



**MINUTES of 183rd(Day-1) MEETING OF STATE LEVEL ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY (SEIAA) A.P., MEETING HELD ON
27.06.2022 AT VIJAYAWADA A.P.**

186th SEIAA

Day - 1



सत्यमेव जयते

**MINUTES OF THE 186th MEETING OF STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA) A.P., MEETING HELD ON
27.06.2022 AT VIJAYAWADA A.P.**

Present:

The following members were present. (Through Video Conference)

1.	Sri P.Venkata Rami Reddy, I.A.S, (Retired).	Chairman
2.	Dr.ThatiparthiByragi Reddy Professor. Department of Environmental Sciences, Andhra University, Visakhapatnam	Member
3.	Dr. P.V.ChalapathiRao, I.F.S Special Secretary to Govt., Environment, Forests, Sciences and Technology Department, Govt. of Andhra Pradesh & Member Secretary, SEIAA,A.P.	Member Secretary

04/07/2022 f

189.12 & 186.01	2.00 Ha Dimensional Stone useful for Cubes & Kerbs mine of M/s. R.R Stones Private Limited, Sy. No. 114, Maldepalli village, GudupalliMandal, Chittoor District, Andhra Pradesh SIA/AP/MIN/71419/2022
	<p>Recommendations of the SEAC on 13.06.2022. Category: B2 (Violation TOR).</p> <p>The proposed project is for mining of Colour Granite-12171 Cum/Annum , Road metal & Building stone – 7303 Cum/Annum & Cubes & Kerbs –9883 Cum/Annum mine in an area of 2.0 Ha with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Prudhvi Enviro & Pvt Ltd., have attended the meeting.</p> <p>The project proponent had filed in window period vide proposal no.22763 dt.28.03.2018.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Palamaner vide letter 2608/Q/2014, dt.06.06.2022 stating that there are no existing leases within 500 mtrs radius of Q.L. applied area. Cluster area<5Ha. This is a standalone mining project. The total reserves observed to be for colour granite-221082.25 Cum(53% in recoverable material) , cubes and kerbs-(179518 Cum)& Road metal and building stone-132649 Cum. The life of mine for colour granite is 9.6 years , Cubes and kerbs- 15.63 years and Road metal and building stone is 18 years.</p> <p>The project proposal was placed in 188th meeting and recommended to raise ADS for want of latest cluster letter and the proponent submitted cluster letter on 12.06.2022.</p> <p>The Committee examined the cluster letter and noted that the extent of proposed mine lease cluster area is 2.0 Ha which is < 5.0 Ha. The project falls under B2 category.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to issue violation TOR without public hearing with additional following TORs:</p> <ol style="list-style-type: none"> 1. Surface runoff protection measures all along the lease area. 2. Plantation all along the mine and approach roads. 3. Credible action to be initiated through concerned Regional Office, APPCB. 4. Damage assessment studies and its remedial plan. 5. The proponent is liable to pay the penalties as levied by the concerned authority, as per the OM No.28.1.2022 and clause no 12 of SOP dated 07-

	<p>07-2021, duly incorporating the total production during the violation period and submit the calculation of penalties based on the project cost and the total turnover during the violation period.</p> <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue violation TOR without public hearing with additional TORs.</p>
189.13 & 186.02	<p>2.298 Ha. China clay quarry of JYOTHULA INDUSTRIES at Sy.No. 21/1, 22/1&2 of Ramavaram Village, Jaggampeta Mandal, East Godavari District SIA/AP/MIN/259643/2022</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B2</p> <p>The proposed project is for mining of China clay in an area of 2.298 Ha with a proposed production quantity of China clay -46332 TPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr. P. Vijay Kumar have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr.No.4270/Q/2019, dt.16.02.2022 there are 2 quarry leases existing within the radius of 500mts from the lease area and these two quarry leases were granted before 09.09.2013. Cluster area <5Ha. This is a new mine without drilling and blasting.</p> <p>The Committee noted that the extent of proposed mine lease area is 2.298 Ha. The project falls under B2 category. Mine life 13.26 years.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to Environmental Clearance with following additional conditions:</p> <ol style="list-style-type: none"> 1. Dust suppression measures to be adopted duly allocating separate budget as per the EMP. 2. 7.5m buffer shall be maintained all around the mine. 3. The mining shall be carried out without drilling and blasting activity. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Environmental Clearance.</p>
189.14 & 186.03	<p>1.327 Ha. Earth, Road metal & Boulders of M/s. Ravitej Projects, Sy. No.57/1C, Laxmipuram Village, Devarapalli Mandal, West Godavari District SIA/AP/MIN/227168/2021</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B2</p> <p>The proposed project is for mining of Earth, Road Metal & Boulder in an area of</p>

	<p>1.327 Ha with a proposed production quantity of Mining of Earth – 23544 m³/annum, Ballast / Road metal – 23544 m³/annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr.P.Vijay Kumar have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Eluru vide letter dt.04.04.2022. The total cluster Area is 2.327 Ha which is <5Ha. This is a new mine.</p> <p>The Committee noted that the extent of proposed mine lease area is 1.327 Ha. The project falls under B2 category. Mine life 5.27years.</p> <p>Earlier, ADS was raised for want latest cluster letter and photographs of nearest shed to be uploaded in online and the same was examined.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to Environmental Clearance with the following additional condition. Buffer zone plantation should be maintained.</p> <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Environmental Clearance.</p>
189.16 & 186.04	<p>4.801 Ha Limestone mine of Sri B. Rajendranath, Sy. No. 31/1, 193/1P, 193/2 & 193/3, over an extent of 4.801 Ha. situated in Palkur Village, Banaganapalli Mandal, Kurnool District, Andhra Pradesh SIA/AP/MIN/231717/202</p>
	<p>Recommendations of the SEAC on 13.06.2022. Category: B2</p> <p>The proposed project is for extension of EC for mining of Limestone mine in an area of 4.801 Ha with a proposed production quantity of Limestone Mine - 41225 TPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The representative of proponent and their consultant AMPL Enviro Pvt Ltd., have attended the meeting.</p> <p>The committee noted the following:</p> <ol style="list-style-type: none"> 1. The mining lease was granted on 08.12.2005 and executed on 16.09.2006 for a period of 20 years, valid upto 15.09.2026. Subsequently, the lease period extended to 50 years i.e. upto 15.09.2056, as per the Mines & Minerals (Development and Regulation) Amendment Act. 2015 and supplementary lease deed was executed. 2. The EC was granted for limestone production of 41,225 TPA by SEIAA,

	<p>Andhra Pradesh vide letter no. SEIAA/AP/KNL-108/2013/779, dated 30.04.2013, with a validity period of 05 years as per the life of the mine, calculated based on the available mineral reserves & resources.</p> <p>3. The EC was extended through letter dt.20.09.2021 by the then SEIAA, Andhra Pradesh for a period of 0.6 years.</p> <p>4. Again, the mine operator applied for extension of EC on 05.10.2021 for a period of 8 years as the mineable Limestone reserves of 3,26,949 tonnes are available as per the latest approved Modified Mining Plan approved by IBM, Hyderabad vide letter no. AP/KNL/MS/Lst-116/Hyd dated 11.03.2021. Accordingly, the life of the mine shall be 8 Years (i.e 3,26,949 tonnes /41225 TPA = 7.93 Years Say 8 Years).</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended for Extension of Environmental Clearance upto 30.11.2029 with following additional conditions:</p> <ol style="list-style-type: none"> 1. The mine operator shall maintain buffer zone plantation and road side plantation. 2. The applicant shall allocate at least 1.50 Lakhs per annum towards dust control measures. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Extension of Environmental Clearance upto 30.11.2029.</p>
<p>189.20 & 186.05</p>	<p>1.926 Ha Fire Clay mine of Sri K.Krishna Shankar, Sy.No.20/2P & 25/2P Z.Ragampeta Village, Jaggampeta Mandal, East Godavari District, Andhra Pradesh SIA/AP/MIN/270539/2022</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B2</p> <p>The proposed project is for mining of Fire Clay in an area of 1.926 Ha with a proposed production quantity of Fire Clay - 36407 TPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant Dr.P.Vijaya Kumar, have attended the meeting.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr. Dated: 20.04.2022 there are five quarry lease within the radius of 500mts. The total cluster area is 3.989 Ha which is <5.0 Ha.</p> <p>The Committee noted that the extent of proposed mine lease area is 1.926 Ha. The project falls under B2 category. Life of mine is 12 Years.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in</p>

	<p>the Z.Ragampeta Village as a part of Corporate Social Responsibility (CSR) activity. Allocated 2.0 Lakhs rupees towards fixed cost and Rs.90,000/- as recurring cost towards dust suppression measures.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to Environmental Clearance with the following additional conditions:</p> <ol style="list-style-type: none"> 1. Buffer zone and road side plantation to be maintained. <p>Dust suppression measures to be adopted as proposed in EMP.</p> <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Environmental Clearance.</p>
189.21 & 186.06	<p>M/s. NCHEM LABORATORIES, PlotNo. 4A, YSR Jagananna Mega Industrial Hub[IndustrialEstate-APIIC],KopparthyPh-1, in Survey No.1212(Part), Ambavaram Village, VallurMandal, YSR Kadapa District, Andhra Pradesh SIA/AP/IND3/247908/2021</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>. Category : B2-5(f)-API</p> <p>The Proposal of M/s Nchem Laboratories., is for Environmental Clearance for Production quantities of the APIs & Intermediates – 50.0 TPM & 500 Kgs/Month of R & D Products</p> <p>The project proponent and their Consultant M/s. AM Enviro Engineers have attended the meeting.</p> <p>MoEF&CC, GoI, New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein " All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time." Further it is extended up to 30thMarch, 2021 vide S.O. No. 3636(E), dated 15.10.2020. Further extended up to 31stDecember, 2021 vide S.O. No. 2859(E), dated 16.07.2021.</p> <p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye intermediates & bulk drug and intermediates).</p> <p>The Committee noted that earlier, the issue was placed in the 177th SEAC meeting and then the committee recommended to raise ADS for (1) Water quality analysis report of surface water sources nearer to the site (2) Estimation of GLCs for the predicted emissions from the industry during its peak production (3) Affidavit for TSDF Membership (4) Commitment for ZLD system.</p> <p>Accordingly ADS was raised on 14.02.2022 and the proponent submitted reply on 04.06.2022.</p>

	<p>The committee perused the reply furnished by the proponent noted that the surface water sample was collected in Ambavaram Lake located at 1.5 KM from the site and results are found to be normal.</p> <p>The predicted GLC concentrations through AERMOD modeling is observed to be within 500m distance from the air pollution source.</p> <p>The industry has submitted affidavit for taking TSDF member ship and commitment letter for ZLD on implementation of the project.</p> <p>The Committee after re-examining the project proposals and presentations recommended to issue Environmental Clearance.</p> <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Environmental Clearance.</p>
189.24 & 186.07	<p>9.00 Ha Road Metal & Building Stone of M/S. SGX MINERALS PRIVATE LIMITED, Sy.No: 1, Marturu Village, Anakapalli Mandal Visakhapatnam District, Andhra Pradesh SIA/AP/MIN/24505/2018</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>. Category: B1.</p> <p>The proposed project is for mining of Road Metal & Building Stone in an area of 9.00 Ha with a proposed production capacity of Road Metal & Building Stone-165352.00 m3 /Annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant M/s. SV Enviro Labs & Consultants, have attended the meeting.</p> <p>The Committee noted that the mine operator obtained Violation TOR on 08.12.2020 and public hearing was held on 19.04.2022. The applicant submitted final EIA report on 04.06.2022. The reply furnished by the management for the issues raised by the public in Public hearing is as follows:</p> <p>The project proponent through their consultant replied that the management firmly believes in the concept of safety and environmentally sustainable growth and their staff are very much concern in Environmental issues. The management is going to develop scientifically designed greenbelt around the premises and along the approach road with 900 plants to mitigate air and noise pollution impacts on the surroundings and proposed to monitor ambient air as per APPCB guidelines. He further stated that all the employees will be provided with personnel protective equipment & provide safety training to all employees periodically and regularly. He further stated that the management committed to provide drinking water facility i.e., one RO plant to Marturu village, Digital classrooms to school in marturu village and contribute to develop the shivalayam temple in Marturu village.</p>

	<p>Credible action has been initiated vide CC No.757/2022 before the Hon'ble junior civil judge, Anakapalli, Remedial plan submitted and Bank Guarantee provided for Rs.862712/-.</p> <p>The proposal was filled in amnesty window period vide proposal no.24505 dt.12.04.2018 as per S.O No. 804(E) dt.14.03.2017 and subsequent amendments. Life of mine is 39.40 Years.</p> <p>The AD mines department, Anakapalli has furnished the quantity of dispatch permits issued during the violation period vide letter dt.16.05.2022.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in the Marturu Village as a part of Corporate Social Responsibility (CSR) activity.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to issue Environmental Clearance with the additional conditions as mentioned below.</p> <ol style="list-style-type: none"> 1. Buffer zone should not be disturbed. 2. Controlled blasting and dust suppression measures shall be adopted. 3. The proponent is liable to pay the penalties as levied by the concerned authority and as per the OM No.28.1.2022 and clause no 12 of SOP dated 07-07-2021, duly incorporating the total production during the violation period and submit the calculation of penalties based on the project cost and the total turnover during the violation period. <p>Decision of SEIAA:- Clarification from MoEF&CC is awaited for the letter dated.10.05.2022 on penalties on violation cases.</p>
189.25 & 186.08	<p>4.902 Ha Colour Granite (Variety of Srikakulam Blue) of M/s Sri Dharmana Lakshmandas, Sy.No. 81 (P) of Annupuram Village, Saravakota Mandal, Srikakulam District, Andhra Pradesh SIA/AP/MIN/219281/2021</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B2</p> <p>The proposed project is for mining of Colour Granite (Variety of Srikakulam Blue) mine in an area of 4.902 Ha with a proposed production quantity of Colour Granite (Variety of Srikakulam Blue) - 7114 m³/Annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their Sri K.Santosh Kumar, RQP, have attended and presented their case to the committee.</p> <p>The Committee noted that as per cluster letter issued by the Assistant Director of Mines & Geology, Srikakulam has issued a letter vide Lr. Dated: 18.03.2021 there</p>

	<p>is one existing quarry lease within the radius of 500mts and these one quarry leases was granted prior to 09.09.013 and total cluster area is <5.0 Ha.</p> <p>The Committee noted that the extent of proposed mine lease area is 4.902 Ha. The project falls under B2 category. Life of mine is 58 Years.</p> <p>This proposal was placed in 167th SEAC meeting and raised ADS for submission of Forest NOC and proponent submitted Forest NOC on 08.06.2022.</p> <p>The proponent volunteered to allocate funds at least 10% of the project cost for providing amenities to the local school / PHCs and development of village roads in the Annupuram Village as a part of Corporate Social Responsibility (CSR) activity.</p> <p>The Committee after re-examining the project proposals, forest NOC, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to issue Environmental Clearance with following additional conditions.</p> <ol style="list-style-type: none"> 1. 660m trench all along the mine lease area. 2. The project proponent shall develop greenbelt along the approach roads. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Environmental Clearance. The project proponent shall follow the Forest NOC conditions.</p>
189.26 & 186.09	<p>11.390 Ha, Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No. 1, Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh SIA/AP/MIN/73437/2022</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B1.</p> <p>The proposed project is for mining of Laterite in an area of 11.390 Ha with a proposed production quantity of Laterite– 2,66,314 MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182nd SEAC meeting. The representative of proponent and their consultant SV Enviro Labs & Consultants have attended the meeting and presented the case.</p> <p>The Committee noted that as per cluster letter issued by Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is > 5 Ha. Hence, project falls under B1 category.</p> <p>As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on</p>

04.04.2022.

The issue was again placed in the 183rd meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation purpose.
4. Surface runoff measures

The issue was placed in the 179th SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

Again this issue was placed in the 185th SEAC meeting. The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

OPINION:

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?"

	<p>I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.</p> <p>Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189th SEAC meeting:</p> <p>The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs.</p> <ol style="list-style-type: none"> 1. Implementation of Forest NOC measures in TOR. 2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans. 3. The proponent shall not use Forest internal roads for transportation purpose. 4. Surface runoff measures. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Standard TOR with Public Hearing with additional TORs.</p>
<p>189.27 & 186.10</p>	<p>16.290 Ha Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No: 01 of Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh SIA/AP/MIN/73434/2022</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B1.</p> <p>The proposed project is for mining of Laterite in an area of 16.290 Ha with a proposed production quantity of Laterite – 270509MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182nd SEAC meeting. The representative of</p>

proponent and their consultant SV Enviro Labs & Consultants have attended the meeting and presented the case.

The Committee noted that as per cluster letter issued by Assistant Director of Mines & Geology, Rajamhendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is > 5 Ha. Hence, project falls under B1 category.

As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.

The issue was again placed in the 183rd meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation purpose.
4. Surface runoff measures

The issue was placed in the 179th SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

Again this issue was placed in the 185th SEAC meeting. The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

OPINION:

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its

	<p>finality.</p> <p>The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of the learned single judge's order as extracted above and got its finality. The intra court appeals in WA.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?</p> <p>I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.</p> <p>Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189th SEAC meeting: The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs.</p> <ol style="list-style-type: none"> 1. Implementation of Forest NOC measures in TOR. 2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans. 3. The proponent shall not use Forest internal roads for transportation purpose. 4. Surface runoff measures. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Standard TOR with Public Hearing with additional TORs.</p>
189.28 & 186.11	12.650 Ha Laterite of M/s Marlin Infrastructures Pvt Ltd, Sy. No: 01 of Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh SIA/AP/MIN/73446/2022
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B1.</p> <p>The proposed project is for mining of Laterite in an area of 12.650 Ha with a proposed production quantity of Laterite – 264416 MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per</p>

Mining scheme/ plan.

The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).

The issue was placed in the 182nd SEAC meeting. The representative of proponent and their consultant SV Enviro Labs & Consultants have attended the meeting and presented the case.

The Committee noted that as per cluster letter issued by Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lt.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is > 5 Ha. Hence, project falls under B1 category.

As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.

The issue was again placed in the 183rd meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation purpose.
4. Surface runoff measures

The issue was placed in the 179th SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.

Again this issue was placed in the 185th SEAC meeting.

The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, **recommended to take legal opinion** keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.

Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:

OPINION:

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

	<p>Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.</p> <p>The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of the learned single judge's order as extracted above and got its finality. The intra court appeals in W.A.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?</p> <p>I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.</p> <p>Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.</p> <p>The above legal opinion is placed in 189th SEAC meeting:</p> <p>The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs.</p> <ol style="list-style-type: none"> 1. Implementation of Forest NOC measures in TOR. 2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans. 3. The proponent shall not use Forest internal roads for transportation purpose. 4. Surface runoff measures. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Standard TOR with Public Hearing with additional TORs.</p>
189.29 & 186.12	13.550 Ha, Laterite of M/s. Swarna Bharathi Enterprises, Sy. No. 1, Chintaluru Village, Prathipadu Mandal, East Godavari District, Andhra Pradesh

	SIA/AP/MIN/73569/2022
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B1.</p> <p>The proposed project is for mining of Laterite in an area of 13.550 Ha with a proposed production quantity of Laterite – 275593MTPA with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The issue was placed in the 182nd SEAC meeting. The representative of proponent and their consultant SV Enviro Labs & Consultants have attended the meeting and presented the case.</p> <p>The Committee noted that as per cluster letter issued by Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr.No. 4016/Q/2020, Dated: 01.02.2022 there are no existing quarry leases are present within the radius of 500mts. This is a new mine and this is a standalone mine. Total cluster area is > 5 Ha. Hence, project falls under B1 category.</p> <p>As per the recommendations of SEAC committee, ADS was raised on 24.03.2022 for submission of status of court case and proponent submitted ADS reply on 04.04.2022.</p> <p>The issue was again placed in the 183rd meeting and the Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue TOR with Public Hearing.</p> <ol style="list-style-type: none"> 1. Implementation of Forest NOC measures in TOR. 2. The proponent shall plant the plants in 1:2 ratio/ Reclamation plans. 3. The proponent shall not use Forest internal roads for transportation purpose. 4. Surface runoff measures <p>The issue was placed in the 179th SEIAA meeting and referred back to SEAC. Decision of SEIAA: Refer to SEAC to examine the issues raised in Hon'ble High Court order, w.r.t legal aspects, vigilance & Mines Department report.</p> <p>Again this issue was placed in the 185th SEAC meeting.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to take legal opinion keeping in view of the issues raised in Hon'ble High court order and as referred by SEIAA.</p> <p>Accordingly legal opinion on the legal issues, vigilance & Mines Department reports obtained from Standing counsel on 12.06.2022 and the extract of opinion is reproduced as below:</p> <p>OPINION:</p>

In both the counts, the fact remains, the successful writ petitioners have not fulfilled the conditions stipulated under law and the said orders of the learned single judge in W.P.Nos.4120 of 2017 dated 31.12.2021 and W.P.No.4208 of 2017 dated 31.12.2021 got its finality. On verification through the web pages of the said cases, there is no review applications are filed or pending before the Hon'ble High Court for relaxation of the said conditions put forth by the learned single judge and the said order got its finality.

Further, being successful writ petitioners cannot file an intra court appeal against their own orders as succeeded before the learned single judge and the said orders were challenged in W.A.Nos. 260 of 2022 and 261 of 2022 respectively and the said conditions of the learned single judge is not modified by the Hon'ble Division Bench, thus, the said conditions of the learned Single Judge got its finality.

The orders of the learned single judge (as extracted above) got finality and no applications were filed for modification of **the learned single judge's order as extracted above and got its finality**. The intra court appeals in W.A.Nos. 260 of 2022 & 262 of 2022 are nothing but abusive of process of law by a SUCCESSFUL WRIT PETITIONERS WITHOUT FULLFILLING THE CONDITIONS AS STIPULATED BY THE LEARNED SINGLE JUDGE IN THE LIGHT OF THE SETTLED LAW BY THE APEX COURT. Now, the question would may crop up "Whether the successful writ petitioners can file an intra court appeals (W.A.Nos. 260 of 2022 & 261 of 2022) rather than filing an application for review of the learned single judge order respectively?"

I further inform to your good office, that, the SEIAA is not a party to the writ proceedings nor stay or order is operating against SEIAA for processing the said applications of TOR/EC. The fact remains, the writ petitioners who succeeded in the first instance before the learned single judge could not comply the true spirit of the order of depositing the amount as per information received.

Thus, on sound legal position, there is NO EMBARGO against the State Environmental Impact Assessment Authority (SEIAA) by the Hon'ble High Court for processing the applications of the individuals are concerned vide (1) SIA/AP/MIN/73437/2022 M/s.Marlin Infrastructures Pvt Ltd., (2) SIA/AP/MIN/73569/2022 M/s.Swarna Bharati Enterprises, (3) SIA/AP/MIN/73434/2022 M/s.Marlin Infrastructures Pvt Ltd., & (4) SIA/AP/MIN/73446/2022 M/s.Marlin Infrastructures Pvt Ltd., subject to result of the above said W.A.Nos. 260 of 2022 & W.A.No.261 of 2022 dated 24.02.2022, since there is no stay/embargo against SEIAA and the SEIAA is duty bound to process the applications for TOR/EC in accordance with S.O.No.1533 dated 14.09.2006.

The above legal opinion is placed in 189th SEAC meeting:

The Committee after re-examining the legal opinion, project proposals, presentations, MoEF&CC' Notifications & OMs, detailed deliberations, recommended to issue Standard TOR with Public Hearing with following additional TORs:

1. Implementation of Forest NOC measures in TOR.
2. The proponent shall plant the plants in 1:2 ratio as a part of Reclamation plans.
3. The proponent shall not use Forest internal roads for transportation

	<p>purpose.</p> <p>4. Surface runoff measures.</p> <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue Standard TOR with Public Hearing with additional TORs.</p>
189.30 & 186.13	<p>1.760 Ha, Colour granite quarry of Sri Mamidi Narasimha Murthy, Sy. No. 333 of Tarlakota Village, Palasa Mandal, Srikakulam District, Andhra Pradesh SIA/AP/MIN/76938/2022</p>
	<p>Recommendations of the SEAC on 13.06.2022.</p> <p>Category: B2 at par with B1.</p> <p>The proposed project is for mining of Colour Granite in an area of 1.760 Ha with a proposed production quantity of Colour Granite 2360 m³/annum with a condition that the total production during a scheme should be limited to the approved quantity as per Mining scheme/ plan.</p> <p>The proposed project falls under Item No. 1(a) of the schedule of the EIA Notification 2006 and its amendments thereof - (i). Mining of minerals (<100 ha of mining lease area in respect of non-coal mine lease).</p> <p>The representative of proponent and their consultant M/s. Right Source have attended the meeting and presented the case.</p> <p>The Committee noted that Assistant Director of Mines & Geology, Rajamahendravaram has issued a letter vide Lr.No. 4017/Q/2020, Dated: 01.02.2022 there is one existing quarry lease present within the radius of 500mts and this one quarry lease was granted after 09.09.2013 and the total cluster area is >5.0 Ha.</p> <p>Hence, the project falls under B2 at par with B1 and life of mine is 20 years.</p> <p>The Committee after examining the project proposals, presentations, MoEF&CC' Notifications & OMs and detailed deliberations, recommended to TOR with public hearing with following additional conditions.</p> <ol style="list-style-type: none"> 1. Forest NOC to be obtained. 2. Cluster EIA& EMP. 3. The project proponent shall include surface runoff protection measures in EMP. 4. The project proponent shall include additional dump area with proper documents details in EMP. 5. The project proponent shall carry mining activity from North to South. <p>Decision of SEIAA:- Agreed with the recommendation of the SEAC to issue TOR with public hearing with additional conditions.</p>

Special Secretary To Govt

Dr. P.V.Chalapathi Rao, I.F.S Dr.Thatiparthi Byragi Reddy

Sri P. Venkata Rami Reddy, I.A.S,

Special Secretary to Govt., Professor. Department of
Environment, Forests, Sciences Environmental Sciences, Andhra
and Technology Department, University, Visakhapatnam
Govt. of Andhra Pradesh &
Member Secretary,
SEIAA,A.P.

(Retired).

Chairman, SEIAA,A.P