

SL NO. 36

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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
FINANCE CENTRE, KOLKATA, WEST BENGAL

Appeal No. /2024/EZ

“SEVASETU” & ANOTHER

...APPELLANTS

VERSUS

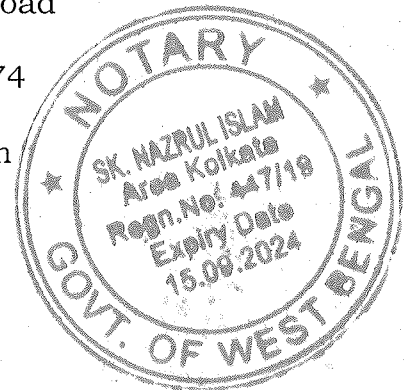
THE STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA), BIHAR
AND OTHERS

...RESPONDENTS

**PAPER BOOK
FOR INDEX PLEASE SEE INSIDE**

Brief for:

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09 SEP 2024

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Memorandum of Appeal

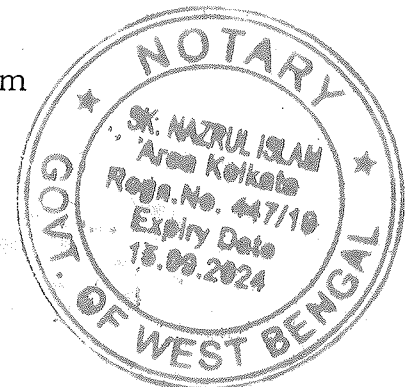
Brief for:

Paushali Banerjee

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Advocate

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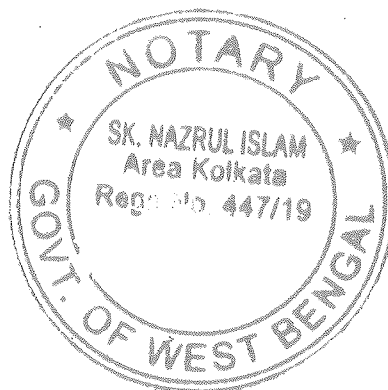
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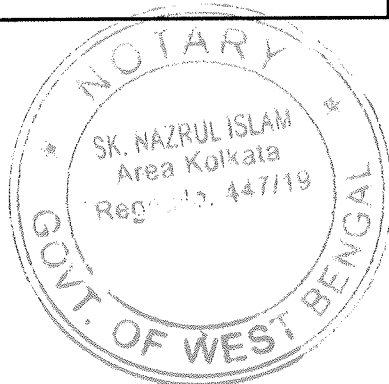
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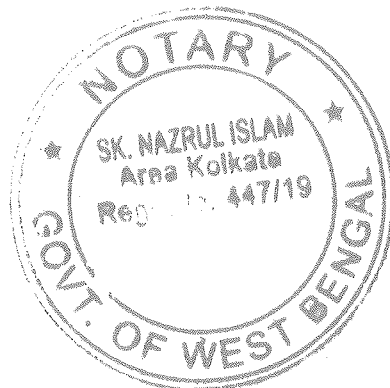
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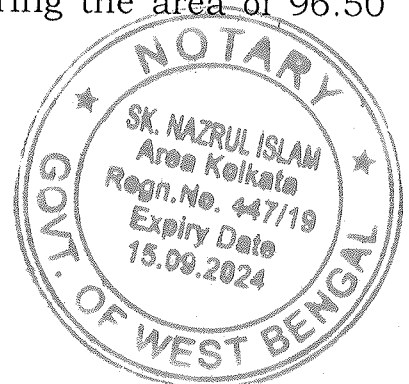
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Synopsis

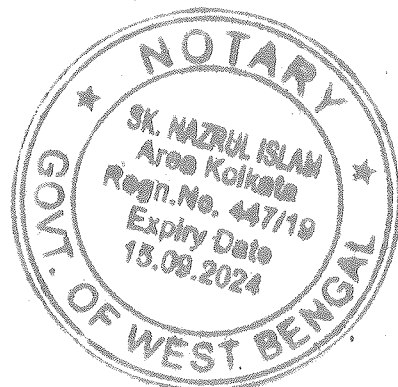
The present Memorandum of Appeal has been presented under Section 16 of the National Green Tribunal Act, 2010 impugning inter-alia the Environmental Clearance granted by the State Environmental Impact Assessment Authority on August 10, 2024 in favor of M/s Shivam Coke Pvt. Ltd., A company incorporated under the Companies Act, having it's registered office at 6/19 A, Poddar Nagar, 1st Floor, Post Office – Jodhpur Park, Police Station – Jadavpur, Kolkata, West Bengal, Pin Code – 700068, in respect of proposed river bed sand mining project covering the area of 96.50



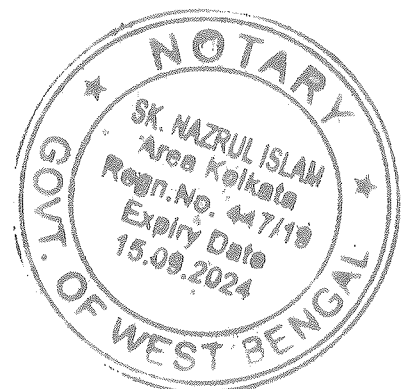
Ha at the Rothas Sand Ghat 08, on Sone River at District – Rothas in the State of Bihar, on the ground inter alia:-

- I. **That** from the District Survey Report of District Rothas, Bihar, as available in the PARIBESH Portal, no information has been furnished as to whether the same has been finally approved by the SEIAA and also as to when the same was approved by the SEIAA.

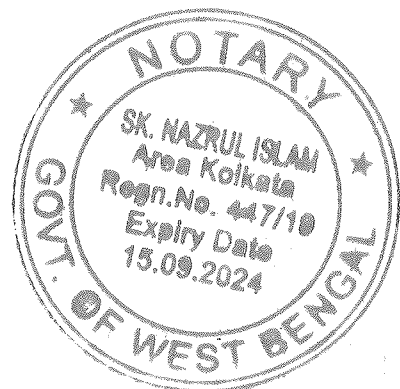
- II. **That** the appellants have every apprehension that the plot in question was put to auction even before the DSR was approved by the SEIAA, after the same was sent for consideration by SEAC on 7.4.2022. And, the impugned EC has been granted on the basis of the quantity of minable reserve shown with the auction documents. Moreover, the impugned EC has been granted on the basis of the DSR, wherefrom it would be ex facie clear that no replenishment study in respect of the said mining plot was conducted. The impugned Environmental Clearance dated 10-08-2024 issued in favor of the respondent no. 2, is therefore, ex facie not tenable in the eye of law and same is liable to be quashed at once.



- III. That** no Environment Impact Assessment report or Environment Management Plan has been framed by the respondent no. 2, to meet the problem of alarming decrease of Ground Water Level in the District of Rohtas due to the proposed sand mining activity, which is sine qua non for obtaining EC as a B-1 category of unit, as per the EIA Notification, 2006 as amended by EIA Notification dated August 14, 2018.
- IV. That** the impugned EC has been granted even without the respondent no. 2 submitted its Environment Management Plan to meet the adverse impact on flora and fauna of the river, which would suffer detrimental effect due to the proposed sand mining activity of the respondent no. 2.
- V. That** according to the information available to the appellants, from the villagers of the nearby locality, relating to the “public hearing” it would appear that the mandatory formalities prescribed under Appendix – IV of the EIA Notification, 2006 was not followed by the State Pollution Control Board, Bihar while granting EC to the respondent no. 2.



- VI. That** the document uploaded in the PARIVESH Portal would further bolster the claim of the appellants that the public hearing was conducted in utter violation to the clause 3.1 and 3.2 of the appendix – IV of the EIA Notification, 2006.
- VII. That** the impugned EC is a product of erroneous and / or colorful exercise of power by the SEIAA, Bihar.
- VIII. That,** from the PARIVESH portal it is appearing that the application was submitted by the respondent no. 2 on 28-5-2024 and from the report of the public consultation it is appearing that the same was held on 15-3-2024. Therefore, it is ex facie clear that the report of the public hearing has been procured by practicing fraud.
- IX. That** from the dates mentioned in page no. 4 of the impugned EC it is crystal clear that the EIA report was submitted by the respondent no. 2 on 15-06-2024 i.e. long after the public hearing was conducted on 15-03-2024.



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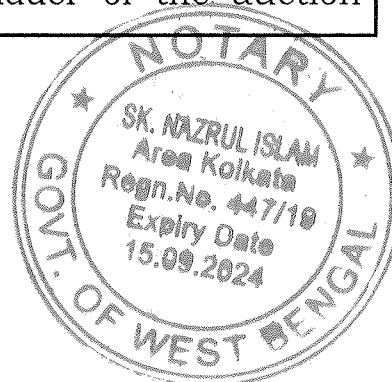
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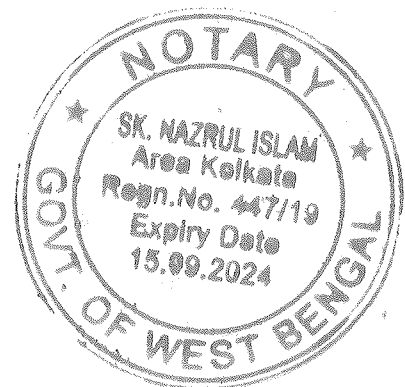
...RESPONDENTS

List of Dates and events

Date	Events
April 20, 2023	The letter of intent in respect of mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza – Darihat, Block – Dehri, District - Rothas on Sone River was issued in favor the respondent no. 2 being successful bidder of the auction



	process for granting mining lease 21.11.2022;
March 15, 2024	The purported public consultation was held as per EIA Notification, 2006 even before the submission of the respondent no. 2 for Environment Clearance;
May 28-May 29, 2024	According to PARVIESH portal the respondent no. 2 submitted application for EC;
June 15, 2024	According to EC, the respondent no. 2 submitted application for EC;
June 15, 2024	EIA Report submitted long after the purported public consultation;
July 10, 2024 to July 23, 2024	Processed by SEAC and recommendation was made to SEIAA for granting EC;
August 10, 2024	Impugned EC was granted by SEIAA, Bihar in respect of mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza - Darihat, Block - Dehri, District - Rothas on Sone River was issued in favor the respondent no. 2.



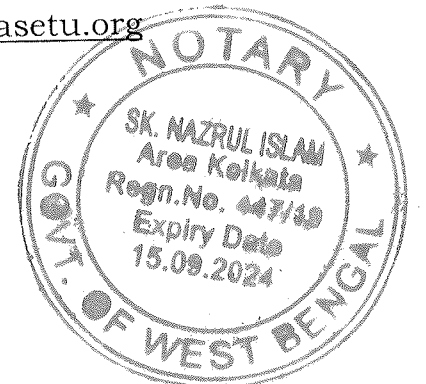
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BETWEEN:

1. "SEVASETU" a Non-governmental Organization, registered under the Societies Registration Act, 1860, having its office at Arpana Bank Colony, Phase - 2, New Bailey Road, Ram Jaipal Nagar, Danapur, Patna - 801503, represented by its Chairman viz. Nishant Kumar Ojha Son of Nirmal Kumar Ojha, "SEVASETU" a Non-governmental Organization, registered under the Societies Registration Act, 1860, of Seva Setu, Ram Jaipal Road, Near Sakhi, Arpana Bank Colony, Phase - 2, Dinapur -Cum- Khagual, Patna, Bihar - 801503;
E-mail: nishant@sevasetu.org



2. Nishant Kumar Ojha, Son of Nirmal Kumar Ojha, Chairman, "SEVASETU" a Non-governmental Organization, registered under the Societies Registration Act, 1860, of Seva Setu, Ram Jaipal Road, Near Sakhi, Arpana Bank Colony, Phase - 2, Dinapur -Cum- Khagual, Patna, Bihar - 801503;

E-mail: nishant@sevasetu.org

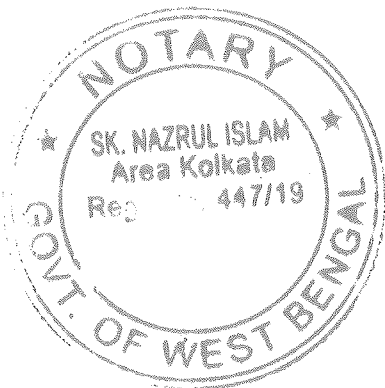
...Appellants

And

1. The State Environment Impact Assessment Authority (SEIAA), Bihar Service through it's Member Secretary, having it's office at BELTRON Bhawan, 2nd Floor, Shastri Nagar, Bailey Road, Patna - 800023;

E-mail:- seiaabihar@gmail.com

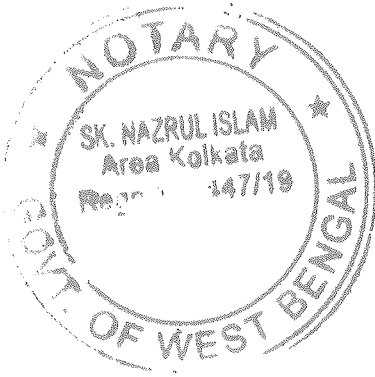
2. M/s Shivam Coke Pvt. Ltd., A company incorporated under the Companies Act, represented by it's Director having it's registered office at 6/19 A, Poddar Nagar, 1st Floor, Post Office - Jodhpur Park, Police Station - Jadavpur, Kolkata, West



Bengal, Pin Code – 700068 and the working office at Bungalow No. 06, Chanchani Colony, Near Hirak Point, Dhanbad, Jharkhand, Pin – 826004, Jharkhand ;

E-mail:

shivamcokejamui13@gmail.com



3. The Bihar State Pollution Control Board, represented by its Member Secretary, BELTRON Bhawan, Shastri Nagar, Jawahar Lal Nehru Marg, Patna – 800023; E-mail: msbspcb-bihar@gov.in

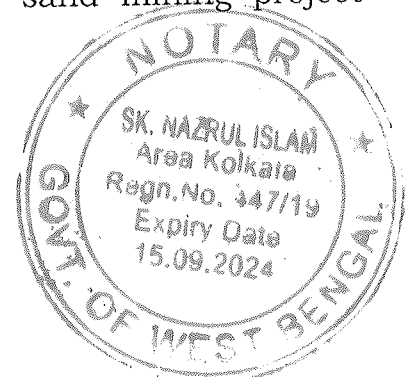
...Respondents

- I. The address of the appellants is given for the purpose of service of notices of this appeal.
- II. All the addresses of the respondents are given for the purpose of service of notices of this appeal.
- III. The appellants above-named beg to present the Memorandum of appeal under Section 16 (h) of the National Green Tribunal Act, 2010 impugning the Environmental Clearance granted by the State Environmental Impact Assessment Authority on August 10, 2024 in favor of M/s Shivam Coke Pvt. Ltd., A company incorporated under the Companies Act, having its registered office at 6/19 A, Poddar Nagar, 1st Floor, Post Office – Jodhpur Park, Police Station – Jadavpur, Kolkata, West Bengal,

Pin Code – 700068, in respect of proposed river bed sand mining project covering the area of 96.50 Ha at the Rothas Sand Ghat 08, on Sone River at District – Rothas in the State of Bihar.

Fact in brief:

1. That appellant no. 1 is a Non-governmental Organization registered under the Societies Registration Act, 1860, represented by it's Chairman viz. Nishant Kumar Ojha i.e. the appellant no. 2. The said Organization was / is all along instrumental for protection and development of the environment in the several districts within the State of Bihar including the District – Rothas. The appellants in recent past have witnessed alarming degradation of environment, caused due to indiscriminate and rampant mining of river bed sand in the different district of the State of Bihar, including Rothas, which is a rich source of river bed sand. The activity of illegal sand mining has been causing adverse impact on the channel of the stream of the rivers, environment of the eco-logical system of river basin, conservation of river equilibrium, river bed erosion, pollution of river water, ground water level and it's quality, flora and fauna of the rivers, etc. Therefore, the appellant has a strong locus standi to prefer this appeal against the Environmental Clearance granted by the State Environmental Impact Assessment Authority on August 10, 2024 in favor of M/s Shivam Coke Pvt. Ltd., A company incorporated under the Companies Act, having it's registered office at 6/19 A, Poddar Nagar, 1st Floor, Post Office – Jodhpur Park, Police Station – Jadavpur, Kolkata, West Bengal, Pin Code – 700068, in respect of proposed river bed sand mining project

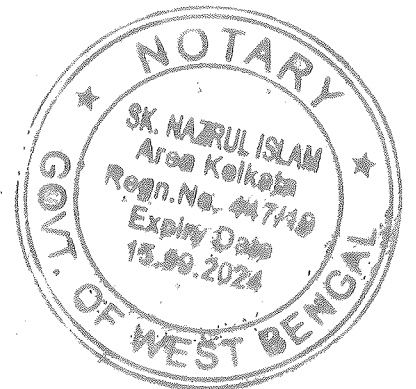


covering the area of 96.50 Ha at the Rothas Sand Ghat 08, on Sone River at District – Rothas in the State of Bihar.

2. That the appellants have come to learn from the portal of Ministry of Environment, Forest and Climate Change, Union of India viz. PARIVESH that an Environmental Clearance has been granted by the State Environmental Impact Assessment Authority i.e. the respondent no. 1 herein, on August 10, 2024 in favor of M/s Shivam Coke Pvt. Ltd., A company incorporated under the Companies Act, having it's registered office at 6/19 A, Poddar Nagar, 1st Floor, Post Office – Jodhpur Park, Police Station – Jadavpur, Kolkata, West Bengal, Pin Code – 700068, i.e. the respondent no. 2 herein in respect of proposed river bed sand mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, on Sone River at District – Rothas in the State of Bihar.

3. That according to EIA Notification, 2006 as amended on August 14, 2018, the proposed sand mining activity of the respondent no. 2 falls under the category “B-1” project of the said EIA Notifications. Therefore, according to the amendment of EIA Notification of August 14, 2028, project or activity of the proposed sand mining activity of the respondent no. 2 need to comply the mandatory requirement for obtaining the Environmental Clearance, which are inter alia as follows:-

- Form – I (duly filled up);
- Pre-feasibility Report (PFR);
- District Survey Report (DSR);



- Approved Mining Plan;
- Environmental Impact Assessment and Environment Management Plan;

The activity of the unit of the respondent no. 2 further requires a public hearing, to be conducted by the respondent no. 2, before issuing the said Environmental Clearance.

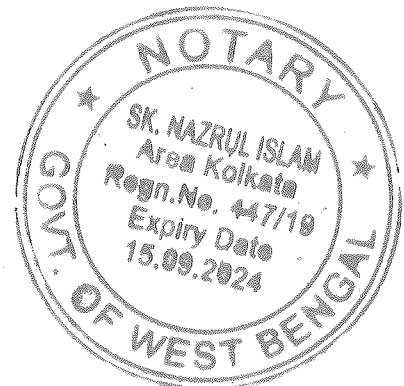
The photocopy of the EIA Notification dated August 14, 2018 is annexed, marked as **Annexure - A**

4. The following procedure has been laid down in EIA Notification, 2006, to issue environmental clearance to the projects and activities:-

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

(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**

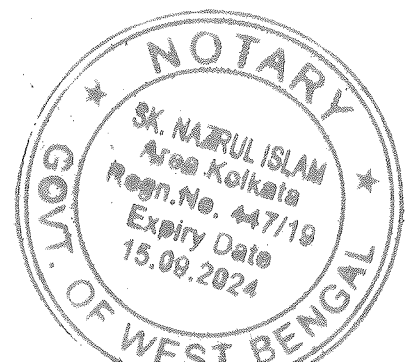


I. Stage (1) - Screening :

In case of Category 'B' projects or activities, this stage will entail the scrutiny or an application seeking prior environmental clearance made in Form 1 by the concerned Stage 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 and B2 except item 8(b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

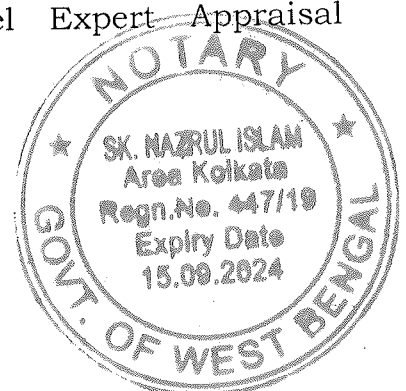
II. Stage (2) - Scoping:

(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 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 Form1/ Form 1A 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. 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 Form1/Form1A 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

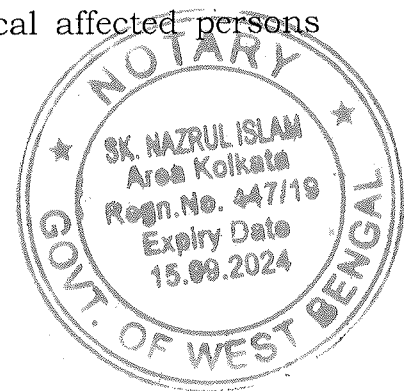


Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, 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.

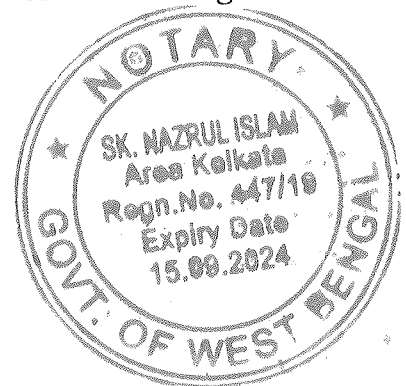
III. Stage (3) - Public Consultation :

(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 following:-

- (a) Modernization or 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.
- (cc) maintenance dredging provided the dragged material shall be disposed within port limits".
- (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).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defense and security or involving other



strategic considerations and determined by the Central Government.

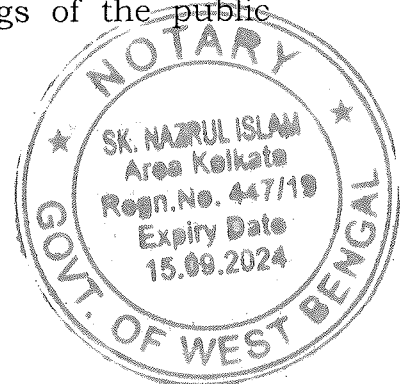
(ii) The public consultation shall ordinarily have two components comprising of:-

(a) The 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 on the satisfied manner and forward the proceedings to the regulatory authority concerned within 45 (forty-five) of a request to the effect from the applicant.

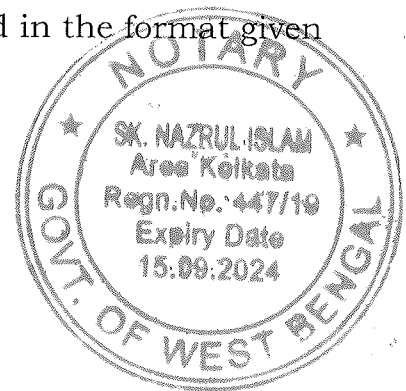
(iv) in case the State Pollution Control Board or the Union Territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public



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.

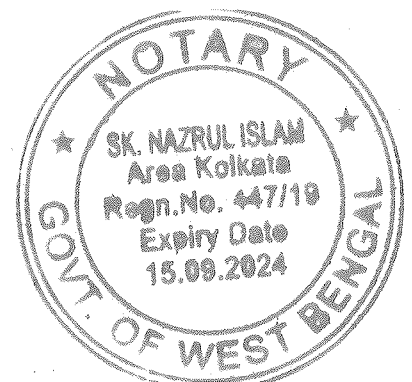
(v) if the public agency or authority nominated under the sub-paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, 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 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 website. 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.

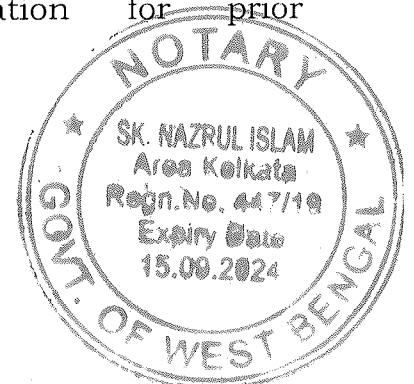
(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory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



supplementary report draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal :

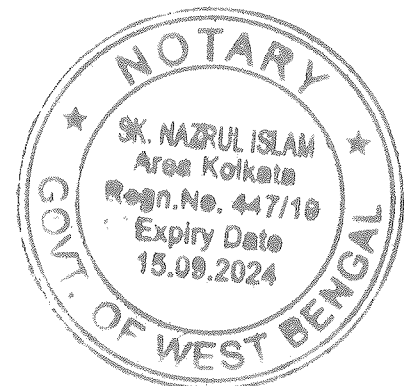
(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory 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 and Environmental 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 1A, 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.

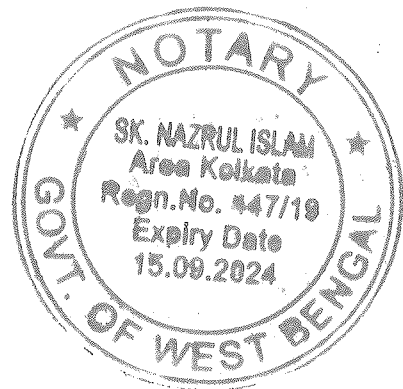


The Photocopy of the relevant part of the EIA Notification, 2006 is annexed marked as **Annexure - B**.

5. Now, on further appraisal of the PARIVESH Portal of MoEF and CC of the Government of India, it would transpire that the respondent no. 2 submitted the purported approved mining plan, Pre-feasibility Report, 1-M Form, Terms of reference, etc.

6. Now, from the documents available in the PARIVESH portal in respect of the EC granted in favor of the respondent no. 2 the following fact has been revealed:-

- i. That the letter of intent was issued in favor of respondent no. 2 from the District Mining Office for granting mining lease on April 20, 2023 in respect of the mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza - Darihat, Block - Dehri, District - Rothas on Sone River in the State of Bihar (hereinafter referred to as the "said sand ghat");
- ii. That mining plan of the respondent no. 2 in respect of the said sand ghat was prepared by "united Exploration India Private Limited" a accredited agency and the same was approved by the Department of



Mines and Geology, Government of Patna on May 19, 2023;

The Photocopy of the relevant page showing approval of the mining plan showing date of approval on May 19, 2023 is annexed, marked as **Annexure - C**.

- iii. The application for Environmental Clearance was submitted by the respondent no. 2 nearly after one year of approval of mining plan i.e. between May 28, 2024 and May 29, 2024;
- iv. The said application / proposal was processed by State Environmental Appraisal Committee between July 10, 2024 and July 23, 2024;
- v. The matter was referred to SEIAA between July 23, 2024 and August 10, 2024 and the SEIAA granted the EC on August 10, 2024;

7. Be it mentioned that that “Sustainable Sand Mining Guidelines, 2016 and Enforcement and Monitoring Guideline of Sand Mining, 2020 (EMGSM-2020)” issued by MOEF & CC requires preparation of District Survey Report (DSR), which is an important initial step before grant of mining lease/LOI. The guidelines emphasize detailed procedure to be followed for the purpose of identification of areas of aggradations /deposition where mining can be allowed and identification of areas of erosion and proximity to infrastructural structures and installation where



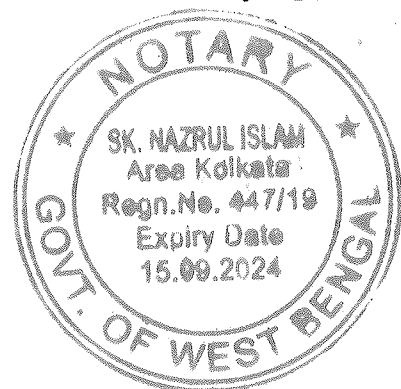
mining should be prohibited. Calculation of annual rate of replenishment, allowing time for replenishment after mining, identification of ways of scientific and systematic mining; identifying measures for protection of environment and ecology and determining measures for protection of bank erosion benchmark (BM) with respect to mean Sea Level (MSL) should be made essential in mining channel reaches (MCR) below which no mining shall be allowed. The District Survey Report will form this basis for application for environmental clearance, preparation of reports and appraisal of projects.

OBJECTIVES

The main objective of the Revised District Survey Report (as per the EMGSM 2020) is to ensure the following –

- To study the mineral-bearing area and also define the mining and no mining zones considering various environmental and social factors.
- Identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time of replenishment after mining in that area.
- To study the potential mining area of mineral in the district.

8. But from the District Survey Report of District Rohtas, Bihar, as available in the PARIBESH Portal, no information has been furnished as to whether the same has been finally approved



by the SEIAA and also as to when the same was approved by the SEIAA.

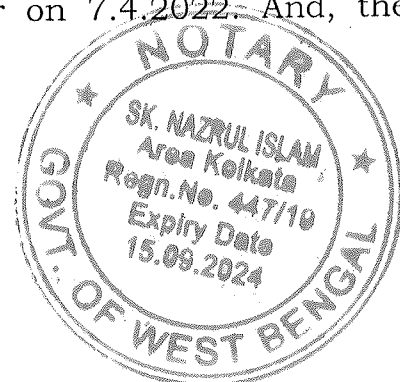
9. It is no more res-integra, in view of the Judgment of the Principal Bench of Hon'ble NGT delivered on May 9, 2024 in OA 747 of 2023 (Raj Kumar -Versus- MoEF and CC) that "the DSR / approved DSR becomes final on the date when it is approved by the SEIAA".

10. It is held in the Judgment Delivered by the Principal Bench of Hon'ble NGT on February 22, 2022 in case Appeal No. 25 of 2021 (Prabhat Mohan Pandey -Versus- Union of India and others) that:-

"VI. e-auction / auction / tender should be done in accordance with Sustainable Sand Mining Guideline 2016 as well as Enforcement and Monitoring Guidelines Sand Mining 2020 and only where detailed approved DSR and Annual Replenishment Study are available.

VII. EC should be accorded only to the limit of auctioned and sustainably permissible quantity."

11. Here in this case nothing is transpiring from the PARIVESH portal that the plot in question was put to auction before / after the DSR was approved by the SEIAA. Be it mentioned that only the fact is transpiring from the said portal that the DSR was sent for consideration by SEAC to SEIAA, Bihar on 7.4.2022. And, the



impugned EC has been granted on the basis of the quantity of minable reserve shown with the auction documents.

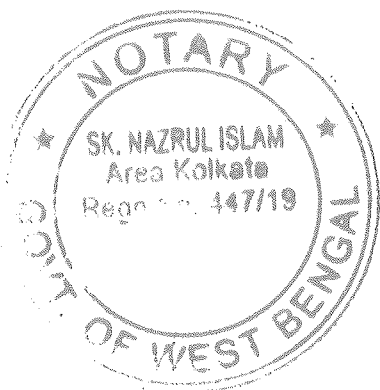
12. Moreover, the impugned EC has been granted on the basis of the DSR, wherefrom it would be ex facie clear that no replenishment study in respect of the said mining plot was conducted. The impugned Environmental Clearance dated 10-08-2024 issued in favor of the respondent no. 2, is therefore, ex facie not tenable in the eye of law and same is liable to be quashed at once.

The photocopy of the relevant pages of SEAC's communication of DSR to SEIAA for consideration dated 7.4.2022 is annexed marked as **Annexure - D.**

The appellant craves the leave of Your Lordships to produce the District Survey Report at the time of hearing.

13. The appellants state that inadequate recharge of Ground Water has taken an alarming shape in the District of Rothas. According to the report published in Hindustan Times on September 02, 2024, continuous decline in ground water level and reservoirs have led to drinking water crisis in many areas of South Bihar especially in Kaimur Plateau areas of Aurangabad, Rothas and Kaimur District.

The photocopy of the newspaper reporting of Hindustan Times dated



September 02, 2024 is annexed marked as **Annexure – E.**

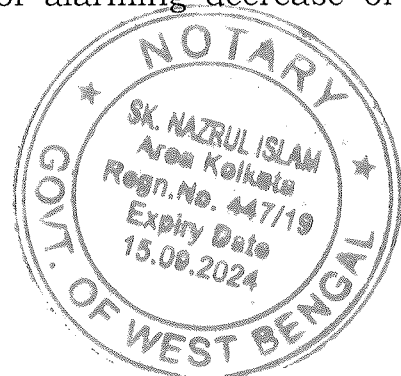
14. According to the summary of the report of Central Ground Water Board, the sand mining activity in the District of Rothas contributing adverse impact on the ground water level.

The photocopy of the summary of the report of the Central Ground Water Board is annexed, marked as **Annexure – F.**

15. That from page – 18 and 19 of the District Survey Report it is crystal clear that that said issue was not at all into consideration in preparation of the DSR. The proposal of EC of the respondent no. 2, which was granted on the basis of the said DSR is also bad in law is liable to be set aside.

16. That considering the problem of Ground Water Level, the respondent no. 1 ought to regulate the mining activity in the District of Rothas and the same ought to have been taken care of in the DSR. Since the DSR was considered by the SEAC on perfunctory exercise of the obligation casted to it, the impugned EC, which has been granted relying upon the said DSR is also liable to be set aside.

17. That no Environment Impact Assessment report or Environment Management Plan has been framed by the respondent no. 2, to meet the problem of alarming decrease of



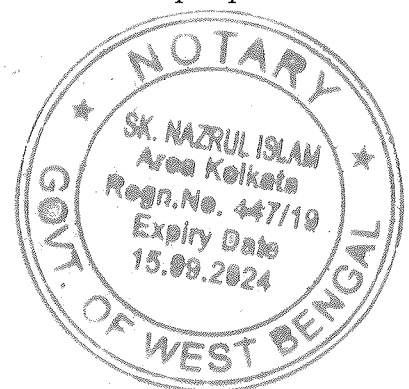
Ground Water Level in the District of Rothas due to the proposed sand mining activity qua the said mining plot, which the respondent no. 2 is legally duty bound to do, for obtaining EC as a B-1 category of unit, as per the EIA Notification, 2006 as amended by EIA Notification dated August 14, 2018.

18. The appellants submit that the impugned EC has been granted even without the respondent no. 2 submitted its Environment Management Plan to meet the adverse impact on flora and fauna of the river, which would suffer detrimental effect due to the proposed sand mining activity of the respondent no. 2.

19. Your appellants submit that the unit of the respondent no. 2, being come within the category of "B-1" project under the EIA Notification 2006 as amended in August, 2018, has to follow the pre - requisite mandatory condition of "public consultation" to be conducted by the State Pollution Control Board, Bihar, in the manner as prescribed in clause 7.III of the EIA Notification, 2006, subscribed in paragraph no. 4 herein above.

20. That according to the information available to the appellants, from the villagers of the nearby locality, relating to the "public hearing" it would appear that the mandatory formalities prescribed under Appendix - IV of the EIA Notification, 2006 was not followed by the State Pollution Control Board, Bihar, which are as follows:-

- No arrangement was made to publicize the interested persons to send their comments in respect of the proposed sand to the regulatory authority;

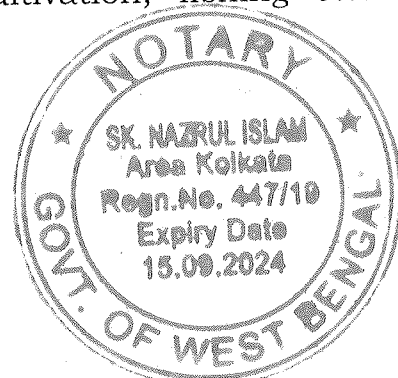


- The summary of the draft Environment Impact Assessment report was not made available in the web site;
- No information was given as to the place / office where the EIA in respect of the said proposed mining activity was made available;
- No arrangement was made in compliance to the procedure laid down in clause 3.1 and 3.2 of the appendix – IV of the EIA Notification, 2006 to publicize the interested persons i.e. the nearby villagers regarding the said public hearing.

The document uploaded in the PARIVESH Portal would further bolster the claim of the appellants that the public hearing was conducted in utter violation to the clause 3.1 and 3.2 of the appendix – IV of the EIA Notification, 2006.

The photocopy of the recording of proceeding of Public hearing as available in the PARIVESH Portal is annexed, marked as **Annexure – G.**

21. The appellants have been informed by the villagers that rampant and unplanned sand mining activity is being carried out in the said area for which the environment of the locality has been facing a grave detrimental effect. The livelihood of the nearby villagers is mostly depending on cultivation, fishing etc. The

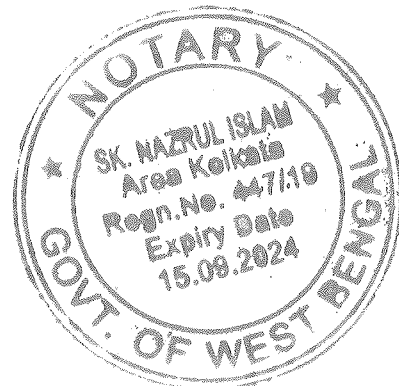


negative impact of sand mining activity in the area in question and frequent movement of heavy vehicles through the narrow village road for transportation of sand in unscientific manner not only affecting the livelihood of the residents of nearby village but also causing grave negative impact on the fundamental right of the nearby residents to maintain their life in peaceful manner in pollution free environment, that the villagers used to spend in the village for so many years for generation after generation.

22. The villagers have thus now decided to participate every process of public hearing to be conducted for granting EC for sand mining activity to ventilate their grievances against the indiscriminate allotment of sand ghats in the locality.

23. That since the villagers were unaware as to the date and venue of the said public hearing in this case therefore neither of them could participate in the public hearing. The same would also appear from the report of the public hearing as available in the PARIVESH portal in respect of the filed relating to granting EC for proposed mining activity in the said sand ghat.

24. That from the PARIVESH portal it is appearing that the application was submitted by the respondent no. 2 on 28-5-2024 and from the report of the public consultation it is appearing that the same was held on 15-3-2024. Therefore, it is ex facie clear that the report of the public hearing has been procured by practicing fraud and as such the impugned EC dated 10-08-2024 is liable to be quashed.



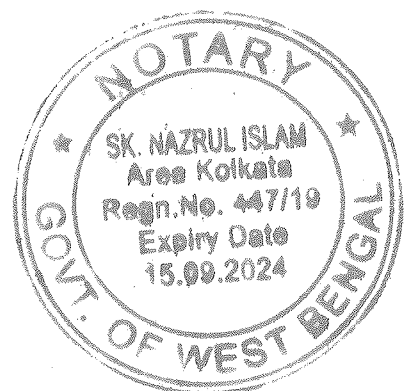
The dates mentioned in PARIVESH portal regarding the progress of the application of the respondent no. 2 for EC is annexed marked as **Annexure - H**

25. That from the dates mentioned in page no. 4 of the impugned EC it is crystal clear that the EIA report was submitted by the respondent no. 2 on 15-06-2024 i.e. long after the public hearing was conducted on 15-03-2024 and as such the report public hearing as furnished in the PARIBESH portal in respect of the impugned EC of the respondent no. 2 is manufactured and not tenable in the eye of law. As such, the impugned EC is liable to be set aside.

26. The impugned EC has been granted without considering the information provided by the respondent no. 2 in project details which is as follows:-

“The mine lease area lies in Seismic Zone – III. The zone is classified as High Damage Zone. Floods are also anticipated during monsoon season. However mining will be stopped during monsoon and flood alerts will be given during non monsoon period, if any”

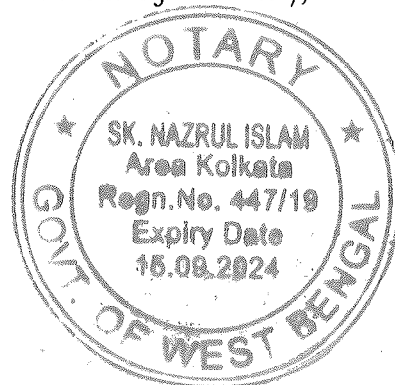
Therefore, the mining activity in said area should be prohibited or regulated by imposing with special condition in EC, which has not made in the impugned EC dated 10-08-2024.



The photocopy of the project details as submitted by the respondent no. 2 is annexed, marked as **Annexure - I**.

27. The appellants have been further informed that some of the villagers of nearby villages after being informed as to the granting of EC, impugned herein, made representations on August 19, 2024 to the concerned authorities ventilating their grievance relating to the purported action of the respondent no. 1 of granting EC in favor of the respondent no. 2 on 10-08-2024 for proposed sand mining activity at the said sand ghat inter alia on the grounds as follows:-

- That the proposed mining activity would cause detrimental effect on the ground water level in the locality;
(As per the Compliant made by villager viz. Birat Raj);
- The said proposed mining activity would cause negative impact on the fish (including some rear species of fish);
(As per the Compliant made by villager viz. Deva Singh);
- The said EC has been granted upon practicing conspiracy upon the farmers of the locality by not informing them as to the date of public hearing;
(As per the Compliant made by villager viz. Suraj Kumar);



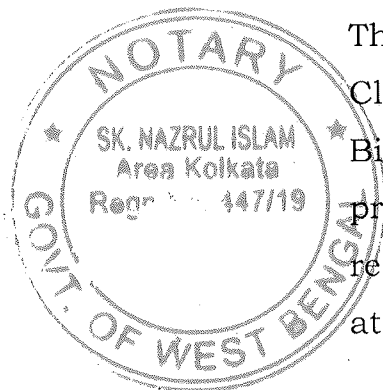
- The said proposed mining activity and the transportation of mined material would cause negative impact on the environment of the locality as well as cause inconvenience to the villagers of the locality;

(As per the Compliant made by villager viz. Pawan Kumar)

The photocopy of the said complaints and the tracking report are annexed marked as **Annexure -J**, collectively

The applicants crave to leave to produce the postal receipts relating to the service of said complaints (by registered post) at the time of hearing, if necessary.

28. In that backdrop unless the prayer made herein below is granted with the utmost promptitude the villagers of the nearby village vs more particularly the people of Darihat village would suffer irreparably. The appellants have preferred this appeal under Section 16 of the NGT Act. 2010 being instrumental against the granting of Environmental Clearance by the SEIAA, Bihar on 10-08-2024 in respect of the proposed mining activity of the respondent no. 2 covering the huge area of 96.50 Ha. at the Rothas Sand Ghat 08, within Mouza - Darihat, Block - Dehri, District - Rothas on Sone River.



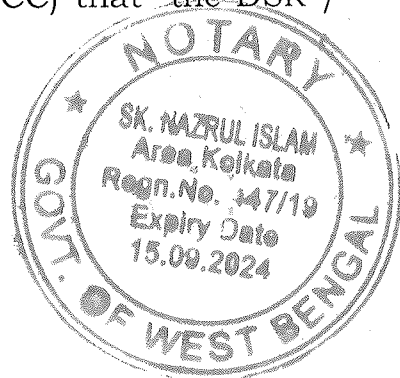
The impugned Environmental Clearance granted by the SEIAA, Bihar on 10-08-2024 for proposed mining activity of the respondent no.2 on Sone River at the Rothas Sand Ghat - 08,

comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza – Darihat, Block – Dehri, District - Rothas on Sone River is annexed marked as **“Annexure – K”**.

29. The appellants herein being aggrieved granting of Environmental Clearance by the SEIAA, Bihar on 10-08-2024 in respect of the proposed mining activity of the respondent no. 2 in respect of the mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza – Darihat, Block – Dehri, District - Rothas on Sone River, begs to prefer on the following amongst other grounds:-

Grounds:

- I. **Because** from the District Survey Report of District Rothas, Bihar, as available in the PARIBESH Portal, no information has been furnished as to whether the same has been finally approved by the SEIAA and also as to when the same was approved by the SEIAA.
- II. **Because**, it is no more res-integra, in view of the Judgment of the Principal Bench of Hon'ble NGT delivered on May 9, 2024 in OA 747 of 2023 (Raj Kumar –Versus- MoEF and CC) that “the DSR /



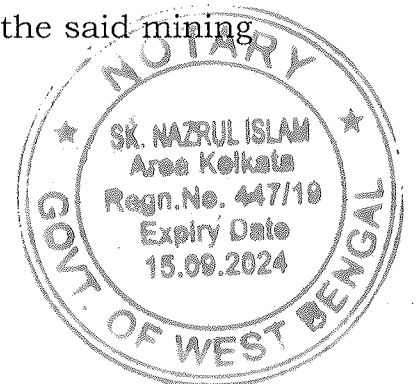
approved DSR becomes final on the date when it is approved by the SEIAA”.

III. Because, it has been held in the Judgment Delivered by the Principal Bench of Hon’ble NGT on February 22, 2022 in case Appeal No. 25 of 2021 (Prabhat Mohan Pandey –Versus- Union of India and others) that:-

“VI. e-auction / auction / tender should be done in accordance with Sustainable Sand Mining Guideline 2016 as well as Enforcement and Monitoring Guidelines Sand Mining 2020 and only where detailed approved DSR and Annual Replenishment Study are available.

VII. EC should be accorded only to the limit of auctioned and sustainably permissible quantity.”

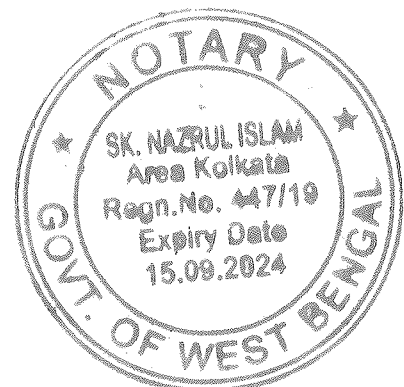
IV. Because, here in this case the appellants have every apprehension that the plot in question was put to auction even before the DSR was approved by the SEIAA, after the same was sent for consideration by SEAC on 7.4.2022. And, the impugned EC has been granted on the basis of the quantity of minable reserve shown with the auction documents. Moreover, the impugned EC has been granted on the basis of the DSR, wherefrom it would be ex facie clear that no replenishment study in respect of the said mining



plot was conducted. The impugned Environmental Clearance dated 10-08-2024 issued in favor of the respondent no. 2, is therefore, ex facie not tenable in the eye of law and same is liable to be quashed at once.

V. Because, appellants state that inadequate recharge of Ground Water has taken an alarming shape in the District of Rohtas. According to the report published in Hindustan Times on September 02, 2024, continuous decline in ground water level and reservoirs have led to drinking water crisis in many areas of South Bihar especially in Kaimur Plateau areas of Aurangabad, Rohtas and Kaimur District. And according to the summary of the report of Central Ground Water Board, the sand mining activity in the District of Rohtas contributing adverse impact on the ground water level.

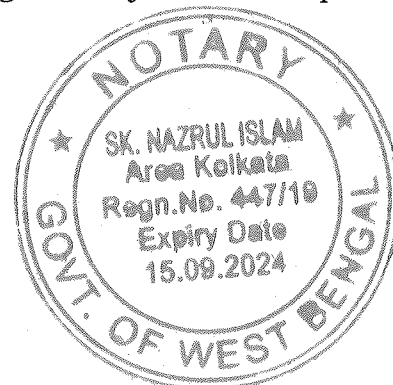
VI. Because from page - 18 and 19 of the District Survey Report it is crystal clear that that said issue was not at all into consideration in preparation of the DSR. The proposal of EC of the respondent no. 2, which was granted on the basis of the said DSR is also bad in law is liable to be set aside.



VII. Because, the problem of Ground Water Level, the respondent no. 1 ought to regulate the mining activity in the District of Rohtas and the same ought to have been taken care of in the DSR. Since the DSR was considered by the SEAC on perfunctory exercise of the obligation casted to it, the impugned EC, which has been granted relying upon the said DSR is also liable to be set aside.

VIII. Because, no Environment Impact Assessment report or Environment Management Plan has been framed by the respondent no. 2, to meet the problem of alarming decrease of Ground Water Level in the District of Rohtas due to the proposed sand mining activity, which is sine qua non for obtaining EC as a B-1 category of unit, as per the EIA Notification, 2006 as amended by EIA Notification dated August 14, 2018.

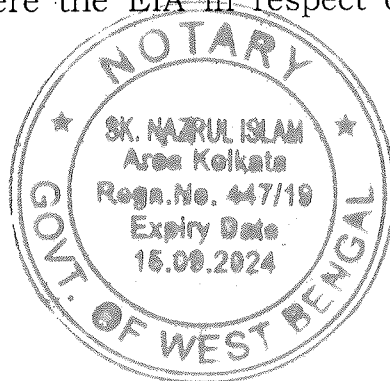
IX. Because, the impugned EC has been granted even without the respondent no. 2 submitted it's Environment Management Plan to meet the adverse impact on flora and fauna of the river, which would suffer detrimental effect due to the proposed sand mining activity of the respondent no. 2.



X. Because the unit of the respondent no. 2, being come within the category of “B-1” project under the EIA Notification 2006 as amended in August, 2018, has to follow the pre – requisite mandatory condition of “public consultation” to be conducted by the State Pollution Control Board, Bihar, in the manner as prescribed in clause 7.III of the EIA Notification, 2006, mentioned in paragraph no. 4 herein above.

XI. Because, according to the information available to the appellants, from the villagers of the nearby locality, relating to the “public hearing” it would appear that the mandatory formalities prescribed under Appendix – IV of the EIA Notification, 2006 was not followed by the State Pollution Control Board, Bihar, which are as follows:-

- No arrangement was made to publicize the interested persons to send their comments in respect of the proposed sand to the regulatory authority;
- The summary of the draft Environment Impact Assessment report was not made available in the web site;
- No information was given as to the place / office where the EIA in respect of

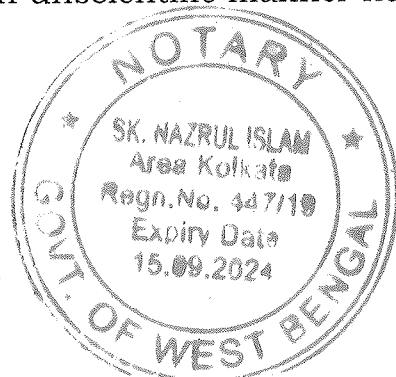


the said proposed mining activity was made available;

➤ No arrangement was made in compliance to the procedure laid down in clause 3.1 and 3.2 of the appendix – IV of the EIA Notification, 2006 to publicize the interested persons i.e. the nearby villagers regarding the said public hearing.

XII. Because, the document uploaded in the PARIVESH Portal would further bolster the claim of the appellants that the public hearing was conducted in utter violation to the clause 3.1 and 3.2 of the appendix – IV of the EIA Notification, 2006.

XIII. Because the appellants have been informed by the villagers that rampant and unplanned sand mining activity is being carried out in the said area for which the environment of the locality has been facing a grave detrimental effect. The livelihood of the nearby villagers is mostly depending on cultivation, fishing etc. The negative impact of sand mining activity in the area in question and frequent movement of heavy vehicles through the narrow village road for transportation of sand in unscientific manner not

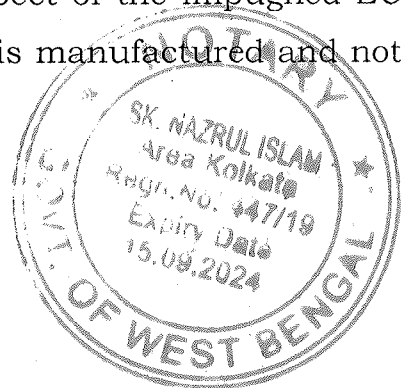


only affecting the livelihood of the residents of nearby village but also causing grave detrimental effect to right to maintain life in peaceful manner in pollution free environment, as the villagers used to spend in the village for so many years for generation after generation.

XIV. Because, the impugned EC is a product of erroneous and / or colorful exercise of power by the SEIAA, Bihar.

XV. Because, from the PARIVESH portal it is appearing that the application was submitted by the respondent no. 2 on 28-5-2024 and from the report of the public consultation it is appearing that the same was held on 15-3-2024. Therefore, it is ex facie clear that the report of the public hearing has been procured by practicing fraud and as such the impugned EC dated 10-08-2024 is liable to be quashed.

XVI. Because, from the dates mentioned in page no. 4 of the impugned EC it is crystal clear that the EIA report was submitted by the respondent no. 2 on 15-06-2024 i.e. long after the public hearing was conducted on 15-03-2024 and as such the report public hearing as furnished in the PARIBESH portal in respect of the impugned EC of the respondent no. 2 is manufactured and not



tenable in the eye of law. As such, the impugned EC is liable to be set aside.

XVII. Because, the impugned EC has been granted the principle of natural justice embodied within the EIA Notification, 2006.

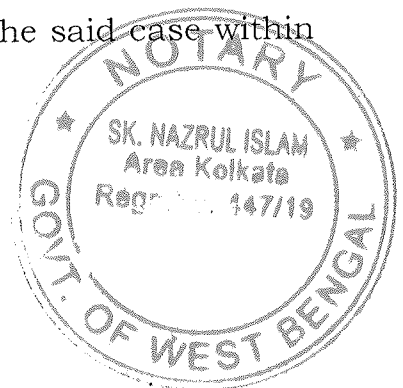
XVIII. Because, the impugned EC is suffering from procedural defect and the same is liable to be set aside.

XIX. Because, the impugned EC is otherwise bad in law and the same is liable to be set aside.

LIMITATION:

The instant appeal has been presented on September 9, 2024 impugning inter alia the Environmental Clearance granted by the State Environmental Impact Assessment Authority on **August 10, 2024** in favor of respondent no. 2. i.e. within the period of limitation as contemplated Section 16 of the National Green Tribunal Act, 2010 through the portal of e-filing of the Hon'ble NGT.

That from the "summary report" dated **September 11, 2024**, it appeared for the first time to the applicant that the appeal was in form in every aspect apart from some defects, which were pointed out in Serial No. 13 in the said note dated September 11, 2024 including the mistake that the said appeal was filed under the head OA in e-filing portal. By the said report dated September 11, 2024, the said case was asked to be filed under the heading appeal. In that summary note dated September 11, 2024 it was directed further to re-file or re-present the said case within



the period prescribed in Rule 10 of the National Green Tribunal (Practice and Procedure) Rules, 2011.

(The Photocopy of the e-filing slip dated September 9, 2024 and Summary Report dated September 11, 2024 and e filing slip dated September 11, 2024 are annexed herewith as **Annexure - L**)

But, no option was available in the portal of e - filing of the Hon'ble NGT to re-file the appeal under the heading appeal, which had once been filed under the heading OA. or vice - versa.

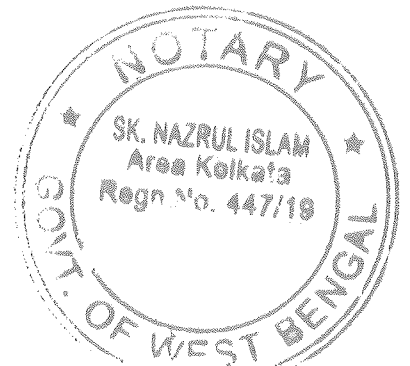
The learned Advocate for the applicant on presented the corrected copy of the memorandum of appeal as per summary note dated September 11, 2024 afresh in the e-filing portal of the Hon'ble NGT, under the heading appeal.

Therefore, though the appeal was presented in time i.e. on 09-09-2024, but the same could not be refiled due to non availability of the option in the portal of e-filing of the Hon'ble NGT and the applicant had to file the appeal afresh on September 17, 2024.

PRAYER:

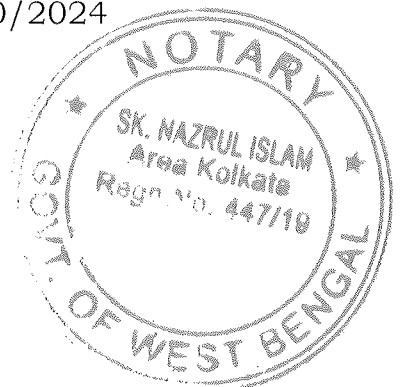
In the premises as aforesaid it is humbly prayed that Your Lordships may graciously be pleased to pass the following orders:-

- (a) Directing the respondent No.1 ~~and 2~~ to recall, rescind, cancel,



withdraw and / or quash the Environmental Clearance granted by the SEIAA, Bihar on 10-08-2024 in respect of the proposed mining activity of the respondent no. 2 in respect of the proposed mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza - Darihat, Block - Dehri, District - Rothas on Sone River;

(b) (a) Directing the respondent no. 3 to hold the public consultation, afresh, upon following the formalities prescribed under clause 7. III and Appendix - IV of the EIA Notification, 2006 and thereafter direct the respondent no. 1 to re-appraise the proposal of the respondent no. 2 for environmental clearance vide proposal no. SIA/BR/MIN/47600/2024

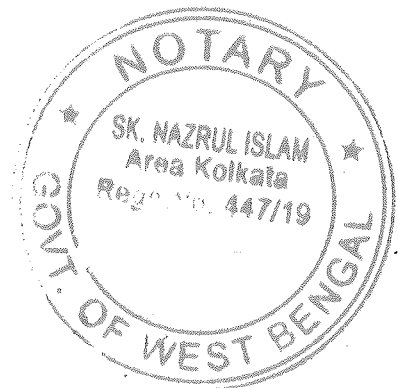


dated 15/6/2024 in respect of proposed mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza - Darihat, Block - Dehri, District - Rothas on Sone River;

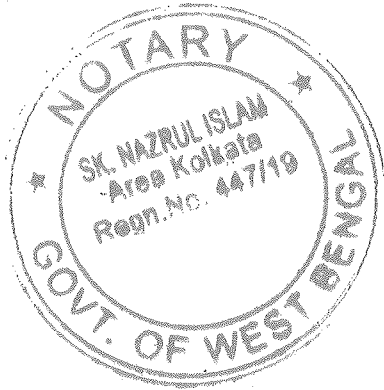
At (c) (b) Pass such other Order or Orders as to Your Lordships may deem fit and proper.

Interim relief:

(a) Pass an interim order not to give effect and/or further effect to the Environmental Clearance granted by the SEIAA, Bihar on 10-08-2024 in respect of the proposed mining activity of the respondent no. 2 in respect of the proposed mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza -



Darihat, Block - Dehri, District -
Rothas on Sone River;



Pr (b) ~~for~~ Ad-interim order in terms
of prayer (a) above;

Pr (c) ~~for~~ Pass such other interim /
ad-interim reliefs as Your
Lordships may deem fit and
proper.

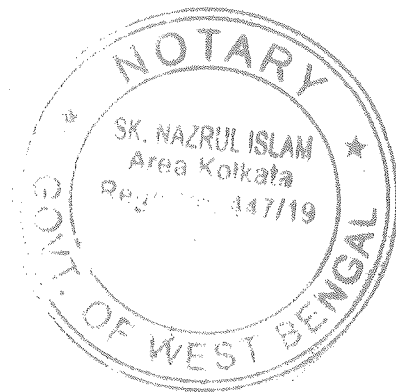
And for that the appellants, as in duty bound, shall ever pray.

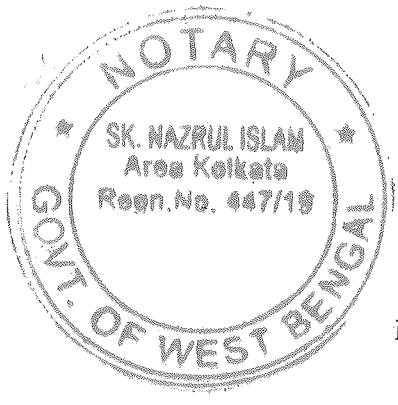
SEVA SETU

Nishant Kumar
Chairman
Signature of the appellant

Pankaj Banerjee

(Signature of the Advocate on Record of the appellant)





BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
FINANCE CENTRE, KOLKATA, WEST BENGAL

Appeal No. /2024/EZ

[An appeal under Section 16 (h) of the National Green Tribunal Act, 2010]

“SEVASETU” & ANOTHER
...APPELLANTS

VERSUS

THE STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA),
BIHAR AND OTHERS

....RESPONDENTS

VERIFICATION

I Nishant Kumar Ojha Son of Nirmal Kumar Ojha, aged about 51 years, by faith Hindu, by Occupation - Social Worker, of Seva Setu, Ram Jaipal Road, Near Sakhi, Arpana Bank Colony, Phase - 2, Dinapur -Cum- Khagual, Patna, Bihar - 801503 being the Chariman of “SEVASETU”, having it’s office at a Non-governmental Organization, registered under the Societies Registration Act, 1860, having it’s office at Arpana Bank Colony, Phase - 2, New Bailey Road, Ram Jaipal Nagar, Danapur, Patna - 801503 do hereby verify that the statements made in paragraphs 1 and 21 to 24 are true to knowledge of the appellant and the statements made paragraphs Nos. 2, 3, 5, 6, 8, 11 to 15, 17, 18 and 20 are true to the information as derived from the records of the case and the contents of the paragraph Nos. 4, 7, 9, 10, 16, 19, 25 and 26 are the respectful submission of the appellant humble submission before this Hon’ble Tribunal.

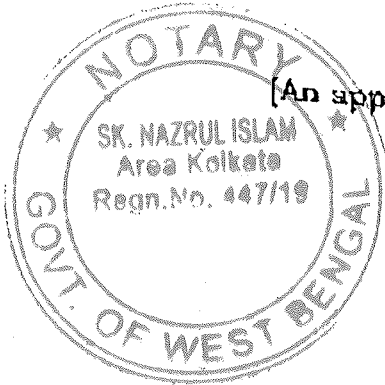
I sign this verification at Calcutta on this the day of September 2024.

Nishant Kumar Ojha SEVA SETU

(Signature of the verifier) Chairman

Pankaj Banerjee
Advocate

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
FINANCE CENTRE, KOLKATA, WEST BENGAL



Appeal No. /2024/EZ

[An appeal under Section 16 (h) read with 18 of the National Green Tribunal Act, 2010]

"SEVASETU" & ANOTHER

...APPELLANTS

VERSUS

THE STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA),
BIHAR AND OTHERS

....RESPONDENTS

AFFIDAVIT

I, Nishant Kumar Ojha Son of Nirmal Kumar Ojha, aged about 41 years, by faith Hindu, by Occupation - Social Worker, of Seva Setu, Ram Jaipal Road, Near Sakhi, Arpana Bank Colony, Phase - 2, Dinapur - Cum- Khagual, Patna, Bihar - 801503, do hereby solemnly declare and affirm as follows:-

1. That I am the appellant no. 2 of the instant appeal and am the chairman and the authorized signatory of the appellant no. 1 and am well conversant with the facts and circumstances of this case and as such am competent to swear this affidavit for myself and on behalf of the appellant no. 1.

2. That the statements made in paragraphs 1 and 21 to 24 are true to knowledge of the appellant and the statements made paragraphs Nos. 2, 3, 5, 6, 8, 11 to 15, 17, 18 and 20 are true to the information as derived from the records of the case and the contents of the paragraph Nos. 4, 7, 9, 10, 16, 19, 25 and 26 are the respectful submission of the appellant humble submission before this Hon'ble Tribunal.

Nishant Kumar Ojha
SEVA SETU
Deponent is known to me,
Chairman

Prepared in my office

Pancheli Bay
Advocate

Identified by me:

Pancheli Bay
Advocate

Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CrPC

SK. Nazrul Islam
Notary

SK. Nazrul Islam
Notary, Govt. of W.B.
Regn. No. 447/19
City Civil Court, Calcutta

09 SEP 2024



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, शुक्रवार, मार्च 9, 2018/फाल्गुन 18, 1939

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NEW DELHI, FRIDAY, MARCH 9, 2018/PHALGUNA 18, 1939

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 8 मार्च, 2018

का.आ.1030(अ).—पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने अधिसूचना सं. का.आ. 804(अ), तारीख 14 मार्च, 2017 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा पर्यावरणीय अनापत्ति और निदेश निबंधनों को अनुदत्त करने के लिए परियोजनाओं के मूल्यांकन के लिए प्रक्रिया अधिसूचित की है, जिसमें स्थल पर पर्यावरण समाघात अधिसूचना 2006 [का.आ. 1533(अ), तारीख 14 दिसंबर, 2006] के अधीन यथा आज्ञापक पूर्व पर्यावरण अनापत्ति अभिप्राप्त किए बिना पर्यावरणीय अनापत्ति के परे उत्पादन का विस्तार या उत्पादन मिश्रण में परिवर्तन का कार्य आरंभ कर दिया है।

और पर्यावरण, वन और जलवायु परिवर्तन (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) उक्त अधिसूचना में, अन्य बातों के साथ, पैरा 13 के उपपैरा (2) द्वारा निदेश दिया है कि उस दशा में, जब पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति की अपेक्षा वाली परियोजनाएं या क्रियाकलाप संनिर्माण कार्य आरंभ करने के पश्चात् पर्यावरणीय अनापत्ति के लिए लायी जाती हैं या जिन्होंने पूर्व पर्यावरणीय अनापत्ति के बिना विस्तार, आधुनिकीकरण और उत्पाद मिश्रण में परिवर्तन किया है, उन परियोजनाओं को अतिक्रमण के मामले के रूप में समझा जाएगा और ऐसे मामलों में यहां तक कि प्रवर्ग ख की परियोजनाएं, जिन्हें पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित राज्य पर्यावरण संघात निर्धारण प्राधिकरण द्वारा पर्यावरणीय अनापत्ति अनुदत्त की गई है, का पर्यावरणीय अनापत्ति अनुदत्त करने के लिए विशेषज्ञ मूल्यांकन समिति द्वारा ही मूल्यांकन किया जाएगा और पर्यावरणीय अनापत्ति केंद्रीय स्तर पर अनुदत्त की जाएगी ;

और मंत्रालय को उक्त अधिसूचा के अनुसरण में प्रवर्ग 'क' और प्रवर्ग 'ख' के अंतर्गत आने वाले सभी सेक्टरों से विचार करने के लिए अनेक प्रस्ताव प्राप्त हुए हैं।

और मंत्रालय को लोक प्रतिनिधित्वों तथा औद्योगिक संगमों से अभ्यावेदन प्राप्त हुए हैं जिनमें कार्यचालन संबंधी कारणों तथा प्रस्तावों को आगे बढ़ाने के लिए उल्लंघन संबंधी मामलों का निपटारा करने के लिए संबंधित राज्यों को शक्तियों का प्रत्यायोजन करने का अनुरोध किया गया है;



और नई दिल्ली स्थित राष्ट्रीय हरित अधिकरण ने अपने तारीख 27 नवंबर, 2017 के आदेश द्वारा मैसर्स अंजली इन्फ्रा हाउसिंग एल एल पी बनाम भारत संघ और अन्य नामक मूल आवेदन सं. 570/2016 के वैसे ही मामले में, मैसर्स अंकुल खुशाल कंस्ट्रक्शन एल एल पी बनाम भारत संघ और अन्य नामक मूल आवेदन सं. 576/2016 के मामले में और अंजली इन्फ्रा हाउसिंग एल एल पी बनाम भारत संघ और अन्य मामले में मूल आवेदन सं. 579/2016 के मामले में राज्य स्तर पर परियोजनाओं पर विचार किए जाने के लिए निदेश पारित किए हैं और विधि के अनुसार पर्यावरण अनापत्ति प्रदान करने/का इन्कार करने के संबंध में उचित आदेश पारित किया है।

और उपरोक्त को ध्यान में रखते हुए, केंद्रीय सरकार को यह आवश्यक प्रतीत होता है कि वह लोकहित में, उन व्यक्तियों से, जिनकी इससे प्रभावित होने की संभावना है, आक्षेप तथा सुझाव आमंत्रित करने के बारे में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (क) में निर्दिष्ट सूचना की अपेक्षा का त्याग करके उक्त अधिसूचना सं. का.आ. 804(अ), तारीख 14 मार्च, 2017 का संशोधन करे।

इसलिए अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (i) के उपखंड (क) और खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकहित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) में निदेश की सूचना की अपेक्षा के साथ वितरण द्वारा उक्त अधिसूचना में निम्नलिखित संशोधन करती है।

उक्त अधिसूचना में, पैरा 13 में,-

(क) उपपैरा (2) के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात्:-

"(2) उस दशा में, जब पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति की अपेक्षा वाली परियोजनाएं या क्रियाकलाप संनिर्माण कार्य आरंभ करने के पश्चात् पर्यावरणीय अनापत्ति के लिए लायी जाती हैं या जिन्होंने पूर्व पर्यावरणीय अनापत्ति के बिना विस्तार, आधुनिकीकरण और उत्पाद मिश्रण में परिवर्तन किया है, उन परियोजनाओं को अतिक्रमण के मामले के रूप में समझा जाएगा और पर्यावरण समाघात निर्धारण अधिसूचना, 2006 की अनुसूची के प्रवर्ग 'क' के अंतर्गत आने वाली परियोजनाओं या क्रियाकलापों का, जिनमें विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार और आधुनिकीकरण भी है, मंत्रालय में विशेषज्ञ मूल्यांकन समिति द्वारा पर्यावरणीय अनापत्ति प्रदान करने के लिए मूल्यांकन किया जाएगा और पर्यावरणीय अनापत्ति केंद्रीय स्तर पर प्रदान की जाएगी और प्रवर्ग 'ख' परियोजनाओं के लिए, उनका मूल्यांकन और अनुमोदन पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित विभिन्न राज्यों और संघ राज्यक्षेत्रों में राज्य या संघ राज्यक्षेत्रीय स्तरीय विशेषज्ञ मूल्यांकन समितियों और राज्य या संघ राज्य क्षेत्रीय पर्यावरण समाघात निर्धारण प्राधिकरणों में निहित होगा।";

(ख) उपपैरा (4) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(4) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित केंद्रीय स्तर की विशेषज्ञ समिति या राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति द्वारा उल्लंघन के मामलों का यह मूल्यांकन करने के लिए निर्धारण किया जाएगा कि परियोजना का ऐसे स्थल पर संनिर्माण किया गया है जो लागू विधियों के अधीन अनुज्ञेय है और विस्तार किया गया है, जिसको पर्याप्त पर्यावरणीय सुरक्षोपायों के साथ पर्यावरणीय मानकों की अनुपालना के अधीन भरणीय रूप से चलाया जा सकता है; और उस दशा में जहां प्रवर्ग 'क' के अधीन विशेषज्ञ मूल्यांकन समिति या प्रवर्ग 'ख' के अधीन परियोजना के लिए राज्य या संघ राज्यक्षेत्र स्तर की विशेषज्ञ मूल्यांकन समिति का निष्कर्ष नकारात्मक है, विधि के अधीन अन्य कार्रवाईयों के साथ परियोजना को बंद करने की सिफारिश की जाएगी।";

(ग) उपपैरा (5) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(5) उस दशा में जहां पूर्वोक्त उप पैरा (4) के बिन्दु पर विशेषज्ञ मूल्यांकन समिति राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति के निष्कर्ष सकारात्मक हैं, इस प्रवर्ग के अधीन परियोजनाओं को पर्यावरण संघात निर्धारण करने और पर्यावरणीय प्रबंधन योजना और विशेषज्ञ मूल्यांकन समिति या राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति तैयार करने के लिए समुचित निदेश निबंधनों के साथ विहित किया जाएगा। इसके अतिरिक्त विशेषज्ञ मूल्यांकन समिति पारिस्थितिकीय नुकसान, सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के निर्धारण पर परियोजना के विशिष्ट निदेश निबंधनों को विहित करेगी और उनको प्रत्यायित परामर्शदाताओं द्वारा पर्यावरण संघात निर्धारण रिपोर्ट में एक स्वतंत्र अध्याय के रूप में तैयार किया जाएगा। पारिस्थितिकीय नुकसान, सुधारकारी योजना तैयार करने और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के निर्धारण के लिए डाटा का संग्रहण और विश्लेषण, पर्यावरण (संरक्षण) अधिनियम, 1986 के अधीन सम्यकता



अधिसूचित प्रयोगशाला या राष्ट्रीय जांच और अशांकन प्रत्यायन बोर्ड द्वारा प्रत्यायित प्रयोगशाला या वैज्ञानिक और औद्योगिक अनुसंधान परिषद् की पर्यावरण के क्षेत्र में कार्य कर रही प्रयोगशाला द्वारा किया जाएगा।";

(घ) उपपैरा (6) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(6) विशेषज्ञ मूल्यांकन समिति, यथास्थिति, राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति पर्यावरणीय प्रबंधन योजना, सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना से मिलकर बनने वाली पर्यावरणीय प्रबंधन योजना को उपदर्शित करेगी, जो कि मूल्यांकन किए गए पर्यावरणीय नुकसान और पर्यावरणीय अनापत्ति की शर्त के उल्लंघन के कारण उदभूत आर्थिक फायदे की तत्स्थानी होगी।";

(ङ) उपपैरा (7) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(7) परियोजना प्रस्तावक से सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना की रकम के समतुल्य बैंक प्रत्याभूति को राज्य प्रदूषण नियंत्रण बोर्ड के पास प्रस्तुत करने की अपेक्षा होगी और राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति द्वारा या प्रवर्ग 'क' परियोजना के लिए मात्रा की सिफारिश विशेषज्ञ मूल्यांकन समिति द्वारा की जाएगी और इसको विनियामक प्राधिकरण द्वारा अंतिम रूप दिया जाएगा तथा बैंक प्रत्याभूति को पर्यावरणीय अनापत्ति अनुदत्त करने से पूर्व जमा किया जाएगा और उसे मंत्रालय के प्रादेशिक कार्यालय, विशेषज्ञ मूल्यांकन समिति, यथास्थिति, राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति तथा विनियामक प्राधिकरण के अनुमोदन के पश्चात् सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के सफलतापूर्वक कार्यान्वयन के पश्चात् निर्मुक्त किया जाएगा।"

[फा. सं. जेड-11013/22/2017-आईए-11(एम)]

ज्ञानेश भारती, संयुक्त सचिव

टिप्पण: मूल अधिसूचना का.आ. 804(अ), तारीख 14 मार्च, 2017 द्वारा प्रकाशित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

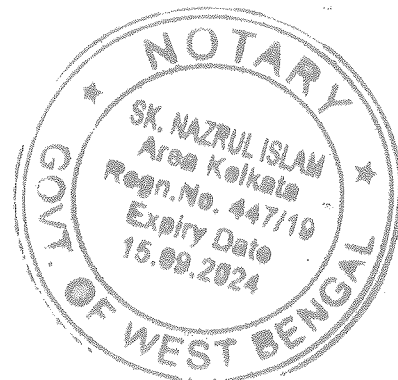
New Delhi, the 8th March, 2018

S.O. 1030(E). —Whereas, the Ministry of Environment, Forest and Climate Change *vide* notification number S.O.804(E), dated the 14th March, 2017 (hereinafter referred to as the said notification) has notified the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance as mandated under the Environment Impact Assessment Notification, 2006 [S.O.1533 (E), dated the 14th September, 2006];

And whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) in the said notification *inter alia*, directed *vide* sub-paragraph (2) of paragraph 13, that in case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority, are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level;

And whereas, the Ministry has received a number of proposals relating to all sectors covered under category A and category B, for consideration in pursuance of the said notification;

And whereas, the Ministry is in receipt of representations from the public representatives and Industrial Associations, requesting delegation of powers to the respective States to deal with the violation cases for operational reasons and expediting the proposals;



And whereas, the National Green Tribunal, Principal Bench at New Delhi *vide* their order dated the 27th November, 2017 in similar matters in OA No.570/2016 titled M/s Anjli Infra Housing LLP Vs Union of India & others, OA No.576/2016 in the matter of M/s Ankur Khusal Construction LLP Vs Union of India & others and OA No.579/2016 in the matter of Anjli Infra Housing LLP Vs Union of India & others, has passed directions for consideration of the projects at the State level and pass appropriate orders in regard to grant/refusal of the environmental clearance in accordance with law;

And whereas, in view of the above, the Central Government finds it necessary to amend the said notification number S.O.804(E), dated the 14th March, 2017 by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 regarding inviting objections and suggestions from persons likely to be affected thereby, in public interest;

Now, therefore, in exercise of the powers conferred by sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, namely:-

In the said notification, in paragraph 13, -

(a) for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:-

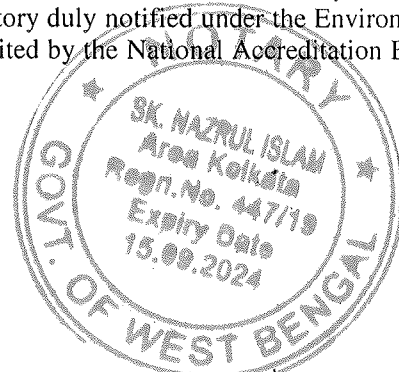
“(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.”;

(b) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely:-

“(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.”;

(c) for sub-paragraph (5), the following sub-paragraph shall be substituted, namely:-

“(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board



for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.”;

(d) for sub-paragraph (6), the following sub-paragraph shall be substituted, namely:-

“(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.”;

(e) for sub-paragraph (7), the following sub-paragraph shall be substituted, namely:-

“(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee and approval of the Regulatory Authority.”.

[F.No.Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note: The principal notification was published vide number S.O.804(E), dated the 14th March, 2017.

आदेश

नई दिल्ली, 8 मार्च, 2018

का.आ. 1031(अ).—केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1), उपधारा (2) के खंड (i) के उपखंड (क) और खंड (v) के अधीन जारी भारत सरकार की, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में अधिसूचना संख्या का.आ.804(अ) तारीख 14 मार्च, 2017 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा उन परियोजनाओं का जिन्होंने पूर्व पर्यावरण अनापत्ति प्राप्त किए बिना कार्य आरंभ कर दिया है और ऐसे मामलों को उल्लंघन माना गया है, का मूल्यांकन करने के लिए प्रबंध किया है।

और उपर्युक्त अधिसूचना के पैरा 13 के उपपैरा (1) द्वारा निर्देश दिया गया है कि यथास्थिति केन्द्रीय सरकार से अथवा उपर्युक्त अधिनियम के अधीन केन्द्रीय सरकार द्वारा विधिवत रूप से गठित राज्य पर्यावरण समाघात निर्धारण प्राधिकरण से, पूर्व पर्यावरणीय स्वीकृति प्राप्त किए बिना भारत के किसी भी भाग में प्रक्रिया या प्रौद्योगिकी अथवा दोनों में परिवर्तन सहित अतिरिक्त क्षमता के लिए शुरू की गई पर्यावरण समाघात निर्धारण अधिसूचना, 2006 [का.आ.1533(अ) तारीख 14 सितंबर, 2006] के अधीन पूर्व पर्यावरणीय स्वीकृति की अपेक्षा वाली परियोजनाओं अथवा क्रियाकलापों या मौजूदा परियोजनाओं अथवा क्रियाकलापों के विस्तार या आधुनिकीकरण को पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उल्लंघन का मामला माना जाएगा;

और उपर्युक्त अधिसूचना में यह और उपबंध है कि ऊपर उल्लिखित परियोजनाओं और क्रियाकलापों से उपर्युक्त अधिसूचना के पैरा 13 के उपपैरा (2) से (7) में विनिर्दिष्ट प्रक्रिया के अनुसार सख्ती से निपटा जाएगा;

और पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उपर्युक्त अधिसूचना के पैरा 13 के उप पैरा (4) के अनुसरण में सभी क्षेत्रों में उल्लंघन के मामलों का मूल्यांकन करने और केन्द्रीय सरकार को सिफोरिशें करने के लिए विभिन्न क्षेत्रों के विशेषज्ञों से मिलकर बनने वाली भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, संख्यांक का.आ.1805(अ), तारीख 6 जून, 2017 की अधिसूचना द्वारा एक विशेषज्ञ मूल्यांकन समिति (ईएसी) का गठन किया गया था ;



और इस प्रकार गठित की गई विशेषज्ञ मूल्यांकन समिति में, श्री एस.के.श्रीवास्तव, वैज्ञानिक ई को उक्त समिति के सदस्य सचिव के रूप में पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के प्रतिनिधि रूप में नामनिर्देशित किया गया था।

और प्रशासनिक तथा प्रचालन संबंधी कारणों से, अतिक्रमण मामलों में कार्यवाई करने के लिए गठित की गई विशेषज्ञ मूल्यांकन समिति के सदस्य सचिव के रूप में यथास्थिति श्री एस.के.श्रीवास्तव, वैज्ञानिक ई के साथ वैज्ञानिक ई या वैज्ञानिक एफ या वैज्ञानिक जी का नामांकन प्रतिस्थापित करना समीचीन हुआ है;

और अतः अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और उक्त अधिसूचना सं० का.आ.804(अ) तारीख 14 मार्च, 2017 के पैरा 13 के उपपैरा (4) के अनुसरण में भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii), तारीख 6 जून, 2017 में प्रकाशित भारत सरकार की पर्यावरण वन और जलवायु परिवर्तन मंत्रालय संख्या का.आ.1805(अ), तारीख 6 जून, 2017 के आदेश में निम्नलिखित संशोधन करती है, अर्थात्:--

उक्त आदेश की सारणी में, क्रम सं० 11 के सामने, स्तंभ (2) में प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:--

"वैज्ञानिक ई या वैज्ञानिक एफ या वैज्ञानिक जी, यथास्थिति, पर्यावरण, वन और जलवायु परिवर्तन, मंत्रालय, जोरबाग रोड, नई दिल्ली-3।

[फा.सं.जेड-11013/22/2017-आईए-II(एम)]

ज्ञानेश भारती, संयुक्त सचिव

टिप्पण: मूल आदेश सं. का.आ.1805(अ) तारीख 6 जून, 2017 द्वारा प्रकाशित किया गया था।

ORDER

New Delhi, the 8th March, 2018

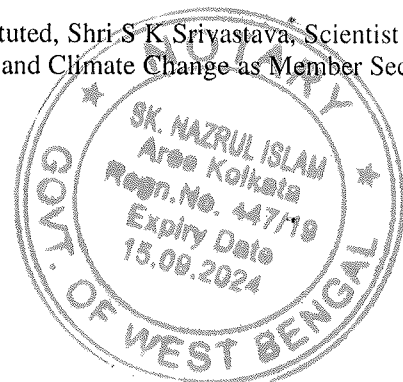
S.O. 1031(E).—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14th March, 2017, issued under sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without obtaining prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 [S.O.1533(E), dated the 14th September, 2006] entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in exercise of the power conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, an Expert Appraisal Committee (EAC) was constituted by notification of the Government of India in the Ministry of Environment, Forest and Climate Change vide number S.O.1805(E), dated the 6th June, 2017 comprising members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And whereas, in this Expert Appraisal Committee so constituted, Shri S K. Srivastava, Scientist E was nominated as representative of the Ministry of Environment, Forest and Climate Change as Member Secretary of the said Committee;



And whereas, due to administrative and operating reasons, it has become expedient to replace the nomination of Shri S. K. Srivastava, Scientist E with the Scientist E or Scientist F or Scientist G, as the case may be, as Member Secretary of the Expert Appraisal Committee constituted to deal with violation cases;

And now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification number S.O.804(E), dated the 14th March, 2017, the Central Government hereby makes the following amendments in the order of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O.1805(E), dated the 6th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 6th June, 2017, namely:-

In the said order, in the Table, against serial number 11, for the entries in column (2), the following entries shall be substituted, namely:-

“Scientist E or Scientist F or Scientist G, as the case may be, Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi-3”.

[F. No. Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note: The principal order was published vide number S.O.1805(E), dated the 6th June, 2017.



(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)
MINISTRY OF ENVIRONMENT AND FORESTS
 New Delhi 14th September, 2006
Notification

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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



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.

Includes the territorial waters

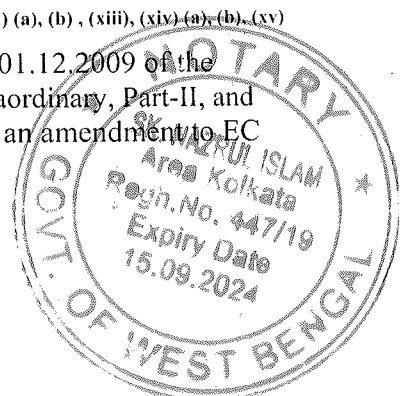
2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling 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.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

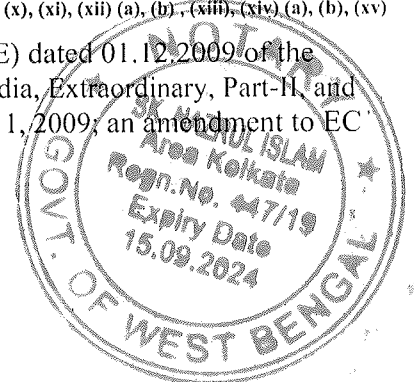


- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub-paragraph 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 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 copy thereof sent to MoEF."

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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



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or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

5. Screening, Scoping and Appraisal Committees:-

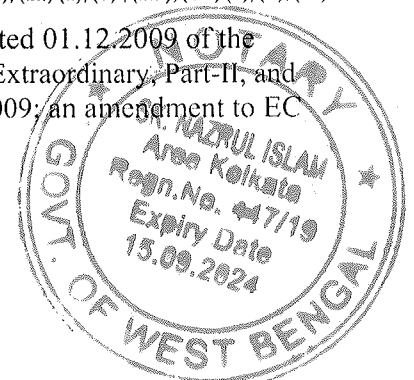
The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



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

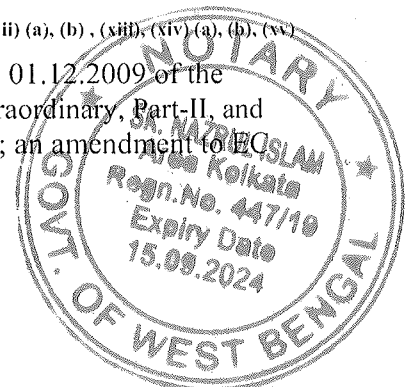
I. Stage (1) - Screening:

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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terns 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 1/ Form 1A 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 1. 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 1, 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.

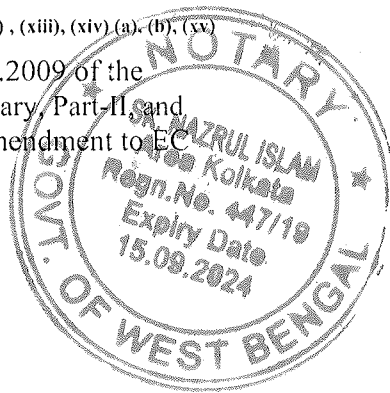
(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing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

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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



- (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.
- III "(cc) maintenance dredging provided the dredged material shall be disposed within port limits.";
- III "(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)."
- 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

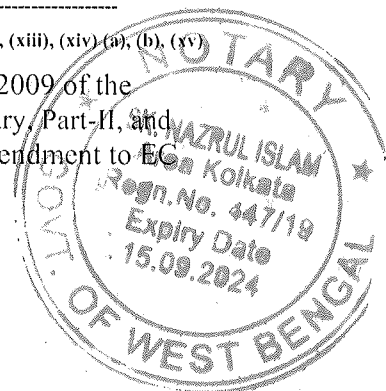
I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-I, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



- 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; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

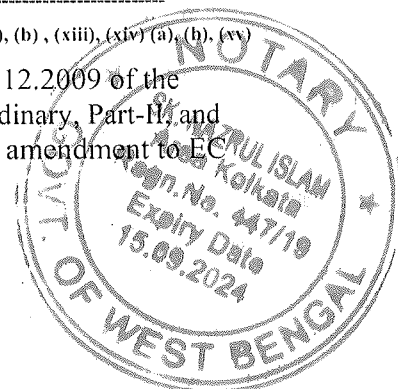


- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory 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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

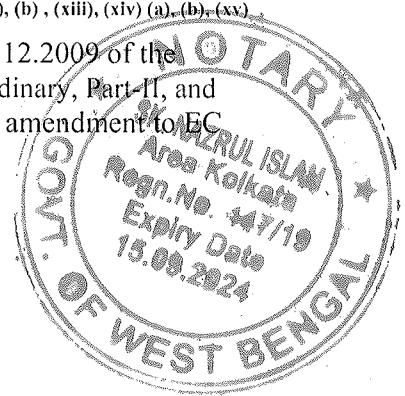


the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level 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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



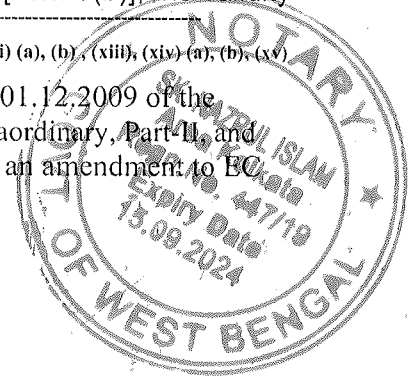
applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

- (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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

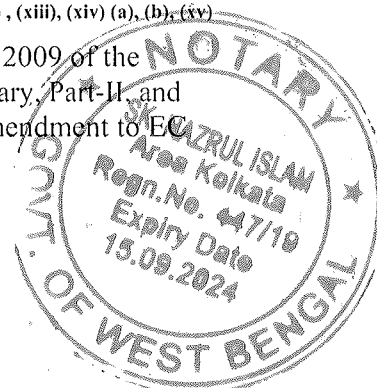


period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, 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:

- IV (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment 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 the 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 Governmental 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.”;
- IV (ii) 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.
- IV (iii) 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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

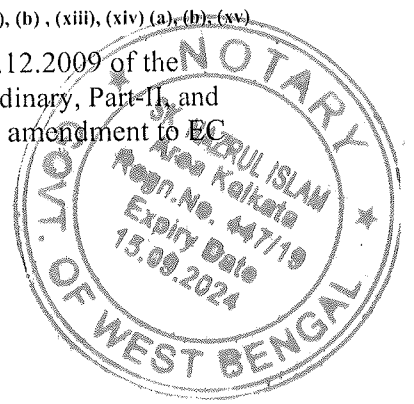
11. Transferability of Environmental Clearance (EC):

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.

I; II: III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



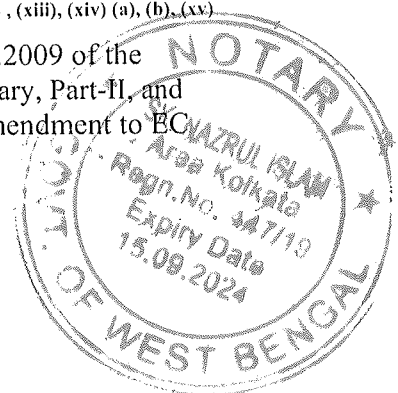
SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

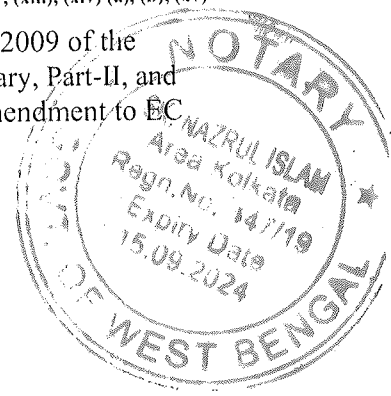
Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
v "1(a)	(i) Mining of minerals. (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area All projects.	<50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting Is exempted.”;
1(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
1(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	v “General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category ‘B’ Projects.”;

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to notification S.O.1533(E) dated 14.09.2006

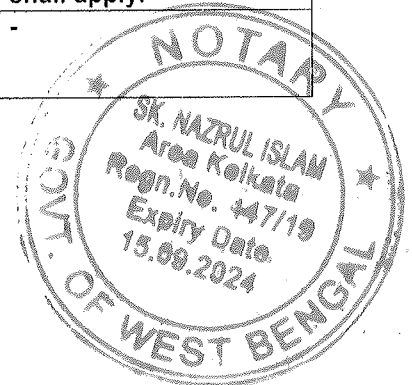


(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	√ " ≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	< 500 MW (coal / lignite / naphtha & gas based); <50 MW ≥ 5MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	√ "General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant 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.";
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million 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	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

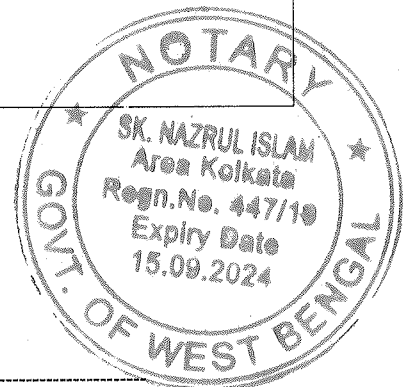


3				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing ≥ 200 TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing <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	v "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 electrical 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."
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				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	$<2,50,000$ & $\geq 25,000$ tonnes/annum	v "General Condition shall apply."
4(c)	Asbestos milling and asbestos based products	All projects	-	-



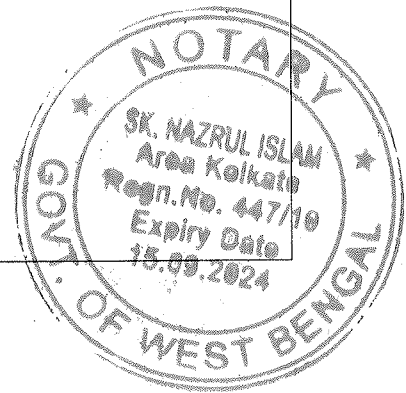
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(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	√ "(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate."	√ "General as well as 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 out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	√ "General as well as specific condition shall apply."
5		Manufacturing / Fabrication		
5(a)	Chemical fertilizers	√ "All projects except Single Super Phosphate."	√ "Single Super Phosphate."	
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	
5(d)	Manmade fibers 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	√ "General as well as specific condition shall apply."



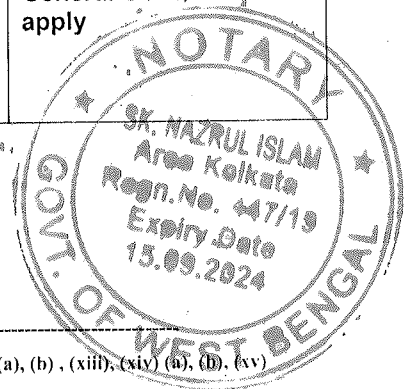
I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
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 outside the notified industrial area/ estate	Located in a notified industrial area/ estate	v "General as well as 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
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 Pulp & Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	v Omitted			
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.		-



I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

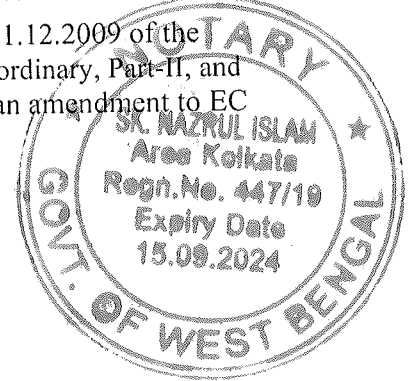
(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	√ "All projects including airstrips, which are for commercial use."	-	√ "Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7©	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.	√ "Genral as well as special 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. mts. 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."
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



I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
7(e)	^v "Ports, harbours, break waters, dredging."	≥ 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	^v "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."
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.	^v " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	^{v(xvi)(a)} "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	^{v(xvi)(b)} "All projects except those covered in column (3)."	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
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

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



Note:-

V(xvii) **“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 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 GC boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above.”

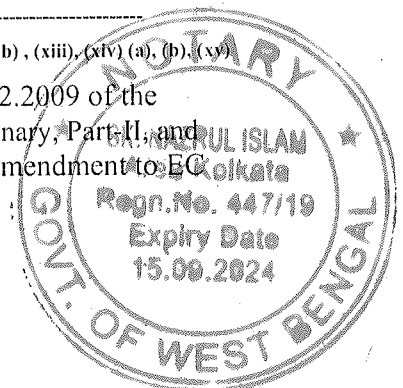
Specific Condition (SC):

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 (I)]
(R.CHANDRAMOHAN)

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006



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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:

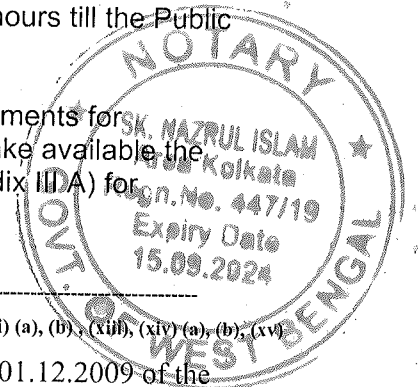
2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more 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.
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned 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 IIIA) for



I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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:

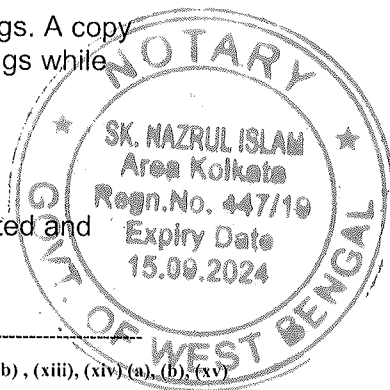
4.1 The District Magistrate/District collector/Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall Supervise and preside over the entire public hearing process.

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.



I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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:

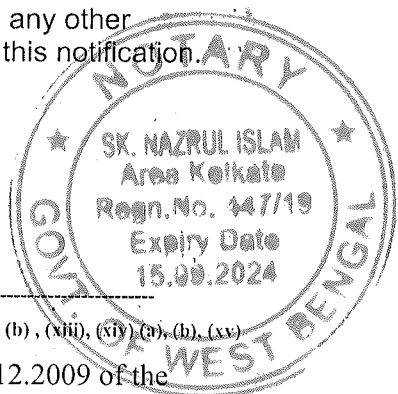
6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate/District collector/Deputy Commissioner, and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings 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. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(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.

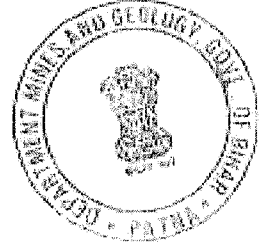
APPENDIX -V



I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**Mining Plan including Progressive Mine Closure Plan of
Rohtas Son-08, Mauza- Darihat, Majhiawan
Block- Dehri, District- Rohtas, Bihar
on River Sone.**

Total Lease Area: 96.50 Hectare



Validity: Five years from the date of execution

Applicant: M/S Shivam Coke Pvt. Ltd.

Director- Rakesh Kumar

S/o- Lallanjee Ojha

Address: - Bunglow No - 6, Chanchani Colony,

Near Hirak Point, Nagnagar, Dhaiya

Dhanbad, Jharkhand-826004

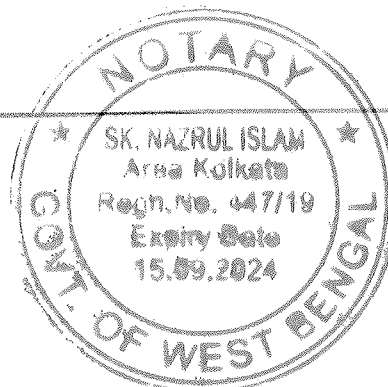
APPROVED
Vide Dept. of Mines & Geology
Govt. of Bihar, Patna
Letter No. 3.6.110.Dt. 13.5/2021

Prepared by:

UNITED EXPLORATION INDIA PVT. LTD

QCI-NABET Certificate No.: NABET/APA-MPPA/LA/006

Issue Date: Mar 16, 2021 Valid Upto Mar 11, 2024



For Shivam Coke Pvt. Ltd.

Rajive Ojha
Director

STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), BIHAR
2nd Floor, BELTRON Bhawan, Shastri Nagar, Patna - 800023.

Ref. No.- 132

Patna, Dated: - 07/04/2022

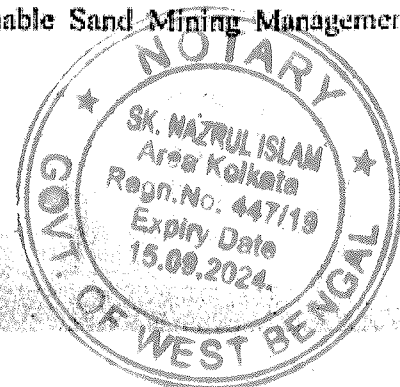
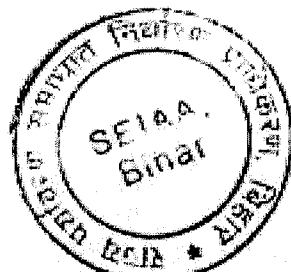
MINUTES OF 08th MEETING OF STATE LEVEL EXPERT APPRAISAL
COMMITTEE (SEAC), BIHAR CONSTITUTED ON 12.08.2021

VENUE: SEIAA Office

DATE: 25th March, 2022

Minutes/Proceeding of the Meeting

1. **Opening Remarks of the Chairman:** The Chairman extended warm welcome to all the participants of the meeting. Thereafter, the meeting was opened for the proceeding as per the agenda adopted for this meeting.
2. **Confirmation of Minutes of 07th Meeting (07/2022)** vide ref.no.100 dated 11.03.2022 of State Expert Appraisal Committee held on 04th & 05th March, 2022. The State Expert Appraisal Committee, hereinafter called the SEAC, was informed that no representation has been received regarding projects considered in meeting held on 04th & 05th March, 2022. Minutes of the meeting of SEAC were confirmed
3. **Consideration of Proposals:** The SEAC considered proposals as per the agenda adopted for the 08th meeting (08/2022) circulated vide Ref. No.-114, dated- 21.03.2022 and Ref. No.- 116, dated - 24.03.2022. The key points of deliberations held were as follows.
4. With regard to the proposals submitted for the District Survey Report (DSR) the Committee members considered and deliberated extensively on the District Survey Report (DSR), received for various districts, in the light of the Hon'ble Supreme Court's Order dated 10.11.2021 in Civil Appeal No. 3661-3662 of 2020 [Procedure and parameters laid down in the policy of Sustainable Sand Mining Management



- ix. Revise the table of estimation of sand resources in Pre-monsoon and post-monsoon period in sand bars.
- x. All the primary and secondary data should be supported by proper references and documentary support along with the page no mentioned in compliance report of revised DSR.

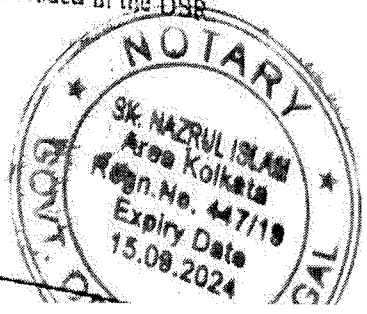
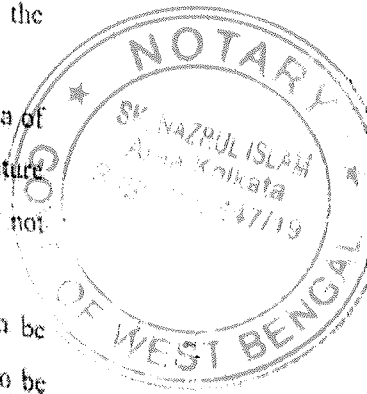
AGENDA ITEM NO. 25

Revised District Survey Report for Rahtas district (E-mail dated:-24.03.2022 and Hardcopy Received date:- 24.03.2022)

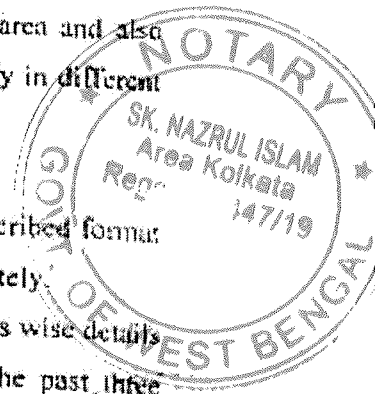
Application along with letter from the District Magistrate vide letter No. 822, dated 23.03.2022 was submitted to SEAC, Bihar on 24th March, 2022 for the evaluation of the District Survey Report (DSR), revised as per the comments made by the SEAC.

Earlier in the meeting dated 06th, 07th, & 08th January 2022, the Committee had directed to submit the revised District Survey Report (DSR) as mentioned in the proceeding of that meeting. The compliance was submitted by concerned District in the light of the above said meeting, the same was placed before the committee and the concerned district representative made a presentation. The Committee observed infirmities and found not satisfactory. As such concerned district representative was directed to correct the DSR as follows :-

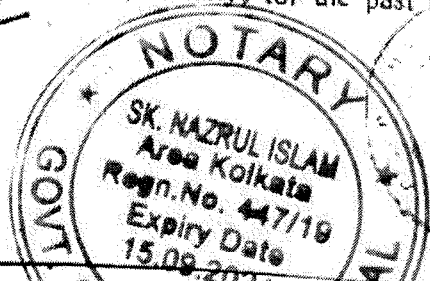
- i. Clear and high resolution color images of the proposed ghats should be submitted with DSR including the date of photographs/ GPS location for identification of potential sand mining area.
- ii. The specific gravity of the material also needs to be ascertained by analyzing the sample from a NABL accredited lab.
- iii. The permanent boundary pillars need to be erected after identification of an area of aggradations and deposition outside the bank of the river at a safe location for future surveying. The distance between boundary pillars on each side of the bank shall not be more than 100 meters.
- iv. Demand and supply of the Riverbed Material through market survey needs to be carried out. In addition to this, future demand for the next 5 years also needs to be considered, to justify the number and area of the sand ghats included in the DSP.



- v. Mining area may be so selected as to cover the entire deposition area. Dividing a large area of deposition/aggradations into smaller mining leases should be avoided as it leads to loss of mineral and indirectly promotes illegal mining.
- vi. The DSRs should be placed in the public domain for at least one month from the date of publication of the advertisement for obtaining comments of the general public. The comments so received shall be placed before the concerned sub-divisional committee for active consideration for necessary corrections, if any. Only after such consultations, the DSR should be submitted before the SEAC.
- vii. The Committee observed that sand ghats have been proposed on the confluence/meanders/concavities/active Channels which require to be excluded from the DSR. No mining area should be proposed at any bank concavities to avoid bank erosion and river instability.
- viii. The Committee was not shown any such map where 1/4th part of the area has been separated from central 3/4th part of the river as a minable and non-minable zone.
- ix. In case sand ghat is located near by the Forest/ Wildlife Protected Area, (Bird Sanctuary / Wildlife Sanctuary / National Park / Tiger Reserve) a certificate regarding distance of such ghat from the boundary of Forest/ Protect Area as well as the notification status and extent of the Eco-Sensitive Zone issued by the Ministry of Environment, Forest and Climate Change, Govt. of India should be enclosed with the DSR.
- x. If the proposed mining area has overlapping areas with previously allotted existing lease or already working or worked out mining lease then the same should be clearly depicted in the proposed mining area with different colour. Details about the quantity of Sand extracted from the overlapped area should be furnished duly certified from the concerned Department.
- xi. Provide different colour map for proposed and existing sand mining area and also submit State, District Wildlife Sanctuary, Eco-Sensitive Zone boundary in different colour map and KML file to check the suitability of the mining site.
- xii. Submit a map and KML file regarding aquatic animal found in river.
- xiii. Calculate the Movable Mineral potential for each sand ghat in the prescribed format (SSMG 2016, as prescribed in page no. 25 and 26) for each river separately.
- xiv. It should be for each mine area with respect to sand mining done. [Ghats wise details] of quantity of sand extracted and revenue generated (annually) for the past three



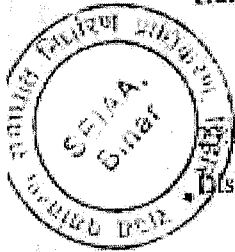
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- years]. Only Sand mining revenue should be included in DSR not brick kiln/other minerals revenue.
- xv. All the Annexures as prescribed in the EMGSM, 2020 should be duly filled and complete.
 - xvi. Old and new proposed Chats must be mentioned in the DSR. (List, Map & KML file).
 - xvii. District Border line (Bold mark) should be mentioned in the maps/images/KML file in DSR.
 - xviii. All the primary and secondary data should be supported by proper references and documentary support along with the page number in the compliance report of revised DSR.
 - xix. The replenishment study is not conducted by the concerned district. Whenever replenishment study conducted, submit the table of estimation of sand resources in Pre-monsoon and post-monsoon period for the sand deposit, with respect to the Reduced Level.
 - xx. FMISC (Flood Management Improvement Support Center), a R&D unit under WRD (Water Resource Department) at Anishabad has high resolution satellite maps of river systems of Bihar. District Authorities may contact the office of FMISC for procurement of geo-referenced maps of the river to support the DSR.

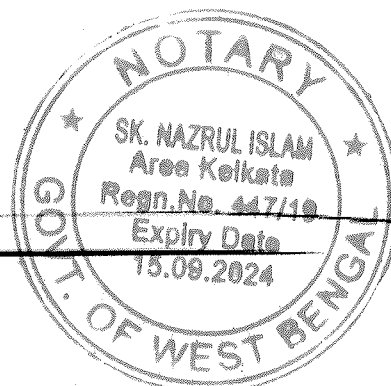
AGENDA ITEM NO. 26

Revised District Survey Report for Saran district (E-mail dated:-23.03.2022 and Hardcopy Received date:- 23.03.2022)



Application along with letter from the District Magistrate vide letter No. 750, dated 23.03.2022 was submitted to SEAC, Bihar on 23rd March, 2022 for the evaluation of the District Survey Report (DSR), revised as per the comments made by the SEAC.

Earlier in the meeting dated 06th, 07th, & 08th January 2022, the Committee had directed to submit the revised District Survey Report (DSR) as mentioned in the proceeding of that meeting. The compliance was submitted by concerned District in the light of the above said meeting, the same was placed before the committee and the concerned district representative made a presentation. The Committee observed infirmities and found not satisfactory. As such concerned district representative was directed to correct the DSR as follows :-



Resolution of the Committee:-

The final DSR should be prepared in a book format (may be spiral binded) with an index page referring the page numbers where the corrections / amendments were made, for quick reference, in a tabular format.

SEAC has unanimously decided to forward the above referred DSR, of the concerned districts with the aforementioned observations for the consideration of SEIAA.

LIST OF PARTICIPANTS IN 08th MEETING OF SEAC, BIHAR HELD ON 25th MARCH 2022

S. No.	Name	Designation	Attended on 25.03.2022
1.	Dr. Gopal Sharma	Chairman	Present
2.	Dr. Ramakar Jha	Member	Present
3.	Dr. Bibha Kumari	Member	Present
4.	Dr. Anshumali	Member	Present through video link
5.	Dr. Aditya Mohanty	Member	Present through video link
6.	Shri Mokhtarul Haque	Member	Present
7.	Shri Ajit Samaiyar	Member	Absent.
8.	Shri Ranjan Kumar	Member	Present.
9.	Shri S. Chandrasekar	Member Secretary	Present

Signature(s) of Members Present

Sd/
(Dr. Ramakar Jha)
Member, SEAC

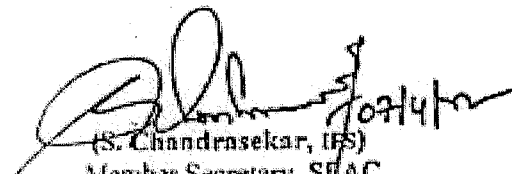
Sd/
(Dr. Bibha Kumari)
Member, SEAC

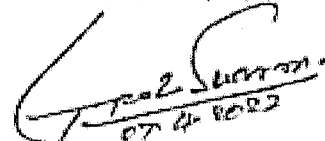
Sd/
(Mokhtarul Haque)
Member, SEAC

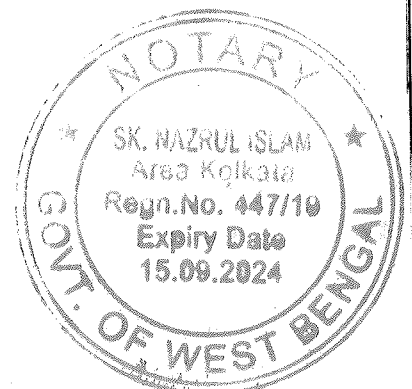
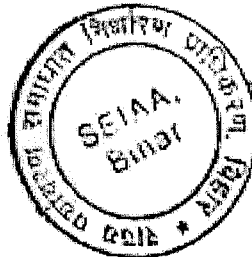
Sd/
(Ranjan Kumar)
Member, SEAC

Sd/
(Dr. Anshumali)
Member, SEAC

Sd/
(Dr. Aditya Mohanty)
Member, SEAC


(S. Chandrasekar, IFS)
Member Secretary, SEAC


(Dr. Gopal Sharma)
Chairman, SEAC





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CM lays foundation for scheme to supply drinking water to 3 towns from Sone river

By Prasun K Mishra, Dehri

Sep 02, 2024 09:34 PM IST

Insightful
Infographics

Once complete, the project, at an estimated cost of ₹1347.32 crore, will provide drinking water to people in Aurangabad, Dehri and Sasaram towns.

Story continues below advertisement

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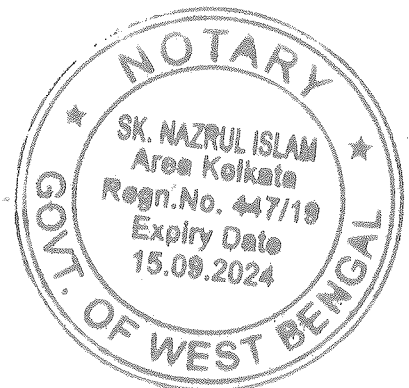
Learn how

CFA Institute

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OPEN APP

Chief minister Nitish Kumar on Monday laid the foundation stone for the ambitious drinking water supply scheme at Annicut in Dehri town of Rohtas district.





Bihar CM Nitish Kumar at the ITI at Dehri on Monday. (HT photo)

Story continues below advertisement

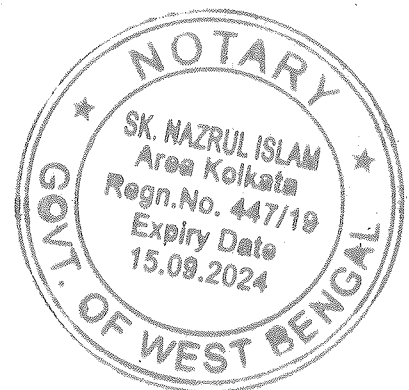


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DTC Capital City

Once complete, the project at an estimated cost of ₹1347.32 crore, will provide drinking water to people in Aurangabad, Dehri and Sasaram towns, using surface water available in the Sone river. The scheme includes a pump station to draw water from Sone, a refinery unit and pipeline system to supply water to the towns.



Enhance your skills in Data Science and AI through IIMK's Data Science & AI programme

At the industrial training institute (ITI) at Dehri, the CM inaugurated the first excellence centre of Bihar run by TATA Technologies under the memorandum of understanding (MoU) with labour resource department to provide advanced machinery training to the unemployed youths in 23 fields, like robotics, computer programming and software.

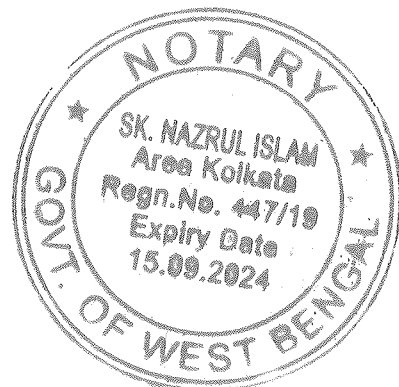
Continuous decline in ground water level and reservoirs have led to drinking water crisis in many areas of south Bihar, especially in Kaimur plateau areas of Aurangabad, Rohtas and Kaimur districts.

Story continues below advertisement

OPEN APP

The CM also distributed ownership papers of homestead land to 2,000 landless people at Bhisaha village in Dehri block.

Deputy chief ministers Samrat Chaudhary, water resources minister Vijay Kumar Chaudhary and others were also present on the occasion.





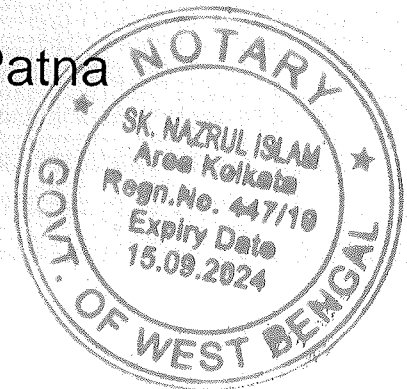
केन्द्रीय भूमि जल बोर्ड
जल संसाधन, नदी विकास और गंगा संरक्षण
विभाग, जल शक्ति मंत्रालय
भारत सरकार

Central Ground Water Board
Department of Water Resources, River
Development and Ganga Rejuvenation,
Ministry of Jal Shakti
Government of India

**AQUIFER MAPPING AND MANAGEMENT
OF GROUND WATER RESOURCES**

Rohtas District, Bihar

मध्य पूर्वी क्षेत्र, पटना
Mid Eastern Region, Patna





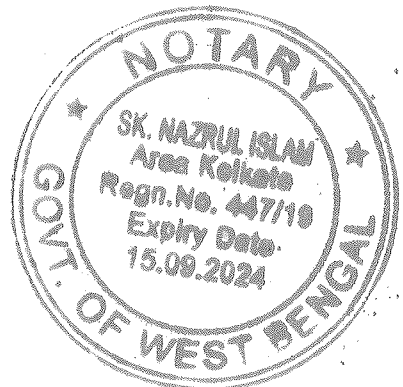
REPORT
ON
AQUIFER MAPPING IN ROHTAS DISTRICT, BIHAR

केन्द्रीयभूमिजल बोर्ड, जलशक्ति मंत्रालय
जलसंसाधन, नदीविकास
और गंगासंरक्षण विभाग,
भारत सरकार

मध्य पूर्वी क्षेत्र, पटना

CENTRAL GROUND WATER BOARD
MINISTRY OF JAL SHAKTI, DEPARTMENT OF WATER RESOURCES,
RIVER DEVELOPMENT & GANGA REJUVENATION
GOVERNMENT OF INDIA
MID EASTERN REGION, PATNA

May 2022



- 95 -

SUMMARY

Rohtas district with geographic area cover of 3839 sq.KM have been taken up during AAP 2018-19 as a part of NAQUIM Programme. The district is known as the rice bowl of Bihar (Dhan ka katora). The district comes under agro-climatic zone III-B (South Bihar Alluvial Plain Zone). The district has got two contrasting physiographic units. The gently sloping alluvial plain in the northern part with elevation ranging from 80 m to 90 m amsl and the Rohtas plateau in the southern part, which is an extension of the Vindhyan ranges with average elevation of 300 m above mean sea level. River Sone and its tributaries form the major drainage system in the district. The majority area of Rohtas district comprises of agricultural land (68.8 %) and forest land (18.47%). Agriculture is the main livelihood of the population in the district.

With this background, NAQUIM studies have been done in the district in order to decipher the aquifer characterization, resource scenario, identification of major groundwater related issues and preparation of suitable management plans. Data collected and generated involves hydrogeological data, geophysical data, and hydro-chemical data. Meteorological and hydrological data has been collected from concerned Central and State Govt. Departments. Depth to water level (DTWL) map and water table contour maps has been prepared based on Key wells and NHS data. DTWL map of the area shows that majority of the area has water level of 5 to 7 m bgl in pre monsoon and 2 to 5 m bgl in post monsoon. In some blocks coming under the north eastern part of the alluvial plain, the water level does not show much variation and is within range of 2 to 5 m bgl both in pre and post monsoon. Southern part of the district shows deeper water levels both during pre and post monsoon seasons.

Pre-monsoon water table ranges from 130 to 70 m amsl, while post-monsoon water table ranges from 140 to 80 m amsl. Regional flow of groundwater is towards river Sone in the southern blocks, however in the northern blocks, the regional groundwater flow is towards river Ganga during both pre-monsoon and post-monsoon seasons. Long term groundwater level trend over ten years (from 2010 to 2019) has been analysed by using data from network monitoring stations in Rohtas district and observed that there is no significant variation in groundwater level over long term in the district.

Rohtas district has distinct hydrogeological setup in its northern and southern part. As per GSI published geological map, 76% of total geographic area of the district is covered by Alluvium and remaining 24% is covered under hard rock. Thickness of the sediment is not uniform in the area, and



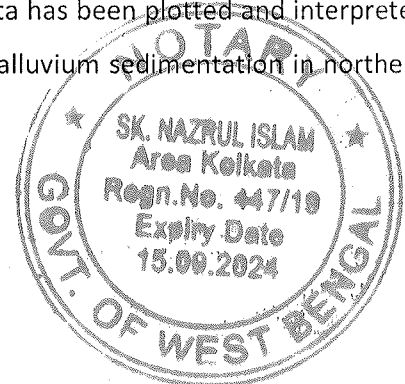
therefore, spatial variability in groundwater yield potential exists. In northern parts of the district, such as Kochas, Belbhaniya, Laxmanpur, Jayshree; groundwater yield is very high, whereas in southern parts of the district such as in Nauhatta, Rohtas and Sasaram, the yield is relatively less.

Older alluvium has been identified in the area underlying younger alluvium from a depth 10 m bgl to about 100 m bgl in Dawath to Dehri-On-Sone section and Dawath to Chenari section. Thickness of older alluvium on the other hand varies from 60 m (Chenari) to 214 m (Dawath). The contact between older alluvium and younger alluvium represents Holocene-Quaternary boundary. However no erosional signature is identified in boreholes. On the other hand older alluvium disconformably overlies the Neoproterozoic Upper Vindhyan System. Depth of basin bottom represented by Upper Vindhyan System varies from 75 to 233 m. The Pliocene-Holocene boundary has been encountered at shallow levels in hydrogeological sections except in Laxmanpur, where the older alluvium is exposed to the surface. Available data indicate presence of fairly thick aquitard layer at an average depth of 60 m bgl. Thus the alluvium cover upto this average depth of 60 m can be considered as Aquifer I, and below this can be considered as Aquifer II. However, no much variation in hydraulic head has been observed between dug wells in Aquifer I and EW's tapping Aquifer II. Therefore, it can be inferred that there is hydraulic connection between the first and second aquifer system in the area.

Exploratory drilling was also done in the consolidated formation occurring in the southern part of the district up to depth of 75 m tapping the Vindhyan Supergroup of rocks. However, drilling did not yield potential fracture zones in the southern part of the district. Thus the low yielding top phreatic zone is the source of groundwater in the southern part. Dug wells and dug cum bore wells are the suitable groundwater abstraction structures in the southern blocks.

Exploratory wells drilled to average depth of 200 m have yielded discharge within range 79.3 to 164.5 m³/hr with drawdown 3.24 to 12.74 m. A perusal of the pumping test data shows that transmissivity values ranges from 638.5 m²/day (Karghar) to Laxmanpur (9051 m²/day) indicating presence of potential aquifer system in the northern part of the district. However, in the southern part, groundwater dynamics could not be fully deciphered due to non-availability of successful exploratory wells consequent to the underlying low yielding aquifer system.

Vertical Electrical Sounding (VES) has been conducted in the district in order to decipher the sub-surface disposition of aquifer system in the district. The field data has been plotted and interpreted by matching with the master curves. VES data indicates fairly thick alluvium sedimentation in northern



part of the district with thickness of sand horizon more than 100 m. However, coming to the southern parts, the sand thickness is lower and basement is encountered at 60 to 20 m bgl.

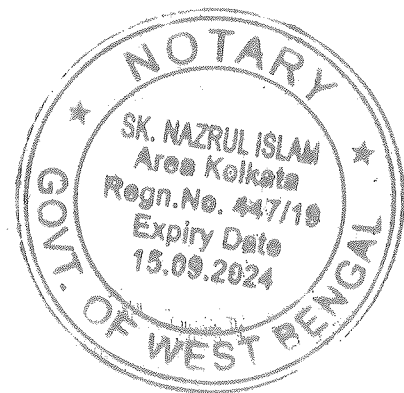
Groundwater quality data has been generated as per the calculated data gap in the district. The major parameters in the sample has been analyzed and data has been plotted in various hydro-chemical diagrams. It has been observed that all the analyzed samples are up to the mark of drinking as well as irrigation standards. Not any analyzed parameters were found above the permissible limits. Therefore, it can be inferred that, there are no groundwater quality issues present in the study area as per the present study.

Aquifer map of the study area has been generated by integrating hydrogeological, geophysical, chemical data obtained through the study. A 3 D aquifer disposition of the area has been simulated by integrating exploratory drilling data and geophysical signatures.

Dynamic groundwater resource assessment of Bihar State has been jointly carried out by Minor Water Resource Department, Govt. of Bihar and Central Ground Water Board. As on March 2020, estimated net groundwater resource of Rohtas district is 0.79 BCM and gross draft is 0.27 BCM with stage of extraction of 34.80%. All the blocks of the district come under 'safe' category.

The major groundwater issues in the study area are the limited groundwater resource and water scarcity in hard rock marginal alluvium area of the district. Limited soil cover and low yielding aquifers in the hard rock areas also pose constraints to the availability of the resource. Other identified issues include increase in contribution of groundwater in irrigation, diminishing Industrial activities due to water scarcity in southern parts of the district, deficit in actual rainfall, impact of sand mining on groundwater.

Management plans prepared involves management plan for drinking and domestic sectors, management plan for irrigation sector, artificial recharge to groundwater, mine water management. Apart from these, demand side interventions can also be adopted such as lining of underground pipelines (Kutch Channels), installation of drip/sprinkler irrigation system etc. in order to improve the groundwater resource of the district. Crop diversification can also be practiced in the district as per the plan detailed in Chapter-VI, by projecting the SOE to 60%.



ANNEXURE - 'G' - 98


लोकसुनवाई का वृत्त।
मेसर्स शिवम कोक प्राइवेट लिमिटेड, निदेशक-श्री राजीव ओझा, पिता-श्री बालेश्वर ओझा, ग्राम+पोस्ट-सेमरिया, थाना-शाहपुर, सेमरिया पट्टी ओझा, जिला-भोजपुर द्वारा रोहतास सोन -08 बालू घाट, मौजा-दरिहट/मझियावां, ब्लॉक-डेहरी, जिला-रोहतास के अन्तर्गत परियोजना से संबंधित पर्यावरणीय स्वीकृति के वास्ते पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के अधिसूचना सं०-एस.ओ.1533, दिनांक 14 सितम्बर, 2006 के लहत दिनांक 15.03.2024 को अपराह्न 01:00 बजे अंचल कार्यालय, डेहरी, जिला-रोहतास में लोक सुनवाई की गयी।


पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार अधिसूचना सं०-एस.ओ. 1533, दिनांक 14 सितम्बर 2006 एवं यथा संशोधित के लहत राज्य स्तरीय पर्यावरणीय समाघात निर्धारण प्राधिकरण, बिहार के द्वारा निर्गत TOR File.No.SIA/1(a)/2428/2023, dated 06.06.2023 के आलोक में श्री चन्द्रशेखर प्रसाद सिंह, अपर समाहर्ता-सह- अपर जिला दण्डाधिकारी, रोहतास, शारभाराम (जिला पदाधिकारी, रोहतास के प्रतिनिधि) की अध्यक्षता में बिहार राज्य प्रदूषण नियंत्रण पर्यद, द्वारा दिनांक 15.03.2024 को अपराह्न 01:00 बजे अंचल कार्यालय, डेहरी, जिला-रोहतास में लोक-सुनवाई आयोजित की गयी। उपस्थिति पंजी संलग्न (अनुलग्नक-1)

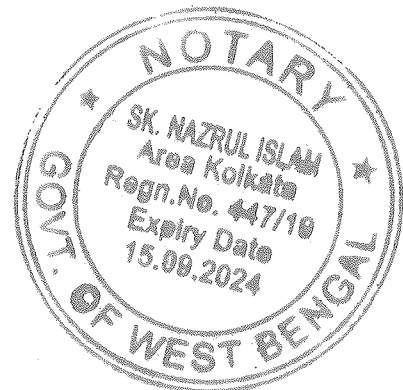
इस लोक-सुनवाई की सूचना बिहार राज्य प्रदूषण नियंत्रण पर्यद द्वारा दैनिक समाचार पत्रों यथा दैनिक जागरण के माध्यम से दिनांक 10.02.2024 को प्रकाशित की गयी थी (प्रतिलिपि संलग्न)।

उपस्थिति पंजी स्पष्ट है कि लोक-सुनवाई में पदाधिकारियों के अलावे बालू घाट के नव-दंडोदस्तीधारी के पर्यावरणीय सलाहकार एवं उनके अधिकृत प्रतिनिधि श्री अनिल कुमार भगत उपस्थित हुए हैं। आम जनता लोक-सुनवाई में उपस्थित नहीं हुए।

अध्यक्ष महोदय द्वारा उपरोक्त सूचना सक्षम प्राधिकार को अपरारित करने का निर्णय लिया गया। तत्पश्चात् लोक सुनवाई सधन्यवाद समाप्त करने की घोषणा की गयी।


क्षेत्रीय पदाधिकारी
वि.स.प्र.नि.पर्यद,पटना


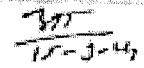
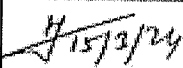

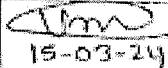


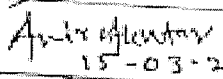


अपर समाहर्ता-सह-
अपर जिला दण्डाधिकारी
रोहतास

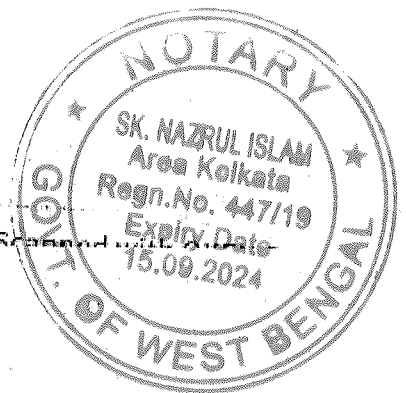


उपस्थिति सूची

भेरास सिधम कोक प्राइवेट लिमिटेड, निदेशक-श्री राजीव ओझा, द्वारा रोहतास सोन -08 बालू घाट, मौजा-दरिहट/मझियावां, ब्लॉक-डेहरी, जिला-रोहतास से संबंधित पर्यावरणीय स्वीकृति हेतु लोक-सुनवाई के दौरान उपस्थित व्यक्तियों की सूची:

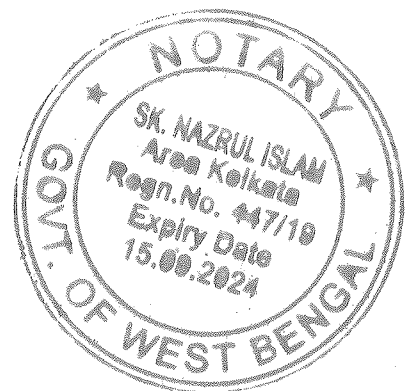
स्थान- अंचल कार्यालय, डेहरी, जिला-रोहतास दिनांक 15.03.2024 समय-01:00 P.M.

क्र.सं.	नाम	पता	हस्ताक्षर
1.	चंद्रबोखर प्र. सिंह	ADM Rohtas	 15/3/24
2.	अनवरुफ कुमर गुप्ता	इन्स्पेक्टर, फि. ए. ए. डि. भूतल, पटना	 15-3-24
3.	उत्तमोत्तम सिन्घेरी	CO, Dehri	 15/3/24
4.	पिपुआ गुप्ता	ACEO, Zila Parisaad Rohtas (Sasaram)	 15/03/24
5.	उस्मान आरिफ चौधरी	Mines Inspector	 15-03-24
6.	Abhishek Kumar	Rinn Enviro Pvt Ltd	 15/3/24
7.	Amir Akbar	Rinn Enviro Pvt Ltd. Patna	 15.3.24
8.	Amir Akbar	Rinn Enviro Pvt Ltd. Patna	 15-03-24
9.	Rajab Bary		 Rajab Bary
10.			
11.			
12.			
13.			
14.			
15.			
16.			



Details of action plan for the issues raised during the public hearing

In Public Hearing no local persons participate in the environmental impacts of the project.





PARIVESH
SVA SWASTHYA

सर्वोत्तम वातावरण प्रदूषण नियंत्रण विभाग
Ministry of Environment, Forest and Climate Change



101 -

ANNEXURE - 'H'

EC Granted

10/08/2024-10/08/2024

-

Start Date

10/08/2024

End Date

10/08/2024

Referred to SEIAA

23/07/2024-10/08/2024

+

Processed by MS SEAC

10/07/2024-23/07/2024

+

MS Verification Completed

15/06/2024-10/07/2024

+

EDS raised

07/06/2024-15/06/2024

+

MS Verification Completed

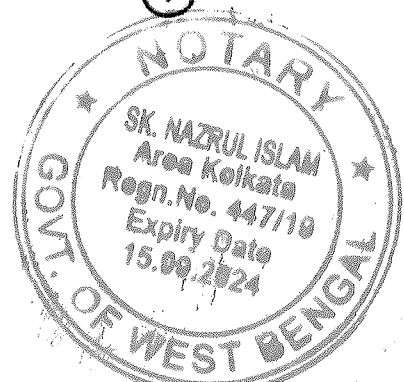
29/05/2024-07/06/2024

+

Submitted

28/05/2024-29/05/2024

+



ANNEXURE - 'I'

102

Project Details

1. Introduction of Project or Activity

1.1. Need for the project or activity and its importance to the country/region

The demand of construction material has increased, to supply this demand, mining of sand is done.

1.2. Demand - Supply Gap and Domestic and export markets, if any

The demand for sand is ever growing with the growth of the infrastructure sector in our country. The mineral is used mainly in the construction activities like buildings, bridges etc. The requirement for the mineral is always high in the cities & towns. Therefore there is a demand in the market.

2. Social Infrastructure

2.1. Readily available

social infrastructure facilities are locally available near project site

2.2. Proposed to be developed

Road facility (existing roads will be maintained regularly) Employment opportunity Medical camps Social awareness camps, Donations to schools Secondary employment opportunities Formation of self-help groups for the women in nearby villages.

3. Connectivity to the project or activity

3.1. Nearest railway station and its distance (in Km)

Dehri on Son Railway Station 8.93

3.2. Nearest Airport and its distance (in Km)

Gaya International Airport 72.63

3.3. Nearest Town/City/District head quarter and its distance (in Km)

Sasaram 23.82

4. Soil classification

(a) The forest and hilly area in the south of the GT road with yellowish brown to reddish brown soil. (b) Alluvial soils, light grey to dark grey in colour of recent age occurs in the north of GT road (NH-2) in Gangetic plain. (c) Marginal alluvial soils, (Colluvial deposits) greyish yellow in colour to the south of GT road upto the foothill of Kaimur plateau.

5. Distance from the HFL of the river in m, if any

0

6. Benefits of the project

6.1. Social benefits of project or activity

Employment to 97 People

6.2. Financial benefits of project or activity

Generation to revenue for state

7. Project/ Activity Construction Status

To be Started

7.1. Likely date of start of construction activity (start of mining operations in case of mining proposals)

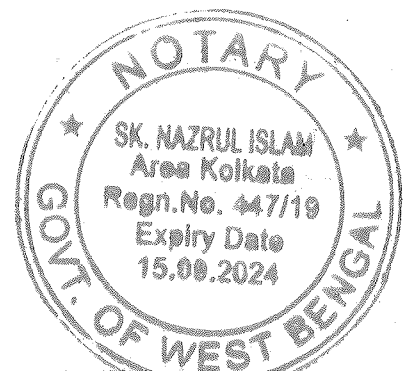
01/09/2023

7.2. Likely date of completion of construction activity (end of mining operations in case of mining proposals)

19/04/2028

Construction Details

2. Use of resources for construction or operation of the project



2.1. Whether requirement of water involved in the project? Yes

103 -

Details of Water requirement during Construction stage

Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission
None	0	0	None	0	Other	

Details of Water requirement during Operational stage

Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission
Other	8.96	0	Others	2000	Tankers	

2.2. Other information, if any

This water will be supplied from nearby pond or available sources.

2.3. Whether requirement of Minerals and/or fuels involved in the project? Yes

Details thereof

Name of Minerals / Fuel	Quantity per annum in MT	Source	Mode of transport	Distance from source in Km	Details of linkage / supply agreement
Diesel	776.4	Open Market	Road	2	

2.4. Other information, if any None

2.5. Construction material No

2.6. Timber No

2.7. Electric Power: No

2.8. Whether any other natural resources / other raw materials required?: No

2.9. Whether any use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies) required? No

2.10. Whether any resource efficiency / optimization / recycling and reuse envisaged in the project? No

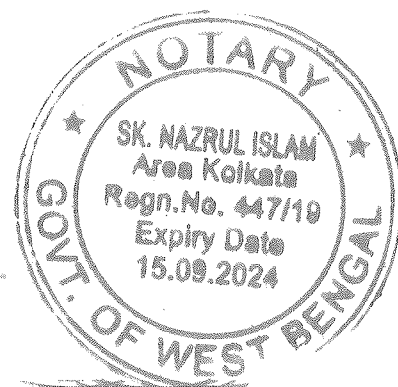
Physical Changes

3. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality:

3.1. Whether any permanent or temporary change in land use, land cover or topography due to project activity? No

3.2. Whether any clearance of existing vegetation due to project activity? No

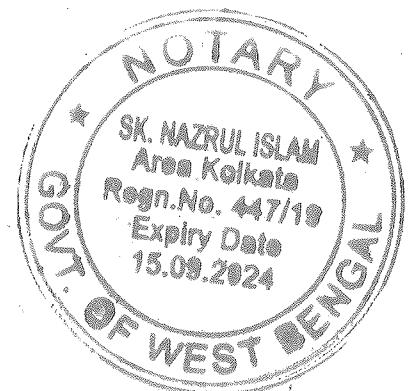
3.3. Whether any loss of native species or genetic diversity? No



- 3.4. Whether any demolition works involved in project activity? No
- 3.5. Whether any linear structures proposed for diversion or demolition due to project activity? (e.g. roads, transmission lines, rail line, pipeline, conveyor, etc.) No
- 3.6. Whether any closure or diversion of existing transport routes or infrastructure due to project leading to changes in traffic movements? No
- 3.7. Whether any closure or diversion of water bodies present in project area or realignment of water courses passing through project area? No
- 3.8. Whether any dismantling or decommissioning or restoration works or reclamation works (Long-term/ short-term)? Yes
- 3.8.1. Details of dismantling / decommissioning None
- 3.8.2. Duration of dismantling or decommissioning 00/00
- 3.8.3. Details of restoration or reclamation Restoration work will be done nearby the mining site by plantation works. Plantation will be done along the bank of the river and along both sides of the connecting road of the mining site. 696 trees
- 3.8.4. Duration of restoration or reclamation 05/00
- 3.8.5. Other information, if any None
- 3.9. Whether any construction works for temporary use for project activity? Yes

Details	No.s	Built up area	Remarks
Temporary rest shelters will be provided at the mining site for working laborers. Only local people will be hired for this project at day time only.	1	0	
		Total No.s	Total Built up area in Sq.m
Total		1	0

- 3.10. Whether any cut and fill excavations proposed for the project activity? No
- 3.11. Whether any underground works including tunnelling? No
- 3.12. Whether any dredging involved in project? No
- 3.13. Whether any offshore structures involved in project? No
- 3.14. Whether any new road, rail, sea, airports, helipad, etc. during construction or operation? No



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during construction or operation?

- 3.15. Whether any construction of new linear structures? (e.g. transmission lines, pipelines, etc.) No
- 3.16. Whether any Facilities for storage of goods or raw materials? No
- 3.17. Whether any Facilities for long term/ permanent housing of operational workers/ staff? No
- 3.18. Whether any Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers? No
- 3.19. Whether any Stream crossings, temporary and permanent? No
- 3.20. Whether any Influx of people to an area in either temporarily or permanently? No
- 3.21. Whether any other information would like to submit? No

Pollution Details

4. Release of pollutants to Air and Mitigation measures

4.1. Whether any probable air pollutants generated? Yes

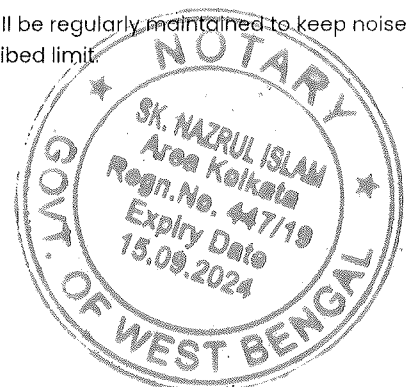
Air Pollution Source	Probable Pollutants	Mitigation Measures
Excavation	PM10	Sprinkling on haul road, greenbelt development
Transport of raw material/products	SO2, NOX	Greenbelt development

4.2. Other information, if any None

4.3. Generation of Noise & Vibration and mitigation measures

4.3.1. Whether any probable generation of Noise and vibration from the proposed project? Yes

- 4.3.1.1. Sources of Noise Excavator; Some noise will be generated from vehicular movement during transportation of minerals
- 4.3.1.2. Sources of Vibration None
- 4.3.1.3. Details of blasting, if any Blasting and piling is not proposed for the mining process.
- 4.3.1.4. Other information, if any None
- 4.3.1.5. Whether any mitigation measures proposed for Noise & Vibration? Yes
- 4.3.1.5.1. Mitigation measures proposed for control of Noise All the equipment's will be regularly maintained to keep noise level within the prescribed limit.
- 4.3.1.5.2. Mitigation measures proposed for control of vibration None
- 4.3.1.5.3. Other information, if any None



4.3.2. Whether any probable generation of Light and Heat? No

4.4. Discharge of pollutants to water and mitigation measures

4.4.1. Whether any probable water pollutants generated? No

4.5. Probable sources of water pollutant No

Details of reuse / recycle of wastewater

Details Qty / Capacity

4.6. Quantity of waste water generation per day (KLD) 0

4.7. Quantity of treated water proposed to use per day (KLD) 0

4.8. Quantity of treated water proposed to discharge outside the premises (KLD) 0

4.9. Purpose for which treated water is proposed to use None

4.10. Whether it is proposed to opt/avail common off-site Sewage Treatment Plant (CSTP)/Effluent Treatment Plant (CETP) facility? No

4.11. Whether it is proposed to setup on-site Sewage Treatment Plant (STP)/Effluent Treatment Plant (ETP) facility? No

4.12. Whether the adequacy of the Sewage Treatment Plant (STP) or Effluent Treatment Plant certified by an independent expert? No

4.12.1. Reasons thereof This is sand mining project

4.13. Whether any other mitigation measures proposed? No

4.14. Whether Dual Plumbing System proposed to be implemented? No

4.14.1. Reasons thereof This is sand mining project

4.15. Whether any discharge of treated effluent involved? No

Water Requirements

7. Ground water intersection and water conservation measures:

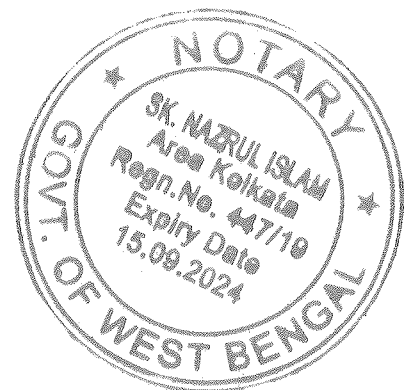
7.1. Whether ground water table intersection involved in the project activities? No

7.2. Area category from Groundwater availability perspective? Safe

7.3. Whether Rainwater harvesting proposed No

7.4. Whether any other water conservation measures proposed? No

7.5. Whether the ZLD is proposed? No



8. Greenbelt

8.1. Area proposed for green belt (In Ha)	0.4985
8.2. Width of green belt (in m) along the boundary of the project or activity	5
8.3. Percentage of the total area covered under green belt	1
8.4. Details of the species proposed for plantation	Azadirachta indica A. juss., Saraca indica, Managifera indica Linn, Ficus religiosa Linn
8.5. No. of tree saplings to be planted	997
8.6. Funds allocated for plantation in Lakhs.	19.94

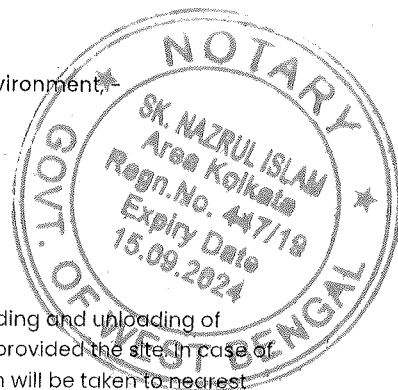
Waste Generation

9. Production of wastes during construction or operation or decommissioning

9.1. Whether any generation of Solid waste (domestic wastes)?	No
9.2. Whether any generation of plastic waste?	No
9.3. Whether any generation of e-waste?	No
9.4. Whether any generation of batteries waste?	No
9.5. Whether any generation of Bio-medical waste?	No
9.6. Whether any generation of hazardous wastes (as per Hazardous Waste Management Rules)?	No
9.7. Whether any generation of construction or demolition wastes?	No
9.8. Whether any generation of other wastes?	No
9.9. Whether any generation of surplus products?	No
9.10. Whether measures for waste minimization proposed?	No

Risk Assessment

10. Whether any risks associated with project activities which could affect human health or the environment?	
10.1. From explosions, spillages, fires etc. from storage, handling, use or production of hazardous substances?	No
10.2. From any other causes?	Yes
10.2.1. Details thereof	Accidents are possible during loading and unloading of material. First aid facilities will be provided the site. In case of major accident, the injured person will be taken to nearest



major accessibility and injured persons to reach hospital.

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10.3. Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?

Yes

The mine lease area lies in Seismic Zone III. This zone is classified as High Damage Risk Zone. Floods are also anticipated during monsoon season. However mining will be stopped during monsoon and flood alerts will be given during non-monsoon period, if any.
(SOURCE:<http://ndma.gov.in/ndma/eqmeasurement.html>)

10.3.1. Details thereof

10.4. Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)

No

10.5. Could project adversely affect the wellbeing of people in project area e.g. by changing living conditions?

No

10.6. Vulnerable groups of people who could be adversely affected by the project e.g. hospital patients, children, the elderly etc.

No

10.7. Risk Management Plan

Yes

10.7.1. Details thereof

Enclosed

10.8. Whether any likely impacts of the proposed activity on the existing facilities adjacent to the proposed site due to generation of dust, smoke, odorous fumes or other hazardous gases?

No

11. 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

11.1. Whether lead to development of supportive facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supportive infrastructure (roads, power supply, waste or waste water treatment, etc.); housing development; industries in supply chain and downstream; any other?

No

11.2. Whether lead to after-use of the site, which could have an impact on the environment? (e.g. mine void, dump sites, etc.)

No

11.3. Whether set a precedent for later developments?

Yes

11.3.1. Details thereof

Proposed mining activity can set a precedent for increase in infrastructure developmental activity.

11.4. Have cumulative effects due to proximity to other existing or planned projects with similar effects?

Yes

11.4.1. Details thereof

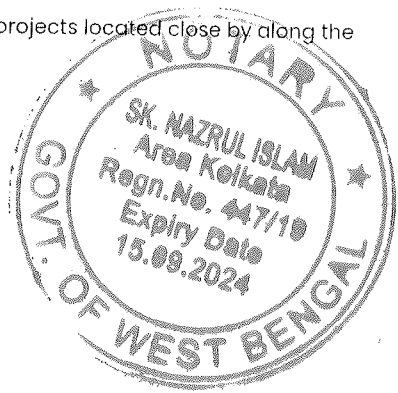
There are similar mining projects located close by along the Sone river.

11.5. Whether lead to growth of alien species, if any?

No

11.6. Is there any threat of the project to the biodiversity (including displacement of fauna-both terrestrial and aquatic and avi-fauna or creation of barriers for their movement)?

No



11.7. Will the proposed project in any way result in the obstruction of a view, scenic amenity or landscapes?

No

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11.8. Is there any impact on anthropological or archaeological sites or any important site feature in the vicinity of the proposed site have been considered?

No

11.9. Will the proposed project result in any changes to the demographic structure of local population?

No

11.10. Will the project cause adverse effect on local communities, disturbance to sacred sites or other cultural values?

No

12. Mining Proposals

12.1. Details of Letter of Intent (LoI) / Vesting order / Mining Lease

12.1.1. Date of issue of LoI/Vesting order/Minning Lease	20/04/2023
12.1.2. Validity of the LoI/Vesting order	19/04/2028
12.1.3. Lease Period	05/00
12.1.4. Date of expiry of lease	19/04/2028
12.1.5. Lease area (in Ha) as per LoI/Vesting order/Mining Lease	96.50
12.1.6. Production capacity (in MTPA) as per LoI / Vesting Order / Mining lease, if any prescribed	3.1266
12.1.7. Details of Lease renewal(s), if any	Fresh
12.1.8. Other information, if any	None

13. Status of approval of Mining plan

Approved

14. Minerals to be mined

Name of Mineral	Classification	Production Capacity	Remarks
Ordinary Sand	Minor	3.1266	None

15. Details of Total excavation (RoM) including Topsoil, Overburden, Mining waste, Rejects, etc.

15.1. Total excavation in MTPA	3.1266
15.2. Total Excavation in M.Cu.m/Annum	1.737
15.3. Enter stripping Ratio	01:00
15.4. Other information, if any	None

16. Mineral Reserves

Name of Mineral	Proved Reserves	Indicated Reserves	Inferred Reserves
Ordinary Sand	0	0	0



15.633

17. Life of Mine (Years)

- 17.1. Life of the mine as per approved mining plan 05/00
- 17.2. Life of the mine as per total estimated reserves, if any 05/00
- 17.3. Other information, if any None

18. Type and method of Mining Method

- 18.1. Type of mining Opencast
- 18.2. Method of mining Semi-mechanized
- 18.3. Other information, if any None

19. Type of blasting, if any, to be adopted

- 19.1. Type of blasting NA
- 19.2. Mitigation measures for control of blast induced vibrations NA
- 19.3. Other information, if any None

20. Whether it is proposed to install beneficiation plant/Coal washery within the mining lease area? No

21. Whether it is proposed to install crusher within the mining lease area? No

22. Dumping strategy

Description	Area in Ha	Maximum height in m	Remarks
External dump	0	0	0
Internal dump	0	0	0
Topsoil dump/ storage	0	0	0

23. Topsoil management

- 23.1. Total Topsoil excavated during the entire life of the mine (in Million Cubic Meter) 0
- 23.2. Utilization strategy of topsoil 0
- 23.3. Other information, if any None

24. Details of the Quarry/Mine Pit

- 24.1. Total Quarry Area (Ha) 96.5
- 24.2. Enter Area of final void (in Hectare) 0
- 24.3. Maximum Depth of final void (in meter) 0



24.4. Other information, if any

None

111

25. Details of Transportation

25.1. Mode of transportation upto pit head

Haul Road

25.2. Mode of transportation from pit head to siding/loading

Approach road

25.3. Mode of transport from loading point to consumers

Road

25.4. Other information, if any

None

26. Details of reclamation/post mining land use

26.1. Plantation area (ha)

0.4985

26.2. Water body in Ha

0

26.3. Public use in Ha

0

26.4. Enter Other uses in Ha

0

27. Details of DSR; Cluster and Replenishment study

27.1. Whether approved DSR available

Yes

27.2. Whether the instant proposal is part of cluster

Yes

27.2.1. Total ML area (in Ha) of the cluster

538.21

27.2.2. No. of Mines falling in the cluster

6

27.2.3. Category of the cluster

BI

Enclosures

24. Layout Plan showing the components of the project and green belt proposed; general location and specific location of the project along with coordinates

Layout Plan.pdf

25. Letter of Intent / Mining Lease

LOI.pdf

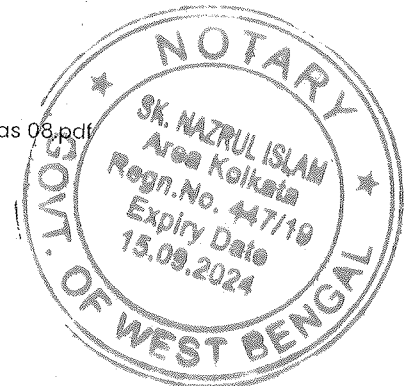
26. Schematic representation of the feasibility drawings which give information for EIA purpose

Schematic representation of the feasibility drawings which give information for EIA purpose.pdf

15. Additional Information

S. No.	Document Name	Remark	Document
1	Annexure (Plan)	None	ANNEXURE Rohtas Son-08.pdf
2	Approved Mine Plan	None	Approved Mine Plan Rohtas 08.pdf
3	ToR	None	TOR sand.pdf
4	DD	None	DD Rohtas 08.pdf
5	PFR	None	PFR ROHTAS.pdf
6	Form-1	None	FORM 1.pdf
7	Cover Letter & Last Page	None	Cover letter & last page rohtas 08.pdf

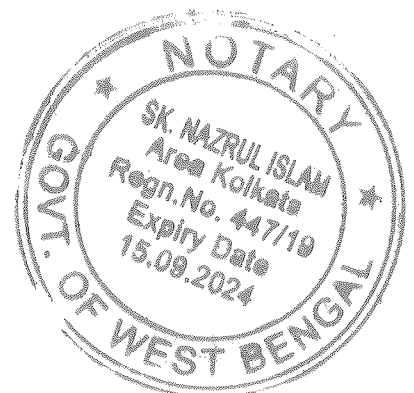
Undertaking



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16. I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and clearance given if any to the project will be revoked at our risk and cost. In addition to the above, I hereby give undertaking that no activity/construction/expansion has been taken up

16.1. Name Rakesh Kumar
16.2. Designation Director
16.3. Company SHIVAM COKE PRIVATE LTD
16.4. Address Bungalow No.-06, At- Chanchani Colony, Near Hirak Point, Dhanbad, Jharkhand
16.5. Date 25/05/2023



दिनांक :- 19-08-2024

सेवा में,
श्रीमान सदस्य सचिव,
बिहार राज्य प्रदूषण नियंत्रण पषर्षद,
बेल्ड्रॉन भवन, शास्त्री नगर,
जवाहर लाल नेहरू मार्ग,
पटना (बिहार) - 800023

विषय :- रोहतास जिलान्तर्गत सोन नदी, दरिहट बालू घाट (ब्लॉक संख्या - 08) के पर्यावरणीय स्वीकृति के संबंध में।

महाशय,

मैं सूरज कुमार, आत्मज : ददन सिंह, दरिहट बालूघाट के निकट स्थित ग्राम - मझिआँव, पोस्ट - पडुहार, थाना - दरिहट, परुहार, रोहतास, बिहार - 821306 का रहने वाला आम नागरिक हूँ। हमें पता चला है कि उपरोक्त घाट का संचालन के लिए पर्यावरणीय स्वीकृति प्रदान की जा रही है। नियम अनुसार इस स्वीकृति के लिए लोक सुनवाई का आयोजन किया जाता है, जिसमें हम आम नागरिकों की समस्या एवं अभियोग की सुनवाई होती है तथा उसकी गंभीरता को समझते हुए स्वीकृत किया जाता है। उपरोक्त घाट के लिए कभी भी किसी तरह का लोक सुनवाई का आयोजन नहीं किया गया, जिसमें हम अपनी वास्तविक समस्याएँ आपके सामने रख सके। हम किसानों के साथ यह एक बहुत बड़ी धोखाधड़ी और साजिश की संरचना है। अगर इस बालू घाट की पर्यावरणीय स्वीकृति प्रदान की जाती है तो हमलोग इस घाट को संचालित नहीं होने देंगे और अनिश्चितकाल के लिए उग्र रूप से धरना - प्रदर्शन करके पुरजोर विरोध करने पर मजबूर होंगे। इस कारण जो भी कानून - व्यवस्था की समस्या उत्पन्न होती है, इसकी ज़िम्मेदारी आप पर होगी।

अतः आपसे हमारी प्रार्थना है कि आप इस घाट की पर्यावरणीय स्वीकृति को प्रदान नहीं करके, घाट संचालन नहीं होने दें।

आपसे पूर्ण सहयोग की प्रतीक्षा में।

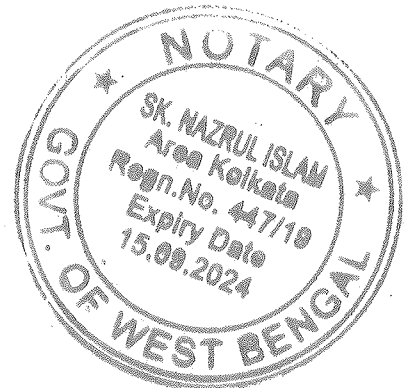
आपका विश्वासी

सूरज कुमार

सूरज कुमार

प्रतिलिपि - SEJAA, बिहार।

प्रतिलिपि - BSMCL, पटना।



← 114 - → 1970 -

To,
The Member Secretary,
Bihar State Pollution Control Board,
Beltron Bhawan, Shastri Nagar,
Jawaharlal Nehru Marg,
Patna (Bihar) – 800023

Dated :- 19.08.2024

Subject:- Regarding environmental approval of Son River, Darihat Balu Ghat (Block No. 08) under Rohtas district.

Dear Sir,

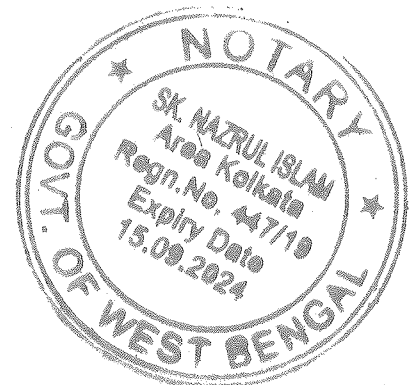
I am Suraj Kumar, S/O : Dadan Singh, a common citizen resident of village Majhiyanv, Post Paduhar, Police Station Darihat, Paruhar, Rohtas, Bihar - 821306, located near Darihat Sand Ghat. We have come to know that environmental clearance is being given for the operation of the above mentioned ghat. According to the rules, a public hearing is organized for this approval accepted, in which the problems and allegations of us common citizens are heard and after understanding their seriousness. No public hearing was ever organized for the above ghat, in which we could present our real problems before you. This is a huge fraud and conspiracy structure against us farmers. If environmental approval is given to this sand ghat, we will not allow this ghat to operate and will be forced to protest strongly by protesting indefinitely. Due to this, whatever law and order problem arises, the responsibility for it will be on you.

Therefore, we request you to not allow the operation of the ghat by not granting environmental approval to this ghat.

Awaiting full cooperation from you.

Yours faithfully

Suraj Kumar



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Track Consignment

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* Indicates a required field.

* Consignment Number

RF227228976IN

[Track More](#)

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
DEHRI ON SONE RMS	20/08/2024 18:11:18	800010	25.96	Registered Letter	LBS Nagar SO	23/08/2024 18:29:41

Event Details For : RF227228976IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
23/08/2024	18:29:41	Patliputra SO	Item Delivered(Addressee)
23/08/2024	12:45:50	Patliputra SO	Out for Delivery
23/08/2024	08:47:13	Patliputra SO	Item Received
23/08/2024	06:01:18	Patna RMS TMO	Item Dispatched
23/08/2024	04:19:12	Patna RMS TMO	Item Received
23/08/2024	03:35:25	Patna RMS CRC L1R	Item Dispatched
23/08/2024	02:26:54	Patna RMS CRC L1R	Item Bagged
22/08/2024	21:27:51	Patna RMS CRC L1R	Item Received
22/08/2024	18:25:04	Patna Sectt SO	Item Dispatched
22/08/2024	16:27:33	Patna Sectt SO	Item Bagged
22/08/2024	09:59:38	Patna Sectt SO	Item Redirected to Sadaquat Ashram SO Insufficient Address
22/08/2024	07:46:05	Patna Sectt SO	Item Received
22/08/2024	05:34:45	Patna RMS TMO	Item Dispatched
21/08/2024	22:17:40	Patna RMS TMO	Item Received
21/08/2024	14:38:55	Patna RMS CRC L1R	Item Dispatched
21/08/2024	14:19:44	Patna RMS CRC L1R	Item Bagged
21/08/2024	08:45:51	Patna RMS CRC L1R	Item Received
21/08/2024	01:46:28	Gaya RMS TMO	Item Dispatched
21/08/2024	00:16:03	Gaya RMS TMO	Item Received
20/08/2024	21:33:00	Dehri on Sone RMS	Item Dispatched
20/08/2024	21:32:23	Dehri on Sone RMS	Item Received
20/08/2024	21:30:19	Dehri On Sone RMS L2R	Item Dispatched
20/08/2024	21:25:35	Dehri On Sone RMS L2R	Item Bagged
20/08/2024	20:55:28	Dehri On Sone RMS L2R	Item Received
20/08/2024	20:10:11	DEHRI ON SONE RMS	Item Dispatched
20/08/2024	20:02:56	DEHRI ON SONE RMS	Item Bagged
20/08/2024	18:11:18	DEHRI ON SONE RMS	Item Booked

दिनांक :- 19-08-2024

सेवा में,
श्रीमान सदस्य सचिव,
बिहार राज्य प्रदूषण नियंत्रण पर्वद,
बेल्ट्रॉन भवन, शास्त्री नगर,
जवाहर लाल नेहरू मार्ग,
पटना (बिहार) - 800023

विषय :- रोहतास जिलान्तर्गत सोन नदी, दरिहट बालू घाट (ब्लॉक संख्या - 08) के पर्यावरणीय स्वीकृति के संबंध में।

महाशय,

मैं देवा सिंह, आत्मज : राजेन्द्र सिंह, दरिहट बालूघाट के निकट स्थित ग्राम - मझिआँव, पोस्ट - पडुहार, थाना - दरिहट, परुहार, रोहतास, बिहार - 821306 का रहने वाला आम नागरिक हूँ। यहाँ पर दरिहट घाट में विशेष प्रजाति की मछली पाई जाती है। यदि इस घाट में खनन का कार्य शुरू होता है तो यहाँ पर पाई जाने वाली विशेष प्रजाति की मछली नहीं मिलेगी और इससे मछली का नुकसान होगा। खनन करने से मछली का जीवन का नुकसान होगा और मछली का अस्तित्व को बचाये रख पाना मुश्किल होगा। इस विषय पर जाँच करवाने का कृपा किया जाय।

अतः आपसे हमारी प्रार्थना है कि आप इस घाट की पर्यावरणीय स्वीकृति को प्रदान नहीं करके, घाट संचालन नहीं होने दें। अगर इस बालू घाट की पर्यावरणीय स्वीकृति प्रदान की जाती है तो हमलोग इस घाट को संचालित नहीं होने देंगे और अनिश्चितकाल के लिए उग्र रूप से धरना - प्रदर्शन करके पुरजोर विरोध करने पर मजबूर होंगे।

आपसे पूर्ण सहयोग की प्रतीक्षा में।

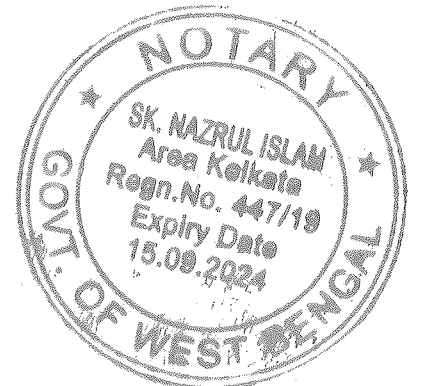
आपका विश्वासी

देवा सिंह

देवा सिंह

प्रतिलिपि :- SEIAA, बिहार।

प्रतिलिपि :- BSMCL, पटना



To,
The Member Secretary,
Bihar State Pollution Control Board,
Beltron Bhawan, Shastri Nagar,
Jawaharlal Nehru Marg,
Patna (Bihar) – 800023

Dated :- 19.08.2024.

Subject:- Regarding environmental approval of Son River, Darihat Balu Ghat (Block No. 08) under Rohtas district.

Dear Sir,

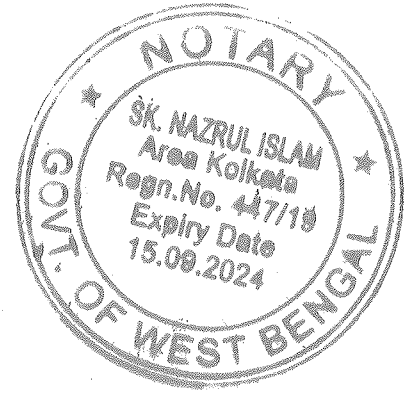
I am Deva Singh, S/O : Rajendra Singh, a common citizen resident of village Majhiyanv, Post Paduhar, Police Station Darihat, Paruhar, Rohtas, Bihar - 821306, located near Darihat Sand Ghat. A special species of fish is found here in Darihat Ghat. If mining work starts in this ghat then the special species of fish found here will not be found and this will lead to loss of fish. Mining will cause loss of fish life and it will be difficult for fish to survive. Please kindly get this matter investigated.

Therefore, we request you to not allow the operation of the ghat by not granting environmental approval to this ghat. If environmental approval is given to this sand ghat, we will not allow this ghat to operate and will be forced to protest strongly by protesting indefinitely.

Awaiting full cooperation from you.

Yours faithfully

Deva Singh





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* Consignment Number

RF227228931IN

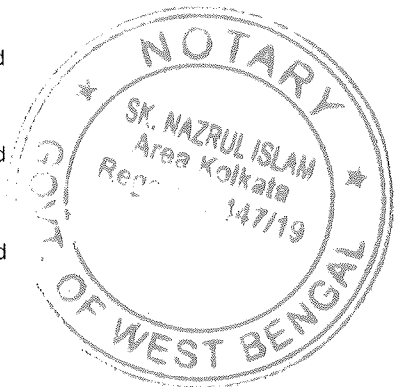
Track More

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Event Details For : RF227228931IN

Current Status : Item Delivered(Addressee)

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22/08/2024	07:46:05	Patna Sectt SO	Item Received
22/08/2024	05:34:45	Patna RMS TMO	Item Dispatched
21/08/2024	22:17:40	Patna RMS TMO	Item Received
21/08/2024	14:38:55	Patna RMS CRC L1R	Item Dispatched
21/08/2024	14:19:44	Patna RMS CRC L1R	Item Bagged
21/08/2024	08:45:51	Patna RMS CRC L1R	Item Received
21/08/2024	01:46:28	Gaya RMS TMO	Item Dispatched
21/08/2024	00:16:03	Gaya RMS TMO	Item Received
20/08/2024	21:33:00	Dehri on Sone RMS	Item Dispatched
20/08/2024	21:32:23	Dehri on Sone RMS	Item Received
20/08/2024	21:30:19	Dehri On Sone RMS L2R	Item Dispatched
20/08/2024	21:25:35	Dehri On Sone RMS L2R	Item Bagged
20/08/2024	20:55:28	Dehri On Sone RMS L2R	Item Received
20/08/2024	20:10:11	DEHRI ON SONE RMS	Item Dispatched
20/08/2024	20:02:56	DEHRI ON SONE RMS	Item Bagged
20/08/2024	18:11:18	DEHRI ON SONE RMS	Item Booked



दिनांक :- 19-8-24

सेवा में,
श्रीमान सदस्य सचिव,
बिहार राज्य प्रदूषण नियंत्रण पर्वद,
बेल्फॉन भवन, शास्त्री नगर,
जवाहर लाल नेहरू मार्ग,
पटना (बिहार) - 800023

विषय :- रोहतास जिलान्तर्गत सोन नदी, दरिहट बालू घाट (ब्लॉक संख्या - 08) के पर्यावरणीय स्वीकृति के संबंध में।

महाशय,

मैं पवन कुमार, आत्मज : भीम सिंह, दरिहट बालूघाट के निकट स्थित ग्राम - मझिआँव, पोस्ट - पडुहार, थाना - दरिहट, परुहार, रोहतास, बिहार - 821306 का रहने वाला आम नागरिक हूँ। हमारी जीवनचर्या एवं सभी आधारभूत कार्य इसी गांव से संचालित होता है। हमारे बच्चे शिक्षा के लिए स्कूल जाते हैं और परिवार के लोग बाजार, हाट, दुकान या अपना कार्यस्थल जाने के लिए जो आम रास्ता है, उसी रास्ता का उपयोग करके आना - जाना करते हैं। पिछले छः - सात महीने से इस क्षेत्र के आस - पास कई बालू घाट का संचालन शुरू हुआ है, जिसके कारण हमें रोजमर्रा रास्ते पर चलना दूभर हो गया है। प्रतिदिन कहीं न कहीं दुर्घटनाएं होती हैं और बड़ी बड़ी बालू लदे हुए भारी वाहन के खड़े रहने से रास्ते में जाम की स्थिति उत्पन्न हो जाती है। हम सभी गांव वासी एवं आम लोग इस कारण प्रतिदिन कई परेशानियों को झेलने के लिए मजबूर हो रहे हैं।

अतः अगर उपरोक्त बालूघाट का संचालन शुरू होता है तो हमारे लिए बहुत बड़ी समस्या उत्पन्न हो जायेगी। चूंकि हमारे यहाँ पर पहले से ही 15 से 20 बालूघाट संचालित हो रहे हैं। पहले से ही जाम की समस्या बनी हुई है। अत्यधिक संख्या में भारी वाहनों के आवागमन से प्रदूषण बढ़ रहा है। बच्चों को स्कूल जाने में दिक्कत हो रही है। स्कूल की बसों का जाम में फंस जाने से बसें लेट हो जा रही हैं। यदि ऐसी स्थिति में उपरोक्त घाट का संचालन शुरू होता है तो फिर हमलोगों का ज़िन्दगी जीना दुश्वार हो जाएगा। बच्चों की पढ़ाई में काफी दिक्कत होगी। बच्चे देर से स्कूल पहुंचेंगे। इस वास्तविक परिस्थिति को देखते हुए हम इस घाट का संचालन का पूर्ण विरोध करते हैं तथा घाट का पर्यावरणीय स्वीकृति प्रदान नहीं करने का अपील करते हैं। विपरीत परिस्थिति में हम उग्र आंदोलन तथा विरोध करने में मजबूर एवं विवश होंगे।

आपसे पूर्ण सहयोग की प्रतीक्षा में।

आपका विश्वासी

पवन कुमार

पवन कुमार

प्रतिलिपि :- SEIAA, बिहार।

प्रतिलिपि :- BSMCL, पटना।



To,
The Member Secretary,
Bihar State Pollution Control Board,
Beltron Bhawan, Shastri Nagar,
Jawaharlal Nehru Marg,
Patna (Bihar) – 800023

Dated :- 19.08.2024

Subject:- Regarding environmental approval of Son River, Darihat Balu Ghat (Block No. 08) under Rohtas district.

Dear Sir,

I am Pawan Kumar, S/O : Bhim Singh, a common citizen resident of village Majhiyanv, Post Paduhar, Police Station Darihat, Paruhar, Rohtas, Bihar - 821306, located near Darihat Sand Ghat. Our lifestyle and all basic work is conducted from this village. Our children go to school for education and family members use the common route to go to the market, market, shop or their workplace.

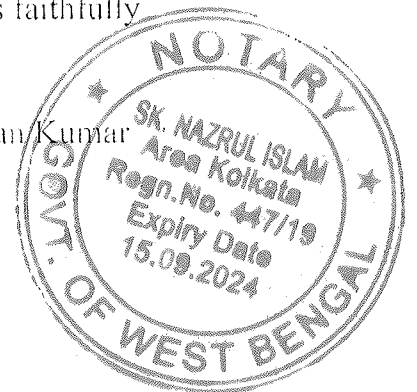
From the last six-seven months, many sand ghats have started operating around this area, due to which it has become difficult for us to walk on the road daily. Accidents happen every day and due to heavy vehicles laden with sand being parked there, a traffic jam occurs on the road. Due to this, all of us villagers and common people are being forced to face many problems every day.

Therefore, if the above mentioned sand ghat starts operating, it will create a big problem for us. Since 15 to 20 sand ghats are already operating here. There is already a problem of traffic jam. Pollution is increasing due to the movement of heavy vehicles in large numbers. Children are facing difficulty in going to school. School buses are getting late due to getting stuck in traffic jams. If the above ghat starts operating in such a situation, then it will become difficult for us to live our lives. There will be a lot of difficulty in children's education. Children will reach school late. In view of this actual situation, we completely oppose the operation of this ghat and appeal not to grant environmental approval to the ghat. In adverse circumstances, we will be forced and helpless to carry out violent agitation and protest.

Awaiting full cooperation from you.

Yours faithfully

Pawan Kumar



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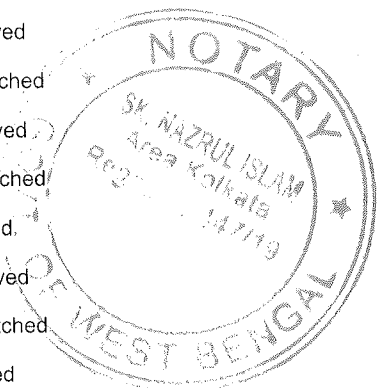
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Event Details For : RF227229101IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
22/08/2024	15:56:47	Patna Sectt SO	Item Delivered(Addressee)
22/08/2024	08:46:34	Patna Sectt SO	Out for Delivery
22/08/2024	07:46:05	Patna Sectt SO	Item Received
22/08/2024	05:34:45	Patna RMS TMO	Item Dispatched
21/08/2024	22:17:40	Patna RMS TMO	Item Received
21/08/2024	14:38:55	Patna RMS CRC L1R	Item Dispatched
21/08/2024	14:19:44	Patna RMS CRC L1R	Item Bagged
21/08/2024	08:45:51	Patna RMS CRC L1R	Item Received
21/08/2024	01:46:28	Gaya RMS TMO	Item Dispatched
21/08/2024	00:16:03	Gaya RMS TMO	Item Received
20/08/2024	21:33:00	Dehri on Sone RMS	Item Dispatched
20/08/2024	21:32:23	Dehri on Sone RMS	Item Received
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20/08/2024	21:25:35	Dehri On Sone RMS L2R	Item Bagged
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20/08/2024	20:10:11	DEHRI ON SONE RMS	Item Dispatched
20/08/2024	20:02:56	DEHRI ON SONE RMS	Item Bagged
20/08/2024	18:11:18	DEHRI ON SONE RMS	Item Booked



दिनांक : 19-08-2024

सेवा में,
श्रीमान सदस्य सचिव,
बिहार राज्य प्रदूषण नियंत्रण पथद,
बेल्ट्रॉन भवन, शास्त्री नगर,
जवाहर लाल नेहरू मार्ग,
पटना (बिहार) - 800023

विषय :- रोहतास जिलान्तर्गत सोन नदी, दरिहट बालू घाट (ब्लॉक संख्या - 08) के पर्यावरणीय स्वीकृति के संबंध में।

महाशय,

मैं बिराट राज, आत्मज : राजेन्द्र सिंह, दरिहट बालूघाट के निकट स्थित ग्राम - मझिआँव, पोस्ट - पडुहार, थाना - दरिहट, परुहार, रोहतास, बिहार - 821306 का रहने वाला आम नागरिक हूँ। यहाँ पर दरिहट घाट के निकट स्थित गाँव का कुआँ एवं नलकूप में पहले से ही पानी का स्तर काफी नीचे है। बालू खनन से पानी का स्तर और नीचे चला जाएगा। जिससे जल संकट की समस्या उत्पन्न होगी और आस पास की खेती बाड़ी प्रभावित होगी।

अतः आपसे नम्र निवेदन है कि हमारी वास्तविक परेशानियों एवं परिस्थिति की गंभीरता को समझते हुए पुनः इस विषय पर जाँच करवाकर ठोस कदम उठाने का कृपा करे और उपरोक्त घाट का संचालन शुरू नहीं होने दे। विपरीत परिस्थिति में हम उग्र आंदोलन तथा विरोध करने में मजबूर एवं विवश होंगे।

आपसे पूर्ण सहयोग की प्रतीक्षा में।

आपका विश्वासी

बिराट राज

बिराट राज

प्रतिलिपि :- GEIAA, बिहार /

प्रतिलिपि :- BSMCL, पटना /



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To,
The Member Secretary,
Bihar State Pollution Control Board,
Beltron Bhawan, Shastri Nagar,
Jawaharlal Nehru Marg,
Patna (Bihar) – 800023

Dated :- 19.08.2024.

Subject:- Regarding environmental approval of Son River, Darihat Balu Ghat (Block No. 08) under Rohtas district.

Dear Sir,

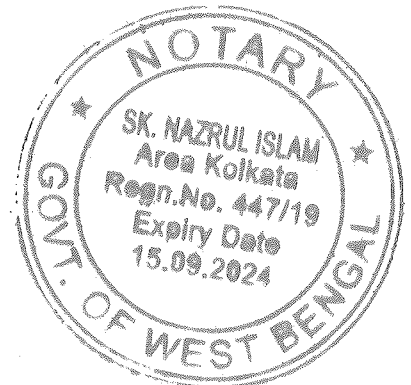
I am Birat Raj, S/O : Rajendra Singh, resident of village Majhiyaon, post - Paduhar, police station - Darihat, Paruhar, Rohtas, Bihar - 821306, located near Darihat Sand Ghat. Here the water level in the village well and tube well located near Darihat Ghat is already quite low. Sand mining will further lower the water level. Due to which the problem of water crisis will arise and the surrounding agriculture will be affected.

Therefore, it is a humble request to you that understanding our real problems and the seriousness of the situation, please get the matter investigated again and take concrete steps and do not allow the operation of the above mentioned ghat to start. In adverse circumstances, we will be forced and helpless to carry out violent agitation and protest.

Awaiting full cooperation from you.

Yours faithfully

Birat Raj



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* Consignment Number

RF227229061IN

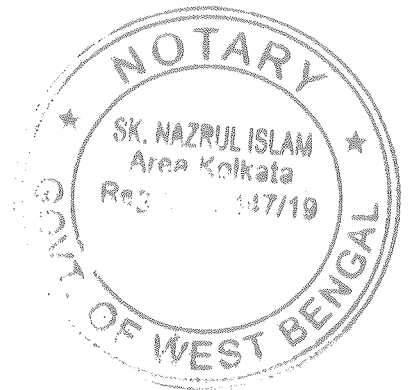
Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
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Event Details For : RF227229061IN

Current Status : Item Delivered(Addressee)

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23/08/2024	08:47:13	Patliputra SO	Item Received
23/08/2024	06:01:18	Patna RMS TMO	Item Dispatched
23/08/2024	04:19:12	Patna RMS TMO	Item Received
23/08/2024	03:35:25	Patna RMS CRC L1R	Item Dispatched
23/08/2024	02:26:54	Patna RMS CRC L1R	Item Bagged
22/08/2024	21:27:51	Patna RMS CRC L1R	Item Received
22/08/2024	18:25:04	Patna Sectt SO	Item Dispatched
22/08/2024	16:27:33	Patna Sectt SO	Item Bagged
22/08/2024	09:59:38	Patna Sectt SO	Item Redirected to Sadaquat Ashram SO Insufficient Address
22/08/2024	07:46:05	Patna Sectt SO	Item Received
22/08/2024	05:34:45	Patna RMS TMO	Item Dispatched
21/08/2024	22:17:40	Patna RMS TMO	Item Received
21/08/2024	14:38:55	Patna RMS CRC L1R	Item Dispatched
21/08/2024	14:19:44	Patna RMS CRC L1R	Item Bagged
21/08/2024	08:45:51	Patna RMS CRC L1R	Item Received
21/08/2024	01:46:28	Gaya RMS TMO	Item Dispatched
21/08/2024	00:16:03	Gaya RMS TMO	Item Received
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20/08/2024	20:02:56	DEHRI ON SONE RMS	Item Bagged
20/08/2024	18:11:18	DEHRI ON SONE RMS	Item Booked



ANNEXURE - K' -

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सत्यमेव जयते

File No.: SIA/1(a)/2428/2023

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment

Authority(SEIAA), BIHAR)



Dated 10/08/2024



To,

Rakesh Kumar

SHIVAM COKE PRIVATE LTD

Bungalow No.-06, At- Chanchani Colony, Near Hirak Point, Dhanbad, Jharkhand,826004

shivamcokejamui13@gmail.com

Subject:

Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application submitted to SEIAA, BIHAR vide proposal number SIA/BR/MIN/476700/2024 dated 15/06/2024 for grant of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

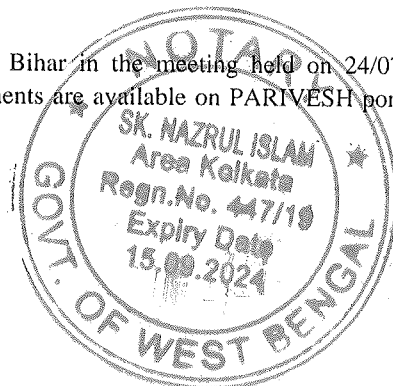
2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24B0107BR5305265N
(ii) File No.	SIA/1(a)/2428/2023
(iii) Clearance Type	Fresh EC
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Proposed Sand Mining Project of Area 96.50 Ha at Rohtas Sone Ghat 08 on Sone River of District-Rohtas State-Bihar.
(ix) Location of Project (District, State)	ROHTAS, BIHAR
(x) Issuing Authority	SEIAA, BIHAR
(xii) Applicability of General Conditions	No

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-1 (Part A, B and C)/ EIA & EMP Reports were submitted to the SEIAA, Bihar for an appraisal by the SEAC under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by SEIAA, Bihar in the meeting held on 24/07/2024 & 25/07/2024. The minutes of the meeting and all the project documents are available on PARTIVESH portal which

SIA/BR/MIN/476700/2024



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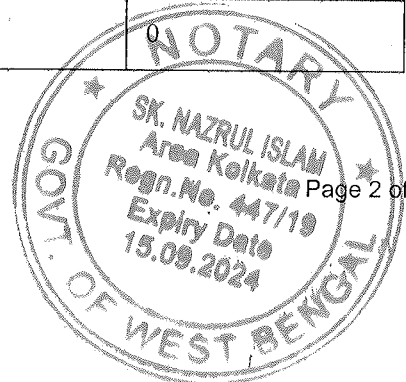
can be accessed from the PARIVESH portal by scanning the QR Code above.

5. Details of the minerals to be mined along with production capacity and the brief on the salient features of the project as submitted by the project proponent in Form 1 (Part A, B and C) in the reports and as presented during SEIAA are annexed to this EC .
6. The SEIAA, Bihar in its meeting held on 24/07/2024 & 25/07/2024, based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as detailed in the point below.
7. The SEIAA, Bihar has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEAC hereby accords Environment Clearance for the instant proposal to M/s. Rakesh Kumar under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of the Specific and Standard EC conditions as given in Annexure (2)
8. The SEIAA, Bihar reserves the right to stipulate additional conditions, if found necessary.
9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.
11. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
12. This issue with an approval of the Competent Authority.

Annexure 2

Details of the Project

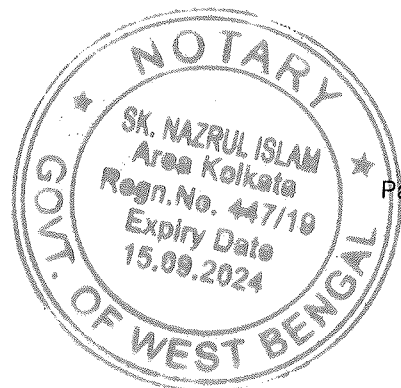
S. No.	Particulars	Details	
a.	Details of the Project	Proposed Sand Mining Project of Area 96.50 Ha at Rohtas Sone Ghat 08 on Sone River of District-Rohtas State-Bihar.	
b.	Latitude and Longitude of the project site	24.9537491884568,84.25099011692994 24.96684860600852,84.26808871701195	
c.	Land Requirement (in Ha) of the project or activity	Nature of Land involved	Area in Ha
		Non-Forest Land (A)	0
		Forest Land (B)	0



S. No.	Particulars	Details	
		Nature of Land involved	Area in Ha
		Total Land (A+B)	96.5
d.	Date of Public Consultation	Public consultation for the project was held on 2024-03-15	
e.	Rehabilitation and Resettlement (R&R) involvement	NO	
f.	Project Cost (in lacs)	2963.05	
g.	EMP Cost (in lacs)	81.45	
h.	Employment Details		

Details of Minerals Products & By-products

Name of the Mineral to be mined	Classification of mineral [Major/Minor]	Production capacity in MTPA	Remarks
Ordinary Sand	Minor	3.1266	None



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STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, BIHAR

F. No.:- SIA/1(a)/2428/2023

Sub: Proposed Sand Mining Project on Sone River at "Rohtas Sone-08" Sand Ghat, at Mauza:- Darihat/Majhiawan, Block:- Dehri, District:- Rohtas, State:- Bihar; Area:- 96.50 Ha [Total Production Capacity:- 1737000 cum per Annum] - Environmental Clearance regarding.

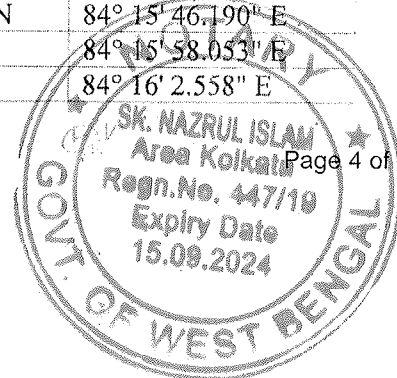
- Reference:-**
1. MoEF&CC ToR Proposal No. - SIA/BR/MIN/430619/2023, MoEF&CC EC Proposal No. - SIA/BR/MIN/476700/2024 & SEIAA File No.:- SIA/1(a)/2428/2023.
 2. Scrutiny fee submission dated 05-06-2023.
 3. ToR issued date 06-06-2023.
 4. Online Final EIA submission dated 15-06-2024.
 5. SEAC meeting held on 13.07.2024 (For EC).
 6. SEIAA meeting held on 24-07-2024 and 25-07-2024 (For EC).

Sir,

This has reference to your online application for River Sand Mining by M/s Shivam Coke Pvt. Ltd. for Mining of Rohtas Sone - 08 Sand Ghat on Sone River of District:- Rohtas, State:- Bihar. The details of the projects as mentioned in application are as below:-

Sl. No.	Item	Details																																	
1.	Name of the project	Proposed Sand Mining Project on Sone River at " Rohtas Sone - 08" Sand Ghat																																	
2.	Area of the project	96.50 Ha																																	
3.	Proposed Production	1737000 cum per Annum																																	
4.	Depth of Mining	03 Meter																																	
5.	Name of River	Sone River																																	
6.	Name of Mineral	Sand																																	
7.	Location of the Project	Mauza:- Darihat/Majhiawan, Block:- Dehri, District:- Rohtas, State:- Bihar;																																	
8.	Latitude & Longitude	<table border="1"><thead><tr><th>Sl. No.</th><th>Latitudes</th><th>Longitudes</th></tr></thead><tbody><tr><td>1</td><td>24° 57' 59.643" N</td><td>84° 16' 5.119" E</td></tr><tr><td>2</td><td>24° 57' 13.497" N</td><td>84° 15' 23.231" E</td></tr><tr><td>3</td><td>24° 57' 26.095" N</td><td>84° 15' 3.564" E</td></tr><tr><td>4</td><td>24° 57' 38.911" N</td><td>84° 15' 16.547" E</td></tr><tr><td>5</td><td>24° 57' 52.668" N</td><td>84° 15' 26.989" E</td></tr><tr><td>6</td><td>24° 57' 54.403" N</td><td>84° 15' 31.334" E</td></tr><tr><td>7</td><td>24° 57' 51.984" N</td><td>84° 15' 36.761" E</td></tr><tr><td>8</td><td>24° 57' 55.004" N</td><td>84° 15' 46.190" E</td></tr><tr><td>9</td><td>24° 58' 0.569" N</td><td>84° 15' 58.053" E</td></tr><tr><td>10</td><td>24° 58' 0.655" N</td><td>84° 16' 2.558" E</td></tr></tbody></table>	Sl. No.	Latitudes	Longitudes	1	24° 57' 59.643" N	84° 16' 5.119" E	2	24° 57' 13.497" N	84° 15' 23.231" E	3	24° 57' 26.095" N	84° 15' 3.564" E	4	24° 57' 38.911" N	84° 15' 16.547" E	5	24° 57' 52.668" N	84° 15' 26.989" E	6	24° 57' 54.403" N	84° 15' 31.334" E	7	24° 57' 51.984" N	84° 15' 36.761" E	8	24° 57' 55.004" N	84° 15' 46.190" E	9	24° 58' 0.569" N	84° 15' 58.053" E	10	24° 58' 0.655" N	84° 16' 2.558" E
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SIA/BR/MIN/476700/2024



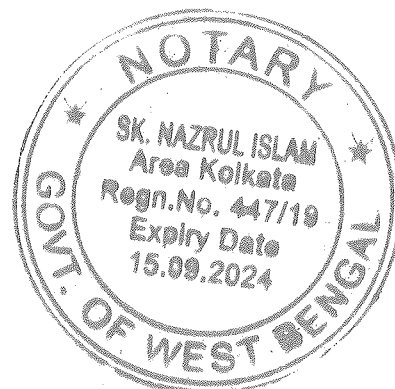
		11	24° 57' 59.643" N	84° 16' 5.119" E
9.	Water Requirement	Domestic Water – 0.97 KLD Dust Suppression – 5.0 KLD Green Development – 2.99 KLD Total Water Requirement – 8.96 KLD		
10.	Manpower	97		
11.	Environment Management Plan Cost	Description	Capital Cost (Lakh)	Recurring Cost (Lakh)
		Pollution Control & Dust Suppression	Nil	4.0
		Pollution Monitoring	--	2.0
		Plantation and Salary for one gardener (part time basis)	19.94	1.0
		Haul Road Maintenance Cost	1.25	1.44
		Occupational Health and Safety of the workers	1.0	3.0
		CER Budget (PH Commitment)	59.26	--
		Grand Total	81.45	11.44
12.	Project Cost of Project Site	Total Project Cost – ₹ 2963.05 Lakhs/-		

PREMISES OF THE ENVIRONMENTAL CLEARANCE

This Environmental Clearance is being issued on the premises which have been substantiated / described in detail in the format of application along with enclosed affidavits / certificates / undertakings etc. furnished therewith by the project proponent:-

- (i) Information provided, descriptions mentioned are complete, true and actual and no relevant fact has been concealed to obtain Environmental Clearance deceitfully by the project proponent.
- (ii) River Sand Mining shall not be done in rainy Season (mid June to mid October) of each calendar year.
- (iii) The Environmental Clearance holder shall take all possible precautions and safeguards for protection of Environment and control of pollution as well as road safety and mining shall be done in socially responsible manner.

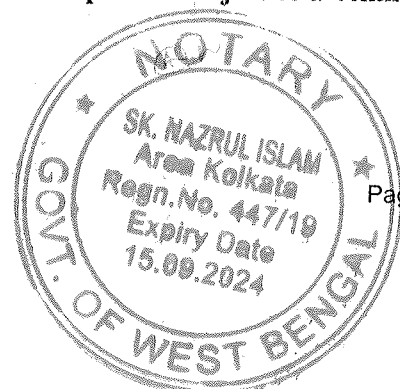
Air, water, Noise pollution and visual impact due to mining operations / extraction / Transportation of mined mineral / over burden etc. shall be kept within prescribed limits in the operational area.



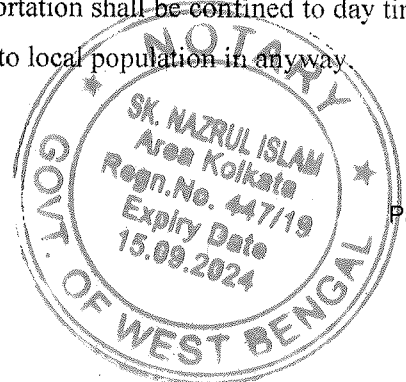
- (iv) Mining shall only be done after obtaining valid mining lease / permit from the competent authorities and operations shall take place only within validity period of lease / permit. All the provisions made and restrictions imposed as covered in the relevant minor mineral Rule, shall be complied with, particularly regarding EMP.
- (v) *Dept. of Mines & Geology, Govt. of Bihar shall keep a strict vigil in the compliance of relevant provisions of applicable Bihar Minerals (Concession, Prevention of Illegal mining, Transportation and Storage) Rule 2019 and its amendment especially scientific execution of mining plan (as approved by them themselves) and report violations if any is found as well as action taken for the same.*
- (vi) Project Proponent shall submit (to the SEIAA, Bihar, Regional Office of MoEF&CC at Ranchi, Bihar State Pollution Control Board) six monthly compliance report with evidence of the conditions within a fortnight after the end of every six month till validity period of Environmental Clearance.
- (vii) *Environmental Clearance shall be liable to be revoked if furnished information, provided description / Certificates / Affidavits / Undertaking etc. are found false / concocted at any stage of its validity.*
- (viii) *This Environmental Clearance is issued without affecting any court order / statutory other institutions as well as relevant other laws enacted by MoEF&CC, GoI, New Delhi.*
- (ix) Mining and transportation of mined material from mine site to stock yard shall be done in the day time only to avoid noise pollution in the nearby human habitation area.
- (x) No part of the mining area is in a protected or Reserve forest and it also does not fall either within a wildlife protected area or within its eco-sensitive zone.
- (xi) Project Proponent shall intimate SEIAA immediately if there is any change in their official address / E-mail / Ph. No / Cell. no etc failing which communication sent to them on old address shall be considered as delivered.

A. Specific Condition

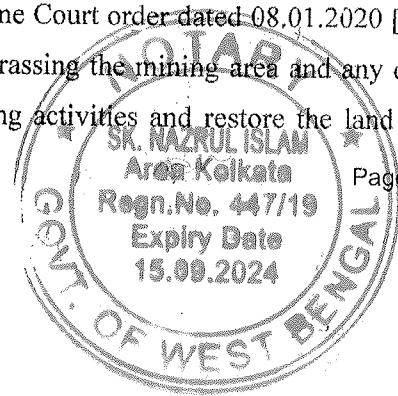
1. The Project Proponent shall obtain all necessary clearance/ permission from all concerned departments before commencement of mining works.
2. **The Environmental Clearance will be valid for mine lease period subject to a ceiling of 5 years.**



3. The project proponent before starting any activity /preparation of ground, on the leased area shall demarcate his lease hold by RCC pillars erected at the cost of lease holder after certification of the mining officer. On each pillar Geo-Coordinate and fore bearing/ back bearing shall be written with permanent paint mark as described in the mining plan. All the pillars should remain intact at same geo-coordinate. Establishment/ labeling of Benchmark at each pillars or ground control points.
4. Extraction of sand beyond annual production capacity is not permitted.
5. The Project Proponent should undertake the sand mining limited to 03 meter (three meter) depth by semi-mechanised method (without using any heavy machine), preferably by manual excavation.
6. Extraction will be carried out up to a maximum depth of 03 meter from surface of mineral deposit and not less than one meter from the water level of the River channel whichever is earlier.
7. No mining shall be carried out in the areas prominently used by wild animals (birds and reptiles) for nesting. Restricted working hours-Sand mining operation has to be carried out between 6 am to 7 pm.
8. No mining shall be carried out in 3 meter wide strip from the river bank in a River flood plain and within flowing/live water channel.
9. To maintain the safety and stability of Riverbanks, 3 meter or 10% of the width of the River whichever is more will be left intact as "No Mining Zone".
10. No stream shall be diverted for the purpose of sand mining. No natural water course and / or water reservoirs shall be obstructed due to mining operations.
11. The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUCC only will be allowed to ply. The mineral transportation shall be carried out through covered vehicles / trucks only and the vehicle shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centre.
12. The stacking area of mined-out sand which shall be situated near the mining site within a fenced area from all sides to avoid being spread in the nearby areas by high winds and the height of stacking should not exceed 2 meter. Transportation shall be confined to day time only that is from sunrise to sunset, to avoid inconvenience to local population in anyway.
13. Rubbish burial shall not be done in the Rivers.



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14. Adequate steps shall be taken to check soil erosion and control of debris flow etc. by constructing engineering structures.
 15. Mining activity shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
 16. The approach road from loading point upto main road shall be properly developed with proper width and geometry required for safe movement of traffic by lease holder at his own cost.
 17. Main haulage road in the mine shall be provided with permanent water sprinklers and other roads shall be regularly wetted with water tankers fitted with sprinklers.
 18. Transportation of the Minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that the impact of sound, dust and accidents could be mitigated. The Project Proponent shall bear the cost towards the widening and strengthening of existing public road-network in case the same is proposed to be used for the Project. No road movement should be allowed on existing village road network without appropriately increasing the carrying capacity of such roads.
 19. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
 20. Project Proponent shall appoint a Monitoring committee to monitor the replenishment study, traffic management, levels of production, river Bank erosion and maintenance of Road etc.
 21. Project Proponent shall submit the annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
 22. Regular monitoring of the flow rate of the springs and seasonal stream flowing in and around the mine lease shall be carried out and records maintained. Regular monitoring of water quality upstream and downstream of water bodies shall be carried out and record of monitoring data should be maintained and submitted to the SEIAA, Bihar, Regional office, Ranchi, Central Ground water Authority, Regional Director, Central Ground water Board, State Pollution Control Board and Central Pollution Control Board.
 23. The project proponent shall abide by the Hon'ble Supreme Court order dated 08.01.2020 [Writ Petition 9 (s) (Civil No. (s) 114/2014]. Proposal of re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a

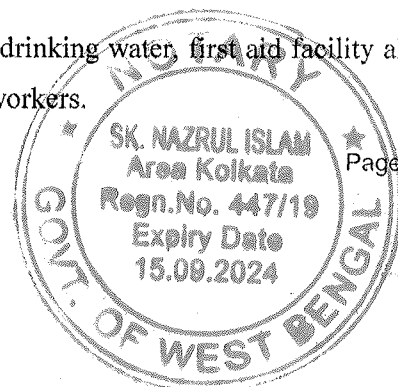


condition which is fit for growth of fodder, flora, fauna etc. In compliance to the direction dated 8th January, 2020 of Hon'ble Supreme Court in Writ Petitioner(s) Civil No. 114/2014, Common Cause Vs Union of India & Ors.

- 24. The individual sand ghat-miner will take appropriate measures to avoid parking of empty / loaded vehicles on nearest highway/ public roads to avoid traffic congestion.
- 25. Project Proponent will adhere to all applicable provisions of Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMGSM – 2020) issued by Ministry of Environment, Forest and Climate Change, Government of India. In case, any ambiguity or variation between the provision of both these document arises, the provision made in "Enforcement and Monitoring Guidelines for Sand Mining – 2020" shall prevail.
- 26. All specific and general conditions which are of public concern at large shall be permanently displayed at a prominent place for public along with address and contact details of authority where the violation of EC conditions can be reported.
- 27. Project proponent shall erect a signboard on his project site and display information regarding name of the project, No. & date of validity period of EC, annual production capacity of the mineral and other relevant information for the general public.

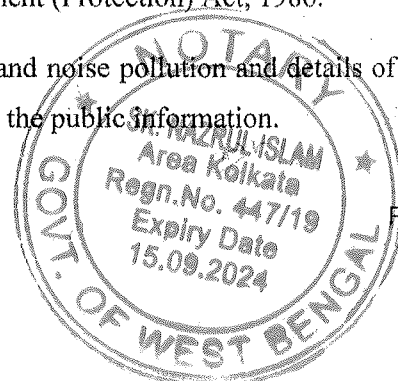
B. General condition

- 1. No stacking of sand is allowed on road side of any public road including national highways/ State highways.
- 2. No labour camp shall be allowed in riverbed.
- 3. Provision shall be made for housing labour with all necessary infrastructure and facilities (outside mining Block and river-bed) such as fuel for cooking, toilets / mobile toilets, safe drinking water, First-Aid facilities, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- 4. Labour & Personnel working in dusty areas shall wear protective respiratory devices and they shall also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers shall be undertaken periodically to observe any adverse health impact due to exposure to dust and take corrective measures, if needed.
- 5. The Project Proponent shall make arrangements for safe drinking water, first aid facility along With anti-venom injection, in case of emergency for the workers.



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6. The project proponent shall maintain register for production and dispatch of mineral and submit periodic return (six-monthly) to the SEIAA, Bihar / Regional Office of Ministry of Environment, Forest and Climate Change, Government of India, Ranchi. If the remaining period of lease is for less than a year, the Project Proponent shall submit a monthly return of production.
7. The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle and mine plan. This should be produced before officers of Central and State Government for inspection whenever asked for.
8. Regular monitoring of ground water table shall be carried out at the upstream and depth of water available in the adjoining dug-well.
9. Monitoring of Ambient Air Quality, Water Quality & Noise Quality shall be carried out as per the Notification, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places of loading and unloading points & transfer points to reduce all sorts of fugitive emissions.
10. The funds earmarked for environmental protection measures should be kept in a separate bank account and should not be diverted for other purpose. Year-wise expenditure should be reported to the SEIAA, Bihar.
11. The Project proponent shall provide all necessary logistic support to the authorized officer of this authority as and when required. They will facilitate and assist the authority in site inspection and monitoring.
12. All the provisions made and restrictions imposed as envisaged in the Bihar Minor Mineral Rule, shall be complied with; particularly regarding Environment Management and payment of compensation to the affected land owner(s).
13. No change in mining technology and scope of working should be made without prior approval of the SEIAA, Bihar.
14. The Ministry / SEIAA may alter / modify the above conditions or stipulate any additional condition(s) in the interest of environment.
15. Concealing of factual data or submission of false / fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal/suspension of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
16. The instruction contained herein above regarding air and noise pollution and details of mining proposals shall be displayed on Signboard in Hindi for the public information.



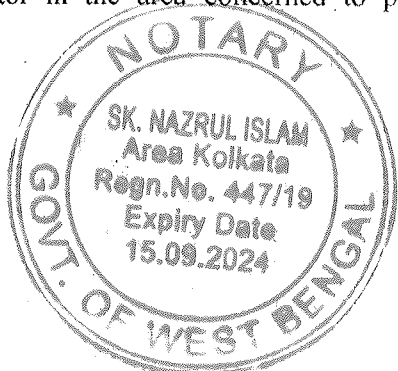
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17. The SEIAA may impose additional conditions in the interest of Environment & Ecology whenever it becomes necessary to do so.
18. Any appeal against this environmental clearance shall lie with the Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

C. Special Conditions

1. The proposed plantation consisting of mixture of indigenous and fast growing species of trees must be done and proper care must be taken. Plantation of a minimum of 5 feet tall plants must be done in the 1st year of lease period itself and properly maintained till the validity of Environmental Clearance and preserve the existing trees at the proposed site.
2. The Project Proponent shall execute and conduct measurable Corporate Environment Responsibility (CER) activities like facilities for drinking water supply, infrastructure creation, solar power, Rain Water Harvesting, Solid Waste Management Facilities, sanitation, essential furnitures for the local government schools and Anganwadi Kendra. A display board of the CER activities must be fixed for the information to the public. The Project Proponent has to intimate the concerned District Magistrate and the concerned district level officers of the concerned departments for record and information, with copy marked to the Bihar State Pollution Control Board, (BSPCB) Patna.
3. Under the Corporate Environment Responsibilities the modalities of all expenditure on skill development programme need to be done in consultation with and guidance of Bihar Skill Devolvment Mission, with intimation to the concerned District Magistrate, State Environment Impact Assessment Authority and Bihar State Pollution Control Board, Patna.
4. Project Proponent has to fix display board on each mining site mentioning thereupon various activities to be done under Environment Management Plan (EMP).
5. The Project Proponent must maintain existing ponds nearby, if any.
6. Proper care should to be taken during transportation of sand from the sand mining site by covering the loaded sand. There should be freeboard of atleast 03 inches from the body level of the vehicle, so that the sand doesn't get spilled on the road and doesn't affect the air quality as well.
7. The Project Proponent to install lightning arrestor in the area concerned to protect the inhabitants from hazards like lightning.

Dr



8. The Proponent must submit untreated high resolution satellite images with stereoscopic 3D view from the National Remote Sensing Centre (NRSC), Hyderabad for the month of June and December every year, along with the respective half-yearly compliance report in hard and soft copy.

Sd/-

(Abhay Kumar)
Member-Secretary
SEIAA, Bihar

Copy, through email, for information and necessary action to :-

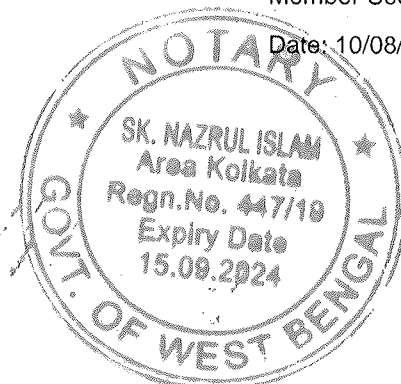
1. The Secretary, Environment, Forest and Climate Change Deptt., Govt. of Bihar, Sinchai Bhawan, Patna - 15.
2. The Additional Chief Secretary, Mines and Geology Deptt., Govt. of Bihar, Vikas Bhawan, Patna - 15
3. The Chairman, SEAC, Bihar.
4. The Member Secretary, Bihar State Pollution Control Board, Patna-23.
5. The Director, Mines and Geology Deptt., Govt. Of Bihar, Vikash Bhawan, Patna - 15.
6. MoEF&CC, Integrated Regional Office, Ranchi, 2nd Floor, Headquarter - Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002.
7. Guard file.

(Abhay Kumar)
Member Secretary,
SEIAA, Bihar

Signature Not Verified

Digitally Signed by: Shri Abhay Kumar IFS
Member Secretary, SEIAA

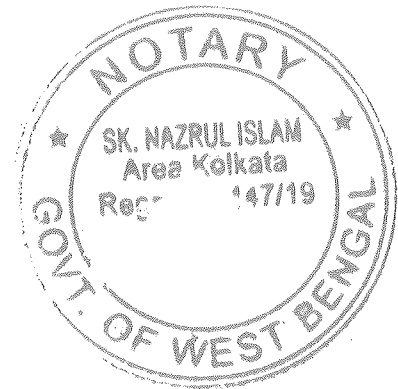
Date: 10/08/2024





National Green Tribunal

Case Title	Sevasetu Vs. State Environment Impact Assessment Authority
Payee Name	Sevasetu
Case Type	Original Application
Filing No.	1902131003612024
Transaction id	1900220149782024
Bank Transaction id	0909240032871
Payment Date	2024-09-09 00:00:00.0
Amount	2020 Rs.
Status	SUCCESS



Scrutiny Defects Raised

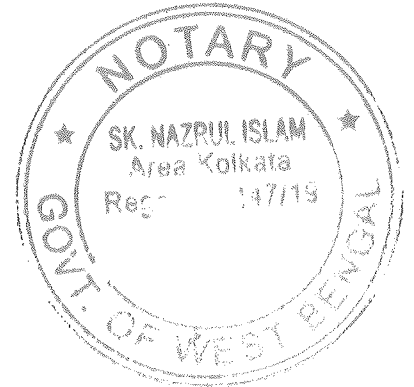
Diary No : 1902131003612024

Petitioner : Sevasetu

Respondent : State Environment Impact Assessment Authority

Date of defect : 11/09/2024

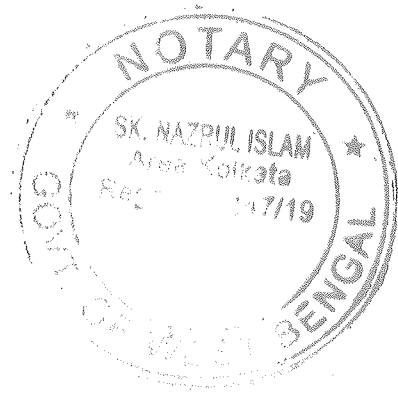
Serial No.	Description	Defect Free	Comments
1	Is the Application/Appeal in the proper form?	YES	
2	Whether name, description and address of all the parties have been furnished in the cause title?	YES	
3	Has the application/appeal been duly signed and verified?	YES	
4	Whether all the necessary parties are impleaded?	YES	
5	Whether English translation of documents in a language other than English or Hindi been filed?	YES	
6	Is the application/appeal made in time or maintainable?	YES	
7	Has the Vakalatnama/Memo appearance authorization been filed?	YES	
8	Have legible copies of the annexures duly attested been filed?	YES	
9	Is the application/appeal accompanied by Indian postal Order/Demand Draft as per Rule 12	YES	



- 10 Has original/duly attested copy of the impugned order(s) been filed? YES
- 11 Has the index of documents been filed and pagination done properly? YES
- 12 In case an application for condonation of delay is filed, is it supported by an affidavit of the appellant? NA

13 Proceed further? NO

Page 48 interim prayer - serial number shall be given as a, b, c. Seal of the association shall be affixed wherever necessary. Proof of service shall be filed. Limitation portion needs correction. Authorisation authorising Appellant 2 to file the appeal shall be filed as annexure. The Appeal has been filed under the head OA in e-filing portal. The instant appeal shall be filed under the head Appeal in e-filing portal. The defects notified shall be rectified and the said case be refiled/represented within a period as prescribed in Rule 10 of the National Green Tribunal (Practices & Procedure) Rules, 2011.

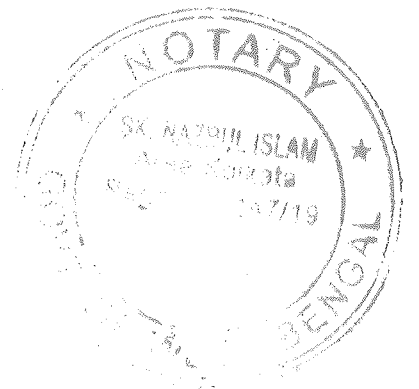


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National Green Tribunal

Case Title	Sevasetu Vs. The State Environment Impact Assessment
Payee Name	Sevasetu
Case Type	Appeal
Filing No.	1902131003752024
Transaction id	1900220155782024
Bank Transaction id	1709240041233
Payment Date	2024-09-17 00:00:00.0
Amount	2055 Rs.
Status	SUCCESS





Serving to bridge

Abstract of the meeting dated 05th day of September, 2024

It has been resolved that Mr. Nishant Kumar Ojha Son of Nirmal Kumar Ojha, resident of Seva Setu, Ram Jaipal Road, Near Sakhi, Arpana Bank Colony, Phase - 2, Dinapur -Cum- Khagual, Patna, Bihar - 801503, being the Chairman of "Sevasetu", shall do all the needful for preferring the appeal before the National Green Tribunal, Eastern Zone Bench at Kolkata against the Environmental Clearance granted by the SEIAA, Bihar on 10-08-2024 in favor of M/s Shivam Coke Pvt. Ltd., in respect of the proposed mining project covering the area of 96.50 Ha. at the Rothas Sand Ghat 08, comprising within Khata No. 783, 109, Khesra No. 3659 (P) within Mouza - Darihat, Block - Dehri, District - Rothas, since we after receiving various complaint from the local villagers against the said proposed mining project on environmental issue has already collected information in support of the correctness of the complaint of the Local villagers.

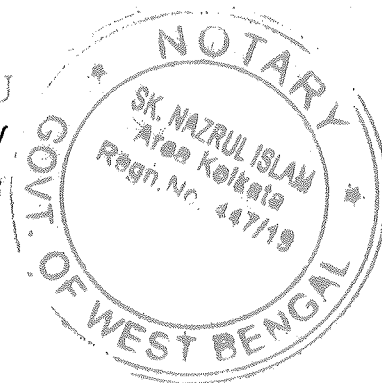
It has been further resolved that Mr. Nishant Kumar Ojha, the Chairman of "Sevasetu" shall act as an authorized signatory for all purposes for presentation of the said appeal including signing the petition for presentation, affirming the verification and affidavit, engaging counsels etc.

SEVA SETU
Nishant Kumar
Chairman

SEVA SETU
Nishant Kumar
Secretary

SEVA SETU
Nishant Kumar
Treasurer

SEVA SETU
M. Madhav
Member



VAKALATNAMA
IN THE NATIONAL GREEN TRIBUNAL/EASTERN ZONE

SEVA SETU

Chairman
National Green Tribunal

District: Rohtas (Bihar)

Constitutional Writ Civil Criminal Revisional
Appellate Jurisdiction

No. SEVA SETU 3 of Multhi

Appellant
Petitioners

- Versus -
SEIAA Bihar & Ors

Respondent
Opposite Party

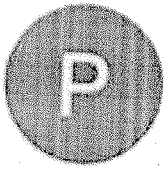
Vakalatnama on behalf of Applicant

Knows all men by these presents that by Vakalatnama I/We appoint the Advocates Pleaders noted below or any one of them my/our lawful Advocate or Advocates ^{for filing the memorandum of appeal or petition of every appearance} in the above matter for appearing conducting and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc. On my/our behalf for filling, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filling petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I/We further say that any act. Done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocate after notice to me/us will be at liberty to withdraw from further conducting the case.

IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama, on this the 09th day of September 2024

NAME OF THE ADVOCATE Sayani Saha
Parbati Saha Adv.
7A Kiron Sankar Ray Road
Kolkata - 700018
Accepted for my/our
clients.



me 1:12 PM



to seiaabihar@gmail.com, ... ^

From Paushali Banerjee
advocate.paushali@gmail.com

To seiaabihar@gmail.com seiaabihar@gmail.com
shivamcokejamui13@gmail.com
shivamcokejamui13@gmail.com
msbspb-bihar@gov.in

Date Sep 17, 2024 at 1:12 PM

Sir,

Please find attached the copy of the Appeal along with all annexures as filed online before the Hon'ble NGT EZ.

This is for your information and necessary action

Regards

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