

MINUTES OF THE 106TH MEETING OF STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, JHARKHAND HELD ON 03RD and 04TH JULY, 2023.

The 106th meeting of the State Level Environment Impact Assessment Authority (SEIAA) was convened on 03rd & 04th July, 2023 in the office of SEIAA, Ranchi under the chairmanship of Shri S.E.H. Kazmi, SEIAA, Jharkhand. The attendance in the meeting is as follows:

1. **Shri S.E.H. Kazmi, Chairman.** SEIAA, Jharkhand, Ranchi.
2. **Shri Ashok Kumar, Member Secretary.** SEIAA, Jharkhand, Ranchi.
3. **Shri Amar Nath Verma, Member.** SEIAA, Jharkhand, Ranchi.

The decisions taken in the 106th SEIAA meeting are as follows:-

1. **SEIAA considered the recommendations made by SEAC in its 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for approval of District Survey Report (DSR) of Sand of the following district:**

1. **District Survey Report (Sand) of Ranchi district**

After Technical presentation before SEAC and appraisal of DSR, the unanimous recommendation was sent to SEIAA for approval of District Survey Report (Sand) of **Ranchi district**.

In the light of the recommendation of SEAC for approval of District Survey Report (Sand) of **Ranchi district**, the same was considered in the 106th meeting of SEIAA, Jharkhand on 03.07.2023 and 04.07.2023.

The SEIAA, unanimously, decided to approve the District Survey Report of Sand mineral of **Ranchi district** on the basis of recommendation of SEAC in the light of Environment & Monitoring Guidelines for Sand Mining 2020 / Hon'ble Apex Court order in Civil Appeal No. 3661-3662/2020. Pawan Kumar Vs State of Bihar & Hon'ble NGT Order in OA No. 54/2022/EZ. Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti Vs State of Jharkhand & Ors. It was also decided that a copy of approved District Survey Report of **sand** should be sent to the concerned Deputy Commissioner for necessary action.

2. **SEIAA considered the recommendations made by SEAC in its 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of Environmental Clearance to the following Minor Minerals projects:**

- I. **Prasbani Stone Mine of M/s S.L. Enterprises** (Partners : Shri Lalji Sahu & Shri Sarfaraz Ahmad). Mauza : Prasbani. Thana : Nawadih. Thana no. : 97. Sub – Division : Rampur. Distt. : Bokaro. Jharkhand (1.63 Ha) (Proposal No : SIA/JH/MIN/432725/2023).
- II. **Gasedag Stone Mine of M/s Trideo Stone Mines**, Mauza : Gasedag. Thana : Ranka. Thana no. : 105. Distt. : Garhwa. Jharkhand (2.80 Ha) (Proposal no. : SIA/JH/MIN/432426/2023).

- III. **Barakotha Stone Mine of M/s Barakotha Stone Mines** (Partners : Shri Ajit Anand & Shri Jatu Pahariya). Village : Barakotha. Panchayat : Babupur. Block : Boarijor. P.O. : Lohandia Bazar. P.S. : Lalmatia. Distt. : Godda. Jharkhand (1.008 Ha) (Proposal No : SIA/JH/MIN/432631/2023).
- IV. **Putkadih Stone Deposit of M/s Jharkhand Stone Works** (Partners : Shri Radha Nath Soren & Shri Somar Nayak). Mauza : Putkadih. P.O. : Putkadih. Thana : Petarwar. Distt. : Bokaro. Jharkhand (0.81 Ha) (Proposal No : SIA/JH/MIN/432342/2023).
- V. **Bhalsumbhiya Stone Mine of M/s Dilip Buildcon Limited (Bhopal)**, Mauza : Bhalsumbhiya. Thana no. : 190. Thana : Bhalsumbhiya. Distt. : Godda. Jharkhand (2.43 Ha) (Proposal No : SIA/JH/MIN/433134/2023).
- VI. **Bhatondha Stone Mine of M/s Dilip Buildcon Limited**, Mauza : Bhatondha. P.S. : Podaiyahat. Distt. : Godda. Jharkhand (3.00 Ha) (Proposal No : SIA/JH/MIN/432892/2023).
- VII. **Salbona Pahar Stone Mine of Smt. Mini Hansda**, Mauza : Salbona Pahar. Thana no. : 07. Thana : Shikaripara. Distt. : Dumka. Jharkhand (1.87 Ha) (Proposal No : SIA/JH/MIN/433228/2023).
- VIII. **Dhurandharpur Stone Mine of M/s Jai Maa Tara Stone** (Partners : Shri Sunil Kumar Jha & Shri Diwakar Yadav). Mauza : Dhurandharpur. Thana no. : 491. Thana : Rikhiya. Distt. : Deoghar. Jharkhand (1.65 Ha) (Proposal No : SIA/JH/MIN/433062/2023).
- IX. **Kapsara Stone Mine of M/s A.R. Mining** (Partners : (i) Shri Ajit Kumar Singh (ii) Shri Ravi Shankar Kumar (iii) Shri Khakhu Mandal). Mauza : Kapsara. Thana no. : 163. Thana : Devipur. Distt. : Deoghar. Jharkhand (2.30 Ha) (Proposal No. : SIA/JH/MIN/433020/2023).
- X. **Lakrahi Stone Deposit of M/s Suryavanshi Minerals** (Partners : Shri Randhir Kumar Pathak & Shri Bhaskar Bhusan). Village : Lakrahi. Thana : Naudiha Bazar. Thana no. : 381. Distt. : Palamu. Jharkhand (2.39 Ha) (Proposal No : SIA/JH/MIN/433285/2023).
- XI. **Lakrahi Stone Deposit of Shri Sahid Ali**, Village : Lakrahi. Thana : Naudiha Bazar. Thana no. : 381. Distt. : Palamu. Jharkhand (1.79 Ha) (Proposal No : SIA/JH/MIN/433291/2023).
- XII. **Raedihi Stone Deposit of M/s Hill View Mining** (Prop. : Shri Nilesh Ranjan). Village : Raedihi. Thana : Nawalsahi. Distt. : Koderma. Jharkhand (2.26 Ha) (Proposal No. : SIA/JH/MIN/432548/2023).
- XIII. **Purnadihi Stone Deposit of M/s Pavitra Trading Company** (Prop. : Shri Rajkumar Das). Village : Purnadihi. Thana : Nawalsahi. Distt. : Koderma. Jharkhand (0.769 Ha) (Proposal No. : SIA/JH/MIN/433294/2023).
- XIV. **Ghutiyabara Ashana Stone Deposit of M/s M.G. Contractors Pvt. Ltd.**, Mouza : Ghutiyabara Ashana. Anchal : Mohanpur. Thana : Mohanpur. Distt. : Deoghar. Jharkhand (2.16 Ha) (Proposal No. : SIA/JH/MIN/433286/2023).

- XV. **Lohatamba Stone Deposit - I of M/s M.N. Enterprises** (Prop. : Sri Hriday Narayan Singh). Village : Lohatamba. Thana : Rajabhitta. Distt. : Godda. Jharkhand (2.954 Ha) (Proposal No. : SIA/JH/MIN/282672/2022).
- XVI. **Lohatamba Stone Deposit - II of M/s M.N. Enterprises** (Prop. : Sri Hriday Narayan Singh). Village : Lohatamba. Thana : Rajabhitta. Distt. : Godda. Jharkhand (2.764 Ha) (Proposal No. : SIA/JH/MIN/282429/2022).
- XVII. **Lohatamba Stone Deposit - III of M/s M.N. Enterprises** (Prop. : Sri Hriday Narayan Singh). Village : Lohatamba. Thana : Rajabhitta. Distt. : Godda. Jharkhand (1.655 Ha) (Proposal No. : SIA/JH/MIN/282883/2022).
- XVIII. **Mahjori Stone Deposit of M/s Margomunda Stone Mines** (Partners : Shri Braj Kishor Yadav, Shri Sanoj Kumar, Md. Babar Ansari and Shri Tulsi Rai). Village : Mahjori. Tehsil : Margomunda. Distt. : Deoghar. Jharkhand (0.81 Ha). (Proposal No. : SIA/JH/MIN/428680/2023).
- XIX. **Koriadih & Paharpur Stone Deposit of Shri Sujit Kumar Seth**, Village : Koriadih & Paharpur. Thana : Dumri. Distt. : Giridih. Jharkhand (1.760 Ha) (Proposal No. : SIA/JH/MIN/429490/2023).
- XX. **Bhoradabar Stone Deposit of M/s Maa Ambey Stone**, Village : Bhoradabar. P.O. : Karanjo. P.S. : Margomunda. Distt. : Deoghar. Jharkhand (1.04 Ha) (Proposal no. : SIA/JH/MIN/429957/2023).
- XXI. **Bhalua Stone Deposit** of Partners : (i) Shri Raman Kumar Singh (ii) Shri Deepak Kumar Gupta (iii) Shri Lakhan Marandi (iv) Smt. Khusboo Praveen . Village : Bhalua. P.S. : Budhai. Distt. : Deoghar. Jharkhand (0.663 Ha) (Proposal no. : SIA/JH/MIN/432815/2023).
- XXII. **Laharjori Stone Deposit of M/s P.K. Mining** (Partners : Shri Purushottam Sharan Prashant & Shri Kali Rai) . Village : Laharjori. Distt. : Deoghar. Jharkhand (1.20 Ha) (Proposal no. : SIA/JH/MIN/429994/2023).
- XXIII. **Dhubadih Stone Deposit of M/s Shiv Parvati Stone Quarry**, Village : Dhubadih. Thana : Markacho. Distt. : Koderma. Jharkhand (1.18 Ha) (Proposal no. : SIA/JH/MIN/433131/2023).
- XXIV. **Dhubadih Stone Deposit of M/s Maa Tara Stone Works**, Village : Dhubadih. Thana : Markacho. Distt. : Koderma. Jharkhand (2.02 Ha) (Proposal no. : SIA/JH/MIN/433275/2023).

The SEAC has scrutinized the above projects in the light of Hon'ble NGT order dated 13.09.2018, dated 11.12.2018 and MoEF & CC, OM dated 12.12.2018. SEAC has made unanimous recommendations for grant of Environmental Clearance of above mentioned project proposals. The SEIAA, based on the recommendations of SEAC, unanimously decided to grant Environmental Clearances to the above mentioned project proposals with following specific conditions:



- i. Project Authority will ensure that personal protective equipments such as protective clothing, helmet, goggles or other garments or equipments designed to protect from injury or infection will be provided to working personnels.
3. **SEIAA considered the recommendations made by SEAC in 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of violation Environmental Clearance to the following Building project:**

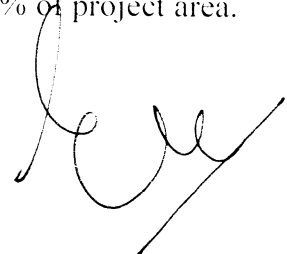
- i. **Vinayak Square” of M/s Vidhi Developers Pvt. Ltd., Village : Dobo, Tehsil : Chandil, Distt. : Seraikela-Kharsawan, Jharkhand (Proposal No. : SIA/JH/INFRA2/431687/2023).**

The above mentioned project is case of violation of E(P) Act, 1986. It is appraised by SEAC in the light of OM no. F.No.22-21/2020-IA.III[E 138949] dated 28.01.2022 of MoEF & CC, Govt. of India and the order passed by Hon'ble Apex Court in the matter of civil appeal no. 7576-7577 of 2021 in Electrosteel Steels Ltd. vs Union of India and SOS vide OM no. F.No. 22-21/2020-IA.III dated 07.07.2021 issued by MoEF & CC, Govt. of India.

SEAC has made recommendations for grant of Environmental Clearance subject to submission of evidence of Bank Guarantee with respect to remediation plan, natural and community resource augmentation plan alongwith penalty amount to be deposited in the office of Jharkhand State Pollution Control Board before grant of Environmental Clearance.

Hence, after full deliberations, it was unanimously decided that Environmental Clearance will be issued to the above project proposal after submission of Bank Guarantees and penalty amount to Jharkhand State Pollution Control Board. SEIAA authorises Member Secretary, SEIAA to issue Environmental Clearance after submission of evidence/receipt of Bank Guarantee and penalty amount to Jharkhand State Pollution Control Board. The Environmental Clearance will be granted with the conditions recommended by SEAC and alongwith the following specific conditions:

- i. Environment management system including organization structure to be drawn to ensure compliance of EC conditions stipulated based on principles of Continuous Improvement and periodical management review.
- ii. All raw material to be stored only under covered shed.
- iii. PAs to offset (upto20%) consumption of conventional energy sources by promoting use of solar energy, passive energy utilization, optimum fenestration, shading effect and heat islands.
- iv. Developers to promote energy conservation measures such that it offsets not less than 02 % of connected load. It is to be achieved by solar panels etc meeting ECBC norms.
- v. Trees should be planted & maintained not less than 15% of project area.



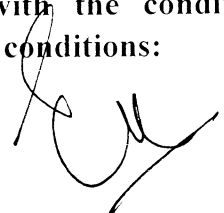
- vi. Organic Waste Converter (OWC) to be installed of sufficient capacity such that all organic waste (bio - degradable) generated is used as compost manure.
- vii. Developers/Company to install STP of sufficient capacity such that all the sewage generated is treated and reused.
- viii. Developers/Company to install Rain water harvesting/trench structures such that all the roof top water runoff is collected and harvested including reuse on 100% basis.
- ix. Developers/Company to conduct and submit carbon footprint and carbon sequestration study report including mitigation measures as a part of EC compliance.
- x. Water runoff originating from open non constructed areas of project premises to be harvested /guided in such a way that it does not create water logging condition outside.
- xi. Sufficient number of EV fast charging point to be installed.
- xii. Ground water will not be used without the permission of competent Authority.
- xiii. MSW Collection centre should be located in isolated and preferably unmanned area. Movement of the vehicle carrying waste should be under tarpaulin covered condition only. Route of vehicle should be such that it avoids residential areas as far as practical.
- xiv. ISO 14k EMS system standard to be followed for implementation of EMPs with MRM in place for feedback to Sr. management.
- xv. A cycling tract to be provided in residential complex so as to save on fuel and make in campus movement environment friendly.

4. SEIAA considered the recommendations made by SEAC in 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of Environmental Clearance to the following Building projects:

- I. **Sangram Sai Township Phase 2 of M/s Tata Steel Limited**, Village :Mahudi. Tehsil : Noamundi. Distt. : West Singhbhum. Jharkhand) (Proposal no. : SIA/JH/INFRA2/433155 /2023).
- II. **Proposed Residential Building “Privilege Home-Phase II ” of M/s Privilege CCL Employees Grih Nirman Swawlambi Sahkari Samiti Ltd.**, Village : Bariyatu. Tehsil : Baragain. Distt. : Ranchi. Jharkhand (Proposal No. : SIA/JH/INFRA2/433168/2023).
- III. **Proposed Residential and Commercial Project “Sky Deck 72” of Pushpa Devi Drolia, Rajiv Drolia and Drolia Mineral Industries (P) Ltd.**, Village :Kathar Gonda. Opp. Krishi Bhawan. Kanke Road. Thana : Gonda. Distt.: Ranchi. Jharkhand (Proposal No. SIA/JH/INFRA2/432564/2023).

SEAC has made unanimous recommendations for grant of Environmental Clearance to above mentioned project proposals. The SEIAA, based on the recommendations of SEAC, unanimously decided to grant Environmental Clearance to the above mentioned project proposals with the conditions recommended by SEAC and alongwith the following specific conditions:





- i. Environment management system including organization structure to be drawn to ensure compliance of EC conditions stipulated based on principles of Continuous Improvement and periodical management review.
- ii. All raw material to be stored only under covered shed.
- iii. PAs to offset (upto20%) consumption of conventional energy sources by promoting use of solar energy, passive energy utilization, optimum fenestration, shading effect and heat islands.
- iv. Developers to promote energy conservation measures such that it offsets not less than 02 % of connected load. It is to be achieved by solar panels etc meeting ECBC norms.
- v. Trees should be planted & maintained not less than 15% of project area.
- vi. Organic Waste Converter (OWC) to be installed of sufficient capacity such that all organic waste (bio - degradable) generated is used as compost manure.
- vii. Developers/Company to install STP of sufficient capacity such that all the sewage generated is treated and reused.
- viii. Developers/Company to install Rain water harvesting/trench structures such that all the roof top water runoff is collected and harvested including reuse on 100% basis.
- ix. Developers/Company to conduct and submit carbon footprint and carbon sequestration study report including mitigation measures as a part of EC compliance.
- x. Water runoff originating from open non constructed areas of project premises to be harvested /guided in such a way that it does not create water logging condition outside.
- xi. Sufficient number of EV fast charging point to be installed.
- xii. Ground water will not be used without the permission of competent Authority.
- xiii. After approval of Building Plan from competent Authority, it should be submitted to the SEIAA.
- xiv. MSW Collection centre should be located in isolated and preferably unmanned area. Movement of the vehicle carrying waste should be under tarpaulin covered condition only. Route of vehicle should be such that it avoids residential areas as far as practical.
- xv. ISO 14k EMS system standard to be followed for implementation of EMPs with MRM in place for feedback to Sr. management.
- xvi. A cycling tract to be provided in residential complex so as to save on fuel and make in campus movement environment friendly.



5. SEIAA considered the recommendations made by SEAC in 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of Environmental Clearance to the following Industry project:

- i. Proposed production capacity 2,64,000 TPA of MS Billets unit by addition of 4x20 T Induction Furnace with CCM (2x2 strand) alongwith existing production capacity of 9000 TPA (MS Wire Chain, Link Galva Barbed Wire, Nail, Welded Mess), 3000 TPA (Karibar & Karibar Ring) and Slag crusher 60,500 TPA of **M/s Anjanisuta Steels Pvt. Ltd.**, Village : Doiadih, Tehsil : Koderma, Distt. : Koderma, Jharkhand (Proposal no.: SIA/JH/IND1/433038/2023).

SEAC has made unanimous recommendations for grant of Environmental Clearance to above mentioned project proposal. The SEIAA, based on the recommendations of SEAC, unanimously decided to grant Environmental Clearance to the above mentioned project proposal with the conditions recommended by SEAC.

6. SEIAA considered the recommendations made by SEAC in 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of ToR to the following Minor Minerals project:

- i. **Tangidaha Stone Deposit of Shri Ajay Kumar Bhagat**, Mauza : Tangidaha, Thana no. : 08, Thana : Maheshpur, Distt. : Pakur, Jharkhand (2.66 Ha) (Proposal no. : SIA/JH/MIN/428650/2023).

SEAC has made unanimous recommendations for grant of ToR. The SEIAA, based on the recommendation of SEAC, unanimously decided to grant ToR to the above mentioned project proposal with the conditions recommended by SEAC and alongwith the following specific conditions:

- i. Copy of approved mine plan should be submitted at the time of submitting the final EIA for consideration for grant of Environmental Clearance. The mine plan must be approved as per directive of Deptt. of Mines & Geology, Govt. of Jharkhand issued vide letter no. 2078A, dated 27.09.2014.

7. SEIAA considered the recommendations made by SEAC in 105th meeting held on 15th, 16th, 17th, 18th and 19th June, 2023 for grant of corrigendum of EC to the following project:

- i. **Corrigendum EC letter for Karhiya Stone Deposit of M/s Rajlakshmi Stone Works**, Village : Karhiya, Thana : Karon, Distt. : Deoghar, Jharkhand (1.25 Ha). (Proposal No. SIA/JH/MIN/301198/2023).

The PA's vide online application no. **SIA/JH/MIN/301198/2023** has requested for necessary corrigendum in Environmental Clearance issued vide letter no. **EC/SEIAA/2022-23/2745/2023/438**, dated **21.03.2023** regarding **year wise production table**, the revised details pertaining to **mismatch in the unit of production in the year wise production table** are being given below:



Year Wise Production Details:

Year	Production of stone (tons)	Production of stone (cum)	Bench RL in Meters
1 st	63261.00	23430.00	208mRL - 202mRL
2 nd	66825.00	24750.00	208mRL - 202mRL
3 rd	68796.00	25480.00	202mRL - 196mRL
4 th	72160.20	26726.00	202mRL - 196mRL
5 th	72160.20	26726.00	196mRL - 190mRL
Total	343202.40	127112.00	

The SEAC has made unanimous recommendation to issue corrigendum of earlier Environmental Clearance with regard to correction **in the year wise production table**. SEAC has also recommended that and rest other terms and conditions, mentioned in the letter no.: **EC/SEIAA/2022-23/2745/2023/438**, dated : **21.03.2023** shall remain the same.

Hence, SEIAA unanimously decided to accept the recommendations of SEAC and accordingly to issue the corrigendum of EC and rest other terms and conditions, mentioned in the letter no.: **EC/SEIAA/2022-23/2745/2023/438**, dated **21.03.2023** shall remain the same.

8. Transfer of Environmental Clearance regarding:

1. Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija), Village : Amdana Pahar, Thana : Ranga, District : Sahibganj, Jharkhand (3.17 Ha) (Proposal No. SIA/JH/MIN/301711/2023).

The above mentioned project proposal was considered in the light of section 11 of Environment Impact Assessment Notification, 2006 for transferability of Environmental Clearance. The Environmental Clearance was granted by **DEIAA, Jharkhand** vide letter no. **EC/DEIAA/2017-18/37**, dated **18.07.2017** in the favour of "**M/s K.P. & G. Sons Prop. : Smt. Renu Bohra at Mouza : Amdanda Pahar, P.O. : Bindudham, P.S. : Ranga, District : Sahibganj, Jharkhand (3.17 Ha)**".

The applicant vide online application no. **SIA/JH/MIN/301711/2023** has requested to transfer (transfer of ownership) of Environmental Clearance in favour of "**Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija), Village : Amdana Pahar, Thana : Ranga, District : Sahibganj, Jharkhand (3.17 Ha)**" for which he has submitted no objection certificate affirming that the Environmental Clearance will be transferred in favour of "**Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)**" for which he has submitted no objections certificate affirming that the lease deed has already been transferred in the name of "**Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)**" by Deputy

Commissioner, Sahibganj vide GRN number – 2214749733 and they do not have any objections regarding the transfer of Environmental Clearance and all the terms and conditions of Environmental Clearance dated **18.07.2017** shall be complied by ***“Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)”***.

After the full deliberations, it was unanimously decided that Environmental Clearance issued vide letter no. **EC/DEIAA/2017-18/37**, dated **18.07.2017** is being transferred to ***“Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)”*** with the same terms and conditions under which prior Environmental Clearance was granted by DEIAA, Sahibganj, Jharkhand for the same validity period subject to satisfactory compliance to all stipulated terms and conditions ***“Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)”*** is directed to obtain **Consent to Operate** from the State Pollution Control Board in the name of ***“Amdanda Pahar Stone Mine of M/s K.P. & G. Sons (Partner : Shri Vishal Makhija)”***. In case any change is proposed in the **Scope** of the project, the Project Authority (PA) shall **obtain** fresh **Environmental Clearance**. Project proponent is also directed in the light of OM No. F.No. IA3-22/11/2023/-IA.III(E-208230) dated 28th April, 2023 issued by Ministry of Environment, Forest and Climate Change, Govt. of India to get the revise Environmental Clearance from SEIAA after re-appraisal of SEAC within a period of 08 months from the date of issuing above OM of MoEF & CC.

9. Stone Mine of Shri Arun Kumar Ladia at Plot No. 4 & 5(P) at Village – Lakhanpur, Block – Bengabad, District – Giridih, Jharkhand (0.732 Ha).

The case was heard on 22.06.2023 under the provision of 8(vi) of EIA notification, 2006 in which DFO, Giridih East Division, Giridih and project proponent Shri Arun Kmar Ladia along with his authorized representative of Stone Mine of Shri Arun Kumar Ladia (Area : (0.732 Ha) District – Giridih, Jharkhand. Shri Raghaw Nandan Prasad were present before Member Secretary, SEIAA.

Brief history of matter:-

1. The project proponent Shri Arun Kmar Ladia has submitted application on 07.11.2014 for grant Environmental Clearance of the stone mining project i.e. Stone Mine of Shri Arun Kumar Ladia at Plot No. 4 & 5(P), Village – Lakhanpur, Block – Bengabad, District – Giridih, Jharkhand (Area : 0.732 Ha) with all requisite documents such as Form-1, P.F.R., Mine Plan and other statutory documents like NOC of Gram Sabha, the certificates issued by CO, DMO and DFO. One of criteria for requirement of Environmental Clearance is the distance from forest boundary should be minimum 250 meter.
2. Then DFO, Giridih East Division, Giridih issued the certificate regarding the distance from forest boundary and mining lease vide its letter no. 391, dated 25.02.2014, in which it is mentined that the distance of boundary of mining lease area from notified forest boundary is more than 500 meter.
3. On the basis of aforesaid and alongwith other mandatory documents, the project proposal was appraised by then SEAC in its 24th meeting held on 15th to 18th December.

2014 and project was recommended for Environmental Clearance. In the light of recommendation of SEAC Environmental Clearance was granted by the then SEIAA in its 28th meeting held on 30th December, 2014. Accordingly EC letter was issued vide letter no. : EC/SEIAA/2014-15/518/2014/703. dated : 31.12.2014 with certain conditions.

4. The present DFO, Giridih East Division, Giridih vide its letter no. : 4261, dated : 21.12.2022 has made a complain that actual distance of mining lease area of Stone Mine of Shri Arun Kumar Ladia at Plot No. 4 & 5(P), Village – Lakhanpur, Block – Bengabad, District – Giridih, Jharkhand (Area : 0.732 Ha) is only zero(0) meter and previous certificate issued by then DFO vide letter no 391 dated 25.02.2014 is wrong. DFO has further reiterated that project authority has also done illegal mining activity on plot no 01 which is notified forest and therefore a forest case has also been ledged against the project proponent for illegal mining on notified forest and emphasized that due to distance of zero(0) meter of aforesaid mining lease, it is causing adverse impact on forest and also requested to cancel the Environmental Clearance.
5. After receiving the complain from DFO, Giridih East Division, Giridih vide its letter no. 4261, dated : 21.12.2022, a show cause notice was issued to project Authority Shri Arun Kumar Ladia vide SEIAA letter no. : 319, dated 22.12.2022. Project Authority Shri Arun Kumar Ladia submitted his reply of show cause vide its letter no. zero, dated 10.01.2023, in the light of para 8(vi) of EIA notification, 2006 as referred below:

“Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice”.

Thereafter a clarification was sought on show cause reply of Shri Arun Kumar Ladia (Project Authority) from DFO, Giridih East Division, Giridih vide SEIAA letter no. 418, dated : 09.02.2023. The DFO, Giridih East Division, Giridih vide its letter no. : 1704, dated : 20.05.2023 submitted its clarification.

6. In the clarification of DFO, Giridih East Division, stated that plot no. 01 and plot no. 04 are adjacent to each other. The plot no. 01 is notified forest area and plot no. 04 is area on which mining lease has been granted. Thus distance of boundary of mining lease area i.e. plot no. 04 is at zero(0) meter from notified forest. The actual distance of mining lease boundary is very less or negligible and is inappropriate for the requirement of Environmental Clearance i.e. 250 meter.
7. As per the provision para 8(vi) of EIA notification 2006, a date 22.06.2023 was decided for personal hearings of both the parties and letter was issued vide SEIAA letter no. 142, dated 12.06.2023 to the DFO, Giridih East Division, Giridih and Project Authority Shri Arun Kumar Ladia to appear before the Member Secretary, SEIAA on 22.06.2023.

Findings:-

8. Shri Pravesh Agarwal, Present DFO Giridih East Division, Giridih and Shri Arun Kumar Ladia with authorised representative Shri Raghaw Nandan Prasad appeared before Member Secretary, SEIAA on 22.06.2023. The DFO, Giridih East Division reiterated the same facts as mentioned in his clarification letter no. 1704, dated 20.05.2023 that distance of plot no. 04 on which mining lease was granted from plot no. 01 (notified forest land) is at zero(0) meter. He also emphasized that project proponent Shri Arun Kumar Ladia has also done illegal mining activity on plot no. 01 which is notified forest and produced documentary evidence like fresh map, which clearly shows that plot no.01 is adjacent to the plot no. 04.
9. The D.F.O., Giridih East Division has also submitted the letter no. 630 dated 26.11.2022 of Circle Officer, Bengabad, which addressed to the Deputy Commissioner, Giridih under the subject inspection report (Stone Mine of Shri Arun Kumar Ladia at Plot No. 4 & 5(P) at Village – Lakhanpur, Block – Bengabad, District – Giridih, Jharkhand (0.732 Ha) wherein it has been clearly written that:
“ मौजा लखनपुर थाना नं० 349, प्लॉट सं० 04 में रकवा 03 डी० पर पत्थर उत्खनन का कार्य किया गया है एवं प्लॉट सं० 05 पर उत्खनन कार्य नहीं किया गया है। खाता सं० 01, प्लॉट सं० 01 सर्वे रकवा 81 एकड़ के मध्ये 1.53 ए० पर पत्थर उत्खनन का कार्य किया गया है, जो गैरमजरूआ खास खाते की भूमि है एवं किस्म जंगल दर्ज है।”
10. Project Proponent through authorized representative Shri Raghaw Nandan Prasad submitted that total plot area of plot no. 01 is 81 Acre while the total notified area as protected forest is only 49.90 Acre. The Gazettee notification dated 27.12.1953 is read with to the following:
“The nature and extent of the rights of Government and of private persons in or over the forest lands and waste lands comprised in this notification have not yet been enquired into and recorded as laid down in sub-section (3) of section 29 of the said Act, but as the State Government thinks that such enquiry and record will occupy such length of time as in the meantime to endanger the rights of Government and as the enquiry and record-of-right will hereafter be made, this notification is issued subject to all existing rights of individuals or communities”.
- He further submitted the project proponent Shri Arun Kumar Ladia is also a present Raiyat on 01 Acre of land over plot no. 01 vide registered sale deed no. 10553/9519 dated 24.11.2014 of sub-registrar, . Giridih. He also submitted the project proponent and lessee is in possession of 01 Acre area of plot no. 01 of mouza Lakhanpur. If the D.F.O.is aggrieved he is free to move a Title Suit and/or Jharkhand Public Land Encroachment Act against project proponent before Competent Court.
11. The authorized representative of the project authority Shri Raghaw Nandan Prasad could not controvert the facts regarding distance given by present DFO, Giridih East Division, Giridih from the forest boundary to lease area.

12. On the basis of above facts it is clear that nearest distance of mining lease boundary from notified forest is zero(0) meter. And the certificate issued by then DFO, Giridih East Division, Giridih issued vide letter no. 391, dated 25.02.2014 which is important documents for Screening, Scoping and Appraisal of the project under EIA notification, 2006.

In conclusion, it is ample clear that the project proponent has procured incorrect certificate from then DFO, Giridih East Division, Giridih by concealing the fact that plot no. 01 and plot no. 04 are adjacent to each other. This certificate is found False/incorrect and this certificate was the basis of appraisal and issuing Environmental Clearance by SEIAA/SEAC.

EIA notification 2006 does not give any mandate SEIAA to take any decision on the facts given in para 10 and 11 presented by representative of project proponent. He has the liberty to get relief, if any, from the Competent Authority/Court.

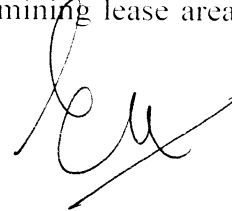
In the light aforesaid facts SEIAA unanimously decided that Environmental Clearance granted to said project is hereby, cancelled with immediate effect under para 8(vi) of the EIA notification, 2006. The SEIAA further decided to request to the State Govt. to take the appropriate /disciplinary actions should be taken against erring officials for issuing incorrect/wrong distance certificate. The SEIAA further decided to authorize Member Secretary, SEIAA to issue the relevant order.

10. Karmatand Stone Deposit of Shri Prabhash Anand at Khata No. : 03, Plot No. : 333(P), 334, 336(P) at Village – Karmatand, Thana – Gandey, District – Giridih, Jharkhand (1.097 Ha) (Proposal No. : SIA/JH/MIN/38282/2019).

The case was heard on 22.06.2023 under the provision of 8(vi) of EIA notification, 2006 in which DFO, Giridih East Division, Giridih and project proponent Shri Prabhash Anand along with his authorized representative of Karmatand Stone Deposit (Area : 1.097 Ha), District : Giridih. Shri Raghaw Nandan Prasad were present before Member Secretary, SEIAA.

Brief history of matter:-

1. The project proponent Shri Prabhash Anand made online application no. : SIA/JH/MIN/38282/2019 for grant Environmental Clearance of the stone mining project i.e. Karmatand Stone Deposit. Village : Karmatand at Khata No. : 03. Plot No. : 333(P), 334, 336(P). Thana : Gandey. District : Giridih (Area : 1.097 Ha) with all requisite documents such as Form-1, P.F.R., a Approved Mine Plan and other statutory documents like NOC of Gram Sabha, the certificates issued by CO, DMO and DFO. One of criteria for requirement of Environmental Clearance is the distance from forest boundary should be minimum 250 meter.
2. Then DFO, Giridih East Division, Giridih issued the certificate regarding the distance from forest boundary and mining lease vide its letter no. 267, dated 01.02.2018, in which it is mentioned that the distance of boundary of mining lease area from notified forest boundary is 255 meter.



3. On the basis of aforesaid and alongwith other mandatory documents, the project proposal was appraised by then SEAC in its 78th meeting held on 18th to 20th September, 2019 and project was recommended for Environmental Clearance. In the light of recommendation of SEAC Environmental Clearance was granted by the then SEIAA in its 80th meeting held on 25th September, 2019. Accordingly EC letter was issued vide letter no. : EC/SEIAA/2018-19/2165/2018/546, dated: 09.10.2019 with certain conditions.
4. The present DFO, East Division, Giridih vide its letter no. : 178, dated : 20.01.2023 has made a complain that actual distance of mining lease area of Karmatand i.e. Karmatand Stone Deposit of Shri Prabhash Anand at Village : Karmatand at Khata No. : 03, Plot No. : 333(P), 334, 336(P), Thana : Gandey, District : Giridih (Area : 1.097 Ha) is only 15 meter and previous certificate issued by then DFO vide letter no 267 dated 01.02.2018 is wrong and emphasized that due to distance of 15 meter of aforesaid mining lease is causing adverse impact on forest and also requested to cancel the Environmental Clearance.
5. After receiving the complain from DFO, East Division, Giridih vide its letter no. 178, dated : 20.01.2023, a show cause notice was issued to project Authority Shri Prabhash Anand vide SEIAA letter no. : 419, dated 09.02.2023. Project Authority Shri Prabhash Anand submitted his reply of show cause vide its letter no. zero, dated 10.03.2023, in the light of para 8(vi) of EIA notification, 2006 as referred below:

"Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice".

Thereafter a clarification was sought on show cause reply of Shri Prabhash Anand (Project Authority) from DFO, Giridih East Division, Giridih vide SEIAA letter no. 39, dated : 16.04.2023. The DFO, Giridih East Division, Giridih vide its letter no. : 1976, dated : 14.06.2023 submitted its clarification.

6. In the clarification of DFO, East Division, Giridih vide its letter no. : 1976, dated : 14.06.2023 para(d) has been stated that plot no. 311 and plot no. 333 are adjacent to each other. The plot no. 311 is notified forest area and plot no. 333 is area on which mining lease has been granted. Thus distance of boundary of mining lease area i.e. plot no. 333 is at zero(0) meter distance from notified forest and 15 meter from demarcated forest. The actual distance of mining lease boundary is very less or negligible and in appropriate for the requirement of Environmental Clearance i.e. 250 meter.
7. As per the provision para 8(vi) of EIA notification 2006, a date 22.06.2023 was decided for personal hearings of both the parties and letter was issued vide SEIAA letter no. 141, dated 12.06.2023 to the DFO, East Division, Giridih and Project Authority Shri Prabhash Anand to appear before the Member Secretary, SEIAA on 22.06.2023.



Findings:-

8. Shri Pravesh Agarwal, Present DFO Giridih East Division, Giridih and Shri Prabhash Anand with Authorised representative Shri Raghaw Nandan Prasad appeared before Member Secretary, SEIAA on 22.06.2023. The DFO, East Division reiterated the same facts as mentioned in his clarification letter no. 1976, dated 14.06.2023 that distance of plot no. 333 on which mining lease was granted from plot no. 311 (notified forest land) is at (0)zero meter. And the nearest distance from demarcated forest is 15 meter as a proof he also produced documentary evidence like Cadastral Sheet duly signed by then settlement Officer and then Divisional Forest Officer which clearly shows that plot no. 311 is adjacent to the plot no. 333.
9. Project Proponent through authorized representative Shri Raghaw Nandan Prasad submitted that the total plot area 29.12 Acres while the total notified area at protective forest in Karmatand is 13.22 Acre which is further distributed over plot no. 69, 311 and 151. Therefore the full plot of 311 has not been notified protective forest is only 13.22 Acre. The Gazette notification no. 2653 R dated 31.08.1955 is read with following"
"The nature and extent of the rights of Government and of private persons in or over the forest lands and waste lands comprised in this notification have not yet been enquired into and recorded as laid down in sub-section (3) of section 29 of the said Act, but as the State Government thinks that such enquiry and record will occupy such length of time as in the meantime to endanger the rights of Government and as the enquiry and record-of-right will hereafter be made, this notification is issued subject to all existing rights of individuals or communities".
He further submitted the forest demarcation within plot no. 311 is not settled as per Gazette Notification No. 2653 R dated 31.08.1955 after consideration of all raiyati rights iner se, hence the ex-parte map of forest land within plot no. 311 cannot be said to be authentic to be relied upon.
He also submitted, if the D.F.O. is aggrieved of raiyati claims over plot no. 311 of Mauza Karmatanr (Annexure-C series) and/or location/carving/situation within plot no. 311, then he is free to move a Title Suit and/or Jharkhand Public Land Encroachment Act against project proponent before Competent Court.
10. The authorized representative of the project authority Shri Raghaw Nandan Prasad could not controvert the facts regarding distance given by present DFO, East Division, Giridih from the forest boundary to lease area.
11. On the basis of above facts it is clear that nearest distance of mining lease boundary from notified forest is zero(0) meter and demarcated forest is 15 meter. And the report of then DFO, East Division, Giridih issued vide letter no. 267, dated 01.02.2018 which was important documents for Screening, Scoping and Appraisal of the project under EIA notification, 2006.

In conclusion, it is ample clear that the project proponent has procured incorrect certificate from then DFO, Giridih East Division, Giridih by concealing the fact that plot no. 311 and plot no. 333 are adjacent to each other. This certificate is found

False/incorrect and this certificate was the basis of appraisal and issuing Environmental Clearance by SEIAA/SEAC.

EIA notification 2006 does not give any mandate SEIAA to take any decision on the facts given in para 09 and 10 presented by representative of project proponent. He has the liberty to get relief, if any, from the Competent Authority/Court.

In the light aforesaid facts SEIAA unanimously decided that Environmental Clearance granted to said project is hereby, cancelled with immediate effect under para 8(vi) of the EIA notification, 2006. The SEIAA further decided to request to the State Govt. to take the appropriate / disciplinary actions should be taken against erring officials for issuing incorrect/wrong distance certificate. The SEIAA further decided to authorize Member Secretary, SEIAA issue the relevant order.

12. Withdrawal of following application under ToR / EC category as per the request made by the Project Authority (PAs).

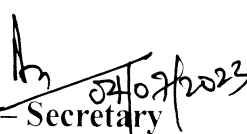
LIST OF PROJECT FOR WITHDRAWAL OF EC APPLICATIONS

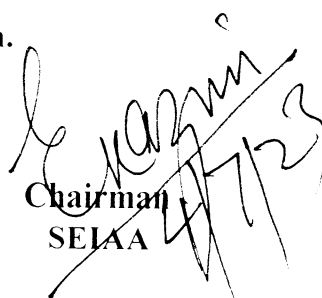
Sl. No.	Proposals No.	Project Name	Remarks
1.	SIA/JH/MIN/429794/2023	Bicha Stone Deposit (0.987 ha.)	Project Proponent has made request for withdrawal of application.
2.	SIA/JH/MIN/434283/2023	Borna Stone Mine of Shri Krishna Kumar Saha (3.49 Ha).	Project Proponent has made request for withdrawal of application.
3.	SIA/JH/MIN/434351/2023	Borna Stone Mine of Shri Krishna Kumar Saha (2.731 Ha)	Project Proponent has made request for withdrawal of application.

The project authority of above mentioned project proposals has made request for withdrawal of the above proposals. Hence, SEIAA, unanimously decided to accept the request of PA's made in this regard and allowed to withdraw his projects from PARIVESH portal, with immediate effect.

The meeting concluded with vote of thanks to the Chairman.


Member
SEIAA


Member – Secretary
SEIAA


Chairman
SEIAA