

State Level Environment Impact Assessment Authority, Rajasthan

4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone: 0141-2705633, 2711329 Ext. 361

No: F 1(4)/SEIAA/SEAC-Raj/Sectt/Project/Cat 1(a) B1 (132)/08-09

Jaipur, Dated:

29 OCT 2009

To,

M/s Jai Chand Lal Daga,
Labhuji Ka Katra,
1st Floor,
Bikaner-334001.

Sub: EC for Ball Clay, Fire Clay Red & Yellow Ochre Mine (ML No. 08/76, RL No. 12.06; area 18.59 ha) N/v Kotri, Tehsil-Kolayat, Distt. Bikaner by M/s Jai Chand Lal Daga, Labhuji Ka Katra, 1st Floor, Bikaner-334001.

Sir,

This has reference to your application no. MoEF, GoI File No.-J-11015/963/2007-IA.III (M) dated 25-06-07 to Government of India seeking environmental clearances for the above project under EIA Notification 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification 2006 on the basis of the mandatory documents enclosed with the application viz. the questionnaire, EIA, EMP and additional clarifications furnished in response to the observation of the State Level Expert Committee Rajasthan, in its meeting held 27/28.08.09.

2. Brief details of the Project:

1. Category: "B-1"
2. Item No.(in the list of Schedule): 1(a)
3. Purpose: For EC
4. (a) Mining Lease No. 08/76, R. L. No. - 12/06.
5. (b) Mining Lease Area: 18.59 ha (entire waste land)
5. Production Capacity: Ball Clay/Fire Clay, Increase in production capacity from 2,337 TPA to 50,000 TPA.
6. Objective of Proposal: a) Increase in annual production.
b) Renewal of mining lease
7. Estimated Cost: Not Mentioned in the project.
8. Ground Water Table: 110-130 m. bgl. Maximum working depth is 15 m. bgl. Hence mining wouldn't have any impact on groundwater regime.
9. Water Requirement & Source: 6 KLD groundwater from nearby villages {drinking 0.5; dust suppression 3.0; and green belt development 2.5 KLD resp.}
10. Method of Mining (whether Blasting is involved?): Opencast, manual mine with occasional use of small capacity excavators. No drilling & blasting is involved
11. Approval of Mining Plan: The mining plan was approved by RCoM, IBM, Ajmer vide letter-dated 18.07.2000 followed by the approval of mining plan along with progressive mine closure plan by S.M.E., D.M.G. Bikaner vide letter no. 11915 dated 17.07.2007 for area 18.59 ha under M.L.No.08/76.
12. Present Status of the mine:
 1. Initially the mining lease for Ball Clay, Fire Clay, Red & Yellow Ochre near Village Kotri, Tehsil Kolayat, District Bikaner, was granted to Smt. Savitri Devi Purohit of Bikaner for 20 years w.e.f. 15.07.1987. The Mining operations were started on 15.07.1987. The mining lease was transferred to M/s Ambika Overseas Pvt. Ltd. Bikaner w.e.f. 01.11.2000. Subsequently it was transferred to M/s Jai Chand Lal Daga on 13.07.2006 vide DMG order no. 703 dated 28.06.06. Thus, the applicant is 3rd transferee of mine.
 2. Before the lease expiry on 14.07.2007 the PP (Lessee) submitted application date 15.07.2006 to DMG for first renewal of mining lease for a further period of 20 years.
 3. The NOC for environmental clearance for proposed Ball Clay mining @



Handwritten signatures and dates: T/S O, 9/11/09, 09/11/09, 09.11.09, and a signature.

50,000 TPA in 18.59 ha ML Area, valid up to 12.09.2007 was issued by MS, RSPCB, Jaipur vide letter no. 4244 dated 6.11.2004.

4. The PP applied on 25.06.2007 to MoEF (GoI) in Schedule - II along with Environmental Appraisal of Mining Project, Rapid EIA/EMP Reports etc, and after presentation in 11th meeting of EAC (for Mining Project) in MoEF on 20-22 February, 2008 the additional TORs were prescribed by MoEF vide letter no. J-11015 / 963 / 2007 - IA. III (M) dated 04.04.2008. for including in EIA & EMP Report already prepared
 5. The public hearing was conducted by RSPCB on dated 28.01.2009 in Tehsil Office, Kolayat, District Bikaner. While forwarding the proceedings of the public hearing, the Board has given following six suggestions in its letter no. 288 dated 01.29.04.2009.
 - That the Project will carry out mining as per approved Mining Plan.
 - That the Project Proponent will dump overburden systematically and scientifically.
 - The Project Proponent will not carry out mining below water table and if water table is intersected, it will obtain prior permission from Central Ground Water Authority.
 - That the Project Proponent will provide Water Sprinkling and Spraying System and spray water on haul roads, mine face and pits.
 - That the PP will carry out only controlled blasting in the mine after obtaining permission from Director General, Mines Safety and Director, Department of Explosives.
 - That the PP will carry out regular monitoring of Ambient Air, Noise and Water quality in the area.
 6. Original file (J-11015 / 963 / 2007 - IA. III (M)) was transferred by MoEF, (GoI) to SEIAA, Rajasthan in February, 2009.
 7. The PP has vide his letter no. 17 dated 06.05.2009 submitted Final Rapid EIA/EMP Report along with application for EC, Environmental Appraisal, Minutes of Public Hearing, Copy of Approved Mining Plan etc.
 8. The statement of year wise clay mineral production from 1993-94 to 2006-07 given in the EIA/EMP Report, mention that mining operation were discontinued temporarily since 16.05.2004. Accordingly production indicated against years 2004-05, 2005-06 & 2006-07 is "NIL". However the status of mining operation and mineral production from 2007-08 to date is not indicated in above quoted statement.
 9. In the minutes of 11th meeting of EAC (Mining Project) held on 20-22 Feb. 2008 in MoEF (GoI), it is mentioned in para - 2.41 (Clay, Fire Clay & Yellow Ochre mine of M/s Jai Chand Lal Daga District Bikaner) that "It is a violation case". However this observation has not been conveyed by MoEF to PP, in the TOR letter.
 10. In the EIA report the PP has attached copy of letter no. 420 dated 31.03.2009 of ME, DMG, Bikaner regarding mining lease area not falling in Arravalli hills and letter no. 1904 dated 17.04.2009 of D.F.O, Bikaner regarding their being no National Park, Sanctuaries, Wild Life corridors, Tiger/Elephant Reserves within 10 km. of mining lease area.
- For Pollution Control, Pollution monitoring, Green Belt Development, Occupational Health, Reclamation of Mined out area, Conservation of Endangered Species and fencing an outlay of Rs. 3.10 Lakhs for capital cost and Rs. 2.25 Lakhs for annual recurring cost, i.e. total Rs. 5.35 lakhs is proposed. Besides, for socio economic welfare measures in nearby villages, an outlay of Rs. 25,000/- is proposed.

13 Fund Provision for EMP Measures:

3. The SEAC Rajasthan after due considerations of the relevant documents submitted by the project proponent and additional clarifications/documents furnished to it have recommended for Environmental Clearance with certain stipulations. The SEIAA Rajasthan after considering the proposal and recommendations of the SEAC Rajasthan hereby accord Environmental Clearance to the project as per the provisions of Environmental Impact Assessment Notification 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

A SPECIFIC CONDITIONS

- i. All the conditions stipulated by the RPCB in its NOC should be effectively implemented.
- ii. That the Project will carry out mining as per approved Mining Plan.
- iii. That the Project Proponent will dump overburden systematically and scientifically.
- iv. The Project Proponent will not carry out mining below water table and if water table is intersected, it will obtain prior permission from Central Ground Water Authority.
- v. That the Project Proponent will provide Water Sprinkling and Spraying System and spray water on haul roads, mine face and pits.
- vi. That the PP will carry out only controlled blasting in the mine after obtaining permission from Director General, Mines Safety and Director, Department of Explosives.
- vii. That the PP will carry out regular monitoring of Ambient Air Quality, Noise, Water in the area.
- viii. The mining operations shall not intersect groundwater table. In case of working below ground water table, prior approval of the Central Ground Water Authority shall be obtained.
- ix. Topsoil shall be stacked temporarily at earmarked sites only and it should not be kept unutilized for a period more than three years; it should be used for land reclamation and plantation in mined out areas.
- x. The project proponent shall ensure that no natural water course/water body shall be obstructed due to any mining operations.
- xi. The PP shall not mine Asbestos in the lease area, if any. Regular asbestos monitoring shall then be carried out and results submitted with ambient air monitoring results to RPCB.
- xii. The dumping site selected and proposed shall be used for OB dump at the designated site as per the approved mine plan. The PP shall remove old overburden from charagah & agriculture land, if any.
- xiii. The benches height and slope shall be maintained as per the DGMS approval.
- xiv. The over burden generated shall be stacked at earmarked dump site (s) only and it should not be kept active for long period of time. The maximum height of the already existing waste dumps shall not exceed 5 meters in single terraces.
- xv. Waste dump shall be terraced. The height of the dump and its slope shall not exceed than suggested/DGMS requirements. A retaining wall shall be constructed at the toe of the dump.
- xvi. Garland drains shall be constructed to prevent the flow of the water in the dumps.
- xvii. Check dams shall be constructed in the seasonal rivulets to prevent the flow of fines to low lying areas during rains.
- xviii. De-silting of the check dams shall be done regularly during rains.
- xix. The PP shall not obstruct the natural drains in the area.
- xx. The total waste generated in the present plan period shall be as envisaged, which shall be accommodated in old dumpsite in addition to the waste already dumped. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Six monthly compliance reports should be submitted to RPCB and MoEF Zonal Office, Lucknow.
- xxi. Permission from the competent authority should be obtained for drawl of ground water, if required.
- xxii. Drills shall either be operated with dust extractors or equipped with water injections system.
- xxiii. The higher benches of excavated void/mining pit shall be terraced and plantation done to stabilize the slopes. The slope of higher benches shall be made gentler for easy accessibility by local people to use the water body. Peripheral fencing shall be carried out along the excavated area.
- xxiv. Catch drains and siltation ponds of appropriate size shall be constructed for the working pit, OB dumps and mineral dumps to arrest flow of silt and sediment. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains should be regularly de-silted, particularly after monsoon, and maintained properly.
- xxv. Garland drains; settling tanks and check dams of appropriate size, gradient and length shall be constructed both around the mine pit and over burden dumps and sump capacity should be designed keeping 50 % safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity should also provide adequate pits should be constructed at the corners of the garland drains and de-silted.
- xxvi. Dimension of the retaining wall at the toe of dumps and OB benches within the mine to check run - off and siltation should be based on the rainfall data.
- xxvii. Plantation shall be raised in an area of 33% area including green belt in the safety zone around the mining lease by planting the native species around ML area, OB dumps, backfilled and reclaimed around water body, roads etc. in consultation with the local DFO/Agriculture Department. The density of the trees should be 2000 plants per hectare ensuring survival of 1500 plants/Hectare.


- xxviii. Regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RPM such as haul road, loading and unloading point and transfer points. It should be ensured that the Ambient Air Quality Parameters conform to the norms prescribed by the CPCB.
- xxix. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board.
- xxx. Regular pre and post monsoon monitoring of ground water level and quality should be carried out in and around the mine lease. The monitoring should be carried out four times in a year - pre monsoon (April- May), monsoon (August), post monsoon (November); winter (January) and the data thus collected may be sent regularly to MoEF Regional Office, Lucknow; CGWA and Regional Director Central Ground Water Board, Jaipur.
- xxxi. Data on ambient air quality and stack emissions should be submitted to Rajasthan State Pollution Control Board once in six months carried out by MOEF/NABL/CPCB/ Government approved lab
- xxxii. Vehicular emissions should be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral. The vehicles should be covered with a tarpaulin and shall not be overloaded.
- xxxiii. Blasting operation should be carried out only during the daytime controlled blasting should be practiced. The mitigation measures for control of ground vibrations and to arrest fly rocks and boulders should be implemented.
- xxxiv. Take all safety measures as per the various mining regulations specifically pertaining to Underground mines.
- xxxv. Consent to operate should be obtained from RPCB before starting enhanced production from mine.
- xxxvi. The project proponent should take all precautionary measures during mining operations for conservation and protection of endangered fauna, if any, spotted in the study area. A plan for conservation shall be drawn and approved by the State Wildlife Department. Necessary allocation of funds for implementation of the conservation plan shall be made and the funds so allocated shall be included in the project cost. All the safeguard measures brought out in the wildlife conservation plan so prepared specific to the project site shall be effectively implemented. A copy of action plan may be submitted to the RPCB and MoEF, Regional Office, Lucknow within 3 months.
- xxxvii. A final mine closure plan along with details of corpus fund should be submitted to the MoEF 5 years in advance of final mine closure for approval.
- xxxviii. The water reservoir, which would be created/available during post closure (all pits), shall be provided with suitable benches and fencing to provide the access to the water body and safety purposes.
- xxxix. Group Insurance is to be provided.

B. GENERAL CONDITIONS (For Mining Projects)

- i. Any change in mining technology/scope of working shouldn't be made without prior approval of the SEIAA.
- ii. Any change in the calendar plan including excavation, quantum of mineral and waste shouldn't be made.
- iii. Periodic monitoring of ambient air quality should be carried out for RPM, SPM, SO₂ and NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be decided in consultation with the Rajasthan State pollution Control Board (RPCB). Six monthly reports of the data so collected should be regularly submitted to the RPCB/CPCB including the MoEF, Regional office, Lucknow.
- iv. Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM etc. should be provided with earplugs/muffs.
- v. Industrial waste water (workshop and waste water from the mine) should be properly collected & treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May'93 and 31st December 1993 (amended to date). Oil and grease trap should be installed before discharge.
- vi. Personnel working in dusty areas should wear protective respiratory devices they should also be provided with adequate training and information on safety and health aspects.
 - i. 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.
- vii. The project authorities should inform the RPCB and the Regional office of MoEF located at Lucknow as well as to the SEIAA regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

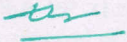
- viii. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the RPCB and the Regional office of MoEF located at Lucknow.
- ix. The RPCB and MoEF, Regional Office, Lucknow shall monitor compliance of the stipulated conditions. The project authorities should provide a set of a filled in questionnaire and EIA/EMP report to them and extend full cooperation to the above office(s) by furnishing the requisite data/information/monitoring reports.
- x. The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the RPCB, CPCB and MoEF, Regional Office, Lucknow.
- xi. A copy of the clearance letter will be marked to the concerned panchayat/local NGO, if any, from whom suggestions/representations were received while processing the proposal.
- xii. The RPCB should display a copy of the clearance letter at the Regional Office, District Industry Center and Collector/Tehsildar's office for 30 days.
- xiii. The SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further conditions in the interest of environment protection.
- xiv. 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.
- xv. The above conditions will be enforced, *inter alia*, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 the Air (Prevention & Control of Pollution) Act 1981, the Environment (Protection) Act 1986 and the Public Liability Insurance Act 1991(all amended till date) and rules made hereunder and also any other orders passed by the Hon'ble Supreme Court of India/High Court of Rajasthan and any other Court of law relating to the Subject Matter.
- xvi. Any appeal against this Environmental Clearance shall lie with the National Environmental Appellate Authority, if preferred within a period of 30 days as prescribed under Section 11 of the National Environmental Appellate Act, 1997.
- xvii. The Project authorities should advertise at least in two local newspapers widely circulated around the project, one of which shall be in the vernacular language of the locality concerned within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the RPCB and it's web site, besides, a copy of the same should be forwarded to the Regional Office of MoEF located at Lucknow.

Yours faithfully,


(Sankatha Prasad)
Member Secretary
SEIAA Rajasthan

Copy to following for information and necessary action:

1. Secretary, Ministry of Environment and Forest, Govt. of India, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi. Expert Appraisal Committee has observed that violation of EIA Notification has been made by the proponent. Hence, legal action may be started against the proponent for the violation.
2. Principal Secretary, Environment Department, Rajasthan, Jaipur. Expert Appraisal Committee has observed that violation of EIA Notification has been made by the proponent. Hence, legal action may be started against the proponent for the violation.
3. Shri S.C. Derashri, Chairman, SEIAA Rajasthan, 90, Geejgarh Vihar, Hawa Sarak, Jaipur.
4. Shri R.S. Bhandari, Member, SEIAA Rajasthan, 2- Museum Road, Ram Niwas Bagh, Jaipur.
5. Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
6. Member Secretary, SEAC Rajasthan.
7. The CCF, Regional Office, Ministry of Environment & Forests, RO(CZ), Kendriya Bhawan, 5th Floor, Sector 'H', Aliganj, Lucknow-226 020.
8. IA- Division, Monitoring Cell, MoEF, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110003.


M.S. SEIAA (Rajasthan)