

Dated, New Delhi, the December 19, 2012

OFFICE MEMORANDUM

**Sub: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion of up to 25% in the existing operation -reg.**

The OM of even number dated 15<sup>th</sup> April, 2010 contains the guidelines for granting Environment Clearance (EC) for expansion of coal mining sector projects.

2. Now, it has been decided that in respect of existing coal mining projects which apply for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area, the guidelines stated in this OM will be applicable in supersession of the guidelines of 15<sup>th</sup> April, 2010.

3. Expansion projects for Coal Sector mining fall in two categories-(i) projects that have obtained an EC under the EIA Notification 1994 and (ii) projects that have obtained EC under the EIA Notification, 2006. The EAC may consider exempting Public Hearing for the capacity expansion proposals of existing coal mining projects, which have obtained EC under any one of these Notifications, which are for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area, under clause 7(ii) of the EIA Notification 2006 subject to the following conditions:-

- (i) Such an exemption would be considered for those expansion projects which have obtained prior EC and have undergone Public Hearing during the process of obtaining EC.
- (ii) The proposal is for one time capacity expansion of up to 25% in the existing coal mining operation.
- (iii) There is no additional mine lease area involved.
- (iv) There is no change in mining method (underground to opencast).
- (v) Application for the expansion project shall include a certified report of the Regional Office of the MoEF on the issues of compliance of EC conditions stipulated for the existing project for which EC for the expansion is being sought and necessary action taken there upon by the EAC, in terms of the MoEF Circular No. J-11011/618/2010-IA.II (I) dated 30.5.2012.
- (vi) Details of the court cases, if any, pending in any Court of Law against the project as well as directions passed by any Court relating to the project shall be furnished by the proponent directly to the Environment Appraisal Committee (EAC). The EAC will deliberate upon the same and the gist of the discussion will be reflected in the minutes of the EAC meeting.
- (vii) Details of notices, if any, issued to the project under Section 5 of the Environment (Protection) Act, 1986 will be reported by the proponent directly to the EAC. The EAC will deliberate upon the same and the gist of the discussion will be reflected in the minutes of the EAC meeting.

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- (viii) If the project falls in a Critically Polluted Area (CPA) wherein the moratorium has been lifted, the EAC shall examine the measures required to be implemented by the project proponent under the Environment Action Plan prepared by the State Pollution Control Board concerned and status of their implementation. In such cases, the EAC shall also examine the monitoring data furnished by the project proponent of the environmental quality of the study area/CPA in which the project falls and after due diligence, decide if any additional mitigative measures are required for the expansion.
- (ix) 25% expansion in production capacity is subject to a ceiling of 2 MTPA of additional production where the transportation of the additional production is proposed by road and of 5 MTPA of additional production if such transportation is proposed by means of a conveyor and/or rail transport.

This issues with the approval of the Competent Authority.

  
(Dr. Manoranjan Hota)  
Director

- To
- 1 PS to MEF
  - 2 PPS to Secretary (E&F)
  - 3 PPS to JS(AT)
  - 4 All Officers of IA Division
  - 5 PMO
  - 6 Ministry of Coal