

State Expert Appraisal Committee, Himachal Pradesh
at H.P. Department of Environment, Science & Technology
Government of India
Ministry of Environment and Forests

MINUTES OF THE 24th MEETING OF THE STATE EXPERT APPRAISAL COMMITTEE
HELD IN H.P. STATE POLLUTION CONTROL BOARD, NEW SHIMLA, ON 29th
MARCH, 2013

24th Meeting of State Expert Appraisal Committee for appraisal of the Project proposals received for Environmental Clearance was held on 29th March, 2013 in the Conference Hall of HPPCB, New Shimla. The following were present in the meeting:

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| 1. | Sh. Balram Sharma, | Chairman |
| 2. | Dr. V.B. Negi | Member |
| 3. | Er. Ashok Mahajan | Member |
| 4. | Dr. Kartar S. Verma | Member |
| 5. | Dr. Kulraj Kapoor | Member |
| 6. | Er. D.K. Sharma | Secretary |

Er. Ram Mohan Gupta, Member has informed telephonically that he will not be able to attend the meeting.

The following agenda items were taken up with the permission of Chair.

ITEM NO. 1: CONFIRMATION OF THE MINUTES OF 23rd MEETING OF SEAC:

The minutes of the 23rd meeting of SEAC held on 22nd and 23rd February, 2013 were confirmed.

**ITEM NO. 2: APPRAISAL OF CASES FOR ENVIRONMENTAL CLEARANCE/
FIXING OF ToR's**



24th meeting of SEAC

2.1 Mining/collection of Sand Stone and Bajri for the Stone crushing Unit M/s Jai Mateshwari Stone Crusher of Shri Vipin Sharma, Village –Dargi(Sainj) ,Tehsil-Sunni ,Distt-Shimla H.P at , Khasra No. 1244,1246,1247,1248,1249&1250 in Mauza -Dargi, Tehsil- Sunni, District- Shimla H.P

The proponent has submitted a certificate issued by Divisional Forest Officer, Wild Life Division, Shimla dated 04-12-2012 certifying that distance of Jai Mateshwari Stone Crusher is 7 Km by road path from Majathal Sanctuary area. Hence project does not fall under the purview of SEAC. SEAC advised proponent to apply to Competent Authority at Govt. of India as the project falls in Category-A of the Schedule of EIA Notification, 2006.

2.2 Mining/collection of Sand Stone and Bajri for the Stone crushing Unit M/s Mahavir Stone Crusher, Village- Bhatara, P.O- Jol Lambri, Tehsil &Distt-Hamirpur (H.P) at , Mohal -Bharnot, Mauza-Matitira, Tehsil- & Distt-Hamirpur (H.P)

Before consideration of proposal for fixing of ToRs, SEAC advised proponent and its consultant to provide basic data, site features along with photographs & vedigraphy of the site.

2.3 Clay mining for Brick Production of M/s Shivalik Brick Industry of Sh. Rajinder Singh, Village- Saluri ,P.O-Bhera, Tehsil-Amb Distt- Una (H.P)

Proposal is for clay mining for the Brick Kiln over an area of 5 Kanal in the private land in Kharsa Nos. 942,943,944,945,946, and 951 at Village- Saluri, Tehsil- Amb, Distt-Una H.P as indicated. Daily clay extraction capacity will be 20 m³ approximately equivalent to 10,000 bricks per day as indicated by the proponent. The proponent has also indicated in the application form that no forest land is involved. The proponent has submitted certificate issued by Divisional Forest Officer, Una certifying that there is no Wild Life Sanctuary as well as National Park within 15 Km of Shivalik Brick Industry.

The Project Proponent gave a presentation on the Project before the State Expert Appraisal Committee (SEAC). The clay mining area is less than 5 Hectares and is located in private land; the SEAC categorized the project as B-2 only for the purpose of public hearing. However proponent shall prepare EIA as per Terms of Reference (ToRs) attached as Annexure-I of these minutes.

2.4 Mining of Slate by M/s Smt. Chanchal Nayar, Village-Gehra ,Tehsil & Distt-Chamba (H.P)

Proposal is for mining of Slate over an area of 0.4842 Hectares (Forest Land) in Khasra No.1596/1 at Mauza – Gehra, Tehsil& District -Chamba (H.P). Slate extraction capacity for five years is 1st year-100 Tonnes, 2nd year-150 Tonnes, 3rd year- 180 Tonnes, 4th year- 200 Tonnes, 5th year-340 Tonnes as indicated. The proponent has submitted copy of Forest Clearance. Mining has been sanctioned by the State Government. The proponent also confirmed that there is no protected area notified under Wildlife Protection Act, 1972 within 10 Kms of site.

The Project Proponent gave a presentation on the Project before the State Expert Appraisal Committee (SEAC). Although the lease area is less than 5 Hectares but located in Forest land, the SEAC, therefore, categorized the project as B-1. Proponent shall prepare EIA as per Terms of Reference (ToRs) attached as Annexure-I of these minutes subject to condition that the unit shall submit certificate from Forest Department that there is no eco-sensitive zone and protected area notified under Wild Life Protection Act, 1972 within 10 Km of lease area.

After preparing the draft EIA (as per the generic structure prescribed in Appendix-III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will get the public hearing conducted and take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notifications, 2006.

2.5 Environmental Clearance in respect of M/s Thakur Enterprises. 11/Jeevan Market, Tehsil& Distt Una HP. for Mining of Sand, Stone and Bajri.

Consultant Name: Grass Root Research and Creation India Pvt. Ltd.

The committee observed that the observations made in 22nd meeting have still not fully complied and issues of ToRs, public hearing and swan channelization have not been addressed and reflected properly with proponent's commitments in the EIA report. SEAC took serious note of it and the consultants were requested to comply with the observations and submit the final/revised EIA report with cross referencing of all the issues of Public Hearing and ToRs in the EIA report with page numbers & chapters. Proponent withdrew the EIA report submitted to SEAC and committed to submit the final EIA report after attending to all the observations. The matter shall be appraised after needful is done by the proponent.

2.6 M/s Manav Bharti University, Village- Laddo, Sultanpur, Kumarhatti, Distt- Solan H.P for construction of University.

The project proponent apprised that they have undertaken construction at site. The project proponent has submitted an affidavit stating that as on 31-01-2013 about 27066.20 square metres of built up area has been constructed which is about 80% of total work to be done and also stated that further construction work at campus is now stopped. SEAC observed that this is an admitted case of violation of EIA Notification, 2006 and need to be dealt as per Office Memorandum No.J-11013/41/2006-IA.II (I) Dated 12-12-2012 of MoEF which interalia prescribes the procedure for dealing with cases of violations of aforesaid notification as:

- i. The matter relating to the violation will need to be put up by project proponent to the Board of Directors of its company or to the Managing Committee/CEO of the Society, Trust, Partnership/Individually owned concern for consideration of its environmental related Policy/plan of action as also a written commitment in form of a formal resolution to be submitted to ensure that violations will not be repeated. For this purpose a time limit of 60 days will be given to the project proponent. In the mean time the project will be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 60 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, whereafter the procedure will have to be initiated *de novo* by such project proponents
- ii. The Agencies concerned will need to initiate credible action on the violation by invoking powers under section 19 of Environment (Protection) Act, 1986 for taking necessary legal action under section 15 of the Act for the period for which the violation has taken place and evidence provided to SEAC of the credible action taken.
- iii. The details of the project proponent and a copy of commitment etc mentioned at (i) above will be put on the website of SEIAA for information of all stakeholders.

Hence in view of above the SEAC decided before consideration of the proposal that:

(a) proponent shall provide information on point (i) within 60 days; (b) evidence of

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credible action as per point (ii) by agencies concerned and the project is delisted till the compliance on (a) & (b) is reported by the proponent.

2.7 Environmental Clearance in respect of M/s Jagdamba Stone Crusher, VPO-Deonda, Tehsil-Kandaghat, Distt-Solan H.P at Mauja & Mohal- Doenda Tehsil-Kandaghat ,Distt- Solan. (H.P) for Extraction of Sand, Stone and Bajri.

Consultant Name:- Envirotech (India), 1329, Sector-18C, Chandigarh.

TORs for the Proposal for Extraction of Stone for the Stone Crushing Unit over an area of 7-14 Bighas private land in Khasra Nos. 728/623, 729/623 and 730/623 at Mauza & Mohal- Deona, Tehsil-Kandaghat Distt-Solan H.P with Stone extraction capacity is 200 MT/week were fixed in 20th meeting held on 22, August, 2012 of SEAC for conduct of EIA studies.

The Project Proponent gave a presentation on the Project before the State Expert Appraisal Committee (SEAC) on the Environmental Impact Assessment and the Environmental Management Plan. The committee after considering and deliberating on the information submitted and facts submitted recommend the matter to SEIAA for environmental clearance as category B-2 (only for the purpose of public hearing as the area is located in private land) with the following specific conditions besides general conditions:

1. The project proponent shall carry out the mining operations as per the provisions of the Mines and Minerals Act, 1957, provisions of Mineral Conservation and Development Rules, 1988, Standards laid by Indian Bureau of Mines and as per the approved Mining Plan.
2. The project proponent shall ensure that the mining operation does not contaminate the water resources and obstruct the natural drainage lines in the catchment.
3. The project proponent shall ensure to maintain the Ambient Air Quality Standards.
4. The top soil cover shall be conserved and utilized for the rehabilitation of the mined areas.
5. The proponent shall identify high particulate matter emission areas, haulage road etc. and shall provide sprinkling devices.
6. The proponent shall submit plan/measures for checking flow of silt as well for the soil conservation.
7. If any statement made by the project proponent or by its consultant is found to be false the permissions granted shall automatically stand cancelled.
8. The proponent shall submit detailed environment management plan to mitigate the environmental impacts, Specific safeguard measures to control PM₁₀ as well as pollution due to transportation.
9. All documents including approved working cum EMP, EIA report and public hearing should be compatible with one another in terms of the mine lease area production levels, waste generation and its management and mining technology.

10. Impact on topography, drainage, agricultural fields, cattle fields, wildlife, water logging leading to water borne diseases should be mitigated as far as possible.
11. Impact of the project on the water quality should be assessed and necessary safeguard measures, if any required should be provided.
12. The proponent shall take up plantation in the buffer of mine area.
13. The proponent shall estimate quantum of solid waste generation and shall manage/dispose it scientifically by providing proper retaining structures.

3. Other issues:

General guidelines for filling up Form-I for Environmental Clearance:

It has been observed that applications being submitted for Environmental Clearance do not contain basic information which is essential for deciding the ToRs. It is therefore, advised that the project proponent may attach the following documents/information with the application for Environmental Clearance in Form-I:

1. Photographs and videography of the site & area around giving an overview of the site and the surrounding features should be added and should form part of presentation for ToR's.
2. The project proponent or the consultant should be well conversant with the area and location of facilities like water sources, road, bridges, hospitals, cremation ground, flood control works, plantations, flora and fauna. Column-1.1 of Form-I needs to be properly related to the project site in specific terms.
3. The information on all the Major Headings of Form-I should be site specific and should have special focus on one square kilometer area of the site. However EIA shall be carried out as per guidelines prescribed by MoEF, Govt of India.
4. The proponent should first obtain certificate from the DFO concerned that there is no protected area notified under Wild Life Protection Act, 1972. If there is any such area within 10 Km of the aerial distance from (i). Protected area notified under Wildlife(Protection) Act, 1972; (ii) Critically polluted area as identified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of Environment(Protection) Act, 1986, such as, Mahabaleshwar, Panchgani, Matheran, Pachmarhi, Dahanu, Doon valley and; (iv) Inter-State boundaries and international boundaries, the proponent should apply for clearance to the MoEF, Govt of India as Category-A project.



The committee recommends that these guidelines be prominently displayed in the website of SEIAA/Department of Environment, Himachal Pradesh for benefit of the applicants.

Meeting of vote of thanks to and from the Chair


Chairman, 29/3/13

Himachal Pradesh State Expert Appraisal Committee.

Endst. No. SEAC 24th Meeting/2013-

Dated March, 2013

Copy to following for information and further necessary action please:-

1. The Member Secretary, State Level Environment Impact Assessment Authority, Himachal Pradesh, Shimla-2.
2. Case files of all projects, Guard file.

Note:- These minutes are being posted on the official website of Authority in department of Environment, Science & Technology and all concerned shall down load these minutes for taking necessary actions relevant to their Project for further necessary action.


Secretary,

Himachal Pradesh State Expert Appraisal Committee

