

State Level Environment Impact Assessment Authority, Jharkhand.

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Letter No.-EC/SEIAA/2015-16/1809/2015/ 2386

Ranchi, Date: 30.12.15

To: **M/s Agam Commercial Pvt. Ltd,**
Shri Manish Lal Jain ,
S/O Shri Madan Lal Jain
923, Kali Bari Road, P.O.-Sadar,
Dist- Hazaribagh, Jharkhand 825301

Sub.: Environmental Clearance for the project “Markacho Balu Ghat over Pachkhara River of M/s Agam Commercial Pvt. Ltd. at Khata No.- 1818, Plot No- 14257 at Village- Markacho, Anchal – Markacho, Dist.- Koderma, Jharkhand (6.27 Ha)”

Sir,

It is in reference to the “Markacho Balu Ghat over Pachkhara River of M/s Agam Commercial Pvt. Ltd. at Khata No.- 1818, Plot No- 14257 at Village- Markacho, Anchal – Markacho, Dist.- Koderma, Jharkhand (6.27 Ha)” submitted by you for seeking prior Environmental Clearances (EC). The proposed estimated reserve is 1,18,800 cum and total annual production capacity as per Form I has been indicated as 1,18,800 cum per annum.

The proposal was appraised by State Level Expert Appraisal Committee (SEAC) and recommended for grant of Environmental Clearance in its meeting held on 18th to 24th December 2015

State Level Environment Level Impact Assessment Authority (SEIAA), Jharkhand in its meeting held on 23.12.2015 discussed the project proposal along with recommendations made by SEAC and decided to grant EC to the project.

Following the decision of SEIAA, as mentioned above, Environmental Clearance is hereby issued to the “Markacho Balu Ghat over Pachkhara River of M/s Agam Commercial Pvt. Ltd. at Khata No.- 1818, Plot No- 14257 at Village- Markacho, Anchal – Markacho, Dist.- Koderma, Jharkhand (6.27 Ha).” alongwith the following conditions-

A. Specific Conditions

1. This Environmental Clearance is valid subject to the following condition below –
That this project has-
 - a. Obtained all legal rights to operate at concerned place.
 - b. Complied with all existing concerned laws of the land and
 - c. Complied with the decisions of SEIAA on the issue of Environmental Clearance till date.
2. A matter in the context of Environmental Clearance to Chururia Sand Ghat in Barakar River of M/S Starnet Marketing Pvt Ltd at Village- Chururia, Ghurnbeda&Daldali, P.S- Tundi, District- Dhanbad, Jharkhand (14.30 Ha) has come to the notice of SEIAA in which mining lease has been granted by the Mining department on such a piece of Land in which two plots have been found within the forest area and this has also come to the notice of SEAC during examination of the records submitted by the concerned proponent .

SEIAA in its 35th meeting dated 13.08.2015 decided that SEAC will be considered after taking undertaking from the proponent about the distance from forest boundary to avoid the delay in obtaining the certificate of D.F.O.

But as matter mentioned in para 1 it has come to the knowledge of SEIAA that if the undertaking given by the proponent is found to be wrong and if the mining Lease granted by the Department of Mines and Geology in such an area where the land or any part of it under lease is found at any level or by any authority to be inside notified forest or demarcated forest or Jungle Jhari area (as recorded in revenue records). SEIAA decides that the E.C. issued will be treated as invalid / cancelled with immediate effect.

3. Decision taken by SEIAA on 7.05.2013 regarding distance from forest boundary is substituted as follows:-
“For renewal cases of mining lease position of earlier lease as and where it was legally running is allowed and in case of new lease it should be at a distance of 250 meters from the nearest forest boundary”.
4. Condition laid down in all earlier minutes of proceedings regarding requirement of CTO/CTE by JSPCB is substituted as follows:-
“Proponent will comply with all other mandatory provisions of status if so required”.
5. The Environmental clearance is subject to grant of Mining Lease and will be co-terminus with the mining lease period.
6. The mining work will be open-cast and exclusively manual. No mechanical work or drilling / blasting should be involved at any stage.
7. The mining is confined to extraction of sand from the river bed only. No mining is to be carried out in water stream. It shall be ensured that there shall be no mining beyond 03 m or upto water level whichever is less in the issue of Sand Mining or Sand / Gravel Mining should be raised 15 meter away from the river side or mining should be restricted from the distance equal or more than 1/5 module of river width shall be left on both the banks of precise area to control and avoid erosion of river bank.
8. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed. Also PP shall ensure that stipulations mentioned in MoEF OM No.- J-13012/12/2013-IA-II(I), dated- 24th December, 2013 and SEIAA, Jharkhand guideline dated 07.05.2013 are adhered to.
9. For the green belt development in the mining area / transport road sides / other land area saplings available in the forest nursery / private nursery should also be considered for the mentioned purpose instead of the Trees / Plants mentioned in the PFR / Presentation copies of the proposed mine.
10. No sand mining activities will be carried out in upstream or downstream within 500 m of railways, road, bridge, water intake, wires & notified aquarium or breeding places.
11. Project Proponent shall appoint a Monitoring Committee to monitor the replenishment study, traffic management, levels of production, River Bank erosion and maintenance of Road etc and shall submit report to SEIAA, JSPCB and DMO after every monsoon i.e. by end of November (30th) of that year. Also after receding of flood / water (after monsoon) a study has to be conducted in mining lease area and list of flora & fauna is to be prepared and submit report to SEIAA, JSPCB and DMO.

12. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, as may be applicable to this project (in case any fauna occurs / is found in the Project area).
13. The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered fauna.
14. The project proponent shall prepare the plan of mining in conformity with the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season. Due consideration will be given to points raised in Supreme Court judgement and SEIAA guidelines.
15. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
16. The project proponent will provide protective respiratory devices to workers working in dusty areas and they shall also be provided with adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
17. Solid waste material viz., gutkhapouchs, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management rules.
18. Project falling within 1.0 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
19. Natural /customary paths used by villagers should not be obstructed at any time by the activities proposed under the project. Transportation of sand is to be carried out with consent of Villagers and Trucks are to be covered with Tarpaulin.
20. Local flora may be planted in the Core Zone of the Mining Lease area.
21. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
22. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India / MOEF Guidelines applicable to Minor Minerals.
23. PP shall maintain minimum distance from Reserved / Protected Forests as stipulated in applicable guidelines.
24. There shall be no external dump(s). Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Jharkhand State Pollution Control Board, Ranchi and its nearest Regional Office on six monthly basis.
25. The project proponent should implement suitable conservation measures to augment ground water resources in the area in consultation with the Ground Water Directorate, Government of Jharkhand / Central Ground Water Board.

26. Effective safeguard measures should be taken to control fugitive emissions so as to ensure that RSPM (PM10 and PM 2.5) levels are within prescribed limits.
27. Pre-placement medical examination and periodical medical examination of the workers engaged in the project shall be carried out and records maintained.
28. Proper safety measures as per statutory requirement are to be implemented around the mined out Pit prior to closure of site.
29. A final mine closure Plan along with corpus fund duly approved by Competent Authority shall be submitted to the Jharkhand State Pollution Control Board, Ranchi and to concerned DMO in advance of final mine closure for approval.

B. General conditions

1. Any change in mining area Plot / Khata numbers, entailing capacity addition with change in process and or mining technology modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended), SEIAA guidelines and Supreme Court judgement on the subject.
2. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation, Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
3. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the 'clearance shall-be automatically deemed.to have been cancelled.
4. Parking of vehicles should not be made on public places.
5. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
6. No wildlife habitat will be infringed.
7. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed / basin, where, mining is carried out.
8. It shall be ensured that mining operation will not in any way disturb the, velocity and flow pattern of the river water significantly.
9. It shall be ensured that there is no fauna dependant on the river bed or areas dose to mining for its nesting,primary survey of flora and fauna shall be carried out and data / report on the same, vetted by the competent authority shall be submitted to the RO, JSPCB and SEIAA within 03 months of grant of EC.
10. The proponent shall observe every 15 day for nesting of any turtle hill stream fishes in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat / nesting area is undisturbed.
11. Hydro- geological study shall be carried out by reputed organization / institute within six months and establish that mining in the said area will not adversely affect the ground water

regime. The report shall be submitted to the RO, JSPCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.

12. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, JSPCB and SEIAA and this activity should be completed before the start of sand mining.
13. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects / tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such programme. The project proponent shall provide separate budget for community development activities and income generating programmes.
14. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO / Horticulture Officer.
15. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
16. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities, Maintenance of Village roads through which transportation of minerals is to be undertaken, shall be carried out by the project proponent regularly at his own expenses.
17. Measures for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried out with geo textile matting or other suitable material.
18. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
19. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile / insect like snake. Periodical and Annual medical check up of workers as per Mines Act and they should be covered under ESI as per rule.
20. No change in the calendar plan including excavation, quantum of mineral and waste should be made.
21. The Project proponent shall maintain register for production and dispatch and submit return to the Board.
22. Measures should be taken for control of noise levels below prescribed norms in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
23. Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards Oil and grease trap should be installed before discharge of workshop effluents.
24. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.

25. Dispensary facilities for First Aid shall be provided at site.
26. A separate environmental management / monitoring cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
27. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Jharkhand State Pollution Control Board, Ranchi. PP shall carry out CSR activities as per Government Guidelines (%of Profit / turnover) or at least Rs 1 per ton whichever is higher.
28. The Jharkhand State Pollution Control Board, Ranchi directly or through its Regional Office, shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) by furnishing the requisite data / information / monitoring reports.
29. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the Jharkhand State Pollution Control Board, Ranchi and to its concerned Regional Office.
30. The proponent shall upload the status of compliance of the environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to Jharkhand State Pollution Control Board and its concerned Regional Office. The criteria pollutant levels namely ; SPM ,RSPM,SO₂ ,NO_x (ambient levels) or critical sectoral parameters , indicated for the project shall be monitored and displayed at a convenient location near the project shall be monitored and displayed at a convenient location near the main gate of the company in the company in the public domain.
31. A copy of the clearance letter shall be sent by the project proponent to concerned Panchayat, ZilaParisad / Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the project proponent.
32. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the Jharkhand State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986,as amended subsequently ,shall also be put on the website of the company along the status of compliance of EC conditions and shall also to the concerned Regional Office of JSPCB by e-mail.
33. All statutory clearances shall be obtained before start of mining operations.

C. Other points

1. The Authority reserves the right to add any new condition or modify the above conditions or to revoke the clearance if conditions stipulated above are not implemented to the satisfaction of Authority or for that matter for any other Administrative reason.
2. The Environmental Clearance accorded shall be valid for the period of grant of lease for the mine. The PP shall not increase production rate and alter lease area during the validity of Environmental Clearance.
3. In case of any deviation or alteration in the project proposed from those submitted to SEIAA, Jharkhand for clearance, a fresh reference should be made to SEIAA to assess the adequacy of the conditions imposed and to incorporate any new conditions if required.

4. The above stipulations would be enforced among others under the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court of Jharkhand and any other Court of Law relating to the subject matter.
5. Any Appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Sd/-

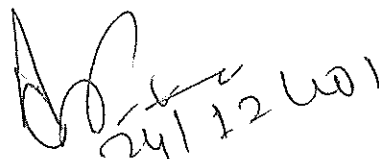
Member Secretary
State Level Environment Impact
Assessment Authority, Jharkhand.

Memo No.-EC/SEIAA/2015-16/1809/2015/ 2386

Dated: 30.12.15

Copy to:

1. Principal Secretary, Department of Forests & Environment, Jharkhand.
2. Deputy Commissioner, District- Koderma, Jharkhand.
3. Divisional Forest Officer, Koderma Division, Koderma, Jharkhand.
4. Director IA Division, Monitoring Cell, MoEF and Climate Change, Indira Paryavaran Bhavan, Jorbag Road, Aliganj, New Delhi - 110003
5. District Mining Officer, District- Koderma, Jharkhand.
6. Member Secretary, Jharkhand State Pollution Control Board, Ranchi.
- ✓ 7. Secretary, Jharkhand State Expert Appraisal Committee, Ranchi.
8. Website.
9. Guard file.



Member Secretary
State Level Environment Impact
Assessment Authority, Jharkhand

