

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Execution Application No 55 of 2018

IN

ORIGINAL APPLICATION NO. 520 OF 2016

(I.A. N O. 77/2019, I.A. No. 78/2019 I.A. No. 218/2019 & I.A. No. 447/2019)

**IN THE MATTER OF:**

Vikrant Tongad

**Applicant**

**Versus**

Union of India

**Respondent**

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**Place:: New Delhi**

**Date:: 30-01-2020**

**Filed By**

*Ashok Prasad*

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NATIONAL GREEN TRIBUNAL Principal Bench, New Delhi Filing Section	
Dairy No.....	<i>200/20</i>
30 JAN 2020	
Fee.....	<i>8</i> IPO/PS/ONLINE
Signature of Receiving Officer	

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH  
NEW DELHI

Execution Application No. <sup>2</sup> 55/2018

Origin of Application No. <sup>17</sup> 520/2018

(I.A. No. 77/2019, I.A. No. 78/2019, I.A. No. 218/2019  
& I.A. No. 447/2019)

Vikrant Tongad Vs. Union of India



Affidavit on behalf of the SEIAA, Jharkhand in Compliance of the  
order dated 13.09.2018

I, KAMLESH PANDEY, son of Sri Jagdip Pandey, Resident of Dream Apartment; Flat No. 101/1B, P.O. - Vidyapati Nagar(Gandhi Nagar), P.S. - Gonda Ranchi - 834002. Presently working as Member Secretary in the State Level Environment impact Assessment Authority (SEIAA), Jharkhand, Ranchi do hereby solemnly affirm and say as follows:-

- (i) That, it is stated at the very outset, that SEIAA, Jharkhand is not in existence as on date, and tenure of SEIAA, Jharkhand has expired w.e.f. 08/11/2019 and a new body of SEIAA, Jharkhand is under process of constitution by MOEF & CC, Govt. of India, which may take some time. The instant affidavit is being filed by Ex-Officio Member Secretary, SEIAA, Jharkhand in the interest of Justice.



Authorised Under Notaries Act-1956  
& Notaries R. by Govt. of  
Jharkhand, Ranchi (India)

29 JAN 2020

1118

Ref. No.

A photocopy of the constitution of SEIAA/SEAC vide SO No. 3415 (E) dated 09/11/2016 of MOEF & CC is being attached herewith as Annexure "A".

- (ii) That the Deponent is conversant with the facts of the case on the basis of official records, swear this affidavit of the answering respondent in the aforesaid matter.
- (iii) That the instant affidavit is being filed in compliance of the order dated 13/09/2018 & 11.12.2018 passed by the Hon'ble Tribunal by which a direction has been given to all the state SEIAA/state Government.
- (iv) That in the 61<sup>st</sup> & 65<sup>th</sup> Meeting of SEIAA, Jharkhand on 08/10/2018 & 09/10/2018 and 07/01/2019 respectively perused and examined the order dated 13/09/2018 & 11.12.2018 passed by Hon'ble National Green Tribunal, Principal Bench through which it has been decided by SEIAA, Jharkhand to hold the notification dated 15.01.2016 of MoEF & CC with immediate effect. It is further to submit that the SEIAA, Jharkhand has not been acted upon notification dated 15.01.2016 of MoEF & CC till date.



A photocopy of the 61th and 65<sup>th</sup> meeting of SEIAA, Jharkhand is being attached herewith as Annexure "B".

- (v) That in view of the compliance the above directions of Hon'ble NGT under its order dated 13/09/2018 & 11.12.2018 the matter may kindly be disposed as deemed fit and proper in the interest of justice and on the basis of replied filed by other respondents. The answering respondent may kindly be exempted from appearance.
- (vi) That the contents of this Affidavit have been read over and explained to me which I have fully understood and the same are true to my knowledge, information and belief.
- (vii) That the statements made in paragraphs are true to my knowledge and derived from the relevant records of the case to which I believe to be true and the rests are by way of my humble submissions before this Hon'ble Tribunal.



Sworn, verified and signed on this \_\_\_\_\_ day of  
January, 2019 at Ranchi.

Kamlesh Pandey

DEPONENT

Identified by me  
Ashwani  
Advocate

WB/303/2003

Signature Attested &  
Identification of Lawyer



Vikash Kumar Singh  
NOTARY PUBLIC RANCHI

12 9 11 2020



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2660]

नई दिल्ली, बुधवार, नवम्बर 9, 2016/कार्तिक 18, 1938

No. 2660]

NEW DELHI, WEDNESDAY, NOVEMBER 9, 2016/KARTIKA 18, 1938

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 9 नवम्बर, 2016

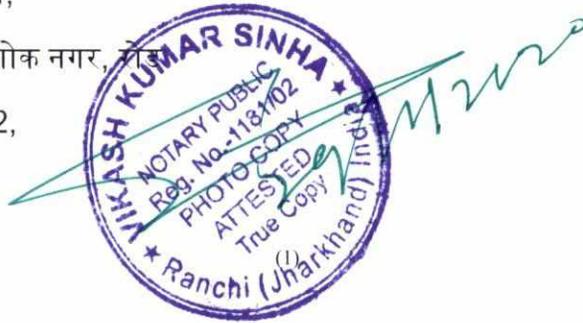
का.आ. 3415(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ.1533(अ), तारीख 14 सितंबर, 2006 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) के अनुसरण में राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड (जिसे इसमें इसके पश्चात् प्राधिकरण, झारखंड कहा गया है) गठित करती है जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :-

1. श्री एस.ई.एच. काजमी,  
डी-9/18, नेपाल हाउस,  
डोरंडा, रांची-834002,

अध्यक्ष

2. श्री एस. सी. नारायण,  
हाउस नं. डी/47, अशोक नगर, रांची,  
नं. 1, रांची-834002,

सदस्य



3. मुख्य वनपाल, सदस्य-सचिव  
वनरोपण, अनुसंधान और मूल्यांकन,  
वन विभाग, पर्यावरण और जलवायु परिवर्तन विभाग, झारखंड  
सरकार।
2. प्राधिकरण, झारखंड के अध्यक्ष और सदस्य राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए पद धारण करेंगे।
3. प्राधिकरण, झारखंड ऐसी शक्तियों का प्रयोग करेगा और ऐसी प्रक्रियाओं का अनुपालन करेगा जैसा कि उक्त अधिसूचना में विनिर्दिष्ट किया जाए।
4. प्राधिकरण, झारखंड इस अधिसूचना के पैरा 5 के अधीन राज्य सरकार के लिए गठित राज्य विशेषज्ञ समिति, झारखंड की सिफारिशों के आधार पर विनिश्चय करेगा।
5. केन्द्रीय सरकार, प्राधिकरण, झारखंड को सहायता के प्रयोजन के लिए झारखंड सरकार के परामर्श से राज्य विशेषज्ञ मूल्यांकन समिति, झारखंड गठित करती है जिसमें निम्नलिखित अध्यक्ष और सदस्य होंगे, अर्थात् :-

1. श्री कैलाश प्रसाद भावसिंका, अध्यक्ष  
एस.एन. पथ, योगीपुर,  
मार्फत् श्रीमती यमुना अग्रवाल,  
हाउस आफ लली यादव (भूतपूर्व वार्ड पार्पद्),  
एन.आर.के. आयल डिपो, हनुमान नगर,  
कंकरबाग, पटना-800020, बिहार,
2. डा. ब्रजेन्द्र कुमार तिवारी, सदस्य  
फ्लैट नं. 207, माधुरी पैलेस,  
नियर सिटी सेंटर, धनबाद,  
झारखंड,
3. श्री राधा नंद सिंह, सदस्य  
मार्फत् अमिताभ कुमार, हाउस नं. 299 सी,  
फ्लैट नं. 210, रोड नं. 1ए, गेट नं. 1,  
अशोक नगर, रांची,
4. श्री युगल किशोर सिंह, सदस्य  
डब्ल्यू 9, संजुक्ता अपार्टमेंट,  
साउथ आफिस पारा,  
दुरंदा, रांची,
5. श्री शैलेन्द्र प्रसाद श्रीवास्तव, सदस्य  
हाउस नं. 4644, नियर पंजाब नेशनल बैंक,  
अशोक नगर, रांची-834002,



- |     |   |            |
|-----|---|------------|
| 6.  | श्री विनोद प्रसाद सिन्हा,<br>403, गार्डन सिटी अपार्टमेंट,<br>लुबी सर्कुलर रोड, नियर इंडियन आयल भवन,<br>धनबाद, | सदस्य      |
| 7.  | डा. रण विजय सिंह,<br>108, शिवम अपार्टमेंट, हिन्नु,<br>रांची,  | सदस्य      |
| 8.  | श्री मोहन श्रीराम भागवत,<br>हाउस नं. 1670, सेक्टर 7ई,<br>फरीदाबाद, हरियाणा-121006,                            | सदस्य      |
| 9.  | श्री उदय प्रताप सिंह,<br>हाउस नं. 2K9,<br>हरारमु हाउसिंग कालोनी, रांची,                                       | सदस्य      |
| 10. | प्रभागीय वन अधिकारी,<br>निदेशन और प्रशासन,<br>प्रधान मुख्य वनपाल कार्यालय,<br>झारखंड सरकार, रांची             | सदस्य सचिव |

6. राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड के अध्यक्ष और सदस्य राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए पद धारण करेंगे।

7. राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड ऐसी शक्तियों का प्रयोग करेगा और ऐसी प्रक्रियाओं का अनुपालन करेगा जैसा कि उक्त अधिसूचना में विनिर्दिष्ट किया जाए।

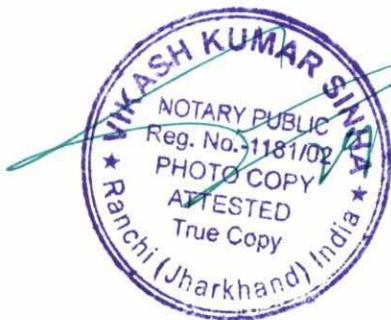
8. राज्य स्तर, पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड सामूहिक उत्तरदायित्व के सिद्धांत पर कार्य करेगा और अध्यक्ष प्रत्येक मामले में सर्वसम्मति पर पहुंचने का प्रयास करेगा और यदि सर्वसम्मति पर नहीं पहुंचा जा सकता है तो बहुमत का मत अभिभावी होगा।

9. झारखंड सरकार, प्राधिकरण, झारखंड और राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड के लिए सचिवालय के रूप में कार्य करने को किसी अधिकरण को अधिसूचित करेगी और सभी वित्तीय और संभार तंत्र समर्थन, जिसके अंतर्गत स्थान, परिवहन और इसके सभी कानूनी कृत्यों के संबंध में ऐसी अन्य सुविधाएं उपलब्ध कराएगी।

10. प्राधिकरण, झारखंड के अध्यक्ष और सदस्यों तथा राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, झारखंड के अध्यक्ष और सदस्यों की बैठक के लिए फीस, यात्रा भत्ता और मंहगाई भत्ता झारखंड सरकार के नियमों के अनुसार संदेय होंगे।

[फा. सं. जे-11013/75/2008-आई.ए.॥(1)]

मनोज कुमार सिंह, संयुक्त सचिव



## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 9th November, 2016

**S.O. 3415(E).**—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India in the erstwhile Ministry of Environment and Forests, number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 (hereinafter referred to as the said notification), the Central Government hereby constitutes the State Level Environment Impact Assessment Authority, Jharkhand (hereinafter referred to as the Authority, Jharkhand) comprising of the following members, namely: -

1. Shri S E H Kazmi, - Chairman  
D-9/18, Nepal House,  
Doranda, Ranchi – 834002
2. Shri S C Narayan - Member  
House No-D/47, Ashok Nagar Road No. – 1,  
Ranchi – 834002.
3. Chief Conservator of Forest, - Member Secretary  
Afforestation, Research & Evaluation,  
Department of Forest, Environment and Climate  
Change, Government of Jharkhand.

2. The Chairman and members of the Authority, Jharkhand shall hold office for a term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Jharkhand shall exercise such powers and follow the procedures as specified in the said notification.

4. The Authority, Jharkhand shall base its decision on the recommendations of the State Level Expert Appraisal Committee constituted under paragraph 5 of this notification for the State of Jharkhand.

5. For the purposes of assisting the Authority, Jharkhand, the Central Government, in consultation with the Government of Jharkhand, hereby constitutes the State Level Expert Appraisal Committee, Jharkhand comprising of the following members, namely :-

1. Shri Kailash Prasad Bhawsinka - Chairman  
S.N.Path, Yogipur, C/o Smt Yanuna Agarwal, H/o Lali Yadav  
(Former Ward Councillor) NR K.Oil Depot, Hanumannagar,  
Kankarbagh, Patna 800020 Bihar
2. Dr Brajendra Kumar Tiwari - Member  
Flat No. 207, Madhuri Palace,  
Near City Centre, Dhanbad,  
Jharkhand
3. Shri RadhaNand Singh - Member  
C/O Amitabh Kumar, House No: 299 C,  
Flat No: 210, Road No 1 A, Gate No 1,  
Ashok Nagar, Ranchi
4. Shri Yugal Kishore Singh - Member  
W 9, Sanjuktaaptt, South Office Para,  
Doranda, Ranchi.
5. Shri Shailendra Prasad Srivastava, - Member  
HN: 4644, Near Punjab National Bank,  
Ashok Nagar Ranchi – 834002



6.	Shri Vinod Prasad Sinha 403, Garden City Apartment, Luby Circular Road , Near Indian Oil Bhawan, Dhanbad	Member
7.	Dr Ran Vijay Singh 108, Shivam Apartment, Hinoo, Ranchi	Member
8.	Shri Mohan Shriram Bhagwat House no. 1670, Sector 7E, Faridabad Haryana 121006	Member
9.	Shri Uday Pratap Singh House No- 2K9, Harmu Housing Colony Ranchi.	Member
10.	Divisional Forest Officer, Direction and Administration, Office of Principal Chief Conservator of Forest, Government of Jharkhand, Ranchi.	Member Secretary

6. The Chairman and members of the State Level Expert Appraisal Committee, Jharkhand shall hold office for a term of three years from the date of publication of this notification in the Official Gazette.

7. The State Level Expert Appraisal Committee, Jharkhand shall exercise such powers and follow such procedures as specified in the said notification.

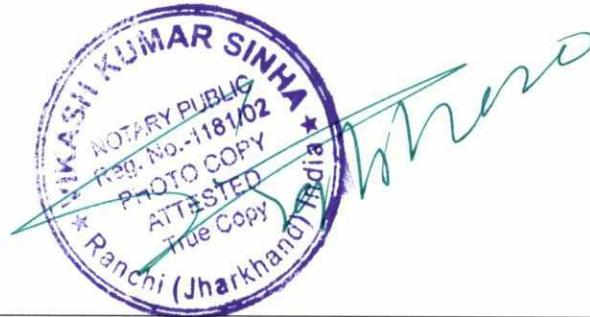
8. The State Level Expert Appraisal Committee, Jharkhand shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case, and if consensus cannot be reached, the views of the majority shall prevail.

9. The Government of Jharkhand shall notify an agency to act as Secretariat for the Authority, Jharkhand and the State Level Expert Appraisal Committee, Jharkhand, and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions.

10. The sitting fee, travelling allowance and dearness allowance to the Chairman and members of the Authority, Jharkhand and the Chairman and members of the State Level Expert Appraisal Committee, Jharkhand shall be paid in accordance with the relevant rules of the Government of Jharkhand.

[F. No. J-11013/ 75/ 2008- IA.II (I)]

MANOJ KUMAR SINGH, Jt. Secy.



**Minutes of the 61<sup>st</sup> Meeting of State level Environment Impact Assessment Authority, Jharkhand, held on 08<sup>th</sup> and 9<sup>th</sup> October, 2018.**

The 61<sup>st</sup> meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 08/10/2018 and 09/10/2018 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 Mithilesh Kumar Singh, Member Secretary, SEIAA, Jharkhand, Ranchi.
3. Shri S.C. Narayan, Member, SEIAA, Jharkhand, Ranchi.

The decisions taken in the 61<sup>st</sup> SEIAA meeting are as follows:-

1. **Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 13<sup>th</sup> September, 2018 passed in O.A No. 186/2016, O.A 200/2016, O.A 580/2016, O.A 102/2017, O.A 404/2016, O.A 405/2016 and O.A 520/2016.**

SEIAA, Jharkhand, Ranchi perused and examined the order dated 13.09.2018 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in the above mentioned original applications.

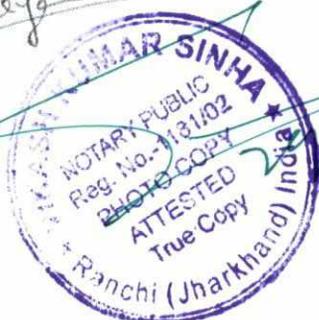
The operative portion of the aforesaid order as contained in paragraph 22 of the order contains various directions given to MoEF & CC, New Delhi for bringing notification dated 15.01.2016, 20.01.2016 and 01.07.2016 in consonance and in accord with the directions passed in Deepak Kumar case by Hon,ble Apex Court pertaining to EIA, EMP, Form I-M, DSR, role of SEIAA/SEAC, role of DEIAA/DEAC etc.

The Authority in compliance of order dt 13.09.2018 passed by Hon,ble NGT, New Delhi, resolved to seek guidelines from MoEF & CC, New Delhi, with regard to processing of pending projects awaiting EC, as also to acquaint State Govt. in this regard.

Till then the projects and applications for EC at SEIAA Level with regard to minor minerals were decided to be kept in abeyance and the Deputy Commissioners, SDO<sup>s</sup>, DFO<sup>s</sup> and DMO<sup>s</sup> to be informed accordingly.

2. **SEIAA considered the recommendations made by SEAC in its 61<sup>st</sup> meeting held on 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup> September, 2018 regarding matter related to Approved Mine Plan.**

- i. Chorganwa Stone Mines, Vill- Chorganwa, P.S.-Mahuatand, Dist – Bokaro (0.486 Ha).
- ii. Taratand Stone Quarry of M/s Devender Prasad Mehta, Vill- Taratand, Tehsil & Dist- Kodarma (0.761 Ha).
- iii. Garadih Stone Mine of M/s Tauhid Ansari & Maksud Alam, Vill- Garadih, Tehsil- Kairo, Dist- Lohardaga (1.01 Ha).
- iv. Stone Quarry of Baliapur M/s Virbhan Das, Vill- Baliapur, P.O. + P.O.- Baliapur, Dist- Dhanbad (2.20 Acre).
- v. M/s Okhargara Stone Mines of Mr. Sunil Kr. Sharma, Vill- Okhargara, Tehsil- Meral, Dist- Garhwa (1.23 Acre).
- vi. Bakhari Stone Mine M/s Tiwary Minerals Co., Vill- Bakhari, P.O.-Sua, Dist- Palamu (2.30 Ac).
- vii. Gurha Stone Quarry of M/s Suresh Kr. Jhanjhari, Vill- Gurha, Tehsil- Birni, Dist- Giridih (1.072 Ha).
- viii. Stone Mining Project of Leungdih, M/s Radha Krishna Jaiswal, Vill- Leungdih, Chandil, Dist- Sarilela-Kharsawan (23.50 Ac).



- ix. Chagajo, Bunda Stone Quarry of M/s MaaChinnamastika Steel India (P) Ltd. Vill- Chagajo&BundaBaraghati, Tehsil- Ranga, Dist- Sahibganj (4.845 Ha).
- x. KudoChhatarpur Stone mine of M/s Hemant Kumar, Vill-Kudo, Chhatarpur, P.S- RaidihDist- Gumla, (0.81 ha).
- xi. Bhagundha Stone mine of M/s Patil Construction Ltd., Vill- Bhagundha, P.O-Ramuna, Dist-Garhwa (2.023 hac).
- xii. Domchanch Stone Quarry of M/s Jai Mata Di Stone at Domchanch, Koderma (0.37 ha).

**The authority examined the recommendations made by SEAC in above cases and after full deliberationsit was decided to accept the recommendations of SEAC and put the EC’s on abeyance and to ask the project proponents to explain their conduct.**

**3. SEIAA considered the recommendations made by SEAC in its 61<sup>st</sup> meeting held on 24<sup>th</sup> , 25<sup>th</sup> and 26<sup>th</sup> September, 2018.**

- i. Olmunda Sand Mine in the River Bed of Koel River of Sri Shamim Khan at Vill.- Olmunda, Tehsil & P.S- Sisai, Dist.- Gumla (6.075 Ha).
- ii. Olmunda Sand Mine in the River Bed of Koel River of Sri Shamim Khan at Vill.- Olmunda, Tehsil & P.S- Sisai, Dist.- Gumla (5.873 Ha).
- iii. Aseahar Stone Deposit of M/s Reyaz Ahmad Khan at Village –Aseahar, PankiPalamu, (5.848 Ha).

**The authority examined the recommendations made by SEAC in above cases and after full deliberations it was decided to await fresh MoEF& CC directions in the light of NGT order dated 13.09.2018.**

**4. SEIAA considered the recommendations made by SEAC in its 61<sup>st</sup> meeting held on 24<sup>th</sup> , 25<sup>th</sup> and 26<sup>th</sup> September, 2018.**

- i. Modernization cum Expansion of Straight Bar & Wire Mill of M/S Usha Martin Ltd, Adityapur Industrial Area, Plot No.- 42 & 38, Village- Bara Gamharia, Tehsil - Gamharia, Dist.- SaraikelaKharsawan.

**It was decided to grant Environmental Clearance to the above mentioned project proposal with the conditions recommended by SEAC.**

- ii. Integrated Cement Plant of M/s Burnpur Cement Ltd at Vill. Patratu Industrial Area, Patratu, Ramgarh.

**The authority examined the recommendations made by SEAC in above case and after full deliberationsit was decided to extend the validity of Environmental Clearance till 29.12.2020.**

**5. SEIAA considered the recommendations made by SEAC in its 61<sup>st</sup> meeting held on 24<sup>th</sup> , 25<sup>th</sup> and 26<sup>th</sup> September, 2018.**

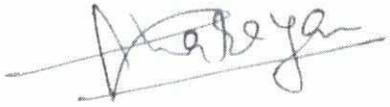
- i. ChalnaBaluGhat of M/s Sparkal World Pvt. Ltd at Vill.- Chalna, Anchal -Jamtara, Dist.- Jamtara (48.36 Ha).

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- ii. Jangalpur Stone Mine of Md. Mobin Ansari & Md. Margub Ansari at Village- Jangalpur, Govindpur, Dhanbad (1.60 Ha).
- iii. Jangalpur Stone Mine of Md. Hasimuddin Ansari at Village- Jangalpur, Govindpur, Dhanbad (0.963 Ha).
- iv. Badagaon Stone Mine of Sri NavkishorSinghdeo at Village- Badagaon, Kharsawan, Saraikela-Kharsawan (2.43 Ha).

The authority examined the recommendations made by SEAC in above cases and after full deliberationsit was decided to accept the recommendations made by SEAC in this regard and to delist the above proposals. The project proponents will be at liberty to submit fresh applications.

The meeting concluded with vote of thanks to the Chairman.



Member  
SEIAA



Member – Secretary  
SEIAA



Chairman  
SEIAA



ANSH KUMAR SINHA \* BIDUI  
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**Minutes of the 65<sup>th</sup> Meeting of State level Environment Impact Assessment Authority, Jharkhand, held on 07<sup>th</sup> January, 2019.**

The 65th meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 07/01/2019 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 65th SEIAA meeting are as follows :-

1. Hon'ble NGT, Principal Bench, New Delhi order dated 11.12.2018 in EA-55/2018 in O.A. 520/2016 and Ministry of Ministry of Environment Forest & Climate change Govt. of India vide Office Memorandum F.No-L-11011/175/2018- IA-II (M) dated-12.12.2018, regarding..

The Hon'ble NGT, Principal Bench, New Delhi has inter-alia directed the Ministry of Environment, Forest & Climate change Govt. of India as follows :-

- I. 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;
- II. 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;
- III. 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.
- IV. 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;
- V. 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;
- VI. 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.

As per above order of Hon'ble NGT (Principal Bench) Ministry of Environment, Forest & Climate change Govt. of India vide Office Memorandum F.No- L-11011/175/2018-IA-II (M) dated - 12.12.2018, has directed to comply the above direction of Hon'ble NGT. Besides this, Hon'ble NGT Principal Bench in its order dated - 11.12.2018 in

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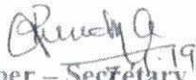
EA 55/2018 in O.A.- 520/2016 has suspended the activity of issuing Environmental Clearance by DEIAA/DEAC for Minor Minerals as per Ministry of Environment, Forest & Climate change Govt. of India, Notification dated-15.01.2016 till a fresh notification is issued by Ministry. Therefore, in compliance of Ministry of Environment, Forest & Climate change Govt. of India, OM dated-12.12.2018, it is decided that for Environmental Clearance of all mining cases of minor minerals having 0 to 5 Ha area will be appraised by SEIAA, Jharkhand. Hence, all concerned project proponent are directed to apply in SEIAA, Jharkhand in Form-I with other required supporting documents on online MoEF & CC, Govt. of India, website - [www.moef.nic.in](http://www.moef.nic.in) for process of application.

It has also been decided that applications fee submitted by project proponents in all DEIAAs, for pending applications be transferred to SEIAA for consideration of the pending projects. Project proponent will have to comply with all the directions and guidelines given by MoEF & CC, in compliance of said NGT order in future, if any. All concerned to be informed accordingly.

The meeting concluded with vote of thanks to the Chairman.



Member  
SEIAA



Member - Secretary  
SEIAA



Chairman  
SEIAA

