Notification dated 14.08.2018, competency to decide the case lies with the SEIAA.

In compliance to said provision of the EIA notification dated 14.09.2006, the SEIAA decided to transfer the Environmental Clearance granted to General Manager-Cum-Mining Officer, Amritsar vide letter no. -J-11015/159/2010-IA.II(M) dated 20.02.2015 for carrying out mining of minor minerals (sand) @ 2,26,000 TPA in an area of 26.97 hectares in the revenue estate of Village Jhajon, Tehsil-Dera Bassi, District SAS Nagar in the name of M/s Rakesh Kumar Choudhary, 51B/D, Gandinagar, Jammu, J&k for a period up to expiry of Environmental Clearance, subject to the same conditions as mentioned in the Environmental Clearance issued vide no. -J-11015/159/2010-IA.II(M) dated 20.02.2015 and an additional condition that the project proponent shall spend the proposed amount of Rs. 1.70 lacs per annum/- reserved under the CER activity, as per the OM dated 01.05.2018, considering the local needs of the village.

Item no. 169.17: Extension of Environmental Clearance of the project Mining of Minor Minerals (Sand) in the revenue Estate of village Kaimwala, Tehsil Nakodar, District Jalandhar, Punjab from validity period of 2 years to 7 years as per OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016.

SEIAA observed as under:

GM-cum-Mining Officer, District Industries Centre, Amritsar was granted Environmental Clearance by SEIAA vide letter no. SEIAA/MS/2015/265 dated 02.02.2015 for mining of Minor Minerals (Sand) in an area of 2.42 hectares from the Satluj river bed in the revenue Estate of village- Kaimwala, Tehsil- Nakodar, District- Jalandhar, Punjab, in H.B.No 378, Khasra No.38/11, 12,38/12, 13, 38/10, 38/18, 19, which was valid for a period of five years. The said Environmental Clearance was transferred in the name of Sh. Surjit Singh Jossan R/o Kotli Kamboj, V.P.O- Kang Kalan, Tehsil-Sharkot, District- Jalandhar, Punjab, Sh. Mandeep Singh, R/o village Baluana, Tehsil Abohar, Distt. Fazilka, by DEIAA vide no. DIC/JAL/2017/2800 dated 19.09.2017 up to 01.02.2020.

Now, the contractor vide its letter dated 03.02.2020 has sought clarification regarding the validity period of the said Environmental Clearance in light of the OM No. 22-27/2015- IA-III, MoEF&CC (IA Division) dated 12.04.2016, issued by the MoEF.

The relevant provisions of OM are given as under:

“The Environmental Clearance of the projects which had not completed five (5) years on the date of 29.04.2015, their validity will stand automatically extended to seven (7) years.”

The said project was granted EC on 02.02.2015 and the said EC had not completed five years on 29.04.2015, the validity of Environmental Clearance granted by SEIAA vide letter no. SEIAA/MS/2015/265 dated 02.02.2015, is deemed valid for seven years i.e. up to 01.02.2022.

1.0 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA during its 169th meeting held on 17.08.2020. During the meeting SEIAA was apprised that a court case CWP no. 6777 of 2019 titled as Piyar Kaur & Another v/s Union of India & others had been filed through Advocate Satinder Kaur in Hon'ble Punjab & Haryana High Court, Punjab which is related to illegal mining being carried out by Respondent no.13(S. Surjit Singh Jossan i.e. applicant in present case) and it has been prayed to revoke the mining lease of the said Respondent i.e. S. Surjit Singh Jossan, Contractor of sand mining pit situated at Village Kaimwala, in the area (2.42 ha) bearing Khasra Nos. 38//11,12,38//12,13, 38//10, 38/18,19 in hadbast no.338 of Village Kaimwala, Tehsil Nakodar, District Jalandhar for the reasons of carrying out unauthorized, illegal, in-discreet mining from Village Gorsain Khan Mohammad in Ludhiana District which is about 1-2 kms far away from the approved area of the pit i.e.

area in adjoining lands of the petitioners due to which killa no.4 is eroded into the river satluj in Ludhiana District.

After detailed deliberations, SEIAA decided to defer the matter and the project proponent be asked to provide the latest status of the court case.

Item No :169.18: Application for issuance of TORs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion of educational institute namely "PTU Campus Bathinda" of Punjab Technical University located at Dabwali-Bathinda Road, Bathinda, Punjab by GZS PTU Campus Bathinda. (SIA/PB/NCP/22982/2018)

SEIAA observed as under:

1.0 Background

GZS PTU Campus Bathinda has submitted an application for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion of educational institute namely "PTU Campus Bathinda" located at Dabwali-Bathinda Road, Bathinda, Punjab by M/s GZS PTU CAMPUS Bathinda. The project proponent submitted vide letter dated 31.07.2017 is as under: -

- 1) They had applied to SEIAA, for issuance of TOR under EIA Notification dated 14-09- 2006 for Expansion of the existing campus of Punjab Technical University in the name & style "Giani Zail Singh, PTU Campus" at Dabwali-Bathinda Road, Bathinda.
- 2) SEIAA observed that it is a case of violation of the provisions of EIA notification dated 14-09-2006.
- 3) SEIAA also observed that as per amendment in notification vide No S.O. 804 (E) dated 14-03-2017, violation cases even of category "B" projects which are granted Environmental Clearance by SEIAA are to appraised for grant of Environmental Clearance only by the EAC and EC is to be granted at the central level.
- 4) The existing built-up area of the University was 103977 m² and the university started the construction work of new buildings without getting environmental clearance. Being a case of violation of the provisions of EIA notification dated 14.09.2006 and as per amendment notification vide No S.O. 804 (E) dated 14-03-2017, the application was submitted online vide proposal no. IA/PB/NCP/67263/2017 on 07/08/2017 to MOEF&CC, for issuance of TORs for obtaining Environmental Clearance for the project located at Dabwali-Bathinda Road, Bathinda, Punjab.

It is further added here that, MoEF&CC issued amended notification dated 08.03.2018 wherein the power to decide the violation cases of category 'B' project have been delegated to SEIAA & SEAC, which were earlier vested with MoEF&CC, New Delhi. The notification while laying down the procedure, the para (4) & (5) prescribes as under: -

- (4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act,

1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.

- (5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment(Protection) Act, 1986, or an environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.

MoEF&CC has transferred proposal no. IA/PB/NCP/67263/2017 dated 07/08/2017 to SEIAA vide proposal no. SIA/PB/NCP/22982/2018 on 28/03/2018 for appraisal of the project in compliance to the amended notification dated 08.03.2018. The summary of the project is as under: -

- The total cost of the project is Rs. 40 Crore, which includes the cost of land.
- The total land for Institution is 143.94 acres.
- The total power requirement is about 1466.820 KW. Punjab State Power Corporation Limited provides Power and Standby Generators are provided to run emergency utilities like Water Supply, Sewage Treatment Plant and Lifts, etc as well as power backup. 02 No. 380 KVA and 160KVA has been provided.
- The total strength of the Institutions is about 3500 students and staff. The domestic water demand is worked out using water requirements of 135 liters per day per person for the residential population in Hostel & residential houses and for floating, the requirement is 45 liters per day. The total water demand of the university is about 357.5 KL/day. The source of water is surface water (Bathinda canal).
- Fresh Water Requirement

S.No.	SOURCE	POPULATION	@lpcd	TOTAL (KLD)
1.	Hostler	1400	135	189
2.	Resident Staff	815	135	110

4.	Floating	1300	45	58.5
	TOTAL	3500		357.5

- About 286 KLD of wastewater is generated. Sewage Treatment Plants have been already installed. The treated water is being used for plantation within the premises and irrigation purposes as per karnal technology. There is thus no pollution of water resources.
- The detail of disposal arrangement of wastewater is as under: -

S.No.	Season	Total wastewater at the outlet of STP	For Flushing purposes (KLD)	Green Area 6600 sqm (KLD)	Karnal Technology (KLD)
1.	Summer	266	14	69	183
2.	Winter	266	14	21	231
3.	Rainy	266	14	6	246

- The solid waste generated from the construction activities was effectively recycled within the project.
- The solid waste generated in the Institutes is mostly domestic waste. Thus, there is no problem with air pollution or Odour nuisance and flies etc. & soil contamination. The detail calculation of waste generation is as under:

Sr. No.	CATEGORY OF WASTE		WASTE GENERATED	WASTE GENERATED (KG)
1.	Municipal Solid Waste	Hostetler's	2200 @ 0.45 kg/capita/day	990
		Visitors	1300 @ 0.20 kg/capita/day	260
2.	E-waste		Lump-sum/annum	100
3.	Used oil		Lump-sum/annum	150

- (i) A door to door (hostels) collection system has been provided for collection of domestic waste in the bins the local vendors will be hired to provide separate colored bins for dry recyclables and Bio-Degradable waste. Litter bin has been provided in open areas like parks etc.
- (ii) Bio-Degradable wastes have been lifted by M/s JITF, Bathinda for final disposal. Non-Bio degradable like papers, plastic, metals, etc will be segregated and stored into an isolated place. E-waste will be stored as per e-waste management rules 2011 and Used oil has been stored into a Plastic drum in an isolated place.
- The proponent has installed Noiseless generators as power backup. No other point source of emissions like boiler, furnace, etc. to run on fossil fuels, have been provided. In view of this the Project does not create Air & Noise Pollution.
- Rain Water Harvesting provision has been provided for the recharging of the aquifer as well as to meet some of the water demands.

- 19% energy will be saved by the following means: -
 - (i) by using 20W CFL/LED instead of 40 W tubes
 - (ii) by using solar lights on street lights
 - (iii) by using Energy savers on Fans & Sockets

1.1 Deliberations during 167th meeting of SEAC held on 26.05.2018

The case was considered by the SEAC in the 167th meeting held on 26.05.2018 which was attended by the following on behalf of the project proponent:

- (i) Sh. Rupinder Singh, AE (Civil).
- (ii) Sh. Sital Singh M/s CPTL, Mohali, Environment Consultant.

The project proponent requested the SEAC that earlier the institute had 143.94 acres of land. Since 70 acres of land has been given to Maharaja Ranjit Singh University and now only 73.94-acre land has been left with it which is less than 50 ha. Also, the built-up area of the institute is less than 1.5 lac sqm. Therefore, now, they are not covered under the provisions of EIA Notification, 14.09.2006, and wanted to withdraw their application.

The SEAC observed that the project proponent has not submitted any requisite document to prove his contention along with a written request to withdraw the application. After detailed deliberations, SEAC decided to defer the case and ask the project proponent to submit a reply to the aforesaid observations before his request could be considered.

In compliance with the decision taken by SEAC, aforesaid observation has been conveyed to the project proponent through online ADS (additional detail sought) facility available on the web portal.

The project proponent has now submitted a reply to the observation which was annexed as annexure with the agenda.

1.2 Deliberations during 167th meeting of SEAC held on 26.05.2018

The case was considered by the SEAC in its 170th meeting held on 28.07.2018 and the same was attended by the following on behalf of the project proponent: -

- (i) Sh. Jagdeep Singh Sidhu, S.D.E. & Rajindervir Singh, J.E.
- (ii) Sh. Sital Singh, M/s CPTL, Chandigarh, Environment consultant of the promoter company.

The project proponent submitted a copy of gazette dated 12.02.2015 wherein The Maharaja Ranjit Singh State Technical University Act, 2014 has been enacted and reiterated its earlier submission i.e. the institute had 143.94 acres of land, out of which 70 acres of land has been given to Maharaja Ranjit Singh University and now only 73.94-acre land has been left with it which is less than 50 ha. Also, the built-up area of the institute is less than 1.5 lac sqm. Therefore, now, they are not covered under the provisions of EIA Notification, 14.09.2006, and wanted to withdraw their application.

The SEAC observed that the project proponent has not submitted any document from which it has been proved that 70 acres' land out of 143.94 acres, has been transferred to Maharaja Ranjit Singh University.

After detailed deliberations, SEAC decided to defer the case till the project proponent submits credible documents which prove their contention regarding the transfer of the land to Maharaja Ranjit Singh University.

The project proponent submitted a reply as under: -

"Maharaja Ranjit Singh Punjab Technical University, Bathinda was established by the Govt. of Punjab in the year 2015 vide Punjab Act No. 05 of 2015. The Constitution of the Board of Governors of the University is attached. The Chairman of BOG is the Chief Secretary to Govt. of Punjab and Vice-Chairman is the Principal Secretary to Govt. of Punjab, Department of Technical Education & Industrial Training and the decision of land transfer has been taken at Govt. level in 2nd meeting chaired by the Chief Secretary to Govt. of Punjab as land is in name of the Punjab Government as per revenue records, so no separate notification has been issued. The issue of Construction of Buildings of the University was taken up in the 2nd meeting of BOG of the University and the Committee approved the Decision of Building Works Committee vide which the buildings were planned in about 70 acres on both sides of Badal Road (copy of plan and approval by Municipal Corporation, Bathinda attached). The project proponent has also submitted that the Institute has made arrangements for rainwater harvesting and campus is lush green".

The request of the Institute to withdraw the application is placed before SEAC for consideration. The case was placed in the agenda of the 171st meeting of SEAC held on 24.09.2018. But, no one from the project proponent attended the said meeting. However, the SEAC considered the reply submitted by the project proponent and observed that the project proponent has yet to submit such documents from which it can be conclusively established that part of the land (70 acres) out of total 143.94 acres, has been transferred to Maharaja Ranjit Singh University. Moreover, no representative from the project proponent was there to present their case to justify their contentions regarding the non-applicability of EIA notification, 2006.

After detailed deliberations, SEAC decided to defer the case, ask the project proponent to submit some more credible documents to prove their contentions, must attend the next meeting to present their case, so as to deliberate further w.r.t. the pending application submitted by the project proponent. The case be placed in the next meeting of SEAC as and when scheduled.

In compliance to the aforesaid decision taken by the SEAC, the Registrar, Giani Zail Singh Campus, College of Engineering & Technology, Dabwali Road, Bathinda has been requested vide letter no 1361 dated 09/10/2018 to upload the reply online to Additional Details Sought (ADS) on the web portal (www.environment

clearance.nic.in) and also attend the next meeting of SEAC as & when scheduled to present their case along with some more credible documents to prove your contentions, so as to enable the SEAC to proceed further in the matter.

The project proponent has uploaded the reply on the web portal which has already been considered in the 171st meeting of SEAC held on 24.09.2018. However, he has been requested vide email dated 24.10.2018 to attend the 172nd meeting of SEAC to be held on 31.10.2018 to present their case along with some more credible documents to prove your contentions, so as to enable the SEAC to proceed further in the matter.

The case was considered by the SEAC in its 172nd meeting held on 31.10.2018 and was attended by Dr. Gursharan Singh, Campus Director, Giani Zail Singh Campus College of Engineering & Technology (GZSCSET), Bathinda.

SEAC asked the project proponent to submit document to prove contention that part of the land (70 acres) out of total 143.94 acres, has been transferred to Maharaja Ranjit Singh University. The project proponent submitted a copy of memo no. 1608 /C-6/ECC/2018 dated 31.10.2018 written by the Director, Technical Education & Industrial Training Department, Punjab addressed to Chairman, SEAC, Vatavaran Bhawan, Nabha Road, Patiala, self-attested by Campus Director which is reproduced as under: -

विषय प्रतिपत्ति: राष्ट्रीय वि. शिक्षण आयोग के वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
बिहार के वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
विषय: वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।

आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
आचार्यजी महोदय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।

विषय प्रतिपत्ति: राष्ट्रीय वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
बिहार के वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।
विषय: वि. शिक्षण आयोग के अध्यक्ष जी. पी. जी. सिंह, दिल्ली, भारत, को भेजने के लिए।

The Campus Director submitted that it has been clearly certified by the competent authority that the area available with the GZSCSET is only 73.94 acre which

is less than 50 hectares. Further, they have a total built-up area of the project less than 1,50,000 sqm and thus are not covered under EIA Notification 14.09.2006. Hence, the Campus is not required to obtain Environment Clearance. The Campus Director requested SEAC to allow them to withdraw their application.

SEAC took the aforesaid letter on record. SEAC observed that Ministry of Environment, Forests & Climate Change vide notification no S.O. 3252 (E) dated 22.12.2014 in respect of projects/activities falling under category 8(a) having built-up area >20,000 sqm. and <1,50,000 sqm. shall not include industrial shed, school, college, hostel for an educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rainwater harvesting, and may use recycled materials such as fly-ash bricks. Further, Ministry of Environment, Forest & Climate Change, New Delhi vide office memorandum F. No. 1--2/2013-IA-III dated 09.06.2015 has clarified that the Notification No. S.O. 3252 (E) dated 22.12.2014, which applies to category 8(a) projects only, provides an exemption to buildings of educational institutions including universities from obtaining prior Environment Clearance under the provisions of the EIA Notification, 2006 subject to sustainable environmental management. In the case of medical universities/institutes, the component of Hospitals will continue to require prior Environment Clearance.

After detailed deliberations, SEAC decided to recommend to SEIAA to allow the Giani Zail Singh Campus College of Engineering & Technology to withdraw their application subject to the condition that Giani Zail Singh Campus College of Engineering & Technology shall comply with the office memorandum issued vide F.No. 19-2/2013-IA-III dated 09.06.2015 which provides an exemption to the buildings of education institutes including universities from obtaining prior Environmental Clearance under the provisions of EIA notification, 2006 subject to the sustainable environmental management.

1.3 Deliberations during 140th meeting of SEAC held on 21.12.2018

The case was considered by the SEIAA in its 140th meeting held on 21.12.2018 which was attended by the following on behalf of the project proponent:

- (i) Sh. Jagdeep Singh Sidhu, S.D.E. of GZSPTU Campus, Bathinda
- (ii) Sh. Sital Singh, EIA Co-ordinator, M/s CPTL, Mohali, Environment Consultant of the GZSPTU Campus, Bathinda

Sh. Jagdeep Singh Sidhu, S.D.E submitted a written request to SEIAA during the meeting for the deferment of the case and sought some time to discuss the matter with higher authorities of the Campus.

After deliberations, SEIAA decided to accept the request of the project proponent and defer the case and the same be placed before it in the next meeting as and when scheduled.

2.0 Deliberations during 166th meeting of SEIAA held on 26.06.2020

The case was considered by the SEIAA in its 166th meeting held on 26.06.2020. Sh. Jagdeep Singh Sidhu, S.D.E. of GZSPTU Campus, Bathinda, was contacted telephonically on mobile no. 88725-00284. He sought some more time to discuss the matter with higher authorities and accordingly shall submit the reply very shortly.

After deliberations SEIAA decided to accept the request of the project proponent and defer the case till the project proponent submits a reply to the observation. In compliance to the above decision, Institute was requested vide letter no. 1902 dated 29.07.2020 to submit the reply to the observations

Accordingly, institute has submitted the reply through email dated 15.08.2020. A copy of the reply was annexed as Annexure-3 of the agenda.

2.1 Deliberations during 169th meeting of SEIAA held on 17.08.2020.

The case was placed before SEIAA in its 169th meeting held on 17.08.2020. SEIAA was apprised that Deputy Registrar (Admin) GZS PTU Campus, Bathinda vide letter no. 794 dated 14.08.2020 has requested to withdraw its application submitted vide Proposal No. (SIA/PB/NCP/22982/2018) for issuance of ToRs for carrying out EIA study for obtaining environmental clearance under EIA notification dated 14.09.2006 for expansion of educational institute namely “PTU Campus Bathinda” of Punjab Technical University located at Dabwali- Bathinda Road, Bathinda, Punjab.

SEIAA perused the reply submitted by the institute with reference to sperate service of Giani Zail Singh College and the Maharaja Ranjit Singh Punjab Technical University, Bathinda and it was observed as under:

- i) Giani Zail Singh Campus College of Engineering & Technology, Bathinda was established as a Govt. Engineering College in year 1989. The land for college was acquired by the Punjab Govt. Later, it was converted as an autonomous institute in year 1992.
- ii) In year 2013, 10 acres of land was transferred to the Education Department for setting up a Meritorious School.
- iii) In the year 2015, 70 acres land has been transferred for the construction of Maharajan Ranjit Singh Punjab Technical University, Bathinda and now the land left with Giani Zail Singh College is 73.94 Acres.
- iv) The Giani Zail Singh College is a Regd. Society having its own rules and regulations.
- v) The Maharaja Ranjit Singh Punjab Technical University, Bathinda was created under the Punjab Act No. 05 of 2015 and both the institutes are separate identities.
- vi) The Plan for construction of buildings of Maharaja Ranjit Singh Punjab Technical University, Bathinda was got approved from the Municipal Corporation, Bathinda and buildings of Giani Zail Singh College .

- vii) The university disposes of its sewage into the main sewer of Municipal Corporation, Bathinda and the Giani Zail Singh College has its own STP since inception. Thus, the University & College have separate sewer connections.
- viii) The Electricity connections of Giani Zail Singh College and Maharaja Ranjit Singh Punjab Technical University, Bathinda are also separate
- ix) That the institute has its old construction work before year 2006.
- x) Further, Institute is covered vide F.No. 19-2/2013-IA-III dated 09.06.2015 which provides exemption to the buildings of education institutes including Universities from obtaining prior Environmental Clearance under the provisions of EIA notification, 2006 subject to the Sustainable Environment Management. Hence, it is requested that the request of the institute to withdraw its application for issuance of ToRs may be considered.

After detailed deliberations, SEIAA decided to accept the recommendation of SEAC and allowed Giani Zail Singh Campus College of Engineering & Technology to withdraw his application subject to the condition that Giani Zail Singh Campus College of Engineering & Technology shall comply with the office memorandum issued vide F.No. 19-2/2013-IA-III dated 09.06.2015 which provides an exemption to the buildings of education institutes including universities from obtaining prior Environmental Clearance under the provisions of EIA notification, 2006 subject to the Sustainable Environmental Management.

Meeting ended with vote of thanks to the Chair.
