

**8<sup>th</sup> meeting of Expert Appraisal Committee for the proposal involving violation of EIA Notification, 2006, to be held on 13<sup>th</sup> -14<sup>th</sup> June, 2018 at Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi - 3**

**Day 1: Wednesday, 13<sup>h</sup> June, 2018**

**Time: 10:30 AM**

### **8.1. Opening remarks of the Chairman**

### **8.2. Confirmation of the minutes of the 7<sup>th</sup> meeting held on 17-18 May, 2018 at Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.**

The EAC, while confirming minutes of its 7<sup>th</sup> meeting held on 17-18 May, 2018, took note of the suggestions of the members and recommended for corrections therein as under:

#### **7.3.11.2 correction**

Typographical correction: At **page No 19** of 7 EAC minutes at Sl. No **7.3.11.2**

“The said project/activity is covered under **category B of item 8(a)**of Schedule to the EIA Notification, 2006,”

#### **7.4.1.2 Expansion of existing production capacity and adding new product at Plot No. 5,6, 29, 33, 34, 35, 37, 38, 80, 81, 84, 85, 91 Survey No. 274, 275, 276, Tehsil & District Valsad (Gujarat) by M/s Atul Industries Ltd - Reconsideration**

The proposal was earlier considered by the EAC (Violation) in its last meeting held on 17-18 May, 2018, wherein certain recommendations were made based on the information available at that stage. After receipt of a representation from the project proponent, the proposal was reconsidered for correction in minutes of the meeting.

The EAC noted that the proposal for environmental clearance to the project for expansion of existing Dyes, Chlor-Alkali, Pesticides Technical, Bulk Drug & Pharmaceuticals, Resin & other chemicals and adding new products flavours & fragrances with production capacity 38008.91 TPM/s Atul Industries Ltd at Survey No.274, 275, 276, Tehsil & District Valsad (Gujarat) was submitted by the project proponent on. The project being of category A of item 5(f) of the schedule to the EIA Notification, 2006, the terms of reference was granted by the Ministry on 03.07.2015 Public hearing for the project was conducted by the SPCB on 21.06.2016 .

The Committee further observed that at the same time, a separate proposal for grant of EC to the project for expansion of power plant from 54 MW to 76 MW [Category B of item 1(d)] within the premises was under consideration of the SEAC/SEIAA in Gujarat, based on the different ToR granted by SEIAA on 02.05.2015 and public hearing conducted by the SPCB on 09.10.2015. The project was granted EC by SEIAA Gujarat on 20<sup>th</sup> May, 2016.

The proposal for EC to the project for expansion of bulk drugs manufacturing was earlier considered by the sectoral EAC (Industry-2), but not taken forward after taking cognizance of

the observations of the Regional Office of Bhopal during site visit on 9<sup>th</sup> May, 2016. The Regional Office had informed construction activities for the power plant already taken up without obtaining the prior EC for the same from the SEIAA Gujarat.

In view of the above, the Committee opined that the power plant could be seen as standalone project and independent of the existing industrial operations. Also, the reported construction of the power plant might have a bearing on the EC already issued by the concerned regulatory authority (SEIAA, Gujarat), and not to be linked with the proposal for EC submitted to the Ministry.

The EAC, after deliberations and taking note of the fact that the concerned SEAC/SEIAAs are vested with appraisal of category B projects involving violation of the EIA Notification, 2006, recommended the following:

- (a) the matter regarding alleged violation of the EIA Notification, 2006 may be referred to the SEIAA, Gujarat for necessary action as per the extant statutory provision.
- (b) The proposal for EC to the project for expansion of present industrial operations may be taken up by the sectoral EAC as routine one, without integrating the same with the power plant project.

#### **7.4.9.3 Expansion of Integrated Cement Plant & Limestone Mines at Tulpow Khonmoh, Srinagar (Jammu & Kashmir) by M/s Khyber Industries Pvt. Ltd - Terms of Reference - Reconsideration**

The EAC, after detailed deliberations on the proposal, recommended for the following

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):

- (i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.
- (ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.
- (iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
- (iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

- (v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.
- (vi) The PP is required to conduct public hearing as per EIA notification, 2006.
- (vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&CC.
- (viii) Wild life clearance to be obtained
- (ix) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.
- (x) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future.
- (xi) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.

### 8.3. Consideration of proposals

S. No.	Proposals
8.3.1	<p><b>Group Housing cum Commercial Complex Project at Rajagiri Valley in Sy. Nos. 558 p, 559/1 to 11, 557/2, 560/1, 2, 563/5p, 11p, 12p, 569/1, 2, 569/1 to 11, Village Kakkanad, Taluk Kanayannur, District Ernakulam (Kerala) by M/s Carmelites of Marry Immaculate</b></p> <p><b>[IA/KL/NCP/68536/2017 dated 12.09.2017][F. No. 23-117/2018-IA.III (V)]</b></p>
8.3.1.1	The project proponent was absent without prior intimation.
8.3.2	<p><b>Construction of Hotel Building Project (“Crown Plaza”) at Survey Nos. 212/7, 213/1, 3, 10, 13, 15 &amp; 16, Village Maradu, Maradu Municipality, Taluk Kanayannur, District Ernakulam (Kerala) by M/s M/s K.G.A. Hotels &amp; Resorts Pvt. Ltd.</b></p> <p><b>[IA/KL/NCP/68753/2017 dated 12.09.2017] [F. No. 23-118/2018-IA.III (V)]</b></p>
8.3.2.1	M/s K.G.A. Hotels & Resorts Pvt.Ltd.has made online application vide proposal no. IA/KL/NCP/ <b>68753</b> /2017 dated 12.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 8(a) of EIA Notification, 2006 and the proposal is appraised at Central level because of no SEIAA at Kerala.
8.3.2.2	<b>Details of the project as per the submission of project proponent:</b>

The project involves construction of Hotel with built-up area of 30,632 sq.m. in a total plot area of 2.211 ha. at Survey Nos. 212 / 7, 213 / 1, 3, 10, 13, 15 & 16 of Maradu Village, Maradu Municipality, Kanayannur Taluk, Ernakulam District, Kerala by M/s KGA HOTELS AND RESORTS PVT. LTD.

The project site is permitted for Hotel (Commercial use) as per approved land use of the area. The site is located in CRZ area. It attracts EIA Notification, 2006 and CRZ Notification, 2011.

Planning/Building permission for built-up area of 30,632 sq.m. was obtained from Maradu Local Self Govt. (the concerned Authority) vide letter dt. 18-12-2006 and Building Permit No. A(2) 414/06-07.

'Consent to Establish' was obtained vide dated 20.02.2008 from Kerala State Pollution Control Board before commissioning the project.

The said project/activity is covered under Category 'B' of item 8(a) of Schedule of the EIA Notification, 2006, and requires prior Environmental Clearance from SEIAA in Kerala based on the appraisal by SEAC. Since there is no duly constituted SEIAA / SEAC for Kerala, the project is appraised at MoEF.

The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -

Sl. No.	Activity	Period
1	PP purchased the land from private individuals measuring an area of <b>2.211 ha.</b>	2002 – 2005
2	Building permit from local self Government for a built-up area of <b>30,632 sq.m.</b> for construction of Hotel Building valid for 3 years.	18-12-2006
3	Construction at site started on	02-02-2007
4	Initial NOC from Fire & Rescue Department, Govt. of Kerala	07-06-2007
5	An application was submitted at MoEF for obtaining Environmental Clearance under the provisions of EIA Notification, 2006 (there was no duly constituted SEIAA, Kerala and it was constituted for the first time in November, 2011) and 1 <sup>st</sup> appraisal of the project by 52 <sup>nd</sup> EAC (New Construction & Industrial Estates) (EAC –	19/22-11-2007

	Construction) at MoEF	
6	“Certificate of Registration” for contract labour issued by District Labour Officer, Ernakulam	30-11-2007
7	“Consent to Establish” by Kerala State Pollution Control Board (it is stated that Environment Clearance from MoEF shall be obtained <b>before commissioning the Hotel</b> )	20-02-2008
8	2 <sup>nd</sup> appraisal of the project by 59 <sup>th</sup> EAC – Construction at MoEF	03/05-04-2008
9	The proposal of PP was recommended by 63 <sup>rd</sup> EAC with “Silver Grading”	16/18-07-2008
10	An application was submitted at MoEF for obtaining CRZ permission under the provisions of CRZ Notification (as directed by EAC – Construction) and appraisal of the project by 69 <sup>th</sup> EAC (Infrastructure Development & Miscellaneous Projects) (EAC – CRZ) at MoEF	18/19-09-2008
11	NOC from Southern Naval Command, Kochi valid for 3 years	02-01-2009
12	Building permit renewed upto 17-12-2012	04-04-2011
13	Renewal of NOC from Southern Naval Command, Kochi for 2 years	01-11-2011
14	Final NOC from Fire & Rescue Service Department, Govt. of Kerala	25-04-2012
15	Occupancy Certificate by the Local Self Government (Maradu Municipality)	13-06-2012
16	Permission from Kerala State Electricity Board for supply of Electricity	22-06-2012
17	Integrated “Consent to Operate” by Kerala State Pollution Control Board	16-09-2012
18	Clarification letter from Director,	25-10-2012

		Department of Environment & Climate Change ,Govt. of Kerala (Secretariat of SEIAA & SEAC) stating that the project has been granted with Environmental Clearance from 2008	
	19	Permission from Kerala Water Authority for water supply	29-12-2012
	20	The requirement of prior Environment Clearance was inserted in Kerala Municipality Building Rules (KMBR)	05-02-2013
	21	“Five Star Deluxe Classification” of the hotel - Certificate by Ministry of Tourism, Govt. of India	15-01-2014
	22	Renewal of Integrated “Consent to Operate” by Kerala State Pollution Control Board valid upto 30-06-2018	03-02-2016
	23	License under Food Safety and Standards Authority of India	01-11-2017
	24	Renewal of NOC from Fire & Rescue Service Department, Govt. of Kerala	24-07-2017

The construction was reported to be started in 02-02-2007 and 100% of the built-up area was completed by 13-06-2012 without obtaining the prior EC. It was informed that a proposal for EC was submitted at MoEF (F. No. 21-445/2007.IA.III), further no proposal for EC was submitted to the SEAC / SEIAA, Kerala. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

<b>8.3.2.3</b>	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p>
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	<p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in <b>Annexure</b>.</p> <p>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iv) Wildlife clearance to be obtained</p> <p>(v) As per para 4.2 of CRZ notification 2011 you are requested to provide the following document along with EIA/EMP report:</p> <ul style="list-style-type: none"> <li>a) SCZMA recommendation for CRZ clearance</li> <li>b) Rapid EIA report including marine and terrestrial components.</li> <li>c) CRZ map indicating HTL and LTL demarcated by one of the authorized agency at 1:4000 scale.</li> <li>d) Project layout superimposed on the above map</li> <li>e) CRZ Map covering 7 KM radius around the project site and indicating the CRZ-I, CRZ-II, CRZ-III and CRZ-IV areas including other notified ecological sensitive areas.</li> <li>f) NOC from concerned State Pollution Control Board(SPBC) for the project involving discharge of effluents, solid waste, sewage etc.</li> </ul> <p>(vi) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>
<b>8.3.3</b>	<p><b>Proposed expansion project of manufacturing of Pharmaceuticals Intermediates &amp;Speciality Chemicals at Plot No. N-4, Additional MIDC,Ambarnath, District Thane (Maharashtra) by M/s Pacific Organics Pvt. Ltd.</b></p> <p><b>[IA/MH/IND2/68433/2017 dated 12.09.2017] [F. No. 23-119/2018-IA.III (V)]</b></p>
<b>8.3.3.1</b>	Proposal withdrawn by the project proponent.
<b>8.3.4</b>	<p><b>Proposed synthetic organic chemical (Fine chemicals, Bulk drugs and intermediates) manufacturing unit at plot no. F2 of MIDC, Chincholi, District Sholapur (Maharashtra) by M/s Challa Chlorides Pvt. Ltd.</b></p> <p><b>[IA/MH/IND2/68692/2017 dated 12.09.2017] [F. No. 23-120/2018-IA.III (V) ]</b></p>
<b>8.3.4.1</b>	The project proponent requested to defer the project as they were unable to attend the meeting.
<b>8.3.5</b>	<p><b>Proposed installation of Induction Furnace of capacity 36,000 TPA at Village Siltara, Tehsil &amp; District Raipur (Chhatisgarh) by M/s Sunil Sponge Pvt. Ltd.</b></p> <p><b>[IA/CG/IND/68723/2017 dated 12.09.2017][F. No. 23-121/2018-IA.III (V)]</b></p>

8.3.5.1	M/s. Sunil Sponge Pvt. Ltd has made online application vide proposal no. IA/CG/IND/68723/2017 dated 12.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous & nonferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.				
8.3.5.2	The project proponent requested to defer the project as they were unable to attend the meeting.				
8.3.6	<p><b>2x60 Mw Coal Based Captive Thermal Power Plant at Village Kariajhar/Majhgawan, Taluk Rampur Naikin, District Sidhi (Madhya Pradesh) by M/s UltraTech Cement Limited</b></p> <p><b>[IA/MP/THE/69156/2017 dated 13.09.2017] [F. No. 23-122/2018-IA.III (V)]</b></p>				
8.3.6.1	<p>The project involves Coal based Captive Thermal Power Plant of production capacity of 2 x 60 MW by M/s UltraTech Cement Limited., in an area of 63.50 acres (25 ha) at Village Kariajhar/ Majhgawan, Taluka Rampur Naikin, District Sidhi (Madhya Pradesh).</p> <p>The said project / activity is covered under Category - A of item 1 (d) Thermal Power Plant of the Schedule to the EIA Notification, 2006 and prior Environmental Clearance was granted by MoEF vide its letter Ref. No. J-13012/94/2009-IA.II (T) dated 30.01.2012.</p> <p>The plant was earlier set up by M/s Jaiprakash Associates Limited with the consent to establish dated 9th March, 2012 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB. The current consent to operate is valid up to 19th June, 2022.</p> <p>The 2x60 MW Coal based Captive Thermal Power Plant of M/s Jaiprakash Associates Limited was taken over by M/s UltraTech Cement Limited with effect from 29th June 2017 as per the scheme of arrangement approved by National Company Law Tribunal Bench-Mumbai on 15th February, 2017 in case of UltraTech and National Company Law Tribunal Bench-Allahabad on 2nd March, 2017 in case of Sellers (JAL/JCCL) for the transfer of "JAL Business" and "JCCL Business to UltraTech on a going concern basis.</p>				
8.3.6.2	<p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="248 1697 1474 2020"> <tr> <td data-bbox="248 1697 711 1888">Application for EC was submitted to MoEF&amp;CC New Delhi</td> <td data-bbox="711 1697 1474 1888">29.09.2009</td> </tr> <tr> <td data-bbox="248 1888 711 2020">Appraisal by EAC in its meetings (Attach minutes of</td> <td data-bbox="711 1888 1474 2020">30<sup>th</sup> EAC meeting held on August 8-9, 2011 32<sup>nd</sup> EAC meeting held on September 12-13,</td> </tr> </table>	Application for EC was submitted to MoEF&CC New Delhi	29.09.2009	Appraisal by EAC in its meetings (Attach minutes of	30 <sup>th</sup> EAC meeting held on August 8-9, 2011 32 <sup>nd</sup> EAC meeting held on September 12-13,
Application for EC was submitted to MoEF&CC New Delhi	29.09.2009				
Appraisal by EAC in its meetings (Attach minutes of	30 <sup>th</sup> EAC meeting held on August 8-9, 2011 32 <sup>nd</sup> EAC meeting held on September 12-13,				

the meetings)	2011
Final observations / recommendations of the EAC / State Government	The Committee observed that the project proponent has initiated the construction work without obtaining prior environmental clearance. The Committee decided that the Ministry may take the matter in accordance with the procedure and policy decision taken in such matter.
Action taken by the State Government /EAC	Ministry of Environment & Forest vide its letter dated 28.11.2011 directed to Member Secretary, Madhya Pradesh State Pollution Control Board to initiate action under the Environment Protection Act, 1986. The Madhya Pradesh State Pollution Control Board vide its letter dated 05.12.2011 issued direction to M/s Jaiprakash Associates Limited under section 5 of the EP Act 1986 to stop the construction work till EC is obtained from the competent authority.
Complaint case filed by the State Government / State Pollution Control Board	Complaint Case No. 494/12 was filed by Regional officer, MP Pollution Control Board in the court of Chief Judicial Magistrate Sidhi, Madhya Pradesh on 14.12.2011 under Section 15 of the Environment Protection Act, 1986, still pending for disposal.
Further consideration of the proposal by the EAC and recommendations.	<p>The Committee decided that the Ministry may take up the matter in accordance with the procedures and policy decision taken in such matters.</p> <p>As per the directions of MoEF&amp;CC and in accordance with the O.M. of MoEF&amp;CC dated 16.11.2010 for consideration of cases of violation, JAL had submitted the copy of resolution passed by the Board of Directors of JAL during its</p>

		meeting held on 11th January, 2012 and Corporate Environment & Energy Policy.
	Final recommendations of EAC/MoEF&CC	Based on the information and clarifications submitted to MoEF&CC, the Hon'ble committee recommended environmental clearance to the project.  Environmental Clearance was issued by MoEF&CC vide its letter Ref. No. J-13012/94/2009- IA.II (T) dated 30.01.2012.
	Legal interventions, if any	Complaint Case No. 494/12, still pending for disposal.
<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>		
<b>8.3.6.3</b>	<b>Observations and recommendations of the committee:</b>	
	<p>As project proponent attended the meeting and stated that the proposal has already been considered by sectoral EAC and legal action was already taken and EC was granted on 30.01.2012.</p> <p>Hence the committee not admitted the proposal as the case of violation already dealt and advised the proponent to withdraw the application.</p>	
<b>8.3.7</b>	<b>Construction of commercial project 'Lake City Mall' at Khasra No. 439 to 452, Porwal Ji Ki Bari, Ashok Nagar, Main Road, Udaipur (Rajasthan) by M/s Riddhi Siddhi Infra Projects Pvt. Ltd.</b>	
	<b>[IA/RJ/NCP/68815/2017 dated 13.09.2017] [F. No. 23-123/2018-IA.III (V)]</b>	
<b>8.3.7.1</b>	The project proponent requested to defer the project as they were unable to attend the meeting.	
<b>8.3.8</b>	<b>Group housing project 'ARG Divine' at Khasra No. 174 &amp; 175 Jaisingpura Bas, Bhankrota, Jaipur (Rajasthan) by M/s ARG Divine</b>	
	<b>[IA/RJ/NCP/68959/2017 dated 13.09.2017] [F. No. 23-124/2018-IA.III (V)]</b>	
<b>8.3.8.1</b>	The project proponent requested to defer the project as they were unable to attend the meeting.	

8.3.9	<p><b>'DMR Hopital, Medical College &amp; Research Centre' at Main Road, NH-14, Village Bagawas, Tehsil Sojat, District Pali (Rajasthan) by M/s Shri Shanidham Trust</b></p> <p><b>[IA/RJ/NCP/69104/2017 dated 13.09.2017][F. No. 23-125/2018-IA.III (V) ]</b></p>		
8.3.9.1	The project proponent was absent without prior intimation.		
8.3.10	<p><b>Group Housing Project “Guru Shikhar” at Khasra No. 1, 2, 3 to 7, 8, 11 to 17, Village Nanakpura, Tehsil Sanganer, District Jaipur (Rajasthan) by M/s Guru Pragya Real Mart Pvt. Ltd.</b></p> <p><b>[IA/RJ/NCP/69125/2017 dated 13.09.2017] [F. No. 23-126/2018-IA.III (V)]</b></p>		
8.3.10.1	The project proponent requested to defer the project as they were unable to attend the meeting.		
8.3.11	<p><b>Expansion of Group housing project “Raheja Residential Complex” at Patrakar Colony Mansarovar, Village Dholai, Tehsil Sanganer, Jaipur (Rajasthan) by M/s Raheja Design &amp; Contracts Ltd.</b></p> <p><b>[IA/RJ/NCP/69288/2017 dated 13.09.2017] [F. No. 23-127/2018-IA.III (V)]</b></p>		
8.3.11.1	M/s Raheja Design & Contracts Ltd. has made online application vide proposal no. IA/RJ/NCP/69288/2017 dated 13.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 8(a) of EIA Notification, 2006 and the proposal is appraised at Central level because of no SEIAA at Rajasthan.		
8.3.11.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves expansion of group housing project, “Raheja Residential Complex” with total built-up area of 25,368.49 sqm in a total plot area of 7,100sqm at Patrakar Colony Mansarovar, village Dholai, Tehsil Sanganer, District Jaipur (Rajasthan) by M/s Raheja Design and Contracts Ltd.</p> <p>The project site is permitted for residential cum commercial use as per approved Master Plan of the area. Permission has been obtained from the <i>Jaipur development authority, Rajasthan</i> vide letter No F-(16) JDA/ADR&amp;DP/06-07/D-2115 dated <i>30<sup>th</sup> August, 2006 for setting up group housing project.</i></p> <p>The said project/activity is covered under category B of item 8(a) of Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA in Rajasthan based on the appraisal by SEAC.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="252 1957 1410 2056"> <tr> <td data-bbox="252 1957 1050 2056">Application for EC was submitted to SEAC / SEIAA in Rajasthan (for Built-up area 25,368.49 sqm)</td> <td data-bbox="1050 1957 1410 2056">09/07/2016</td> </tr> </table>	Application for EC was submitted to SEAC / SEIAA in Rajasthan (for Built-up area 25,368.49 sqm)	09/07/2016
Application for EC was submitted to SEAC / SEIAA in Rajasthan (for Built-up area 25,368.49 sqm)	09/07/2016		

Consent to Establish was obtained from Rajasthan State Pollution Control Board (for built-up area	-
Appraisal by SEAC in its meetings (Attach minutes of the meetings)	-
Final observations/recommendations of the SEAC to the SEIAA/State Government	-
Action taken by the State Government/SEIAA	-
Complaint case filed by the State Government/State Pollution Control board	-
Further consideration of the proposal by the SEAC and recommendations	-
Final recommendations of SEIAA	-
Legal interventions, if any	Nil

Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

The construction was reported to be started in May, 2013 and 100% of the built up area was completed by May, 2014 without obtaining the prior EC. It was informed that no proposal for EC was submitted to the SEAC/SEIAA. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

<b>8.3.11.3</b>	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in <b>Annexure</b>.</p> <p>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iv) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities</p>
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	therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.						
<b>8.3.12</b>	<b>Construction of residential township for 5.6 MTPA Integrated Steel Plant at Bhushan Steel Limited in District Dhenkanal (Odisha) by M/s Bhushan Steel Ltd.</b> <b>[IA/OR/IND/68669/2017 dated 13.09.2017] [F. No. 23-128/2018-IA.III (V) ]</b>						
<b>8.3.12.1</b>	M/s Bhushan Steel Ltd. has made online application vide proposal no. IA/OR/IND/ <b>68669</b> /2017 dated 13.09.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous & nonferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.						
<b>8.3.12.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves manufacturing construction of residential township for 5.6 MTPA Steel Plant of production capacity by M/s Bhushan Steel Limited in an area of 201964 sqm at Narendrapur, village Odapada, Taluka/Mandal, Dhenkanal, District Odisha (State).</p> <p>The said project/activity is covered under category A of item 3(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC/SEIAA based on the appraisal by Expert Appraisal Committee or the State Expert Appraisal Committee in different States/UTs.</p> <p>The plant/unit was earlier set up with the consent to establish dated from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="279 1467 1391 2004"> <tr> <td>Application for EC was submitted to SEAC-III/SEIAA in Odisha</td> <td>Dates 06.02.2014</td> </tr> <tr> <td>Appraisal by SEAC in its meetings</td> <td>-</td> </tr> <tr> <td>Final observations/recommendations of The SEAC to the SEIAA/ State Government</td> <td>The project has already started construction without obtaining Environmental Clearance from SEIA.  Vide letter No. 2813/SEIAA dtd.15.04.2017 directed to file application for EC at the website of MoEF&amp; CC.</td> </tr> </table>	Application for EC was submitted to SEAC-III/SEIAA in Odisha	Dates 06.02.2014	Appraisal by SEAC in its meetings	-	Final observations/recommendations of The SEAC to the SEIAA/ State Government	The project has already started construction without obtaining Environmental Clearance from SEIA.  Vide letter No. 2813/SEIAA dtd.15.04.2017 directed to file application for EC at the website of MoEF& CC.
Application for EC was submitted to SEAC-III/SEIAA in Odisha	Dates 06.02.2014						
Appraisal by SEAC in its meetings	-						
Final observations/recommendations of The SEAC to the SEIAA/ State Government	The project has already started construction without obtaining Environmental Clearance from SEIA.  Vide letter No. 2813/SEIAA dtd.15.04.2017 directed to file application for EC at the website of MoEF& CC.						

Action taken by the State Government /SEIAA	<i>The Environment Department of the State Government vide letter August, 2014 issued directions u/s 5 of the EP Act, 1986 for the alleged violation of the EIA Notification, 2006, which were replied by the project proponent on 25th August, 2014. The State Government, after taking note of the submissions of the project proponent, confirmed the directions u/s 5 of the EP Act, 1986 on 13th February, 2015, with the directions to stop the construction work till EC is obtained from the competent authority. SEIAA asked the project proponent to furnish a resolution expressing apology on the violation already committed.</i>
Complaint case filed by the State Government/State Pollution Control Board	Show cause notice issued by Collector & District Magistrate under section 16(1) read with section -19 of the Environment protection Act-1986 & section 7(ii) of Environment Impact Assessment notification 2006.
Further consideration of the proposal by the SEAC and recommendations	Vide letter No. 2813/SEIAA dtd.15.04.2017 directed to file application for EC at the website of MoEF& CC.
Final recommendations of SEIAA	<i>SEIAA in its meeting held in April, 2016, came to the conclusion that in view of the blatant violation and utter disregard of the provisions contained in the EP Act, 1986, the proposal is not a fit case for grant of EC, and the proposal to be delisted accordingly</i>
Legal interventions, if any	-

Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

<b>8.3.12.3</b>	<p><b>Observations and recommendations of committee:</b></p> <p>Project treated as an integrated project of steel manufacture and residential complex within 1 km of the plant. Potential impact of the steel industry on the residential colony are required to study. Though, it is a project for construction of residential project, it will be treated as a category 'A' project and hence public hearing will be required in instant case.</p>
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The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Term of Reference as per the **Annexure** along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP): -

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.

(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) The PP is required to conduct public hearing as per EIA notification, 2006.

(vii) Certified compliance report of Earlier EC conditions to be submitted

(viii) Project proponent should carry out impact assessment study regarding pollution impact of steel plant on the existing township

(ix) For associated township of the project to be created or created must provide space for "**PHYTO- GRAPHIC BARRIER**" between the project and the township according to the predominant wind direction - A plan accordingly be prepared for the same and should be incorporated in the report.

(x) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.

8.3.13	<p><b>Proposed Expansion Of Pesticides &amp; Pesticide Intermediates Manufacturing Unit of M/s. Meghmani Organics Ltd. at Plot No. 5001/B, 5027 to 5034 &amp; 5037, 4707 B &amp; 4707 P, GIDC Industrial Estate, Ankleshwar-393 002, District Bharuch(Gujarat)</b>  <b>[IA/GJ/IND2/65696/2017 dated 27.06.2017] [F. No. 23-129/2018-IA.III (V) ]</b></p>											
8.3.13.1	<p>M/s. Meghmani Organics Ltd has made online application vide proposal no. IA/GJ/IND2/65696/2017 dated 27.06.2017 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at schedule 5(b) pesticides industry and pesticide specific intermediates (excluding formulations) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>											
8.3.13.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>Environmental Clearance for our Proposed Expansion of Pesticides &amp; Pesticide Intermediates Manufacturing Unit of M/s. Meghmani Organics Ltd. at Plot No. 5001/B, 5027 to 5034 &amp; 5037, 4707 B &amp; 4707 P, GIDC Industrial Estate, Ankleshwar, District Bharuch (Gujarat).</p> <p>The project involves manufacturing of agrochemicals of production capacity 259.412 MTPM by <b>M/s Meghmani Organics Ltd.</b> in an area of 57986 sqm at <i>Plot No. 5001/B, 5027 to 5034 &amp; 5037, 4707 B &amp; 4707 P, GIDC Industrial Estate, Ankleshwar, District Bharuch (Gujarat).</i></p> <p>The said project/activity is covered under category A of item 5 (b) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC based on the appraisal by Expert Appraisal Committee. The plant was earlier set up with the consent to establish dated from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB. The consent to operate is presently valid up to <b>10.03.2020</b>. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="247 1350 1430 1989"> <tr> <td data-bbox="247 1350 922 1473">Application for EC for expansion (from 259.412 MTPM to 1374.5 MTPM) was submitted to EAC</td> <td data-bbox="927 1350 1430 1473">27 June 2017</td> </tr> <tr> <td data-bbox="247 1473 922 1648">Appraisal by EAC in its meetings (Attach minutes of the meetings)</td> <td data-bbox="927 1473 1430 1648" rowspan="2">Meeting to be held on 8<sup>th</sup> EAC meeting, 13 June 2018.</td> </tr> <tr> <td data-bbox="247 1648 922 1648">Final observations/recommendations of the EAC</td> </tr> <tr> <td data-bbox="247 1648 922 1816">Action taken by the State Government/EAC</td> <td data-bbox="927 1648 1430 1816">GPCB observed that the production of non-consent product.</td> </tr> <tr> <td data-bbox="247 1816 922 1906">Complaint case filed by the State Government/State Pollution Control Board</td> <td data-bbox="927 1816 1430 1906">Legal case was filed by GPCB</td> </tr> <tr> <td data-bbox="247 1906 922 1989">Legal interventions, if any</td> <td data-bbox="927 1906 1430 1989">Legal case closed by paying penalty</td> </tr> </table> <p>Now the proposal has been submitted to the Ministry for consideration in pursuance of</p>	Application for EC for expansion (from 259.412 MTPM to 1374.5 MTPM) was submitted to EAC	27 June 2017	Appraisal by EAC in its meetings (Attach minutes of the meetings)	Meeting to be held on 8 <sup>th</sup> EAC meeting, 13 June 2018.	Final observations/recommendations of the EAC	Action taken by the State Government/EAC	GPCB observed that the production of non-consent product.	Complaint case filed by the State Government/State Pollution Control Board	Legal case was filed by GPCB	Legal interventions, if any	Legal case closed by paying penalty
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	the Ministry's Notification dated 14 <sup>th</sup> March 2017 due to violation of the EIA Notification 2006.														
<b>8.3.13.3</b>	Committee deferred the proposal on the request of the project proponent.														
<b>Day 2: Thursday, 14<sup>th</sup> June, 2018</b>															
<b>8.4.1</b>	<b>Proposed project of Bulk Drugs &amp; Intermediates manufacturing unit at Plot No. E-12, Chincholi MIDC, Taluk Mohol, District Solapur (Maharashtra) by M/s. Sree Kartikeya Kameshwari Industries</b>  <b>[IA/MH/IND2/73546/2018 dated 17.03.2018] [F. No. 23-130/2018-IA.III (V)]</b>														
<b>8.4.1.1</b>	The Project proposes to manufacture Bulk Drugs and Intermediates of production capacity 13.19 MT/ Day by <b>M/s Sree Kartikeya Kameshwari Industries (SKKI)</b> in a plot area of 24050 sq.mat Plot No. E-12, Chincholi MIDC, Taluka - Mohol, Dist.: Solapur, Maharashtra.  The said Project/activity is covered under category B of item 5(f) of the schedule to the EIA Notification, 2006. But, the Boundary of Great Indian Bustard Sanctuary is located within 5 Km of the project area. Hence the category of the project has been classified as <b>A</b> instead of <b>B</b> and appraised at Centre Level by MoEF&CC.														
<b>8.4.1.2</b>	<b>Details of the project as per the submission of project proponent:</b>  The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">CTE Application submitted to MPCB</td> <td style="width: 50%;">06.05.2015</td> </tr> <tr> <td>Grant of CTE -by MPCB</td> <td>13.07.2015</td> </tr> <tr> <td>FORM – 1 Application submitted online to MoEF&amp;CC</td> <td>04.03.2016</td> </tr> <tr> <td>Case considered in 8<sup>th</sup> EAC Meeting for grant of ToRs</td> <td>26.05.2016</td> </tr> <tr> <td>ToR letter issued by MOEF&amp;CC</td> <td>15.07.2016</td> </tr> <tr> <td>Submission of Wildlife Clearance Application (NBWL)</td> <td>31.01.2017</td> </tr> <tr> <td>Online Final EIA Report submission to MoEF&amp;CC</td> <td>17.07.2017</td> </tr> </table>	CTE Application submitted to MPCB	06.05.2015	Grant of CTE -by MPCB	13.07.2015	FORM – 1 Application submitted online to MoEF&CC	04.03.2016	Case considered in 8 <sup>th</sup> EAC Meeting for grant of ToRs	26.05.2016	ToR letter issued by MOEF&CC	15.07.2016	Submission of Wildlife Clearance Application (NBWL)	31.01.2017	Online Final EIA Report submission to MoEF&CC	17.07.2017
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	Case considered in 27 <sup>th</sup> EAC meeting for grant of EC	<ul style="list-style-type: none"> <li>In 27<sup>th</sup> EAC Meeting held on 29.08.2017, the proposal was discussed in detail. Further during deliberation, it was informed by PP that construction was started on site from month September of 2016 to construct area of only 5717.78 Sq. M out of total Build-up area 9,417.23Sq.M. This was done in light of agreement between MIDC &amp; SKKI dated 20.10.2010 and pressure from MIDC towards revoking of plot.</li> <li>In same meeting, the committee directed PP to submit the RO; MoEF&amp;CC Nagpur certified status report of construction activity done on site.</li> </ul>	
	RO; MoEF&CC Nagpur visited Industry and visit report submitted to MoEF&CC	<p>Visit conducted on 02.11.2017 and report submitted on 22.11.2017</p> <p>Observations reported by RO; MoEF&amp;CC" MIDC vide letter dated 27.04.2017 issued building completion certificate and certified that construction of <b>built up area of 5717.78 Sq.M.</b> has been completed as on 24.04.2017.</p> <ul style="list-style-type: none"> <li><b>No production activity was observed</b> during site inspection.</li> <li>It was observed that only civil construction has been initiated in production buildings.</li> <li><b>No equipments</b> such as reactors, centrifuge, dryers etc. <b>were observed at the site.</b></li> </ul>	
	Case was reconsidered in 32 <sup>nd</sup> EAC meeting	In 32 <sup>nd</sup> EAC meeting held on 21.12.2017, it was confirmed by Ministry that the matter involved violation of EIA notification 2006.	
	Form-I application submitted to MoEF&CC under violation	17.03.2018	
	MoEF&CC; New Delhi forwarded letter to Department of Environment (DOE); Govt. of Maharashtra (GOM) to take action for violation of EIA notification 2006.	25.01.2018	
	MoEF&CC; New Delhi forwarded letter to Department of Environment (DOE); Govt. of Maharashtra (GOM) requesting issue of directions to all concerned for immediate closure of the Project related activities. A copy was marked to RO; MoE&FCC,	09.03.2018	

	<p>SKKI has written to DOE ; GOM (with copy to RO, Nagpur) informing - No Activities are done on Site, Status Maintained as on date of RO, MoEF&amp;CC, Nagpur visit .</p>	<p>23.05.2018</p>
	<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>	
<p><b>8.4.1.3</b></p>	<p><b>Observations and Recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP): -</p> <p>(i) MoEF&amp;CC has already issued directions to the State Government/SPCB to initiate the action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Wild life clearance to be obtained.</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in</p>	

	EIA/EMP report.												
<b>8.4.2</b>	<p><b>Installation of new unit for production of 6000 MTPA Manganese Oxide at Plot no- A-11/6, MIDC Butibori, Distt-Nagpur (Maharashtra) By M/s. Veracity Natural Resources Pvt. Ltd.</b></p> <p><b>[IA/MH/IND/73729/2018 dated 27.03.2018] [F. No. 23-131/2018-IA.III (V)]</b></p>												
<b>8.4.2.1</b>	M/s. Veracity Natural Resources Pvt. Ltd. has made online application vide proposal no. IA/MH/IND/ <b>73729</b> /2018 dated 27.03.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at schedule 3(a) Metallurgical industries (ferrous & non-ferrous of EIA Notification, 2006 and the proposal is appraised at Central level.												
<b>8.4.2.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>M/s Veracity Natural Resources Pvt. Ltd., Nagpur has proposed to install a unit for manufacturing of manganese oxide 6000 MTA at plot no.-A-11/6, MIDC Butibori, Distt- Nagpur. The total project area is 1500 sqm.</p> <p>The said project/activity is covered under category 'A' of item "3a" of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC based on the appraisal by Expert Appraisal Committee.</p> <p>The project started the construction activity without taken the prior environmental clearance from MoEF&amp;CC. The CTE for the project issued by Maharashtra Pollution Control Board dated-12/08/2016 vide letter no- NG-14037-16/E/CC-9765.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="279 1355 1460 1948"> <tr> <td>Application for EC was submitted to SEAC-III / SEIAA in Maharashtra</td> <td>01.03.2017 (SIA/MH/IND/18682/2017) On march 14<sup>th</sup> March 2017, MOEF&amp;CC issued notification regarding the projects under violation. Thus the project was applied under violation on 27<sup>th</sup> March, 2018 with proposal no. IA/MH/IND/73729/2018</td> </tr> <tr> <td>Technical presentation for TOR</td> <td>-</td> </tr> <tr> <td>TOR Letter issued by MOEF&amp;CC</td> <td>-</td> </tr> <tr> <td>Public Hearing conducted</td> <td>-</td> </tr> <tr> <td>Final Submission of EIA</td> <td>-</td> </tr> <tr> <td>AppraisalbyEAC inits meetings (Attachminutesofthemeetings)</td> <td>-</td> </tr> </table>	Application for EC was submitted to SEAC-III / SEIAA in Maharashtra	01.03.2017 (SIA/MH/IND/18682/2017) On march 14 <sup>th</sup> March 2017, MOEF&CC issued notification regarding the projects under violation. Thus the project was applied under violation on 27 <sup>th</sup> March, 2018 with proposal no. IA/MH/IND/73729/2018	Technical presentation for TOR	-	TOR Letter issued by MOEF&CC	-	Public Hearing conducted	-	Final Submission of EIA	-	AppraisalbyEAC inits meetings (Attachminutesofthemeetings)	-
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Action taken by the MOEF&CC / State Government	-
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Further consideration of the proposal by the EAC and recommendations	-
Final recommendations of SEIAA	-
Legal interventions, if any	-

Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

**8.4.2.3 Observations and recommendations of committee:**

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP): -

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.

(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

	<p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>		
<b>8.4.3</b>	<p><b>Proposed Capacity Expansion of Vishakhapatnam Steel Plant from 6.3 MTPA to 7.3 MTPA by revamping and augmentation of existing facilities by M/s Rashtriya Ispat Nigam Limited located at Gajuvaka, Visakhapatnam (Andhra Pradesh)</b></p> <p><b>[IA/AP/IND/73713/2018 dated 29.03.2018] [F. No. 23-132/2018-IA.III (V)]</b></p>		
<b>8.4.3.1</b>	<p>M/s Rashtriya Ispat Nigam Limited has made online application vide proposal no. IA/AP/IND/<b>73713</b>/2018 dated 29.03.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous &amp; nonferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>		
<b>8.4.3.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves manufacturing Steel of production capacity expansion by 1 MTPA (from 6.3 MTPA to 7.3 MTPA) by M/s Rashtriyalspat Nigam Limited – Vizag Steel Plant, in an area of 3,24,00,000 sqm at village Gajuwaka., District- Visakhapatnam, Andhra Pradesh.</p> <p>The said project/activity is covered under category A of item 3(a) 'Metallurgical industries (Ferrous &amp; non-ferrous)' of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC/SEIAA based on the appraisal by Expert Appraisal Committee.</p> <p>The plant/unit was earlier set up with the consent to establish vide order no APPCB/VSP/108/HO/2005/317 dated 09.05.2005 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate obtained from Andhra Pradesh State Pollution Control Board vide order no. APPCB/VSP/ VSP/ 108/ CFO/ HO/ 2015 dtd .27-04-2015 renewed from time to time by the SPCB. The consent to operate is presently valid up to <b>April 2019</b>. The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="247 1680 1430 2007"> <tr> <td>Application for EC submitted to EAC, MoEF&amp;CC</td> <td> <ol style="list-style-type: none"> <li>1. Date of submission of application for ToR for capacity expansion from 6.3 MTPA to 7.3 MTPA – <b>30/06/2016</b></li> <li>2. Date of issue of ToR – <b>19/09/2016</b></li> <li>3. Date of Public Hearing – <b>15/06/2017</b></li> <li>4. Submission of EC Application- <b>27/07/2017</b></li> <li>5. Date of RO Monitoring- <b>07/11/2017</b></li> <li>6. EAC meeting grant of EC - <b>05/02/2018</b></li> </ol> </td> </tr> </table>	Application for EC submitted to EAC, MoEF&CC	<ol style="list-style-type: none"> <li>1. Date of submission of application for ToR for capacity expansion from 6.3 MTPA to 7.3 MTPA – <b>30/06/2016</b></li> <li>2. Date of issue of ToR – <b>19/09/2016</b></li> <li>3. Date of Public Hearing – <b>15/06/2017</b></li> <li>4. Submission of EC Application- <b>27/07/2017</b></li> <li>5. Date of RO Monitoring- <b>07/11/2017</b></li> <li>6. EAC meeting grant of EC - <b>05/02/2018</b></li> </ol>
Application for EC submitted to EAC, MoEF&CC	<ol style="list-style-type: none"> <li>1. Date of submission of application for ToR for capacity expansion from 6.3 MTPA to 7.3 MTPA – <b>30/06/2016</b></li> <li>2. Date of issue of ToR – <b>19/09/2016</b></li> <li>3. Date of Public Hearing – <b>15/06/2017</b></li> <li>4. Submission of EC Application- <b>27/07/2017</b></li> <li>5. Date of RO Monitoring- <b>07/11/2017</b></li> <li>6. EAC meeting grant of EC - <b>05/02/2018</b></li> </ol>		

Appraisal by EAC in its meetings (Attach minutes of the meetings)	EAC meeting was held on <b>05/02/2018</b> and MOM is attached.
Final observations/recommendations of the EAC to the MoEF&CC/SEIAA/ State Government	EAC stated that since the project proponent has already implemented the expansion project/activity without prior Environmental Clearance, the proposal attracts the provisions under violation of EIA Notification 2006.
Action taken by the MOEF&CC / State Government/SEIAA	Show cause notice was issued by MoEF&CC to project proponent seeking reply for why the earlier EC for 6.3 MTPA should not be revoked. Project proponent in their reply dtd.21.03.2018 humbly submitted that the unavoidable circumstances which has led to the delay in complying with the procedural aspects to obtain prior environmental clearance may kindly be condoned, particularly keeping in view the compelling conditions under which the technologically necessitated repair/ upgradation works were carried out with a primary objective of complying with latest environmental norms.
Complaint case filed by the State Government/State Pollution Control Board	Nil
Further consideration of the proposal by the EAC and recommendations	Nil
Final recommendations of EAC	EAC in its meeting dated 05/02/2018 recommended the following: 1. The committee recommended initiating appropriate action against the consultant for concealing the fact and misguiding the EAC and Ministry. 2. Since the project proponent has already implemented the expansion project/activity without prior Environmental Clearance attracts the violation under EIA Notification 2006
Legal interventions, if any	Nil
<p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006 and subsequent Office Memorandum issued on 16/03/2018.</p> <p>Industry made a request to exempt public hearing as it has already been conducted on dated 19.07.2017 covering all the issues.</p>	

**8.4.3.3****Observations and recommendations of committee:**

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing the Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as follows:

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.

(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) Since Public Hearing (PH) has been conducted on dated 19.07.2017 covering all the issues, committee felt that one time PH as per the order of Hon'ble High Court of Madras has already taken care and hence repeat PH is not required

(vii) EIA/EMP must be prepared by generating fresh base line data as validity of early base line data is expired.

(viii) EIA/EMP should cover the validation of current practices also predict cumulative Impact covering total production capacity for each component of environment.

(ix) Selection of technology and adaption of clean technology for both production & environment be addressed in EIA/EMP report.

(x) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.

8.4.4	<p>Expansion of Sugar Factory from 3500 TCD to 5000 TCD, Co-gen Plant from 14.8 MW to 18 MW and Molasses based Distillery from 30 KLPD up to 50 KLPD by M/s Saswad Mali Sugar Factory Ltd.</p> <p><b>[IA/MH/IND2/73846/2018 dated 31.03.2018] [F. No. 23-133/2018-IA.III (V) ]</b></p>						
8.4.4.1	<p>M/s Saswad Mali Sugar Factory Ltd. has made online application vide proposal no. IA/MH/IND2/73846/2018 dated 31.03.2018 seeking Term of References for the above mentioned integrated proposed project. The proposed project activity is listed at 5(j), 1 (d) and 5 (g) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>						
8.4.4.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The Project involves manufacturing of Sugar, Co-gen and Ethanol, of production capacity, 3500 to 5000 TCD, 14.8 MW to 18 MW &amp; 30 KLPD to 50 KLPD resp.; M/s Saswad Mali Sugar Factory Ltd., in an area of 1,18,959 Sq. M.at village Malinagar, Tehsil Malshiras, District Solapur, Maharashtra- 413108</p> <p>The Sugar Factory &amp; Co-gen Project/activity is covered under category B of items 5(j) &amp; 1(d) resp. &amp; Distilleries is covered under category A of item 5(g) of the schedule to the EIA Notification, 2006. But as Sugar Factory, Co-gen and Distillery are established in an integrated complex, the expansion project of all units would be appraised as <i>Category 'A'</i>. There under, it is necessary to obtain 'Environmental Clearance' for expansion of Sugar Factory, Co-gen and molasses based Distillery from the MoEF&amp;CC; New Delhi' based on the appraisal by Expert Appraisal Committee in different states/UT.</p> <p>The Sugar unit was earlier setup with the consent to establish vide no. BO/CAC-CELL/PN-22947-14/E/CAC-12381 dated 24.12.2014 and Co-gen with the consent to establish no. BO/MPCB/RO-PN/JD(WPC)/E/CAC 771 dated 15.01.2013 from the State Pollution Control Board. Subsequently, the units reported to be in operation with consent to operate renewed from time to time by the SPCB.The consent to operate is presently valid up to 31.07.2020.</p> <p>The Distillery unit was earlier set up with Environmental Clearance vide letter no. J-11011/227/2006-I A II (I) dated 25.08.2006. The consent to operate is valid up to 31.08.2018</p> <p>The application was submitted on 30.03.2018, to the "Violation Committee" as per provisions in the MoEF&amp;CC Notification No. S.O. (E) 804 dated 14.03.2017 and amendment to same vide Notification No. S.O. 1030 (E) dated 08.03.2018.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="248 1839 1430 2047"> <tr> <td data-bbox="248 1839 951 1912">Application for EC was submitted to SEAC-III/SEIAA</td> <td data-bbox="951 1839 1430 1912">-</td> </tr> <tr> <td data-bbox="248 1912 951 1986">Appraisal by SEAC in its meetings (Attach minute of the meetings)</td> <td data-bbox="951 1912 1430 1986">Not Applicable</td> </tr> <tr> <td data-bbox="248 1986 951 2047">Final observations/recommendations of the SEAC to the SEIAA/State</td> <td data-bbox="951 1986 1430 2047"></td> </tr> </table>	Application for EC was submitted to SEAC-III/SEIAA	-	Appraisal by SEAC in its meetings (Attach minute of the meetings)	Not Applicable	Final observations/recommendations of the SEAC to the SEIAA/State	
Application for EC was submitted to SEAC-III/SEIAA	-						
Appraisal by SEAC in its meetings (Attach minute of the meetings)	Not Applicable						
Final observations/recommendations of the SEAC to the SEIAA/State							

Government	
Action taken by the State Government/SEIAA	
Complaint case filed by the State Government/State Pollution Control Board	
Further consideration of the proposal by the SEAC and recommendations	
Final recommendations of SEIAA	
Legal interventions, if any	A case was filed by Mr. Nilkanth Raskar against Saswad Mali Sugar Factory Ltd., A/P: Malinagar, Malshiras; dated 26.05.2018

**Violation:** Excess Alcohol Production in 30 KLPD Distillery.

Reasons for violation:

1. More Molasses Generation due to enhanced crushing capacity [2500 TCD to 3500 TCD].
2. More Alcohol Yield in Fermented Wash (9% to 12%) due to special type of Yeast Culture, i.e. increased Alcohol Recovery / MT of Molasses, 250 Lit/MT to 300 Lit/MT.
3. Better Process Controls w.r.t. Fermentation & Distillation (HIFERM-Praj) leading to Excess Production in Existing Setup of 30 KLPD Plant.

The proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006

<b>8.4.4.3</b>	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other</p>
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	<p>environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p> <p>(viii) Certified compliance report from R O. to be submitted</p> <p>(ix) PP should include 300 quarters of colony within the plant complex already being occupied and usage of 100 cum water per day and impacts in the EIA.</p>
<p><b>8.4.5</b></p>	<p><b>Expansion of Hospital Complex “Pushpawati Singhanian Hospital &amp; Research Institute” at Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi by M/s Pushpawati Singhanian Hospital &amp; Research Institute</b></p> <p><b>[IA/DL/NCP/73998/2018 dated 04.04.2018] [F. No. 23-134/2018-IA.III (V)]</b></p>
<p><b>8.4.5.1</b></p>	<p>The project involves construction of Commercial complex/ Hospital Complex “Pushpawati Singhanian Hospital &amp; Research Institute” with total built-up area of 24,982.13 sqm in a total plot area of 8,000 sqm at Press Enclave Marg, Sheikh Sarai, Phase-II, New Delhi, Delhi-110017 by “Pushpawati Singhanian Hospital &amp; Research Institute”</p> <p>The project site is permitted for Hospital use as per approved Master Plan of the area. The land has been allotted by DDA on perpetual lease to Lakshmi Pat Singhanian Medical Foundation for hospital purpose. Then land was handover to Pushpawati Singhanian Hospital &amp; Research Institute for development &amp; running of the Hospital. The agreement for the same was done.</p> <p>The said project is covered under category B, of item 8(a) of Schedule to the EIA Notification, 2006 and requires prior EC from the SEIAA in Delhi based on the appraisal by SEAC.</p>

<b>8.4.5.2</b>	The chronology of the events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be under:	
Application for EC was submitted to SEAC/SEIAA in Delhi.	03.04.2014	
Appraisal by SEAC in its meetings	65th Meeting: 30.04.2014 66th Meeting: 22.05.2014 73rd Meeting: 17.10.2015 74th Meeting: 12.12.2015 (site visit order) 78th Meeting: 09.04.2016 79th Meeting: 16.04.2016 80th Meeting: 28.05.2016 81st Meeting: 16.07.2016 82nd Meeting: 20.08.2016	
Final observations/recommendations of the SEAC to the SEIAA/State Government	<p>The site visit was conducted on 07.04.2016 and it was observed that the project proponent has initiated construction work and thereafter SEAC wrote a letter to DDA on 10.06.2016 to provide the details of FAR &amp; Non-FAR area as per building plan sanctioned for which the construction is being taken.</p> <p>In 82nd SEAC meeting, committee recommended that as evident from the reply received from DDA the project proponent carried out the construction work beyond the threshold limit of 20,000 sqm built-up area without taking prior EC and it is a case of violation and recommended the case to SEIAA for taking legal action.</p>	
Action taken by the state Government/SEIAA	Member Secretary, SEIAA issued a letter on 14.10.2016 to all concerned including directions u/s 5 of EP Act,1986 for suspending and effective stoppage of the construction activities at the existing level.	
Competent case filed by the State Government/State Pollution Control Board	SEIAA, Delhi filed a case vide case no. 11999/2017, U/S 15, dated 26.02.2018	
Further consideration of the proposal by the SEAC and recommendation	None	
Final recommendation by SEIAA	SEIAA asked to the project proponent to apply to MoEF& CC, GOI under compliance of Gazette Notification S.O. 804(E) dated 14.03.2017.	
Legal interventions, if any	A case has been filed by SEIAA, Delhi against M/s Lakshmi pat Singhania Medical	

		<p>Foundation vide case reg no: Ct. Cases/11999/2017 dated 27.02.2018 under charge of section 15 of EPA, 1986.</p> <p>Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14th March 2017 due to violation of EIA Notification 2006. The construction was reported to be started in May,2014 and 100% of the built-up area was completed by August,2016 without obtaining the prior EC.</p> <p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.</p>
<p><b>8.4.5.3</b></p>	<p><b>Observations and recommendations of committee:</b></p>	<p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p> <p>(i) The SEIAA, Delhi has initiated action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in <b>Annexure</b>.</p> <p>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iv) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>
<p><b>8.4.6</b></p>	<p><b>Bus Terminal Cum Commercial ComplexProject at Survey Nos. 203/7, 128/1, 128/3C, 128/3D, 124/13, Village Thiruvalla, Municipality &amp; Taluk Thiruvalla, District Pathanamthitta (Kerala) by M/s Kerala Transport Development Finance Corporation Limited</b></p>	<p><b>[IA/KL/NCP/73973/2018 dated 04.04.2018] [F. No. 23-135/2018-IA.III (V) ]</b></p>
<p><b>8.4.6.1</b></p>	<p>Proponent did not attend the EAC meeting.</p>	
<p><b>8.4.7</b></p>	<p><b>Bus Terminal Cum Commercial ComplexProject at Re-Survey Nos. 886, 864/1, 880/1B, 881/1, Village Kasaba,Taluk&amp; District Kozhikode (Kerala) by M/s Kerala Transport Development Finance Corporation Limited</b></p>	<p><b>[IA/KL/NCP/73989/2018 dated 05.04.2018] [F. No. 23-136/2018-IA.III (V) ]</b></p>

8.4.7.1	Proponent did not attend the EAC meeting.				
8.4.8	<p><b>Hospital cum Medical College project at Survey Nos. 18/1, 4, 5-19/2a, 2B, 21,23,24, in Ward No. 1 of Atholi Grama Panchyath and Re-Sy. Nos. 8/4, 11,13,14/2, in Ward No. 12, of Balussery Grama Panchyath at Modakkallur&amp;Ulliyery villages, Koyilandy Taluk, Kozhikode District (Kerala) by M/s Sree Anjaneya Medical Trust</b></p> <p><b>[IA/KL/NCP/74009/2018 dated 05.4.2018] [F. No. 23-137/2018-IA.III (V) ]</b></p>				
8.4.8.1	M/s Sree Anjaneya Medical Trust has made online application vide proposal no. IA/KL/NCP/74009/2018 dated 05.4.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 8(a) of EIA Notification, 2006 and the proposal is appraised at Central level because of no SEIAA at Kerala.				
8.4.8.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves construction of Hospital Cum Medical College Project with built-up area of 1,45,175.20 sq.m. (Hospital Buildings = 1,21,566.60 sq.m. + Hostel Buildings =23,608.56 sq.m.) in a total plot area of 12.9418 ha. at Survey Nos. 18/1, 4, 5-19/2A, 2B, 21, 23, 24 in Ward No. 1 of Atholi Grama Panchayath and Re. Sy. Nos. 8/4, 11, 13, 14/2 in Ward No. 12 of Balussery Grama Panchayath at Modakkallur&amp;Ulliyeri Villages, Koyilandy Taluk, Kozhikode District, Kerala by M/s Sree Anjaneya Medical Trust.</p> <p>The project site is permitted for Hospital Cum Medical College Project as per approved land use of the area. The construction was started in 15-06-2006. The Kerala Building Rules were extended to the Panchayats of Kerala by Town &amp; Country Planning Department only on 06-06-2007 and there was no requirement for a building permit before this date. A Layout approval for the project was obtained from Chief Town Planner, Govt. of Kerala on 27-02-2016 vide Order no. A4/2260/16.</p> <p>The said project/activity is covered under Category 'B' of item 8(a) of Schedule of the EIA Notification, 2006, and requires prior Environmental Clearance from SEIAA in Kerala based on the appraisal by SEAC. Since there is no duly constituted SEIAA / SEAC for Kerala now, the project is currently appraised at MoEF&amp;CC.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="245 1666 1410 2029"> <tr> <td data-bbox="245 1666 759 1850">Application for EC was submitted at SEIAA/SEAC,Kerala</td> <td data-bbox="759 1666 1410 1850">An application was submitted by the Project Proponent (PP) at SEIAA, Kerala and the File No. 666/SEIAA/EC4/5181/2014.</td> </tr> <tr> <td data-bbox="245 1850 759 2029">Appraisal by SEAC in it's meetings (attach minutes of the meetings)</td> <td data-bbox="759 1850 1410 2029">The project was appraised in the 40<sup>th</sup> (29-05-2015), 42<sup>nd</sup> (02-07/2015), 45<sup>th</sup> (11/12-09-2015) by SEAC, Kerala. The committee recommended to SEIAA, Kerala that the</td> </tr> </table>	Application for EC was submitted at SEIAA/SEAC,Kerala	An application was submitted by the Project Proponent (PP) at SEIAA, Kerala and the File No. 666/SEIAA/EC4/5181/2014.	Appraisal by SEAC in it's meetings (attach minutes of the meetings)	The project was appraised in the 40 <sup>th</sup> (29-05-2015), 42 <sup>nd</sup> (02-07/2015), 45 <sup>th</sup> (11/12-09-2015) by SEAC, Kerala. The committee recommended to SEIAA, Kerala that the
Application for EC was submitted at SEIAA/SEAC,Kerala	An application was submitted by the Project Proponent (PP) at SEIAA, Kerala and the File No. 666/SEIAA/EC4/5181/2014.				
Appraisal by SEAC in it's meetings (attach minutes of the meetings)	The project was appraised in the 40 <sup>th</sup> (29-05-2015), 42 <sup>nd</sup> (02-07/2015), 45 <sup>th</sup> (11/12-09-2015) by SEAC, Kerala. The committee recommended to SEIAA, Kerala that the				

		<p>project is a case of violation. Copy of the minutes of the meeting of SEAC and SEIAA are attached.</p>
	Final observations / recommendations of the EAC to MoEF (SEAC to SEIAA, Kerala)	<p>The recommendation of SEAC was considered by SEIAA in its 43<sup>rd</sup> meeting held on 16-10-2015. The Authority decided to accept the recommendations of SEAC and decided to initiate violation proceedings against the project. It was also decided by the Authority to issue show cause notice. A show cause notice was issued to PP on 16-10-2015. PP submitted reply to the show cause and the Authority considered the reply submitted by PP in its 50<sup>th</sup> meeting held on 25-02-2016 and confirmed that the project is in violation of EIA Notification, 2006 and decided to initiate violation proceeding against the PP. Copy of the minutes of the meeting of SEAC and SEIAA are attached.</p>
	Action taken by the State Government /SEIAA	Nil
	Complaint case filed by the State Government / State Pollution Control Board	Nil.
	Further consideration of the proposal by the SEAC and recommendations	Nil.
	Final recommendations of SEIAA	Nil
	Legal interventions, if any	Nil
	<p>Now the proposal has been submitted for consideration in pursuance of the Ministry's Notification dt. 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p> <p>The construction was reported to be started in 15-06-2006 and 100% of the built-up area was completed by 15-06-2012 without obtaining the prior EC. It was informed that a proposal for EC was submitted at SEIAA, Kerala (F. No. 666/SEIAA/EC4/5181/2014). Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dt. 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006</p>	
<b>8.4.8.3</b>	<b>Observations and recommendations of committee:</b>	
	<p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:</p>	

	<p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) Grant of Terms of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as enumerated in <b>Annexure</b>.</p> <p>(iii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iv) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>
<b>8.4.9</b>	<p><b>Establishment of Sythetic Organic Chemicals Manufacturing facility located at Survey No. 131, Village Rasal, Khopol-Pali Road, Taluk SudhangadPali, Distrcit Raigad (Maharashtra) by M/s Fibror Non-Ionics Pvt. Ltd.</b></p> <p><b>[IA/MH/IND2/74014/2018 dated 05.04.2018] [F. No. 23-139/2018-IA.III (V)]</b></p>
<b>8.4.9.1</b>	<p>M/s Fibror Non-Ionics Pvt. Ltd. has made online application vide proposal no. IA/MH/IND2/<b>74014</b>/2018 dated 05.04.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at schedule 5 (f) Synthetic organic chemicals industry (dyes &amp; dye intermediates; bulk) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
<b>8.4.9.2</b>	<p><b>Details of the project as per the submission of project proponents:</b></p> <p>The project involves manufacturing of Non-Ionic surfactants &amp; Industrial Detergents with production capacity 150 TPM by M/s Fibrol Non-Ionics Pvt. Ltd. in an area of 7460 sq. mtr. at survey no. 131, Rasal village, Tal-Sudhagad-Pali, Dist. Raigad, State Maharashtra.</p> <p>The said project/activity is covered under category 5 (f) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC/SEIAA based on the appraisal by Expert Appraisal Committee or the State Expert Appraisal Committee in different States/UTs.</p> <p>The plant/unit was earlier set up with the Consent to Establish dated 19<sup>th</sup> May 2012 from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with Consent to Operate renewed from time to time by the SPCB. The Consent to Operate was presently valid up to 31.03.2017.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p>

Application for EC was submitted to SEAC/SEIAA in	Not Applicable application submitted to EAC under violation proposal on 8/11/2017 & resubmission of same is done on 05/04/2018
Appraisal by SEAC in its meetings	-
Final observations/recommendations of the SEAC to the SEIAA/State Government	-
Action taken by the State Government/SEIAA	<i>The Environment Department of the State Government vide letter August, 2014 issued directions u/s 5 of the EP Act, 1986 for the alleged violation of the EIA</i>  <i>Notification, 2006, which were replied by the project proponent on 25<sup>th</sup> August, 2014. The State Government, after taking note of the submissions of the project proponent, confirmed the directions u/s 5 of the EP Act, 1986 on 13<sup>th</sup> February, 2015, with the directions to stop the construction work till EC is obtained from the competent authority .SEIAA asked the project proponent to furnish a resolution expressing apology on the violation already committed.</i>
Complaint case filed by the State Government/State Pollution Control Board	-
Further consideration of the proposal by the SEAC and recommendations	-
Final recommendations of SEIAA	<i>SEIAA in its meeting held in April 2016, came to the conclusion that in view of the blatant violation and utter disregard of the provisions contained in the EP Act, 1986, the proposal is not a fit case for grant of EC ,and the proposal to be delisted accordingly on</i>
Legal interventions, if any	No

Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14th March, 2017 due to violation of the EIA Notification, 2006.

<p><b>8.4.9.3</b></p>	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP): -</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate or occupancy certificate to be issued till the project is granted EC.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006</p> <p>(vii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>
<p><b>8.4.10</b></p>	<p><b>Manufacturing MS bars, MS angles, Flts, Fe-Mn&amp; Si-Mn ferroalloys at Jambad P.O. Udanbad, District Giridih (Jharkhand) M/s Shivam Iron &amp; steel Co, Ltd.</b></p> <p><b>[IA/JH/IND/74090/2018 dated 09.04.2018] [F. No. 23-140/2018-IA.III (V)]</b></p>
<p><b>8.4.10.1</b></p>	<p>M/s Shivam Iron &amp; steel Co, Ltd. has made online application vide proposal no. IA/JH/IND/<b>74090</b>/2018 dated 09.04.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous &amp; non ferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>

<p><b>8.4.10.2</b></p>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves manufacturing of TMT rods 27,000 TPA, Ferro alloys 37,400TPA &amp; producer gas of production capacity 8,000 Nm<sup>3</sup>/hr.byM/s Shivam Iron &amp; Steel co. Ltd in an area of 15,36,954 sqm , village - Jambad, Taluka/Mandal - Udanabad, District – Giridih, Jharkhand.</p> <p>The said project is covered under category A of item 3(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC based on the appraisal by Expert Appraisal Committee.</p> <p>The plant/unit was earlier set up with the consent to establish dated from the State Pollution Control Board. Subsequently, the unit is reported to be in operation with consent to operate renewed from time to time by the SPCB.</p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <ol style="list-style-type: none"> <li>1) CTO -175 (C), dated 27.1.2015 from JSPCB for 170 TPD billet renewed up to 30.9.2017 1x7 T IF of capacity 16,000 TPA has been set up there after without NOC/EC</li> <li>2) CTE B-2743, dated 28.04.2016 from JSPCB for 27,000 TPA Rolling mill running without CTO again capacity has been increased to 54,000 TPA with introduction of CCM and abolition of heating furnace.</li> <li>3) EC has been taken vide J-11011/365/2009-IA II (I), dated 29.10.2010 but 4x6 MVA ferro alloy plant have been installed and producing Fe-Mn, Si-Mn&amp; Fe-Cr.</li> <li>4)CTO D-176 (C), dated 27.01.2015 from JSPCB for 50 TPD IF has not been in operation</li> <li>5) NOC taken vide T-3865, dated 7.09.2000 for 15 TPD section mill renewed up to 30.09.2015 but there after not renewed and mean while capacity has been increased to 120 TPD.</li> <li>6).1x60 TPD sheet Re-rolling mill is running to manufacture MS and GI pipes without EC</li> <li>7) Without EC 8,000 Nm<sup>3</sup>/hr Coal gasifier is running for Re-rolling mill without EC.</li> </ol> <p>Now proposal has been submitted to the ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA notification, 2006.</p>

8.4.10.3	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, the committee observed that proponent has not submitted detailed chronological events of proposal for establishing violation. Hence proposal was <b>deferred</b>.</p>
8.4.11	<p><b>Proposed expansion of Caritas Hospital with the addition of a Hospital Building, Geriatric centre (Nursing Home), Doctors quarters block, Nuclear medicine block &amp; Amenity centre as Phase I, Staff quarters &amp; Multi Level Mechanical Car Parking System as Phase II at Village Peroor, Taluk Kottayam, District Kottayam (Kerala) by M/s Caritas Hospital</b></p> <p><b>[IA/KL/NCP/74112/2018 dated 10.04.2018] [F. No. 23-141/2018-IA.III (V)]</b></p>
8.4.11.1	<p>M/s Caritas Hospital has made online application vide proposal no. IA/KL/NCP/74112/2018 dated 10.04.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 8(a) Building and Construction projects of EIA Notification, 2006 and the proposal is appraised at Central level because of no SEIAA at Kerala.</p>
8.4.11.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves expansion of Caritas Hospital with the construction of additional Hospital building, Geriatric Centre (Nursing Home) &amp; Doctors quarters, Nuclear medicine block and an Amenity Centre in Phase 1, Staff Quarters and Multi-Level Mechanical Car Parking System in Phase 2 with total built up area of 62422.59 sq.m. in a total plot area of 89339sq.m. at Peroor, village Kottayam, Taluka Kottayam, District Kerala by M/s Caritas Hospital.</p> <p>The project site is permitted for hospital cum residential and commercial use as per approved land use of the area. Planning/building permission for built up area of 43163.95 sq.m was obtained from the Office of the Chief Town Planner, Thiruvananthapuram vide letter C3/10491/2016/D.Dis dated 4<sup>th</sup> January, 2017.</p> <p>The said project/activity is covered under category B of item 8(a) of Schedule to the EIA Notification, 2006, and requires prior EC from the SEIAA in Kerala based on the appraisal by SEAC.</p> <p>The hospital was established in the year 1962 with 50 beds is being upgraded in phases over the past 55 years and now has 660 beds. When a new building of built-up area 14465.06 sq.m. was constructed in 2008, the EIA Notification 2006 was violated, because the threshold limit of 20,000 sq.m. was exceeded with this construction and prior EC was not taken.</p> <p>It was informed that no proposal for EC was submitted to the SEAC/SEIAA. Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006 and non-existence of SEIAA/SEAC in Kerala.</p>

8.4.11.3	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, recommended to defer the proposal for want of following information:</p> <p>(i) Submission of revised Form 1 application.  (ii) Submission of chronological events of proposal (as per Annexure 1 of Agenda).</p>
8.4.12	<p><b>M/s Shivam Iron &amp; steel Co Ltd at BandiDighu, P.O. Chandwara, Jhumritelaiya, District Koderma (Jharkhand)</b></p> <p><b>[IA/JH/IND/74132/2018 dated 10.04.2018] [F. No. 23-142/2018-IA.III (V)]</b></p>
8.4.12.1	<p>M/s Shivam Iron &amp; steel Co, Ltd. has made online application vide proposal no. IA/JH/IND/74132/2018 dated 10.04.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous &amp; non ferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
8.4.12.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The project involves manufacturing 64,000 TPA DRI by M/s Shivam Iron &amp; Steel co. Ltd in an area of 92700 sqm, village– BandiDighu, Taluka/Mandal – JhumriTelaiya, District – Koderma, Jharkhand.</p> <p>The said project is covered under category A of item 3(a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp;CC based on the appraisal by Expert Appraisal Committee.</p> <p>Consent to Establish vide letter no B-1566 dated 30.06.2001 and Letter no N/461 dated 03.08.2005 have been obtained for 3 x 100 TPD DRI Kilns. 2X100 TPD DRI Kilns are in operation with CTO valid till 30.06.2018.</p> <p>The erection of the 3rd 100 TPD DRI kiln started late and completed by 25.01.2014 and as per EIA notification of 26th September 2009 it was supposed to be accorder prior Environmental Clearance which has not been accomplished hence, comes under violation case.</p> <p>Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry’s Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
8.4.12.3	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, the committee observed that proponent has not submitted detailed chronological events of proposal for establishing violation. Hence proposal was <b>deferred</b>.</p>

8.4.13	<p><b>Expansion of 600 Bedded Hospital at Community Centre, Ambedkar Nagar (Dakshin Puri), Near Virat Cinema, New Delhi</b></p> <p><b>[IA/DL/NCP/74344/2018 dated 12.04.2018] [F. No. 23-143/2018-IA.III (V)]</b></p>
8.4.13.1	<p>Proposal was deferred as project proponent has not submitted the required documents to EAC members.</p>
8.4.14	<p><b>Capacity expansion of Sponge Iron Plant (from 60,000 to 1,20,000 TPA), up-gradation of CPP (from 8 to 15 MW) and installation/regularization of SMS with CCM (1,51,000 TPA), Rolling Mill (90,000 TPA), CPP (15 MW) and regularization of Fly-ash Brick Plant (180 lakhs bricks / annum) at Village Bhumri (Juri), District East Singhbhum(Jharkhand) by M/s Shah Sponge &amp;Power Ltd.</b></p> <p><b>[IA/JH/IND/74326/2018 dated 12.04.2018] [F. No. 23-144/2018-IA.III (V)]</b></p>
8.4.14.1	<p>M/s Shah Sponge &amp; Power Ltd. has made online application vide proposal no. IA/JH/IND/74326/2018 dated 12.04.2018 seeking Term of References for the above mentioned proposed project. The proposed project activity is listed at 3(a) Metallurgical industries (ferrous &amp; non-ferrous) of EIA Notification, 2006 and the proposal is appraised at Central level.</p>
8.4.14.2	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>M/s Shah Sponge &amp; Power Limited is an existing Plant with Sponge Iron Plant (2x100 TPD) of 60,000 TPA, Mini Blast Furnace (1x30 m<sup>3</sup>) of 18,000 TPA and Captive Power Plant of 8 MW at Village Bhumri (Juri), East Singhbhum, Jharkhand.</p> <p>Environmental Clearance for the existing units were granted by Ministry of Environment &amp; Forest on vide No. J-11011/891/2007-1A-II (I) dated 18.06.2010 Existing Consent to Operate obtained on 3.11.2015 from JSPCB is valid till 30.06.2019</p> <p>M/s Shah Sponge &amp; Power Ltd. proposed to expand its facility by installing SMS with Comcast, Rolling Mill, up-gradation of existing 8 MW CPP to 30 MW CPP with Fly Ash Brick Plant and Producer Gas plant.</p> <p><b>Chronology of events:</b></p> <p>(a). The existing project consist of Sponge Iron Plant (60,000 TPA), Mini Blast Furnace (MBF) for Pig Iron (18,000 TPA) and Captive Power Plant (8 MW) for which EC was granted by MoEF&amp;CC vide F.No. J-11011/891/2007-IA.II(I) dated 18.06.2010.</p> <p>(b). Application for EC was submitted to EAC (Industry-1), MOEF&amp;CC on 21.04.16</p> <p>(c). TOR was granted by MOEF&amp;CC vide F No. – J-11011/891/2007/IA-II (I) dated 22.06.2016</p> <p>(d). Public Hearing was conducted on 29.04.2017</p>

	<p>(e). The project was visited by Officers of MoEF&amp;CC Regional Office, Ranchi on dated 29.07.2017 and they observed that the Shah Sponge and Power Ltd installed Steel Melting Shop with CCM (2 strand) and Fly-ash Brick Plant without obtained the Environment Clearance as per EIA notification, 2006 and these units are treated as Violations per EIA Notification, 2006.</p> <p>Proponent has submitted application for grant of TOR as per EIA Notification No. S.O. 804(E) dated 14.03.2017 regarding violation.</p>
<p><b>8.4.14.3</b></p>	<p><b>Observations and recommendations of committee:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing the Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as follows:</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) Public Hearing (PH) has been conducted on dated 29.04.2017 covering all the issues, committee felt that one time PH as per the order of Hon'ble high court of Madras has already taken care and hence repeat PH is not required.</p> <p>(vii) Submission of certified compliance report from regional office, MoEF&amp;CC.</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities</p>

	therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.				
<b>8.4.15</b>	<b>Expansion of production capacity of Silica sand and Masonry stone mine of M/s Shubhash Chandh Mukesh Chandh from 25000 TPA of Silica sand to 21,50,000 TPA (Masonry Stone -17000TPA with 2,00,000 TPA in crushed form &amp; Silica sand-4,50,000TPA) and installation of primary (2 Nos.) &amp;Secondary crushers (2 Nos) in M.L area of 124.63 Ha located at village -Bhondagan and Jagivanpur, Tehsil-Weir District -Bharatpur Rajasthan F.No J-11015/142/2016-IA-II(M)</b>				
<b>8.4.15.1</b>	<p>The project involves Expansion of production capacity of Silica sand and Masonry stone mine by M/s Shubhash Chand Mukesh Chand from 25000 TPA of Silica sand to 21,50,000 TPA (Masonry Stone -17000 TPA with 2,00,000 TPA in crushed form &amp;Silica sand-4,50,000TPA) and installation of crushers in M.L area of 124.63 Ha located at village Bhondagan and Jagivanpur, Tehsil-Weir District Bharatpur ,Rajasthan</p> <p>The said project/activity is covered under category A of item 1 (a) of the Schedule to the EIA Notification, 2006, and requires prior EC from the MoEF&amp; CC based on the appraisal by Expert Appraisal Committee.</p> <p>The mining project is in operation by taking prior EC from MoEF&amp;CC vide letter no. J-11015/75/2004-IA-II (M) on 21.10.2005 with the consent to establish dated from the Rajasthan State Pollution Control Board. The consent to operate is presently valid up to 30.06.2018.</p>				
<b>8.4.15.2</b>	<p><b>Details of the project as per the submission of project proponent:</b></p> <p>The chronology of events for seeking EC, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="279 1370 1422 2049"> <tr> <td>Application for EC was submitted to EAC (Non coal mining), MoEF&amp;CC</td> <td>09.04.2016</td> </tr> <tr> <td>Appraisal by EAC (Non coal mining), MoEF&amp;CC, in its meetings</td> <td>           December 21-22, 2017             The Committee deliberated on the proposal and deferred it in view of multiple issues requiring examination at MoEF&amp;CC and further deliberations in EAC. The following actions are suggested:           <ul style="list-style-type: none"> <li>• Inclusion of Crusher related aspects in the EIA report (as deliberated in preceding paras)</li> <li>• Submission of year-wise production details of the OB/ rejects (masonry stone) sold under STP and copies of all Consents</li> </ul> </td> </tr> </table>	Application for EC was submitted to EAC (Non coal mining), MoEF&CC	09.04.2016	Appraisal by EAC (Non coal mining), MoEF&CC, in its meetings	December 21-22, 2017  The Committee deliberated on the proposal and deferred it in view of multiple issues requiring examination at MoEF&CC and further deliberations in EAC. The following actions are suggested: <ul style="list-style-type: none"> <li>• Inclusion of Crusher related aspects in the EIA report (as deliberated in preceding paras)</li> <li>• Submission of year-wise production details of the OB/ rejects (masonry stone) sold under STP and copies of all Consents</li> </ul>
Application for EC was submitted to EAC (Non coal mining), MoEF&CC	09.04.2016				
Appraisal by EAC (Non coal mining), MoEF&CC, in its meetings	December 21-22, 2017  The Committee deliberated on the proposal and deferred it in view of multiple issues requiring examination at MoEF&CC and further deliberations in EAC. The following actions are suggested: <ul style="list-style-type: none"> <li>• Inclusion of Crusher related aspects in the EIA report (as deliberated in preceding paras)</li> <li>• Submission of year-wise production details of the OB/ rejects (masonry stone) sold under STP and copies of all Consents</li> </ul>				

		<p>(CTE/ CTO) obtained since start of mining operations.</p> <ul style="list-style-type: none"> <li>• Ministry may invite Clarification from State Mining Department on issuance of STP and charging Royalty for a mineral not included in concession agreement.</li> <li>• Ministry may examine the issue related to non-requirement of EC for working on OB/ waste/ reject as decided by State Govt. of Rajasthan</li> <li>• Conduct fresh public hearing based on the revised draft EIA report wherein the approved mining scheme dated 30.05.2017 is adequately reflected.</li> <li>• Submission of actual sectional plan clearly stating the mine working vis-à-vis mine elevation and intersection of groundwater table</li> <li>• Submission of a letter from DFO stating 'No Forest land' in the mine lease, in line with Committee's recommendations made in July, 2017 EAC meeting as the present letter given is more than 22 years old , as per practice followed with all the applicants.</li> <li>• Consultant to be warned from furnishing misleading information and making vague assessments with a letter be written to QCI-NABET</li> <li>• PP to calculate GLCs based on worst case scenario (i.e. 0% pollution control measures) and accordingly, present the impact of mitigation measures.</li> <li>• PP to present separate action plans with budgetary aspects for ESC, Occupational Health Plan and Green belt development and plantation.</li> <li>• PP to submit feasible mine reclamation plan PP to submit the latest status of compliance in respect of the observations made by MoEFCC R.O.</li> <li>• Ministry to examine the</li> </ul>
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		<p>aspect of change in method of mining without Ministry's prior approval February 26-27, 2018</p> <p>The proposal was further placed before the Committee in its meeting held during February 26-27, 2018 wherein the Committee noted that they had received a complaint on the multiple issues related to the project. Accordingly, the Committee <b>deferred</b> the proposal and suggested that the Ministry may first examine these issues raised in the complaint and afterward the proposal may be placed before the EAC.</p> <p>In this instant case, PP has violated the EC condition as well as excavated more over rden/solid waste as per EC &amp; mine plan. Moreover, they had sold the overburden from 16.10.2015 to 13.09.2017 with a total quantity was 6,00,000 MT. PP did not seek the amendment in the EC.</p> <p>Thus, the PP has violated EIA Notification by excavating more over burden/solid waste which was not mentioned in EC/Mine Plan. In view of the above, PP needs to submit the application under the Violation Notification issued on 14.03.2017 for further examination by the Committee dealing the violation cases</p>	
	<p>Final observations/recommendations of the EAC (Non coal mining), MoEF&amp;CC</p>	<p>The proposal was again considered by the EAC (Non-coal mining sector) in its meeting held during May 14-15, 2018, wherein Ministry informed the committee that the PP has violated the provisions of the environment (Protection) Act ,1986.The committee therefore deferred the proposal noting that a separate committee has been constituted for dealing with the</p>	

		projects violation of EPA,1986 vide notification issued by the Ministry on 14.03.2017.y 14-15, 2018
	Complaint case filed by the State Government/State Pollution Control Board	Not applicable; However the complaint received from Mr. Sanjay Meena
	Further consideration of the proposal by the EAC and recommendations	Not applicable
	Final recommendations of EAC	The PP has violated EIA Notification by excavating more over burden/solid waste which was not mentioned in EC/Mine Plan. In view of the above, PP needs to submit the application under the Violation Notification issued on 14.03.2017 for further examination by the Committee dealing the violation cases.
	Legal interventions, if any	Not applicable

Now the proposal has been submitted to the Ministry for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

<b>8.4.15.3</b>	<p><b>Observations and recommendations of committee:</b></p> <p>The proposal for EC application was initially submitted to non-coal mining sector in the Ministry. This committee observed that EC proposal of M/s Subhash Chand Mukesh Chand was considered in the sectoral EAC (Non Coal mining sector) meeting held during 14-15<sup>th</sup> May 2018 wherein it is noted that the PP has violated the provisions of E(P) Act, 1986. Sectoral EAC then deferred the proposal with the recommendation to appraise this proposal by the violation committee constituted under the violation notification dated 14.03.2017. Hence project was appraised by the committee dealing the proposals of the violations.</p> <p>Committee after detailed presentation by project proponent deliberated on the conditions of violations in the existing EC as well as proposed expansion considered the project for admitting to this committee for both violation as well as expansion.</p> <p>Committee also deliberated on observations raised by sectoral committee and also complaint received from known and unknown sources including the one received on 13.06.2018.</p>
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The proponent apprised the committee about the facts admitted excess production of overburden (OB) also indicated measures being taken for proper mining, issues flagged by PH and improvement in general environmental conditions through technology and good management practices.

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing the Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP) as follows:

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.

(ii) The project proponent shall be required to submit a bank guarantee as per provisions of the Notification dated 14.03.2017 equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants

(vi) The Project Proponent shall give an undertaking by way of affidavit as per Ministry's OM dated 30.05.2018 to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future. In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.

(vii) Since Public Hearing (PH) has already been conducted on 22/03/2017 covering all the issues given in the earlier ToR for expansion proposal, committee felt that one time PH as per the order of Hon'ble high court of Madras has already taken care and hence repeat PH is not required for this instant proposal.

	<p>(viii) PP shall submit the action taken report on non-compliance of the earlier EC as observed by the report of the Regional Office of the MoEF&amp;CC, Lucknow.</p> <p>(ix) Pragmatic environment management plan to address management of high quantity increase in OB, impact on hydrology, impact of change in land use pattern due to change in mining lease area, social economic impact including employment generation direct/indirect, corporate environmental responsibility (CER) and mine remediation plan.</p> <p>(x) Certification for production details since inception of mines from Mines and Geology department of Rajasthan.</p> <p>(xi) Ground water withdrawal clearance from CGWA, if any.</p> <p>(xii) Submission of copy of process layout with proper mass balance.</p> <p>(xiii) Impact on traffic management plan due to transport because of increase in OB, pollution due to transportation which will increase enormously because of increase in mineral and OB.</p> <p>(xiv) DGMS permission letter for mining.</p> <p>(xv) Submission of copy approved mining plan.</p> <p>(xvi) PP shall submit the revised EIA/EMP report which inter-alia includes all the above points as deliberated by the Committee.</p> <p>(xvii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1st May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p>
<p><b>8.5</b></p>	<p><b>Discussion on any other item with permission of the Chair.</b></p> <p>In continuation of minutes of 5<sup>th</sup> meeting of Expert Appraisal Committee for the proposal involving violation of the EIA Notification, 2006 held on 21-22 March, 2018 at Ministry of Environment, Forest and Climate Change, the following projects were deliberated again based on the decision taken in the Ministry.</p> <p>The Ministry has issued an Office Memorandum No 3-50/2017-IA.III(Pt.) dated 30.05.2018 regarding consideration of mining proposals involving violation of the EIA notification,2006 under the provisions of S.O. 804 (E) dated 14.03.2017 and subsequent amendments for ToR / EC.</p> <p><b>Accordingly the following projects were again discussed in 8<sup>th</sup> EAC meeting held on 13<sup>th</sup> June, 2018 by the Committee and recommendations are made as under:</b></p>

8.5.1	<p><b>Ramagundam Opencast-I Coal Mine Project Expansion - Phase-II at Village Nagepalli, Mandal Ramagiri, District Peddapalli (Telangana) by M/s The Singareni Collieries Company Limited</b></p> <p><b>[IA/TG/CMIN/64766/2017] [F. No. 23-71/2018-IA.III]</b></p>						
8.5.1.2	<p>The proposal is for environmental clearance to the project for expansion of Ramagundam Opencast – I Coal Mine Project Expansion – Phase II from the present capacity 3.30 MTPA to 5.30 MTPA by The Singareni Collieries Company Limited in an area of 923.88 ha. at Village Nagepalli, Mandal Ramagiri, District Peddapalli (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2008 under South Godavari Mining Lease and South Godavari Additional Mining Lease. South Godavari Mining Lease was obtained vide letter dated 17th October, 1927 from 17th October, 1927 to 16th October, 1957; 1st renewed vide letter dated 29th November 1958 from 17th October, 1957 to 31st December, 1984; 2nd renewed vide letter dated 11th June 1986 from 1st January, 1985 to 31st December, 2014; Third renewed vide letter dated 12th January, 2015 from 1st January, 2015 to 31st December, 2034. South Godavari Additional Mining Lease was obtained vide letter dated 17th September, 1975 up to 16th September, 2005; 1st renewed vide letter dated 31st July, 2008 from 17th September, 2005 to 16th September, 2025.</p> <p>Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 17<sup>th</sup> October, 2014 for the capacity of 5.30 MTPA. This project involves 15.64 ha. of forest land which is a part of forest land (247.0 ha.) diverted vide letter dated 2<sup>nd</sup> May, 2008.</p> <p>The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="245 1429 1490 2054"> <tr> <td data-bbox="245 1429 1050 1496">EC granted by the Ministry</td> <td data-bbox="1050 1429 1490 1496">31<sup>st</sup> July, 2008</td> </tr> <tr> <td data-bbox="245 1496 1050 1608">Proposal for ToR submitted to the Ministry for the expansion project</td> <td data-bbox="1050 1496 1490 1608">17<sup>th</sup> August, 2013</td> </tr> <tr> <td data-bbox="245 1608 1050 2054">Action taken by MoEF</td> <td data-bbox="1050 1608 1490 2054"> <p>On 16<sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.</p> <p>On 17<sup>th</sup> December, 2013, the proposal was delisted.</p> </td> </tr> </table>	EC granted by the Ministry	31 <sup>st</sup> July, 2008	Proposal for ToR submitted to the Ministry for the expansion project	17 <sup>th</sup> August, 2013	Action taken by MoEF	<p>On 16<sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.</p> <p>On 17<sup>th</sup> December, 2013, the proposal was delisted.</p>
EC granted by the Ministry	31 <sup>st</sup> July, 2008						
Proposal for ToR submitted to the Ministry for the expansion project	17 <sup>th</sup> August, 2013						
Action taken by MoEF	<p>On 16<sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.</p> <p>On 17<sup>th</sup> December, 2013, the proposal was delisted.</p>						

Proposal for ToR submitted to the Ministry for the expansion project	30 <sup>th</sup> October, 2014
Proposal for ToR submitted to the Ministry for the expansion project	26 <sup>th</sup> May, 2017
Recommendations of the EAC	-

The project was earlier accorded EC by the Ministry vide letter dated 31<sup>st</sup> July 2008 for a capacity of 3.30 MTPA in an area of 923.88 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 3.30 MTPA
2008-09	2.20	-
2009-10	2.98	-
2010-11	3.40	0.10
2011-12	4.08	0.78
2012-13	4.71	1.41
2013-14	5.29	1.99
2014-15	5.30	2.00
2015-16	5.03	1.73
2016-17	5.37	2.07

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2<sup>nd</sup> August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.

#### 8.5.1.3

*The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&CC Notification dated 14<sup>th</sup> March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.*

**8.5.1.4 Observations and recommendations of committee during 8<sup>th</sup> EAC meeting held on 13.06.2018:**

The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&CC Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):

(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.

(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.

(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.

(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.

(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

(vi) The PP is required to conduct public hearing as per EIA notification, 2006.

(vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&CC

(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.

(ix) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-

	<p>alia include commitment of the PP not to repeat any such violation in future.</p> <p>(x) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</p>
<b>8.5.2</b>	<p><b>Koyagudem Opencast - II Expansion Project at Village Koyagudem, Mandal Tekulapalli, District BhadradiKothagudem (Telangana) by M/s The Singareni Collieries Company Limited</b></p> <p><b>[IA/TG/CMIN/65432/2017] [F. No. 23-74/2018-IA.III]</b></p>
<b>8.5.2.1</b>	<p>The proposal is for environmental clearance to the project for expansion of Koyagudem Opencast – II Expansion Project from 2.0 MTPA to 3.0 MTPA of M/s The Singareni Collieries Company Limited in an area of 446.10 ha (reduced area from 816.11 ha. as per existing EC) located at village Koyagudem, District BhadradiKothagudem (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2008 under Koyagudem OCP – I Mining Lease, Koyagudem OCP - II(Ph.I) and Koyagudem OCP – II (Ph.II). Koyagudem OCP – I Mining Lease was obtained vide letter dated 22<sup>nd</sup> April, 2002 from 14<sup>th</sup> May, 2001 to 13<sup>th</sup> May, 2013. Koyagudem OCP - II (Ph.I) Mining Lease was obtained vide letter dated 21<sup>st</sup> September, 2007 from 26<sup>th</sup> February, 2008 to 25<sup>th</sup> February, 2028. Koyagudem OCP – II (Ph.II) Mining Lease was obtained vide letter dated 31<sup>st</sup> July, 2015 from 13<sup>th</sup> October, 2015 to 12<sup>th</sup> October, 2035.</p> <p>The project area of 816.11 ha. as per the existing EC includes 601.85 ha forest land and 214.26 ha non-forest land. This 601.85 ha forest land is covered in three forest diversions viz. 236 ha diverted vide F.No.8-113/99-FC, dated 19th May, 2001, 239.94 ha diverted vide F.No.8-90/2006-FC, Dated 8th January, 2018 and 231.84 Ha forest land diverted vide F.No.8-22/2014-FC, Dated 18th April, 2017. 214.26 ha non-forest land was under the possession of M/s Singareni Collieries Company Limited.</p> <p>Mining Plan for KOC III Project annexing part of the above KOC II Project was approved vide letter dated 24.08.2016, subsequently obtained ToR from MoEF&amp;CC vide Lr. No. J-11015/11/2017-IA.II(M), dated 30.03.2017.</p> <p>Thus, the project area has now been reduced to 446.10 ha from 816.11 ha. The current proposed project area of 446.10 ha includes 214.26 ha of non-forest land and forest land of 231.84 ha which were already acquired/diverted.</p> <p>Mining Plan and Mine Closure Plan for the proposed expansion was approved by Ministry of Coal vide letter dated 19.11.2014.</p> <p>The said project/activity is covered under category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of Koyagudem Opencast – II Expansion Project, deliberations by the respective authorities and the actions</p>

taken are reported to be as under:

EC granted by the Ministry	11 <sup>th</sup> June, 2007
Proposal for ToR submitted to the Ministry for the expansion project	12 <sup>th</sup> February, 2013
Action taken by MoEF	On 16 <sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.  On 17 <sup>th</sup> December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	15 <sup>th</sup> June, 2017
Recommendations of the EAC	-

The project was earlier accorded EC by the Ministry vide letter dated 11<sup>th</sup> June, 2007 for a capacity of 2.00 MTPA in an area of 816.11 ha. Annual coal production after obtaining the EC, is reported to be as under: -

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 2.00 MTPA
2008-09	0.92	-
2009-10	3.10	1.10
2010-11	3.04	1.04
2011-12	3.58	1.58
2012-13	3.16	1.16
2013-14	2.97	0.97
2014-15	3.41	1.41
2015-16	3.03	1.03
2016-17	1.17	-

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2<sup>nd</sup> August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

	<p>The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
<p><b>8.5.2.2</b></p>	<p><i>The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 is not visible), in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.</i></p>
<p><b>8.5.2.3</b></p>	<p><b>Observations and recommendations of committee during 8<sup>th</sup> EAC meeting held on 13.06.2018:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&amp;CC</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as</p>

	<p>per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p> <p>(ix) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future.</p> <p>(x) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</p>										
<p><b>8.5.3</b></p>	<p><b>Kasipet - 1 Incline Underground Coal Mine Project at Mandal Kasipet, District Mancherial (Telangana) by M/s The Singareni Collieries Company Limited</b></p> <p><b>[IA/TG/CMIN/65753/2017] [F. No. 23-75/2018-IA.III]</b></p>										
<p><b>8.5.3.1</b></p>	<p>The proposal is for environmental clearance to the project for expansion of Kasipet-1 Incline Underground Coal Mining project from the present capacity 0.18 MTPA to 0.54 MTPA by The Singareni Collieries Company Limited in an area of 315.54 ha at Village &amp; Mandal Kasipet, District Mancherial(Telangana).</p> <p>The said mine is an operating underground coal mine opened in the year 1994 under Kasipet Mining Lease. Original Mining Lease was obtained vide letter dated 28th December, 1998 for 30 years from 19th March, 1999 to 18th March, 2029.</p> <p>Mining Plan and Mine Closure Plan for the proposed expansion was approved by Ministry of Coal vide letter dated 27<sup>th</sup> November, 2014. There is no forest land involved.</p> <p>The said project/activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="247 1615 1489 2042"> <tr> <td data-bbox="247 1615 885 1727">EC granted by the Ministry for 0.18 MTPA capacity</td> <td data-bbox="885 1615 1489 1727">26<sup>th</sup> July, 2007</td> </tr> <tr> <td data-bbox="247 1727 885 1839">Proposal for ToR submitted to the Ministry for the expansion project</td> <td data-bbox="885 1727 1489 1839">2<sup>nd</sup> December, 2011</td> </tr> <tr> <td data-bbox="247 1839 885 1910">Appraisal by EAC/ToR issued</td> <td data-bbox="885 1839 1489 1910">29<sup>th</sup> February, 2012</td> </tr> <tr> <td data-bbox="247 1910 885 1982">Public hearing conducted</td> <td data-bbox="885 1910 1489 1982">8<sup>th</sup> February, 2013</td> </tr> <tr> <td data-bbox="247 1982 885 2042">Proposal for EC submitted</td> <td data-bbox="885 1982 1489 2042">30<sup>th</sup> April, 2013</td> </tr> </table>	EC granted by the Ministry for 0.18 MTPA capacity	26 <sup>th</sup> July, 2007	Proposal for ToR submitted to the Ministry for the expansion project	2 <sup>nd</sup> December, 2011	Appraisal by EAC/ToR issued	29 <sup>th</sup> February, 2012	Public hearing conducted	8 <sup>th</sup> February, 2013	Proposal for EC submitted	30 <sup>th</sup> April, 2013
EC granted by the Ministry for 0.18 MTPA capacity	26 <sup>th</sup> July, 2007										
Proposal for ToR submitted to the Ministry for the expansion project	2 <sup>nd</sup> December, 2011										
Appraisal by EAC/ToR issued	29 <sup>th</sup> February, 2012										
Public hearing conducted	8 <sup>th</sup> February, 2013										
Proposal for EC submitted	30 <sup>th</sup> April, 2013										

Action taken by MoEF

On 16<sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.

On 17<sup>th</sup> December, 2013, the proposal was delisted.

The project was earlier accorded EC by the Ministry vide letter dated 26<sup>th</sup> July, 2007 for a capacity of 0.18 MTPA in an area of 254 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 0.18 MTPA
1996-97	0.011	
1997-98	0.072	
1998-99	0.117	
1999-2000	0.159	
2000-01	0.220	
2001-02	0.214	
2002-03	0.207	
2003-04	0.218	
2004-05	0.253	
2005-06	0.259	
2006-07	0.261	
2007-08	0.277	0.097
2008-09	0.255	0.075
2009-10	0.275	0.095
2010-11	0.264	0.084
2011-12	0.273	0.093
2012-13	0.259	0.079
2013-14	0.248	0.068
2014-15	0.179	-
2015-16	0.225	0.045
2016-17	0.243	0.063

As per the provisions of the EIA Notification, 1994/2006, read with subsequent OMs/guidelines/circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2<sup>nd</sup> August, 2017

	<p>in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India &amp; others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.</p> <p>The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
<p><b>8.5.3.2</b></p>	<p><i>The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.</i></p>
<p><b>8.5.3.3</b></p>	<p><b>Observations and recommendations of committee during 8<sup>th</sup> EAC meeting held on 13.06.2018:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p>

	<p>(vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&amp;CC</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p> <p>(ix) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future.</p> <p>(x) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</p>				
<p><b>8.5.4</b></p>	<p><b>Dorli Opencast - I Expansion Project of annual production of 0.70 MTPA at Village Dorli, Mandal Tiryani, District KumramBheem (Telangana) by M/s The Singareni Collieries Company Limited</b></p> <p><b>[IA/TG/CMIN/66047/2017] [F. No. 23-76/2018-IA.III]</b></p>				
<p><b>8.5.4.1</b></p>	<p>The proposal is for environmental clearance to the project for expansion of Dorli Opencast - I Expansion Project from the present capacity 0.18 MTPA to 2.50 MTPA by The Singareni Collieries Company Limited in an area of 510.10 ha at Village Dorli, Mandal Tiryani, District KumramBheem (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2007 under Dorli OCP - I Mining Lease. Original Mining Lease was obtained vide GO MS No.11 dated 26<sup>th</sup> May, 2007 for 30 years from 26<sup>th</sup> May, 2007 to 25<sup>th</sup> May, 2037.</p> <p>Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 27<sup>th</sup> November, 2014 for the capacity of 1.70 MTPA. There is no forest land involved.</p> <p>The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under:</p> <table border="1" data-bbox="245 1756 1489 1977"> <tr> <td data-bbox="245 1756 922 1868">EC granted by the Ministry for 0.7 MTPA capacity</td> <td data-bbox="922 1756 1489 1868">19<sup>th</sup> June, 2006</td> </tr> <tr> <td data-bbox="245 1868 922 1977">Proposal for ToR submitted to the Ministry for the expansion project</td> <td data-bbox="922 1868 1489 1977">28<sup>th</sup> March 2013</td> </tr> </table>	EC granted by the Ministry for 0.7 MTPA capacity	19 <sup>th</sup> June, 2006	Proposal for ToR submitted to the Ministry for the expansion project	28 <sup>th</sup> March 2013
EC granted by the Ministry for 0.7 MTPA capacity	19 <sup>th</sup> June, 2006				
Proposal for ToR submitted to the Ministry for the expansion project	28 <sup>th</sup> March 2013				

Action taken by MoEF	On 16 <sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.  On 17 <sup>th</sup> December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	30 <sup>th</sup> October 2014
Proposal for ToR submitted to the Ministry for the expansion project	10 <sup>th</sup> July 2017
Appraisal by EAC / ToR issued	22 <sup>nd</sup> March 2018
Public hearing conducted	-
Proposal for EC submitted	-

The project was earlier accorded EC by the Ministry vide letter dated 19<sup>th</sup> June, 2006 for a capacity of 0.70 MTPA in an area of 510.10 ha. Annual coal production is reported to be as under: -

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 0.70 MTPA
2007-08	0.03	-
2008-09	0.778	0.078
2009-10	1.578	0.878
2010-11	1.442	0.742
2011-12	1.627	0.927
2012-13	1.56	0.860
2013-14	1.09	0.390
2014-15	1.146	0.446
2015-16	2.166	1.466
2016-17	2.624	1.924

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2<sup>nd</sup> August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

	<p>The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14<sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.</p>
<p><b>8.5.4.2</b></p>	<p><i>The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.</i></p>
<p><b>8.5.4.3</b></p>	<p><b>Observations and recommendations of committee during 8<sup>th</sup> EAC meeting held on 13.06.2018:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&amp;CC</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as</p>

	<p>per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.</p> <p>(ix) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future.</p> <p>(x) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.</p>				
<p><b>8.5.5</b></p>	<p><b>JalagamVengal Rao Opencast - I Expansion Project of annual production of 2.50 MTPA at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana) by M/sThe Singareni Collieries Company Limited</b></p> <p><b>[IA/TG/CMIN/66088/2017] [F. No. 23-77/2018-IA.III]</b></p>				
<p><b>8.5.5.1</b></p>	<p>The proposal is for environmental clearance to the project for expansion of JalagamVengal Rao Opencast - I Expansion Project from the present capacity 2.50 MTPA to 5.00 MTPA by The Singareni Collieries Company Limited in an area of 544.81 ha. at Village Ayyagaripeta, Mandal Sathupalli, District Khammam (Telangana).</p> <p>The said mine is an operating Opencast coal mine opened in the year 2007 under JVR OCP - I and JVR OCP – I Expansion Mining Leases. Original JVR OCP - I Mining Lease was obtained vide GO MS No.51 dated 23<sup>rd</sup> March, 2005 for 20 years from 23<sup>rd</sup> March, 2005 to 22<sup>nd</sup> March, 2025. Original JVR OCP - I Expansion Mining Lease was obtained vide GO MS No 115 dated 10<sup>th</sup> November, 2008 for 20 years from 10<sup>th</sup> November, 2008 to 9<sup>th</sup> November, 2028.</p> <p>Mining Plan and the Mine Closure Plan was approved by Ministry of Coal vide letter dated 17<sup>th</sup> November, 2014 for the capacity of 5.00 MTPA. This project involves 380.52 ha. Forest land. The project area of 544.81 ha includes 380.52 ha of Forest land and 164.29 ha non-forest land. Out of 380.52 ha forest land, 244.02 Ha was diverted vide letter dated 02.02.2005 and 136.50 ha was diverted vide letter dated 03.07.2012. Non-forest land of 164.29 ha is under possession of The Singareni Collieries Company Limited.</p> <p>The said project / activity is covered under Category A of item 1(a) of the Schedule to the EIA Notification, 2006, and requires approval by the regulatory authority in the Ministry, based on appraisal and recommendations of the sectoral Expert Appraisal Committee.</p> <p>The chronology of events for seeking EC to the expansion of the project, deliberations by the respective authorities and the actions taken are reported to be as under: -</p> <table border="1" data-bbox="245 1877 1489 2020"> <tr> <td data-bbox="245 1877 858 1951">EC granted by the Ministry for 0.7 MTPA capacity</td> <td data-bbox="858 1877 1489 1951">27<sup>th</sup> July, 2007</td> </tr> <tr> <td data-bbox="245 1951 858 2020">Proposal for ToR submitted to the Ministry for the expansion project</td> <td data-bbox="858 1951 1489 2020">07<sup>th</sup> September 2013</td> </tr> </table>	EC granted by the Ministry for 0.7 MTPA capacity	27 <sup>th</sup> July, 2007	Proposal for ToR submitted to the Ministry for the expansion project	07 <sup>th</sup> September 2013
EC granted by the Ministry for 0.7 MTPA capacity	27 <sup>th</sup> July, 2007				
Proposal for ToR submitted to the Ministry for the expansion project	07 <sup>th</sup> September 2013				

Action taken by MoEF	On 16 <sup>th</sup> December, 2013, the State Government was requested to initiate credible action for the violation under the EP Act, 1986, and to submit the action taken report.  On 17 <sup>th</sup> December, 2013, the proposal was delisted.
Proposal for ToR submitted to the Ministry for the expansion project	11 <sup>th</sup> July 2017
Appraisal by EAC / ToR issued	22 <sup>nd</sup> March 2018 /
Public hearing conducted	-
Proposal for EC submitted	-

The project was earlier accorded EC by the Ministry vide letter dated 27<sup>h</sup> July 2007 for a capacity of 2.50 MTPA in an area of 547.08 ha. Annual coal production is reported to be as under:-

Year	Actual Coal Production (MTPA)	Coal production in excess of EC capacity of 2.50 MTPA
2005-06	0.520	-
2006-07	1.280	-
2007-08	1.917	-
2008-09	2.679	0.179
2009-10	3.573	1.073
2010-11	3.529	1.029
2011-12	4.135	1.635
2012-13	3.963	1.463
2013-14	4.898	2.398
2014-15	4.500	2.000
2015-16	4.545	2.045
2016-17	5.219	2.719

As per the provisions of the EIA Notification, 1994 / 2006, read with subsequent OMs / guidelines / circulars, EC for the project was to be obtained before starting the production. Since the needful has not been done, the proposal involves violation of the EIA Notification, 2006. Hon'ble Supreme Court vide order dated 2<sup>nd</sup> August, 2017 in WP (Civil) No.114/2014 in the matter of 'Common Cause Vs Union of India & others' has also observed such cases of illegal mining in terms of the provisions of the MMDR Act, 1957. While taking cognizance of the same, Hon'ble Court has directed for payment of 100% penalty for compensation against the illegal mining. That needs to be settled by the project proponent through the State Government.

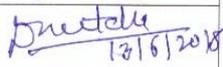
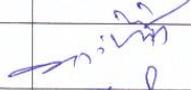
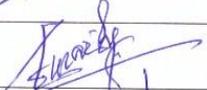
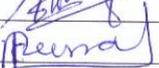
	The proposal has been submitted for consideration in pursuance of the Ministry's Notification dated 14 <sup>th</sup> March, 2017 due to violation of the EIA Notification, 2006.
8.5.5.2	<i>The EAC, after deliberations on the proposal, desired to seek advice of the Ministry on the procedures to appraise such cases (including where credible action for violation of the EP Act, 1986 not visible), in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017. Accordingly, the Committee preferred to defer the proposal for the present.</i>
8.5.5.3	<p><b>Observations and recommendations of committee during 8<sup>th</sup> EAC meeting held on 13.06.2018:</b></p> <p>The EAC, after detailed deliberations on the proposal in terms of the provisions of the MoEF&amp;CC Notification dated 14<sup>th</sup> March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for issuing Standard Term of Reference along with the following specific Term of Reference for undertaking EIA and preparation of Environment Management Plan (EMP):</p> <p>(i) The State Government/SPCB to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no consent to operate for expansion project to be issued till the project is granted EC for the expansion.</p> <p>(ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of EC. The quantum shall be recommended by the EAC and finalized by the regulatory authority. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the EAC and approval of the regulatory authority.</p> <p>(iii) Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.</p> <p>(iv) Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.</p> <p>(v) The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.</p> <p>(vi) The PP is required to conduct public hearing as per EIA notification, 2006.</p> <p>(vii) Certified compliance report of earlier EC conditions from concerned regional office, MoEF&amp;CC</p> <p>(viii) Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1<sup>st</sup> May, 2018 for various activities</p>

therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.

(ix) The Project Proponent shall give an undertaking by way of affidavit to comply with all the statutory requirements and judgment of Hon'ble Supreme Court dated the 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors. before grant of ToR/ EC. The undertaking inter-alia include commitment of the PP not to repeat any such violation in future.

(x) In case of violation of above undertaking, the ToR/Environmental Clearance shall be liable to be terminated forthwith.

Members of the EAC for the proposal involving violation of EIA Notification, 2006 present during 8<sup>th</sup> meeting held on 13<sup>h</sup>-14<sup>th</sup> JUNE 2018 at MoEF&CC, New Delhi and approved the above minutes.

Sl. No.	Name of the EAC member	Role/Designation	Signature
1.	Dr. S.R. Wate,	Chairman	 13/6/18
2.	Dr. P.A. Joshi,	Member	
3.	Dr. G.V. Subrahmanyam	Member	
4.	<del>Dr. A.L. Ramanathan</del>	Member	
5.	Dr. M.V. Ramana Murthy,	Member	
6.	Shri K Gowarappan	Member	
7.	Dr. Dilip S. Ramteke,	Member	 13/6/2018
8.	Dr. Poonam Kumria,	Member	
9.	Dr. Bharat Jain,	Member	
10.	Dr. Subrata Maity,	Member	
11.	Shri Raghu Kumar kodali	Member Secretary	 (Rena)

**Terms of Reference for EIA and preparation of Environment Management Plan**

1. Project description, its importance and the benefits.
2. Project site details (location, toposheet of the study area of 10 km, coordinates, google map, layout map, land use, geological features and geo-hydrological status of the study area, drainage).
3. Land use as per the approved Master Plan of the area, Permission/approvals required from the land owning agencies, Development Authorities, Local Body, Water Supply & Sewerage Board , etc.
4. Land acquisition status, R&R details.
5. Forest and Wildlife and eco-sensitive zones, if any in the study area of 10 km – Clearances required under the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972 and/or the Environment (Protection) Act, 1986.
6. Baseline environmental study for ambient air (PM<sub>10</sub>, PM<sub>2.5</sub>, So<sub>2</sub>, NO<sub>x</sub> & CO), water (both surface and ground), noise and soil for one month (except monsoon period) as per MoEF&CC/CPCB guidelines at Minimum 5 locations in the study area of 10 km.
7. Details on flora and fauna and socio-economic aspects in the study area.
8. Likely impact of the project on the environmental parameters (ambient air, surface and ground water, land, flora and fauna and socio-economic, etc).
9. Source of water for different identified purposes with the permissions required from the concerned authorities, both for surface water and the ground water (by CGWA) as the case may be, Rain water harvesting, etc.
10. Waste water management (treatment, reuse and disposal) for the project and also the study area.
11. Management of solid waste and the construction & demolition waste for the project vis-avis the Solid Waste Management Rules, 2016 and the Construction & Demolition Rules, 2016.
12. Energy efficient measures (LED lights, solar power, etc) during construction as well as during operational phase of the project.
13. Assessment of ecological damage with respect to air, water, land and other environmental attributes. The collection and analysis of data shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or an environmental laboratory accredited by NABL, or a laboratory of a Council of Scientific and Industrial Research (CSIR) institution working in the field of environment.
14. Preparation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefits derived due to violation.
15. The remediation plan and the natural and community resource augmentation plan to be prepared as an independent chapter in the EIA report by the accredited consultants.

***All the building projects including hotels, hospitals shall be prescribed with the following additional TOR points along with Specific TOR enumerated for study of ecological damages, remediation including above mentioned points for EIA and preparation of Environment Management Plan:***

- (i) The EIA would study the impact of dewatering and draw up an action plan for disposal of the excess water.
- (ii) The EIA would study the impact of Demolition and conformance to the Construction and Demolition Rules under the E.P. Act, 1986.
- (iii) Certified Compliance Report issued by the MoEF&CC, Regional Office or concerned Regional Office of Central Pollution Control Board or the Member Secretary of the respective State Pollution Control Board for the conditions stipulated in the earlier environmental clearance issued for the project along with an action taken report on issues which have been stated to be partially complied or non/not complied.
- (iv) The Air Quality Index shall be calculated for base level air quality.
- (v) A detailed report on compliance to ECBC-2017 norms.
- (vi) A certificate from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- (vii) An assessment of the cumulative impact of all development and increased inhabitation being carried out or proposed to be carried out by the project or other agencies in the core area, shall be made for traffic densities and parking capabilities in a 2 kms radius from the site. A detailed traffic management and a traffic decongestion plan drawn up through an organization of repute and specializing in Transport Planning shall be submitted with the EIA and the plan to be implemented to the satisfaction of all the concerned state departments and implementing agencies.
- (viii) The permission of the CGWA for abstraction of ground water if any and for basement/excavation dewatering if applicable.
- (ix) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project.
- (x) A certificate from the competent authority for discharging treated effluent/ untreated effluents into the Public sewer/ disposal/drainage systems along with the final disposal point.
- (xi) A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project.
- (xii) The Air Quality Index shall be calculated for base level air quality.

**For Hospitals Only (In addition to above)**

- (xiii) As per prescribed WHO guidelines, the proposal has to ensure that the Indoor Air Quality is maintained as per prescribed standards.
- (xiv) Proposals to ensure that the parking areas are secure and do not permit entry of vehicles within the Hospital campus. Only ambulances and emergency vehicles shall be provided access into the hospital through dedicated emergency and exit gates. Battery operated vehicles shall be provided for internal movement of patients and attendants.
- (xv) A management plan for handling and disposal of biomedical wastes to the satisfaction of the State Pollution Control Board shall be drawn up in conformance to the Biomedical Waste Management Rules, 2016.
- (xvi) Silence zones under the Noise Rules shall be demarcated and maintained in consultation with the District Administration. Proposals should be submitted in this regards.
- (xvii) Laboratory wastes shall be managed in accordance to the BMW Rules, 2016 and the atomic Energy Commission regulations as applicable. Proposals may be submitted in this regards.