

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

Original Application No.20 of 2021

RUNNING INDEX

Sl. No.	DESCRIPTION OF DOCUMENT	DATE OF DOCUMENT	DATE OF FILING	PAGE NOS.
1	Written Submissions of Respondents (SCCL)	11/01/2022		01-09
2	MoEF&CC, New Delhi OM	14 th March 2017		10-16
3	Copy of Enviromental Clearance for Jalagam Vengal Rao Open Cast I Expansion granted by MoEF&CC vide file no – F.No. 23-77/2018-IA (III)	1 st Feb 2021		17-35
4	Copy of Docket order CC 1075/2020 on the file of Judicial First Class Magistrate Court Sathupally	11/12/2021		36-37
5	Copy of 2 (nos.) counter foil of the receipt granted by Judicial First Class Magistrate Court Sathupally	11/12/2021		38

DATE: 11 /01/2022

COUNSEL FOR RESPONDENT

(Sri A. SANJEEV KUMAR)

PLACE: HYDERABAD

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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

Original Application No.20 of 2021

IN THE MATTER OF:

1. Oggu Srinivasa Reddy
S/o.Kesava Reddy, age 46 years,
Occ: Agriculture,R/o.Narayanapuram &
Rajerla Village, Sathupalli Mandal,
Khammam District,Telangana.
 2. Chintala Bharat Kumar Reddy
S/o.Surender Reddy, Age 24 years,
Occ: Software Engineer,
R/o.Rajerla village, Sathupalli Mandal,
Khammam District,Telangana
- ... APPLICANTS

VERSUS

1. Union of India,
Through the Secretary,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhavan,
Jor Bag, New Delhi-110003.
Phone: 010-24695262,
E-Mail: secy_moef@nic.in
2. Telangana State Pollution Control Board,
Rep. by its Chairman,
A-3, Paryavaran Bhavan, Industrial Estate,
Sanath Nagar, Hyderabad 500 018.
Phone:91-(040)23815630
E-Mail id: tspcb@gov.in.
3. The Singareni Collieries Company Limited,
Rep. by its Chairman & Managing Director,
Singareni Bhavan, Redhills,
Hyderabad, Telangana
Phone No.040-23300132.
E-Mail Id: mkt-import@scclmines.com ... RESPONDENTS

Original Application No.174 of 2020 (SZ)

Banoth Nandu Nayak,
R/o. H.No.13-181, NTR Nagar,
Sattupalli Village and Mandal,
Khammam District, Telangana – 507 303.
Mobile No.98495 20879
Mail id: raghu1138@gmail.com

... APPLICANT

VERSUS

1. The Singareni Collieries Company Ltd.,
Rep. by its Chief Executive Officer,
Kothagudem,
Bhadradi Kothagudem District,
Telangana – 507 101.
Mail: dp@scclmines.com
Phone No.08744 242301.
2. Union of India,
Through its Secretary,
Ministry of Environment, Forest & CC,
Indira Paryavaran Bhavan,
Jorbagh, New Delhi-110003.
Mil: secy_moef@nic.in
Phone: 011-24695262, 24695265
3. Telangana State Pollution Control Board,
Rep. by its Member Secretary,
A-3, Paryavaran Bhavan,
Sanath Nagar, Industrial Estate,
Sanat Nagar, Hyderabad – 500 018.
Mail: ms-tspcb@telangana.gov.in
Mobile: 04023887600.
4. District Collector and Magistrate,
Khammam, Telangana – 507 101.
Mail: collector_kmm@telangana.gov.in
Phone: 08742224641.
5. General Manager,
District Industrial Centre,
Khammam, Telangana – 507 101.
Mail: [gmdic.kmm.indts@nic\[dot\]in](mailto:gmdic.kmm.indts@nic[dot]in)
Mobile No.9100839729.

... RESPONDENTS

WRITTEN SUBMISSIONS FILED BY RESPONDENTS(SCCL)

MAY IT PLEASE YOUR HONOUR

1. It is submitted that the Respondent the Singareni Collieries Company Limited (SCCL) is a Government coal mining company jointly owned by the Government of Telangana and Government of India on a 51:49 equity basis. The Singareni coal reserves stretch across 350 Km of the Pranahita – Godavari Valley of Telangana with a proven geological reserves aggregating to whopping 8791 million tonnes. SCCL is currently operating 20 opencast and 25 underground mines in 6 districts of Telangana with a manpower around 43,895.

2. It is submitted that the Respondent Company is the only coal mining company existing in Southern India and supplying coal to the major power utilities like NTPC, TSGENCO, APGENCO, KPCL and Maha GENCO. Total Coal produced during 2019-20 is 64.02 MT and total coal supplied to customers by SCCL during FY 2019-20 is 62.45 MT. Coal demand is increasing at rapid pace every year majority of which is from power industries.
3. It is further submitted that the installed thermal power capacity in South India is 33000 MW requiring about 127 MTPA. The demand is expected to further increase with envisaged establishment of additional capacity of 4200 MW by TSGENCO and 4000 MW by NTPC in the state of Telangana which require 30 MTPA of coal. SCCL also has constructed a power plant of 1200 MW capacity in Srirampur area and another 800 MW power plant is envisaged. With the addition of new power plants, there will be an additional demand for SCCL coal over and above the existing supplies. Therefore, SCCL being a state-owned public sector company has onerous responsibility of catering to the needs of the new power plants coming up in the State.
4. It is submitted that the Respondent Company is presently operating Two opencast mines in Sathupalli Area, namely, JVR OC-I&II Expansion and Kistaram OCP in order to cater the needs of thermal power plants located in the region. SCCL has always been in the forefront in implementation of various environmental safeguards and is carrying out coal mining operations in the opencast mines in a sustainable and eco-friendly manner without causing any damage to the environment.
5. With regard to excessive mining, it is submitted that the Respondent Company obtained Environment Clearance for JVR OC-I Expansion for the enhanced capacity of 5.00 MTPA vide F. No. 23-77/2018- IA (III). Presently, all mining operations

reserves) are continuing in JVR OC-I expansion project as per the Environment Management Plans (EMPs) approved by MoEF&CC without causing any damage to environment. Also, the coal production in the ongoing JVR OC-II is carried out within the sanctioned EC capacity. Further, the Respondent Company is implementing the remediation plan and natural and community resource augmentation plan in the project as per schedule as stipulated by MoEF&CC and the present status of works taken up by the company under the plan are as follows:

a) **Under Remediation Plan:**

SL No	Remediation proposed	Description	Location	Budgetary provision in 1 st year (Rs.)	Status
1 a	Dust suppression	Laying of 10 feet cc road in the nearby village for 1000mtrs	NTR Colony	50,00,000	Notice Inviting Tender (NIT) Released
1 b	Avenue plantation / Plantation	Plantation of 4900nos native plants at Rs. 1000 per sapling, including maintenance for 3 years and 35 ha of block plantation around mine boundary	01.Sathpalli, 02.Rejarla	25,00,000	Tendering under progress
2 a	Construction and maintenance of 100 nos. rain water harvesting structures in nearby villages	Construction of RWH-100no sand 11nos. of roof top rain water harvesting facility (including raw material, labour, construction and maintenance for one year)	01.Sathupalli (40+7), 02.Kistaram (15+1), 03.Cherukupalli (15+1) 04.Rejarla 15+1) 05.Kommugudem (15+1)	95,00,000	NIT Released

	of check dams and creation of new water tanks	labour, construction and maintenance for one year	Cheruvu, 02.Rejarla new tank		progress.
2 c	Supply of potable water in surrounding villages	RO plants of 1000 liters capacity with installation and 03 years maintenance	01.Vengalrao Nagar(1), 02.Rejarla (02), 03.NTR Nagar(01)	40,00,000	Construction of sheds for RO Water plant has been completed. Order placed for RO Plant, for 4 RO plants vide purchase order no - 7500048462 dtd: 06/01/2022 on M/S Waves.

b) Under Natural Resource Augmentation Plan:

SL No	Activity proposed	Description	Location	Budgetary provision in 1st year (Rs.)	Status
1 a	Energy conservation by adapting green energy technology	Providing 1KW capacity solar lighting system (includes panels, inverters, wiring, structure, connectors, junction boxes, etc)	01.Sathupalli (10) 02.Kistaram(01) 03.Rejarla(06) 04.Ayyagaripeta(06) 05.Kommugudem(06)	40,00,000	Tendering under progress. PRQ.NO. 1100074539 Dt: 07/10/2021 Tenders to be floated
1 b		Solar water pump sets of 5HP capacity for agriculture (including panels)	01.Kistaram, 02.Rejarla, 03.Kothuru, 04.Kommugudem	1,30,000	Tendering under progress. PRQ.NO. 1100074550 Dt: 07/10/2021

		structure, connectors, junction boxes, etc.)			Dt: 14/10/21 Enquiry floated.
1 c	Improvement of public sanitization	Providing Bio toilets in Sathupalli town	Sathupalli town	6,00,000	Rs. 6.00 lakhs cheque handed over to Comissioner, Sathupalli Municipality

C) Community Resource Augmentation plan with Budgetary Provision

SL No	Activity proposed	Description	Location	Budgetary provision in 1 st year (Rs.)	Status
1 a	Development of infrastructure	Construction of CC roads and drains)2km in each village) and bore wells	01.Kistaram (10 nos. of bore wells), 02.Rejarla (10nos. of bore wells), 03.Kothuru (10nos. of bore wells)	1,00,00,000	Bore wells work awarded to Sri Mudhangula Venkata Ramana Ref.No: KGM/CVL/D B-2064/3740 Dated:23.12.2021
1 b		Construction of Godown for storage of the agriculture products (Dimensions: 20m x 8m x 6m)	Kothuru	40,00,000	NIT Released
1 c		Repair of road and road widening of y-junction near Kistaram village	VM Banjar to Sathupalli town (20km) and widening of y-junction near Kistaram village	2,00,00,000	Rs. 4.60 crores cheque handed over to Executive Engineer (R&B), Sathupalli
1 d		Construction of community halls/community health centres (300Sq.m. each)	Rejarla	75,00,000	TCR under circulation.
1 e		Land for dump yard (about 8	Sathupalli	2,00,00,000	Requisition submitted,

		generation of compost			
1 f		Development of new urban park	Sathupalli town	20,00,000	Rs. 20.00 Lakhs cheque handed over to FDO, Sathupalli.

6. With regard to environmental compensation, it is submitted that, vide S.O.No. 804 (E), dt. 14.03.2017 issued by MoEF&CC, in case of expansion of existing projects entailing capacity addition, prior environmental clearance has to be obtained under the Environment Impact Assessment Notification, 2006 as a case of violation.

Accordingly, MoEF&CC prescribed the Terms of Reference for the project stipulating for an assessment of ecological damage and economic benefit derived due to violation on account of excess production and prepare remediation plan and natural and community resource augmentation plan.

As per the directions of MoEF&CC vide F. No. 23-77/2018- IA (III), an assessment of ecological damage due to excess coal production was done and accordingly environmental compensation was estimated by:

- i) considering the economic benefits arrived on account of excess coal production
- ii) towards remediation measures to offset the damage caused to environment.

The summary of amounts (Rs. 26.67 Crores) which are allocated for Remediation Plan, Natural Resource Augmentation Plan and Community Resource Augmentation Plan is given below.

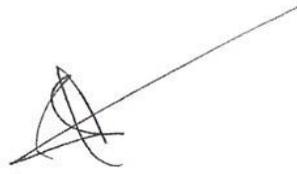
Sl. No.	Description	Estimated cost (Rs. in Lakhs)
1	Remediation Plan	719
2	Natural Resources Augmentation Plan	506
3	Community Resources Augmentation Plan	1442

It is submitted that the Respondent company is spending the said amounts in a phased manner in order to execute the remediation plan. However the respondent company i.e., the project proponent has also submitted 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 same will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, on the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

7. It is further submitted that in respect of excess production, credible legal action has already been initiated by the Telangana State Pollution Control Board through legal proceedings before the Hon'ble Court of Judicial First Class Magistrate, Sathupalli, Telangana CC No. 1075/2020 was filed by TSPCB against M/s SCCL represented by its Project Officer Sri. S.Venkata Chary as accused No.1 and Sri. S.Venkata Chary Project Officer as Accused No.2. The Hon'ble Court Vide docket order dated 11.12.2021 has closed the CC case as the accused pleaded guilty by imposing penalty of Rs. 10,000 (Rupees Ten Thousand Only) each against M/s The Singareni Collieries Company Limited and Project Officer of JVR OC-I Sathupalli under section 15(1) of Environment Protection Act, 1986. In compliance of the said order the accused have remitted the penalty amount of Rs.10,000 each on 11.12.2021.

Therefore in view of the above it is humbly prayed that this Hon'ble Tribunal may not impose any penalty for excessive mining as the same has already been addressed in the Remediation Plan, Natural Resource and Community Resource Augmentation Plan approved by MoEF&CC and the Respondent company is complying the same and dismiss the petition as devoid of merits in the interest of

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justice, for which the respondent shall ever pray else the
Respondent company will be put to irreparable loss.



**Counsel for Respondent No.3 in OA No.20/2021
& Respondent No.1 in OA No.174/2020**

(Sri A. SANJEEV KUMAR)

Date: 11.01.2022,

Place: Hyderabad.



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

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नई दिल्ली, मंगलवार, मार्च 14, 2017/फाल्गुन 23, 1938

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NEW DELHI, TUESDAY, MARCH 14, 2017/PHALGUNA 23, 1938

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 14 मार्च, 2017

का.आ. 804(अ).—पर्यावरण (संरक्षण) नियम 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार, पर्यावरण (संरक्षण) अधिनियम 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के अधीन भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1705(अ) तारीख 10 मई, 2016, पर्यावरणीय अनापत्ति के निदेश निबंधनों को अनुदत्त करने के लिए परियोजनाओं के मूल्यांकन की प्रक्रिया को पूरा करने के लिए, जिनमें स्थल पर कार्य आरंभ कर दिया है, पर्यावरणीय अनापत्ति की सीमा से परे उत्पादन का विस्तार किया है या पर्यावरण संघात अधिसूचना 2006 के अधीन पूर्व पर्यावरण अनापत्ति अभिप्राप्त किए बिना उत्पाद मिश्रण में परिवर्तन किया है, द्वारा उन सभी व्यक्तियों से, जिनके उससे प्रभावित होने की संभावना थी, उस तारीख से जिसको उस राजपत्र की प्रतियां, जिसमें यह अधिसूचना अंतर्विष्ट है, उपलब्ध करा दी जाती हैं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव आसन्नित करते हुए एक प्रारूप अधिसूचना प्रकाशित की गई थी ;

2. और उक्त राजपत्र की प्रतियां जनता को 10 मई, 2016 को उपलब्ध करा दी गई थीं ;
3. और पूर्वोक्त वर्णित प्रारूप अधिसूचना पर प्राप्त सभी सुझावों या आक्षेपों पर केंद्रीय सरकार द्वारा सम्यक्तः विचार कर लिया गया है ;
4. पर्यावरण (संरक्षण) अधिनियम, 1986 के उपबंधों के अध्याधीन, अधिनियम की धारा 3 की उपधारा (1) के अधीन केंद्रीय सरकार को ऐसे सभी उपाय करने की शक्ति है, जो वह पर्यावरण की क्वालिटी के संरक्षण और सुधार तथा पर्यावरण प्रदूषण को रोकने, नियंत्रित करने और समाप्त करने के प्रयोजनों के लिए आवश्यक और समीचीन समझती है ;
5. पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 केंद्रीय सरकार को निदेश देने के लिए सशक्त करती है, जो इस प्रकार है "केंद्रीय सरकार किसी अन्य विधि में किसी बात के होते हुए भी, किन्तु इस अधिनियम के उपबंधों के अधीन रहते हुए इस अधिनियम के अधीन अपनी शक्तियों के प्रयोग और अपने कृत्यों के निर्वहन में किसी व्यक्ति, अधिकारी या प्राधिकरण को लिखित निदेश दे सकेगी और ऐसा व्यक्ति, अधिकारी या प्राधिकरण ऐसे निदेशों का अनुपालन करने के लिए आबद्ध होगा ;

6. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने उल्लंघन के मामलों में पर्यावरणीय अनापत्ति अनुदत्त करने के लिए प्रक्रिया स्थापित करने के लिए तारीख 12.12.2012 और तारीख 27.06.2013 को एक कार्यालय ज्ञापन जारी किया है ;
7. हिन्दुस्तान कापर लिमिटेड बनाम भारत संघ के मामले में 2014 की रिट याचिका (सिविल) सं0 2364 में माननीय झारखंड उच्च न्यायालय के तारीख 28 नवंबर, 2014 के आदेश के अनुसरण में माननीय न्यायालय ने यह अभिनिर्धारित किया कि तारीख 12 दिसंबर, 2012 के कार्यालय ज्ञापन के अधीन पैरा सं0 5(i) और पैरा सं0 5(ii) की शर्तें अवैध और असंवैधानिक थीं और न्यायालय ने यह और अभिनिर्धारित किया कि अभिकथित अतिक्रमण की कार्रवाई स्वतंत्र कार्यवाही और पृथक् कार्यवाही होगी और इसलिए पर्यावरण अनापत्ति के लिए प्रस्ताव पर विचार करने के लिए परियोजना प्रस्तावक के विरुद्ध कार्रवाई आरंभ करने की प्रतीक्षा नहीं की जा सकती। माननीय न्यायालय ने यह व्यवस्था और दी कि पर्यावरण अनापत्ति के प्रस्ताव की परीक्षा इसके गुणागुण, पर्यावरण विधियों के अभिकथित अतिक्रमण के लिए किसी प्रस्तावित कार्रवाई से मुक्त आधार पर की जानी चाहिए ;
8. और राष्ट्रीय हरित अधिकरण की प्रधान न्यायपीठ ने 2015 के मूल आवेदन सं0 37 तथा 2015 के मूल आवेदन सं0 213 में तारीख 7 जुलाई, 2015 के अपने आदेश द्वारा यह अभिनिर्धारित किया कि पर्यावरण (संरक्षण) अधिनियम, 1986 या पर्यावरण समाघात निर्धारण अधिसूचना, 2006 तथा तटीय विनियमन जोन अधिसूचना, 2011 के अतिक्रमणों वाले निर्देश के निबंधनों या पर्यावरण अनापत्ति या तटीय विनियमन जोन अनापत्ति के प्रस्तावों पर विचार के विषय पर तारीख 12 दिसंबर, 2012 और 24 जून, 2013 के कार्यालय ज्ञापन पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के उपबंधों को परिवर्तित या संशोधित नहीं कर सकते थे और अधिकरण ने उसे अपास्त कर दिया था ;
9. और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय तथा राज्य पर्यावरण समाघात निर्धारण प्राधिकरण को कतिपय प्रस्ताव, निर्देशों के निबंधनों और पर्यावरणीय अनापत्ति के लिए पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन ऐसी परियोजनाओं के लिए प्राप्त हो रहे हैं, जिन्होंने स्थल पर कार्य आरंभ कर दिया है, पर्यावरणीय अनापत्ति की सीमा से परे उत्पादन का विस्तार किया है या पूर्व पर्यावरणीय अनापत्ति को प्राप्त किए बिना उत्पाद मिश्रण में परिवर्तन कर दिया है ;
10. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने पर्यावरण की क्वालिटी के संरक्षण और उसमें सुधार के प्रयोजन के लिए और पर्यावरणीय प्रदूषण का उपशमन करने के लिए यह आवश्यक समझा कि वह सभी निकाय, जो पर्यावरण संघात निर्धारण अधिसूचना, 2006 के अधीन पर्यावरण विनियम का अनुपालन नहीं कर रहे हैं, को समीचीन रीति में पर्यावरणीय विधियों की अनुपालना के लिए उसके अंतर्गत लाया जाए ;
11. और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऐसी परियोजनाओं और क्रियाकलापों को शीघ्रतम पर्यावरणीय विधियों की अनुपालना के अधीन लाना आवश्यक समझता है न कि उन्हें अविनियमित और बिना किसी जांच के छोड़ना, जो पर्यावरण के लिए अधिक नुकसानदायक होगा तथा इस उद्देश्य को अग्रसर करने के लिए भारत सरकार ऐसी सत्ताओं को, जो अनुपालक थे, अनुपालक बनाने के लिए समुचित रक्षोपायों के साथ पर्यावरणीय अनापत्ति प्रदान करना आवश्यक समझती है, प्रक्रिया ऐसी होनी चाहिए, जो पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के उपबंधों के उल्लंघन पर रोक लगाए, जिससे अनुपालना और अनुपालना के धनीय लाभ भयोपरित हों तथा पर्यावरण के नुकसान के लिए समुचित रूप से प्रतिकर हो ;
12. और माननीय उच्चतम न्यायालय ने इंडियन काउंसिल फार एन्वायरो-लीगल एक्शन बनाम भारत संघ (बिछड़ी गांव औद्योगिक प्रदूषण का मामला) में 13 फरवरी, 1996 को निर्णय देते समय विधि के सभी सुसंगत उपबंधों का विश्लेषण किया और यह निष्कर्ष दिया कि पर्यावरण (संरक्षण) अधिनियम, 1986 के अधीन नुकसानी की वसूली की जा सकती है (1996(3) एससीसी 212)। माननीय न्यायालय ने यह संप्रेक्षित किया कि पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 केंद्रीय सरकार (या, यथास्थिति, उसके प्रतिनिधि) को "ऐसे सभी उपाय करने, जो वह पर्यावरण की क्वालिटी के संरक्षण और सुधार के प्रयोजन के लिए आवश्यक या समीचीन समझे....." अभिव्यक्त रूप से सशक्त करती है। धारा 5 केंद्रीय सरकार (या उसके प्रतिनिधि) को अधिनियम के उद्देश्यों को प्राप्त करने के लिए निदेश जारी करने की शक्ति प्रदान करती है। धारा 2(क), धारा 3 और धारा 5 में "पर्यावरण" की विस्तृत परिभाषा के अनुसार केंद्रीय सरकार को ऐसी सभी शक्तियां हैं, जो "पर्यावरण की क्वालिटी के संरक्षण और सुधार के प्रयोजन के लिए आवश्यक या समीचीन" हैं। केंद्रीय सरकार, ऐसे सभी उपाय करने और ऐसे सभी निदेश जारी करने के लिए सशक्त है, जो पूर्वोक्त प्रयोजन के लिए आवश्यक हो। इस मामले में उक्त शक्तियों के अंतर्गत गाढे कीचड़ को हटाने, उपचारिक उपाय करने और उपचारिक उपाय करने की लागत को उल्लंघन करने वाले उद्योग पर अधिरोपित करने की शक्ति भी है तथा इस प्रकार वसूल की गई रकम का, उपचारिक उपायों को कार्यान्वित करने के लिए उपयोग करना भी है। माननीय न्यायालय ने यह और संप्रेक्षित किया है कि उपचारिक उपायों को कार्यान्वित करने के लिए अपेक्षित लागत का उद्ग्रहण धारा 3 और धारा 5 में अंतर्निहित है, जिसे अत्यधिक विस्तृत और व्यापक भाषा में व्यक्त किया गया है। पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 और धारा 5 जल और वायु अधिनियमों के अन्य उपबंधों के अतिरिक्त सरकार को ऐसे सभी निदेश करने के लिए और ऐसे सभी उपाय करने के लिए सशक्त करते हैं, जो "पर्यावरण" के संरक्षण और संवर्धन के लिए आवश्यक या समीचीन हों, जिस अभिव्यक्ति को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 2(क) में अत्यधिक विस्तृत और व्यापक शब्दों में परिभाषित किया गया है। इस शक्ति के अंतर्गत किसी उद्योग कि निकट किसी क्रियाकलाप को प्रतिषिद्ध करने, उपचारिक उपायों को कार्यान्वित करने का निदेश देने और जहां कहीं आवश्यक हो, उल्लंघन करने वाले उद्योग पर उपचारिक उपायों

की लागत अधिरोपित करने की शक्ति भी है। प्रत्यर्थियों के उपचारिक उपायों की लागत की अदायगी के दायित्व का प्रश्न दूसरे दृष्टिकोण से भी देखा जा सकता है, जिसे अब सार्वभौमिक रूप से ठोस सिद्धांत के रूप में स्वीकार किया गया है, जैसे "प्रदूषणकर्ता संदाय करता है" का सिद्धांत। "प्रदूषणकर्ता संदाय करता है, सिद्धांत की यह मांग है कि प्रदूषण द्वारा कारित नुकसान को रोकने या उसका उपचार करने की वित्तीय लागत इस बचनबंध, कि जो प्रदूषण कारित करता है या ऐसे माल का उत्पादन करता है, जो प्रदूषण कारित करता है, के साथ होती है।"

13. (1) 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 निदेश देती है कि परियोजना या क्रियाकलाप या विद्यमान परियोजनाओं का विस्तार या आधुनिकीकरण या क्रियाकलाप, जिनके द्वारा पर्यावरण संघात निर्धारण अधिसूचना, 2006 के अधीन पूर्व पर्यावरणीय अनापत्ति अपेक्षित है भारत के किसी भाग में, यथास्थिति, केंद्रीय सरकार द्वारा उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन गठित केंद्रीय सरकार या राज्य स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति प्राप्त किए बिना, जिसमें प्रक्रिया या प्रौद्योगिकी में परिवर्तन के साथ क्षमता में वर्धन या दोनों को शामिल किया गया है, को पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उल्लंघन का मामला माना जाएगा और उससे निम्नलिखित रीति में विनिर्दिष्ट प्रक्रिया के अनुसार व्यौहार किया जाएगा ;

(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 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।

(3) उल्लंघन के मामलों में पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के उपबंधों के अधीन संबंधित राज्य या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा परियोजना प्रस्तावक के विरुद्ध कार्रवाई की जाएगी और इसके अतिरिक्त परियोजना को पर्यावरण अनापत्ति अनुदत्त किए जाने तक प्रचालन करने के लिए या अधिभोग प्रमाणपत्र जारी किए जाने के लिए अनुमति नहीं दी जाएगी।

(4) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित संबंधित क्षेत्र 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 विशेषज्ञ मूल्यांकन समिति का निष्कर्ष नकारात्मक है, विधि के अधीन अन्य कार्रवाईयों के साथ परियोजना को बंद करने की सिफारिश की जाएगी।

(5) उस दशा में जहां पूर्वोक्त उप पैरा (4) के बिन्दु पर विशेषज्ञ मूल्यांकन समिति के निष्कर्ष सकारात्मक हैं, इस प्रवर्ग के अधीन परियोजनाओं को पर्यावरण संघात निर्धारण करने और पर्यावरणीय प्रबंधन योजना 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।

(6) 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।

(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 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 तथा विनियामक प्राधिकरण के अनुमोदन के पश्चात् सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के सफलतापूर्वक कार्यान्वयन के पश्चात् निर्मुक्त किया जाएगा।

14. ऐसी परियोजनाएं और क्रियाकलाप, जो इस अधिसूचना की तारीख को उल्लंघनकारी हैं, इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए आवेदन करने के पात्र होंगे और परियोजना प्रस्तावक इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए केवल इस अधिसूचना की तारीख से छह मास के भीतर ही आवेदन कर सकते हैं।

[फा. सं. 22-116/2015-आईए-III]

मनोज कुमार सिंह, संयुक्त सचिव

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the 14th March, 2017

S.O. 804(E).—Whereas, a draft notification under sub-section (1), and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), *vide* number S.O. 1705(E), dated the 10th May, 2016, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for finalising 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 under the Environment Impact Assessment Notification, 2006 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;

2. And whereas, copies of the said notification were made available to the public on the 10th May, 2016;
3. And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government.
4. Whereas, subject to the provisions of the Environment (Protection) Act, 1986, under sub-section (1) of section 3 of the Act, the Central Government has the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling, and abating environment pollution;
5. Whereas, section 5 of the Environment (Protection) Act, 1986 empowers the Central Government to give directions which reads as "Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;
6. Whereas the Ministry of Environment, Forest and Climate Change issued Office Memoranda dated 12.12.2012 and 27.06.2013 to establish a process for grant of environmental clearance to cases of violation.
7. Whereas, the Hon'ble High Court of Jharkhand had passed an order dated the 28th November, 2014 in W.P. (C) No. 2364 of 2014 in the matter of Hindustan Copper Limited *Versus* Union of India in which the High Court held that the conditions laid down under Office Memorandum dated 12th December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon'ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws;

8. And whereas, Hon'ble National Green Tribunal, Principal Bench *vide* its order dated 7th July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had also held that the Office Memoranda dated 12th December, 2012 and 24th June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same;

9. And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for projects 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;

10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;

12. And whereas, Hon'ble Supreme Court in *Indian Council for Enviro-Legal Action Vs. Union of India* (the Bichhri village industrial pollution case), while delivering its judgment on 13th February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 (1996 [3] SCC 212). The Hon'ble Court observed that section 3 of the Environment (Protection) Act, 1986 expressly empowers the Central Government [or its delegate, as the case may be] to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment.....". Section 5 clothes the Central Government [or its delegate] with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2 (a), Sections 3 and 5 clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. In the present case, the said powers will include giving directions for the removal of sludge, for undertaking remedial measures and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures..... Hon'ble Court has further observed that levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The question of liability of the respondents to defray the costs of remedial measures can also be

looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

13 (1). Now, therefore, in exercise of the powers conferred by sub-section (1) and sub clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986; the Central Government hereby directs 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 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 Level Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under sub-section (3) of Section 3 of the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the following manner:-

(2) 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.

(3) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.

(4) The cases of violation will be appraised by respective sector Expert Appraisal Committees 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 be run sustainably under compliance of environmental norms with adequate environmental safeguards; and in case, where the finding of the Expert Appraisal Committee is negative, closure of the project will be recommended along with other actions under the law.

(5) In case, where the findings of the Expert Appraisal Committee on point at sub-para (4) above are affirmative, the projects under this category will be prescribed the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan. Further, the Expert Appraisal Committee will prescribe a 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. 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 Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

(6) The Expert Appraisal Committee 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.

(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 Expert Appraisal Committee and finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

14. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental clearance under this notification and the project proponents can apply for environmental clearance under this notification only within six months from the date of this notification.

[F. No. 22-116/2015-1A-III]

MANOJ KUMAR SINGH, Jt. Secy.



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F.No. 23-77/2018-IA (III)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

Indira Paryavaran Bhawan,
Jorbagh Road, N Delhi - 3
Email: lk.bokolia@nic.in Tel: 01124695301

Dated: 1st February, 2021

To,

The Director (Planning & Projects)
M/s The Singareni Collieries Company Ltd (SCCL),
Kothagudam Collieries (PO)
Bhadradri- 507101 (Telangana)
Email: gm_env@scclmines.com, env_crp@scclmines.com

Sub: Jalagam Vengal Rao Opencast - I Expansion Project of annual production of 2.50 MTPA to 5.00 MTPA in an ML area 544.81 ha. of M/s The Singareni Collieries Company Limited, located at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana) - For Environment Clearance - reg.

Sir,

This has reference to your online proposal No IA/TG/CMIN/152625/2017 dated 7th July, 2020 for grant Environment Clearance in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986 for Jalagam Vengal Rao Opencast - I Expansion Project of annual production of 2.50 MTPA to 5.00 MTPA in an ML area 544.81 ha. of M/s The Singareni Collieries Company Limited, located at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana).

The project/activity is covered under category 'A' of item 1 (a) 'Mining of Minerals' the Schedule to the EIA Notification, 2006

2. The proposal was considered by the Expert Appraisal Committee (EAC) in the Ministry involving violation of EIA Notification, 2006 for Thermal & Coal Mining Sector in its 35th meeting held on 6-7 August, 2020 and in 36th meeting held on 21-22 September, 2020. The details of the project, as per the documents submitted by the project proponent, and also as informed during the meeting, are reported to be as under:-

- (i) Latitude and Longitude of the project: - Latitudes: 17°11'28.4" to 17°12'42.87" (North)
Longitudes: 80°46'44.99" to 80°49'26.53" (East) Survey of India Topo sheet: 65 C/16
- (ii) The Project is not located in the Critically Polluted Area (CPA) as per CEPI Index of CPCB
- (iii) Cost of the project: Rs. 106.76 Crores
- (iv) Employment generated / to be generated: 816 (Permanent - 416 and temporary - 400)
- (v) Benefits of the project :- To meet the coal requirements of thermal power plants of Telangana State.

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- (vi) The project is of Expansion of capacity from 2.50 MTPA to 5.00 MTPA
- (vii) Certified Compliance Report of Regional office of the MoEF has been submitted vide its Letter No. EP/12.1/583/AP/1778, dated 11th Nov, 2019.
- (viii) The ToR letter was issued vide letter No.23-77/2018-IA(III) Dt. 08th August, 2019 under violation category.
- (ix) Date of approval of mine plans and mine closure plan, Status & date : 17.11.2014 , Mine Plan & Mine Closure Plan approved by MoC, GoI Vide Lr.No. 13016/2/2006-CA-II.
- (x) Date of Board's approval: 10th July, 2013. Approved vide minute No. 513:5.20
- (xi) Date of Ground Water Clearance and surface water approval: 06th July, 2007 vide Letter No.13019/Hg.II(1)/06. Ground Water Clearance for JVR OC Mine (I&II Expansion) of 10 Mt was applied vide Lr. No. KGM /ENV /405 /2019 /149, dated 7th November, 2019.
- (xii) Existing Ground water level in (M) Pre-Monsoon : From 3.48 To 11.85 (Depth from surface) Post Monsoon : From 2.62 To 10.15 (Depth from surface).
- (xiii) There is no river / Nallaha flowing near or adjacent to the proposed mine.
- (xiv) Details of Mine Lease : JVR OCP-I Mining Lease for 383.05 ha: Date of entering into original lease deed: 23rd Mar, 2005' Date of expiry of original lease deed: 22nd Mar, 2025. JVR OCP-I Expansion Mining Lease for 136.50 ha: Date of entering into original lease deed: 10th Nov, 2008; Date of expiry of original lease deed : 9th Nov,2028
- (xv) Technical Details
 - a. Geological Reserve; Total Geological Reserves: 57.83 million tonnes; Mineable reserve: 50.90 million tonnes; Extractable Reserves:50.90 million tonnes; Percent (%) of extraction: 88.00 %;
 - b. Range of ground water level Pre monsoon: 3.48 m to 11.85m (Depth from surface) Post monsoon : 2.62 m to 10.15 m (Depth from surface)
 - c. Total estimated water requirement 1306 m³/day
 - d. Details of intersecting ground water level 26.56 m
- (xvi) Details of Deposits: Depth of the ore body: 25 to 150 m; Grade of ore : G9 and G13; Stripping ratio : 1 : 3.32
- (xvii) Method of mining: Mechanized opencast method.
- (xviii) Life of mine: 1 year from 2019-20
- (xix) Ambient air quality seasonal data has been documented: From March 2018 to May 2018 (Summer season) and the results are within the prescribed limits.
- (xx) Monitoring report of earlier EC from MoEF Regional Office has been obtained, in case the proposal is for expansion: Certificate No. F.No EP/12.1/583/AP/1778, dated 11th November, 2019.
- (xxi) Details of O.B. : External OB dumps: Present; No of OB dumps: One; Area (in ha) :130.39; Height: 90 m above Ground Level; Quantity (in M.Cu.m) : 38.49; Year of back filling : 1; No. of OB dumps reclaimed : 1 ; Garland drains and settlement facility for runoff has been created. Run-off water from OB dumps is being let out into nearby tanks for agriculture purpose through settling ponds.
- (xxii) Details of Internal Dumps : Number of internal dumps: One; Area (ha) : 143.60; Height: 60 m; Quantity (in MCum) :126.03
- (xxiii) Utilization potential of wastes:

- o Within the mines: Overburden will be dumped in the earmarked dumping areas and top soil will be spread on the dumps and plantation will be raised.
- o Outside mines: Nil
- o Efforts made by proponent Nurseries are established and native species are raised and planted on the OB dumps.

(xxiv) Details of final Mine Voids: Area (ha): 164.86 ; Depth : 150 m

(xxv) Details of Quarry : Total Quarry area (ha): 371.02 ; Back filled quarry area that shall be reclaimed with plantation:143.60; A void of 164.86 ha at a depth of 150 m is proposed to be converted into a water body

(xxvi) Green belt created in ha. :318.90

(xxvii) Details of Land usage

Pre-mining

S.No.	Description	Land (ha)
1	Forest land	380.52
2	Agricultural land	101.93
3	Waste land	52.36
4	Other land	10.00
	Total	544.81

Post-Mining

S. No.	Description	Land Use (ha)			
		Plantation	Water body	Public/ Other Use	Total
1	External OB dump	112.37	-	-	112.37
2(a)	Excavation (Backfilled area)	143.60	-	-	143.60
2(b)	Excavation (Void area)	-	164.86	-	164.86
2(c)	Safe zone including Drains	46.39		34.19	80.58
3	Service buildings, CHP & sub-station		-	18.14	18.14
4	Road diversion	-	-	15.26	15.26
5	Colony/township	-	-	10.0	10.0
	TOTAL	302.36	164.86	77.59	544.81

Core Area (Present Land Use)

Description	Forest land	Non Forest land	Total
Excavation Area(Including Drains etc.)	355.14	15.88	371.02
External dump yard	-	130.39	130.39
Service buildings, CHP & sub-station	15.96	2.18	18.14
Road diversion	9.42	5.84	15.26
Colony/township (To be Acquired)	-	10.00	10.00
Total Land	380.52	164.29	544.81

(xxviii) Details of Forest issues :

- Total forest area involved (in ha) for mining lease 380.52; Total broken forest area: 380.52
- Extent of forest land in the project (including safety zone and all types of forest land) (in ha) 380.52
- Balance forest land for which Stage-I FC is not available (give area in Ha : Nil
- Status of Forest Clearance and extent of forest land diverted in ha. Total forest area of 380.52 ha was diverted.
 - 244.02 ha vide Lr.No.8-129/2003-FC dt.02-02-2005
 - 136.50 ha vide Lr.No.8-56/2008-FC dt.03-07-2012.

(xxix) No National Park, eco-sensitive Zones lies within 10 km radius.

(xxx) A Wildlife Conservation & Mitigation Plan for Schedule-I species has been prepared for an amount of Rs. 2.57 Crores. Wildlife Conservation plan is yet to be approved by CWLW wherein PP has submitted budget for Rs. 2.57 Crores.

(xxxi) Costs of the project : Total capital Cost: ₹106.76 Crores; Cost of Production: ₹ 554 per Tonne; Sale Price: ₹1851 per Tonne; CSR cost: As per Companies Act, 2013 and Companies (Corporate Social Responsibility Policy) Rules - 2014, SCCL is spending 2% of its average annual net profit calculated in accordance with the provisions of Section 198 of the Act made during three immediately preceding financial years in pursuance of its CSR policy on CSR activities each financial year. In addition, an amount of Rs. 84.31 crores (from February 2016 – April 2019) was deposited with District Collector, Bhadradri Kothagudem, as District Mineral Fund (DMF) for taking up CSR works; R&R Cost: Nil; Cost for implementing EMP Capital: ₹ 9.50 Crores; Recurring: ₹ 2.87 Crores per Annum

(xxxii) Details of villages/habitation in mine lease area: Inside the lease : Nil; Surrender by lease: Nil; Extent of cropland acquired/ being acquired in ha. : 101.93

(xxxiii) Details of transportation of coal: In pit : Dumpers; Surface to siding: Conveyor; Siding to loading: From JVR OC – I Exp. to RCHP by Road and from there to end users by Rail. Quantity being transported by Road/Rail/conveyer /ropeway: 5 Mtpa; Proposed change in transportation means if any, give details: Proposed to change the road transport from the project to end users by rail mode.

(xxxiv) Details of reclamation: Reclaimed external OB dump in ha : 112.37; Internal Dump in ha : 143.60; Green belt in ha: 46.39; Density of the tree plantation (in no.): 2500 per hectare; Void (ha) at a depth of (m) proposed to be converted into water body : 164.86 ha at a depth of 150 m; Other in ha (such as excavation area along ML boundary, along roads and infrastructure, embankment area and in township located outside the lease etc..

(xxxv) Legal Issues : As per the ToR, State Govt/SPCB has to take action against the Project Proponent under the Provisions of the E(P) Act, 1986. State Govt. directed SPCB to take action in this regard. Action from SPCB is awaited.

4. The Expert Appraisal Committee in its 36th meeting held on 21st -22nd September, 2020 has recommended the proposal for grant of Environment Clearance. Based on the recommendations of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords Environment Clearance to the proposal of JalagamVengal Rao Opencast - I Expansion

Project of annual production of 2.50 MTPA to 5.00 MTPA in area of 544.81 ha at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana) by M/s The Singareni Collieries Company Limited, under the provisions of Environment Impact Assessment Notification, 2006 and subsequent amendments/circulars thereto subject to the compliance of the following terms & conditions / specific conditions for environment safeguards: -

- (i) EAC recommended for an amount of Rs 2667.00 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan to be spent within a span of three years. The details of Remediation plan, Natural resource Augmentation plan and Community Resource Augmentation plan with budgetary provision are mention below:
- (ii) Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is Rs. 2667.00 lakhs. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rs. 2667.00 lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the SPCB prior to the grant of EC.
- (iii) Remediation plan shall be completed in 3 years whereas bank guarantee shall be for 5 years. The bank guarantee will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.
- (iv) Approval/permission of the CGWA/SGWA shall be obtained before drawing ground water for the project activities, if applicable. State Pollution Control Board (SPCB) concerned shall not issue Consent to Operate (CTO) till the project proponent obtains such permission.
- (v) Wild life Conservation plan as approved by the Competent Authority shall be implemented.
- (vi) The Environmental Clearance will not be operational till such time the Project Proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

Remediation plan along with budgetary provision

S. No.	Component	Remediation Proposed	Description	Locations	Rate in Rs.	Total Qty.	Total Cost (Rs.)	Year I (Rs.)	Year II (Rs.)	Year III (Rs.)
1	Air Environment	Dust suppression	Laying of 10 feet road in the	NTR Colony	50,00,000 per 1km	1000 m	50,00,000	25,00,000	15,00,000	10,00,000

			nearby village.							
1 b	Noise Envi ronm ent and Ecol ogy	Avenu e Plantat ion / Plantat ion	Plantatio n of total 4900 No.s native plants at Rs.1000 per sapling, includin g mainten ance for 3 years and 35 ha of block plantatio n around mine boundar y.	1. Satupalli 2. Rejarla 3. Cheruku- -palli 4. Kothuru 5. Kommugude m 6. Kistaram 7. Mine boundary	1,000 + 1,00, 000 per ha	4,900	75,00 ,000	25,00 ,000	25,00 ,000	25,00, 000
2 a	Wate r Envir on ment	Constr uction and annual maint enanc e of 100 Nos. Rain Water Harve sting struct ures in nearb y villag	Construc tion of RWH- 100 No. sand 11 No.s of roof top rain water harvestin g facility (includin g raw material, labour, construct ion and maintena	1. Sathupalli 2. Kistaram 3. Cherukupa lli 4. Rejarla 5. Kommugu dem	2,55, 000 + 2,00, 000	100 + 11	2,77, 00,00 0	95,00 ,000	95,00 ,000	87,00, 000



		es	nce for one year)								
2 b		Constr uction of check dams and creati on of new water tanks	Lumpsu m (LS) cost includin g Material s, labour, construct ion and maintena nce for one year	1. Kistramche ruvu. 2. Jaganathpu ramcheruvu 3. Kothuru che ruvu 4. Jeenugupall i (New Tank)	LS	LS	2,00, 00,00 0	70,00 ,000	70,00 .000	60,00, 000	
2 c		Suppl y of potabl e water in surrou nding villag es.	RO plants of 1000 litres capacity with installati on and 3 years maintena nce	1. Vengalraon agar 2. Kistaram 3. Kakarlpalli 4. Lingapalle m 5. Rejarla (2 No.s) 6. Ayyagaripe ta 7. NTR Nagar 8. Kothuru 9. Dwaraka Nagar 10. Gourigude m 11. Cherukupal li (R&R center) 12. Virat Nagar	9000 00	13	1,17, 00,00 0	40,00 ,000	40,00 .000	37,00, 000	
Total (Rs.)								7,19, 00,00 0	2,55, 00,00 0	2,45, 00,00 0	2,19,0 0,000

Natural Resource Augmentation plan with budgetary provision

S. No	Component	Activity Proposed	Description	Locations	Rate	Total Qty.	Total Cost (Rs.)	Year I (Rs.)	Year II (Rs.)	Year III (Rs.)
1a	Natural Resource Augmentation Plan	Energy Conservation by adapting Green Energy technology.	Providing 1 KW Capacity Solar Lighting system (includes panels, inverters, wiring, structure, connectors, junction boxes, etc.)	1. Sathupalli 2. Kistaram 3. Rejarla 4. Ayyagari 5. Kommugudem	50,000	200	1,00,00,000	40,00,000	30,00,000	30,00,000
1b			Solar water pump sets of 5 HP capacity for agriculture (including panels, inverters, wiring, structure, connectors, junction boxes, etc.)	1.Kistaram 2.Rejarla 3.Kothuru 4.Kommu gudem	3,00,000	130	3,90,00,000	1,30,00,000	1,30,00,000	1,30,00,000
1c			Improvement	Providing Bio	Sathupalli town	1,60,000	10	16,00,000	6,00,000	5,00,000

M

		of Public Sanitati on	toilets in Sathupall i town.							
Total (Rs)							5,06,0 0,000	1,76,0 0,000	1,65,0 0,000	1,65,0 0,000

Community Resource Augmentation plan with budgetary provision

S. no	Component	Activity Proposed	Description	Locations	Rate	Total Qty.	Total Cost (Rs.)	Year I	Year II	Year III
1 a	Community Resource Augmentation Plan	Development of Infrastructure	Construction of CC Roads and drains (2 km in each village) and bore wells.	1. Kistara	1,00,00,00	3	3,00,00,00	1,00,00,00	1,00,00,00	1,00,00,00
				2. Rejarla						
3. Kothuru										
1 b			Construction of Godown for storage of the agriculture products (Dimensions 20 m x 8 m x 6 m)	1. Rejarla	50,00,000	2	1,00,00,00	40,00,000	30,00,000	30,00,000
	2. Kothuru									
1 c.	Repair of road and road widening as requested in the Public Hearing.	V.M.Banjar to sathupalli town (20 km) and widening of y-junction near Kistaram village		LS	LS	5,67,00,00	2,00,00,00	2,00,00,00	1,67,00,00	
1 d			Construction of Community halls / Community	1. Kistaram	75,00,000	3	2,25,00,00	75,00,000	75,00,000	75,00,000
	2. Rejarla									
			3. Kothuru							

		health centres (300 Sq. m. each)							
l		Land for dump yard (about 8 acres) used for treatment of solid waste for generation of compost.	Sathupalli	25,00,000	8	2,00,00,000	2,00,00,000	-	-
f		Development of New Urban park	1. Sathupalli town 2. Kothuru	LS	2	50,00,000	20,00,000	20,00,000	10,00,000
Total (Rs)						14,42,00,000	6,35,00,000	4,25,00,000	3,82,00,000

Summary

Sl. No.	Description	Estimated cost (Rs. in Lakhs)
1	Remediation Plan	719
2	Natural Resources Augmentation Plan	506
3	Community Resources Augmentation Plan	1442
Total		2667

- (vii) Fund allocation for Corporate Environment Responsibility (CER) as per OM of 1st May, 2018 i.e 1.05 crore in this case may now be considered as fund allocated on commitment made during public consultation process for incorporating in EIA-EMP for deliberation of EAC and item-wise details along with time bound action plan shall be prepared and submitted to the Ministry's Regional Office.
- (viii) Effective dust suppression system shall be adopted at the transportation site and in the other parts of the mining lease to arrest the fugitive dust emission.
- (ix) Project proponent shall take necessary other clearances/permissions under various Acts and Rules if any, from the respective authorities / department.
- (x) The mining lease holder shall, after ceasing mining operations, under take re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to condition which is fit for growth of fodder, flora and fauna etc.State

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Government concerned shall ensure that mining operation shall not commence till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of judgment of Hon'ble Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.

- (xi) As mine lease is valid till 22nd March 2025 and balance extractable reserve is only 1.30 Mt therefore validity of Environment Clearance shall be upto 22nd March 2025 and all activities proposed under RP, CRA and NRA shall be completed within three years of the grant of EC.

Standard Conditions

(a) Statutory compliance

- (i) The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- (ii) The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- (iii) The project proponent shall prepare a Site-Specific Conservation Plan / Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan/Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report (in case of the presence of schedule-I species in the study area).
- (iv) The project proponent shall obtain Consent to Establish/Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
- (v) The project proponent shall obtain the necessary permission from the Central Ground Water Authority.
- (vi) Solid/hazardous waste generated in the mines needs to be addressed in accordance to the Solid Waste Management Rules, 2016/Hazardous & Other Waste Management Rules, 2016.

(b) Air quality monitoring and preservation

- (i) Continuous ambient air quality monitoring stations as prescribed in the statute be established in the core zone as well as in the buffer zone for monitoring of pollutants, namely PM₁₀, PM_{2.5}, SO₂ and NO_x. Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets in consultation with the State Pollution Control Board. Online ambient air quality

monitoring stations may also be installed in addition to the regular monitoring stations as per the requirement and/or in consultation with the SPCB. Monitoring of heavy metals such as Hg, As, Ni, Cd, Cr, etc to be carried out at least once in six months.

- (ii) The Ambient Air Quality monitoring in the core zone shall be carried out to ensure the Coal Industry Standards notified vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board. Data on ambient air quality and heavy metals such as Hg, As, Ni, Cd, Cr and other monitoring data shall be regularly reported to the Ministry/Regional Office and to the CPCB/SPCB.
 - (iii) Transportation of coal, to the extent permitted by road, shall be carried out by covered trucks/conveyors. Effective control measures such as regular water/mist sprinkling/rain gun etc shall be carried out in critical areas prone to air pollution (with higher values of PM₁₀/PM_{2.5}) such as haul road, loading/unloading and transfer points. Fugitive dust emissions from all sources shall be controlled regularly. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central/State Pollution Control Board.
 - (iv) The transportation of coal shall be carried out as per the provisions and route envisaged in the approved Mining Plan or environment monitoring plan. Transportation of the coal through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed so that the impact of sound, dust and accidents could be appropriately mitigated.
 - (v) Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
 - (vi) Coal stock pile/crusher/feeder and breaker material transfer points shall invariably be provided with dust suppression system. Belt-conveyors shall be fully covered to avoid air borne dust. Side cladding all along the conveyor gantry should be made to avoid air borne dust. Drills shall be wet operated or fitted with dust extractors.
 - (vii) Coal handling plant shall be operated with effective control measures w.r.t. various environmental parameters. Environmental friendly sustainable technology should be implemented for mitigating such parameters.
- (c) **Water quality monitoring and preservation**
- (i) The effluent discharge (mine waste water, workshop effluent) shall be monitored in terms of the parameters notified under the Water Act, 1974 Coal Industry Standards vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board.
 - (ii) The monitoring data shall be uploaded on the company's website and displayed at the project site at a suitable location. The circular No.J-20012/1/2006-IA.11 (M) dated 27th

May, 2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.

- (iii) Regular monitoring of ground water level and quality shall be carried out in and around the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operations. The monitoring of ground water levels shall be carried out four times a year i.e. pre-monsoon, monsoon, post-monsoon and winter. The ground water quality shall be monitored once a year, and the data thus collected shall be sent regularly to MOEFCC/RO.
- (iv) Monitoring of water quality upstream and downstream of water bodies shall be carried out once in six months and record of monitoring data shall be maintained and submitted to the Ministry of Environment, Forest and Climate Change/Regional Office.
- (v) Ground water, excluding mine water, shall not be used for mining operations. Rainwater harvesting shall be implemented for conservation and augmentation of ground water resources.
- (vi) Catch and/or garland drains and siltation ponds in adequate numbers and appropriate size shall be constructed around the mine working, coal heaps & OB dumps to prevent run off of water and flow of sediments directly into the river and water bodies. Further, dump material shall be properly consolidated/ compacted and accumulation of water over dumps shall be avoided by providing adequate channels for flow of silt into the drains. The drains/ ponds so constructed shall be regularly de-silted particularly before onset of monsoon and maintained properly. Sump capacity should provide adequate retention period to allow proper settling of silt material. The water so collected in the sump shall be utilised for dust suppression and green belt development and other industrial use. Dimension of the retaining wall constructed, if any, at the toe of the OB dumps within the mine to check run-off and siltation should be based on the rainfall data. The plantation of native species to be made between toe of the dump and adjacent field/habitation/water bodies.
- (vii) Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) after due treatment conforming to the specific requirement (standards).
- (viii) Industrial waste water generated from CHP, workshop and other waste water, shall be properly collected and treated so as to conform to the standards prescribed under the standards prescribed under Water Act 1974 and Environment (Protection) Act, 1986 and the Rules made there under, and as amended from time to time. Adequate ETP /STP needs to be provided.
- (ix) The water pumped out from the mine, after siltation, shall be utilized for industrial purpose viz. watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly.

- (x) The surface drainage plan including surface water conservation plan for the area of influence affected by the said mining operations, considering the presence of river/rivulet/pond/lake etc, shall be prepared and implemented by the project proponent. The surface drainage plan and/or any diversion of natural water courses shall be as per the approved Mining Plan/EIA/EMP report and with due approval of the concerned State/GoI Authority. The construction of embankment to prevent any danger against inrush of surface water into the mine should be as per the approved Mining Plan and as per the permission of DGMS or any other authority as prescribed by the law.
- (xi) The project proponent shall take all precautionary measures to ensure riverine/riparian ecosystem in and around the coal mine up to a distance of 5 km. A riverine/riparian ecosystem conservation and management plan should be prepared and implemented in consultation with the irrigation / water resource department in the state government.
- (d) **Noise and Vibration monitoring and prevention**
- (i) Adequate measures shall be taken for control of noise levels as per Noise Pollution Rules, 2016 in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with personal protective equipments (PPE) like ear plugs/muffs in conformity with the prescribed norms and guidelines in this regard. Adequate awareness programme for users to be conducted. Progress in usage of such accessories to be monitored.
- (ii) Controlled blasting techniques shall be practiced in order to mitigate ground vibrations, fly rocks, noise and air blast etc., as per the guidelines prescribed by the DGMS. The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.
- (e) **Mining Plan**
- (i) Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
- (ii) Mining shall be carried out as per the approved mining plan(including Mine Closure Plan) abiding by mining laws related to coal mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
- (iii) No mining shall be carried out in forest land without obtaining Forestry Clearance as per Forest (Conservation) Act, 1980.
- (iv) Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.
- (f) **Land reclamation**

- (i) Digital Survey of entire lease hold area/core zone using Satellite Remote Sensing survey shall be carried out at least once in three years for monitoring land use pattern and report in 1:50,000 scale or as notified by Ministry of Environment, Forest and Climate Change(MOEFCC) from time to time shall be submitted to MOEFCC/Regional Office (RO).
- (ii) The final mine void depth should preferably be as per the approved Mine Closure Plan, and in case it exceeds 40 m, adequate engineering interventions shall be provided for sustenance of aquatic life therein. The remaining area shall be backfilled and covered with thick and alive top soil. Post-mining land be rendered usable for agricultural/forestry purposes and shall be diverted. Further action will be treated as specified in the guidelines for Preparation of Mine Closure Plan issued by the Ministry of Coal dated 27th August, 2009 and subsequent amendments.
- (iii) The entire excavated area, backfilling, external OB dumping (including top soil) and afforestation plan shall be in conformity with the "during mining"/"post mining" land-use pattern, which is an integral part of the approved Mining Plan and the EIA/EMP submitted to this Ministry. Progressive compliance status vis-a-vis the post mining land use pattern shall be submitted to the MOEFCC/RO.
- (iv) Fly ash shall be used for external dump of overburden, backfilling or stowing of mine as per provisions contained in clause (i) and (ii) of subparagraph (8) of fly ash notification issued vide SO 2804 (E) dated 3rd November, 2009 as amended from time to time. Efforts shall be made to utilize gypsum generated from Flue Gas Desulfurization (FGD), if any, along with fly ash for external dump of overburden, backfilling of mines. Compliance report shall be submitted to Regional Office of MoEF&CC, CPCB and SPCB.
- (v) Further, it may be ensured that as per the time schedule specified in mine closure plan it should remain live till the point of utilization. The topsoil shall temporarily be stored at earmarked site(s) only and shall not be kept unutilized. The top soil shall be used for land reclamation and plantation purposes. Active OB dumps shall be stabilised with native grass species to prevent erosion and surface run off. The other overburden dumps shall be vegetated with native flora species. The excavated area shall be backfilled and afforested in line with the approved Mine Closure Plan. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest and Climate Change/ Regional Office.
- (vi) The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.
- (g) **Green Belt**

- (i) The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered/endemic flora/fauna, if any, spotted/reported in the study area. The Action plan in this regard, if any, shall be prepared and implemented in consultation with the State Forest and Wildlife Department.
- (ii) Greenbelt consisting of 3-tier plantation of width not less than 7.5 m shall be developed all along the mine lease area as soon as possible. The green belt comprising a mix of native species (endemic species should be given priority) shall be developed all along the major approach/ coal transportation roads.
- (h) **Public hearing and Human health issues**
 - (i) Adequate illumination shall be ensured in all mine locations (as per DGMS standards) and monitored weekly. The report on the same shall be submitted to this ministry & its RO on six-monthly basis.
 - (ii) The project proponent shall undertake occupational health survey for initial and periodical medical examination of the personnel engaged in the project and maintain records accordingly as per the provisions of the Mines Rules, 1955 and DGMS circulars. Besides regular periodic health check-up, 20% of the personnel identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, as amended time to time.
 - (iii) Personnel (including outsourced employees) working in core zone shall wear protective respiratory devices and shall also be provided with adequate training and information on safety and health aspects.
 - (iv) Implementation of the action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the action plan submitted with budgetary provisions during the public hearing. Land oustees shall be compensated as per the norms laid down in the R&R policy of the company/State Government/Central Government, as applicable.
 - (v) The project proponent shall follow the mitigation measures provided in this Ministry's OM No.Z-11013/5712014-IA.11 (M) dated 29th October, 2014, titled 'Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area'.
- (i) **Corporate Environment Responsibility**
 - (i) The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions.

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The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and/or shareholders/stake holders.

- (iii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- (iv) Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
- (v) Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

(j) Miscellaneous

- (i) The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- (ii) 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.
- (iii) The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same
- (iv) The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- (v) The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- (vi) The project proponent shall follow the mitigation measures provided in this Ministry's OM No.Z-11013/5712014-IA.II (M) dated 29th October, 2014, titled 'Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area'.

- (vii) The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
 - (viii) The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
 - (ix) The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
 - (x) The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
 - (xi) No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change.
 - (xii) Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - (xiii) The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
 - (xiv) The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
 - (xv) The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
 - (xvi) The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
5. The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during presentation to the EAC. All the commitments made on the issues raised during public hearing shall also be implemented in letter and spirit.
 6. The proponent shall obtain all necessary clearances/approvals that may be required before the start of the project. The Ministry or any other competent authority may stipulate any

further condition for environmental protection. The Ministry or any other competent authority may stipulate any further condition for environmental protection.

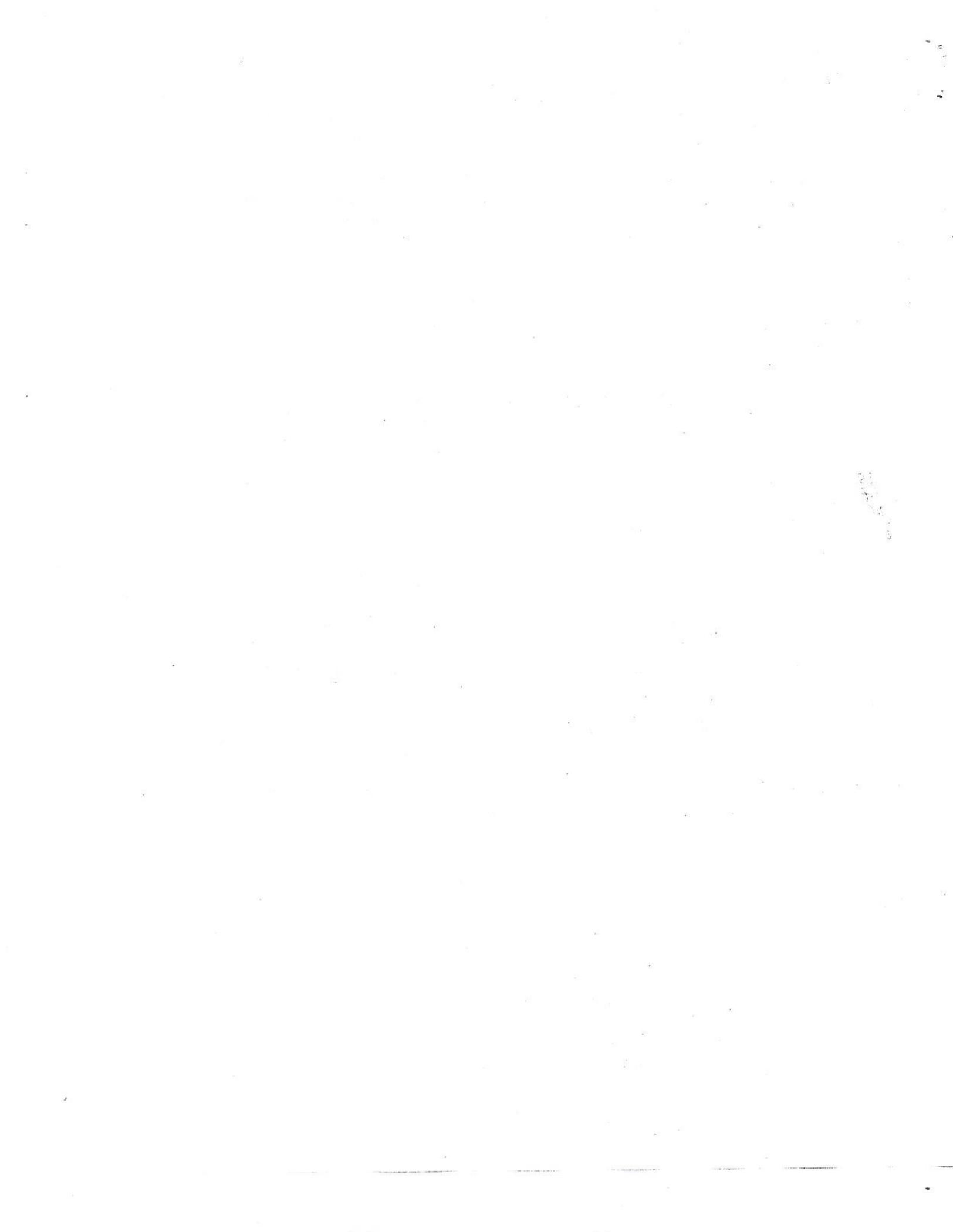
7. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
8. The coal company/project proponent shall be liable to pay the compensation against the illegal mining, if any, and as raised by the respective State Governments at any point of time, in terms of the orders dated 2nd August, 2017 of Hon'ble Supreme Court in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others.
9. The concerned State Government shall ensure no mining operations to commence till the entire compensation for illegal mining, if any, is paid by the project proponent through their respective Department of Mining & Geology, in strict compliance of the judgment of Hon'ble Supreme Court.
10. This environmental clearance shall not be operational till such time the project proponent complies with the above said judgment of Hon'ble Supreme Court, as applicable, and other statutory requirements.


(Lalit Bokolia)
Director

Copy to: -

1. The Secretary, Ministry of Coal, Shastri Bhawan, New Delhi
2. The APPCF, Regional office (EZ), Ministry of Environment, Forest and Climate Change, 1st&2nd Floor, Handloom Export Promotion Council, Cathedral Garden Road, Nungambakkam, Chennai - 34 (Tamil Nadu)
3. The Secretary, Department of Environment & Forests, Government of Telangana
4. The Chairman, Central Ground Water Authority, Ministry of Water Resources, Curzon Road Barracks, A-2, W-3 Kasturba Gandhi Marg, New Delhi
5. The Chairman, Central Pollution Control Board, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32
6. The Chairman, Telangana State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanatnagar, Hyderabad - 38
7. The District Collector, Khammam, Government of Telangana
8. Monitoring File/Guard File/Record File 9. PARIVESH Portal


(Lalit Bokolia)
Director



IN THE COURT OF THE JUDL.MAGISTRATE OF FIRST CLASS :: AT
SATHUPALLY

Present: Smt Ch.Sravana Swathi
Prl.Junior Civil Judge -cum-
Judl.Magistrate of First Class
Sathupally

*Pravara
FAN*

C.C.No:1075/2020

Between

Telangana State Pollution Control Board,
Regional Office, Kothagudem
Rep,by its Environmental Engineer,
Vadapalli Ravi Shankar, S/o: Late Krishna Murthy
Age: 42 years; Occ: Environmental Engineer
R/O: Kothagudem

.....Complainant

And

1. M/S Singareni Collieries Company Ltd.,
Jalagam Venkal Rao Opencast -1 Coal Mine Project
Ayyagaripeta village, Sathupally Mandal,
Khammam District.
Rep. By its Project Officer, S.Venkata Chari S/O: Satyanarayana
Age: 51 years, Project Office, JVR OC-1
Ayyagaripeta Village, Sathupally Mandal, Khammam District

2. S.Venkata Chari S/o: Satyanarayana Age: 51 years,
Occ: Project Officer, Jalagam Venkal Rao Opencast Cola-I coal Mine Project
M/S Singareni Collieries Company Ltd.. Project office, JVR OC-1
Ayyagaripeta Village, Sathupally Mandala, Khammam District

.....Accused

This case is coming before on 11.12.2021 for Examination of accused. In the presence of Sri B.Kalyan Rao, Advocate for standing counsel for complainant and of Sri V.Suresh Babu, Advocate, for standing counsel for M/S Singareni Collieries Company Ltd., and A2 who represent by its Project office, Upon perusing the material papers on record, having heard and stood over for consideration till this day, the court delivered the following:

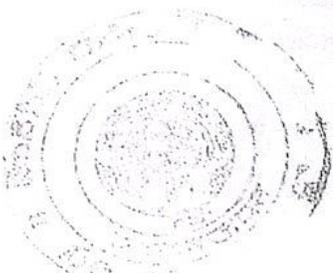
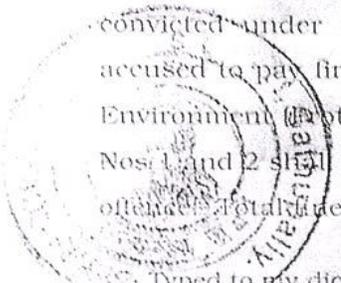
PROCKET ORDER Dt:11-12-2021

Accused Nos. 1 and 2 are called present and copies furnished to them. They are examined under section 251 Cr.P.C. and the substance of accusation levelled against them for the offence Under Section 15(1) of Environment (Protection) Act, 1986, read over and explained to them in Telugu, for which

they pleaded guilty on voluntarily in open court without any coercion. On voluntarily pleading guilty, the accused Nos 1 and 2 found guilty for the offence U/Sec.15(1) of Environment (Protection) Act, 1986 and accordingly they are convicted under section 252 Cr.P.C. Accordingly, this court sentenced the accused to pay fine of Rs.10,000/- each for the offence under section 15(1) of Environment (Protection) Act, 1986. In de-fault of payment of fine the accused Nos 1 and 2 shall suffer Simple Imprisonment for a period of one week for each offence. Total fine amount is Rs.20,000/- is paid. Hence, this case is closed.

Typed to my dictation to Typist, Corrected and pronounced by me in the open court on this the 11th day of December, 2021.

P. Sravana Sathali
 Pr. Junior Civil Judge - cum -
 Jucl. Magistrate of First Class
 Sathupally



CERTIFIED TO BE PHOTO COPY

SUPERINTENDENT
 SENIOR CIVIL JUDGE COURT,
 SATHUPALLY

EXAMINER

OPERATOR

C.F. Worth Rs. 4/-
 is collected and affixed
 on C.A. @ Rs. 2.00 per
 page for the issue
 xerox copies as
 rule 203(A) of Cr.P.

C.A. No. 1746/2021
 CERTIFIED COPY OF THE Decree order
 CC-NO-1075/2020 for award
 IN THE COURT OF THE JUDGE
 AT SATHUPALLY
 Date of application filed: 12/12/2021
 Date of summons issued: —
 Date of summons presented: —
 Date of summons returned: 20/12/2021
 Date of summons received: 20/12/2021
 Addl. summons (date): —
 Date of summons stamps deposited: —
 Date of summons: —
 Date of return: —
 Date of copy made ready: 20/12/2021
 Date of delivery: 20/12/2021

Office of the
 P.O., JVR OCPs
 Inv No. 7041
 Date. 22/12/21

SUPERINTENDENT (C.E.)
 SENIOR CIVIL JUDGE COURT
 SATHUPALLY

Srujan Kumar
 S/O
 F
 Project Officer
 JVR OC-I & OC
 STPL, Kgm Are

A2

MUNICIPAL JUNIOR CIVIL JUDGE-CUM-
(141/1, 1984-85) Cr. Misd. Old and New B5
COUNTER FOIL No. 16769
 (From of receipt to be granted by the Court)

IN THE COURT OF THE

Received this 11/12/2021 day of

from S. Venkataschary, p.o. (AS)

S/o Satyanaarayana the sum

of Rs. Ten Thousand only being the

whole / part of the fine / compensation directed to be paid by

Accused no. 2 the

accused / complainant in C.C. No. 1075/2020 on the

file of this Court.

PRINCIPAL JUNIOR CIVIL JUDGE-CUM-
 JUDICIAL FIRST CLASS MAGISTRATE
 SATHYAPURAM DIST.

Rs. 10,000/-

(Signature)
 Magistrate / Judge

A1

MUNICIPAL JUNIOR CIVIL JUDGE-CUM-
(141/1, 1984-85) Cr. Misd. Old and New 65
COUNTER FOIL No. 16768
 (From of receipt to be granted by the Court)

IN THE COURT OF THE

Received this 11/12/2021 day of

from M/s. S.C.Co. Ltd. Talagum Bengaluru (AS)

S/o S. Venkataschary the sum

of Rs. Ten Thousand only being the

whole / part of the fine / compensation directed to be paid by

Accused no. 1 the

accused / complainant in C.C. No. 1075/2020 on the

file of this Court.

PRINCIPAL JUNIOR CIVIL JUDGE-CUM-
 JUDICIAL FIRST CLASS MAGISTRATE
 SATHYAPURAM DIST.

Rs. 10,000/-

(Signature)
 Magistrate / Judge

