

again with the revised documentation.

- i) 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.
- j) 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.

Agenda No. 121-02:

Existing Limestone Quarry over an extent of 21.66.5 Ha at S.F. No. 631/9, Devannagoundanur Village, Sankari Taluk, Salem District, by M/s. Super Mines and Minerals – Activity 1(a) – Mining of major mineral – ToR to be issued.

(SIA/TN/MIN/28302/2018)

The proponent, **M/s. Super Mines and Minerals**, has applied for Environmental Clearance for Existing Limestone Quarry over an extent of 21.66.5 Ha at S.F. No. 631/9, Devannagoundanur Village, Sankari Taluk, Salem District, Tamil Nadu on 18.07.2018. The Project Proponent has obtained Environment Clearances under EIA notification 1994 from MoEF&CC vide Letter no. J-11015/14/99-1A. II(M) dated 19.05.2000

The proponent **M/s Super Mines and Minerals** have submitted the application for obtaining TOR through SIA/TN/MIN/28302/2018 dated: 18.07.2018.

The project involves mining of Limestone. The limestone is a major mineral as per the MMDR Act, 2015 as amended and as per EIA Notification, 2006 under activity 1(a) Category “B”, the project requires Environmental Impact Assessment. To enable EIA Study, a ToR needs to be issued.

The salient features of the project proposal as submitted by the project proponent is as follows:

1. Government order/Lease details :

The mining lease was granted in the name of **M/s. Super Mines and Minerals**, G.O. (3D).No: 24/ Industries (MMD.1) Department dated 23.03.1998, over an area of


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21.66.5 Hectares in poramboke land, S.F.No:631/9, Devannagoundanur Village, Sankari Taluk, Salem district. The lease was executed on 06.04.1998 for a period of 20 years and expired on 05.04.2018 and the mining operation was continuing under deemed extension as per amended MMDR Act, 2015 up to 05.04.2048.

2. Mining Plan/Scheme of Mining approval details:

- The mining plan was approved by the Indian Bureau of Mines, Chennai vide letter No.TN/SLM/MP/LST-933.MDS dated 18.06.1996.
- The 1st Scheme of mining was approved by the Indian Bureau of Mines, Chennai vide letter No.TN/SLM/LST/MS-341.MDS dated 30.08.2005.
- The 2nd Scheme of mining was approved by the Indian Bureau of Mines, Chennai vide letter No.TN/SLM/LST/MS-731-MDS dated 10.08.2012.
- The 3rd Scheme of mining was approved by the Indian Bureau of Mines, Chennai vide letter No.TN/SLM/LST-132.MDS dated 14.01.2015.
- Now, the review mining plan and Progressive mine closure plan are prepared under Rule 17(1) of MCR, 2016 and Rule 23 of MCDR, 2017 for the next five years is due for the period from 2018-2019 to 2022-2023 for implementation.

The Mining Operation and quantity of Material are as follows:

Years	ROM	Proposed Prod. And development (MT)			Actual Prod. And development (MT)		
		Prod	Reject	Topsoil	Prod	Reject	Topsoil
1998-99	19066	10000	9066	---	---	---	---
1999-00	25000	15000	10000	---	---	---	---
2000-01	25900	15000	10900	---	555	1000	---
2001-02	25000	15000	10000	---	291	1000	---
2002-03	26789	15000	11789	---	1120	2200	---
Total	121755	70000	51755	---	1966	4200	---
2003-04	8333	5000	3333	---	93	40	---
2004-05	8333	5000	3333	---	301.940	160	---
2005-06	8333	5000	3333	---	1150	890	---
2006-07	8333	5000	3333	---	290	153	---
2007-08	8333	5000	3333	---	200	110	---
Total	41665	25000	16665	---	2034.940	1353	---
2008-09	---	---	---	---	450	280	300
2009-10	---	---	---	---	750	910	400
2010-11	5000	3000	2000	3150	600	880	500
2011-12	5000	3000	2000	---	2150	905	500
2012-13	5000	3000	2000	1732	2700	888	500
Total	15000	9000	6000	4882	6650	3863	2200
2013-14	---	---	---	---	2672	1481	1250
2014-15	---	---	---	---	2316	1024	960
2015-16	3000	1800	1200	---	2920	1810	1290
2016-17	3000	1800	1200	21760	3152	1900	1310
2017-18	3000	1800	1200	---	2188	1150	870
Total	9000	5400	3600	21760	13248	7365	5680


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Gr.Total	187420	109400	78020	26642	23898.94	16781	7880
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3. As per the IBM review of Mining periods for the 2018-2019 to 2022-2023, the production schedule for the year's states that the total quantity of recoverable limestone should not exceed 75000 MT.
For 2018-19 - 15000 MT
For 2019-20 - 15000 MT
For 2020-21 - 15000 MT
For 2021-22 - 15000 MT
For 2022-23 - 15000 MT
4. The waste that will be resulting in the mining operation for the 5 years 2018-2019 to 2022-2023 will be **18750 MT** (20% Rejects), Waste-65375MT and topsoil-**13122MT**.
5. Mining operation will be by opencast Open cast mining by other than mechanized mining is adopted like spades, Baskets & Jackhammer drilling and blasting, hydraulic excavator and tipper combination.
6. Lime stone is to be transported by tippers of 10 MT capacities.


The project proposal was placed in the 121st meeting of the SEAC held on 01.12.2018. Based on the presentation made by the proponent and the documents furnished, the SEAC observed that as per the MoEF&CC Notification S.O.1530 (E) dated 06.04.2018 states that

"The Hon'ble Supreme Court vide judgment dated the 2nd February, 2018 in writ petition (Civil) No.114 of 2014 in the matter of common cause versus Union of India and others, inter-alia, has directed that the validity of the environmental clearances grated for mining projects under the notification number S.O.60 (E) dated 27.01.1994 of the Government of India in the erstwhile Ministry of Environment and Forests shall be five years.

The Hon'ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s. Sesa Sterile Ltd., & Others has reiterated that the validity of the Environmental Clearances for mining projects grated under the EIA Notification, 1994 shall be five years.

The Hon'ble Supreme Court in its aforesaid judgment dated the 7th February 2018 has held that para 9 of the notification S.O.1533 (E) dated 14th September 2006 of the Government of India in the erstwhile Ministry of Environment and Forests (hereinafter referred to as the EIA Notification, 2006), provides that the environmental clearance would be valid for the estimated project life subject to maximum of 30 years;

And whereas, in the view of the above, there would be two categories of cases related to mining projects under EIA notification, 1994, namely:-


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- c) Mining projects, which were granted environmental clearance under the EIA Notification, 1994, and also granted environmental clearance for expansion/ modernization/ amendment under the EIA Notification, 2006; and
- d) Mining projects, which were granted environmental clearance under the EIA Notification, 1994, and but not obtained environmental clearance for expansion/ modernization/ amendment under the EIA Notification, 2006.

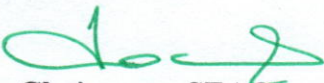
And whereas, as per third paragraph above, the projects mentioned in clause (a) of fourth paragraph above do not suffer from the infirmity of validity of environmental clearance being five years;

And whereas, the projects mentioned in clause (a) of fourth paragraph above, do not suffer from the infirmity of expansion vis-à-vis the base production as these projects were already appraised and granted environmental clearance under the EIA Notification, 2006;

And whereas, all mining projects mentioned in clause (b) of fourth paragraph above are required to obtain environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgments of the Hon'ble Supreme Court;

And whereas, the Ministry of Environment, Forest and Climate Change it necessary for implementation of the aforesaid judgments of the Hon'ble Supreme Court as well as for the protecting and improving the quality of environment and abating the environmental pollution, that all projects mentioned in clause (b) of fourth paragraph above, be brought under the regulatory framework of the EIA Notification, 2006;

Now, therefore, in exercise of the powers conferred by sub-selection (1) and clause (V) of sub-selection (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub- rule (4) of rule 5 of Environment (Protection) Rules, 1986, the Central Government hereby directs, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules in public interest, for implementation of the aforesaid judgments of the Hon'ble Supreme Court, that the project proponent in all such cases involving validity of the environmental clearance and expansion of mining projects vis-à-vis the base production, shall make application within six months from the date of issue of this notification in Form-1 as given in Appendix-II of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA notification, 2006, and all such application shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide on the due diligence necessary including preparation of Environmental Impact Assessment Report and public


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consultation and the application shall be appraised accordingly for grant of environmental clearance.”

In the view of the above, it is informed that as per the MoEF&CC Notification S.O.1530 (E) dated 06.04.2018, the project proponent in all such cases involving validity of the environmental clearance and expansion of mining projects vis-à-vis the base production, shall make application within six months from the date of issue of this notification. The date of six month for application for validity of the environmental clearance issued by MoEF&CC and expansion of mining projects vis-à-vis the base production expired on 05.10.2018.

It was observed that the project proponent has submitted application to SEIAA-TN through Online application on 18.07.2018. Submitted the application within the cutoff date of six month issued by the MoEF &CC Notification S.O.1530 (E) dated 06.04.2018.

The SEAC decided to recommend the proposal for the grant of Terms of Reference(ToR) to SEIAA with public hearing , subject to the following specific conditions in addition to the normal conditions as part of ToR:

1. The report for green belt developed with necessary photographs.
2. The proponent shall furnish the photographs for fencing around the project site.
3. The proponent shall furnish the proposal for CER.
4. Comprehensive EIA study shall be conducted considering the surrounding quarry.
5. Contour map for the 1 Km radius surrounding the site, village map, FMB & A Register shall be furnished.
6. Year wise production detail from the commencement of the mining activity. The said production should be authenticated by A.D/DD of Mines, Department of Mining and Geology, Salem District.

Part-I


STANDARD TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR NON-COAL MINING PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

- 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


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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/ topo sheet, 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 Topo sheet 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 stakeholders 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 such as waste generation etc. should be for the life of the mine / lease period.
- 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 preoperational, 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



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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 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 likely to come under the 'Aravali Range', (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 Department should be secured and furnished to the effect that the proposed mining activities could be considered.


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- 20) Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
- 21) 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, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes 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.
- 22) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] 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.
- 23) Air quality modelling 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. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 24) 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.
- 25) Necessary clearance from the Competent Authority for drawl of requisite quantity of



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water for the Project should be provided.

- 26) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) 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.
- 28) 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.
- 29) 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.
- 30) 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.
- 31) 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 afforestation 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.
- 32) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck 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.
- 33) Details of the onsite shelter and facilities to be provided to the mine workers should be


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included in the EIA Report.

- 34) 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.
- 35) 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.
- 36) 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.
- 37) 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.
- 38) 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.
- 39) 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.
- 40) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 41) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 42) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 43) 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.
- 44) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.


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- d) 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.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC 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.
- h) 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.
- i) 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.
- j) 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.

Agenda No. 121-03:

Existing Limestone Quarry over an extent of 0.55.0 Ha at S.F. No. 29/2A & 29/2D, Pandapuli Village, Sankarankovil Taluk, Tirunelveli District, by Thiru. K.R. Desingu Raja – ToR to be issued under violation notification dated: 14.03.2017 & 14.03.2018 of MoEF & CC

(SIA/TN/MIN/24379/2018)


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