

State Level Environment Impact Assessment Authority, Jharkhand

Nursery Complex, Near Dhurwa Bus Stand, P.O.+P.S-Dhurwa, Ranchi, Jharkhand-834 004

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Letter No.- EC/SEIAA/2018-19/2119/2018/

Ranchi, Date :

To: **Shri Lalit Kumar**
In Charge (Sand Mining)
M/S J.S.M.D.C. Ltd.
At : Khanij Nigam Bhawan,
P.O.: Doranda, Ranchi,
Jharkhand – 834002.

Sub: Environmental Clearance for the project “Banki Sand Ghat in the river bed of Lilajan River of M/s JSMDC Ltd. at Khata no. 13, Plot No.- 01 at Village- Banki, Panchayat- Karma, Tehsil- Hunterganj, Dist. : Chatra, Jharkhand (3.74 Ha).” (Proposal No. SIA/JH/MIN/35135/2019)

Sir,

It is in reference to “Banki Sand Ghat in the river bed of Lilajan River of M/s JSMDC Ltd. at Khata no. 13, Plot No.- 01 at Village- Banki, Panchayat- Karma, Tehsil- Hunterganj, Dist. : Chatra, Jharkhand (3.74 Ha)” submitted by you for seeking prior Environmental Clearances (EC).

This is a Sand Mining Project with an area of 3.74 Ha. The latitude and longitude of the project site is 24°24'36.02"N to 24°24'38.22"N and 84°48'46.52"E to 84°48'46.35"E. The nearest railway station is Paharpur at a distance of 34.5 km in NE direction and the nearest airport is Ranchi at a distance of 167 km in SE direction. 1.5 KLD water will be used for drinking purpose and dust suppression on ‘Kacha’ haul road, sourced from tube well. Depending upon the location, thickness of sand, deposition, agricultural land/riverbed, the method of mining will be open-cast and preferably manual and specific circumstances/situation semi mechanised or mechanised (As per direction contained in Sustainable Sand Mining Management Guideline, 2016 manual method of mining shall be preferred over any other method).

The indicated project cost is Rs 33.5 Lakh and a provision of Rs 7.5 Lakh has been indicated for Environment management.

The proposed estimated mineral reserve is 1,04,812.76 cum as per approved mine plan.

Year-wise Production as per Approved Mining Plan Report for five years is as follows

1 st Year	:	60,359.48 cum
2 nd Year	:	48287.58 cum
3 rd Year	:	48287.58 cum
4 th Year	:	48287.58 cum
5 th Year	:	48287.58 cum

The daily production as per mine plan is 301.79 cum for 1st year & 241.44 cum for next 4 years.

DFO, Wildlife, Hazaribagh vide letter no. 848, dated - 10.05.19 certified that the distance of Lawalong Wildlife Sanctuary is 25000 m from project site and not within 10 km from National Park, Bio-Diversity & Sanctuary and proposed project is not situated in any ESZ. The CO, Hunterganj, letter no. 29, dated - 11.01.19 has mentioned the plot no. of the project is not recorded as "Jangle Jhari" in the Khatiyon or Register -II.

DMO, Chatra vide memo no. 795, dated 09.05.19 certified that any other lease is not within 500 m radius from proposed project site.

DFO, Chatra vide letter no. 1348, dated - 11.05.19 certified that the distance of notified forest is 340 m from project site DFO, Chatra vide letter no. 1592, dated - 05.06.2019 has been made available the required information with regard to applied plot no.

The proposal was appraised by State Level Expert Appraisal Committee (SEAC) and recommended for grant of Environmental Clearance in its meeting held on 27th, 28th, 29th & 30th May, 2019 in the light of Hon'ble NGT, Principal Bench, New Delhi order dated 13.09.18 and MoEF & CC O.M dated 12.12.18.

State Level Environment Level Impact Assessment Authority (SEIAA), Jharkhand in its meeting held on 03rd June, 2019 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 **"Banki Sand Ghat in the river bed of Lilajan River of M/s JSMDCLtd. at Khata no. 13, Plot No.- 01 at Village- Banki, Panchayat- Karma, Tehsil- Hunterganj, Dist. : Chatra, Jharkhand (3.74 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. This EC letter is subject to Hon'ble NGT order dated : 13.09.2018 and MoEF & CC O.M. dated : 12.12.2018.
 - a. Providing for EIA, EMP and therefore public consultation for all areas from 5 to 25 Ha falling under category B-2 at par with category B-1 by SEIAA/SEAC as well as for cluster situation wherever it is not provided.
 - b. Form-1M be made more comprehensive for areas of 0 to 5 Ha by dispensing with the requirement for public consultation to be evaluated by SEAC for recommendation of grant of EC by SEIAA instead of DEIAA/DEAC.
 - c. If a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior Environmental Clearance.
 - d. EIA and /or EMP be prepared for the entire cluster in terms of recommendations 5 (supra) of the guidelines for the purpose of recommendations 6, 7 and 8 thereof.
 - e. Revise the procedure to also incorporate procedure with respect to annual rate of replenishment and time frame for replenishment after mining closure in an area.
 - f. The MoEF & CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined- out areas along with the Net present value of Ecological services forgone because of illegal or unscientific mining.



3. The Environmental clearance is subject to grant of Mining Lease and will be co-terminus with the mining lease period.
4. As per EIA notification, 2006 and Supreme Court judgement in Deepak Kumar, Gram Sabha is a major component of EC for this category of project. In all these projects Gram Sabha report has not been submitted. The EC of these cases is being recommended subject to **submission of the Gram Sabha consent.**
5. The mining work will be open-cast and preferably manual and specific circumstances/ situation semi mechanised (**As per direction contained in SSMMG, 2016 manual method of mining shall be preferred over any other method**). No mechanical work or drilling / blasting should be involved at any stage.
6. 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.
7. 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.
8. 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.
9. 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.
10. Environmental clearance is subject to obtaining prior clearance from forestry and Wildlife angle including clearance from standing committee of NBWL, as may be applicable to this project (in case any fauna occurs / is found in the Project area or if the area involves forest land or Wildlife habitat i.e. core zone of elephant/tiger reserve etc. and or located with in 10 km. of protected area).
11. The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered ^{flora &} fauna.
12. 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.
13. 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.

14. 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.
15. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management rules.
16. 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.
17. Local flora may be planted in the Core Zone of the Mining Lease area.
18. Concealing factual data or submission of false/fabricated data or submitting false information 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.
19. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India / MOEF Guidelines applicable to Minor Minerals.
20. This Environmental Clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT, MoEF & CC and any other Court of Law, if any, as may be applicable to this project.
21. PP shall maintain minimum distance from Reserved / Protected Forests as stipulated in applicable guidelines.
22. 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.
23. 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.
24. 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.
25. Pre-placement medical examination and periodical medical examination of the workers engaged in the project shall be carried out and records maintained.
26. Proper safety measures as per statutory requirement are to be implemented around the mined out Pit prior to closure of site.
27. 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.
28. The project proponent shall obtain Consent to establish and Consent to Operate from the Jharkhand State Pollution Control Board, Ranchi and effectively implement all the conditions stipulated therein
29. At least 1.5 meter from the river bed sand should be kept intact and mining can be done above this cushion of sand considering the geological condition of Chhotanagpur plateau.

B. General conditions:

As per the latest guidelines of MoEF & CC regarding Sustainable Sand Mining Management Guidelines 2016 -

1. EC is subject to having valid lease and all statutory clearance as applicable.
2. Monitoring Committee including Local Panchayat to check on traffic due to transportation and submit an annual report on the same.
3. To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the River whichever is more will be left intact as no mining zone.
4. Ultimate working depth shall be up to 3.0 m from Riverbed level and not less than one meter from the water level of the River channel whichever is reached earlier.
5. The directions given by the Hon'ble Supreme Court of India vide order dated 27.02.2012 in Deepak Kumar case [SLP(C) Nos.19628-19629 of 2009] and order dated 05.08.2013 of the Hon'ble National Green Tribunal in application No.171/2013 may be strictly followed.
6. The SEIAA, Jharkhand or any other competent Authority may alter modify the above conditions or stipulate any further condition in the interest of Environment Protection.
7. All the provisions made and restrictions imposed as covered in the Minor Mineral Rule, shall be complied with, particularly regarding Environment Management Practices and its fund management and Payment of compensation to the land owners.
8. District level Survey Report should be prepared and area suitable for mining and area prohibited for mining be identified.
9. No River sand mining be allowed in rainy season.
10. To submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity/ production levels shall be decreased / stopped accordingly till the replenishment is completed.
11. In River flood plain mining a buffer of 3 meter to be left from the River bank for mining.
12. In mining from agricultural field a buffer of 3 meter to be left from the adjacent field.
13. Mining shall be done in layers of 1 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
14. No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
15. No blasting shall be resorted to in River mining and without permission at any other place.
16. Depending upon the location, thickness of sand, deposition, agricultural land/Riverbed, the method of mining may be manual, semi-mechanized or mechanized; however, manual method of mining shall be preferred over any other method.
17. Mining should be done only in area / stretch identified in the District Level Survey Report suitable for mining and so certified by the Sub- Divisional Level Committee after site visit.

18. Mining should begin only after pucca pillar marking the boundary of lease area is erected at the cost of the lease holder after certification by the mining official and its geo coordinates are made available to the District Level Committee.
19. The top soil in case of surface land mining shall be stored temporarily in an earmarked site and concurrently used for land reclamation.
20. The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers of Central Government and State for inspection.
21. For each mining lease site the access should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for.
22. The State / District Level Environment Committee should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the lease area and the number of trucks moving out with the mineral.
23. There should be regular monitoring of the mining activities in the State to ensure effective compliance of stipulated EC conditions and of the provisions under the Minor Mineral Concessions Rules framed by the State Government.
24. Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit.
25. Restricted working hours Sand mining operation has to be carried out between sun rise to sun set.
26. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
27. Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
28. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.
29. The mining operations are to be done in a systematic manner so that the operations shall create a major visual impact on the site.
30. Restoration of flora affected by mining should be done immediately. Twice the number of trees destroyed by mining to be planted preferably of indigenous species. Each EC holder should plant and maintain for lease period at least 50 gabion plantation in area near lease and road connecting lease area.
31. No mining lease shall be granted in the forest area without forest clearance in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made thereunder.
32. Protection of turtle and bird habitats shall be ensured.
33. No felling of tree near quarry shall be allowed. For mining lease within 10 km of the National Park / Sanctuary or in Eco-Sensitive Zone of the Protected Area, recommendation of Standing Committee of National Board of Wild Life (NBWL) have to be obtained as per the Hon'ble Supreme Court order in I.A. No. 460 of 2004.

34. Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
35. Removal, stacking and utilization of top soil in mining are should be ensured. Where top soil cannot be used concurrently, it shall be stored separately for future use keeping in view that the bacterial organism should not die and should be spread nearby area.
36. The EC should stipulate conditions for adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures.
37. Use of oversize material to control erosion and movement of sediments.
38. No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.
39. No extraction of sand in land slide prone areas shall be carried out.
40. Controlled clearance of riparian vegetation to be undertaken
41. Site clearance and tidiness is very much needed to have less visual impact of mining.
42. Dumping of waste shall be done in earmarked places as approved in Mining Plan.
43. Rubbish burial shall not be done in the Rivers.
44. The EC holder shall take all possible precautions for the protection of environment and control of pollution.
45. Effluent discharge should be kept to the minimum and it should meet the standards prescribed.
46. Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
47. Vehicles used for transportation of sand are to be permitted only with of fitness and PUC Certificates.
48. Junction at take-off point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
49. Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
50. No stacking allowed on road side along National Highways.
51. The Project Proponent shall undertake phased restoration, reclamation and rehabilitation of land affected by mining and completes this work before abandonment of mine.
52. Site specific plan with eco-restoration should be in place and implemented.
53. Health and safety of workers should be taken care of.
54. The Project Proponent shall make arrangement for drinking water, first aid facility (along with species specific anti-venom provisioning) in case of emergency for the workers.
55. The Project Proponent shall report monitoring data on replenishment, traffic management, levels of production, River Bank erosion and maintenance of Road etc.

56. The project proponent shall submit six monthly report on the status of compliance of the stipulated Environmental Clearance condition including result of monitored data (both in hard copies as well as by e-mail) to the SEIAA/JSPCB/CPCB/Regional Office of MoEF & CC.
57. Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained: also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for labour for ensuring good occupational environmental for mine workers would also be adopted.

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 lease of the mine, the PP does 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/2018-19/2119/2018/261

Dated : 05.06.19,

Copy to:

1. Additional Chief Secretary, Department of Forests, Environment & Climate Change, Govt. of Jharkhand.
2. Deputy Commissioner, District - Chatra, Jharkhand.
3. Divisional Forest Officer, Chatra North Forest Division, Chatra, Jharkhand.
4. Divisional Forest Officer, Wild Life Division Hazaribagh, Hazaribagh, Jharkhand

5. Director IA Division, Monitoring Cell, MoEF and Climate Change, Indira Paryavaran Bhavan, Jorbag Road, Aliganj, New Delhi – 110003.
6. Ministry of Environment, Forest and Climate Change, Regional Office, Bunglow No. A-2, Shyamli Colony, Ranchi – 834002.
7. District Mining Officer, Chatra, Jharkhand.
8. Member Secretary, Jharkhand State Pollution Control Board, Ranchi.
9. Member Secretary, Jharkhand State Expert Appraisal Committee, Ranchi.
10. Website.
11. Guard file.


Member Secretary
State Level Environment Impact
Assessment Authority, Jharkhand
for

