



State Level Environment Impact Assessment Authority

Himachal Pradesh

Ministry of Environment Forest & Climate Change, Government of India,
at Department of Environment Science & Technology,
Paryavaran Bhawan, Near US Club, Shimla-1

Ph: 0177-2656559, 2659608, Fax: 2659609

No. HPSEIAA/2008/22/Vol-VII/32nd Meeting/

Dated: 24/05/2017

PROCEEDINGS OF 32nd MEETING OF SEIAA, HIMACHAL PRADESH, HELD UNDER THE CHAIRPERSONSHIP OF SH. S.S. PARMAR, IAS (RETD.) IN THE CONFERENCE HALL OF DEPARTMENT OF ENVIRONMENT, SCI. & TECH., PARYAVARAN BHAWAN, SHIMLA-1 ON 19th MAY 2017 AT 03:00 P.M.

At the outset, the Member Secretary (HPSEIAA) extended warm welcome to Sh. S.S. Parmar, IAS (Retd.), Chairman, HPSEIAA. With the permission of the Chair, following agenda items were discussed:

ITEM NO. 1:

Confirmation of the Minutes of the 31st Meeting of the SEIAA held 7th April 2017.

There were no additional comments on minutes of 31st Meeting of HPSEIAA, hence, the minutes of the 31st Meeting of HPSEIAA were confirmed.

ITEM NO. 2:

LIST OF CASES FOR GRANT OF ENVIRONMENTAL CLEARANCE AS PER RECOMMENDATIONS OF THE SEAC IN 51TH & 52ND MEETING HELD ON 26TH APRIL, 2017 & 8TH APRIL, 2017 RESPECTIVELY.

2.1 Sh. Yashwardhan Chauhan, S/o Late Sh. Thakur Guman Singh, Village-Cheog, P.O. Jamna, Sub-Tehsil-Kamrau, District-Sirmour, Himachal Pradesh, Pin-173029. Mob: 94180 95310.

Brief outline of the project:

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|------------------------|--|
| a) Online Proposal No. | SIA/HP/MIN/59123/2016 dated 19.09.2016 |
| b) Project type | Mining of Minerals (Extraction of Lime Stone). |
| c) Project Location | Khasra number 1271/1 falling at Village-Deolan, Tehsil-Kamrau, District-Sirmour, Himachal Pradesh. |
| d) Capacity | 85,500 TPA |
| e) Mining Area | 4.562 hectare (54-02 bighas). |
| f) EMP Cost | Capital Cost: Rs. 0.55 lakhs; Recurring cost: Rs. 0.65 lakhs |
| g) CSR cost | Rs. 0.70 lakhs |

The proposed project is extraction of limestone from the Deolan Limestone mine located in Village-Deolan, Tehsil-Kamrau. The method of proposed mining will be open cast Semi-mechanized.

The case was listed in 49th meeting of the SEAC and the Committee imposed certain observations. The case was re-appraised in 51st meeting of the SEAC after compliance of these observations and after deliberating on the information & compliance submitted and considering the facts placed before the committee, the SEAC recommended the case application for consideration of grant of environmental clearance by the SEIAA, subject to fulfillment of conditions annexed at Annexure-I.

After deliberating on the recommendations of SEAC the Authority approved the grant of Environment Clearance in favour of the Unit stipulating the conditions recommended by the SEAC and with following additional condition that:

- The proponent shall resubmit the detailed EMP & CSR with activity wise time frame and costs allocated within one month of the issuance of EC letter to project proponent. The EMP & CSR implementation shall be linked in accordance with the obtaining of Consent to Operate issued by SPCB i.e. actual execution of the project.

- Environment clearance is subject to final order of the Hon'ble NGT (National Green Tribunal) in the matter of Appeal No. 57/2016 Rana Randeep Singh Vs. Union of India & Others, as may be applicable to this project.

2.2 M/s Holiday On Hills Resorts Pvt. Ltd. Village-Shichera, Tehsil -Kandaghat, District-Solan, Pin-173 215, H.P. Mob: 99106 77888.

Brief outline of the project:

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|----|-------------------------------|---|
| a) | Proposal no. | SIA/HP/NCP/62000/2017 dated 24.01.2017 |
| b) | Project type | Expansion of Time Share Resorts by M/s Holiday On Hills Resorts Pvt. Ltd. |
| c) | Project Location | Khasra number 507, 508, 509, 510, 511, 512/2, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 539, 540, 542, 543, 618/559, 620/560, 622/561, 647/538, 648/538, 649/541, 650/541, 653/506/1, 663/655/506/2, 658/535 516/101 at village-Shichera, Tehsil-Kandaghat, District Solan, Himachal Pradesh. |
| d) | Total Plot area | 54,264 m ² (5.4264 acres) |
| e) | Existing Built up area | 10003.16 m ² (after demolition) |
| f) | Total Built up area | 31,712.14 sq. meter |
| g) | Cost of project for expansion | 210 crores |
| h) | EMP Cost | Capital Cost: Rs. 47.5 lakhs; Recurring cost: Rs. 17.35 lakhs |
| h) | CSR cost | Rs. 40.00 lakhs |

The project comes under the schedule 8(a) i.e. building and construction of EIA Notification, 2006. The proposed project is located in Shimla Hills, near Kandaghat on Ambala-Shimla National Highway in the State of Himachal Pradesh. The project has proposed an addition of 125 KLD of STP. The Risk Management Plan is also attached with report.

The project proponent has applied for grant of Environment clearance on dated **01.09.2015** and on-line applied on August 24th, 2016. The project proponent has submitted form-1, form-1A, conceptual plan, land document, approval of State Government and SWAC approval, NOC from Public Works Department dated 24.06.2006, Environment Clearance letter from MoEF&CC dated 28th July, 2005, renewal of Consent from HP State Pollution Control Board dated 06.06.2011, renewal of Consent dated 26.07.2008, NOC from Gram Panchayat dated 08.02.2015, detail of air, water and noise environment, Memorandum Of Associations, site plan maps etc.

The case was listed in 48th meeting of SEAC, where SEAC decided that the case will be listed in next meeting after compliance of following observations:

- The project proponent shall submit copies of six-monthly compliance report submitted to the Regional Office, MoEF&CC, GoI for earlier clearance.
- The project proponent shall submit cross-sections of the site with land documents.
- The project proponent shall submit details of unit wise Muck management plans be revised and resubmitted with details.
- The project proponent shall submit rain water harvesting lay out designs/ plans with discharge details, number of pits may be correlated again.
- The project proponent shall submit details with lay out maps w.r.t. Parking lots, no. of vehicle, with proposed green belt development.
- The project proponent shall prepare Maps depicting clearly the Road network right of way, land scape, parking.
- The project proponent shall prepare DMP based on risk and hazard analysis and may submit an abstract of hazard specific preparedness plan/ response plan.
- The project proponent shall submit revised Green belt Development Plan as suggested by the committee depicting the removal of temporary sheds.
- The project proponent shall submit the Effluent and storm water discharge plan.
- The project proponent shall submit revised EMP & CSR with total costing of Rs. 40.00 lakhs.

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- The project proponent shall submit the revised plan for STP with optimum capacity and in a manner to take up the load of peak and medium, lean occupancy in the hotel.
- The project proponent shall work out the water balance and provide copy of NOC of IPH department, Ground water authority. The project proponent shall submit plan for use drip irrigation system in lawns.
- The project proponent shall submit detailed survey report w.r.t. spring sources, water lifting supply schemes located in downstream areas of the site with analysis reports.
- The project proponent shall submit NOC of concerned Gram Panchayats.
- The project proponent shall submit details of analysis of soil percolation capacity.
- The project proponent shall submit details of plan for labors stay, sanitation facility etc.
- The project proponent shall submit details of Energy conservation plans DG sets, solar energy use, MSW disposal plans.
- The project proponent shall submit revised essentiality certificate from Tourism Department.
- The project proponent shall submit compliance report to observations of Hon'ble National Green Tribunal.

The project proponent has submitted the compliance to above observations. The site visit was also conducted by SEAC members on 01.04.2017. The committee observed that:

- The project proponent shall submit geotechnical assessment report of authorized agency and based on the recommendation the block wise plans before the committee. Shall give the muck management plan with retaining structures.
- The project proponent shall submit the rain water harvesting plans with storage capacity and demarcation of these locations on site plan.
- The project proponent shall submit the solar system plans.
- The project proponent shall submit the disaster management plan with mitigation measures.
- The project proponent shall submit the location plan of the STP as per observations of SEAC during the site visit.
- The project proponent shall clarify the confluence point of local road with boundary of the project near proposed compost unit.

The case was re-appraised in 52nd meeting of the SEAC on submission above compliance and after deliberating on the information & compliance submitted and considering the facts placed before the committee, the SEAC recommended the case application for consideration of grant of environmental clearance by the SEIAA, subject to fulfillment of conditions fixed for Housing, Building projects and fulfillment of following conditions prior to listing of case before SEIAA;

- The project proponent shall submit the revised CSR plan and include the provisions for supporting local administration in setting up an electric crematorium in District Solan, besides giving the numbers of Solar lights, toilets as proposed in CSR plan with time bound action plan.

The project proponent has submitted the compliance to the conditions of the SEAC imposed in 52nd Meeting.

After deliberating on the recommendations of SEAC the Authority approved the grant of Environment Clearance in favour of the Unit stipulating the conditions recommended by the SEAC

2.3 **Sh. Amar Chand, S/o Sh. Laxmi Dhar, Prop. M/s A.C. Stone Crusher, Village-Lachhori, P.O. Thakri Matti, Tehsil-Salooni, District-Chamba, Himachal Pradesh, Pin-176 308, Mob: 94180 10192.**

H. Archan
Brief outline of the project:

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| a) Online Proposal No. | SIA/HP/MIN/19023/2017 dated 01.04.2017 |
| b) Project type | Mining of Minerals (Extraction/collection of Sand, Stone & Bajri) |
| c) Project Location | Khasra number 1245/1 falling in Mauza & Mohal-Danoon, Tehsil-Salooni, District-Chamba, Himachal Pradesh. |
| d) Capacity | 2,82,150 TPA. (1045 TPD), Two trucks / hr |
| e) Mining Area | 200-01-00 Bighas/ 16-1898 ha. (Govt. Land) |

- f) **EMP Cost** Capital Cost: Rs. 3.3 lakhs; Recurring cost: Rs. 4.9 lakhs.
(Excluding cost of drazzer)
- g) **CSR Cost** Capital Cost: Rs. 1.5 lakhs; Recurring cost: Rs. 6000/year.

The case was listed in 45th, 46th & 47th meeting of SEAC. The project proponent has requested that as per notification dated 15.01.2016 under para 7(i) (B), the case as specified in Appendix IX at Sr. No. 6 (i.e. Dredging and de-silting of reservoir of dams, reservoir, weirs barrages, river and canals for the purpose of their maintenance, upkeep and disaster management) is exempted from prior environment clearance. The project proponent appeared before the SEAC in its 47th meeting and submitted that he intends to withdraw his application pending before the SEAC. The SEAC considered his request and close the matter.

The project proponent again on dated 20.10.2016 requested to reconsider his case as per TOR's approved in 46th meeting of SEAC held on 4th & 5th July, 2016 and the public hearing conducted by the proponent.

The case was listed in 49th meeting of SEAC, where SEAC decided that the case will be listed in next meeting after compliance of following observations:

- The project proponent shall revalidate the EIA Report with at least one month latest data and update the EIA/ EMP report.
- The project proponent shall withdraw the old proposal No. SIA/HP/MIN/49266/2016 dated 13.02.2016 from the online portal.

The case was re-appraised in 52nd meeting of the SEAC on submission above compliance and after deliberating on the information & compliance submitted and considering the facts placed before the committee, the SEAC recommended the case application for consideration of grant of environmental clearance by the SEIAA, subject to fulfillment of conditions annexed at Annexure-I.

After deliberating on the recommendations of SEAC the Authority approved the grant of Environment Clearance in favour of the Unit stipulating the conditions recommended by the SEAC and with following additional condition that:

- The proponent shall resubmit the detailed EMP & CSR with activity wise time frame and costs allocated within one month of the issuance of EC letter to project proponent. The EMP & CSR implementation shall be linked in accordance with the obtaining of Consent to Operate issued by SPCB i.e. actual execution of the project.

ITEM NO. 3:

CASES FOR REVOKING OF ENVIRONMENT CLEARANCE GRANTED BY HPSEIAA

3.1 M/s Orient Power Systems, Gondpur Industrial Area, Paonta Sahib, Distt. Sirmaur, H.P.

The Regional Office of MoEF&CC, GoI at Dehradun vide letter No. 6-141/2010-RO (NZ)/1708 dated 25/1/2017 informed that, to monitor the status of compliance of Environment Clearance stipulation granted by HPSEIAA vide letter No. HPSEIAA/2008/32 dated 5/2/2010, Industrial Unit of M/s Orient Power Systems was visited on 28/9/2016. The project was proposed for setting up of Industrial Unit for Melting of led and Manufacturing of Lead Acid Batteries.

RO, Dehradun observed that the project has closed down the industry and is not in operation since couple of years & not respond to correspondence w.r.t. six monthly compliance report, therefore, EC granted to M/s Orient Power Systems may be revoked in view of the non-compliance of provisions made in EIA Notification, 2006.

After deliberating on the observations of Regional Office of MoEF&CC, GoI at Dehradun the Authority considered and approved that the Environment Clearance issued by HPSEIAA, under the provisions of EIA Notification, 2006, may be revoked, after according a final opportunity to the project proponent, by way of a legal notice, to be replied in 10 days.

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Acharya

3.2 M/s Indian Technomac Co. Ltd, Village Jagatpur, PO Misserwala Paonta Sahib, Distt. Sirmaur, H.P.

The Regional Office of MoEF&CC, GoI at Dehradun vide letter No. 6-134/2009-RO (NZ)/1706 dated 25/1/2017 informed that, to monitor the status of compliance of Environment Clearance stipulation granted by HPSEIAA vide letter No. HPSEIAA/F(26)2009 dated 2/12/2009, Industrial Unit of M/s Indian Technomac Co. Ltd. was visited on 28/9/2016. The project was proposed for setting up of Industrial Unit for production of Low/Medium/High Carbon Ferro Alloy and installation of gasification based captive thermal power plant 10 mw.

RO, Dehradun observed that the project has closed down the industry and is not in operation since couple of years & not respond to correspondence w.r.t. six monthly compliance report, therefore, EC granted to M/s Indian Technomac Co. Ltd may be revoked in view of the non-compliance of provisions made in EIA Notification, 2006.

After deliberating on the observations of Regional Office of MoEF&CC, GoI at Dehradun the Authority considered and approved that the Environment Clearance issued by HPSEIAA, under the provisions of EIA Notification, 2006, may be revoked, after according a final opportunity to the project proponent, by way of a legal notice, to be replied in 10 days.

3.3 M/s Ultra Tuff Cement Industries, Plot No. 12,13, Industrial Area, Nagri, Tehsil Palampur, Distt. Kangra, HP.

The Regional Office of MoEF&CC, GoI at Dehradun vide letter No. 6-153/2010-RO (NZ)/1704 dated 25/1/2017 informed that, to monitor the status of compliance of Environment Clearance stipulation granted by HPSEIAA vide letter No. HPSEIAA/2009/75 dated 29/3/2010, Industrial Unit of M/s Ultra Tuff Cement Industries was visited on 23/9/2016. The project was proposed for setting up of manufacturing unit of Pozzolona Portland Cement.

RO, Dehradun observed that no industry was found constructed & project authorities did not respond to correspondence w.r.t. six monthly compliance report, therefore, EC granted to M/s Ultra Tuff Cement Industries may be revoked in view of the non-compliance of provisions made in EIA Notification, 2006.

After deliberating on the observations of Regional Office of MoEF&CC, GoI at Dehradun the Authority considered and approved that the Environment Clearance issued by HPSEIAA, under the provisions of EIA Notification, 2006, may be revoked, after according a final opportunity to the project proponent, by way of a legal notice, to be replied in 10 days.

ITEM NO. 4: CASES FOR TRANSFER TO MOEF&CC.

4.1 Sh. Karamveer Pal Singh, Legal Heir of M/s Agia Ram & Sons, Village-Heerpur, Tehsil-Paonta Sahib, Sirmour, H.P. Pin-173025. Mob: 94180 95310.

Brief outline of the project:

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|------------------------|--|
| a) Online Proposal No. | SIA/HP/MIN/59168/2016 dated 23.12.2016 |
| b) Project type | Mining of Minerals (Extraction of Lime Stone). |
| c) Project Location | Khasra number 326, 325/2/1, 329/1 falling in Mohal & Mauza-Bharli, Tehsil-Paonta Sahib, District-Sirmour, H.P. |
| d) Capacity | 90,936 TPA |
| e) Mining Area | 4.45 hectare (53-4 bighas). |
| f) EMP Cost | Capital Cost: Rs. 0.75 lakhs; Recurring cost: Rs. 0.65 lakhs |
| g) CSR cost | Rs. 30.00 lakhs |

H/. The proposed project is extraction of limestone. The project site comes in the hilly terrain of Village-Bharli. The method of proposed mining will be open cast Semi-mechanized.

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The case was listed in 49th meeting of SEAC, where SEAC decided that the case will be listed in next meeting after compliance of following observations:

- The project proponent shall submit revised certificate of distance from the State Geologist.

- The project proponent shall submit certificates from concerned authorities w.r.t. distance from (i) Protected areas notified under the Wildlife (Protection) Act, 1972 (53 of 1972); (ii) Critically polluted areas as identified by the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986, and (iv) inter-State boundaries and international boundaries;
- The project proponent shall resubmit the maps annexed with the mining plan after revision as per content of the mining plan.

The case was appraised in 52nd Meeting of the SEAC. After deliberating on the information submitted by the project proponent and considering the fact that the project location falls within the state boundary and due to applicability of general conditions as per EIA Notification it is required to be appraised as Category-A project at the level of MOEF & CC GoI. SEAC recommended that the SEIAA may direct the project proponent to take necessary action accordingly.

After deliberating on the recommendations of SEAC the Authority approved that the HPSEIAA Secretariat shall advise the project proponent to apply to MoEF&CC, GoI as per the provisions of EIA Notification 2006.

ITEM NO. 5: AMENDMENT IN ENVIRONMENTAL CLEARANCE CONDITIONS:

5.1 Sh. Dila Ram, M/s Dhawal Stone Crusher, Village-Khanyod, P.O. Khural, Tehsil-Sunder Nagar, District-Mandi, H.P.

Brief outline of the project:

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|---------------------|---|
| a) Project type | Extraction/collection of Sand, Stone & Bajri, river bed. |
| b) Project Location | 1 st (Mauja DPF Dhawal/236, Khasra No. 221/1, Tehsil-Sunder Nagar, Mandi) and 2 nd (Mauza Khurahal/79, Khasra No. 420/1/1, Tehsil- Sunder Nagar, Mandi) lease respectively. |
| c) Capacity | 19,240 TPA for 1 st mining lease and around 9900 metric tons for 2 nd mine lease area. |
| d) Mining Area | 13-02-09 bighas (1.053 hectare, Govt. land/BBMB acquired land) for 1 st lease and 6-11-05 bighas (0.49 ha) for 2 nd lease of Govt. Land |
| e) EMP Cost | Capital cost as Rs. 3.0 lakhs, Recurring cost as Rs. 0.6 lakhs |

The project proponent was granted Environment Clearance vide this office letter no. HPSEIAA/2015/337-M/s Dhawal Stone Crusher-2853-2861 on dated 03.09.2015. Now this office has received a letter from the office of the State Geologist vide letter no. Udyog-Bhu (khani-4) Laghu-37/07-13787 dated 03.03.2017 along with the representation from project proponent to clarify the matter in accordance with the condition laid under point-i of Part-B-General Condition i.e. No Change in mining technology and scope of working should be made without prior approval of the MoEF&CC.

The case was listed in 51st Meeting of the SEAC. After deliberating on the representation of the project proponent and letter of the State Geologist, the SEAC is of the view that the Environment Clearance was granted on the basis of approved Mining Plan where mining methodology was proposed using manual methodology, therefore, the technology/methodology cannot be changed at this stage. The application was rejected by the Committee.

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After deliberating on the recommendations of SEAC the Authority decided to reject the current application for change in methodology of extraction of material from manual to mechanical as per the recommendations made by the SEAC.

ITEM NO. 6. DISCUSSIONS ON HON'BLE NGT ORDERS

Discussions was held on Hon'ble NGT Orders in the matter of Rana Randeep Singh Vs. Union of India & Others vide appeal No. 57 of 2016 dated 16/1/2017:


"...the area of Paonta Sahib falling between the boundary of State of Himachal Pradesh and Uttrakhand. We hereby prohibit any mining to be carried on in that area. Any person who has the

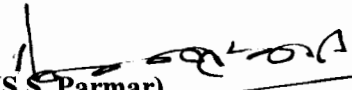
Environmental Clearance, consent of the Board and all other permission under the relevant Law may apply to the Tribunal to continue or to do mining. Copy of this Order be issued forthwith....”

The SEAC deliberated on the orders of Hon'ble National Green Tribunal and recommended that the SEIAA may review all the cases recommended by the SEAC for grant of Environment Clearance in the area falling in the ambit of these orders. The SEAC also recommended that the SEIAA may seek a certificate from Dy. Commissioner concerned and the Mining Department to the fact that respective case does not fall in purview/ambit of these orders as to ensure that no violation taken place w.r.t. Orders of Hon'ble National Green Tribunal. List of such cases is at Annex-I.

After detailed deliberations, it was decided that as per the recommendation of the SEAC, certificate from the Dy. Commissioner concerned and the Mining Department shall be obtained by SEIAA to the effect that respective cases as per the list attached to which Environment Clearance has been granted by the State Authority, do not fall in purview/ambit of the orders dated 16-01-2017 of Hon'ble National Green Tribunal so as to ensure that no violation takes place.

The Meeting ended with a vote of thanks to the Chair.


(Archa Sharma)
Member Secretary
HPSEIAA


(S.S. Parmar)
Chairperson
HPSEIAA

Dated 24/5/2017, Shimla-1.

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