

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA

ORIGINAL APPLICATION NO. /2024/EZ
(Under Section 18(1) read with Section 14 of the
National Green Tribunal Act, 2010)

IN THE MATTER OF:

Ajjul Khalasi & Others.

: Applicants

Vs.

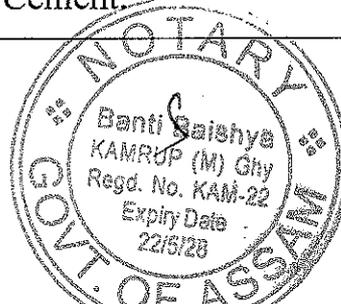
SEIAA, Assam, represented by its

Member Secretary & Others

: Respondents

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DATE: 3rd July 2024

PLACE: Guwahati

DRAWN & FILED BY:

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SYNOPSIS

That the applicants seek to raise serious and substantial question relating to the environment before the Hon'ble National Green Tribunal, more particularly the violations of the provisions of the Environment Impact Assessment (EIA) Notification, 2006, and amendments made therein, among other laws.

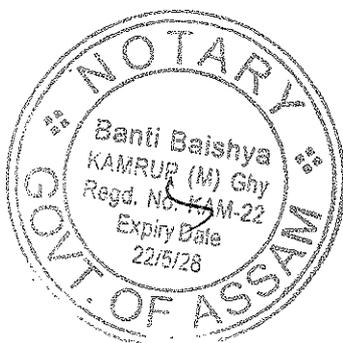
That the Chamata Pathar (field) area is surrounded by a number of villages, including the applicant's village of Kapalkata. The river Digaru flows through the area and Amchang Wildlife Sanctuary and Pobitora Wildlife Sanctuary are within a radius of 10 km and 20 km, respectively. The area is also sensitive from defense perspective as the Digaru Airforce Base, is also located in the area. The said peaceful area was disturbed by the setting up of two cement plants in the immediate vicinity of the applicant's village and they are the major polluters in the area, which has hampered their right to a clean and healthy environment.

That, at a time when the local people are seriously suffering the consequences of the environmental pollution from the existing cement plants, respondent authorities conducted an illegal 'public hearing' for a new cement plant after around 106 days of receipt of the request letter from the project proponent, which is beyond the statutory period of 45 days, as stated in the EIA Notification, 2006, and amendments therein. Furthermore, the entire exercise of 'public consultation' was done in a non-transparent manner, without following the statutory provisions of the EIA Notification, 2006, and amendments therein, to deprive the local people of the area an opportunity to participate in the 'public consultation' and 'public hearing' process and ventilate their concerns and grievances. Under such circumstances, the applicants are preferring the present application seeking adequate relief.



LIST OF DATE & EVENTS

DATE	EVENTS
14/09/2006	EIA Notification 2006
01/12/2009	Amendment to EIA Notification 2006
09/05/2022	Amendment to EIA Notification 2006
20/07/2023	Online application submitted by M/s Taj Cement Manufacturing Pvt. Ltd. with SEIAA, Assam, for the installation of a Split Cement Grinding Unity of capacity 1.0 MTPA at Village – Chamata Pathar, Mouja – Sonapur, District – Kamrup(M), Assam.
03/01/2024	Letter of SEIAA, Assam, to M/s Taj Cement Manufacturing Pvt. Ltd., issues Terms of Reference (TOR) for EIA/EMP study.
26/02/2024	Letter from M/s Taj Cement Manufacturing Pvt. Ltd. to the Member Secretary, Assam State Pollution Control Board, requesting for conducting 'Public Hearing' along with submission of Executive Summary of EIA report, Draft EIA report, etc.
11/06/2024	News report in Gplus (www.guwhatiplus.com)
15/06/2024	Representation and Email submitted by the applicants and local people of village Kapalkata and others.



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH AT KOLKATA

MEMORANDUM OF APPLICATION
(Under Section 18(1) read with Section 14 of the
National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. OF 2024/EZ

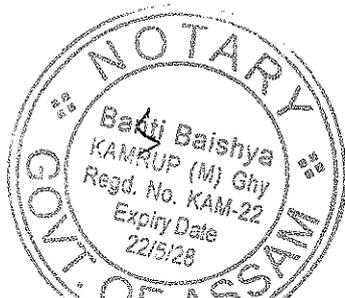
IN THE MATTER OF:

1. **Ajijul Khalashi**
 S/o Late Rashid Khalasi
 R/o Vill. – Kapalkata, Sonapur,
 Dist. – Kamrup(M), PIN – 782402
 Assam

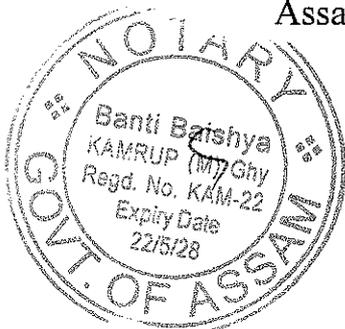
2. **Younush Ali**
 S/o Late Arab Ali
 R/o Vill. – Kapalkata, Sonapur,
 Dist. – Kamrup(M), PIN – 782402
 Assam

3. **Baten Ali**
 S/o Late Ayub Ali
 R/o Vill. – Kapalkata, Sonapur,
 Dist. – Kamrup(M), PIN – 782402
 Assam

4. **Ataur Rahman**
 S/o Sirajul Haque
 R/o Vill. – Kapalkata, Sonapur,
 Dist. – Kamrup(M), PIN – 782402
 Assam



5. **Arif Ali**
S/o Late Aman Ali
R/o Vill. – Kapalkata, Sonapur,
Dist. – Kamrup(M), PIN – 782402
Assam
6. **Ramjan Ali**
S/o Late Kuddus Ali
R/o Vill. – Kapalkata, Sonapur,
Dist. – Kamrup(M), PIN – 782402
Assam
7. **Sajid Sikdar**
S/o Late Abdur Rob Sikdar
R/o Vill. – Kapalkata, Sonapur,
Dist. – Kamrup(M), PIN – 782402
Assam
8. **Sultan Ali Dewan**
S/o Nur Islam Dewan
R/o Vill. – Kapalkata, Sonapur,
Dist. – Kamrup(M), PIN – 782402
Assam
9. **Rakesh Hazarika**
S/o L.C Hazarika
R/o C-3, Talukdar Complex
New Market, Sonapur
Dist. – Kamrup(M), PIN – 782402
Assam
10. **Harun Sikdar**
S/o Late Mokim Ali
R/o Vill. – Kapalkata, Sonapur,
Dist. – Kamrup(M), PIN – 782402
Assam



Versus

Applicants

1. **State Environmental Impact Assessment Authority, Assam**
Represented by the Member Secretary
Bamunimaidam, Guwahati 781021
Dist. – Kamrup (Metro), Assam
Email: neera.acs@assam.gov.in

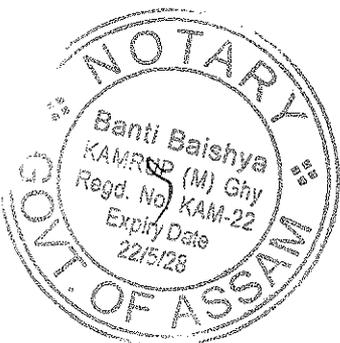
2. **Ministry of Environment, Forest and Climate Change**
Government of India
Represented by the Secretary
India Paryavaran Bhawan, Jorbagh,
New Delhi 110003
Email: secy-moef@nic.in

3. **Assam State Pollution Control Board**
Represented by the Member Secretary
Bamunimaidam, Guwahati 781021, Assam.
Email: membersecretary@pcbassam.org

4. **The State of Assam**
Represented by the Chief Secretary,
Government of Assam
Dispur, Guwahati 781006
Assam.
Email: cs-assam@nic.in

5. **District Commissioner, Kamrup(M)**
Hengrabari, Guwahati 781036
Assam
Email: dc-kamrupm@nic.in

6. **M/s Taj Cement Manufacturing Pvt. Ltd.**
Represented by the Director(s)
Shivam Complex, A.T Road, Bharalumukh
Guwahati 781009, Assam
Email: tcmpl@tajcement.com, nikhilmittal14@gmail.com

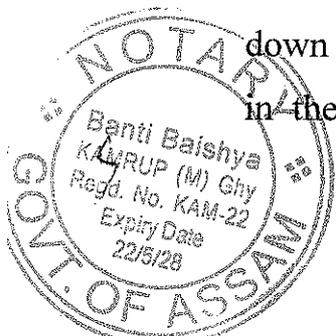


Respondents

- I. The address of the Applicants is given above for the service of notices of this application.
- II. The addresses of the Respondents are given above for the service of notices of this application.

MOST RESPECTFULLY SHOWETH:

1. That the applicants seek to raise serious and substantial question relating to the environment before the Hon'ble National Green Tribunal, more particularly violations of the provisions of the Environment Impact Assessment (EIA) Notification, 2006, notified by the Central Government in exercise of powers conferred by sub-section (1) and clause (v) of sub-section 2 of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, which are enactments specified in Schedule I of the NGT Act, 2010.
2. That the applicants before your Lordships are residents of the above-mentioned locality, in the district of Kamrup(M), Assam, and they are being supported by large number of families of Kapalkata village, under Sonapur Revenue Circle, in the district of Kamrup(M), Assam, in regard to preferring the instant application.
3. That the Chamata Pathar (Field) area is surrounded by a number villages, like Dishak, Meghur Kiprang, Gumoria, Kachutoli, Damrapathar, etc., including the applicants village of Kapalkata. The river Digaru, which flows down from the hills of Meghalaya, passes through the area and drains itself in the river Kopili downstream, before merging with the mighty river



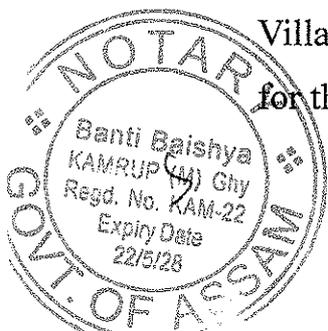
Brahmaputra. The area is also ecologically important as the Amchang Wildlife Sanctuary and the Pobitora Wildlife Sanctuary are within a radius of 10 km and 20 km, respectively. The area is also sensitive from defence perspective as the Digaru Airforce Base, is also located in the area.

Nature of the Problem

4. That in the aforesaid Chamata Pathar area, M/s Star Cement Ltd. is operating two cement plants/units, which is a major polluter in the area. The Kapalkata village with around 800 families, located adjacent to the said cement plants are already facing the brunt of air and water pollution, leading to health issues, water depletion, etc. To make matters worse for the villagers/residents, the respondent authorities have given permission to set-up a third cement plant in the same area to one M/s Daivik Cement Manufacturing Pvt. Ltd. And now with total disregard to the right of the villagers/residents to live in a clean and healthy environment, the respondent authorities, conducted an illegal 'public hearing' on 10/06/2024 to facilitate a fourth cement plant/unit to be set up in the area by Respondent No. 5 M/s Taj Cement Manufacturing Pvt. Ltd., which is under challenge in the instant application for the violations of the provisions of the EIA Notification, 2006, and amendments therein, among other laws.

Facts of the Case

5. That Respondent No. 6 M/s Taj Cement, submitted online application dated 20/07/2023 with Respondent No. 1 SEIAA, Assam, with the proposal for the installation of a Split Cement Grinding Unit of capacity 1.0 MTPA at Village – Chamata Pathar, Mouja – Sonapur, District – Kamrup(M), Assam, for the grant of Environment Clearance.



A copy of the online application dated 20/07/2023 of Respondent No. 6 is annexed herewith as ANNEXURE – A.

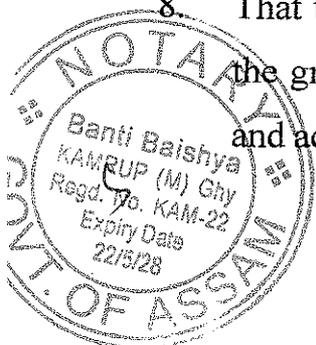
6. That, Respondent No. 1 SEIAA, Assam, vide letter No. SEIAA.3563/2023/TOR/9 dated 03/01/2024 issued the Terms of Reference (TOR) for EIA/EMP study.

A copy of SEIAA, Assam letter dated 03/01/2024 is annexed herewith as ANNEXURE – B.

7. That thereafter Respondent No. 6 M/s Taj Cement vide letter dated 26/02/2024 to the Member Secretary, Assam State Pollution Control Board, submitted the Executive Summary of the EIA report, Draft EIA report, etc, and also requested for conducting 'Public Hearing' for the proposed Split Cement Grinding Unity of capacity 1.0 MTPA at Village – Chamata Pathar, Mouja – Sonapur, District – Kamrup(M), Assam.

A copy of the request letter dated 26/02/2024 and the Executive Summary of the EIA Report is annexed herewith as ANNEXURE – C and D. The applicants further crave leave to file the Draft EIA report before this Hon'ble Court.

8. That the EIA Notification, 2006, issued by MoEF specifies four stages for the grant of environment clearance to development and industrial projects and activities listed under Category A (central level clearance) and Category



B (state level clearance) in the schedule of the notification, which are, Screening, Scoping, Public Consultation and Appraisal. The Public Consultation stage comprises of two processes:

1. Public Hearing at the site or in its close proximity – district wise, for ascertaining concerns of local affected persons;
2. Written responses from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

A copy of the EIA Notification, 2006, is annexed herewith as **ANNEXURE – E**.

9. That the ‘Procedure for the conduct of Public Hearing’ is provided in Appendix IV of the EIA Notification, 2006, including in amendments dated 1st December, 2009 and 9th May 2022, which states as follows:

“1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity

2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period.

3.0 Notice of Public Hearing:

3.1 The Member Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public

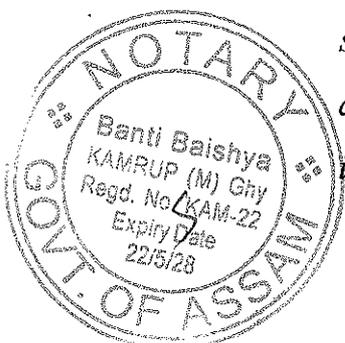


hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating drums as well as advertisements/announcement on radio/television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertake, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District Collector/Deputy Commissioner, the postponement shall be notified to the public through the same National and regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee.

3.3(a) In the event of any such postponement referred to in sub-paragraph 3.3, the time duration for convening the rescheduled public hearing should not be less than forty-five days from the date of first advertisement already published in accordance to para 3.1 for initial date of public hearing and it shall be ensured that a minimum

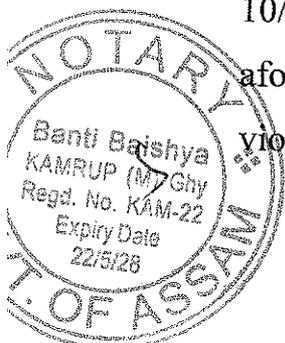


notice period of fifteen days shall be provided to the public before the re-scheduled date of public hearing, for furnishing the responses in writing. Provided that SPCB or UTPCC along with concerned authorities, as mentioned at para 2.2, shall ensure that all requisite documents are available to public in accordance with subparagraph 2.3 and 2.4 from the date of first advertisement published for the initial date of public hearing till convening of the rescheduled public hearing.

- 3.4 *In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/District Collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above."*

A copy of the amendments dated 1st December 2009 and 9th May 2022 to the EIA Notification, 2006, is annexed as **ANNEXURE – F & G.**

10. That the applicant begs to state that Respondent No. 6 M/s Taj Cement submitted request for conducting 'public hearing' along with the draft EIA report, etc., vide letter dated 26/02/2024 with Respondent No. 3 Assam State Pollution Control Board, and as per EIA Notification 2006, and amendments made therein, the 'public hearing' shall be completed within a period of forty five (45) days from the date of receipt of the request letter from the applicant. Whereas in the instant case the 'public hearing' was conducted on 10/06/2024, i.e., after around 106 days from the date of receipt of the aforesaid request letter dated 26/02/2024 from the project proponent in gross violations of the EIA Notification, 2006, and amendments therein.



Therefore, as a consequence of the failure of Assam State Pollution Control Board to conduct the 'public hearing' within the stipulated 45 (forty five) days, Respondent No. 1 SEIAA Assam shall now engage any other agency or authority to complete the process of 'public hearing' a fresh, as per procedure laid down in the EIA Notification, 2006, and amendments.

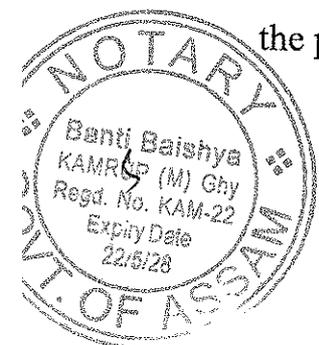
A copy of the www.guwahatipius.com news dated 11/06/2024 is annexed herewith as **ANNEXURE - H.**

11. That over and above the aforesaid major violation of statutory provisions, the applicants would like to highlight the following other violations on the part of the respondent authorities in the 'public consultation' process:

- (i) That the Member Secretary of State Pollution Control Board shall finalize the date, time and exact venue for the conduct of 'public hearing' within 7 (seven) days of date of receipt of the draft EIA report from the project proponent. But Respondent No. 3 could not produce any record on 10/06/2024 to show that the same was done within the 7 (seven) days of date of receipt of request letter and draft EIA.
- (ii) That Respondent No. 3 also failed to adequately publicize the 'public hearing', resulting in low awareness among the local people of the area. The notice of 'public hearing' and the places where the 'draft EIA report' is available for inspection to the public, is required to be advertised in one major National Daily and one Regional Daily/ Official State Language. But the local people did not come across any such advertisements, and when they requested the respondent authorities to produce the same, they did not do so.



- (iii) That the newspaper penetration in the villages surrounding Chamata Pathar area, wherein the cement plant is proposed is very low. Hence the competent authorities should have arranged to inform the public by other means such as by way of beating of drums as well as advertisement/announcement on radio and television. No such measures were undertaken.
- (iv) The draft EIA report, was not made easily accessible and copies of the same were not made available at local government offices or convenient locations. A copy of the draft EIA was supposedly made available with the President of the Sonapur Gaon Panchayat, however the term of office of the President of the said Sonapur Gaon Panchayat had expired earlier this year and therefore holds no official mandate in the instant proceedings.
12. That the 'public hearing' dated 10/06/2024 could not be held after around 106 days, as the same is beyond the statutory period of 45 days from the date of receipt of the request letter from the project proponent vide letter dated 26/02/2024, unless some untoward emergency situation occurs and then also only on the recommendation of the concerned District Magistrate/District Collector/Deputy Commissioner. Furthermore the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB, which is not the case in the instant instance. There was no such untoward emergency nor any notification of postponement notified to the public in the manner prescribed by the EIA Notification 2006.



13. That the applicants and other aggrieved villagers of Chamata Pathar area submitted representations, including via email with the Respondent No. 1 to cancel the illegal 'public hearing' dated 10/06/2024 and conduct the same a fresh by engaging any other agency or authority other than Respondent No. 3, so that the applicants and other local affected persons, including those having plausible stake in the environmental impact of the project can highlight their concerns in a proper manner, since they are already suffering from massive pollution from the existing cement plants, hampering their right to a clean and healthy environment. But so far they have not received any response to the aforesaid representations/communications.

A copy of the representation dated 15/06/2024 and email dated 15/06/2024 is annexed as ANNEXURE – I & J.

14. That the applicants further crave leave of this Hon'ble Court to highlight the deficiencies in the online application/Form 1, the draft EIA report, among other violations of the project proponent as well as to place on record materials to highlight the environmental pollution caused by existing cement plants and the adverse impact of the same on their lives at a later stage and/or as and when the same is required before this Hon'ble Court.
15. That the balance of convenience is on the side of the applicants as the concerned/competent authorities are yet to grant Environmental Clearance to the project proponent/Respondent No. 6.
16. Therefore, under the facts and circumstances as mentioned herein above, the applicants are filing the instant application upon the grounds given here

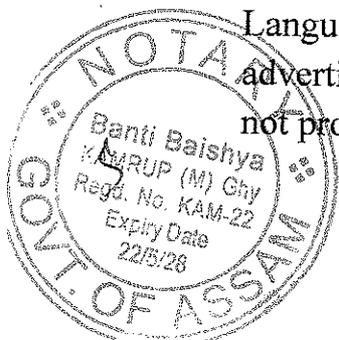
under:



GROUNDS

That the applicant is filing the present application on the following, among other grounds, which the applicants may take at the time of hearing of the matter:

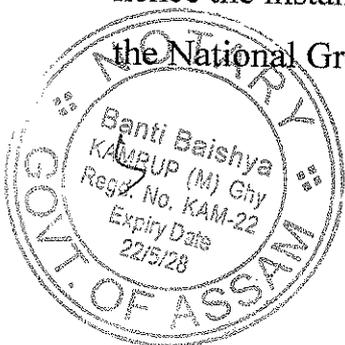
- A. BECAUSE Respondent No. 1 failed to conduct the 'public hearing' within the statutory period of 45 days from the date of receipt of the request letter from the project proponent, i.e., Respondent No. 6 vide letter dated 26/02/2024.
- B. BECAUSE the 'public hearing' was conducted on 10/06/2024, i.e., after around 106 days from the date of receipt of the request letter dated 26/02/2024 from the project proponent in gross violations of the EIA Notification, 2006, and amendments therein.
- C. BECAUSE there was no untoward emergency situation which had occurred and there was no such recommendation of the concerned District Magistrate/ District Collector/ Deputy Commissioner, nor any notification of postponement notified to the public in the manner prescribed by the EIA Notification 2006 and amendments made therein.
- D. BECAUSE the Respondent No. 3 could not produce any record to show that the date, time and exact venue for the conduct of 'public hearing' was finalized within 7 (seven) days of date of receipt of the draft EIA report from the project proponent.
- E. BECAUSE Respondent No. 3 failed to adequately publicize the 'public hearing', resulting in low awareness among the local people of the area. This hampered their right to take up their concerns in a proper and adequate manner.
- F. BECAUSE the notice of 'public hearing' and the places where the 'draft EIA report' is available for inspection to the public, is required to be advertised in one major National Daily and one Regional Daily/ Official State Language. But the local people did not come across any such advertisements, and when they requested, the respondent authorities could not produce the same.



- G. BECAUSE the respondent/competent authorities should have arranged to inform the public about the 'public hearing' by other means such as by way of beating of drums as well as advertisement/announcement on radio and television. But such measures were not undertaken.
- H. BECAUSE the draft EIA report, was not made easily accessible and copies of the same were not made available at local government offices or convenient locations.
- I. BECAUSE the draft EIA was supposedly made available with the President of the Sonapur Gaon Panchayat, however the term of office of the President of the said Sonapur Gaon Panchayat had expired earlier this year and therefore holds no official mandate in the instant proceedings.
- J. BECAUSE the principle of Sustainable Development and the Precautionary principle, which have been held to be part of 'Right to Life' requires that the provisions of EIA Notification 2006 and amendments made therein are complied.
- K. BECAUSE it is against the principle of natural justice not to give proper opportunity to the local people to effectively participate in the public hearing process to vent their concerns and grievances.
- L. BECAUSE under Article 48-A of the Constitution of India it states that the "State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

LIMITATION

That the present application is being filed within the limitation period as the impugned 'public hearing' was conducted on 10th June 2024 and the respondent authorities are yet to grant Environmental Clearance to the project proponent, hence the instant application is within the period of limitation under section 14 of the National Green Tribunal Act, 2010.



INTERIM PRAYER

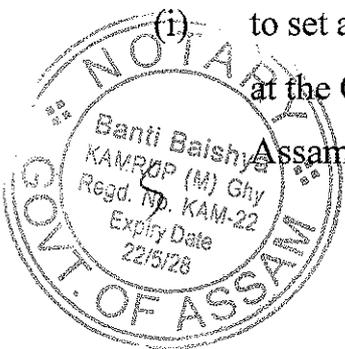
In view of the above facts and circumstances, it is most respectfully submitted that the applicants have a good *prima facie* case, and in consideration of said facts and circumstances, this Hon'ble Court in the interim, may be pleased to -

- (i) call for the records of the 'public hearing' process undertaken by the respondent/concerned authorities, and/or
- (ii) direct the respondent authorities, not to grant Environmental Clearance to the cement plant/unit of Respondent No. 6 M/s Taj Cement Manufacturing Pvt. Ltd., till the final adjudication of the instant matter, and/or
- (iii) to set aside and quash the impugned 'public hearing' dated 10/06/2024 held at the Chamata Pathar, under Sonapur Revenue Circle, Dist. – Kamrup(M), Assam, and/or
- (iv) direct Respondent No. 1 to engage any other agency or authority other than Respondent No. 3 to complete the 'public hearing' process, as per procedure laid down in EIA Notification 2006, and amendments made therein.

PRAYER

In view of the above said facts and circumstances it is therefore most respectfully prayed by the applicants that this Hon'ble Court may be pleased to -

- (i) to set aside and quash the impugned 'public hearing' dated 10/06/2024 held at the Chamata Pathar, under Sonapur Revenue Circle, Dist. – Kamrup(M), Assam, and/or



- (ii) to direct Respondent No. 1 to engage any other agency or authority other than Respondent No. 3 to complete the 'public hearing' process, as per procedure laid down in EIA Notification 2006, and amendments made therein.
- (iii) to pass any other such order(s)/direction(s) as this Hon'ble Court seem fit and proper in the facts and circumstances of the present case.

DATE: 3rd July 2024

PLACE: Guwahati

Drawn and filed by:

Vikram Rajkhowa

Vikram Rajkhowa
Advocate for the Applicants

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L. My 1,
31/7/24

Banti Baishya
NOTARY, GOVT. OF ASSAM
KAMRUP (Metro) Guwahati
Regd. No.: KAM-22

Sl. No.....12323

Date.....3/7/24

-19-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA

ORIGINAL APPLICATION No. OF 2024/EZ

IN THE MATTER OF:

Ajjul Khalasi & Others : Applicants

Vs.

SEIAA, Assam, represented
by its ~~Member Secretary~~ & Others : Respondents

AFFIDAVIT

I, Ajjul Khalasi, son of Late Rashid Khalasi, aged around 60 years, resident of Village – Kapalkata, Mouza – Sonapur, in the district of Kamrup (M), Assam, do hereby solemnly affirm and state as under:

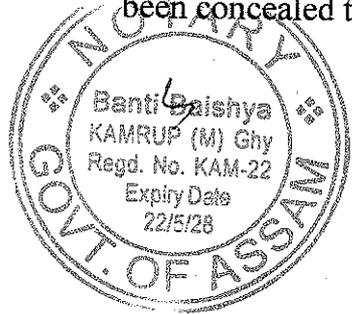
1. That I am the applicant in the present application, and as such I am fully conversant with the facts and circumstances of the case, and I am also authorized by the other applicants of the the instant petition, hence I am competent to swear this affidavit on their behalf.
2. That the accompanying application has been drafted by my counsel on my/our instructions and I/We have read and understood the contents of the same and nothing material has been concealed therefrom.

m. Aji Zul Khalasi

DEPONENT

VERIFICATION:

I, the above named, deponent do hereby verify that all the facts mentioned in the affidavit are true to my knowledge and no part thereof is false and nothing material has been concealed therefrom.



Banti Baishya
3/7/24
Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22

m. Aji Zul Khalasi

DEPONENT
NOTARY PUBLIC / OATH COMMISSIONER
Solemnly affirmed before me this day, I
Certify that I read over and Explained
the contents to the declarant and that
the declarant seemed perfectly to
understand them.

VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA

O.A No. OF 2024/EZ

IN THE MATTER OF:

AJIJUL KHALASHI & OTHERS : Applicants

Vs.

SEIAA, ASSAM, represented by the MEMBER SECRETARY & OTHERS : Respondents

Know all men by these presents that the above, named Ajijul Khalashi, Youmush Ali, Batur Ali, Ataur Rahman and Arif Ali

do hereby nominate, constitute and appoint Sri. Vikram Rajkhowa, Advocate, as shall accept this Vakalatnama to be his/their true and lawful Advocates to appear and act for him/them in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition, etc., for him/them and on his/their behalf and I/We agree to ratify and confirm all acts to be done by the said Advocates as mine/ours for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf. In witness whereof I/we hereunto set my hand on thisday of January 2024.

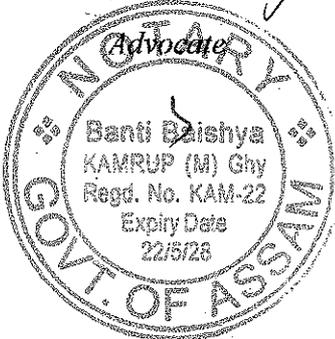
Received from the executants
Satisfied and accepted as I/We
Hold no brief for the other side.

md. Ajijul Khalashi
Youmush Ali
Batur Ali
Md. Ataur Rahman
Arif Ali

Vikram Rajkhowa

Signature of Executant/s

Advocate



VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA

O.A No. OF 2024/EZ

IN THE MATTER OF:

AJIJUL KHALASHI

: Applicants

Vs.

SEIAA, ASSAM, represented by the
MEMBER SECRETARY & OTHERS

: Respondents

Know all men by these presents that the above, named
Ranjana Ali, Sajid Sikdar, Sultan Ali Dewon, Raksh
Hazarika and Harun Sikdar

do hereby nominate, constitute and appoint Sri. Vikram Rajkhowa, Advocate, as shall accept this Vakalatnama to be his/their true and lawful Advocates to appear and act for him/them in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition, etc., for him/them and on his/their behalf and I/We agree to ratify and confirm all acts to be done by the said Advocates as mine/ours for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf. In witness whereof I/we hereunto set my hand on thisday of January 2024.

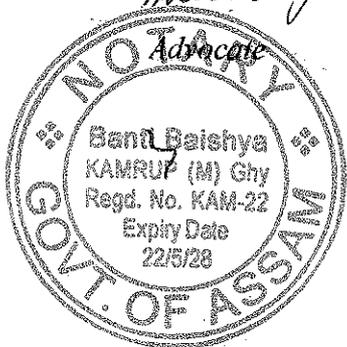
Received from the executants
Satisfied and accepted as I/We
Hold no brief for the other side.

Ranjana Ali
Sajid Sikdar
Sultan Ali Dewon
Rakshazarika
১০ জানু ২০২৪

Signature of Executant/s

Vikram Rajkhowa

Advocate



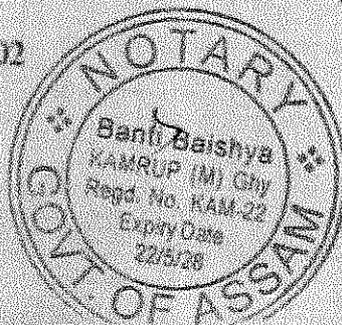
AUTHORIZATION LETTER

We, hereby nominate, constitute and appoint Sri Ajjul Khalashi, son of Late RashidKhalashi, resident of Village – Kapalkata, Sonapur, District – Kamrup(M), PIN – 782402, Assam, as our authorized representative to do the following acts, things or deeds as given belowin regard to the project of M/s Taj Cement Manufacturing Pvt. Ltd., at ChamataPathar, Sonapur, District – Kamrup(M), PIN – 782402, Assam.

1. To file original application, interlocutory application, miscellaneous application and/or any other application/petition, before the National Green Tribunal, Gauhati High Court, Supreme Court of Indiaand/or any other forum.
2. To engage or appoint any advocate, lawyer, solicitor or counsel to conduct the cases in the National Green Tribunal, Gauhati High Court, Supreme Court of India and/or any other forum.
3. To sign and verify all plaints, pleadings, applications, petitions or documents before the court and to deposit, withdraw and receive documents from the court or from the respondents.
4. To do generally all other acts and things for the conduct of aforementioned case(s) as We could have done the same if We were personally present.
5. We further undertake to jointly bear pay all expenses towards the aforementioned case(s), including advocates/lawyers fee, travel and accommodation expenses, and all other expenses incidental thereto.

Signed and delivered by the within named on 23 JULY 2024 (date)

<u>Sl.No.</u>	<u>Name</u>	<u>Signature</u>
1.	Younush Ali S/o Late Arab Ali R/o Vill. – Kapalkata, Sonapur, Dist. – Kamrup(M), PIN – 782402 Assam	<i>Younush Ali</i>
2.	Baten Ali S/o Late Ayub Ali R/o Vill. – Kapalkata, Sonapur Dist. – Kamrup(M), PIN – 782402 Assam	<i>B. Baten Ali</i>



3. **Ataur Rahman**
S/o Sirajul Haque
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam
4. **Arif Ali**
S/o Late Aman Ali
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam
5. **Ramjan Ali**
S/o Late Kuddus Ali
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam
6. **Sajid Sikdar**
S/o Late Abdur Rob Sikdar
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam
7. **Sultan Ali Dewan**
S/o Nur Islam Dewan
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam
8. **Rakesh Hazarika**
S/o L.C Hazarika
R/o C-3, Talukdar Complex
New Market, Sonapur
Dist - Kamrup(M), PIN - 782402
Assam
9. **Harna Sikdar**
S/o Late Mokim Ali
R/o Vill - Kapalkata, Sonapur,
Dist - Kamrup(M), PIN - 782402
Assam

Md. Ataur Rahman

Arif Ali

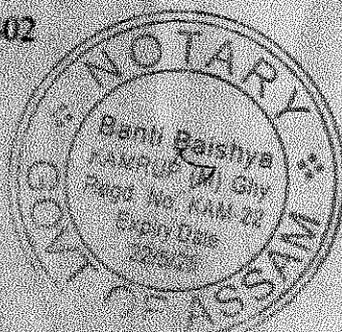
Ramjan Ali

Sajid Sikdar

Sultan Ali Dewan

Rakesh Hazarika

Harna Sikdar





PARIVESH

Ministry of Environment, Forest and Climate Change
Government of India

ANNEXURE - A

75
आज़ादी का
अमृत महोत्सव



- 24 -



Project Name:	Installation of Split Cement Grinding Unit of capacity 1.0 MTPA	Single Window Number:	SW/127857/2023
State:	ASSAM	Proposal Number:	SIA/AS/IND1/427957/2023
Submission Date:	20/07/2023	Current Status:	TOR Granted
Sector:	INDI	Project Category:	BI
Project Proponent Name:	Taj Cement Manufacturing Private Limited	Proposal For:	Fresh ToR

Back

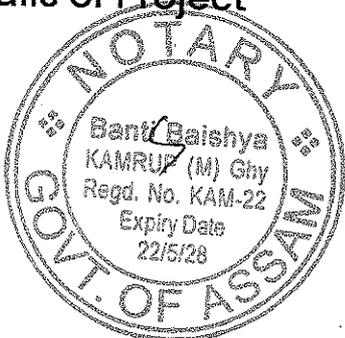


CAF

Common Application Form

Project Details

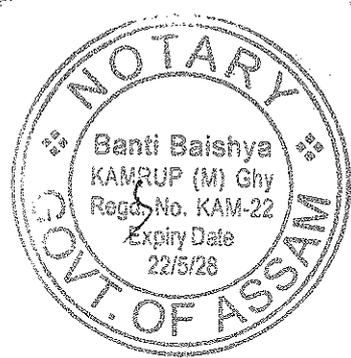
1. Details of Project



1.1. Name of the Project	Installation of Split Cement Grinding Unit of capacity 1.0 MTPA
1.2. Project Proposal For	New
1.3 Project ID (Single Window Number)	SW/127857/2023

1.4. Description of Project

M/s Taj Cement Manufacturing Private Limited (TCMPL) is proposing Installation of Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mauja- Sonapur, District- Kamrup (M), Assam over land area of 8.42 ha. The project falls under schedule 3(b) as per EIA Notification 14th September 2006. Since the plant is a standalone grinding unit hence, it is categorized as "Category B1" project. It is a greenfield project. The plant will produce 100% Portland Pozzolana cement (PPC), however the plant can produce up to 20% Ordinary Portland Cement (OPC) as and when required as per market demand. In case OPC will also be manufactured, then the quantity of clinker may increase from 0.6 MTPA to 0.67 MTPA and fly ash quantity may reduce from 0.35 MTPA to 0.28 MTPA. However, there will be no effect on Gypsum quantity i.e 0.05 MTPA.



2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency

Private Limited

2. Name of the Company/
2. Organization/User agency

TAJ CEMENT MANUFACTURING PRIVATE LIMITED

Registered address

2.3. Address

Shivam Complex, Bharalumukh, A.T. Road, Division Guwahati, District Kamrup, Assam

2.4. Village /Town / City

Guwahati

2.5. State

ASSAM

2.6. District

KAMRUP

2.7. Pin Code

781028

2.8. Landmarks

-

2.9. E-mail address

nikhilmittal14@gmail.com

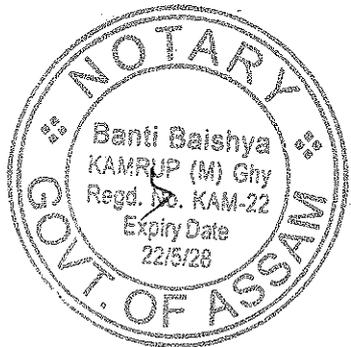
2.10. Landline Number

03612735552

2.11. Mobile number

9707282655

3. Details of the person making application



3.1. Name	Mr. Nikhil Mittal
3.2. Designation	Director
Correspondence address	
3.3. Address	Shivam Complex, Bharalumukh, A.T. Road, Division Guwahati, District Kamrup, Assam
3.4. Village /Town / City	Guwahati
3.5. State	ASSAM
3.6. District	KAMRUP
3.7. Pin Code	781028
3.8. Landmarks	-
3.9. E-mail address	nikhilmittal14@gmail.com
3.10. Landline Number	2735552
3.11. Mobile number	9707282655

Project Location

4. Location of the Project or Activity



4.1. Upload KML

kml taj.kml Preview

4.2. Whether the project/activity falling in the state/UT sharing international borders

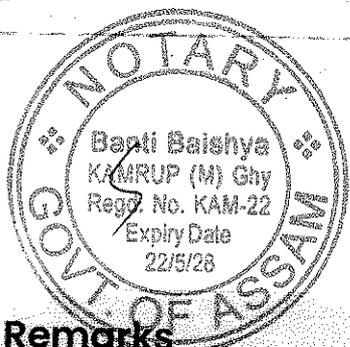
NO

4.3. Shape of the Project

Non - Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
G46H16	ASSAM	Kamrup Metropolitan	Sonapur	CHAMATA PATHAR	Dag no. 257, 258, 259, 260, 261, 266, 341, 344, 345, 346, 347, 348, 350 and 351, Patta no. 7, 29, 31, 34, 38, 40, 41, 47, 55, 68, 77, 80
G46H16	ASSAM	Kamrup Metropolitan	Sonapur	SONAPUR PATHAR	Dag no. 257, 258, 259, 260, 261, 266, 341, 344, 345, 346, 347, 348, 350 and 351, Patta no. 7, 29, 31, 34, 38, 40, 41, 47, 55, 68, 77, 80



Remarks

Dag no. 257, 258, 259, 260, 261, 266, 341, 344, 345, 346, 347, 348, 350 and 351, Patta no. 7, 29, 31, 34, 38, 40, 41, 47, 55, 68, 77, 80, Village Chamata Pathar, Mauja Sonapur, District Kamrup (M), Assam

5. Land Requirement (in Ha) of the project or activity

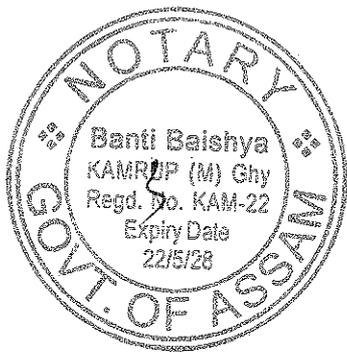
5.1. Nature of Land involved

5.2. Non-Forest Land [A] 8.42

5.3. Forest Land [B] 0

5.4. Total Land [A+B] 8.42

Project Activity Cost



6. Project/Activity Cost

-30-

34200
6. Total Cost of the Project at current
1. price level (in Lakhs) Amount in Words : **Thirty Four
Thousand Two Hundred Lakh(s)
Only**

7. Employment likely to be generated

7.1. During construction phase

Permanent employment

7.1. No. of permanent employment
1. (No.s) [A] 28

7.1. Period of employment (No. of
2. days) [B] 525

7.1.3. No. of man-days [X]=[A]*[B] 14700

Temporary employment

7.1.4. Temporary / Contractual
employment (No. of Man days) [Y] 105000

7.1.5. Total [X] +[Y] 119700

7.2. During operational phase

Permanent employment

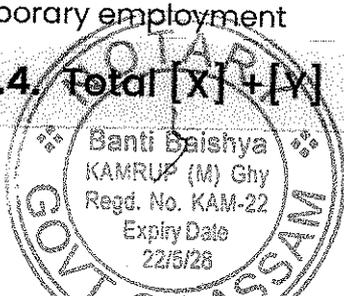
7.2. No. of permanent employment
1. (No.s) [A] 200

7.2. Period of employment (No. of
2. days) [B] 10800

7.2.3. No. of man-days [X]=[A]*[B] 2160000

Temporary employment

7.2.4. Total [X] +[Y] 2160000



Others

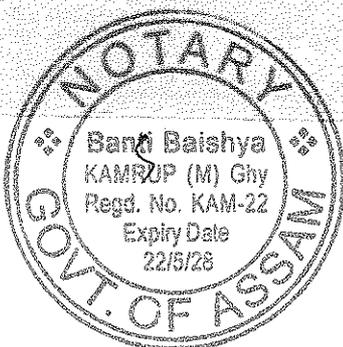
8. Whether Rehabilitation and Resettlement (R&R) involved? NO

9. Whether project area involves shifting of watercourse/road/rail/Transmission line/water pipeline, etc. required? NO

10. Whether any alternative site(s) examined or part thereof for the non-site-specific component? NO

10.1. Reason thereof

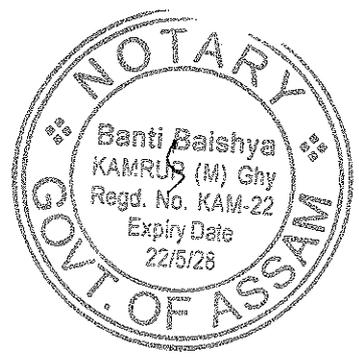
Land is allotted on lease for 30 years to Taj Cement Manufacturing Pvt. Ltd. for manufacturing of Cement. Also, the site has well laid access to roads, electricity, water supply & Drainage systems. No rehabilitation & resettlement required. Nearby cement manufacturing industries already exists. Therefore, no alternative site has been examined.



11. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site? NO

12. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up? NO

13. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government? NO





STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
Ministry of Environment, Forest and Climate Change, Government of India
BAMUNIMAIDAM, GUWAHATI 781021

No. SEIAA.3563/2023/TOR/ 9
Proposal No. SIA/AS/INDI/427957/2023

Dated: 3/1/2024

To

✓ Mr. Nikhil Mittal
Director, Taj Cement Manufacturing Private Limited
Shivam Complex, Bharalumukh,
A.T. Road, District Kamrup, Assam.

Ref: Your Online Application dated. 20/07/2023

Sub: Proposal for Installation of Split Cement Grinding Unit of capacity 1.0 MTPA- at Village Chamata Pathar, Mauja- Sonapur, District- Kamrup (M), Assam; TOR regarding.

Dear Sir,

With respect to your application No.NIL, dated 20/07/2023, this is for your information that the SEAC, Assam in its meeting held on 10/11/2023 had detailed deliberations on the proposed project as presented by the project authorities outlining the salient features of the project and the existing environmental status of the proposed site. The SEAC, Assam in its meeting held on 10/11/2023 had recommended for the issue of the Terms of Reference (TOR) *with specific conditions* for the EIA/EMP study to be carried out for the proposed project by the project proponent.

Accordingly, the SEIAA, Assam in its meeting held on 13/12/2023, accords its approval to the TOR for preparation of EIA & EMP report *as per conditions laid down by SEAC* covering an area of 10 km radius of the project area as per EIA Notification 2006 and as per MoEF & CC guidelines on carrying out EIA/EMP study. A copy of the approved TOR for EIA/EMP study is enclosed herewith.

The project proposal requesting TOR for the proposed Installation of Split Cement Grinding Unit of capacity 1.0 MTPA- at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam by Taj Cement Manufacturing Private Limited is placed before the SEAC for appraisal and detail deliberation. Documents submitted by the proponent along with the proposal have verified thoroughly. Due deliberation is held on the proposal. Considering the proposal being 3 (b) categories the committee recommended for issuance of TOR applying general condition in favour of the proponent for submission of detailed EIA report for taking further needful action.

The project proponent will have to approach the SEIAA with the required number of hard and soft copies of the EIA/EMP report along with a full TOR Compliance Report for getting Environmental Clearance after completion of the EIA/EMP study.

Yours Sincerely

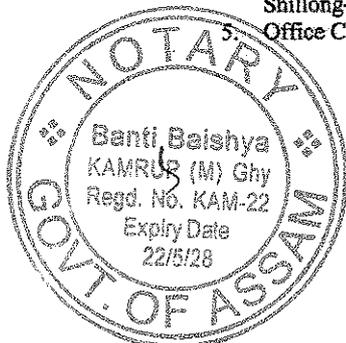
Member-Secretary
SEIAA, Assam

Bamunimaidam, Guwahati-21.
Dated: 3/01/2024

Memo No. SEIAA.3563/2023/TOR/ 9 -A
Copy to:-

1. The Secretary to the Govt. of Assam, Environmental & Forest Department, Dispur, Guwahati-6 for favour of kind information.
 2. The Member Secretary, PCBA for information and necessary action to conduct Public Hearing.
 3. The IA Cell, MoEF (IA) Cell, Govt. of India, New Delhi for information.
 4. The Regional Office, MoEF, Govt. of India, Low-U-sib, Lumbatngen, Near MTC Workshop, Shillong-21 for information.
- Office Copy.

Member-Secretary
SEIAA, Assam
Bamunimaidam, Guwahati-21.





STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
Ministry of Environment, Forest and Climate Change, Government of India
BAMUNIMAIDAM, GUWAHATI 781021

TERMS OF REFERENCE FOR EIA/EMP STUDY

Online Application dated. 20/07/2023

Proposal for Installation of Split Cement Grinding Unit of capacity 1.0 MTPA at Village Chamata Pathar, Mauja- Sonapur, District- Kamrup (M), Assam by Taj Cement Manufacturing Private Limited – TOR regarding.

The EIA/EMP study is to be carried out through a NABET-QCI accredited EIA Consultant only.

The TOR for EIA Study for the proposed project will be as follows:

1) Executive Summary

2) Introduction

- i. Details of the EIA Consultant including NABET accreditation
- ii. Information about the project proponent
- iii. Importance and benefits of the project

3) Project Description

- i. Cost of project and time of completion.
- ii. Products with capacities for the proposed project.
- iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
- iv. List of raw materials required and their source along with mode of transportation.
- v. Other chemicals and materials required with quantities and storage capacities
- vi. Details of Emission, effluents, hazardous waste generation and their management.
- vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
- viii. Process description along with major equipments and machineries, process flow sheet (quantative) from raw material to products to be provided
- ix. Hazard identification and details of proposed safety systems.
- x. Expansion/modernization proposals:

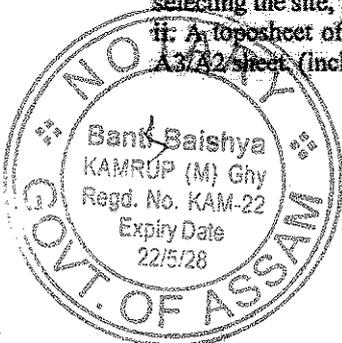
a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MOEF/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment and Forests as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing existing operation of the project from SPCB shall be attached with the EIA-EMP report.

b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.

4) Site Details

i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.

ii. A toposheet of the study area of radius of 19km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet, (including all eco-sensitive areas and environmentally sensitive places)




Member Secretary
SEIAA, Assam

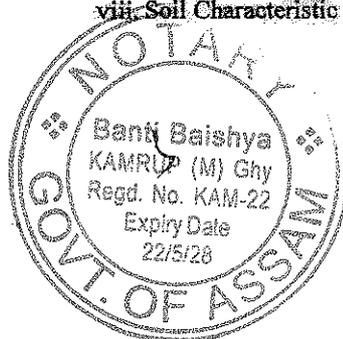
- iii. Details w.r.t. option analysis for selection of site
- iv. Co-ordinates (lat-long) of all four corners of the site.
- v. Google map-Earth downloaded of the project site.
- vi. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.
- vii. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- viii. Landuse break-up of total land of the project site (identified and acquired), government/ private agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- ix. A list of major industries with name and type within study area (10 km radius) shall be incorporated. Land use details of the study area
- x. Geological features and Geo-hydrological status of the study area shall be included.
- xi. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river-discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xii. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xiii. R&R details in respect of land in line with state Government policy.

5) Forest and wildlife related issues (if applicable):

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable)
- ii. Landuse map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (in case of projects involving forest land more than 40 ha)
- iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- iv. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden-thereon.
- v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area
- vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife

6) Environmental Status

- i. Determination of atmospheric inversion level at the project site and site-specific micrometeorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- ii. AAQ data (except monsoon) at 8 locations for PM10, PM2.5, SO2, NOX, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAAQM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- iv. Surface water quality of nearby River (100m upstream and downstream of discharge point) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC, if yes give details.
- vi. Ground water monitoring at minimum at 8 locations shall be included.
- vii. Noise levels monitoring at 8 locations within the study area.
- viii. Soil Characteristic as per CPCB guidelines.



Member Secretary
SEIAA, Assam

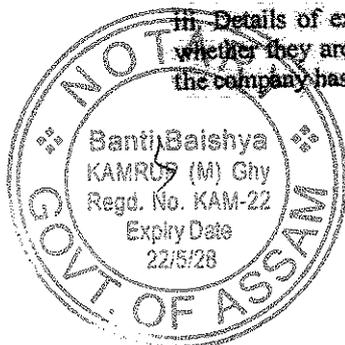
- ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
- x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
- xi. Socio-economic status of the study area.

7) Impact and Environment Management Plan

- i. Assessment of ground level concentration of pollutants from the stack emission based on site specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- ii. Water Quality modelling - in case of discharge in water body
- iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or convey or cum-rail transport shall be examined.
- iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
- v. Details of stack emission and action plan for control of emissions to meet standards.
- vi. Measures for fugitive emission control
- vii. Details of hazardous waste generation and their storage, utilization and management. Copies of MOU regarding utilization of solid and hazardous waste in cement plant shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
- x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
- xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
- xii. Action plan for post-project environmental monitoring shall be submitted.
- xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

8) Occupational health

- i. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers
- ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre placement and periodical examinations give the details of the same. Details regarding last month analyzed data of above mentioned parameters as per age, sex, duration of exposure and department wise.
- iii. Details of existing Occupational & Safety Hazards. What are the exposure levels of hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,




Member Secretary
SEIAA, Assam

iv. Annual report of health status of workers with special reference to Occupational Health and Safety.

9) Corporate Environment Policy

- i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
- ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
- iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
- iv. Does the company have 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? This reporting mechanism shall be detailed in the EIA report

10) Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.

11) Enterprise Social Commitment (ESC)

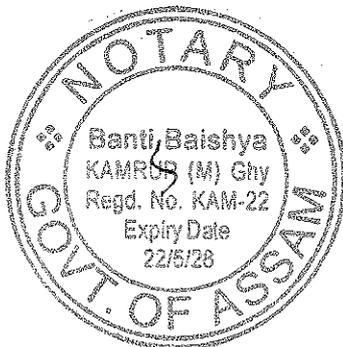
i. Adequate funds (at least 2.5 % of the project cost) shall be earmarked towards the Enterprise Social Commitment based on Public Hearing issues and item-wise details along with time bound action plan shall be included. Socio-economic development activities need to be elaborated upon.

12) Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.

13) A tabular chart with index for point wise compliance of above TOR.

B. SPECIFIC TERMS OF REFERENCE FOR EIA STUDIES FOR CEMENT PLANTS

- 1. Limestone and coal linkage documents along with the status of environmental clearance of limestone and coal mines
- 2. Quantum of production of coal and limestone from coal & limestone mines and the projects they cater to;
- 3. For large Cement Units, a 3-D view i.e. DEM (Digital Elevation Model) for the area in 10 km radius from the proposal site.
- 4. Present land use shall be prepared based on satellite imagery. High-resolution satellite image data having 1m-5m spatial resolution like quickbird, Ikonos, IRS P-6 pan sharpened etc. for the 10 Km radius area from proposed site. The same shall be used for land used/land-cover mapping of the area.
- 5. If the raw materials used have trace elements, an environment management plan shall also be included.
- 6. Plan for the implementation of the recommendations made for the cement plants in the CREP guidelines must be prepared.
- 7. Energy consumption per ton of clinker and cement grinding
- 8. Provision of waste heat recovery boiler
- 9. Arrangement for use of hazardous waste



[Signature]
 Member Secretary
 SEIAA, Assam

SPECIFIC CONDITIONS BY SEAC

- a. *Development of green field, the plant species to be planted being tolerant to the air pollution in the area and Miyawaki Model of Plantation under the guidance of the Member Secretary, SPBC/SEAC, Assam Dr S K Dutta. List of plant species, so suitable for the area shall be furnished by the Chairman of the SEAC, if so advised;*
- b. *The technology involved in production stage to have the barest minimum effect on pollution (dust pollution);*
- c. *Disposal mechanism of various wastes, viz plastic, Hazardous, E.waste, etc shall need to be clearly spelt out;*
- d. *Green Energy around the Project area needs to be proposed;*
- e. *Management Plan required to ensure support by way of livelihood generation to nearby community;*

These Terms of Reference will be valid for a period of 3(Three) years from the date of issuance.


Member-Secretary
SEIAA, Assam

Bamunimaidam, Guwahati-21.

Memo No. SEIAA.3563/2023/TOR/9

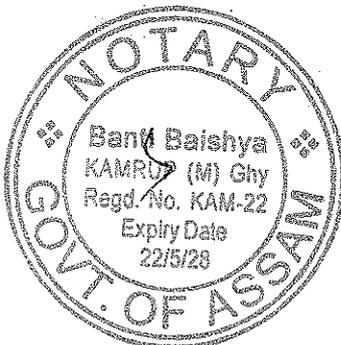
Dated: 3/01/2024

Copy to:-

1. The Secretary to the Govt. of Assam, Environmental & Forest department, Dispur, Guwahati-6 for favour of kind information.
2. The Member Secretary, PCBA for information and necessary action to conduct Public Hearing.
3. The IA Cell, MoEF (IA) Cell, Govt. of India, New Delhi for information.
4. The Regional Office, MoEF, Govt. of India, Low-U-sib, Lumbatngen, Near MTC Workshop, Shillong-21 for information.
5. Office Copy.


Member-Secretary
SEIAA, Assam

Bamunimaidam, Guwahati-21.



TAJ CEMENT MANUFACTURING PRIVATE LIMITED

R/O: Shivani Complex, A.T Road, Bharalumukh, Guwahati, Kamrup-781009

CIN: U26999AS2022PTC022451

E-mail id: tcmpl@tajcement.com, Ph.No: 0361-4083974

To _____

Date: 26.02.2024

Member Secretary

Assam State Pollution Control Board,

Bamunimaidan, Guwahati, Assam 781021

Subject: Request for conducting Public Hearing for project Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

Reference: Terms of Reference (TOR) granted vide letter no. SEIAA.3563/2023/TOR/9 dated 03.01.2024

Dear Sir,

Proposed project is for Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam.

As per EIA Notification the project falls under Category 'B1' of item 3(b) of EIA notification 2006. Hence, we had applied in SEIAA, Assam for grant of Terms of Reference on 20th July, 2023. Terms of Reference (TOR) was granted vide TOR letter number, SEIAA.3563/2023/TOR/9 dated 03.01.2024. As per the TOR granted, we have to get the public hearing conducted for our project for getting environmental clearance as per EIA Notification, 2006. We are attaching herewith following documents:

1. Executive Summary of EIA Report in English (10 Copies)
2. Executive Summary of EIA Report in Assamese (10 Copies)
3. Draft EIA Report with CAF, Form-A & B, TOR compliance & Annexures (10 Copies)
4. A soft copy of above (2 CD)

We shall be thankful if the Public Hearing process is initiated at the earliest.

Thanking you
TAJ CEMENT MANUFACTURING PVT. LTD.

Yours faithfully

Nalini Mittal

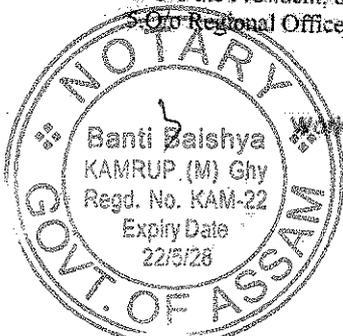
Director

Authorized Signatory

(M/s Taj Cement Manufacturing Private Ltd. (TCMPL))

CC:

1. O/o the Deputy Commissioner, Kamrup Metro District, Guwahati
2. O/o the Commissioner of Industries and Commerce, Assam, Bamunimaidan, Guwahati, Assam 781021
3. O/o the Zilla Parishad, Kamrup (M), Guwahati
4. O/o the President, 61 No. Sonapur Gaon Panchayat, Sonapur, Kamrup (M).
5. O/o Regional Office, Guwahati, Pollution Control Board, Assam, West Milan Nagar, Bamunimaidan



Works :- VILLAGE CHAMATAPATHAR, MOUZA-SONAPUR, KAMRUP(M), ASSAM-782402

EXECUTIVE SUMMARY

OF

“Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity”

AT

**Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M),
Assam**

Total Area: 8.42 ha

Proposed Production: 1.0 MTPA Cement

Schedule – 3(b) Category ‘B1’

Total Cost of the project: Rs. 342 Crores

Reference: TOR issued vide File No. SEIAA.3563/2023/TOR/9
dated 03/01/2024

PROJECT PROPONENT

**M/s Taj Cement Manufacturing Private Ltd.
(TCMPL)**

(Shivam Complex, Bharalumukh, A.T. Road,
Guwahati, Assam-781028)

Email: nikhilmittal14@gmail.com

Phone: 0361-2735552

ENVIRONMENTAL CONSULTANT

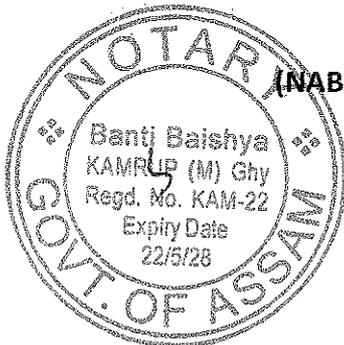
M/s PERFECT ENVIRO SOLUTIONS PVT. LTD.

(NABET Registered vide list of accredited consultants organizations/
(NABET/EIA/2225/RA 0284 (Rev 01))

NN Mall, Sector-3, Rohini, New Delhi-110085

Email: info@perfectgroup.in

Phone No: 9818424364



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

1. Executive Summary

1.1. Introduction

Taj Cement Manufacturing Private Ltd. (TCMPL) proposes "Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity" at Dag no. 256, 257, 258, 259, 260, 261, 341, 344, 345, 346, 347, 348, 350 and 351, Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam over 8.42 ha land.

It has been made mandatory to obtain environmental clearance for all Cement Plants and the project lies under Item 3(b), Category B as per EIA Notification 2006 and its subsequent amendments. Since the unit is for "Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity" the project falls under Category "B" (As per EIA Notification dated 14th Sept., 2006 and as amended from time to time).

Terms of Reference (TOR) for the proposed project has been granted by SEIAA, Assam File No.SEIAA.3563/2023/TOR/9 dated 03/01/2024.

1.1.1. About the Project

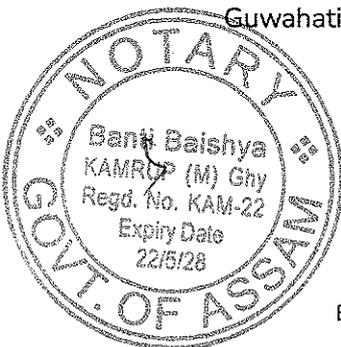
The total area of the plant will be 8.42 ha and the land has been owned by Touchdown Realtech Private Ltd. Out of total land, 5.89 ha of land has been purchased and the rest of the land area is being purchased. CLU for 3.91 ha is applied and CLU for remaining land will be applied. The lease agreement has been made between Touchdown Realtech Private Ltd. & Taj Cement Manufacturing Private Ltd. for setting up a cement plant and the lease is valid for the period of 30 years with effect from 19.06.2023.

Due to increase in market demand, M/s Taj Cement Manufacturing Private Ltd. (TJMPCL) is planning for Installation of a Split Cement Grinding Unit of 1.0 MTPA.

1.1.2. Location & Accessibility

The proposed project is located at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam. The minimum elevation of the site is about 74 AMSL and maximum elevation is 83 AMSL.

The site can be accessed from NH-27 which is 0.02 Km to South. The nearest Railway station is Teteliya Railway Station which is approx. 2.45 Km in the ENE direction. The nearest Airport is Lokpriya Gopinath Bordoloi International Airport, Guwahati which is approximately 41.01 Km in West direction.



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

1.2. Project Description

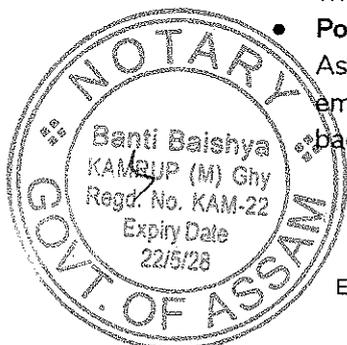
Details	Proposed
Production Capacity	Cement - 1.0 MTPA
Total plot area	8.42 ha
Total green area	2.94 ha (34.9% of total plot area)
Total Water Requirement	165 KLD
Fresh Water Requirement	156 KLD
Water Source	Groundwater permission has been applied vide application no. 21-4/2900/AS/IND/2023 dated 05.08.2023
Power Required	7,000 KVA (6,300 KW)- Assam Power Distribution Company Limited (APDCL)
Renewable Energy	50% of street solar lightning will be provided across the plant area
D.G. Sets	1 no. of DG Set of 500(for emergency lighting only)
Waste water	9.5 KLD
STP capacity	STP- 10 KLD
APCS proposed for process emissions	Pulse jet Bag Filters (For each process stack)
Process waste generated	STP Sludge- 3.14 kg/day, Dust from Bag filter- 25 TPD Bags & Containers- 5 TPA
Total Cost of the Project	Rs. 342 Crores
Manpower Details	During Construction Phase-228 Nos. During Operation Phase- 200 Nos.

*Note: The plant will produce 100% Portland Pozzolana cement (PPC), however plant can produce upto 20% Ordinary Portland Cement (OPC) as and when required by market.

If OPC will be manufactured then the composition will be 95% Clinker, Gypsum 5%.

Resource Requirements

- **Land:** The total area of the plant will be 8.42 ha and the land shall be leased by M/s Taj Cement Manufacturing Private Ltd. (TCMPL) .
- **Water Requirement:** The total water requirement will be 165 KLD out of which 156 KLD will be freshwater which will be sourced from groundwater, permission for which has been applied vide application no. 21-4/2900/AS/IND/2023 dated 05.08.2023 and treated water will be 9 KLD which will be reused in gardening.
- **Power Requirement:** Total Power load will be 7,000 KVA (6,300 KW)- Assam Power Distribution Company Limited (APDCL)/ DG set (for emergency use only) of capacity 1* 500 kVA will be used for the power backup during construction and operation phase.



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

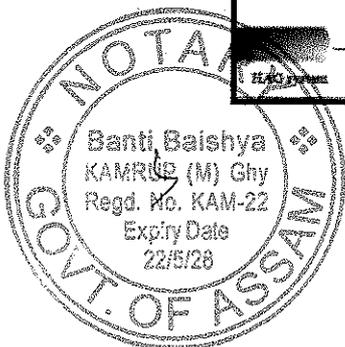
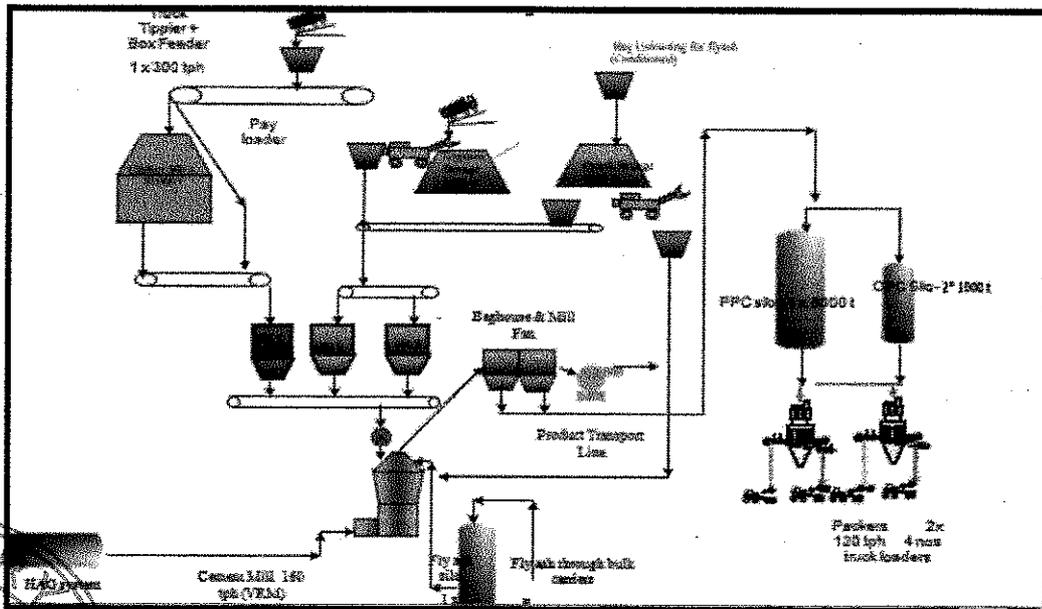
- **Fuel:** 80 liters/ hour of Low Density Diesel will be required for the operation of DG set (emergency use only).
- **Manpower:** 228 no. of workers required during the construction phase and 200 no. of workers will be required during the operation phase.
- **Operational Activities:** Operational activities involved in the unit are transportation, unloading of raw material, Clinker Storage & handling, Fly ash Storage & handling, Gypsum storage & handling, Cement grinding and storage and Cement packing and dispatch
- **Pollution Sources:** Main Pollution sources from the project will be air & noise emission, wastewater generation and Solid & Hazardous waste.

Total quantity of wastewater generation from the industry will be 9.5 KLD and will be treated in STP of capacity 10 KLD.

Air Emissions will be from the process machinery (Cement Mill (VRM), Coal mill, Packing Unit, Hot Air Generator & Gypsum Crusher), Vehicles & DG sets (emergency use only) used in production processes. To prevent emissions, APCS like pulse jet bag filters will be installed with all stacks in accordance with CPCB norms and bag house will be provided to cement mill (VRM).

The main sources of noise generation from the unit will be operation of process machinery, transportation & DG sets. (emergency use only) etc. Adequate engineering control will be taken to minimize the noise level during construction and operations.

Manufacturing Process:



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

1.3. Description of Environment

Study Period: Monitoring was carried out for **Post Monsoon Season from October 2022- December 2022**. The results for **Post Monsoon Season** have been summarized below:

The baseline data is generated through field study within the impact zone (Core Zone and Buffer Zone i.e. 10 Km from Project Boundary) for various components of the environment viz. Air, Noise, Water, Soil, Land, Traffic, Ecology and Socioeconomic. The baseline environmental quality has been assessed for Winter Season (October 2022- December 2022) (by NABL accredited laboratory Perfect Researchers Pvt Ltd, New Delhi) in a study area of 10 Km radius from the project site. The baseline data obtained is summarised below:

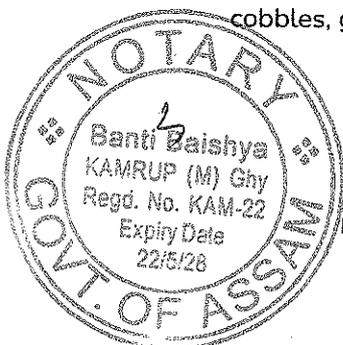
- **Land Use:**

Core Zone: The proposed Cement manufacturing unit will be located in an area of 8.42 ha and has been given on lease to M/s Taj Cement Manufacturing Private Ltd. (TCMPL) for setting up of cement plant. CLU has been applied to the concerned department for conversion of the agricultural land to industrial use land.

Buffer Zone: Out of total 10 km radius study area i.e. 32,991.56 Ha, barren/ waste land is about 107.7405 hectares (0.33%), built up area is about 1396.3496 hectares (4.23%), Water bodies area is about 585.842 hectares (1.78%), Forest land is about 21428.1343 hectares (64.95%), Agricultural land is about 9465.0784 hectares (28.69%) and grass grazing land is around 8.4106 ha. (0.03%) of the total 10 km radius study area.

- **Geology:** Topographically the proposed site area is almost flat. The minimum elevation on the northwest and east side is 73 m AMSL, whereas the maximum elevation on the south side of the project area is 83 m AMSL. The buffer area has both flat and undulating topography with a maximum elevation of 587 m AMSL in the southeast at the top of the hill. And the minimum elevation is 68 m AMSL lies in the north-northeast periphery in the Kopili River.

The study area consists of two different geological features mostly with indifferent fluvial sediments where in the south southeastern side the Assam-Meghalaya Gneissic complex covers. Geologically the area is underlain by geological formation of Archean/Pre-Cambrian age overlaid by Quaternary formation. The Archean and Precambrian are represented by inselbergs, comprising gneissic rocks, granite, schist, amphibolite, pegmatites and basic/acidic intrusives. The quaternary/pediments are represented by loose sands of various grades, pebbles, cobbles, gravels, clay and silts.



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

- **Hydrology:** A first-order ephemeral stream drains the project area. The general slope of the area is towards the north. The area is drained by the Digaru River, Kalang River and the Umpri nadi.

The buffer zone comprises various water bodies such as rivers, ponds, Jalikhora Bil, Domara Bil, Dave Bil and Chang Bil etc.

The area's major River is Digaru River located at 1.00 Km northwest, which flows from southwest to north-northwest. The Kopili River is located at 8.74 km north which flows from northeast to north. The Umpri River is located at 8.97 km south which flows from south-southeast to south-southwest.

The area has a parallel and dendritic drainage pattern with first- to fourth-order streams.

The slope of the area is towards the north and northeast and in the south direction of the project site.

There are water divides in the northeast and south-southeast. The northeast portion of the divide drains to the Kopili River whereas the south-southeast portion of the divide drains to the Umpri Nadi which flows in the south direction

- **Ambient Air Quality:**

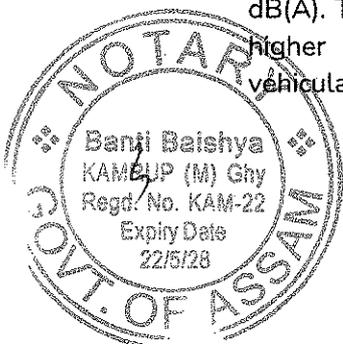
Core Zone: The mean value of PM₁₀ at core zone locations ranges from (57.65 - 59.41 µg/m³) & PM_{2.5} ranges from (29.20 - 30.11 µg/m³), SO₂ ranges from (6.33-6.55 µg/m³), NO₂ ranges from (14.46 - 14.92 µg/m³) & CO (0.41 - 0.43 mg/m³), are within the limits of National Ambient Air Quality Standards (NAAQS).

As per the Air Quality Index by CPCB, the air quality of the core zone is found to be Satisfactory during the sampling period - October 2022- December 2022.

Buffer zone: The mean value of PM10 ranges from (56.89 - 70.97 µg/m³), PM2.5 ranges from (29.29 - 36.54 µg/m³), SO2 ranges from (7.11 - 8.87 µg/m³), NO2 ranges from (14.99 - 18.70 µg/m³) & CO ranges from (0.45 - 0.56 mg/m³) which are within the limits of National Ambient Air Quality Standards (NAAQS). As per the Air Quality Index by CPCB the air quality of the buffer zone.

- **Ambient Noise levels:**

The ambient noise level during day time at the proposed project site varies from 58.5 dB (A) to 59.9 dB (A) which are within the day time standard limit of industrial area ~ 75 dB (A). During night the noise level at the project site ranges from 48.4 dB (A) to 48.9 dB (A) which are also within the night time standard limit of industrial area ~ 70 dB (A). In the residential area of Buffer Zone, noise levels at the day time range from 55.2 dB(A)- 58.2 dB(A) and at night time it ranges from 46.2 dB (A) to 47.8 dB (A). The daytime noise level in Commercial area (buffer zone) range from 62.3 dB(A) to 73.5 dB(A) during the day while during night time it 54.5 to 66.4 dB(A). The noise levels in the residential & commercial area of buffer zone is slightly higher than the ambient noise standards which could be attributable due to vehicular and residential activities.



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

● **Soil Quality:**

Core Zone (S1): The samples collected from the onsite - S1 shows that the soil moisture content in the core zone is 3.3%, pH is 6.96. Amount of primary nutrients like Organic matter is 0.95%, the available nitrogen is 72.8 mg/kg is very low, available Potassium is 23.7 mg/kg is very low while the available Phosphorus is 10.2 is medium in range. Therefore, the Primary nutrient profile shows that soil is low fertile in the core zone due to low concentration of available nitrogen.

Buffer Zone (S2- S8): The samples collected from the site S2- S8 shows that the soil moisture content in the buffer zone is between 2.8 -5.7%, pH is 5.33 - 7.16. Amount of primary nutrients like Organic matter is 0.39 - 2.50 %, the available nitrogen 67.4 - 128.8 mg/kg is low, available Potassium 9.9 - 43.9 mg/kg is low while the available Phosphorus 6.4 - 14.4 mg/kg is in higher range. Therefore, the Primary nutrient profile shows that soil is low fertile in the buffer zone due to the availability of extremely low amounts of nitrogen.

● **Surface Water Quality:**

The results of water quality of surface water (SW1 (i.e. Nala Onsite), SW2 (Pond Near Teteliguri) & SW5 (Digaru River Downstream) shows that it is meeting the criteria Class "D" i.e Propagation of Wildlife and Fisheries as per CPCB surface water quality- Designated Best Use Water Quality Criteria.

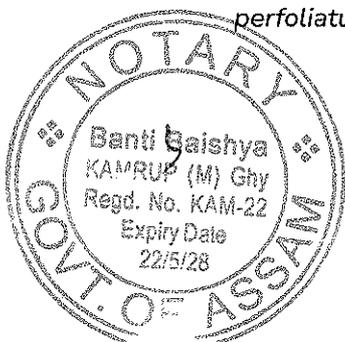
SW3, SW4 & SW6 i.e Digaru river upstream, Bomani Beel & Kopili river respectively shows that it is meeting the criteria class "B" i.e. Outdoor Bathing (Organised) as per CPCB surface water quality- Designated Best Use Water Quality Criteria defined by CPCB. The majority of the water quality parameters in the selected sites were within their respective drinking water quality standards.

● **Ground Water Quality:**

For the Buffer zone all the values are found within the drinking water standards (IS:10500). Total Dissolved Solids (TDS) of the sampling locations ranges from 204 mg/l to 438 mg/l, Total Hardness of the sampling locations ranges from 44 mg/l to 128 mg/l, Alkalinity of the sampling locations ranges from 40 mg/l to 112 mg/l, Calcium Concentration of all the sampling locations ranges from 8 mg/l to 25.6 mg/l, Chloride Concentration of all the sampling locations ranges from 12 mg/l to 36 mg/l. The results are well within the prescribed drinking water standard.

● **Biological Environment:**

Amchang wildlife sanctuary with ESZ is at 5.48 Km NW and Amchang wildlife sanctuary (6.045 Km NW). Pobitora wildlife Sanctuary (10.9 Km km NNE) In the Core Zone no significant varieties of flora and fauna were observed. The nearby area is limited to 3 to 4 differentiated forms of flora species. The names of flora species found at the time of site visit are *Arundinaria gigantea*, *Musa acuminata*, *Eupatorium perfoliatum*, *Ageratum conyzoides*, *Cynoglossum glochidiatum* etc



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

As per The Indian Wildlife (Protection) Act, 1972, 13 endangered Schedule I Species are reported in the Buffer zone within a 10 km radius The schedule I species observed in the buffer zone are, Conservation plan has been prepared for 13 schedules I species found in the buffer zone namely *Pavo cristatus* (Indian Peafowl), *Bos gaurus* (Gaur), *Elephas maximus indicus* (Indian Elephant), *Hoolock hoolock* (Western hoolock gibbon), *Manis pentadactyla* (Chinese pangolin), *Nycticebus bengalensis* (Slow loris), *Panthera pardus* (Leopard), *Trachypithecus pileatus* (Capped langur), *Python molurus* (Indian Python), *Varanus bengalensis* (Indian Monitor Lizard), *Prionailurus bengalensis* (Leopard Cat), *Lophura leucomelanos* (Kalij Pheasant), *Naja naja* (Indian cobra). Conservation plan for the Schedule I species has been prepared

Socioeconomic Environment:

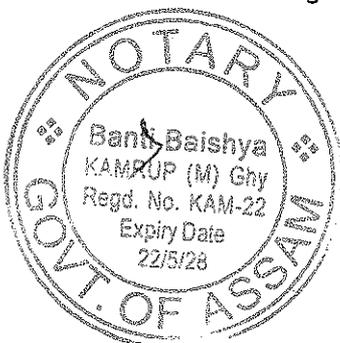
8 villages are taken as a sample village for Primary study.

The total population of the surveyed villages as mentioned above is 11240 The total household in the surveyed villages are 1935 The family size as per survey is 5.80 The total literacy rate in the surveyed village is 90%. Majority of the villages are Hindus by religion. Muslims are recorded as less than 36%. Caste wise, General, SC & ST, OBC are the main castes in the surveyed villages. Percentage of OBC category varies 43% to 78%. Percentage of SC category is 1%-10%, whereas percentage of ST are recorded up to 1 to 34% General Category recorded up to 5 to 45% All the villages are connected by a metal road with the main road. However, un-metaleed roads are also seen within the villages. Average Pucca Houses are 19%, Average Semi Pucca Houses are 70% and Average Kutcha Houses are 11% in the surveyed villages. Category wise 45% farmers are marginal farmers Small Farmers are 35%. Medium scale farmers are 15% and Large Farmers are only 5% in the sample villages as per Primary Study. Drinking water is primarily sourced from hand pumps and bore wells. Essential services like schools, banks, hospitals, and markets are easily accessible to the villagers. All the houses have their own individual toilet followed by a Septic Tank. Other sources of income are animal husbandry, labor wages, Govt. Jobs, Private Jobs & Self-employment.

- **Traffic Study:**

The carrying capacity of the NH-27 is much higher than the proposed traffic volume. The traffic (to & fro) from the Cement Grinding Unit will not create any traffic congestion. The volume/capacity ratio is likely to change from 0.14 to 0.15 with LOS being "A" to "A" only

The carrying capacity of the SH-3B Road is much higher than the proposed traffic volume. The traffic (to & fro) from the Cement Grinding Unit will not create any traffic congestion. The volume/capacity ratio is likely to change from 0.23 to 0.26 with LOS being "B" to "B" only



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

1.4. Additional Studies

The project is situated in the Seismic zone-V area and is a high risk zone. Proper measures will be taken during the construction to avoid damage and loss. To avoid flooding or water logging in the area due to the existing nearby river, the site will be raised above the existing road level. All measures will be taken as per law.

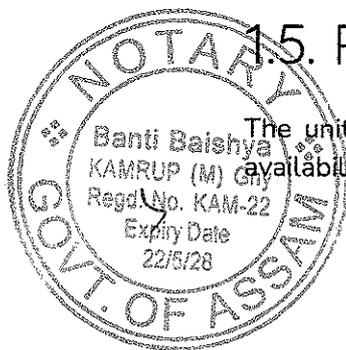
A detailed fire safety and management plan as well as on-site and off-site management plan have been developed for the site.

Some General safety measures

- Occupational health surveillance programmes will be done six monthly & and their records will be maintained.
- Medical dispensary comprising a qualified doctor, male nurse, and Pharmacist in general shift will be available at the plant and the hospital facility is available nearby at Sonapur, Assam.
- Health check-up camps will be organised on a regular basis at company dispensary / nearby locations for nearby people.
- Proper medical facility arrangements will be provided in case of any accidental.
- Label Precautions and First Aid facilities will be provided.
- Emergency plans will be prepared and mock drills of the on-site emergency will be conducted.
- Employers and employees will be made aware of the hazardous properties of materials in their workplaces, and the degree of hazard each poses.
- Inspection of the industrial activity will be done at least once a year and an annual status report on compliance with the Rules will be submitted.
- An Environment, Health and Safety (EHS) Manager will be available, who handles all the safety issues related to man, machine & materials.
- Exterior refuge or safe areas include parking lots, open fields or streets which will be located away from the site of the emergency and which provide sufficient space to accommodate the employees.
- Coal storage mitigation – Proper ventilation will be provided around the coal storage shed.
- Specific written instructions will be obtained before any welding, burning, grinding or other flame heat producing work commences in coal processing areas.

1.5. Project Benefits

The unit will generate direct & indirect employment and benefits with respect to availability of social, physical infrastructure and other benefits, such as,



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

- The project will cater to the increasing demand of cement in the country as well as increase export capacity of the country
- The industry will spend Rs. 342 Lakhs as Social welfare activities in the area including activities for Drinking water & Sanitation facility provision in near by village, Avenue plantation & development of green belt development in nearby area, Beel restoration of nearby site and Skill development will be done through vocational training programmes in nearby villages
- Employment opportunities will lead to a rise in income and improved standard of living. The industry would also generate jobs for the labourers during the construction phase as well as during the operation phase. It will provide direct and indirect employment to local youth.
- M/s Taj Cement Manufacturing Private Ltd. (TCMPL) will improve their efficiencies and use technological advances to reduce their impact on the environment. The industry also aims to use dust collected in Pulse jet Bag Filter
- The industry also aims at continuing their use of dust collected in bag filters back into the process to minimize the quantity of waste generated by the plant.
- The industry is Environmental Friendly as it will be consuming Fly ash which is a waste material from coal based power plants.
- The project will cater to the increasing demand of cement in the country as well as increase the export capacity of the country.

1.6. Environment Management Plan

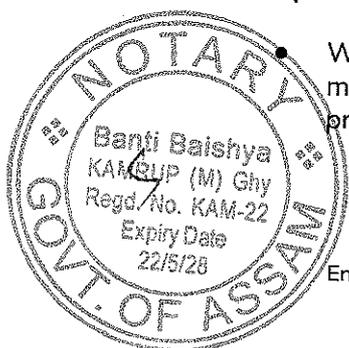
Air Quality Management Plan

For Construction Phase

- Water sprinkling will be done to reduce the dust generation.
- Flexible dust suppression systems (water spray) will be done as per the requirement at the construction site.
- No excavation of soil will be carried out without adequate dust mitigation measures in place.
- No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust will be left uncovered.
- Construction Waste processing and disposal sites will be identified and required dust mitigation measures be notified at the site.
- To minimize the occupational health hazard, proper masks will be provided to the workers who are engaged in dust generation activity.

For Operation Phase

- Workers will be trained properly regarding handling of raw materials/chemicals, appropriate PPEs like nose masks and goggles will be provided to the workers.



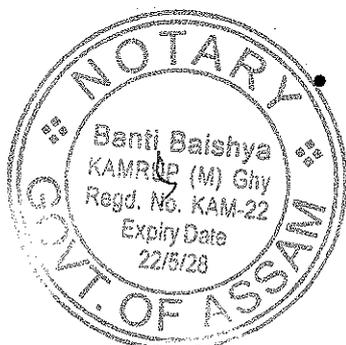
Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

- Enclosures will be provided for all unloading operations, except wet materials like gypsum. The enclosures for the unloading sides could be flexible curtain type material covering up to the height of dumpers discharged from the roof.
- If required, water will be sprayed at the dust generation point.
- The air emissions will be controlled by proper mitigating measures such as regular dust suppression by sprinkling of water which helps in reducing the effect. In addition, periodical monitoring will be done and results will be analysed. In case any change shows adverse effects, it will be attended to for improvements.
- APCS Pulse Jet Bag Filter will be provided at all stacks in the cement grinding unit to reduce PM emissions to less than 30 mg/Nm³ as per the revised standards of MoEFCC/CPCB norms.
- Coal will be used as primary fuel - For the proposed project, an adequate stack height with Cement Mill (VRM)(45 m), Coal Mill (25 m), Packing Unit (15 m), Hot air generator (15 m) and Gypsum Crusher (15 m) will be provided to process stack.
- All the personnel working in dust/noise prone areas are provided with appropriate personal protective equipment (PPE) such as helmets, safety shoes, safety goggles, industrial grade gloves, safety harnesses, nose masks.
- DG set (1 x 500 kVA) stack of 5 m will be provided and will be used in case of emergency only.
- Appropriate PPEs will be provided to the workers.
- Frequent work area monitoring will be done to ensure fugitive emission is under control.
- Green belt/ greenery will be developed along most of the periphery of the project area as well as along roads. Green area in the plot will be 2.94 ha (34.9% of plot area).

Noise Level Management Plan

For Construction Phase

- The noise will be limited only for specified periods of construction and most of the activities will be carried in the daytime only.
- Provision of protective devices like earmuffs/plugs to the workers will be done.
- Ready Mix concrete will be used instead of a concrete mixer so no noise generation will be there due to it.
- Proper training will be given to the workers regarding handling of construction materials. Workers will not be allowed to throw the construction materials like bricks, debris, etc. from height.
- Loading and unloading of Construction waste will be done from loaders/excavators directly to tippers/trucks to ensure minimal noise generation. Workers will be provided with ear plugs/ear muffs.
- Machines and equipment will be properly greased, lubricated and regularly maintained and shall be provided with vibration isolators and noise damping, construction will be done during the day time only, proper



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

barricading of the project site will be done and maintained during the construction.

- Appropriate PPE like ear plugs and muffs will be provided to the workers at the project site. Also, acoustic flooring using tiles will be done in the admin building so that it acts as a noise absorber.
- Proper barricading will be done around the project site which helps in controlling noise emission to & from the site to some extent.

For Operation Phase

To reduce Ambient Noise level the following measures will be adopted:-

- Proper training will be given to the workers for handling raw materials. If required, PPE will be provided to the workers.
- Process machinery (coal mill, cement mill) will be provided with Improved mufflers & silencers will be provided in the machinery generating high noise
- Machineries of the reputed make and less noise producing will be purchased.
- Stationary machineries and equipment will be properly enclosed by enclosures and will be provided with dampeners for minimising noise generated due to vibration of machineries.
- It is re-checked and assured that mufflers systems, vibration damping systems etc. will be installed in engines of machineries which will help in reduction of noise.
- Less noisy machinery/equipment will be installed.
- Sufficient oiling and lubrication will be done to all the parts of the machineries to ensure that minimal noise is generated.

Solid & Hazardous Waste Management plan

- Proper care of waste will be taken while handling & transportation, appropriate PPE will be used.
- There will be no generation of hazardous waste from the process in the project.
- Used lubricating oil (0.08 KLPA) will be generated, and will be stored at separate storage areas designated and maintained as per Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. It Shall be given to authorized recycler
- STP sludge of 3.14 kg/day will be used as manure for plantation
- During the operational phase, Total 30 kg/day solid waste will be generated out of which 9 kg/day of biodegradable waste will be composted in OWC and will be used as a manure for green belt development and recyclable waste of 21 kg/day will be will be handed over to authorised recyclers
- E-waste of 0.25 TPA will be Sell/dispose to authorised vendor
- Plastic waste 5 TPA will be handed over to authorised recycler
- Battery waste of 0.18 TPA will be sell/dispose to authorised vendor i.e. M/s Kamakhya Power Solutions
- Bio medical waste of 0.1 TPA shall be given to authorised vendor

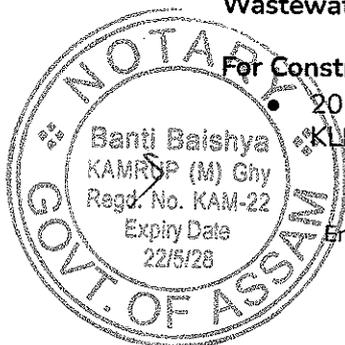
Wastewater & Effluent Management Plan

For Construction Phase

- 20 KLD which will be sourced from treated water from STP/ Tanker and 9 KLD of wastewater generated will be treated in mobile STP.

Environmental Consultant- M/s Perfect Enviro Solutions Pvt. Ltd.

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Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja- Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

- During the construction period, runoff from the construction site will be properly channelised with garland drain and will not be allowed to stand (water logging) or enter the nala within the site. Proper channelization with gradland land will be done.
- The runoff due to rain water from the site will be collected and reused.

For Operational Phase

- Total water requirement for the project will be 165 KLD out of which 9 KLD will be treated water from STP of capacity 10 KLD, in turn reducing the consumption of freshwater.
- Groundwater will be extracted for the operations within the plant.
- There will be no discharge of wastewater into the nearby surface or groundwater sources as the unit is a Zero liquid Discharge unit and will continue the same .
- Domestic effluent from plants is treated in STP of 10 KLD and the treated water will be utilised for gardening.

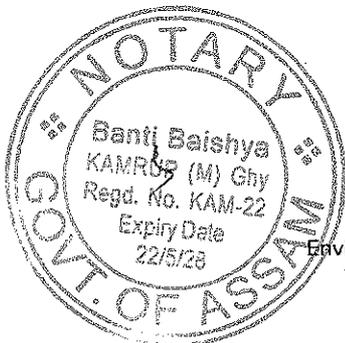
Biological Environment Management Plan

- Green belt/ greenery will be developed along most of the periphery of the project area as well as along roads. Green area in the plot will be 2.94 ha (34.9% of plot area).
- Total 8820 nos. of trees will be planted in the proposed site.

Socio Economic Environment management plan

- The Industry will require raw materials, skilled and unskilled laborers. It will be available from the local area. Due to increasing industrial activities, it will boost the commercial and economical status of the locality, to a positive extent.
- About 228 people will be employed during construction of the project.
- In the operation phase, the proposed plant will require a significant workforce of nontechnical and technical persons. About 200 people will be employed during the operational stage of the project. There will be indirect employment opportunities such as in transportation, workshop, packing, repair & maintenance etc. Lots of ancillary units will also come up. Unit will employ a minimum of 80% people of Assam in the Managerial cadre and minimum 90% people of Assam in Non Managerial Cadre.

The total area of the plant will be 8.42 ha and the land has been owned by Touchdown Realtech Private Ltd. Out of total land, 5.89 ha of land has been purchased and the rest of the land area is being purchased. CLU for 3.91 ha is applied and CLU for remaining land will be applied. The lease agreement has been made between Touchdown Realtech Private Ltd. & Taj Cement Manufacturing Private Ltd. for setting up a cement plant and the lease is valid for the period of 30 years with effect from 19.06.2023. Thus, no R&R will be applicable.



Installation of a Split Cement Grinding Unit of 1.0 MTPA capacity at Village Chamata Pathar, Mouja-
Sonapur, District- Kamrup (M), Assam by M/s Taj Cement Manufacturing Private Ltd. (TCMPL)

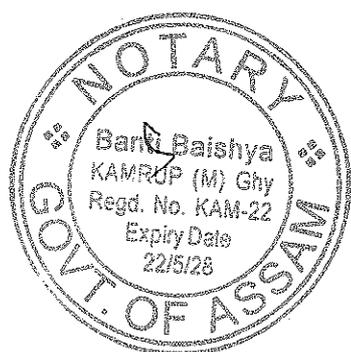
1.7. Cost & EMP Implementation Budget

The total cost of the project is Rs. 342 Crores. The total capital cost for the EMP Budget will be Rs. 5.74 crores and recurring cost will be Rs 0.32 Crores/Year.

Sr. No.	Particulars	Capital Cost (lakhs)	Recurring Cost (Rupees in lakhs/annum)
1	Air management	150	15
2	Solid Waste management	20	2
3	Wastewater management	15	2
4	Noise pollution control	10	1
5	Landscaping / plantation	17	4.5
6	Rain water harvesting	10	1
7	Social Activities	342	-
8	Safety	5	-
9	Environmental Monitoring	5.0	6.5
	Total	574.0	32

Cost Summary

S.No.	COST Summary	Cost for Total (Rs. in Crores)	% of the project Cost
1	Project Cost	342.00	100
2	Capital cost for Environment Management Plan	5.74	1.67
3	Recurring cost for Environment Management Plan	0.32	0.094
4	Wildlife Conservation Plan (included in EMP capital)	0.60	0.17
5	Social activities (included in EMP capital)	3.42	1
6	Occupational Health and Safety and Public Health & Safety (included in EMP capital)	0.20	0.058



**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 2006

S.O. 1533(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1324(E), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

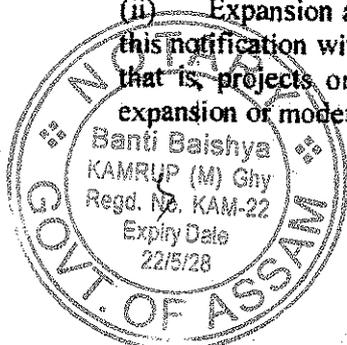
And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;



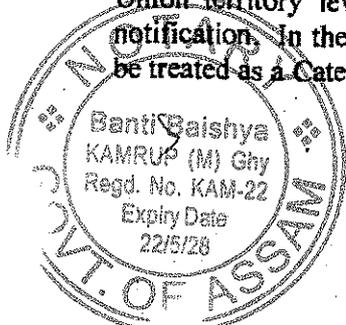
(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;



5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

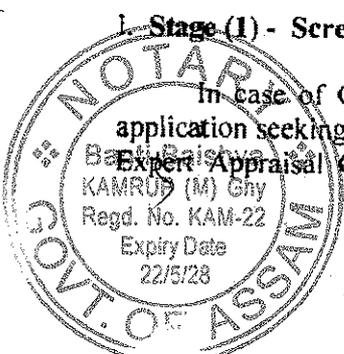
7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

1. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity



requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form I/Form IA including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form I/ Form IA and the conceptual plan.

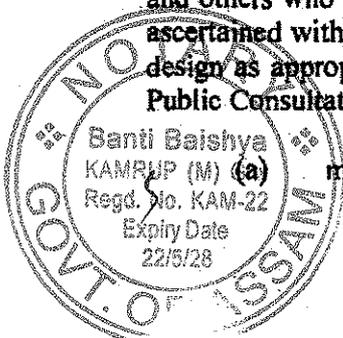
(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form I. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form I, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

modernization of irrigation projects (item 1(c) (ii) of the Schedule).



- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

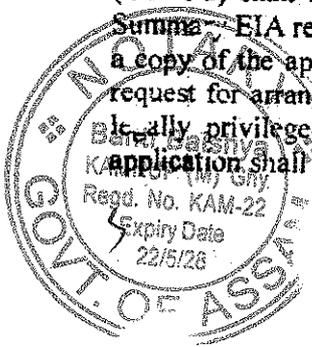
(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use



other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

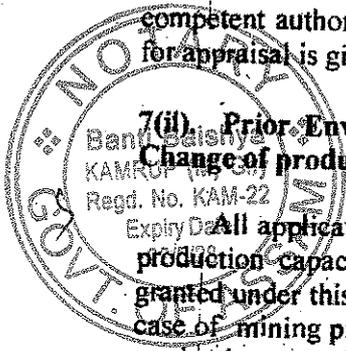
(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

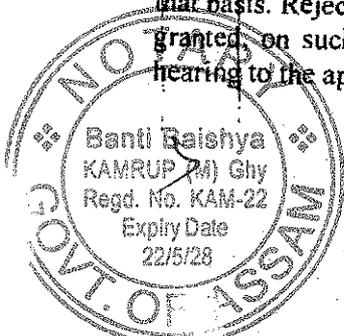
All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form 1 and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence.



necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.



9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant - within the validity period, together with an updated Form I, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

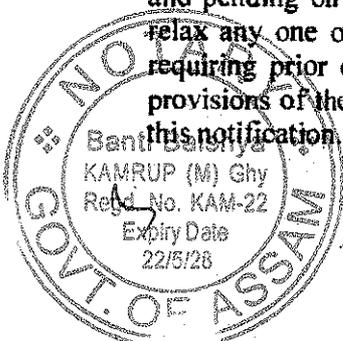
(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

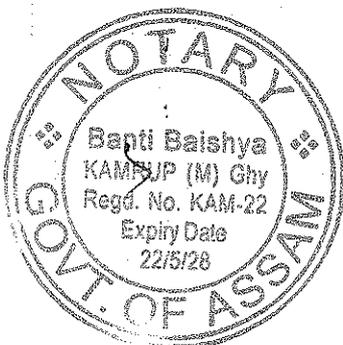


SCHEDULE

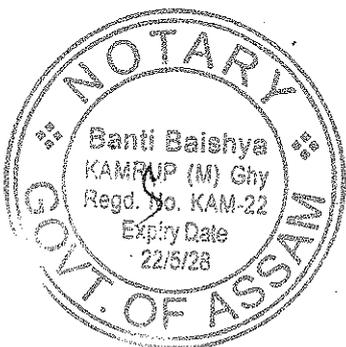
(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

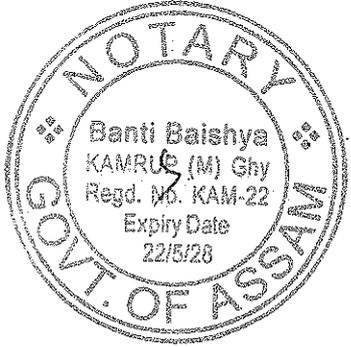
Project or Activity	Category with threshold limit		Conditions if any	
	A	B		
1	Mining, extraction of natural resources and power generation (for a specified production capacity)			
(1)	(2)	(3)	(4)	(5)
I(a)	Mining of minerals	≥ 50 ha. of mining lease area Asbestos mining irrespective of mining area	<50 ha ≥ 5 ha .of mining lease area.	General Condition shall apply <u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
I(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
I(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	General Condition shall apply
I(d)	Thermal Power Plants	≥ 500 MW (coal/lignite/naptha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels -)	< 500 MW (coal/lignite/naptha & gas based); <50 MW ≥ 5MW (Pet coke ,diesel and all other fuels)	General Condition shall apply



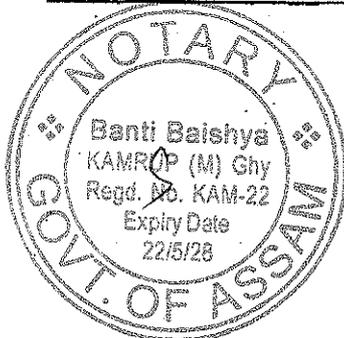
(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)



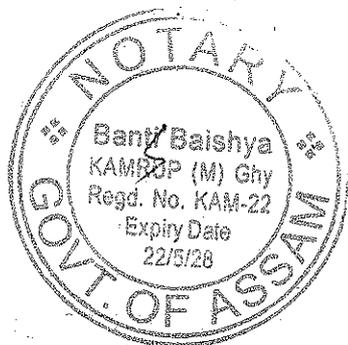
3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing ≥ 200 TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing < 200 TPD Secondary metallurgical processing industry i.) All toxic and heavy metal producing units $< 20,000$ tonnes /annum ii.) All other non-toxic secondary metallurgical processing industries > 5000 tonnes/annum	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	< 1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply



4				
Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located outside the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units outside the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-



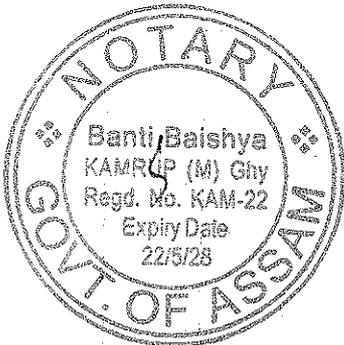
(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects		
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/non-molasses based distilleries <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply



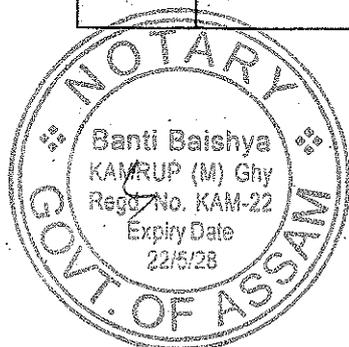
(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 ted cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	-	All projects	General Condition shall apply
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects		



(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	All projects		
7(b)	All ship breaking yards including ship breaking units	All projects		
7(c)	Industrial estates/parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply



(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA, of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply



(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	**All projects under Item 8(b) shall be appraised as Category B1

Note:-

General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II(D)]
R. CHANDRAMOHAN, J. Secy.

APPENDIX I

(See paragraph - 6)

FORM I

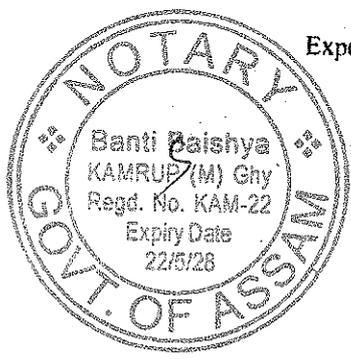
(I) Basic Information

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:



Contact Information:

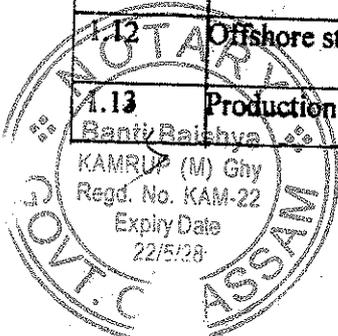
Screening Category:

- Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.)

(II) Activity

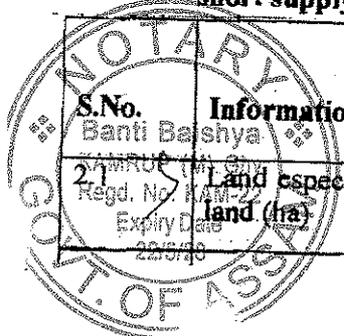
1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		



1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water form ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):



Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
Land especially undeveloped or agricultural land (ha)		

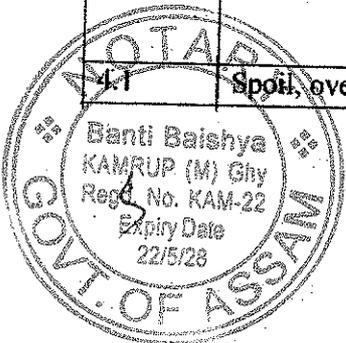
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

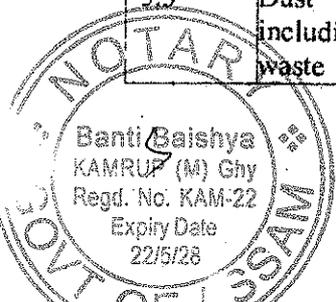
S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spill, overburden or mine wastes		



4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

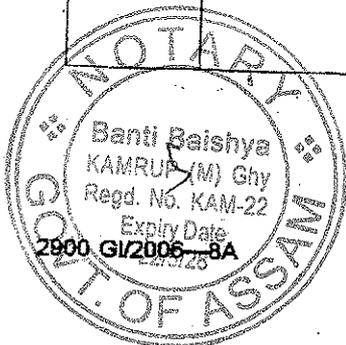
S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		



5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

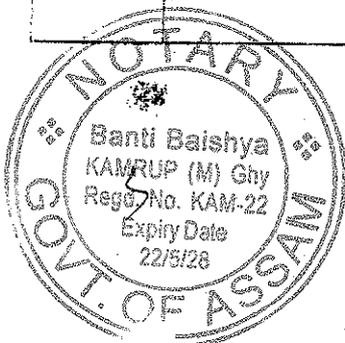


7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		



9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

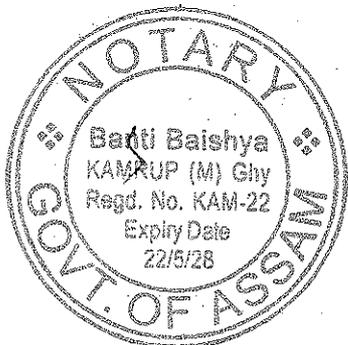
(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
I	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		



2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

(IV). Proposed Terms of Reference for EIA studies



APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

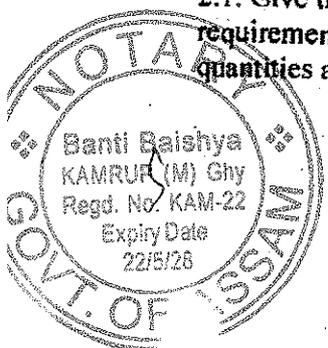
1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built-up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)
- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

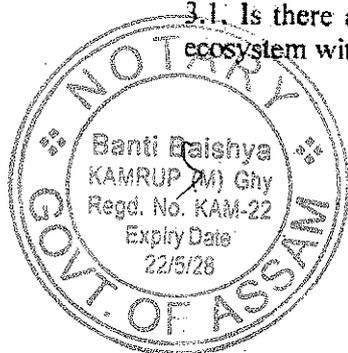
- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.



- 2.2. What is the capacity (discharge flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)



3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

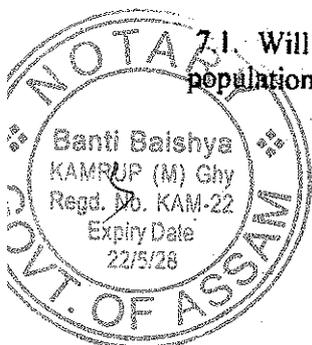
6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.



7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

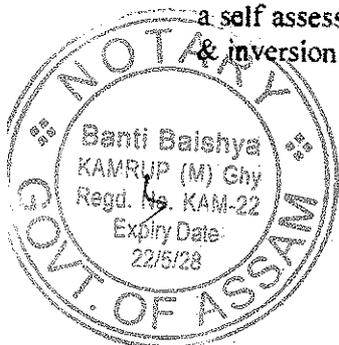
9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?



9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

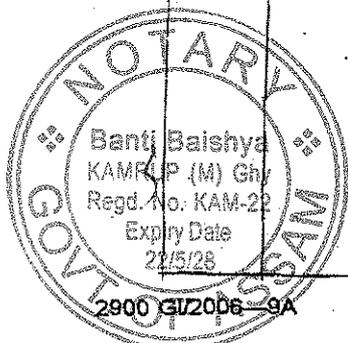
The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout)



		<ul style="list-style-type: none"> • Size or magnitude of operation (incl. Associated activities required by or for the project • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure
3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative



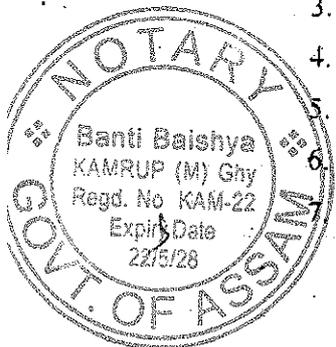
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential –skilled; semi-skilled and unskilled. • Other tangible benefits
9.	Environmental Benefit Analysis Cost	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11.	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7).

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
- Environment Management Plan



APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

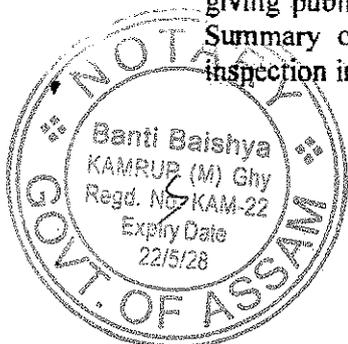
2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally



make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member -Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

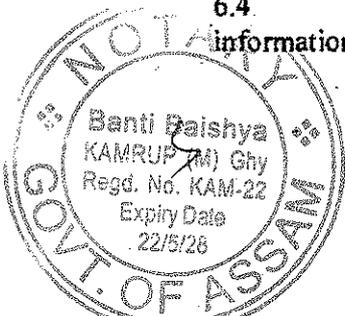
6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public



hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall send the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

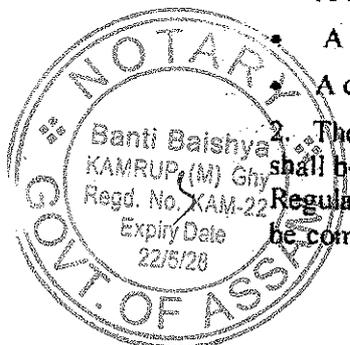
APPENDIX -V (See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC



/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1 or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

APPENDIX VI

(See paragraph 5)

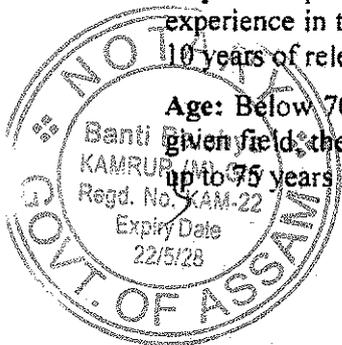
COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years



2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**
- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

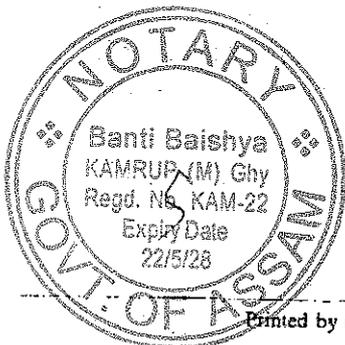
4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.



MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 1st December, 2009

S.O. 3067(E).— Whereas, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment notification, 2006 issued vide no. S.O. 1533 (E), dated the 14th September, 2006, was published under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, vide number S.O. 195 (E), dated the 19th January, 2009, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of 60 days from the date of publication of the said notification in the Gazette of India;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

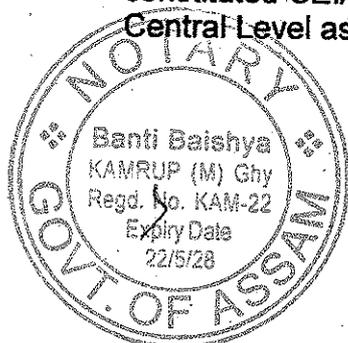
In the said notification, -

I in para 3, for sub-para (7), the following shall be substituted, namely:—

"(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and a copy thereof sent to MoEF."

II in para 4, in sub-para (iii), for the words and letters "In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project", the words and letters "In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project" shall be substituted.



III in para 7(i), in sub-para III relating to Stage (3) - Public Consultation, in clause (i),—

(i) after item (c), the following item shall be inserted, namely:—

“(cc) maintenance dredging provided the dredged material shall be disposed within port limits.”;

(ii) for item (d), the following item shall be substituted, namely:—

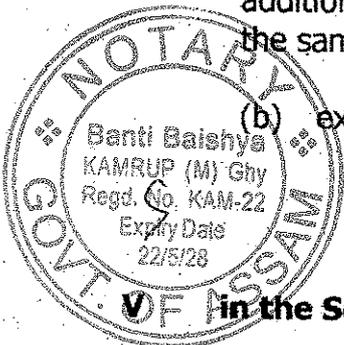
“(d) All Building or Construction projects or Area Development projects (which do not contain any category ‘A’ projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification).”.

IV In para 10 relating to Post Environmental Clearance Monitoring,-

(a) the existing sub-para (i) shall be renumbered as sub-para (ii) and before sub-para (ii) as so re-numbered, the following sub-para shall be inserted namely;

“(i) (a) In respect of Category ‘A’ projects, it shall be mandatory for the project proponent to make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent’s website permanently. (b) In respect of Category ‘B’ projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of MoEF website where it is displayed. (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Government portal. (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.”;

(b) existing sub-para (ii) shall be renumbered as sub-para (iii).



in the Schedule,—

(i) for item 1(a) and the entries relating thereto, the following item and entries shall be substituted, namely:—

≥ 20 MW (based on biomass or non hazardous municipal solid waste as fuel).”;

(b) in column (4), for the entries, the following entries shall be substituted, namely:—

“<500MW (coal/lignite/naphtha and gas based);
<50 MW ≥ 5 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);
<20MW > 15MW (based on biomass or non hazardous municipal solid waste as fuel).”;

(c) in column (5), for the entries, the following entries shall be substituted, namely:—

“General Condition shall apply.

Note:

- (i) Power plants up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (ii) Power plants up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.”;

(iv) against item 3(a), in column (5), for the entries, the following entries shall be substituted, namely:—

“General condition shall apply.

Note:

- (i) The recycling industrial units registered under the HSM Rules, are exempted.
- (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electric arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.
- (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted.”.



(v) against item 4(b), in column (5), for the entry, the following entry shall be substituted, namely:—

"General conditions shall apply.";

(vi) against item 4(d),—

(a) in column (4), for the entry, the following entry shall be substituted, namely:—

(i) All projects irrespective of the size, if it is located in a Notified Industrial Area/Estate.

(ii) < 300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate.";

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

"General as well as specific conditions shall apply.

No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the notification.";

(vii) against item 4(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—

"General as well as specific conditions shall apply.";

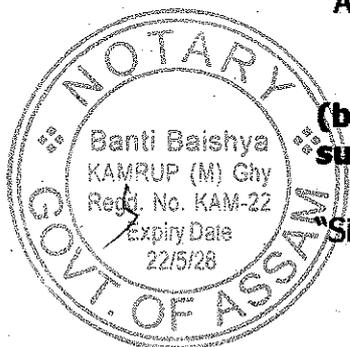
(viii) against item 5(a),—

(a) in column (3), for the existing entry, the following entry shall be substituted, namely:—

"All projects except Single Super Phosphate.";

(b) in column (4), for the entry, the following entry shall be substituted, namely:—

"Single Super Phosphate.";



(ix) against item 5(e), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.”;

(x) against item 5(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General and specific conditions shall apply.”;

(xi) item 5(k) and the entries relating thereto shall be omitted;

(xii) against item 7(a),—

(a) in column (3), for the entry, the following entry shall be substituted, namely:—

“All projects including airstrips, which are for commercial use.”;

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

“Note:

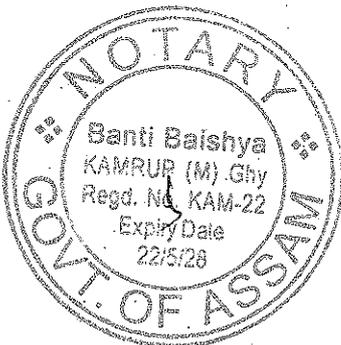
Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted.”;

(xiii) against item 7(c), in column (5), for the entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.

Note:

1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance.
2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be.”;



(xiv) against item 7(e),—

(a) in column (2), for the entry, the following entry shall be substituted, namely:—

"Ports, harbours, break waters, dredging."

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

"General Condition shall apply."

Note:

1. Capital dredging inside and outside the ports or harbors and channels are included;
2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained.";

(xv) against item 7(f),

(a) in column (4), for the entry, the following entry shall be substituted namely:-

- (i) All State Highway Projects; and
- (ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas.";

(b) in column (5) for the existing entry, the following entry shall be substituted, namely:-

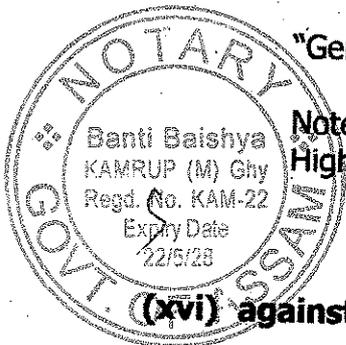
"General Condition shall apply."

Note:

Highways include expressways.";

(xvi) against item 7(g),—

(a) in column (3), for the entry, the following entry shall be substituted, namely:—



- "(i) All projects located at altitude of 1,000 mtr. and above.
- (ii) All projects located in notified ecologically sensitive areas."

(b) in column (4), for the entry, the following entry shall be substituted, namely:—

"All projects except those covered in column (3).";

(xvii) after the Schedule, in the 'Note', for sub-heading relating to 'General Condition (GC)', the following shall be substituted, namely:—

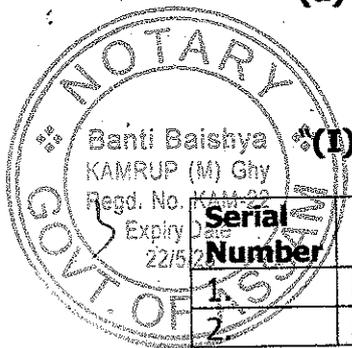
"General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category 'A', if located in whole or in part within 10 km from the boundary of: (i) Protected areas notified under the Wildlife (Protection) Act, 1972; (ii) Critically polluted areas as identified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

VI in the Appendix I, in Form I,—

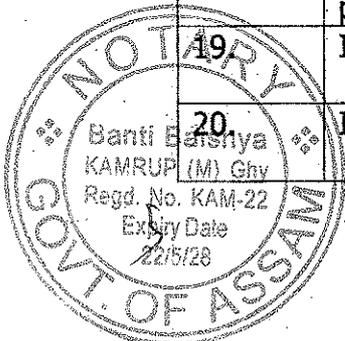
(a) for item (I) relating to the Basic Information, the following shall be substituted, namely:—



Basic Information

	Item	Details
1.	Name of the project/s	
2.	S. No. in the schedule	

3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If yes, please specify.	
8.	Does it attract the specific condition? If yes, please specify.	
9.	Location	
	Plot/Survey/Khasra No.	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence :	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	
16.	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3. "
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	
19.	If yes, date of submission.	
20.	If no, reason	



21.	Whether the proposal involves approval/clearance under: if yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/relating to the site?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

(b) the following shall be inserted at the end, namely:—

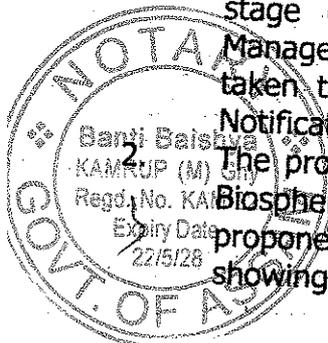
"I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost.

Date: _____
Place: _____

Signature of the applicant
With Name and Full Address
(Project Proponent / Authorised Signatory)

NOTE:

- The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ.
- The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the



recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."

3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project."

VII for Appendix IV, the following shall be substituted, namely:—

**"APPENDIX IV
(See paragraph 7)**

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

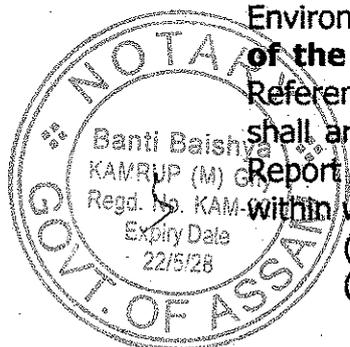
1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District-wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and **in the official language of the state/local language**, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/**District collector/Deputy commissioner/**s
- (b) Zila Parishad or Municipal Corporation **or Panchayats Union**



- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned/**Development authorities**
- (e) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

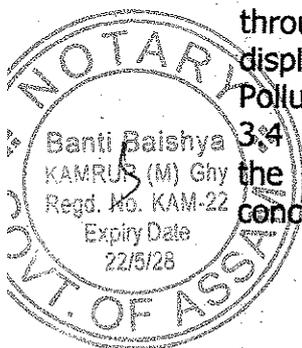
3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in ~~one~~ major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District



Magistrate/**District Collector/Deputy Commissioner** and notified afresh as per procedure under 3.1 above.

4.0 Supervision and Presiding over the Hearing:

4.1 The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

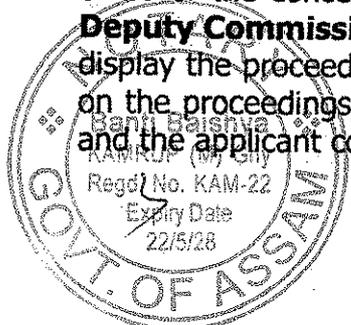
6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the **local/vernacular** language and the agreed minutes shall be signed by the District Magistrate/**District Collector/Deputy Commissioner** or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings.

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate / **District collector / Deputy Commissioner**, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings, may be sent directly to the concerned regulatory authorities and the applicant concerned.



7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of forty five days from date of receipt of the request letter from the applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within eight days of the completion of the public hearing. **Simultaneously, a copy will also be provided to the project proponent.** The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns."

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45 (forty five) days, the Central government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this Notification."

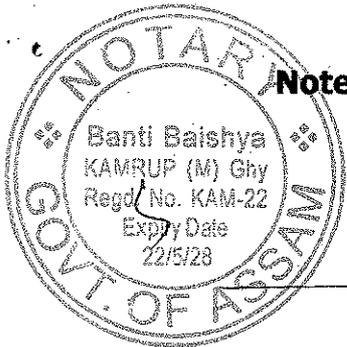
VIII in Appendix V, for para 3, the following para shall be substituted, namely:—

"3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance."

[No. J-11013/56/2004-IA. II(I)]

G. K. PANDEY, Advisor

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E), dated the 11th October, 2007.



तारीख से उपपैरा 2.3 और उप पैरा 2.4 के अनुसार पुनःनियत की गई जन सुनवाई के आयोजित होने तक जनता के लिए उपलब्ध हैं।”;

(ii) पैरा 4.0 में,—

(क) “किसी अपर जिला मजिस्ट्रेट से अन्यून की पंक्ति का उसका प्रतिनिधि” शब्दों के पश्चात्, “या उसके द्वारा इस निमित्त प्राधिकृत कोई अन्य जिला स्तरीय अधिकारी” शब्द अंतःस्थापित किए जाएंगे ;

(ख) विद्यमान पैरा के पश्चात्, निम्नलिखित परंतुक अंतःस्थापित किया जाएगा, अर्थात् :—

“परंतु यदि कोई परियोजना या क्रियाकलाप एक उपखंड की राजक्षेत्रीय अधिकारिता तक सीमित है तो, यथास्थिति, जिला मजिस्ट्रेट/ जिला कलेक्टर/उपायुक्त, यथास्थिति, एसपीसीबी या यूटीपीसीसी के प्रतिनिधि द्वारा सहायता प्राप्त संपूर्ण जन सुनवाई प्रक्रिया का पर्यवेक्षण और उसकी अध्यक्षता करने के लिए उपखंड मजिस्ट्रेट की पंक्ति से अन्यून की पंक्ति के किसी अधिकारी को अनुकल्पी रूप से प्राधिकृत कर सकेगा।”।

[फा. सं. आईए 3-22/10/2022-आईए. III-भाग(1)]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में का.आ. सं. 1533(अ) तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना सं. का.आ. 1953(अ) तारीख 27 अप्रैल, 2022 द्वारा उसमें अंतिम बार संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 9th May, 2022

S.O. 2163(E).—Whereas, the Central Government in the *erstwhile* Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification, 2006) vide number S.O.1533 (E), dated the 14th September, 2006, for mandating prior Environmental Clearance (EC) for certain category of projects;

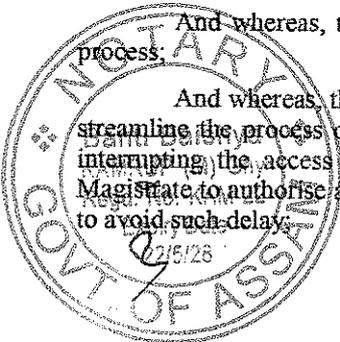
And whereas, for the grant of prior EC, public hearing is mandatory and it is an integral part of the EC process, unless specifically exempted for certain activities as mentioned in the EIA Notification 2006, as amended from time to time;

And whereas, on certain occasions, the public hearings have been postponed due to various reasons often being beyond the control of the Project Proponent and as per the provisions of the EIA Notification 2006, the whole process for the public hearing is to be started afresh resulting in undue delay in completing the EC process;

And whereas, one of the factors which results in delay or postponement of the public hearings is the non-availability of the District Magistrate or his representative not below the rank of an Additional District Magistrate to preside over the proceedings of the public hearing;

And whereas, the Central Government has been receiving representations to streamline the public hearing process;

And whereas, the Central Government taking into account the public interest involved, deems it necessary to streamline the process of the public hearing by reducing undue delays and facilitating public participation without interrupting the access to the information pertaining to the project and also make a provision for the District Magistrate to authorise an officer not below the rank of Sub-Divisional Magistrate to preside over the Public Hearing to avoid such delay.



And whereas, the Central Government further deems it necessary to clarify the ambiguity in Schedule 1(b) with regard to off-shore and on-shore oil and gas exploration, development and production, as amended vide notification no. S.O. 236(E), dated the 16th January, 2020 and as the Central Government has delegated the power to the State Environmental Impact Assessment Authority to grant ECs to all minor mineral mining projects, irrespective of mine lease area, the applicability of the general condition for minor minerals has lost its relevance thereby, in this regard, the Central Government also deems it necessary to remove the applicability of the general condition for mining of minor minerals;

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), readwith sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule(3) of rule 5 of the said rules, in public interest, hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006, namely:-

In the said notification,-

(A) In the Schedule,-

(i) against item 1(a), in column (5), for the portion beginning with the words "General Conditions shall apply except." and ending with the words "on account of inter-state boundary", the following shall be substituted, namely:-

"General Conditions shall apply except for mining of minor minerals.";

(ii) against item 1(b), in column (3), for word "except", the words "with or without" shall be substituted;

(B) in Appendix IV,-

(i) in paragraph 3, after sub-paragraph 3.3, the following sub-paragraph shall be included namely :-

"3.3 (a) In the event of any such postponement referred to in sub-paragraph 3.3, the time duration for convening the rescheduled public hearing should not be less than forty-five days from the date of first advertisement already published in accordance to para 3.1 for initial date of public hearing and it shall be ensured that a minimum notice period of fifteen days shall be provided to the public before the re-scheduled date of the public hearing, for furnishing the responses in writing: Provided that SPCB or UTPCC along with concerned authorities, as mentioned at para 2.2, shall ensure that all requisite documents are available to public in accordance with sub-paragraphs 2.3 and 2.4 from the date of first advertisement published for the initial date of public hearing till convening of the rescheduled public hearing.";

(ii) in paragraph 4.0,-

(a) after the words "his or her representative not below the rank of an Additional District Magistrate", the words "or any other District Level Officer authorised by him or her in this behalf" shall be inserted;

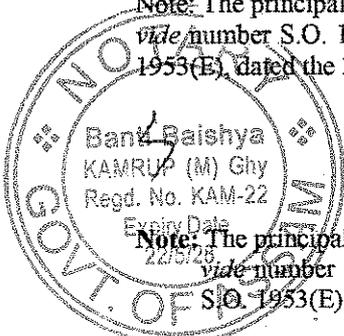
(b) after the existing paragraph, the following proviso shall be inserted, namely :-

"Provided that in case the project or activity is confined to the territorial jurisdiction of one sub-division, the District Magistrate/District Collector/Deputy Commissioner, as the case may be, may alternatively authorise any officer not below the rank of Sub-Divisional Magistrate to supervise and preside over the entire public hearing process assisted by a representative of SPCB or UTPCC, as the case may be."

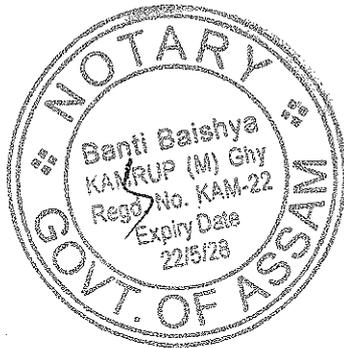
Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub section(ii), vide number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide the notification number S.O. 1953(E), dated the 27th April, 2022.

[F. No. IA3-22/10/2022-IA.III-Part(1)]

Dr..SUJIT KUMAR BAJPAYEE, Jt. Secy.



Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub section(ii), vide number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide the notification number S.O. 1953(E), dated the 27th April, 2022



Guwahati: Public Protest Against Proposed Cement Factory In Sonapur Amidst Community Hearing

Devraj Mahanta (Jun 11, 2024)

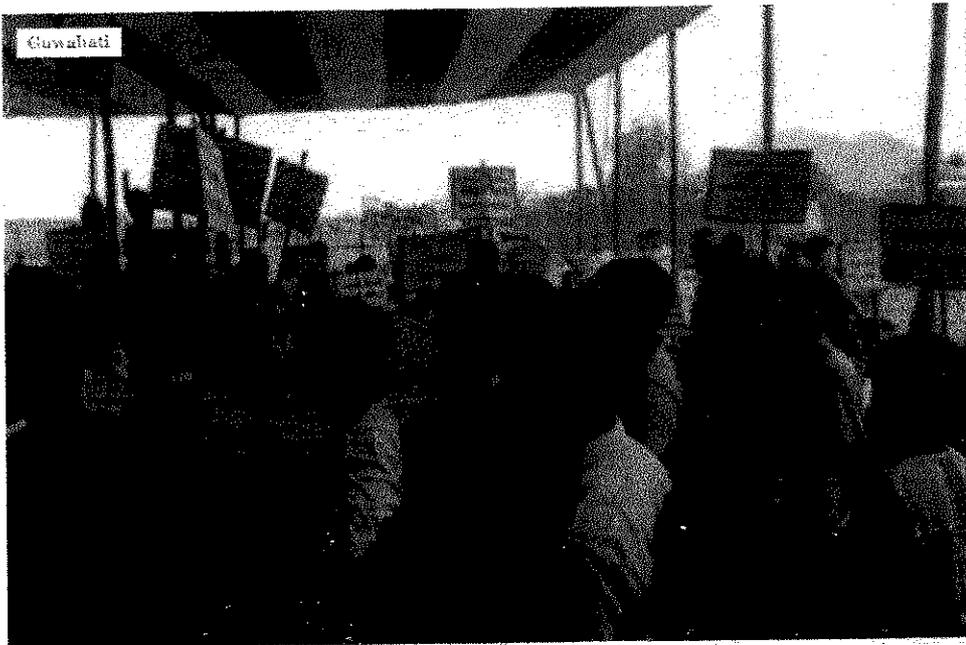


Photo Of Protest Near Sonapur Cement Factory

GUWAHATI: The public hearing on June 10 at Sonapur for the proposed 1.0 MTPA cement plant by M/S Taj Cement Manufacturing Pvt Ltd developed into chaos situation as local residents intensely opposing the project, citing severe pollution concerns and health risks.

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Held under tight security with local police and CRPF personnel, the meeting saw a huge opposition from residents of the Sonapur Revenue Circle. District Development Commissioner Parijat Bhuyan, Circle Officer Upasana Deka, and Additional Chief Environmental Engineer Gokul Bhuyan were among the officials present.



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Despite the tense atmosphere, the hearing commenced, allowing attendees to submit memorandums or voice their support or opposition. However, the majority of residents expressed strong opposition, declaring the hearing "null and void" due to alleged procedural lapses, including inadequate public notification and advertising.

Locals criticised the absence of proper announcements, which they argued led to a lack of awareness among residents.

They demanded another public hearing following proper procedures. Pollution Control Board (PCB) officials promised an inquiry into these allegations, while residents also called for a reassessment of the project's Environmental Impact Assessment (EIA), highlighting discrepancies and the proximity of the proposed site to critical areas such as the Air Force Station in Digaru and the Amchang and Pobitora Wildlife Sanctuaries.

While a few attendees supported the cement plant for its potential to create local employment, the overwhelming sentiment was against it. The hearing witnessed violent clashes between supporters and opponents, resulting in a chaotic scene.

Residents accused existing plants like Star Cement of causing severe air and water pollution, negatively impacting the predominantly agricultural community. They warned that the proposed TAJ Cement plant, estimated to cost ₹342 crores, would magnify environmental degradation and lead to further unrest.

As the public hearing concluded amid strong opposition and emotional appeals, the future of the TAJ Cement plant remains in the dark. The residents' opposition to the cement factory has drawn widespread attention, highlighting the ongoing conflict between industrial development and environmental conservation.



Guwahati: Gas Cylinder Explosion At Brahmaputra Bank Construction Site Leaves One Dead, Five Injured



Guwahati: Two Mobile Snatchers Nabbed In High-Speed Chase



Man Dies By Suicide On Facebook Live In Guwahati



Guwahati Youths' Death: Driver Of Killer-Vehicle Still Absconding



Guwahati District Library To Get ₹51 Crore Upgrade



Assam DGP Orders Probe Into Alleged Police Misconduct In Guwahati

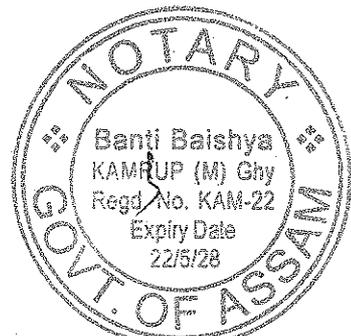


Guwahati: Musth Elephant Causes Chaos Near Janata Bhawan

Guwahati Protest Comment

Navigation links: Previous, Next

Comments (0) Post Comment



POLL QUESTIONS

Do you think ₹10 plastic bottles are one of the major reasons for clogging Guwahati's drains, resulting in urban flooding?

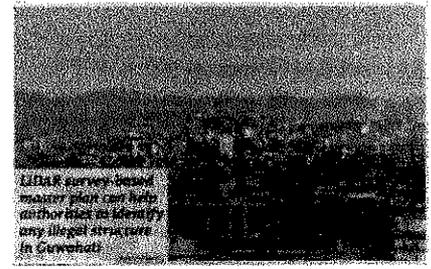
NEWSLETTER

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E-PAPER



CITY LACKS MECHANISM TO IDENTIFY ILLEGAL STRUCTURES



UIAE survey team member (left) and his author (right) identify any illegal structures in Guwahati.

Saturday, June 15, 2024

To,

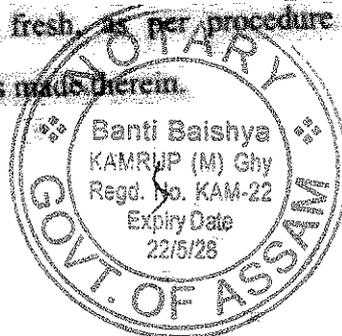
The Member Secretary
State Environmental Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati 781021
Email: neera.acs@assam.gov.in

Sub.: Illegal Public Hearing dated 10/06/2024 of M/s Taj Cement Manufacturing Pvt. Ltd. at Village - Chamata Pathar, District - Kamrup(M).

Sir,

With reference to the subject cited above, we would like to bring to your kind notice that the 'Public Hearing' dated 10/06/2024 of the Split Cement-Grinding Unit (1.0 MTPA) of Taj Cement Manufacturing Pvt. Ltd. at Village - Chamata Pathar, District - Kamrup(M), conducted under the aegis of State Pollution Control Board (SPCB), Assam, is in violation of the EIA Notification, 2006 and amendments made therein, for the following among other reasons:

1. The request for conducting Public Hearing for the above-mentioned cement unit was submitted by the Project Proponent to the Member Secretary, Assam State Pollution Control Board on 26/02/2024 and the 'Public Hearing' was conducted on 10/06/2024, after 106 days. As you are aware that the 'Public Hearing' shall be completed within a period of forty five (45) days from the date of receipt of the request letter from the applicant. Whereas in the instant case the 'Public Hearing' was conducted after around 106 days. Therefore, as a consequence of the failure of Assam State Pollution Control Board to conduct the 'Public Hearing' within the stipulated 45 (forty five) days, SEIAA Assam shall now engage any other agency or authority to complete the process of 'Public Hearing' a fresh, as per procedure laid down in the EIA Notification, 2006, and amendments made therein.



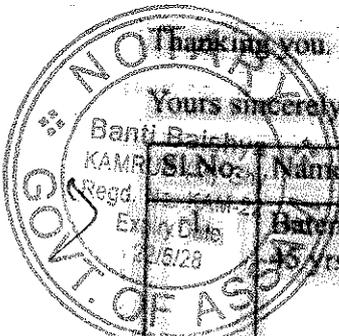
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- The Assam State Pollution Control Board also failed to adequately publicize the 'Public Hearing, and notices were not widely distributed or prominently displayed, resulting in low awareness from the local community. Also, public announcement by P.A systems on the days prior to the date of 'Public Hearing' were not conducted by the said Board.
- The draft EIA report, was not made easily accessible and copies of the same were not made available at local government offices or convenient locations, and hence the public was unable to review the report. A copy of the draft EIA was supposedly made available with the President of the Sonapur Gaon Panchayat, however the term of office of the President of the said Sonapur Gaon Panchayat had expired earlier this year and therefore holds no official mandate in the instant proceedings.

In view of the above, we would like to request you to cancel the 'Public Hearing' dated 10/06/2024 and declare the same illegal for violations of the provisions of the EIA Notification, 2006, and amendments made therein, among other laws. Furthermore, SEIAA Assam shall now engage any other agency or authority other than the Assam State Pollution Control Board to complete the 'Public Hearing' process, as per procedure laid down in the EIA Notification, 2006, and amendments made therein.

Thanking you,

Yours sincerely,

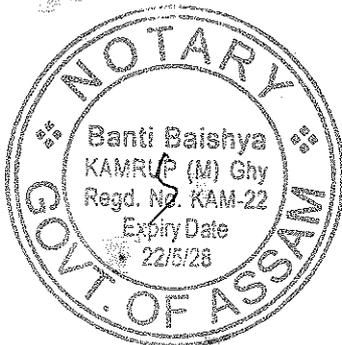


Sl No.	Name	Address & Mobile No.	Signature
1.	Baten Ali 45 yrs	% Ayub Ali Kapalkata village, Sonapur Kamrup Metropolitan District, Assam, INDIA. PIN - 782402. +919854339443	<i>Baten Ali</i>
2.	Arif Ali 42 yrs	% Arman Ali Kapalkata village, Sonapur Kamrup Metropolitan District, Assam, INDIA. PIN - 782402 +918898442945	<i>Arif Ali</i>

3.	Maloti Das 45 yrs	% Prabir Ranjan Das Chamata Pathar village, Sonapur, Kamrup Metropolitan District, Assam, INDIA. PIN - 782402 +919954065758	শ্রী প্রবীর রঞ্জন দাস
4.	Dhaneshwar Phangcho 48 years	% Banamali Phangcho Dikchak village, Sonapur Kamrup Metropolitan District, Assam, INDIA. PIN - 782402 +918761028312	শ্রী ধনেশ্বর ফাংচো
5.	Sajid Sikdar 32 years	% Abdul Rob Sikdar Tulsinagar, Chamata Pathar, Sonapur, Kamrup Metropolitan District, Assam, INDIA. PIN - 782402 +917002459895	Sajid Sikdar.
6.	Rakesh Hazarika 38 years	C3, 3rd Floor, Talukdar Complex, New Market, Sonapur, Kamrup Metropolitan District, Assam, INDIA. PIN - 782402 +917002214358 rh@gprf.co.in	Rakesh Hazarika

Copy to:

1. The Chairman, SEIAA Assam, Ghy 21. Email: chmn-seiaa-as@gov.in
2. The Member Secretary, SPCB Assam, Ghy 21. Email: membersecretary@pcbassam.org



**Illegal Public Hearing dated 10/06/2024 of M/s Taj Cement Manufacturing Pvt. Ltd.
at Village - Chamata Pathar, District - Kamrup (M)**



Me <rh@gprf.co.in>

Sat, 15 Jun 2024 10:07:56 AM +0530 •

To "neeraacs" <neera.acs@assam.gov.in>

Cc "chmn-seiaa-as" <chmn-seiaa-as@gov.in>, "membersecretary"
<membersecretary@pcbassam.org>

Bcc "vikramrajkhowa" <vikram.rajkhowa@gmail.com>

Tags Cement Factory issues

Smti Neera Daulagupu, ACS

**Member Secretary, State Environmental Impact Assessment Authority (SEIAA) Assam
Bamunimaidam, Guwahati, Assam, INDIA. PIN - 781021**

Copy to

- The Chairman, State Environmental Impact Assessment Authority (SEIAA) Assam
- The Member Secretary, State Pollution Control Board Assam, Ghy 21.

Madam

PFA our petition to SEIAA Assam, objecting to the illegalities of the public hearing conducted on 10/06/2024 of M/s Taj Cement Manufacturing Pvt. Ltd. at Village - Chamata Pathar, District - Kamrup(M).

Sincerely

Rakesh Hazarika

Director, GLOBAL PANDEMIC RESPONSE FORUM

Call: +91 70022 14358

Call me on WhatsApp: [Voice](#) | [Video](#)

Address: C3, 3rd Floor, Block C, Talukdar Complex
New Market, Sonapur, Kamrup Metropolitan
Assam, INDIA. PIN - 782402.

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Petition_SEIAA.pdf

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