

**Minutes of the 73<sup>rd</sup> meeting of State level Environment Impact Assessment Authority, Jharkhand held on 03<sup>rd</sup> June, 2019.**

The 73<sup>rd</sup> meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 03/06/2019 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 73<sup>rd</sup> SEIAA meeting are as follows:-**

In view of NGT order dated – 29.04.2019 in OA-476/2018(EZ) and continuous request of M/s JSMDCLTD. (Government Project) to avoid the crisis of sand in the Jharkhand state leading to hampering/delaying of developmental projects. SEIAA, Jharkhand decided that only government projects will be considered in this meeting on priority basis:

1. Discussion on matters related to 72<sup>nd</sup> meeting of SEAC held on 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> & 30<sup>th</sup> May, 2019.

- i. Integrated Municipal Solid Waste Management Facility for Ranchi Municipal Corporation, Vill. : Jhiri, Kanke, Dist. : Ranchi.

**It was decided to grant ToR to the above mentioned project proposal with the conditions recommended by SEAC.**

2. SEIAA considered the recommendations made by SEAC in its 72<sup>nd</sup> meeting held on 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> & 30<sup>th</sup> May, 2019 for grant of ToR to the following projects:-

- i. Bhowra River Bed Sand Mining Project in Damodar River of M/s JSMDCLTD. at Vill.-Bhowra, Dist. – Dhanbad (12.00 Ha).

The Authority examined the recommendations made by SEAC where by SEAC has recommended to grant ToR subject to submission of revised CO certificate stating applied plot number is not recorded as “Jungal Jhari” in the Khatiyani or Register-II.

The Authority examined the records available in the file and found that CO, Jharia has issued the certificate vide letter no. – 996, dated – 06.10.2018 with respect to DMO letter no. – 1919/एन, Dhanbad – 03.10.2018 and in DMO, Dhanbad letter has mentioned the applied plot no., which itself clarified that CO, Jharia had issued the certificate to the favour of applied plot no.

Hence after full deliberations it was unanimously decided to grant ToR to the above mentioned project proposal with the conditions recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, O.M. dated : 12.12.2018 as recommended by SEAC:-

- 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.
- ii. Lohapatti River Bed Sand Mining Project in Damodar River of M/s JSMDCLtd. at Vill.-Lohapatti, Tehsil - Baghmara, Dist. – Dhanbad (16.00 Ha).

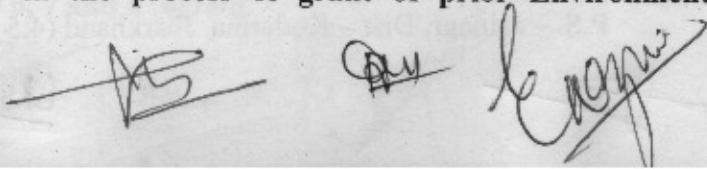
It was decided to grant ToR to the above mentioned project proposal with the conditions recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, O.M. dated : 12.12.2018 as recommended by SEAC:-

- 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. SEIAA considered the recommendations made by SEAC in its 72<sup>nd</sup> meeting held on 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> & 30<sup>th</sup> May, 2019 for grant of Environmental Clearance to the following projects:-
- Phulsahari Sand Ghat of M/s JSMDC Ltd. at Vill. : Phulsahari, P.O. : Kendghata, Panchayat : Kusumghata, Block & P.S. : Masalia, Dist. : Dumka (4.00 Ha).
  - Kusumghata Sand Mine of M/s JSMDC Ltd. at Vill. : Kusumghata, P.S. : Tongra, Dist. : Dumka (4.25 ha).
  - Jugtopa Sand Mining of M/s JSMDC Ltd. at Village – Jugtopa, P.S. – Karaon, Dist – Deoghar (3.64 Ha).
  - Tetariyatanr Sand Mining Project of JSMDC Ltd. at Village – Teraiyatanr, P.S. – Karaon, Dist – Deoghar (4.82 Ha).
  - Biree Sand Mining Project of M/s JSMDC Ltd. at Village – Biree, P.S. – Chainpur, Dist – Gumla (4.00 Ha).
  - Keradih Sand Mining Project of M/s JSMDC Ltd. at Village – Keradih, P.S. – Raidih, Dist – Gumla (4.00 Ha).
  - Raniganj Sand Mining of M/s JSMDC Ltd. at Village – Raniganj, P.S. – Sarath, Dist – Deoghar (2.4 Ha).
  - Lathbedhwa Sand Ghar of M/s JSMDC Ltd. at Village – Lathbedhwa, P.O. – Sharmatand, Anchal & P.S. – Jainagar, Dist – Koderma, Jharkhand (4.00 Ha).
  - Larango Sand Mining Project of M/s JSMDC Ltd. at Village – Larango, P.S. – Sisai, Dist – Gumla (4.80 Ha).
  - Pandaniya Sand Ghat of M/s JSMDC Ltd. at Village – Pandaniya, P.S. – Margomunda, P.S. – Margomunda, Dist – Deoghar (3.89 Ha).
  - Soro (Jorgodih) Sand Ghat of M/s JSMDC Ltd. at Village- Soro (Jorgodih), Tehsil & P.S- Ichagarh, Dist. : Saraikela- Kharsawan (4.90 Ha).

It was decided to grant Environmental Clearance to the above mentioned project proposals with the conditions (with minor change) recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC O.M. dated : 12.12.2018 as recommended by SEAC:-

- 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.
- 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.
- 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.



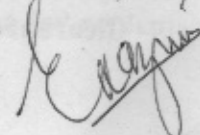
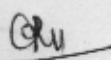
- d. EIA and/or EMP be prepared for the entire cluster in terms of recommendations 5 (supra) of the guidelines for the purpose of recommendations 6, 7 and 8 thereof.
  - e. Revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment 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.
- xii. Basatpur & Maljhar Sand Mining of M/s JSMDCLtd. at Village - Basatpur&Maljhar, P.S. - Deoghar, Dist - Deoghar (4.57 Ha).

The Authority examined the recommendation made by SEAC whereby SEAC has recommended to grant Environmental Clearance subject to submission of revised DFO certificate of plot no. 145 as per 67<sup>th</sup> meeting of SEIAA.

The said information has been made available to the Authority, hence after full deliberations it was unanimously decided to grant Environment Clearance with the conditions (with minor change) recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, O.M. dated : 12.12.2018 as recommended by SEAC:-

- 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.

- xiii. Parsabad and Ghat of M/s JSMDCLtd. at Village - Parsabad, P.O. - Parsabad, P.S. - Jainagr, Dist - Koderma, Jharkhand (4.5 Ha Ha).



Telephonic request of Shri OM Prakash, Member Secretary, SEAC followed by his letter no. 124, dated – 03.06.2019 through which Member Secretary, SEAC has requested not to grant the Environmental Clearance to the above mentioned project proposal as the project lies within 60 meter from notified forest.

Project proponent has submitted its representation vide letter no.- 902, dated – 03.06.2019 through which project proponent has requested to reconsider the project.

Hence after full deliberations it was unanimously decided that above project proposal file should be transferred to SEAC for appropriate action.

- xiv. Ghorighat Sand Ghat of M/s JSMDCLtd. at Village – Ghorighat, P.S. – Pratappur, Dist – Chatra (3.24 Ha).

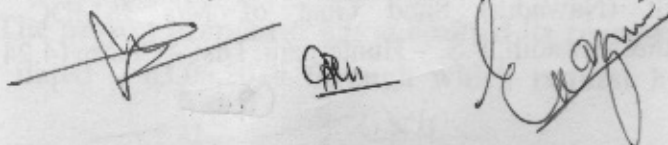
The Authority examined the recommendations made by SEAC whereby SEAC has recommended to grant Environmental Clearance subject to submission of revised CO certificate as to whether applied plot number is not recorded as “Jungal Jhari” in the Khatiyani or Register part-II.

The Authority examined the records available in the file and found that CO, Pratappur, Chatra has issued the certificate vide letter no. – 111, dated – 13.03.2019 wherein it has been clearly mentioned that as per Khatiyani the applied plot number is mentioned as “NADI” in reply of question asked by DMO, Chatra whether the land in question is recorded as “Jungal Jhari” or not in Govt. record.

Project proponent has also requested vide letter no. 902, dated – 03.06.2019 that he will submit clarification letter from CO, Pratappur within a week.

Hence after full deliberations it was unanimously decided to grant Environmental Clearance to the above mentioned project proposal with the conditions (with minor change) recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon’ble NGT order dated : 13.09.2018 and MoEF & CC, O.M. dated : 12.12.2018 as recommended by SEAC:-

- 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.
- xv. Navatand Sand Deposit of M/s JSMDCLTD. at Village – Navatand, P.S. – Barkagaon, Dist – Hazaribagh (4.14 Ha).

The Authority examined the recommendations made by SEAC to grant Environmental Clearance to the above mentioned project proposal and it was observed that approved mine plan and recommendation of SEAC has allowed to excavate equal sand with respect to annual estimated mineral reserve mentioned in approved mine plan. Authority also observed that approved mine plan has not properly addressed the annual rate of replenishment as per Sustainable Sand Mining Guidelines, 2016 of the MoEF & CC.

Hence after full deliberations it was unanimously decided to grant Environmental Clearance lesser than 10% of annual and daily production mentioned in AMP to the above mentioned project proposal with the conditions (with minor change) as recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC, O.M. dated : 12.12.2018 as recommended by SEAC:-

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- 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.

- xvi. Garhkedali (Nawadih) Sand Ghat of M/s JSMDCLTD. at Village – Garhkedali&Nawadih, P.S. – Hunterganj, Dist – Chatra (4.24 Ha).

- xvii. Banki Sand Ghat of M/s JSMDCLtd. at Village – Banki, P.S. – Hunterganj, Dist – Chatra (3.74 Ha).
- xviii. Lohsighna Khurd Sand Ghat of M/s JSMDCLtd. at Village – Lohsighna, P.S. – Hunterganj, P.S. – Hunterganj, Dist – Chatra (4.14 Ha).

The Authority examined the recommendations made by SEAC whereby SEAC has recommended to grant Environmental Clearance subject to submission of revised DFO certificates stating applied plot number of above project proposals.

The said information has been made available to the Authority, hence after full deliberations it was unanimously decided to grant Environmental Clearance to the above mentioned project proposal with the conditions (with minor change) recommended by SEAC alongwith following additional conditions as decided by SEIAA in its 65<sup>th</sup> meeting held on 07.01.2019 in the light of Hon'ble NGT order dated : 13.09.2018 and MoEF & CC O.M. dated : 12.12.2018 as recommended by SEAC:-

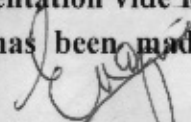
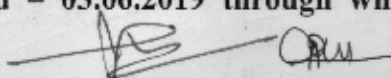
- a. Providing for EIA, EMP and therefore public consultation for all areas from 5 to 25 Ha falling under category B-2 at par with category B-1 by SEIAA/SEAC as well as for cluster situation wherever it is not provided.
- b. Form-1M be made more comprehensive for areas of 0 to 5 Ha by dispensing with the requirement for public consultation to be evaluated by SEAC for recommendation of grant of EC by SEIAA instead of DEIAA/DEAC.
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- 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.

4. SEIAA considered the recommendations made by SEAC in its 72<sup>nd</sup> meeting held on 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> & 30<sup>th</sup> May, 2019.

- i. Bhartidih Sand Mining of M/s JSMDCLtd. at Village – Bhartidih, P.S. – Devipur, Dist – Deoghar (4.65 Ha).

The Authority examined the recommendations made by SEAC whereby SEAC has recommended that EC could not be recommended to the above project proposal as the project does not meet the distance criteria to the forest land.

The project proponent has submitted its representation vide letter no. – 902, dated – 03.06.2019 through which request has been made to



reconsider the project as the mining activity shall undertake leaving 20 meter more which lead to a distance of 250 meter from the notified forest.

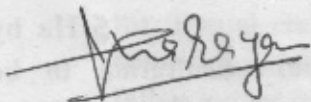
Hence after full deliberations it was unanimously decided that the submitted request letter no. 902, dated – 03.06.2019 of project proponent and file should be forwarded to SEAC for appropriate action.

- ii. Dhobiyapahari Sand Deposit of M/s JSMDCLtd. at Village – Dhobiyapahari, Thana – Barhi, Dist – Hazaribagh, Jharkhand (4.78 Ha).

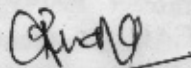
The Authority examined the recommendations made by SEAC whereby SEAC has recommended that EC could not be recommended to the above mentioned project as the distance of nearest forest land is only 10 meter.

Hence after full deliberations it was unanimously decided that decision of SEAC, Jharkhand in this regard is final.

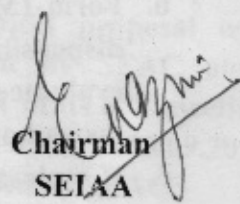
The meeting concluded with vote of thanks to the Chairman.



Member  
SEIAA



Member-Secretary  
SEIAA



Chairman  
SEIAA