

Minutes of the 79th meeting of State level Environment Impact Assessment Authority, Jharkhand held on 19th September, 2019.

The 79th meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 19th September, 2019 in the office of SEIAA, Ranchi. The meeting was chaired by Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand. The attendance in the meeting was as follows:-

1. Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand, Ranchi.
2. Shri Kamlesh Pandey, Member Secretary, SEIAA, Jharkhand, Ranchi.
3. Shri S. C. Narayan, Member, SEIAA, Jharkhand, Ranchi.

The decisions taken in the 79th SEIAA meeting are as follows:-

1. SEIAA considered the recommendations made by SEAC in its 74th meeting held on 10th, 11th and 12th July, 2019.

- i. Upgradation of technology at existing stand-alone Cement Grinding Unit of M/s Dalmia Cement (Bharat) Ltd. at Bokaro Industrial Area, Balidih, Bokaro.

The proposal was earlier appraised in 74th meeting of SEAC held on 10th-12th July, 2019 in which SEAC has recommended to grant Environmental Clearance for upgradation of technology.

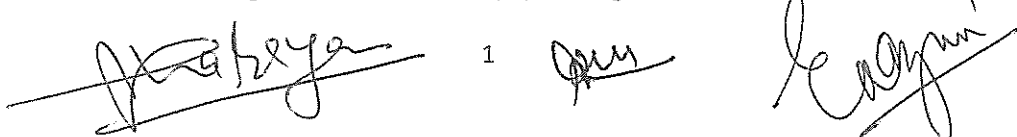
The said recommendation of SEAC was considered in 76th meeting of SEIAA held on 31st July and 01st August, 2019 wherein it was decided that after submission of compliance report of the stipulated conditions of Environmental Clearance, the present recommendation of SEAC will be considered.

The project proponent has submitted the compliance report of Environmental Clearance on 16th August, 2019. Therefore, it has been unanimously decided to accept the recommendations of 74th meeting of SEAC held on 10th- 12th July, 2019 and to grant Environmental Clearance to the above mentioned project proposal with the conditions recommended by SEAC.

2. SEIAA considered the recommendations made by SEAC in its 77th meeting held on 29th and 30th August, 2019 for grant of Environmental Clearance to the following projects.

- i. Kutmu Stone Mine of Sri Basant Kr. Keshri, Vill. : Kutmu, Taluka : Bishrampur, Dist. : Palamau (1.82 Ha). (Proposal No. : SIA/JH/MIN/38353/2019).
- ii. Chino Stone Mine of Sri Ajay Kr. Agarwal, Vill. : Chino, P.O. : Dumri, Dist. : Giridih (1.07 Ha). (Proposal No. : SIA/JH/MIN/38580/2019).
- iii. Shahpur Stone Mine of M/s Jai Maa Kali Construction & Minerals, Vill. : Shahpur, Thana : Naudiha Bazar, Dist. : Palamau (4.57 ha). (Proposal No. : SIA/JH/MIN/38511/2019)

The serial no. 2 (i) Kutmu Stone Mine, 2 (ii) Chino Stone Mine are a case of renewal mining and serial no. 2 (iii) Shahpur Stone Mine is a case of fresh



mining project and they were appraised accordingly by SEAC. Therefore, it has been decided to grant Environmental Clearance to the above mentioned project proposals with the conditions recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65th meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, OM dated 12.12.2018.

- a. 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 SEIAA/SEAC as well as for cluster situation wherever it is not provided.
- b. 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 recommendation of grant of EC by SEIAA instead of DEIAA/DEAC.
- c. If a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior Environmental Clearance.
- d. EIA and /or EMP be prepared for the entire cluster in terms of recommendations 5 (supra) of the guidelines for the purpose of recommendations 6, 7 and 8 thereof.
- e. Revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment after mining closure in an area.
- f. The MoEF & CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined- out areas along with the Net present value of Ecological services forgone because of illegal or unscientific mining.

3. SEIAA considered the recommendations made by SEAC in its 77th meeting held on 29th and 30th August, 2019 for grant of Environmental Clearance to the following project.

- i. Murtiya Sand Ghat in the river bed of Gauri River of M/s JSMDCLTD. at Vill. : Murtiya, Tehsil :Chandwara, Dist. : Koderma (4.31 ha). (Proposal No. : SIA/JH/MIN/36024/2019)

It has been decided to grant Environmental Clearance to the above mentioned project proposal with the conditions recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65th meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, OM dated 12.12.2018.

- a. 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 SEIAA/SEAC as well as for cluster situation wherever it is not provided.
- b. 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 recommendation of grant of EC by SEIAA instead of DEIAA/DEAC.
- c. If a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior Environmental Clearance.
- d. EIA and /or EMP be prepared for the entire cluster in terms of recommendations 5 (supra) of the guidelines for the purpose of recommendations 6, 7 and 8 thereof.
- e. Revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment after mining closure in an area.
- f. The MoEF & CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined- out areas along with the Net present value of Ecological services forgone because of illegal or unscientific mining.



4. SEIAA considered the recommendations made by SEAC in its 77th meeting held on 29th and 30th August, 2019.

- i. Nildaha Stone Mine Project of M/s Jamtara Traders at Vill. : Nildaha, Mihijam, Jamtara (5.87 Ha).
- ii. Sand Mining Project at Banai River of M/s Anokha Ram at Vill.-Mahil & Ghaghra, Murhu, Khunti. (6.975 Ha).

The Authority examined the recommendations made by SEAC whereby SEAC has recommended to delist the above project proposals as per provision of MoEF & CC OM No. J-11013/5/2009-IA-II (Part) dated 30.10.2012. Hence, after full deliberations it was unanimously decided that the recommendation of SEAC in this regard is final.

5. Decision on matter related to:-

- i. Title Suit OS No. 115/2019 in the Court of Civil Judge (SR. Div.) 1st at Dhanbad. Regarding.

The above suit filed in the Hon'ble Dhanbad Civil Court was considered in which Member Secretary, SEIAA has been made a defendant. Therefore, further action has to be taken in this matter.

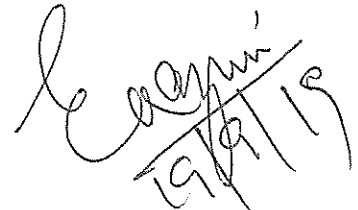
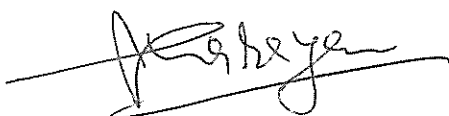
Shri Bhanu Kumar, Advocate, Jharkhand High Court has informed vide email dated 26th August, 2019 that it is not possible for him to attend Court proceeding at Dhanbad Civil Court for which he has forwarded the recommendation to authorize Shri Shibranjan Chakraborty, Advocate, Dhanbad Civil Court (R. Add.- Guan Mukherjee Road, Hirapur, Dhanbad- 826001) for the said suit.

Hence, after full deliberations it was unanimously decided to authorize Shri Shibranjan Chakraborty, Advocate, Dhanbad Civil Court for the said suit filed in the Hon'ble Dhanbad Civil Court and he will get the legal fee as per emolument fixed by Govt. of Jharkhand.

- ii. ESZ notification in Jharkhand. Regarding.

The final notification of Eco Sensitive Zone (ESZ) of Jharkhand has been issued by Govt. of India, Ministry of Environment, Forest and Climate Change. The list of projects which had been granted the Environmental Clearances by the SEIAA, Jharkhand had been made available to the DFO, Wildlife Division, Hazaribagh, DFO, Wildlife Division, Ranchi and Deputy Director, Palamu, Tiger Reserve, North & South for providing information with regard to the project situated within ESZ/ listed as prohibited category of ESZ notification.

The said information has been provided by DFO, Wildlife Division, Hazaribagh vide his letter no. 1970 dated 18.09.19 through which few projects have been



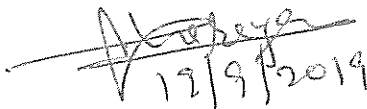
identified by DFO, Wildlife Division, Hazaribagh as a prohibited category in the ESZ.


Therefore, after full deliberations it was unanimously decided that granted Environmental Clearance to these projects be kept in abeyance as per the provisions of E (P) Act. 1986 and issue show cause notice to project proponents to explain within 15 days of issual of show cause notice that why granted Environmental Clearances to these said projects, shall not be withdrawn with immediate effect.


iii. Hon'ble NGT order dated 02.09.2019 in IA No. 39/2019 in OA. 45/2019/EZ, R.K. Singh Vs Union of India & Ors. Regarding.

In compliance with the above order passed by Hon'ble NGT, Shri S.C. Narayan, Member, SEIAA was authorized as a member of said committee vide this office letter no. 425, dated 06.09.2019 which is unanimously approved by SEIAA.

The meeting concluded with vote of thanks to the Chairman.


12/9/2019
Member
SEIAA


14.9.19
Member - Secretary
SEIAA


19/9/19
Chairman
SEIAA