

**MINUTES OF THE 69<sup>TH</sup> MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 01<sup>ST</sup>, 02<sup>ND</sup> & 03<sup>RD</sup> APRIL, 2019**

The 69<sup>th</sup> meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand was held on 01<sup>st</sup>, 02<sup>nd</sup> & 03<sup>rd</sup> April, 2019 under the Chairmanship of Sh. K.P. Bhawsinka in the Conference Room at SEAC, Ranchi.

The following members were present :

1. Sri K.P. Bhawsinka - Chairman
2. Dr. B.K. Tewary - Member
3. Sri R.N. Singh - Member
4. Dr. V.P. Sinha - Member
5. Sri Y.K. Singh - Member
6. Sri S.P. Srivastava - Member
7. Sri U.P. Singh - Member
8. Sri Om Prakash - Member Secretary

Dr. R. V. Singh & Sri Mohan Sriram Bhagwat, Member, SEAC could not attend the meeting due to personal reason.

SEIAA forwarded 40 projects to review the EC granted earlier without getting proper requisite clearance from NBWL / SBWL. 10 out of the said projects have been taken up in a phased manner to discuss / appraise in the present meeting.

SEIAA forwarded various projects to the SEAC for the technical appraisal after the last SEAC meeting held on 14<sup>th</sup> & 15<sup>th</sup> March, 2019. These projects have been put up for discussions. Besides, these Projects, wherein PP's were asked to provide requisite informations / clarifications in SEAC earlier meeting, were also considered for appraisal. The Project Proponents have been asked to make technical presentation for the appraisal of their projects before the committee.

The following observations / recommendations were made during the presentation (Project -wise), as under:-

**Day 1 : April 01, 2019 [Monday]**

**A. Discussion on matter related to :**

- i. **Letter dated 14.03.19 of M/s JUIDCO Ltd regarding grant of permission to continue with work in (i) Convention Centre (ii) Civic Tower (iii) Ravindra Bhawan.**

The SEAC after a field visit and deliberation thereon, observed in the minutes of SEAC meeting held on 13<sup>th</sup> & 14<sup>th</sup> Aug 2018 that PP has carried out prohibited activity, which amounts to violation of E(P) Act, 1986 by under taking earth excavation work in entire area to a depth exceeding approximately 10 feet and thereby would attract penal action under the provisions thereof.

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Sand Mining is an important economic activity in the State. River sand forms a crucial raw material for the infrastructural development but excessive sand and gravel mining causes the degradation of river. As per "sustainable sand mining management Guideline, 2016 of MoEF & CC". The sustainable sand mining plan needs to be dynamic. It should include detailed study of the river and sources of sand and gravel, annual deposition factors, geomorphology, replenishment (sedimentation) and total potential of sand and gravel in the riverbed. Different geological studies like lithology of the catchment area, tectonic and structural behaviour of the rock, in addition to climatic factors. However, sedimentation yield (replenishment) will depend on the drainage area, mean annual run off and velocity of the flow of the river. Different formulas have been in use for calculating the sedimentation yield. Most important is Dandy and Boulton Formula. The application of annual replenishment concept is key to ensuring long term river channel stability as well as health of the aquatic and riparian habitats by allowing only sustainable volume of sand to be excavated. The annual production of sand from river bed will be less than the proved mineable reserve.

**d. Point no. 5**

**DSR related matter**

Majority of the projects could not be appraised due to non-availability of DSR of minor minerals including sand, as per the guidelines of MoEF & CC dated 25.07.18.

SEAC has been recommending in its meetings for organising joint meeting with SEIAA to find solution of non-availability of DSR / or DSR in proper format related problem. In view of Hon'ble NGT order dated 13.09.18 whereby function of DEIAA & DEAC has been suspended, it has been proposed to request Deptt. of Geology and Mines, Govt. of Jharkhand to resolve the DSR issue, if necessary, in joint meeting, so that the project can be appraised and recommended for EC, as per the prevalent Rules / Regulations.

**iii. Balkudra OCP (1.0 MTPA Normative & 1.3 MTPA Peak) of M/s Central Coalfield Ltd at Vill. : Balkudra, Dist. : Ramgarh (149.50 Ha).**

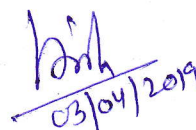
Balkudra OC is an existing old coal mining project of Central Coal Fields Ltd. The mine in the block was started by Railway since 1924.

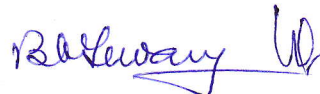
The South Karanpura Coalfield is located in the western part of the Damodar Valley and to the south of North Karanpura Coalfield. The Bhurkunda (SW) block is situated in the south eastern part of the South Karanpura Coalfield and occupies an area of 0.60 Sq. km. The Balkudra OCP falls within Bhurkunda (SW) block is under the administrative control of the Barka Sayal Area of CCL. The location of the mine falls within latitude and longitude of the project site is 23°39'00"N to 23° 41'00" N and 85°21'00"E to 85°23'00"E respectively. Adjoining block situated to the north and east is Bhurkunda. Sauda-D is situated to the north – west corner of the block. The Damodar River and its major tributaries are the prime source of water and these constitute the main drainage system of the area. The Kurse nala flowing westerly joins Nakari nala in the north east of the block.

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The nearest railway station is Bhurkunda station at a distance of 4 km on Gomoh-Dehri On Sone line via Barkakana loop line of Eastern railway. Ramgarh town is situated at a distance of 16 km from block, is the district headquarter.

The normative capacity of project is 1.0 million tonne per annum Normative & 1.3 million tonne per annum Peak over a project area of 149.50 Ha.

The balance geological reserve is Sayal – 2.73 million tonne, Upper Balkudra- 5.64 million tonne and Lower Balkudra- 3.65 million tonne grade and proposed mine life is 07 years. Mining will be undertaken by opencast method using shovel dumper combination. The project cost is Rs 5.80 Crores.

The ToR was granted by SEIAA vide letter no. EC/SEIAA/2016-17/1983/2016/60, dated 12.04.2017 and the final EIA & EMP was submitted by PP to SEIAA. The proposal was forwarded to SEAC by SEIAA on 17.11.2017.

The SEAC discussed the said project on 17-18.01.18 whereby the PP was requested to submit proper certificates from DFO & CO.

The PP was reminded vide SEAC letter no. 17 dated 25.01.18 regarding submission of proper CO certificate for whole of the areas and DFO certificate and requested the PP to take necessary action as per Forest (Conservation) Act, 1980, if the proposed land is found to be “Jangle Jhari” .

The SEAC reminded vide letter no. 37, dated 20.02.18 for submitting DFO & CO certificate and requested to take action for forest clearance, if the proposed land found to be “Jangle Jhari”. The PP submitted on 05.03.18 the same vague / incomplete certificate of DFO & CO. SEAC reminded the PP regarding submission of proper CO & DFO certificate and action taken report under Forest (Conservation) Act vide letter no. 40, dated 09.03.18 & letter no. 115, dated 17.07.18.

The PP submitted on 05.11.18 the CO certificate dated 11.08.17 & dated 05.02.18, DFO old certificate dated 01.08.17 and forest clearance online application (proposal no. FP/JH/MIN/36411 /2018) for diversion of 131.50 ha “Jangle Jhari” falling within the project site.

During the SEAC 64<sup>th</sup> meeting held on 04.12.18, the committee desired submission of –

- i. DFO proper certificate regarding distance from Notified Forest / National Park / Sanctuary / Eco Sensitive Zone & bio diversity
- ii. Revised Form-I & Pre-Feasibility Report (in the light of changed land status).

The SEAC vide letter no. 10, dated 11.01.19 requested the PP to submit the same in hard copy.

In the present meeting the project was discussed. The DFO certificate dated 01.08.17 is found to be not proper as the distance from RF/PF has not been certified. Besides, the DFO has mentioned in the said certificate dated 01.08.17 that elephants move adjoining the proposed mining site and that route be supposed to be Wildlife corridor.

Thus, the recommendation / approval of Chief Wildlife Warden, Jharkhand would be necessary for the requirement of mitigation plan.

In the revised Form- I submitted by the PP on 25.01.19, the status of land use totalling 149.50 ha, comprises of 18 ha non-forest land and 131.5 ha Jangle Jhari land. Besides, the PP has applied for diversion of Jangle Jhari (deemed forest) land (proposal no. FP/JH/MIN/36411 /2018).

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Earlier the TOR was provided on 12.04.2017, wherein the total project area of 149.50 Ha was shown as non-forest / non -Jangle Jhari land.

The PP has submitted the application for Forest Clearance but comments of Chief Wildlife Warden for "Wildlife Corridor" has not been submitted till date. The Committee requested the Member Secretary, SEAC to seek comments of Chief Wildlife Warden regarding "Wildlife Corridor" in the project area.

Once the requisite document viz DFO certificate (proper), comments of Chief Wildlife Warden etc. are submitted, SEAC would examine the project.

**B. Regarding review of EC granted earlier without getting proper clearance from NBWL / SBWL. The list is given below :**

- i. M/s Jai Mata Di Stone of Sri Ram Kumar Pandit, Vill. : Domchanch, Dist. : Koderma (0.37 Ha).
- ii. Domchanch Stone Mine of M/s Savita Stone, Vill. : Domchanch, Tehsil : Domchanch, Dist. : Koderma (0.62 Ha).
- iii. Purnadih Stone Quarry of M/s Bagmati Damodar Minerals and Agro Pvt Ltd., Vill. : Purnadih, Dist. : Koderma (0.15 Ha).
- iv. Domchanch Stone Mine of M/s Tarkeshwar Mehta, Vill. + P.O. : Domchanch, Dist. : Koderma (1.42 Ha).
- v. Stone Mine of Sri Sanjay Kumar Mehta, Vill. + P.O. : Domchanch, Dist. : Koderma (0.433 Ha).
- vi. Domchanch Stone Mine of Sri Manoj Kumar Mehta, Vill. : Domchanch, P.O. + P.S. Domchanch, Dist. : Koderma (1.11 Ha).
- vii. Stone Mine of M/s Savita Stone (Prop : Sri Prem Chand Lal Moti), Vill. : Domchanch, Tehsil : Domchanch, Dist. : Koderma (1.66 Ha).
- viii. Domchanch Stone Mine of Sri Manoj Kumar Mehta, Vill. : Domchanch, P.O. + P.S. Domchanch, Dist. : Koderma (1.38 Ha).

All the above mentioned projects (i to viii) were taken for discussion though the consultant namely Crystal Consultant (who was engaged for EC earlier) was present but all the proponents absent. On the request of the consultant next date was fixed for discussion.



- ix. Domchanch Stone Mine of M/s Kamal Prabhat Stone, Vill. + P.O. : Domchanch, Dist. : Koderma (2.226 Ha).

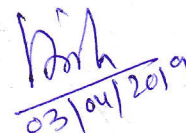
The EC was granted by SEIAA vide letter no. EC/SEIAA/2015-16/792/2015/1306, dated 17.08.2015. DFO, Koderma vide letter no. 1254, dated 31.05.11 certified that the distance of forest is 10 m from project site, as at that period 0 (zero) distance was permitted for renewal cases by SEIAA / SEAC.

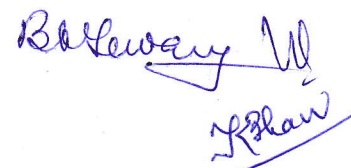
- x. Domchanch Stone Mine of Sri Gopal Kumar & Partners, Mouza : Domchanch, Thana : Domchanch, Dist. : Koderma (2.72 Ha).

The EC was granted by SEIAA vide letter no. EC/SEIAA/2014-15/450/2014/842, dated 30.04.2015.

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DFO, Koderma vide letter no. 1715, dated 06.08.14 certified that the distance of forest is 290 m from project site, as at that period 0 (zero) distance was permitted for renewal cases by SEIAA / SEAC.

For the above **two projects (ix & x)** both the PP's and the consultant "Sathi Planners Pvt. Ltd" were present.

It is observed as per the MoEF circular dated 07.10.14 that the then SEIAA has not considered the proper clearance from NBWL / SBWL.

SEAC finally decides that the proponents would submit a reply of the 09 points below :-

- a. The geological coordinates of the project area as per survey of India Topo sheet.
- b. Geo-Mining parameter of mine, if applicable.
- c. Details of court cases and the compliance status, if any.
- d. Details of water bodies, impact on drainage, if any.
- e. If a joint venture the names and address of the JV partners including their share.
- f. If the project involves diversion of forest land.
- g. If the project involves the National Board of Wild Life Clearance.
- h. If the project falls within 10 km of Eco Sensitive Zone and No Mining Zone Area.
- i. If any, statutory clearance required.

**Further, it was decided that this 09 points format be issued to all above cases (ix & x) to SEAC.**

**Once these filled up formats submitted by the proponents, SEAC will discuss.**

**Day 2 : April 02, 2019 [Tuesday]**

### **Consideration of Proposals**

#### **Agenda no. : 1**

##### **Stone Quarry at Baliapur of M/s Virbhan Das at Vill. – Baliapur, Dhanbad (0.89 Ha).**

EC awarded on 31.03.2014 based on the draft mining plan later approved mine plan submitted where in the figures of production is less than the approved mine plan. On scrutiny of the earlier files this anomaly was identified. The SEIAA opined to submit the production achieved for the each financial year.

The PP has submitted the DMO approved production plan which is below the target as per approved mine plan.

The distance from forest is not mentioned and as such the PP was advised to submit the DFO certificate regarding the distance of site from the nearest forest boundary.

**Once the PP provides the certificate, SEAC will examine the case.**

#### **Agenda no. 2**

##### **Taratand Stone Quarry of Sri Devendra Pd. Mehta at Vill. : Taratand, Domchanch, Koderma (0.761).**

The PP and the consultant presented the reasons for the difference in the production target in draft mining plan & approved mining plan. It is observed that the actual production certificate of last 5 years issued by the DMO is very less than the approved EC & mining plan.

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On scrutiny of the files the CO certificate regarding class of land (recorded as Jangle Jhari or not) and DFO certificate regarding distance of Forest / National Park / Bio-Diversity Park / Sanctuary sought by the committee. The PP agreed to submit the certificates in 10 days' time.

**Once the PP provides the certificates, SEAC will examine the case.**

### **Agenda no. 3**

**Bankuchia Stone Deposit of M/s K.K. Builders Pvt. Ltd. at Vill. : Bankuchia, Patamda, East Singhbhum (11.74 Ha).**

**(Proposal No. SIA/JH/MIN/63125/2017)**

It has been informed that a legal case running for this project. No DSR is available and even the proponent & consultant did not turn up.

As such the case is returned to SEIAA for necessary action.

### **Agenda no. 4**

**Nadbelwa Sand Mining Project on Sukri River of Sri Bali Yadav at Vill. – Nadbelwa, Manika, Latehar (13.05 Ha).**

Letter dated 01.04.19 of Sri Bali Yadav seeking withdrawal of EC application due to less distance of the notified forest area from the proposed area. As such this case is recommended to be withdrawn as per the request of PP.

Hence, the file is being returned to SEIAA for needful.

### **Agenda no. 5**

**Tepsa Stone Mine Project of Sri Raj Kishore Prasad at Vill. – Tepsa, Ichak, Hazaribagh (8.5 Ha).**

The project proponent has not attended the meeting. The committee recommends to defer this proposal to the next meeting.

### **Agenda no. 6**

**Nildaha Stone Mine Project of M/s Jamtara Traders at Vill. – Nildaha, Mihijam, Jamtara (5.87 Ha).**

The project proponent has not attended the meeting. The committee recommends to defer this proposal to the next meeting.

### **Agenda no. 7**

**Sand Mining Project at Banai River of M/s Anokha Ram at Vill.-Mahil&Ghaghra, Murhu, Khunti. (6.975 Ha)**

The project proponent & consultant have not attended the meeting. The committee recommends to defer this proposal to the next meeting as per request of the Consultant.

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## Agenda no. 8

**Barano Sand Deposit of M/s JSMDCLtd at Vill.- Barano, Thana & Block - Chalkusha Dist. – Hazaribagh, (5.241 Ha).**

The project proponent & consultant have not attended the meeting. The committee recommends to defer this proposal to the next meeting as per request of the Consultant.

## Agenda no. 9

**Pahartoli Sand Mining Project of Sri Anil Kumar Gupta at Vill. Pahartoli, Thana – Basia, Dist.- Gumla (5.66 Ha).**

The project proponent & consultant have not attended the meeting. The committee recommends to defer this proposal to the next meeting as per request of the PP.

## Agenda no. 10

**Rajbandh Stone Deposit of M/s Mandhan Mineral Corporation, Vill. : Rajbandh, Dist. : Pakur (6.677 Ha).**

**(Proposal No. SIA/JH/MIN/26292/2018)**

This is a Stone Mining Project with an area of 6.677 Ha [Plot No.- 20, 21, 581 (P), 583]. The latitude and longitude of the project site is 24° 35' 19.7" N to 24° 35' 30.1" N and 87° 50' 06.4" E to 87° 50' 00.9" E. The nearest railway station is Nagar-Nabi at a distance of 03 km in NE direction and the nearest airport is Malda at a distance of 61.11 km in NE direction. Total water requirement is 6.77 KLD (Drinking & Domestic uses : 2.07 KLD, Dust Suppression : 2.7 KLD, Green Belt : 2.0 KLD). Water will be drawn from nearby villages.

The indicated project cost is Rs 60 Lakh and a provision of Rs 6.00 Lakhs will be kept for Environment management.

The details of mine capacity as per Approved Mining Plan are

Mineable Proved Reserve	:	14,67,666 t
Mineable Probable Reserve	:	10,04,792 t

Year-wise Production as per Approved Mining Plan Report for five years is as follows

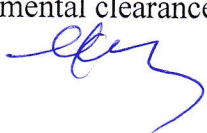
1 <sup>st</sup> Year	:	3,50,325 t
2 <sup>nd</sup> Year	:	3,84,615 t
3 <sup>rd</sup> Year	:	3,62,880 t
4 <sup>th</sup> Year	:	4,04,082 t
5 <sup>th</sup> Year	:	4,87,134 t

The production as per Form I is 4,87,134 tonnes per annum.

The CO, Pakur vide letter no. 1492, dated - 30.12.17 has mentioned the plot no. of the project site is not recorded as Jangal Jhari in Khatiyani & Register II and also mentioned the Interstate Boundary is 04 km from project site.

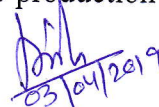
The PP and the consultant stated that this is a case of violation as production has been increased without obtaining environmental clearance.

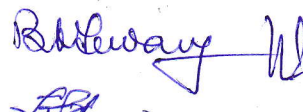
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- i. The mining lease was first granted in the name of Shri Suraj Lal in 1974 for 10 years. Subsequently the lease was renewed from time to time.
- ii. After the death of Shri Suraj Lal in the year 1997, the lease was transferred in the name of Shri Suresh Kumar , S/o Late Shri Suraj Lal on 13<sup>th</sup> November, 1999.
- iii. Lease renewal was granted in the name of Shri Suresh Kumar (lease holder and partner of M/s Mandhan Minerals Corporation) on 21.12.2005 for a period of ten years from 19.04.2004 to 18.04.2014.
- iv. The lease has applied for renewal of mining lease to the competent authority of State Govt. before its expiry date.
- v. Mining was commenced in the area since 1974 and was continued till April 2014.
- vi. This is case of violation as production has been increased without obtaining environmental clearance.
- vii. This project was submitted to the EAC, MoEF&CC, New Delhi and ToR was accorded on 22.01.2015
- viii. Public Hearing has been conducted on 11.09.2016 & final EIA was submitted on 11.02.2017.
- ix. Further, project was considered in 16<sup>th</sup> meeting held during March 20-21, 2017.
- x. In the meantime notice has been received from MoEF & CC dated 22.05.2017 in which it was asked to submit fresh application in violation portal as this is the case of violation.
- xi. Accordingly proposal has been submitted on violation portal dated 21.08.2017.
- xii. Since, this is a B category project & thus EAC (violation) forwarded to SEIAA / SEAC for appraisal.

In the above circumstances the PP has requested for issuance of ToR since its a violation case.

SEAC has the following observations which needs to be complied / responded :

- i. Though the lease renewal application has been made before expiry but lease has expired in 2014. This needs proper clarification with documentary evidences.
- ii. In these years, the PP has produced without proper EC and thus has violated the E (P) Act, 1986.
- iii. As per the present violation norms vide MoEF & CC notification S.O. 1030 (E), dated 08.03.18 the estimation of the damage cost, rehabilitation cost etc. has to be evaluated by NABET accredited consultant.
- iv. PP should submit document, when he applied for ToR to MoEF.
- v. It is further observed that the site has another stone mines within 500 m and as such cluster situation exists.
- vi. The DMO, Pakur vide memo no. 574, dated 01.04.19 regarding DSR has been submitted which states that in the 1<sup>st</sup> DSR of minor minerals of Pakur district this site was not included. However, proposed to include this in the upcoming DSR.
- vii. DFO, Pakur vide letter no. 356, dated - 16.03.16 certified that the distance of notified forest is 250 m and not within 10 km from National Park, Bio-Diversity & Sanctuary from the project site, which needs a formal original certificate has to be submitted.

**SEAC opines that once all the above requisite clarifications / documents submitted, project will be examined further**

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## Agenda no. 11


**Khokha Sand Mining Project located on river bed of Son River of M/s Ganga Kaveri Construction Pvt Ltd at Vill. : Khokha, Anchal : Kharaundhi, Dist. : Garhwa (23.00 Ha)**

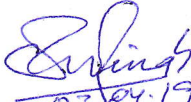
In the meeting of SEAC this project proposal was recommended to SEIAA for issuance of ToR. SEIAA in its 69<sup>th</sup> MOM dated 23.03.19 returned the proposal saying that the annual production capacity of sand is equal to the estimated mineable reserve. The rate of annual replenishment needs to be addressed properly.


In this meeting the proponent & the consultant explained that a corrigendum will be submitted to reduce the annual production target.

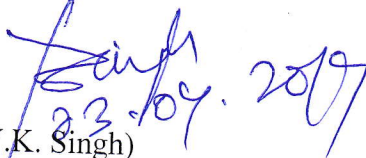
**Once this clarification is received SEAC will examine the proposal.**

**The meeting concluded with thanks to all present.**


  
(Dr. B.K. Tewary)  
Member

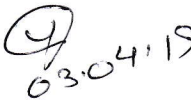
  
(R. N. Singh)  
Member


  
(Dr. V.P. Sinha)  
Member

  
(Y.K. Singh)  
Member

(S. P. Srivastava)  
Member

  
(U. P. Singh)  
Member

  
(Om Prakash)  
Member Secretary

  
(K.P. Bhawsinka)  
Chairman