

Minutes of the 71st meeting of State level Environment Impact Assessment Authority, Jharkhand, held on 07th May, 2019.

The 71st meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 07/05/2019 in the office of SEIAA, Ranchi. The meeting was chaired by Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand. The attendance in the meeting was as follows:-

1. Shri S.E.H. Kazmi, Chairman, SEIAA, Jharkhand, Ranchi.
2. Shri Kamlesh Pandey, Member Secretary, SEIAA, Jharkhand, Ranchi.
3. Shri S.C. Narayan, Member, SEIAA, Jharkhand, Ranchi.

The decisions taken in the 71st SEIAA meeting are as follows:-

1. Discussion on matter related to 70th meeting of SEAC held on 29th and 30th April, 2019.

i. DSR related matter- Regarding..

The Authority examined the recommendations made by SEAC and it was observed that SEAC, Jharkhand has strongly argued that as per Hon'ble NGT order dated 13.09.2018 & dated 11.12.2018 and MoEF & CC, OM dated - 12.12.2018 DSR is mandatory for appraisal of the Minor Minerals projects.

After full deliberations it was unanimously decided that the above matter will be considered in the next meeting after receipt of clarification on following points.

- a. SEAC, Jharkhand may quote and provide inscription records in the light of Hon'ble NGT order dated 13.09.2018 & dated 11.12.2018 and MoEF & CC, OM dated - 12.12.2018 wherein it has been mentioned that DSR is mandatory for the appraisal of the minor minerals projects.
- b. SEIAA Shall obtain legal opinion from retainer whether the demand of DSR, after the suspension of the notification dated 15.01.2016 by Hon'ble NGT, is legally correct or not.

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

The Authority considered the recommendations made by SEAC wherein SEAC has recommended that the distance from forest land should be verified by the conservator or the Regional Chief Conservator of Forest.

Hence after full deliberations it was unanimously decided to request Regional Chief Conservator of Forest, Jamshedpur to certify the contents of the Letter Number - 3925 dated 19.11.2015 and Letter Number- 3505 dated- 21.08.2017 of DFO, Jamshedpur regarding distance from forest land, distance from PA and Status as per Eco sensitive zone notification of Dalma Wildlife, Sanctuary.

iii. Kawabar Stone Mine Project of Sri Binod Kumar, Vill. : Kawabar, Dist: Koderma (0.81 Ha).

The authority examined the recommendations made by SEAC and it was found that Environmental Clearance was granted by then SEIAA to the above project on the basis of recommendations of then SEAC.

SEAC has recommended that SEIAA may take appropriate legal action in retrospective effect in the light of recommendation made by SEAC in its 49th meeting held on 16th-17th October, 2017.

Hence after full deliberations it was unanimously decided that legal opinion may sought from legal retainer whether the present criteria can be implemented with retrospective effect.

2. SEIAA considered the recommendations made by SEAC in its 70th meeting held on 29th and 30th April, 2019 for grant of ToR of the following project:-

i. 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), Jharkhand (Proposal No. SIA/JH/MIN/ 77868/2018).

It was decided to grant ToR to the above mentioned project proposal with the conditions recommend by SEAC along with following additional conditions as decided by SEIAA in its 65th meeting held on 07th January, 2019 in the light of Hon'ble NGT order dated 13.09.2018 and MoEF & CC O.M. dated - 12.12.2018.

- a. Providing for EIA, EMP and therefore public consultation for all areas from 5 to 25 Ha falling under category B-2 at par with category B-1 by SEIAA/SEAC as well as for cluster situation wherever it is not provided;
- b. Form-1M be made More comprehensive for areas of 0 to 5 Ha by dispensing with the requirement for public consultation to be evaluated by SEAC for recommendation of grant of EC by SEIAA instead of DEIAA/DEAC;
- c. If a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior Environmental Clearance.
- d. EIA and /or EMP be prepared for the entire cluster in terms of recommendations 5 (supra) of the guidelines for the purpose of recommendations 6, 7 and 8 thereof;
- e. Revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment after mining closure in an area;
- f. The MoEF & CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined- out areas along with the Net present value of Ecological services forgone because of illegal or unscientific mining.

3. Decision on matter related to –

- i. **(a) Dangawar (b) Ranideva (c) Dewarikala (d) Badepur (e) Birdhwar & Kolhua Sand Mining Project of Sri Upendra Singh, Dist. Palamu.**

The District Mining Officer, Palamu has reported that project proponent has violated the certain conditions of Environmental Clearance.

Hence after full deliberations it was unanimously decided that Member Secretary, SEIAA is authorised to conduct hearing for collecting the proof and outcome of hearing may put up before SEIAA for final decision

- ii. **Dumraon Stone Deposit of Shri Rajesh Kumar Mehta at Village- Dumraon, P.S.- Ichak, Dist- Hazaribagh, Jharkhand (1.21 Ha).**

The District Mining Officer, Hazaribagh has reported that project proponent has violated the certain conditions of Environmental Clearance.

Hence after full deliberations it was unanimously decided that Member Secretary, SEIAA is authorised to conduct hearing for collecting the proof and outcome of hearing may put up before SEIAA for final decision.

- iii. **Hon'ble NGT order dated – 29.04.2019 in OA No. – 837/2018 Sandeep Mittal Vs Ministry of Environment, Forest and Climate Change &Ors. regarding..**

The Authority considered the above order of Hon'ble Tribunal in letter and spirit and it was decided unanimously that legal opinion should be obtained from the retainer in this matter, in which way the above order affects SEIAA, Jharkhand and what action is required from the SEIAA, Jharkhand level?

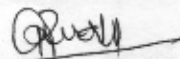
- iv. **Clarification on DFO Format given in 67th meeting of SEIAA held on 08.02.2019.**

The typing error has been found / identified in Serial No. 3 & 6 of Para E (IV) whereby DFO format has been issued by SEIAA in its 67th meeting held on 08.02.2019. In Serial No. 3 "ने ालन" should be read as नेशनल and Serial No. 6 "प्रबधित" should be read as प्रतिबधित, the decision has been deemed modified to such extent.

The meeting concluded with vote of thanks to the Chairman.



**Member
SEIAA**



**Member – Secretary
SEIAA**



**Chairman
SEIAA**