

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHORN ZONE CHENNAI.

Appeal No.43 of 2024 (SZ).

In the matter of:

Shri Shoukkath Ali

.....Applicant (S)

VERSES

MOEF&CC, New Delhi

..... Respondent(S)

List of Documents:

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| 1 | 05.09.2024 | Affidavit on behalf of the MOEF&CC | 1-6 |
| 2. | 01-07-2023 | Annexure-I, a copy of the EC granted vide ID Number- EC23B001KL199125 | 7-22 |
| 3. | 28-02-2014 | Annexure-II, a copy of the MOEF notification regarding issue of show cause notice to PP'S in case of violation of the EC conditions. | 23-30 |

K. Suryanarayana
10/9/24

Dr. K. Suryanarayana, Advocate and Counsel of
MoEF&CC before the NGT(SZ), Chennai.

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Appeal No. 43/2024

In the Matter of

Shoukkath Ali

...Applicant

Versus

The Ministry of Environment,

Forest and Climate Change and Ors.

...Respondent(s)

AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,

FOREST AND CLIMATE CHANGE (RESPONDENT No. 1)

MOST RESPECTFULLY SHOWETH:

I, Suresh Kumar Adapa, currently working as Scientist "E" in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Office, Bengaluru, do hereby solemnly affirm and state as under:-

1. That I, in my official capacity of Scientist "E" in the Ministry Environment, Forest and Climate Change, Chennai i.e. Respondent No. 1 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.

A. Suresh Kumar
Suresh Kumar Adapa
Scientist "E" / Additional Director (S)
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Kendriya Sadan, Koramangala
Bengaluru - 560034

2. It is submitted that a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Affidavit to the aforesaid application, as and when required.
3. That the applicant has filed the instant application against the grant of impugned Environmental Clearance dated 01.07.2023 passed by the State Environment Impact Assessment Authority (SEIAA), Kerala, in favour of the 5th Respondent i.e. Project Proponent, for quarrying granite building stone to an extent of 1.8227 Ha. at Sy. No.85 Part in Pulamanthole Village, Perinthalmanna Taluk, Malappuram District, Kerala.
4. That, the Ministry issued Environmental Impact Assessment (herein after referred as "EIA") Notification dated 14th September, 2006 which requires certain projects to obtain prior Environmental Clearance ("EC") before any construction work in case of new projects or expansion and modernization of existing projects or activities. The Schedule to the Notification details the categories or projects or activities which require prior environmental clearance.
5. It is further submitted that all projects and activities are broadly categorized into two categories - Category "A" and Category "B", based on the spatial extent of potential impacts and potential impacts on human health and natural and manmade resources. All projects or activities included as

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Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, require prior environmental clearance from the Central Government in the Ministry of Environment, Forest and Climate Change (MoEF&CC) and all projects or activities included as Category 'B' in the Schedule require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA).

6. It is submitted that, in exercise of the powers conferred upon the Central Government under sub section (3) of section 3 of the Environment (Protection) Act, 1986 and in accordance with the procedures specified in the EIA Notification, 2006, SEIAAs have been constituted in different States/UTs to discharge the functions of the regulatory authorities for the respective States/UTs.
7. It is humbly submitted that the, State Environment Impact Assessment Authority (SEIAA), Kerala vide EC dated 01.07.2023, has issued the Environmental Clearance to the project proponent as per the EIA Notification, 2006 stating as under; *"4... for the Granite Building Stone Quarry Project, initially for a period of 5 years from the date of execution of valid mining lease/permit from the Department of Mining and Geology as per S.O.1807 (E) dated.12.04.2022 of MoEF&CC and then to extend the*

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*EC period to cover the project life of 12 years, for the quantity mentioned in the approved Mining Plan, subject to the review by SEAC at the end of five years, to verify whether the Project Proponent has violated any of the EC conditions and thereby caused any damage to the Environment in the project region, subject to the Specific Conditions and General conditions, all the environmental impact mitigation and management measures undertaken by the Project Proponent in the Form I, EMP, PFR and Mining Plan submitted to SEIAA... ”. A copy of the Environmental Clearance is marked and annexed here herein as **ANNEXURE R1/1**.*

8. That the Ministry vide notification no. S.O. 637 (E) dated 28.02.2014 delegated the power to SEIAA to issue show cause notice to project proponents in case of violation of the conditions of the Environmental Clearances (EC) issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such EC in abeyance or withdrawing them, if required, for violations. A true copy of the Notification S.O. 637 (E) dated 28.02.2014 is marked and annexed herein as **ANNEXURE R1/2**.
9. That the Answering respondent vide notification S.O. 1886 (E) dated 20.04.2022 states that environmental clearances of all minor mineral shall be dealt at State level irrespective of mine lease area. A copy of the

A-Suresh Kumar

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Notification S.O. 1886 (E) dated 20.04.2022 is marked and annexed herein as **ANNEXURE R1/3**.

10. It is respectfully submitted that State Department of Mines and Geology is the Nodal Authority in the State for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act) and is entrusted with the enforcement and regulation of mining operations in a State including illegal mining. Further, the State Government is empowered under Section 23 C of the Mines and Minerals (Development and Regulation) Act 1957(MMDR Act) to make rules for prevention of illegal mining, transportation and storage of minerals and the State Department of Mines & Geology is the nodal authority in the State for dealing with the allotment of mining leases under the MMDR Act and is entrusted with the enforcement and regulation of mining operations in a state.

11. That, the State Pollution Control Board is the Nodal Authority in the State for dealing with cases related to pollution or environment management coming under the purview of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act 1986.

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12. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.

A. Suresh Kumar
05/09/24

DEPONENT

Suresh Kumar Adapa
Scientist "E" / Additional Director (S)
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Kendriya Sadan, Koramangala
Bengaluru - 560034

VERIFICATION

Verified at Bengaluru on this 5th day of September, 2024 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

A. Suresh Kumar
05/09/24

DEPONENT

Suresh Kumar Adapa
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ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), KERALA)

To,

The -1
 NAJEEBALI KANNAMTHODI
 Najeeb Ali M.K
 Mannengal Kannanthodi House
 Paloor,Pulamanthole P.O
 Malappuram -679323

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/KL/MIN/422595/2023 dated 20 Mar 2023. The particulars of the environmental clearance granted to the project are as below.

| | |
|--|-------------------------|
| 1. EC Identification No. | EC23B001KL199125 |
| 2. File No. | 2017/A2/2018/SEIAA |
| 3. Project Type | New |
| 4. Category | B |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | Najeeb Ali M.K |
| 7. Name of Company/Organization | NAJEEBALI KANNAMTHODI |
| 8. Location of Project | KERALA |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 01/07/2023

(e-signed)
 Dr. Venu V IAS
 Member Secretary
 SEIAA - (KERALA)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

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**PROCEEDINGS OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY – KERALA, THIRUVANANTHAPURAM**

*(Present : Dr.H.Nagesh Prabhu IFS (Retd), Chairman,
Shri.K.Krishna Panicker, Member, Dr.V.Venu IAS, Member Secretary)*

Sub:- Environmental Clearance for the Granite Building Stone Quarry Project of Sri. Najeeb Ali M.K, Mannengal Kannanthodi House, Paloor, Pulamanthole P.O Malappuram- Granted – Orders issued.

State Level Environment Impact Assessment Authority, Kerala

Proposal No. SIA/KL/MIN/422595/2023

File No. 2017/A2/2018/SEIAA

- Ref: 1. Application for EC received from DEIAA, Malappuram on 15.11.2018
 2. Judgment dated 11.04.2018 of the Hon'ble High Court of Kerala in WP(C) No.41905/2017 FILED BY Sri.Shoukath Ali
 3. Order No.2017/A2/2018/SEIAA dated.03.11.2021
 4. Application for EC received from Sri.Najeeb Ali M.K on 20.03.2023 through Parivesh
 5. Minutes of 138th meeting of SEAC held on 16th & 17th February 2023
 6. Minutes of the 141st meeting of SEAC held on 11th to 12th & 18th to 19th April 2023.
 7. Minutes of the 127th meeting of SEIAA held on 30th & 31st May 2023.

ENVIRONMENTAL CLEARANCE NO.114/Q/2023

Sri. Najeeb Ali M.K, Mannengal Kannanthodi House, Paloor, Pulamanthole P.O Malappuram submitted an application for Environmental Clearance in DEIAA Malappuram for the Granite Building Stone Quarry Project for an area of 1.8227 Ha at Sy.No.85pt, in Pulamanthole Village, Perinthalmanna Taluk, Malappuram.

Shri. Shoukath Ali filed WP(C) No.41905/2017 (K) in which the Hon'ble High Court of Kerala in its Judgment dated 11.04.2018 directed SEIAA to consider the application and pass orders therein and to submit a copy before the Hon'ble Court within 3 months from the date of receipt of files receiving from DEIAA. Vide paper 1st above, the DEIAA, Malappuram forwarded the whole file to SEIAA. As per the direction of 112th meeting of SEIAA, Order was issued vide paper 3rd above in compliance to the judgment dated.11.04.2018 of the Hon'ble High Court.

The matter further examined with the request of the project Proponent.

The project details are as follows:

| SL.No | Particulars | Details |
|-------|---|---|
| 1 | Name of the Project | Granite Building Stone Quarry Project of Sri.Najeeb Ali M.K |
| 2 | Proposed Activity | Mining of Granite Building Stone |
| 3 | Name of the Sector & Schedule No. (in the EIA Notification, 2006) | Non Coal mining, Activity 1(a), Category B2 |
| 4 | Name & Address of the Project Proponent | Sri. Najeeb Ali M.K, Mannengal Kannanthodi House, Paloor, Pulamanthole P.O Malappuram |
| 5 | Project Location | |
| | a) Survey No. | 85 pt |
| | b) Revenue Village | Pulamanthole |
| | c) Taluk | Perinthalmanna |
| | d) District | Malappuram |
| 6 | Geo Co-ordinates | Latitude (N) 10° 55'55.99"N to 10° 56'2.38"N Longitude (E) 76°11'22.16"E to 76°11'28.60"E |
| 7 | Extent (in Hectare) | 1.8227 |
| 8 | Project Cost | ₹ 2,74,40,000/- |
| 9 | Production details | 45,000 MTA (As per approved Mining Plan) |
| 10 | Water Requirement & Source | 3 KLD (0.5 KLD for domestic purpose, 1.5 KLD for dust suppression, 1 KLD for Plantation) From rain water harvesting pit and open well. |
| 11 | Date of field inspection | 19.04.2019 & 03.11.2022 |

CER Details

| Activity | Year | Amount |
|--|-------------|------------------------------------|
| Provide 2 mini mast solar street lights facility in North Paloor colony under Pulamanthole Grama Panchayath | 2023-2025 | 2 x 2,50,000 = 5,00,000 |
| Maintenance, project monitoring and additional works in provided facilities in North Paloor colony under Pulamanthole Grama Panchayath as street light pole painting and weather protection works, Battery unit maintenance and services, Solar panel system services, led light services etc. | 2025-2035 | 1,50,000 |
| Provide two hybrid solar panel facilities in North Paloor Anganvadi and Sub centre North Paloor under Pulamanthole Grama Panchayath. | 2028-2030 | 2 x 2,00,000 = 4,00,000 |
| Maintenance and additional works in provided facilities in North Paloor Anganvadi and Sub centre North Paloor under Pulamanthole Grama Panchayath as Painting and weather protection works, Battery unit services, solar panel facility maintenance and services etc. | 2030-2045 | 1,50,000 |
| Total | | 12,00,000 |

2. In the 138th & 141st meetings, the Committee verified the documents submitted by the Project Proponent & found them satisfactory. The Committee recommended EC for a mine life of 12 years subject to certain Specific Conditions in addition to the General Conditions.

3. In the 127th meeting, the Authority noted that for the sustainable management of quarry operations, the approved mining plan is revised every five years till the project life of mine as per KMMC Rules, incorporating scheme of activities to be carried out for the next 5 years. Authority is of the opinion that it is essential to match these procedures and time lines followed in the department of Mining and Geology with the time lines ECs issued for the sustainable management of quarry operations and protection of environment in the project region.

The Authority decided to issue Environmental Clearance initially for a period of 5 years, for the quantity mentioned in the approved mining plan, and then to extend the EC period to cover the project life of 12 years, from the date of execution of mine lease / permit, subject to the review by SEAC at the end of five years, to verify whether the Project Proponent has violated any of the EC conditions and thereby caused any damage to the Environment in the project region.

The EC is subject to General Conditions and the following Additional Specific Conditions.

1. *The Project Proponent shall carry out quarrying as per the approved Mining Plan and the Specific Conditions mentioned hereafter. The Project Proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
2. *The EC shall be valid from the date of execution of permit/lease from the Department of Mining and Geology. The copy of the lease order should be provided to the SEIAA before commencing the mining activity.*
3. *The EC issued will be subject to a review by SEAC after 5 years through field verification to ensure that mining is carried out sustainably as per the EC conditions.*
4. *A temporary wall on the southern side of the proposed quarry should be set up to prevent any impact on the houses located on the southern side*
5. *Compensatory afforestation plan should be implemented from the 1st year itself and the geo-coordinates and geo-tagged photographs of the proposed site should be submitted in HYCR.*
6. *Drainage system incorporating garland canal, silt traps, siltation pond and outflow channel connecting to the nearest natural drain should be provided prior to the commencement of mining.*
7. *Garland drain, silt-traps, siltation ponds and outflow channel should be desilted periodically and geo-tagged photographs of the process should be included in the HYCR.*
8. *Impact of vibration due to blasting on the nearest houses and built structures should be monitored in terms of peak particle velocity and amplitude for maximum charge per delay and included in the Half Yearly Compliance Report.*
9. *CER Plan should be implemented within the first 2 Years and it should be operated*

- and maintained till the mine closure plan is implemented*
10. *Transportation of mined material should not be done during the peak hours in the forenoon (8.00am to 10.00am) and afternoon (3.30pm to 5 pm).*
 11. *The haulage road should be widened and developed prior to the commencement of mining and it should be maintained well and dust-free with sprinkling arrangement.*
 12. *Adequate sanitation, waste management and rest room facilities should be provided to the workers.*
 13. *The mitigation measures recommended in the EMP should be strictly implemented.*
 14. *The Environment Management Cell (EMC) should include an Environment expert and the proceedings of the monthly meeting of the Environment Management Cell (EMC) should be submitted along with the HYCR.*
 15. *If the abandoned quarry located near to the site belong to project proponent, he/she shall carry out final closure plan within 6 months as per the approved mine closure plan and submit the progress of the closure activities along with the HYCR.*
 16. *As the project site is located in an abandoned quarry the possible and relevant final mine closure activities as per the previous approved mining plan shall be carried out and the activities so carried out shall be mentioned in the half yearly completion report.*
 17. *Adequate energy conservation measures proposed should be implemented including solar power installations for street lights and office. At least, 40% of the energy requirement of the project should be met from the solar power.*
 18. *Adequate facilities should be adopted to harvest the rainwater as per the guidelines issued by the Central Groundwater Authority*
 19. *Blasting mats should be used during rock blasting to contain the blast, prevent fly rocks and suppress dust.*
 20. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the Project Proponent should implement the Environment Management Plan (EMP)/CER as directed by SEAC during appraisal, covering the issues to address the environmental problems in the project region, from the beginning of the project, indicating both physical and financial targets year wise. The EMP/CER shall be implemented in consultation with Local Self Govt. Institutions. A copy of the approved EMP/CER shall be made available to the*

concerned Panchayat for information and implementation support. The indicated cost for implementation of CER activities shall be 2% of the project cost.

21. *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*
22. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Hon'ble Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the Half Yearly Compliance Report which will be monitored by SEAC at regular intervals.*
23. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

4. Environmental Clearance as per the EIA Notification, 2006 is hereby accorded for the Granite Building Stone Quarry Project of Sri. Najeeb Ali M.K, Mannengal Kannanthodi House, Paloor, Pulamanthole P.O Malappuram for an area of 1.8227 Ha at Sy. No. 85 pt in Pulamanthole Village, Perinthalmanna Taluk, Malappuram, initially for a period of 5 years from the date of execution of valid mining lease/permit from the Department of Mining and Geology as per S.O.1807 (E) dated.12.04.2022 of MoEF&CC and then to extend the EC period to cover the project life of 12 years, for the quantity mentioned in the approved Mining Plan, subject to the review by SEAC at the end of five years, to verify whether the Project Proponent has violated any of the EC conditions and thereby caused any damage to the Environment in the project region, subject to the Specific Conditions suggested by SEIAA in Para 3 above, and all the environmental impact mitigation and management measures undertaken by the Project Proponent in the Form I, EMP, PFR and Mining Plan submitted to SEIAA. The assurances and clarifications given by the proponent will deemed to be a part of this Proceedings as if incorporated herein. Also the General Conditions for projects

stipulated for mining (items 1 to 57), mentioned below will be applicable and have to be strictly adhered to.

5. The Environmental Clearance issued will also be subject to full and effective implementation of all the undertakings given in the Application Form, mitigation measures as assured in the Environment Management Plan and the mining features including Progressive Mine Closure Plan as submitted with the application. The above undertakings and the conditions and the undertakings of the Mining Plan in (Mining), (Blasting), (Mines Drainage), (Stacking of Mineral rejects and Disposal of waste), (Environment Management Plan) & (Progressive Mine Closure Plan) as submitted will deemed to be part of this Proceedings as conditions as undertaken by the project proponent, as if incorporated herein.

6. Validity of the Environmental Clearance will be initially for a period of **Five (5) years** from the date of execution of valid mining lease/permit from the Department of Mining & Geology and then will be extend to cover the Project Life of 12 years, subject to the conditions stipulated in Para 4.

7. Compliance with the conditions herein will be monitored by the State Environment Impact Assessment Authority or its authorised offices and also by the Regional Office of the Ministry of Environment, Forest & Climate Change, Govt. of India, Bangalore. Necessary assistance for entry and inspection should be provided by the Project Proponent and those who are engaged or entrusted by him to the staff for inspection or monitoring. Instances of violation if any shall be reported to the **District Collector, Malappuram.**

8. The Half Yearly Compliance Report (HYCRs) with name of the project, EC No. and date, the period of submission with its contents, compliance report and environmental monitoring data & covering letter have to be uploaded in the Parivesh Portal as per O.M. F.No.IA3-22/1/2022-IA-III(E)-17264 dated 14.06.2022 and the website of the Project Proponent. Hardcopy of HYCRs shall not be acceptable.

9. The given address for correspondence with the authorised signatory of the project is Sri. Najeeb Ali M.K, Mannengal Kannanthodi House, Paloor, Pulamanthole P.O Malappuram.

GENERAL CONDITIONS

1. *The proponent should provide notarized affidavit (indicating the number and date of Environmental Clearance proceedings) that all the conditions stipulated in the EC shall be scrupulously followed.*
2. *All the statutory clearances should be obtained, as applicable, by the project proponent from the respective competent authorities including that for blasting and storage of explosives. Copies of all statutory clearances shall be submitted along with First Half Yearly Compliance Report.*
3. *The project proponent should advertise in news papers that the project has been accorded Environmental Clearance and copies of clearance letters are available in the Office of State Environment Impact Assessment Authority (SEIAA) and on the website of the Authority at www.seiaakerala.in. The advertisement should be in at least two local newspapers widely circulated in the region, one of which shall be in the vernacular language. The advertisement should be made within 10 days from the date of receipt of the Environmental Clearance letter and a copy of the same signed in all pages should be forwarded to the office of this Authority as confirmation.*
4. *The proponent shall send a copy of the EC to concerned Grama Panchayat/ District Panchayat/ Municipality/ Corporation/ Urban Local Body and also to the Local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The Environmental Clearance shall also be uploaded on the website of the company.*
5. *The lease area shall be fenced with barbed wire to a minimum height of 4ft around, before starting mining. All the boundary indicators (boards, markings, etc) shall be conspicuous and maintained at all times.*
6. *The details of Environmental Clearance should be prominently displayed in a metallic board of 3 ft x 3 ft with green background and yellow letters of Times New Roman font size of not less than 40. Sign board with extent of lease area and boundaries shall be depicted at the entrance of the quarry, visible to the public.*
7. *Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department. Mats to reduce fly rock blasts to a*

maximum of 10 PPV should be provided.

8. *Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged stipulated by Explosive Department.*
9. *Access roads to the quarry shall be black topped to contain dust emissions that may arise during transportation of materials. The transportation of minerals should be done in covered trucks to contain dust emissions.*
10. *A separate Environmental Management Cell (EMC) with suitable qualified personnel should be set-up under the chairmanship of a Senior Executive, who will report directly to the Head of the Organization. The Cell should have representative of Biodiversity Management Committee of the Panchayath and a representative of NGO, if any active in the area. The EMC should meet at least once in six months and review the activities and minutes should be a part of the compliance report.*
11. *Quarrying has to be carried out as per approved mining plan with the suggestions from SEAC incorporated and following KMMC rules 2015 and the Amendments thereby.*
12. *The quarrying operation (blasting) shall be restricted between 7 AM and 5PM*
13. *Rain Water Harvesting facility should be installed as per the prevailing provisions of KMBR/KPBR, unless otherwise specified. Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project.*
14. *Maximum depth of mining shall be as per the mining plan and as per specific direction of SEAC after field inspection. The maximum depth of mining should not be deeper than the local ground water table. No mining operations should be carried out at places having a slope greater than 45°.*
15. *The height of any bench shall not exceed five meters and breadth shall not be less than the height.*
16. *The Project proponent shall ensure that no perennial or intermittent natural water course and/or water resources are obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any, originating from the mine lease shall be taken.*
17. *A minimum buffer distance specified as per existing rules and statutory orders*

shall be maintained from the boundary of the quarry to the nearest dwelling unit or other structures, and from forest boundaries or any other ecologically sensitive and archeologically important areas or the specific distance specified by SEIAA in EC as per the recommendations of SEAC depending on specific local conditions.

- 18. The proponent should plant seedlings at least 5 times of the loss of trees that has occurred while clearing the land for the project and follow planting measures as suggested by SEAC. Suitable avenue trees should be planted along the sides of the approach road and internal roads and open parking areas, if any. Preference should be given to endemic native and fruit bearing species. Planting in buffer areas should be taken up beforehand. Proper upkeep and maintenance of planted seedlings shall be ensured by the project proponent.*
- 19. The proponent should ensure that the vegetation in the buffer is retained, maintained and strengthened with additions of native broad leaved plants.*
- 20. Eco-restoration including the closure of mine as per the progressive closure plan and final closure plan shall be done at the cost of the project proponent. This eco-restoration should follow scientific standards available for restoration, full recovery of the original vegetation and improving the resilience of different ecosystems. Overburden materials should be managed within the site and used for reclamation of mined pit as per mine closure plan / specific conditions.*
- 21. At least 10 percent out of the total excavated pit area should be retained as water storage areas and the remaining area should be reclaimed with stacked dumping and overburden and planted with suitable indigenous plant species, if no other specific condition on reclamation of pit is stipulated in the E.C. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining.*
- 22. Control measures on noise and vibration prescribed by KSPCB should be implemented. Quarrying activities should be limited to day time as per KSPCB guidelines/specific conditions.*
- 23. Periodical monitoring of the vibration at specified location (preferably at a distance of 50 m and 100 m) to be conducted and records kept for inspection. This could also form a part of the compliance reports.*

24. *Speed of trucks entering or leaving the mine site is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.*
25. *Acoustic enclosures should be provided to reduce sound amplifications in addition to the provisions of green belt and hollow brick envelop for crushers so that the noise level is kept within prescribed standard limit indicated by CPCB/KSPCB.*
26. *Blasting should be done in a controlled manner using NONEL technique as specified by the regulations of Petroleum and explosive safety organization (GOI) or any other concerned authorized agency. A licensed person should supervise/control the blasting operations.*
27. *Measures should be taken for maintaining noise levels below 85 dBA in the work environment.*
28. *Project proponent should obtain necessary prior permission of the competent authorities for drawing requisite quantity of surface water and ground water for the project.*
29. *Regular monitoring of flow rates and water quality upstream and downstream of the springs and perennial nallahs flowing in and around the mine lease area shall be carried out and reported in the six monthly compliance reports to SEIAA.*
30. *Catch drains and siltation ponds of appropriate size shall be constructed around the mine working, mineral and OB dumps, to prevent run off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, and for green belt development etc. The drains shall be regularly desilted and maintained properly, particularly after monsoon.*
31. *Regular monitoring of ground water level and quality shall be carried out around the mine area during mining operation. If any stage ,if it is observed that ground water table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.*
32. *Garland drains and silt traps are to be provided in the slopes around the core area to channelize storm water. De-silting of Garland canal and silt traps have to be attended on a daily basis. A labour has to be specifically assigned for the purpose. The proponent shall ensure the quality of the discharging storm water*

as per the General Effluent Discharge Standards of CPCB.

33. *In the case of any change(s) in the scope of the project, extent, quantity, process of mining technology involved or in any way affecting the environmental parameters/impacts as assessed, based on which the E.C was issued, the project would require a fresh appraisal by this Authority, for which the proponent shall apply and get the approval of this Authority. In the case of transfer of ECs, the matter shall be intimated and get the approval from the Authority as per the existing norms.*
34. *The stipulations by Statutory Authorities under different Acts and Notifications should be complied with, including the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.*
35. *The top soil, if any, shall be temporarily stored at earmarked place (s) and used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only. The maximum height of the dumps shall not exceed 8m and width 20m and overall slope of the dumps shall be maintained at 45⁰. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. At critical points, use of geo textile shall be undertaken for stabilization of the dump. Protective wall or gabions should be made around the dump to prevent erosion / flow of sediments during rains. The entire excavated area shall be backfilled.*
36. *All the mining equipment used in Mining like backhoe loaders and excavators cause pollution and hence shall be serviced regularly & maintained for their efficient functioning and for reducing pollution. Disposal of spent oil from diesel engines should be as specified under relevant Rules/ Regulations.*
37. *All vehicles used for transportation and within the mines shall have 'PUC' certificate from authorized pollution checking centre. Washing of all vehicles shall be inside the lease area. .*
38. *Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution such as haul road, loading and unloading points and transfer points and having high levels of PM₁₀ and PM_{2.5}.*

Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central Pollution Control Board.

39. *Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement at project site, parking area, on haul roads, loading and unloading and at transport points should be provided and properly maintained.*
40. *Corporate Environmental Responsibilities (CER) as prescribed by SEIAA/SEAC should be carried out leading to Environmental stability of the Project region. The activities carried out under CER should be a part of the half yearly compliance report. The certificates from the beneficiaries, if the CER part is completed should also be submitted to the State Environment Impact Assessment Authority (SEIAA) along with year wise expenditure .*
41. *The project proponent is responsible for implementing all the provisions of labour laws applicable from time to time to quarrying /Mining operations. The workers on the site should be provided with on-site accommodation or facilities at a suitable boarding place, protective equipment such as ear muffs, helmet, etc.*
42. *The proponent has to provide insurance protection to the workers in the case of existing mining or provide the affidavit in case of fresh lease before execution of mining lease.*
43. *Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed. The report of health surveillance programme should be included in the half yearly compliance reports.*
44. *The pits in the abandoned quarries and in the mined area shall be used for activities like water harvesting, aqua culture etc. in an eco friendly manner.*
45. *If Government land is partly or fully used for mining, the area shall be returned at the end of lease period after mine closure with separate demarcation with suitable survey marks.*
46. *Any accident occurring in the mined out area after the lease period due to negligence in carrying out safety measures and non-closure , will lead to suspension of all EC obtained for mining by the Proponent.*
47. *In case of transfer of EC the matter shall be intimated and approval from the Authority shall be obtained as per the existing norms.*

48. *The proponent shall submit Half Yearly Compliance Reports (1st of June & 1st of December) on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall be simultaneously sent to the respective Regional Office of Ministry of Environment, Forests and Climate Change, Govt. of India and also to the Office of State Environment Impact Assessment Authority (SEIAA). The proponent has to submit Environmental statement in form V of Environment (Protection) Rules 1986 to SPCB on 31st March every year.*
49. *The project authorities should extend full cooperation to the officer (s) from the Regional Office of MOEF & CC located at Bangalore/SEAC/SPCB/CPCB/dept of Mining and Geology, while monitoring compliance of the stipulated conditions, by furnishing the requisite data/information/monitoring reports.*
50. *The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license on consent given by any other authority for the same project.*
51. *The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the Environment Clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.*
52. *The EC given will be withdrawn at any time if the area is declared high hazardous by the SDMA.*
53. *The Environmental Clearance will be subject to the final order of the courts on any pending litigation related to the land or project, in any court of law.*
54. *Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.*
55. *Concealing the factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment*

(Protection) Act, 1986.

56. *The SEIAA may revoke or suspend the order, for non implementation of any of the specific or any of the above conditions. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environmental protection.*
57. *As per regulation no. 106(2) of metalliferous mines regulation under Mine act, the height of any bench shall not exceed six meters and breadth shall not be less than the height.*

Sd/-
Administrator, SEIAA
For Member Secretary, SEIAA

To,

Sri. Najeeb Ali M.K
Mannengal Kannanthodi House,
Paloor, Pulamanthole P.O
Malappuram

Copy to

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E&F Wing, II Block, Koramangala, Bangalore-560034. (through e-mail: ros.z.bng-mefcc@gov.in)
2. The Additional Chief Secretary to Government, Environment Department, Government of Kerala
3. The Director, Directorate of Environment & Climate Change, 4th Floor KSRTC Bus Terminal, Thampanoor, Thiruvananthapuram, Kerala 695001.
4. The District Collector, Malappuram
5. The Director, Mining & Geology, Thiruvananthapuram -4.
6. The Member Secretary, Kerala State Pollution Control Board
7. The District Geologist, Malappuram
8. The Tahsildhar, Perinthalmanna Taluk, Malappuram District
9. The Secretary, Pulamanthole Grama Panchayath, Mankada Block Panchayath, Malappuram
10. The Chairman, SEIAA.
11. Website.
12. S/f
13. O/c

Signature Not Verified
Digitally signed by Dr. Venu V IAS
Member Secretary
Date: 7/1/2023 4:41:30 PM



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 637(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलाओं को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 638(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनमें से प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

सारणी

| क्रम संख्यांक | प्राधिकरण/अधिकारी | अधिकारिता |
|---------------|---|--|
| (1) | (2) | (3) |
| 1. | पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.) | संपूर्ण राज्य या संघ राज्यक्षेत्र |
| 2. | पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक | पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता |

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 638(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

| S. No. | Authority/Officer | Jurisdiction |
|--------|--|---|
| (1) | (2) | (3) |
| 1. | State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986. | Whole of State or Union Territory |
| 2. | Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF). | Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests |

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.



भारत का राजपत्र

The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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No. 1795]

नई दिल्ली, बुधवार, अप्रैल 20, 2022/चैत्र 30, 1944
NEW DELHI, WEDNESDAY, APRIL 20, 2022/CHAITRA 30, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 20 अप्रैल, 2022

का.आ. 1886(अ).—केंद्रीय सरकार पर्यावरण और वन विभाग के पूर्ववर्ती मंत्रालय में पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसमें इसके पश्चात ईआईए अधिसूचना, 2006 कहा गया है), परियोजनाओं की कतिपय प्रवर्ग के लिए पूर्व पर्यावरणीय मंजूरी आज्ञापक बनाने के लिए, संख्या का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की है।

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण (एसईआईए) का गठन प्रवर्ग ख के अधीन सभी प्रस्तावों के लिए पर्यावरण मंजूरी (ईसी) पर विचार और अनुदान के लिए प्रत्यायोजित शक्तियों का प्रयोग करने हेतु राज्य स्तर पर ईआईए अधिसूचना, 2006 के कार्यान्वयन के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन किया गया है;

और राज्य पर्यावरण समाघात निर्धारण प्राधिकरण ने पर्यावरण मंजूरी मूल्यांकन प्रक्रिया में पिछले पंद्रह वर्षों में पर्याप्त अनुभव प्राप्त किया है और राज्य स्तर पर पर्यावरण मंजूरी प्रस्तावों के कुशल और पारदर्शी निपटान के लिए परिवेश पोर्टल के माध्यम से पूरी तरह से ऑनलाइन कर दिया गया है;

और केंद्रीय सरकार राज्य स्तर पर मंजूरी की प्रसुविधा के लिए पर्यावरण मंजूरी प्रक्रिया को और विकेंद्रीकृत करना आवश्यक समझती है;

और आज की तारीख में, सुरक्षा भागीदारी के महत्वपूर्ण तत्वों के साथ राष्ट्रीय रक्षा और सामरिक महत्व से संबंधित प्रवर्ग ख की परियोजनाओं का राज्य स्तर पर भी मूल्यांकन किया जा रहा है, जिसे केंद्रीय सरकार राष्ट्रीय सुरक्षा चिंताओं को ध्यान में रखते हुए केंद्रीय रूप से मूल्यांकन करना आवश्यक समझती है;

अतः अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा को समाप्त करने के पश्चात्, लोकहित में भारत सरकार की तत्कालीन पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितम्बर, 2006, की अधिसूचना में निम्नलिखित और संशोधन करती है अर्थात्:-

उक्त अधिसूचना में-

(1) पैरा 4 में, उप-पैरा (iii) क) के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

(iii) क) राष्ट्रीय रक्षा या सामरिक या सुरक्षा महत्व से संबंधित हैं या जिन्हें केंद्रीय सरकार द्वारा संकटकाल जैसे महामारी, प्राकृतिक आपदाओं जैसी अत्यावश्यकताओं के कारण ऐसी प्रवर्ग 'ख' परियोजनाओं को अधिसूचित किया गया है या राष्ट्रीय कार्यक्रमों या स्कीमों या मिशन या ऐसी परियोजनाओं के अधीन पर्यावरण के अनुकूल क्रियाकलापों का संवर्धन करने के लिए जो इस अधिसूचना में यथा अधिकथित समय-सीमा से अधिक विलंबित हैं और समय-समय पर इस संबंध में यथा-अधिकथित मानदंडों को पूरा करती हैं, उन्हें केंद्रीय स्तर पर प्रवर्ग 'ख' परियोजनाओं के रूप में विचार किया जाएगा;

(2) अनुसूची में, -

(i) मद 1(क) के सामने, -

(क) स्तंभ (3) में, -

(क) गैर-कोयला खनन पट्टे के संबंध में "> 100 हेक्टेयर खनन पट्टा क्षेत्र" के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्: -

"कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में >250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) ">150 हेक्टेयर" प्रतीक, अंक और अक्षर के स्थान पर, "> 500 हेक्टेयर" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) स्तंभ (4) में, -

(क) गैर-कोयला खनन के संबंध में <100 हेक्टेयर खनन पट्टा क्षेत्र के स्थान पर,

पट्टा", निम्नलिखित रखा जाएगा, अर्थात्: -

"लघु खनिज खनन पट्टों के संबंध में सभी खनन पट्टा क्षेत्र और कोयले के अलावा अन्य प्रमुख खनिज खनन पट्टे के संबंध में <250 हेक्टेयर खनन पट्टा क्षेत्र";

(ख) "<150 हेक्टेयर" के प्रतीकों, अंकों और अक्षरों के स्थान पर "<500 हेक्टेयर" के प्रतीक, अंक और अक्षर रखे जाएंगे;

(ii) मद 1(ग) के सामने, -

(क) स्तंभ (3) में, -

(क) क्रम संख्या (i) में, "> 50 मेगावाट, प्रतीकों, अंकों और अक्षरों के स्थान पर "> 100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) और उससे संबंधित प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, -

(क) क्रम संख्या (i) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(ख) क्रम संख्या (ii) में, -

(I) "और <50,000 हेक्टेयर" शब्द, प्रतीक और अंक का लोप किया जाएगा;

(II) बिंदु (ग) में सारणी में, "से <50,000" शब्द, प्रतीक और अंक का लोप किया जाएगा; ।

(ग) स्तंभ (5) में, क्रम संख्या (ii) के पश्चात, निम्नलिखित क्रम संख्या अंतःस्थापित किया जाएगा, अर्थात् :-

"(iii) अंतर-राज्यीय मुद्दों से संबंधित सिंचाई परियोजनाओं का मूल्यांकन केंद्रीय स्तर पर श्रेणी में परिवर्तन के बिना किया जाएगा";

(iii) मद 1(घ) के सामने,-

(क) स्तंभ (3) में, "> 50 मेगावाट" प्रतीकों, अंकों और अक्षरों के स्थान पर, "> 100 मेगावाट" प्रतीकों, अंकों और अक्षरों को रखा जाएगा;

(ख) स्तंभ (4) में, "<50 मेगावाट" प्रतीक, अंक और अक्षर के स्थान पर, "<100 मेगावाट" प्रतीक, आंकड़े और अक्षर रखे जाएंगे;

(iv) मद 2(क) के सामने, -

(क) स्तंभ (3) में, ">1" प्रतीकों और अंक के स्थान पर, ">2.5" प्रतीकों और अंक को रखा जाएगा;

(ख) स्तंभ (4) में, "<1" प्रतीकों और अंक के स्थान पर, "< 2.5" प्रतीक और अंक रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात्: -

"खनन पट्टा क्षेत्र के भीतर स्थित धुलाई मशीनों के साथ एकीकृत कोयला खनन परियोजनाओं को कोयला खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार केंद्रीय स्तर या राज्य स्तर पर, यथास्थिति, विचार किया जाना जारी रहेगा";

(v) मद 2 (ख) के सामने, -

(क) स्तंभ (3) में, विद्यमान प्रविष्टियों का लोप किया जाएगा;

(ख) स्तंभ (4) में, "<0.5 मिलियन टीपीए का उत्पादन" प्रतीक, अंक, शब्द और अक्षर के स्थान पर, "सभी खनिज परिष्करण परियोजना, परिष्करण की प्रक्रिया पर ध्यान दिए बिना" शब्द रखे जाएंगे;

(ग) स्तंभ (5) में, विद्यमान पैरा के पश्चात, निम्नलिखित पैरा रखा जाएगा,

अर्थात्: -

"भीतर स्थित लाभकारी संयंत्रों के साथ एकीकृत खनन परियोजनाएं खनन पट्टा क्षेत्र पर केन्द्रीय स्तर पर विचार किया जाता रहेगा या यथास्थिति, राज्य स्तर, खनन परियोजनाओं के लिए विद्यमान सीमा के अनुसार।";

(vi) मद 7 (क) के सामने,-

(क) स्तंभ (3) में, "सभी परियोजनाओं" शब्दों के स्थान पर "सभी नई परियोजनाएं" शब्द रखे जाएंगे;

(ख) स्तंभ (4) में, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्: -

"सभी विस्तार परियोजनाएं, जिनमें हवाई पट्टियां भी सम्मिलित हैं, जो वाणिज्यिक उपयोग के लिए हैं।"

[फा. सं. आईए 3-22/10/2022-आईए. III]

डॉ. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड III, उप-खंड (ii), संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 1807(अ), तारीख 12 अप्रैल, 2022 द्वारा अंतिम संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 20th April, 2022

S.O. 1886(E).—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification, 2006), vide number S.O.1533 (E), dated the 14th September, 2006 for mandating prior environmental clearance for certain category of projects;

And whereas, the State Environment Impact Assessment Authorities (SEIAAs) have been constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for implementation of the EIA Notification, 2006 at State level for exercising delegated powers to consider and grant Environmental Clearance (EC) for all proposals under Category B;

And whereas, the SEIAAs have gained substantial experience over the past fifteen years in the EC appraisal process and the process at the State level has also been made completely online through the PARIVESH portal for efficient and transparent disposal of EC proposals;

And whereas, the Central Government deems it necessary to further decentralise the EC process for facilitating clearances at State level;

And whereas, as on date, category 'B' projects, relating to national defence and strategic importance with significant element of security involvement are also being appraised at the State level which, the Central Government deems it necessary to be appraised centrally taking into account national security concerns;

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

In the said notification,-

(1) in paragraph 4, for sub-paragraph (iii a), the following shall be substituted, namely:-

(iii a) Such Category 'B' projects, relating to the National defence or strategic or security importance or those as notified by the Central Government on account of exigencies such as pandemics, natural disasters or to promote environmentally friendly activities under National Programmes or Schemes or Missions or such projects which are inordinately delayed beyond the stipulated timeline as laid down in this notification and also meet the criteria as laid down in this regard from time to time, shall be considered at the Central level as Category 'B' projects;

(2) in the Schedule,-

(i) against item 1(a),-

(a) in column (3),-

(A) for ">100 ha. of mining lease area in respect of non-coal mining lease", the following shall be substituted, namely:-

">250 ha mining lease area in respect of major mineral mining lease other than coal";

(B) for the symbol, figures and letters "> 150 ha", the symbol, figures and letters "> 500 ha" shall be substituted;

(b) in column (4),-

(A) for "≤ 100 ha of mining lease area in respect of non-coal mine lease", the following shall be substituted, namely:-

"All mining lease area in respect of minor mineral mining leases and ≤ 250 ha mining lease area in respect of major mineral mining lease other than coal";

- (B) for the symbols, figures and letters “ ≤ 150 ha”, the symbols, figures and letters “ ≤ 500 ha” shall be substituted;
- (ii) against item 1(c),—
- (a) in column (3),—
- (A) in serial number (i), for the symbols, figures and letters “ ≥ 50 MW”, the symbols, figures and letters “ ≥ 100 MW” shall be substituted;
- (B) serial number (ii) and the entries relating thereto shall be omitted;
- (b) in column (4),—
- (A) in serial number (i), for the symbol, figures and letters “ < 50 MW”, the symbol, figures and letters “ < 100 MW” shall be substituted;
- (B) in serial number (ii),—
- (I) the word, symbol and figures “and $< 50,000$ ha.” shall be omitted;
- (II) in point (c) in the table, the word, symbol and figures “to $< 50,000$ ” shall be omitted;
- (c) in column (5), after serial number (ii), the following serial number shall be inserted, namely:—
- “(iii) Irrigation projects involving Inter-State issues shall be appraised at Central level without change in category.”;
- (iii) against item 1(d),—
- (a) in column (3), for the symbols, figures and letters “ ≥ 50 MW”, the symbols, figures and letters “ ≥ 100 MW” shall be substituted;
- (b) in column (4), for the symbol, figures and letters “ < 50 MW”, the symbol, figures and letters “ < 100 MW” shall be substituted;
- (iv) against item 2(a),—
- (a) in column (3), for the symbols and figure “ ≥ 1 ”, the symbols and figures “ ≥ 2.5 ” shall be substituted;
- (b) in column (4), for the symbols and figure “ < 1 ”, the symbols and figures “ < 2.5 ” shall be substituted;
- (c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—
- “Integrated coal mining projects with washeries located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for coal mining projects.”;
- (v) against item 2 (b),—
- (a) in column (3), the existing entries shall be omitted;
- (b) in column (4), for the symbol, figures, words and letters “ < 0.5 million TPA throughput”, the words “All mineral beneficiation projects irrespective of the procedure for beneficiation” shall be substituted;
- (c) in column (5), after the existing paragraph, the following paragraph shall be inserted, namely:—
- “Integrated mining projects with beneficiation plants located within mining lease area shall continue to be considered at Central level or State level, as the case may be, as per the extant threshold for mining projects.”;
- (vi) against item 7 (a),—
- (a) in column (3), for the words “All projects”, the words “All new projects” shall be substituted;

(b) in column (4), the following shall be inserted, namely:—

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

[F. No. IA3-22/10/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section III, sub-section (ii), vide, number S.O. 1533(E), dated the 14th September, 2006 and was last amended, vide, the notification number S.O. 1807(E), dated the 12th April, 2022.