

STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), BIHAR

2nd Floor, BELTRON Bhawan, Shastri Nagar, Patna – 800023.

Ref. No. - 97

Patna Dated: - 08/08/2023

**MINUTES OF 18th MEETING OF STATE LEVEL EXPERT APPRAISAL
COMMITTEE (SEAC), BIHAR CONSTITUTED ON 12.08.2021**

VENUE: SEIAA Office

DATE: 20th February, 2023

Minutes/Proceeding of the Meeting

- 1. Opening Remarks of the Chairman:** The Chairman and Members extended a warm welcome to each other and other participants of the meeting. Thereafter, the meeting was opened for the proceedings as per the agenda adopted for the meeting.
- 2. Confirmation of Minutes of 17th Meeting (17/2023)** vide Ref. No.– 13, dated 09.01.2023 of State Expert Appraisal Committee held on 09th January, 2023. The State Expert Appraisal Committee, hereinafter called the SEAC, was informed that no representation has been received regarding projects considered in meeting held on 09th January, 2023. Minutes of meeting of the said SEAC was confirmed.
- 3. Consideration of Proposals:** The SEAC considered the proposals received as per the agenda adopted for 18th meeting (18/2023) vide ref no.– 74 dated- 10.02.2023 and ref no.– 85 dated- 20.02.2023. The key points of deliberations held were as follows.
- 4. With regard to the proposals submitted for the sand mining projects, and various issues concerning the green belt area / greenery, human health hazards and status of Waste Management, etc. were thoroughly discussed and scrutinized.**



Consideration of Terms of Reference Proposal

AGENDA ITEM NO. 01

Proposed Sand Mining Project of Block No. – 01 on Kiul River of District:- Jamui, State:- Bihar; [Area:- 25 Ha] – Reg. Terms of Reference

(File No.: SIA/1(a)/2314/2023, Proposal No.: SIA/BR/MIN/413052/2023).

Environment Consultant: M/s P & M Solutions.

Application along with filled-up Form - I, Pre-feasibility Report, and Environment Management Plan in the prescribed format was submitted to SEIAA, Bihar on 06th January 2023 for obtaining Terms of Reference (ToR).

Location of Sand Mining Ghats:-

Sl. No	Area	Latitude	Longitude
1.	25 Ha	24° 48' 14.38" N	86° 09' 21.53" E
2.		24° 48' 27.42" N	86° 09' 30.60" E
3.		24° 48' 33.91" N	86° 09' 48.30" E
4.		24° 48' 35.85" N	86° 10' 00.55" E
5.		24° 48' 34.53" N	86° 10' 06.30" E
6.		24° 48' 29.98" N	86° 10' 06.42" E
7.		24° 48' 28.63" N	86° 09' 48.47" E
8.		24° 48' 14.64" N	86° 09' 25.33" E

The proposed mining Ghat was found at approximately 450 meters from the bridge over the river Kiul. From the KML file of the project it was found that the concerned bridge is very old. Pillars of the bridge are made up of bricks and mining at the distance of 450 meters may affect the strength of the bridge. Therefore, the definition of major bridge/ river apart, the current and volume of water through the bridge during peak season must also be kept in mind while taking decision regarding proximity of mining activity from the bridge. The Member Secretary informed that from the KML file a forest area is found adjacent to the proposed mining lease, regarding which the legal status of the forest land has to be ascertained from the concerned Divisional Forest Officer as the Bihar State Pollution Control Board has notified 1 KM as sitting distance from the notified Protected/Reserve Forest.

Based on the discussion, the committee decided to direct the project proponent to submit the following information duly issued from the competent authority (Concerned

Executive Engineer, Road Construction Department in the concerned District and Divisional Forest Officer) in the concerned department:

1. Minimum distances upstream and downstream respectively from the bridge at which mining can be permitted ensuring the safety of the bridge.
2. A report from the concerned Divisional Forest Officer ascertaining the legal status of the Forest Land found adjacent to the proposed site.

AGENDA ITEM NO. 02

Proposed Sand Mining Project of Block No.- 06 on Chanan River of District:- Banka, State:- Bihar; [Area:- 34 Ha] – Reg. Terms of Reference

(File No.: SIA/1(a)/2315/2023, Proposal No.: SIA/BR/MIN/414000/2023).

Environment Consultant: M/s P & M Solutions.

Application along with filled-up Form - I, Pre-feasibility Report, and Environment Management Plan in the prescribed format were submitted to SEIAA, Bihar on 06th January 2023 for obtaining Terms of Reference (ToR).

The Project Proponent along with the concerned environmental consultant made a presentation on the key parameters and salient features of the project. Based on the discussion, the committee found their presentation and proposal satisfactory and acceptable; hence it was decided to recommend the proposals for grant of Term of Reference as per standard Term of Reference conditions recommended by the MoEF&CC, Govt. of India as **Annexure "A"** along with additional specific conditions mentioned below:

1. Submit a report based on a cumulative assessment of the increase in air pollutants due to the increase in traffic load in view of proposed mining activities on all the roads located within an aerial distance of 10 km using a suitable air model.
2. If the proposed mining lease has overlapping areas with the previously allotted mining lease or already working or worked out mining lease, the same should be clearly shown and details about the quantity of sand extracted from the overlapped area should be furnished duly certified by District Mining Officer.
3. The satellite imageries (high resolution) of the last three years for the summer, rainy, and winter seasons of each proposed mining lease shall be submitted.

4. Submit a map on an appropriate scale to show extraction paths to be used outside the mining lease boundary to approach major public roads (Rural/District road or State/National Highway). An alternative route shall be explored if the extraction path is passing through dense population/ human settlements. Also, submit a cumulative traffic management plan for the cluster sand mining proposal.
5. Submit a map of the area falling within a 2.5 km radius from the boundary of each mining lease showing all man-made public utility features such as bridge/public civil structures (including water intake points), culverts etc., and highways, a table showing a distance of the above mentioned man-made features from the mining lease boundary to facilitate decision making pertaining to relevant rules / Guidelines.
6. Submit a report of the cumulative EIA/EMP study for the cluster sand mining blocks of the proposed mining site.

AGENDA ITEM NO. 03

Sand Mining Project on Kurar River (Block No. – 01, Block No. – 02 & Block No. – 03) Sand Ghat of District:- Banka, State:- Bihar, (Block No. – 1 - 13.7 Ha + Block No. – 2 – 18.50 Ha + Block No. – 3 - 9.16 Ha, Total Area:- 41.36 hectares) – Reg. Terms of Reference

(File No.: SIA/1(a)/2316/2023, Proposal No.: SIA/BR/MIN/415822/2023).

Environment Consultant: M/s P & M Solutions.

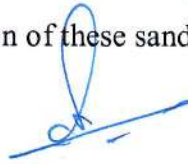
Application along with filled-up Form - I, Pre-feasibility Report, and Environment Management Plan in the prescribed format were submitted to SEIAA, Bihar on 06th January 2023 for obtaining Terms of Reference (ToR).

Location of Sand Mining Ghats:-

Sl. No	Area	Latitude	Longitude
1.	Block – 1, 13.7 Ha	24° 46' 12.71" N	86° 53' 40.09" E
2.		24° 46' 03.49" N	86° 53' 42.67" E
3.		24° 45' 55.29" N	86° 53' 17.88" E

4.		24° 45' 57.97" N	86° 53' 15.64" E
5.	Block – 2, 18.5 Ha	24° 45' 54.66" N	86° 53' 06.36" E
6.		24° 45' 50.53" N	86° 53' 08.04" E
7.		24° 44' 54.80" N	86° 52' 16.14" E
8.		24° 44' 55.08" N	86° 52' 13.68" E
9.	Block – 3, 9.16 Ha	24° 44' 47.60" N	86° 52' 11.71" E
10.		24° 44' 44.54" N	86° 52' 14.85" E
11.		24° 44' 30.77" N	86° 51' 44.76" E
12.		24° 44' 34.49" N	86° 51' 43.83" E

The above proposed three site were found located at very close proximity of mining sites is around 140 and 230 meters from the bridges. Based on the discussion, the committee decided to recommend for rejection of these sand mining proposal under reference.



LIST OF PARTICIPANTS IN 18th MEETING OF SEAC, BIHAR HELD ON 20th FEBRUARY 2023

Sl. No.	Name	Designation	Attended on 20.02.2023
1.	Dr. Gopal Sharma	Chairman	Present
2.	Dr. Ramakar Jha	Member	Present
3.	Dr. Bibha Kumari	Member	Present
4.	Dr. Anshumali	Member	Absent
5.	Dr. Aditya Mohanty	Member	Absent
6.	Shri Mokhtarul Haque	Member	Present
7.	Shri Ajit Samaiyar	Member	Present
8.	Shri Ranjan Kumar	Member	Absent
9.	Shri S. Chandrasekar	Member Secretary	Present


Signature(s) of the Members Present


Sd/-
(Dr. Ramakar Jha)
Member, SEAC

Sd/-
(Dr. Bibha Kumari)
Member, SEAC

Sd/-
(Ajit Samaiyar)
Member, SEAC

Sd/-
(Mokhtarul Haque)
Member, SEAC


(S. Chandrasekar, IFS)
Member Secretary

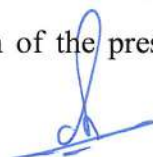

(Dr. Gopal Sharma)
Chairman

Copy to:-
The Member Secretary, SEIAA, Bihar
For information and necessary action.

Annexure – A (Sand Mining Project - ToR)

STANDARD TERMS OF REFERENCE (TOR)

1. Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
2. A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
3. All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management ,mining technology etc. and should be in the name of the lessee.
4. All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
5. Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
6. Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
7. It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to

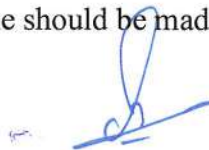


bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stake holders at large, may also be detailed in the EIA Report.

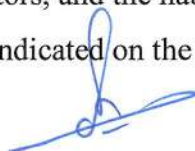
8. Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
9. The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA.
10. Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass pre operational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
11. Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
12. A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.



13. Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
14. Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
15. The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
16. A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
17. Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
18. A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and Rare Endangered and Threatened (RET) Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.



19. Proximity to Areas declared as 'Critically Polluted' or the Project areas attracting court restrictions for mining operations, should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Dept. Should be secured and furnished to the effect that the proposed mining activities could be considered.
20. R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, anteed based sample survey, family-wise, should be undertaken to assess their requirements, and action programmers prepared and submitted accordingly, integrating the sectoral programmers of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
21. One season (non-monsoon) primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM₁₀, particularly for free silica, should be given.
22. Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. Details of the model used and input parameters used for modeling should be provided for both mining and non-mining scenario. The air quality contours should be shown on a location map clearly indicating the location of the site, location of sensitive receptors, and the habitation. The wind roses showing pre-dominant wind direction also be indicated on the map.

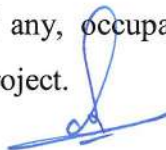


23. The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
24. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
25. Description of water conservation measures proposed to be adopted in the Project should be given.
26. Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
27. Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
28. Details of any stream, seasonal or otherwise, passing through the lease area and modification /diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
29. Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
30. A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory a forestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological



value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31. Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck / tractor and other vehicular traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
32. Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
33. Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
34. Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
35. Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
36. Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
37. Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.



38. Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
39. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
40. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
41. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
42. Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
43. Besides the above, the below mentioned general points are also to be followed:-
 - a) All documents to be properly referenced with index and continuous page numbering.
 - b) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - c) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - d) Where the documents provided are in a language other than English, an English translation should be provided.
 - e) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - f) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.



- g) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- h) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the Environment Clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- i) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

