

**Secretariat of State Level Expert Appraisal Committee (SEAC) Rajasthan**

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Dated:- 06.05.2016

To,

The **Project Proponent** as per attached list annexure A

**Sub:** TOR for Environmental Clearance for mining project as per attached list annexure A

**Consultant** – – As per attached list at Annexure A

**Ref:** Decision taken in the 116(A) meeting of SEAC held on 27.4.2016

**The matter was considered in the 116(A) meeting of SEAC held on 27.4.2016.**

**Observation of the Committee :**

The committee observed that the total area of mines within 500 mts. periphery comes out to be more than 25 Ha. hence it is B1 category project as also found by the Screening Sub Committee based upon the data /information/documents provided by the PP in its application for EC, however it is specifically clarified that the PP at his/her own level shall ensure that the project falls under the B-1 Category as per the recent EIA Notification dated 15.1.2016 prior to initiate action regarding compliance of the TORs as per provisions therein.

Keeping in view the information contained in the documents submitted the Committee resolved to prescribe the following Terms of Reference for preparing Environment Impact Assessment Report and conduct “Public Hearing” for **Project name, Project proponent, Consultant:** As per annexure A:

1. The study area will comprise 10 km zone around the mine lease from lease periphery and the data contained in the EIA with respect to mining operations such as conceptual pit limits, waste generation etc. should be for the life of the mine/lease period.
2. Location of other industries & mines within the study area along with their production and pollutants generated by them, estimated pollution load and cumulative impact on environment including the proposed/existing project should be submitted. The same shall be accounted for while generating mathematical models of pollution dispersion for preparation of the EMP.
3. Year-wise production details clearly indicating the proposed highest production for the life of the mine/lease period should be submitted.
4. Details of land to be used as the designated dumping site for OB dump should be selected and proposed within the lease area as per the approved mining plan. In no case the overburden should be dumped outside the lease area, however proposal for utilization of OB for construction or other meaningful use to the extent possible may be submitted and should try to work on zero waste patterns. Details regarding quantity of solid waste generation to be estimated and details for its disposal and dump management are to be provided.
5. Land use plan of the mine lease area should be prepared to encompass pre-operational, operational and post operational phases.
6. The P.P. should provide a mining plan along-with progressive mine closer plan and implementation plan at the time of submission of Final presentation of EC.
7. Based on the study and the points raised by the people during public hearing, the P.P. shall work out an effective plan to address the environmental, socio-economic and other issues identified during the process, with suitable funds allocation for the purpose. Further PP shall implement all commitments made during public hearing, while implementing the project.
8. Certificate regarding mine lease area not falling in the Aravalli Hills to be issued by the Mining Engineer/ Assistant Mining Engineer in the prescribed format, as per the instructions contained in the letter issued by the Director, Department of Mines and Geology, GoR, Udaipur, should be submitted.

9. List/details within 10 km radius of the mine lease area, the location of human settlement, water bodies, Reserve Forest, National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Tiger/Elephant reserves (existing / proposed), shall be clearly indicated giving the land use. Necessary clearance, if any, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above shall be obtained from the Chief Wildlife Warden under the Wildlife (Protection) Act' 1972 and submitted. This location map should also indicate the list and location of other mine leases existing, if any, within 10 km radius.
10. A detailed biological study for the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, duly authenticated, separately for core and buffer zone should be furnished based on field survey. The details regarding flora to include information regarding (a) trees, shrubs, grasses, (b) frequency, density, I V I, abundance % of species occurring on proposed site, (c) dominant species of trees, shrubs , grasses (d) endemic species, (e) threatened species, (f) rare species, (g) endangered species and (h) vulnerable species. The details of fauna to include information regarding list and distribution clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
11. Collection of one season (non-monsoon) primary baseline data on ambient air quality, water quality, noise level, soil and flora and fauna. Ambient Air quality should be determined by measuring the concentration of parameters like  $P.M_{2.5}$ ,  $P.M_{10}$ ,  $SO_2$ ,  $NO_x$  according to the latest standards prescribed by CPCB. Site-specific meteorological data should also be collected. The location of the monitoring stations (minimum 6) should be justified. Date wise collected baseline AAQ data should form part of EIA and EMP report. The monitoring shall be carried out by CPCB/NABL/ MOEF&CC/GoR approved laboratory and copy of the analyses report be submitted. **The monitoring if any prior to submission of project to SEIAA for ToR may not be considered.**
12. Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any and the habitation. The wind roses showing pre-dominant wind direction may be indicated on map. Wind Rose Diagram should be representative and include stability class and inversion phenomenon of that area along with the lapse rate.
13. A surface and ground water study should be carryout, both pre-monsoon and post monsoon monitoring. Information about proposed working depth of mining area, groundwater table both in above MSL and below ground level (BGL) should be provided. Based on actual monitored data, it may clearly be shown whether mine working will intersect groundwater table or not. In case the mining activity intersects the ground water table then necessary permission from CGWA should be obtained. Impact of the project on the water quality both surface and groundwater should also be assessed and necessary safeguard measures, if any required should be provided. Further, submit water drainage plan of the 10 km study area.
14. The water requirement for the project, its availability and source to be furnished. A detailed water balance should also be provided. Fresh water requirement (if any) for the project should also be indicated. Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the project should be provided. Details of water conservation measures including rainwater harvesting should be provided and to be adopted in the project.
15. Consumption of diesel and its storage should be provided along with an action plan for its conservation.
16. The Conceptual post mine land use plan and Reclamation & Rehabilitation (R&R) plan of mined out area (with plans and sections at appropriate scale as per MCDR 1988 should be submitted.
17. Impact on local transport and infrastructure due to the project: Projected increase in hauling vehicles as a result of the project in the present road network (including those outside the project area) and whether it is capable of handling the increased load. Arrangement for improving the infrastructure to avoid any congestion especially at junctions and mishaps throughout the route of

transportation of mineral should be ensured and action to be taken by other agencies such as State Government, if any, should be covered.

18. The green belt area should be developed in 33% of total lease area, provide time taken for of progressive greenbelt development, plantation and compensatory a-forestation clearly indicating the 33% area to be covered under plantation giving detail of local species, width of plantation, plantation schedule etc. along with year wise financial expenditure. The proposal for completion should be for a period of 3 years from the start of mining operation. Information regarding greenbelt development plan shall also be prepared in a tabular form, indicating the location of the area, type of tree and its number supported by a map. **Further, existing mining projects should carryout plantation in 33% of lease area and thereafter come for the final presentation for EC.**
19. Budgetary provision for the labors working in the Mine should be submitted for all necessary infrastructure facilities such as health facility, sanitation facility, and fuel for cooking, along with provision for safe drinking water, monthly medical camps and distribution of medicines, primary education and toilets for women, crèche for infants.
20. Details regarding Occupational health impact of the project should be provided. Health study in the surrounding area be carried out covering information regarding prevailing diseases, mortality rate etc. Health and Safety Plan should be prepared and submitted.
21. The P.P. will carry out proper Socio-economic survey of the villages situated in the study area. The details of survey are given in format at annexure B. Based upon its findings and also as per public hearing issues and keeping in view the felt needs of local populations, the P.P. will provide adequate budget for carrying out CSR/ESR/ESC activities including provision for toilets for girls in nearby schools, monthly medical camps, distribution of medicines and improvement in educational facilities in the nearby schools. **Further, existing mining projects should carryout ESR/CSR/ESC for a period of at least one year and thereafter come for the EC.**
22. Measures for socio economic influence on the local community due to proposed project to be provided by project proponent. As far as possible, appropriate quantitative dimension to be given. Analysis of Job requirements vis-à-vis, employability of local population need to be provided.
23. Detailed environmental management plan to mitigate the environmental impacts which, should inter-alia also include the impact due to change of land use, due to loss of agricultural land and grazing land, if any, besides other impacts of the projects. The budgetary provision (both capital and recurring) for implementing the proposed EMP should be clearly spelt out.
24. The points raised during Public hearing and commitment of the project proponent on the same along with time bound action plan to implement the commitments and the necessary allocation of funds for the same to be provided.
25. Any litigation pending against the project and /or any direction /order passed by any Court of Law against the project, if so, details thereof should be submitted.
26. The P.P. should ensure compliance of the order of the Hon'ble Rajasthan High Court, Jodhpur, in D. B. Civil writ petition no. 1536 of 2003 in the matter of Abdul Rahman vs State of Rajasthan and others and submit a brief note regarding compliance of the court order.
27. That the Project Proponent shall not use any explosive and blasting for mining activity without proper permissions from competent authorities.
28. Provide details about transfer/allotment of mining lease, extension of lease period etc. along with authenticated copies of orders for lease allotment / transfer / extension of validity period.
29. A balance sheet certified by a Authorized Financial Expert to clearly indicate the provision made / amount spent for EMP/ERP/CSR/ESR/ ESC Safety/Labour welfare/ Legal Obligations etc to be enclosed
30. PP should clearly mention in the documents whether there is any violation of provisions of EIA Notification and inform at the start of presentation (to be a part of computer presentation also).
31. Used filter papers (Air monitoring) along with photographs of the site showing Air / Water sampling / monitoring activity / equipment used at each station should be submitted. Original copies of analysis report of all the relevant data referred in the documents should be enclosed.
32. The information regarding the work order/agreement issued by the P.P. to the consultant (Accredited from QCI/ NABET for proposed project Sector) should be submitted along with, (a) Dispatch No. of the work order/agreement, (b) Date of issue of work order (c) Date of start of air/water/other monitoring work (as applicable) and (d) Postal address/ Email Address/ Fax Number/ Mobile Number and Landline Number of the P.P.

**Points included in TOR as per MoEF&CC circular no. J-11013/41/2006-IA.II(I)-Pt. dt. 19.05.2011 regarding Corporate Environmental responsibility.**

1. (a) Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.  
(b) Does the Environment Policy prescribed for standard operating process/procedures to bring into focus any infringement/deviation/violation of the Environmental or forest norms /conditions? If so, it may be detailed in the EIA report.
2. What is the hierarchical system or administrative order of the company to deal with the Environmental issues and for ensuring compliance with the EC conditions? Details of this system may be given.
3. Does the company have a system of reporting of non-compliances/violations of Environmental norms to the Board of Directors of the company and /or shareholders or stakeholders at large? This reporting mechanism should be detailed in the EIA report.
4. 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 shall get the public hearing conducted (strictly following the procedure laid down in the Appendix IV of the Amendment Notification dt. 01.12.2009 and MoEF circular no. J-15012/29/2010/IA.II(M) dt. 19.04.2010). In this regard due care would be taken in (i) deciding the venue of public hearing (at the project site or in its closed proximity, to ensure widest possible public participation), (ii) forwarding the Draft EIA Reports with Executive Summary Reports and notice for hearing to various authorities / offices, specifically to Urban Local Bodies/ Panchayati Raj. Institutions (i.e Zila Parishad, Panchayat Samiti & Gram Panchayat)/ Development Authorities (i.e. U.I.T., J.D.A. etc.), (iii) adequate publicity regarding date, place and time of public hearing among local public, (iv) recording requisite "certificate" at the end of public hearing proceedings / report and (v) displaying the report in the office of Gram Panchayat, Zila Parishad, Collectorate etc. After completing the public hearing process as described above, the proponent shall take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notification, 2006 and subsequent amendment dt. 01.12.2009. Alternatively the PP may also carry out the Public Hearing as per the provisions mentioned in the MOEF & CC Notification dated 15.1.2016 as applicable.
5. A certificate should be submitted by the Regional Officer Pollution Control Board that the process followed for public hearing was adequate as required in reference to contents of MoEF O.M. no. J-15012/29/2010-IA-II(M) dt. 19.04.2010.

In the final EIA /EMP report , compliance of points of ToRs should be reported point wise in a statement of three columns as indicated below:-

S. No	Items in the letter of the ToRs	Reply / Response by the PP
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Yours faithfully,

**(T.S. Ranawat)**

Secretary, SEAC, Rajasthan

Copy to

1. Member-Secretary, SEIAA, Rajasthan and Secretary to Government, Department of Environment, GoR, Secretariat, Jaipur.
2. Member Secretary, RSPCB, Jaipur.

Secretary, SEAC