



राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति, छत्तीसगढ़

भारत सरकार पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय पर्यावास भवन, सेक्टर – 19, नवा रायपुर अटल नगर, जिला–रायपुर (छ.ग.) 492002 ई-मेल:seaccg@gmail.com

क.२५५८/ एस.ई.ए.सी.,छ.ग. / माईन / 2542 नवा रायपुर अटल नगर, दिनांक03/01/ 202

मेसर्स बुड़गहन लाईम स्टोन क्वारी (प्रो.–श्री आशीष अग्रवाल), निवासी–तिल्दा नेवरा, तहसील–तिल्दा, जिला–रायपुर (छ.ग.)

विषय :--

 ग्राम–बुड़गहन, तहसील–सिमगा, जिला–बलौदाबाजार–भाटापारा स्थित पार्ट ऑफ खसरा क्रमांक 177 एवं 178, कुल क्षेत्रफल–2.387 हेक्टेयर में पूर्व से संचालित चूना पत्थर (गौण खनिज) उत्खनन क्षमता–26,340 टन प्रतिवर्ष के पर्यावरणीय स्वीकृति प्राप्त करने हेतु टर्म्स ऑफ रेफरेन्स (टीओआर) जारी करने के संबंध में।

संदर्भः— आपका आनलाईन आवेदन प्रपोजल नम्बर — एसआईए /सीजी /एमआईएन /432645/ 2023, दिनांक 30/06/2023 एवं अनुवर्ती पत्राचार दिनांक 25/08/2023.

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विषयांतर्गत कृपया आपके संदर्भित आवेदन दिनांक 30/06/2023 एवं अनुवर्ती पत्राचार 25/08/2023 का अवलोकन करें।

ऑनलाईन आवेदन – प्रपोजल नम्बर – एसआईए/ सीजी/ एमआईएन/ 432645/ 2023, दिनांक 30/06/2023 द्वारा टी.ओ.आर. हेतु आवेदन किया गया। प्रस्ताव का विवरण – यह पूर्व से संचालित चूना पत्थर (गौण खनिज) खदान है। ग्राम–बुड़गहन, तहसील–सिमगा, जिला–बलौदाबाजार–भाटापारा स्थित पार्ट ऑफ खसरा क्रमांक 177 एवं 178, कुल क्षेत्रफल–2.387 हेक्टेयर में है। खदान की आवेदित उत्खनन क्षमता–26,340 टन प्रतिवर्ष है।

तदानुसार परियोजना प्रस्तावक को एस.ई.ए.सी., छत्तीसगढ़ के ज्ञापन दिनांक 18 / 08 / 2023 द्वारा प्रस्तुतीकरण हेतु सूचित किया गया।

बैठक का विवरण –

(अ) समिति की 484वीं बैठक दिनांक 25/08/2023:

1. पूर्व में जारी पर्यावरणीय स्वीकृति संबंधी विवरण:--

i. पूर्व में चूना पत्थर (गौण खनिज) खसरा क्रमांक 177 एवं 178, कुल क्षेत्रफल—2.387 हेक्टेयर, क्षमता—45,135 टन प्रतिवर्ष हेतु जिला स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, जिला—बलौदाबाजार—भाटापारा द्वारा पर्यावरणीय स्वीकृति दिनांक 15/03/2017 को जारी की गई। यह स्वीकृति जारी दिनांक से 5 वर्ष अर्थात् दिनांक 14/03/2022 के लिए वैध थी।

परियोजना प्रस्तावक द्वारा बताया गया कि भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, नई दिल्ली द्वारा जारी अधिसूचना दिनांक 18/01/2021 अनुसार:--

"9A. Notwithstanding anything contained in this Notification, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this Notification in view of outbreak of Corona Virus(COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid."

उपरोक्त अधिसूचना के अनुसार पर्यावरणीय स्वीकृति की वैधता जारी दिनांक से दिनांक 14 / 03 / 2023 तक वैध है।

- ii. परियोजना प्रस्तावक द्वारा पूर्व में जारी पर्यावरणीय स्वीकृति के शर्तो के पालन में की गई कार्यवाही की जानकारी प्रस्तुत की गई है। समिति का मत है कि परियोजना प्रस्तावक द्वारा एकीकृत क्षेत्रीय कार्यालय, भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नवा रायपुर अटल नगर से पूर्व में जारी पर्यावरणीय स्वीकृति का पालन प्रतिवेदन प्राप्त कर प्रस्तुत किया जाना आवश्यक है।
- iii. निर्धारित शर्तानुसार वृक्षारोपण नहीं किया गया है।

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iv. कार्यालय कलेक्टर (खनिज शाखा), जिला—बलौदाबाजार—भाटापारा के ज्ञापन क्रमांक 1642 / बी 3—3 / न.क्र. / 2022 बलौदाबाजार, दिनांक 31 / 07 / 2023 द्वारा विगत वर्षों में किये गये उत्खनन की जानकारी निम्नानुसार है:—

उत्पादन (टन)
14,290
11,680
24,615
13,740
16,020

समिति का मत है कि वर्ष 2021–22 के उपरांत किए गए उत्खनन की वास्तविक मात्रा की अद्यतन जानकारी खनिज विभाग से प्रमाणित कराकर प्रस्तुत किया जाना आवश्यक है।

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 ग्राम पंचायत का अनापत्ति प्रमाण पत्र – उत्खनन के संबंध में ग्राम पंचायत बुड़गहन का दिनांक 02/05/2011 का अनापत्ति प्रमाण पत्र प्रस्तुत किया गया है।

- उत्खनन योजना स्कीम ऑफ क्वारी अलॉग विथ क्वॉरी क्लोजर प्लान प्रस्तुत किया गया है, जो उप–संचालक (खनि. प्रशा.), जिला–बलौदाबाजार–भाटापारा के ज्ञापन क्रमांक 1436/बी 3–3/न.क्र./2022 बलौदाबाजार, दिनांक 30/06/2023 द्वारा अनुमोदित है।
- 4. 500 मीटर की परिधि में स्थित खदान कार्यालय कलेक्टर (खनिज शाखा), जिला–बलौदाबाजार–भाटापारा के ज्ञापन क्रमांक 1244 / तीन–6 / 2022 बलौदाबाजार, दिनांक 29 / 12 / 2022 अनुसार आवेदित खदान से 500 मीटर के भीतर अवस्थित 3 खदानें, क्षेत्रफल 9.278 हेक्टेयर है।
- 5. 200 मीटर की परिधि में स्थित सार्वजनिक क्षेत्र/संरचनाए कार्यालय कलेक्टर (खनिज शाखा), जिला–बलौदाबाजार–भाटापारा के ज्ञापन क्रमांक 1244/तीन–6/2022 बलौदाबाजार, दिनांक 29/12/2022 द्वारा जारी प्रमाण पत्र अनुसार उक्त खदान से 200 मीटर की परिधि में कोई भी सार्वजनिक क्षेत्र जैसे मंदिर, मस्जिद, मरघट, पुल, नदी, रेल लाईन, अस्पताल, स्कूल, एनीकट बांध एवं जल आपूर्ति आदि प्रतिबंधित क्षेत्र निर्मित नहीं है।
- भू–स्वामित्व भूमि श्रीमती रमा अग्रवाल के नाम पर है। उत्खनन हेतु भूमि स्वामी का सहमति पत्र प्रस्तुत किया गया है।
- 7. लीज का विवरण लीज श्री आशीष कुमार अग्रवाल के नाम पर है। लीज डीड 10 वर्षों अर्थात् दिनांक 22/02/2012 से 21/02/2022 तक की अवधि तक वैध थी। तत्पश्चात् लीज डीड 20 वर्षों अर्थात् दिनांक 22/02/2022 से 21/02/2042 तक की अवधि हेतु विस्तारित की गई।
- 8. डिस्ट्रीक्ट सर्वे रिपोर्ट वर्ष 2019 की डिस्ट्रीक्ट सर्वे रिपोर्ट (District Survey Report) की प्रति प्रस्तुत की गई है।
- 9. वन विभाग का अनापत्ति प्रमाण पत्र कार्यालय वन मण्डलाधिकारी, बलौदाबाजार वनमण्डल, जिला–बलौदाबाजार के ज्ञापन क्रमांक/तकनीकी/खनिज/2040 बलौदाबाजार, दिनांक 23/08/2023 से जारी अनापत्ति प्रमाण पत्र अनुसार आवेदित क्षेत्र निकटतम वन कक्ष क्रमांक 24 से 15.44 कि.मी. की दूरी पर है।
- 10. महत्वपूर्ण संरचनाओं की दूरी निकटतम आबादी बुड़गहन 1.3 कि.मी., स्कूल बुड़गहन 1.3 कि.मी. एवं अस्पताल सुहेला 5 कि.मी की दूरी पर स्थित है। राष्ट्रीय राजमार्ग 24 कि.मी. एवं राज्यमार्ग 1.1 कि.मी. दूर है। शिवनाथ नदी 20 कि.मी. एवं नहर 500 मीटर दूर है।
- 11. पारिस्थितिकीय/जैवविविधता संवेदनशील क्षेत्र परियोजना प्रस्तावक द्वारा 10 कि.मी. की परिधि में अंतर्राज्जीय सीमा, राष्ट्रीय उद्यान, अभयारण्य, केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा घोषित क्रिटिकली पॉल्युटेड एरिया, पारिस्थितिकीय संवेदनशील क्षेत्र या घोषित जैवविविधता क्षेत्र स्थित नहीं होना प्रतिवेदित किया है।
- 12. खनन संपदा एवं खनन का विवरण जियोलॉजिकल रिजर्व 8,17,950 टन, माईनेबल रिजर्व 4,40,125 टन एवं रिकव्हरेबल रिजर्व 4,18,118 टन है। लीज की 7.5 मीटर चौड़ी सीमा पट्टी (उत्खनन के लिए प्रतिबंधित क्षेत्र) का क्षेत्रफल 5,380 वर्गमीटर है। ओपन कास्ट सेमी मेकैनाईज्ड विधि से उत्खनन किया जाता है। उत्खनन की प्रस्तावित अधिकतम गहराई 25 मीटर है। लीज क्षेत्र में ऊपरी

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मिट्टी की मोटाई 1 मीटर है। बेंच की ऊंचाई 3 मीटर एवं चौड़ाई 3 मीटर है। खदान की संभावित आयु 5 वर्ष है। जैक हैमर से ड्रिलिंग एवं ब्लास्टिंग किया जाता है। लीज क्षेत्र में क्रशर स्थापित नही है एवं इसकी स्थापना का प्रस्ताव नहीं है। खदान में वायु प्रदूषण नियंत्रण हेतु जल का छिड़काव किया जाता है। वर्षवार प्रस्तावित उत्खनन का विवरण निम्नानुसार है:--

वर्ष	प्रस्तावित उत्खनन (टन)
प्रथम	26,340
द्वितीय	26,340
तृतीय	26,340
चतुर्थ	26,340
पंचम	26,340

- 13. जल आपूर्ति परियोजना हेतु आवश्यक जल की मात्रा 5 घनमीटर प्रतिदिन होती है। जल की आपूर्ति बोरवेल के माध्यम से की जाती है। इस बाबत् सेन्ट्रल ग्राउंड वाटर अथॉरिटी का अनापत्ति प्रमाण पत्र प्रस्तुत किया गया है।
- 14. वृक्षारोपण कार्य प्रस्तुतीकरण के दौरान परियोजना प्रस्तावक द्वारा बताया कि लीज क्षेत्र की सीमा में चारों ओर 7.5 मीटर की पट्टी में 600 नग वृक्षारोपण किया गया है, पूर्व में 100 नग वृक्षारोपण किया गया था। समिति का मत है कि लीज क्षेत्र के चारों ओर 7.5 मीटर की सीमा पट्टी में वृक्षारोपण हेतु पौधों का रोपण, फेंसिंग, खाद एवं सिंचाई तथा रख–रखाव के लिए 5 वर्षों का घटकवार व्यय का विवरण विस्तृत प्रस्ताव सहित प्रस्तुत किया जाना आवश्यक है।
- 15. खदान की 7.5 मीटर की चौड़ी सीमा पट्टी में उत्खनन प्रस्तुतीकरण के दौरान परियोजना प्रस्तावक द्वारा बताया गया कि क्षेत्र के चारों ओर 7.5 मीटर की सीमा पट्टी क्षेत्रफल 5,380 वर्गमीटर है, जिसमें से 520 वर्गमीटर क्षेत्र 1 मीटर की गहराई तक उत्खनित है, जिसका उल्लेख अनुमोदित क्वारी प्लान में किया गया है। प्रतिबंधित 7.5 मीटर चौड़ी सीमा पट्टी में उत्खनन किया जाना पर्यावरणीय स्वीकृति की शर्तों का उल्लघंन है। अतः जाँच उपरांत नियमानुसार आवश्यक कार्यवाही किया जाना आवश्यक है।
- 16. उल्लेखनीय है कि भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली द्वारा नॉन कोल माईनिंग प्रोजेक्ट्स हेतु मानक पर्यावरणीय शर्तें जारी की गई है। शर्त क्रमांक VIII (i) के अनुसार:-

"The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan."

उक्त मानक शर्त के अनुसार माईन लीज क्षेत्र के अंदर 7.5 मीटर चौड़े सेफ्टी जोन में वृक्षारोपण किया जाना आवश्यक है।

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17. माननीय एन.जी.टी., प्रिंसिपल बेंच, नई दिल्ली द्वारा सत्येंद्र पाण्डेय विरूद्ध भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, नई दिल्ली एवं अन्य

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(ओरिजनल एप्लिकेशन नं. 186 ऑफ 2016 एवं अन्य) में दिनांक 13/09/2018 को पारित आदेश में मुख्य रुप से निम्नानुसार निर्देशित किया गया है:--

- 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 SEAC / SEIAA as well as for cluster situation where ever it is not provided.
- **b)** If a cluster or an individual lease size exceed 5 ha. EIA / EMP be made applicable in the process of grant of prior environment clearance.

समिति द्वारा विचार विमर्श उपरांत सर्वसम्मति से निम्नानुसार निर्णय लिया गयाः-

- 1. कार्यालय कलेक्टर (खनिज शाखा), जिला–बलौदाबाजार–भाटापारा के ज्ञापन क्रमांक 1244 / तीन–6 / 2022 बलौदाबाजार, दिनांक 29 / 12 / 2022 अनुसार आवेदित खदान से 500 मीटर के भीतर अवस्थित 3 खदानें, क्षेत्रफल 9.278 हेक्टेयर है। आवेदित खदान (ग्राम–बुड़गहन) का रकबा 2.387 हेक्टेयर है। इस प्रकार आवेदित खदान (ग्राम–बुड़गहन) को मिलाकर कुल रकबा 11.665 हेक्टेयर है। खदान की सीमा से 500 मीटर की परिधि में स्वीकृत / संचालित खदानों का कुल क्षेत्रफल 5 हेक्टेयर से अधिक का क्लस्टर निर्मित होने के कारण यह खदान 'बी1' श्रेणी की मानी गयी।
- 2. माईन लीज क्षेत्र के चारों ओर 7.5 मीटर चौड़े सेफ्टी जोन के कुछ भाग में किये गये उत्खनन के कारण इस क्षेत्र के उपचारी उपायों (Remedial Measures) के संबंध में तथा लीज क्षेत्र के अंदर माईनिंग क्रियाकलापों के कारण उत्पन्न प्रदूषण के नियंत्रण हेतु आवश्यक उपायों यथा वृक्षारोपण आदि के लिये समुचित उपायों बाबत् संचालक, संचालनालय, भौमिकी तथा खनिकर्म, इंद्रावती भवन, नवा रायपुर अटल नगर, जिला – रायपुर (छत्तीसगढ़) को पत्र लेख किया जाए।
- 3. प्रतिबंधित 7.5 मीटर चौड़ी सीमा पट्टी में अवैध उत्खनन पाये जाने पर जाँच उपरांत नियमानुसार वैधानिक कार्यवाही किये जाने हेतु संचालक, संचालनालय, भौमिकी तथा खनिकर्म एवं पर्यावरण को क्षति पहुंचाने हेतु छत्तीसगढ़ पर्यावरण संरक्षण मंडल, नवा रायपुर अटल नगर को आवश्यक कार्यवाही किये जाने हेतु लेख किया जाए।
- 4. पूर्व में जारी पर्यावरणीय स्वीकृति का पालन प्रतिवेदन के संबंध में एकीकृत क्षेत्रीय कार्यालय पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, रायपुर को पत्र लेख किया जाए।
- 5. समिति द्वारा विचार विमर्श उपरांत सर्वसम्मति से प्रकरण 'बी1' केटेगरी का होने के कारण भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा अप्रैल, 2015 में प्रकाशित स्टैण्डर्ड टर्म्स ऑफ रिफरेंस (टीओआर) फॉर ई.आई.ए. / ई.एम.पी. रिपोर्ट फॉर प्रोजेक्ट्स / एक्टीविटीज रिक्वायरिंग इन्वायरमेंट क्लीयरेंस अण्डर ई.आई.ए. नोटिफिकेशन, 2006 में वर्णित श्रेणी 1(ए) का स्टैण्डर्ड टीओआर (लोक सुनवाई सहित) नॉन कोल माईनिंग प्रोजेक्ट्स हेतु निम्न अतिरिक्त टीओआर के साथ जारी किये जाने की अनुशंसा की गई:-
 - i. Project proponent shall inform SEIAA & S.E.A.C. Chhattisgarh before commencement of Baseline Data Generation and start of monitoring work for preparation of EIA Study Report.

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- ii. Project proponent shall submit the Individual Environment Management Plan and Common Environment Management Plan.
- Project proponent shall submit compliance report of previous environmental clearance from Integrated Regional Office, MoEF&CC Raipur.
- iv. Project proponent shall submit production details to till date from the mining department.
- v. Project proponent shall submit top soil management plan & incorporate the details in the EIA report.
- vi. Project Proponent shall submit an undertaking that the top soil would be stacked at the earmarked place and shall use the same in plantation and backfilling of the mined out area.
- vii. Project proponent shall submit an affidavit for commitment to the public (Objections/suggestions raised by public) during Public Hearing.
- viii. Project proponent shall ensure that mining lease area to be demarcated by erection of boundary pillars at all corner and area to be fenced.
- ix. Project proponent shall submit an affidavit stating that no harm, no damage and no contamination shall be committed to nearby water bodies.
- x. EIA study shall be done at minimum 8 no. of stations for data collection considering the pre-dominant wind direction.
- xi. Project proponent shall submit the copy of panchnama and photographs of every monitoring station.
- xii. Project proponent shall submit a Cumulative Environment Impact Assessment Study (Air, Water, Noise, Soil, Traffic etc) of the mines located in the nearby area and Ecology of the buffer zone of study area and shall incorporate the same in the EIA report.
- xiii. The project proponent shall submit an undertaking that there is no court case pending relating to this project before any Court of Law in India.
- xiv. The project proponent shall submit an undertaking in the form of an affidavit stating that there is no violation of Notification S.O. 804(E) dated 14/03/2017 issued by Ministry of Environment, Forest and Climate Change, Government of India and the direction given by Hon'ble Supreme Court of India in the matter of Common Cause vs Union of India order dated 02.08.2017.
- xv. Project proponent shall undertake plantation & incorporate in the EIA report.
- xvi. Project proponent shall submit layout map earmarking 7.5 meter of mine lease periphery & previously mined out area in safety zone, calculation of mined out area and remedial measures for development of greenbelt in 7.5 meter wide all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. Project proponent shall incorporate the remedial measures for mining activity carried out in the past in safety zone.

- xvii. Project proponent shall complete the restoration of 7.5 meter width of mine lease periphery & do plantation during the current year incorporating the plant cost, fertilizer cost, irrigation cost, maintainance cost for atleast 5 years and the details alongwith photographs in the EIA report.
- xviii. Project proponent shall undertake plantation (as far as possible tree bearing species) within the mining lease area as per guidelines issued from time to time and particularly in the 7.5 meter safety zone area of minimum 05 feet height and shall maintain 90% survival rate. The plantation shall be maintained by project proponent for atleast 5 years. Project proponent shall submit half yearly reports regarding compliance to the Authority. The details to be submitted alongwith Geotag photographs in the EIA report.
- xix. Project proponent shall submit CER proposals with details of works alongwith their estimates including land cost and incorporating the plant cost, fertilizer cost, irrigation cost and maintenance cost for atleast 5 years & incorporate in the EIA report.

प्राधिकरण द्वारा बैठक में विचार – उपरोक्त प्रकरण पर प्राधिकरण की दिनांक 03/11/2023 को संपन्न 159वीं बैठक में विचार किया गया। प्राधिकरण द्वारा नस्ती का अवलोकन किया गया। प्राधिकरण द्वारा विचार विमर्श उपरांत सर्वसम्मति से समिति की अनुशंसा को स्वीकार करते हुये उपरोक्तानुसार स्टैण्डर्ड टर्म्स ऑफ रेफरेन्स (टी.ओ.आर.) (लोक सुनवाई सहित) जारी करने का निर्णय लिया गया।

साथ ही यह भी निर्णय लिया गया किः-

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- (1) (i) माईन लीज क्षेत्र के चारों ओर 7.5 मीटर चौड़े सेफ्टी जोन के कुछ भाग में किये गये उत्खनन के कारण इस क्षेत्र के उपचारी उपायों (Remedial Measures) के संबंध में तथा लीज क्षेत्र के अंदर माईनिंग कियाकलापों के कारण उत्पन्न प्रदूषण नियंत्रण हेतु आवश्यक उपायों यथा वृक्षारोपण आदि के लिये समुचित उपायों बाबत् संचालक, संचालनालय, भौमिकी तथा खनिकर्म, इंद्रावती भवन, नवा रायपुर अटल नगर, जिला – रायपुर (छत्तीसगढ़) को पत्र लिख किया जाए।
 - (ii) प्रतिबंधित 7.5 मीटर चौड़ी सीमा पट्टी में अवैध उत्खनन किया जाना पाये जाने पर परियोजना प्रस्तावक के विरूद्ध नियमानुसार आवश्यक कार्यवाही किये जाने हेतु संचालक, संचालनालय, भौमिकी तथा खनिकर्म को पत्र लेख किया जाए।
 - (iii) माईन लीज क्षेत्र के चारों ओर 7.5 मीटर चौड़े सेफ्टी जोन के कुछ भाग में किये गये उत्खनन से पर्यावरण को क्षति होने के कारण छत्तीसगढ़ पर्यावरण संरक्षण मंडल, नवा रायपुर अटल नगर को नियमानुसार आवश्यक कार्यवाही किये जाने हेतु पत्र लेख किया जाए।
- (2) पूर्व में जारी पर्यावरणीय स्वीकृति का पालन प्रतिवेदन एकीकृत क्षेत्रीय कार्यालय, भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, नवा रायपुर अटल नगर से मंगाये जाने हेतु पत्र लेख किया जाए।

तदनुसार ग्राम—बुड़गहन, तहसील—सिमगा, जिला—बलौदाबाजार—भाटापारा स्थित पार्ट ऑफ खसरा क्रमांक 177 एवं 178, कुल क्षेत्रफल—2.387 हेक्टेयर में पूर्व से संचालित चूना पत्थर (गौण खनिज) उत्खनन क्षमता—26,340 टन प्रतिवर्ष हेतु

भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा अप्रैल, 2015 में प्रकाशित स्टैण्डर्ड टर्म्स ऑफ रिफरेंस (टीओआर) फॉर ई.आई.ए. / ई.एम.पी. रिपोर्ट फॉर प्रोजेक्ट्स/एक्टीविटीज रिक्वायरिंग इन्वायरमेंट क्लीयरेंस अण्डर ई.आई.ए. नोटिफिकेशन, 2006 में वर्णित श्रेणी १(ए) का स्टैण्डर्ड टीओआर (लोक सुनवाई सहित) नॉन कोल माईनिंग प्रोजेक्ट्स हेतु निर्धारित स्टैण्डर्ड टीओआर संलग्नक -01 अनुसार जारी किया जाता है।

निर्धारित स्टैण्डर्ड टीओआर सहपठित अतिरिक्त टीओआर के आधार पर ई. आई.ए. अधिसूचना 2006 (यथा संशोधित) के प्रावधानों के अनुसार ई.आई.ए. रिपोर्ट (ई.आई.ए. नोटिफिकेशन, 2006 के परिशिष्ट – 3 में निर्धारित जनरिक स्ट्रक्चर के अनुसार) तैयार कर एस.ई.आई.ए.ए., छत्तीसगढ़ को निर्धारित समयावधि के अंदर प्रस्तुत करें।

पृ.क.२५५७/एस.ई.ए.सी.,छ.ग./माईन/2542 नवा रायपुर अटल नगर, दिनांक03/01/2023

प्रतिलिपि :--

- 1. डायरेक्टर, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, पृथ्वी विंग, द्वितीय मंजिल, इंदिरा पर्यावरण भवन, जोर बाँग रोड, नई दिल्ली – 100003
- 2. एकीकृत, क्षेत्रीय कार्यालय, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार, अरण्य भवन, नार्थ ब्लॉक, सेक्टर–19, नवा रायपुर अटल नगर, जिला–रायपुर (छत्तीसगढ)
- 3. सदस्य सचिव, राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण, पर्यावास भवन, सेक्टर – 19, नवा रायपुर अटल नगर, रायपुर (छ.ग.)
- 4. सदस्य सचिव, छत्तीसगढ पर्योवरण संरक्षण मंडल, पर्यावास भवन, सेक्टर -19, नवा रायपुर अटल नगर, रायपुर (छ.ग.)
- 5. सदस्य सचिव, सेन्ट्रल ग्राउण्ड वॉटर बोर्ड, वेस्ट ब्लॉक—II, विंग—3, ग्राउण्ड फ्लोर, सेक्टर–1, आर.के.पुरम, नई दिल्ली – 110066
- 6. कलेक्टर, जिला-बलौदाबाजार-भाटापारा (छ०ग०) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 7. कार्यालय वनमण्डलाधिकारी, बलौदाबाजार वनमण्डल, जिला–बलौदाबाजार (छ०ग०) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 8. क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, छत्तीसगढ़ पर्यावरण संरक्षण मंडल, रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेत्र प्रेषित।

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सदस्य सचिव एस.ई.ए.सी. छत्तीसगढ़

on

Terms of Reference

for

M/s Budgahan Lime Stone Quarry (Pro. - Shri Ashish Agrawal) at Village – Budgahan, Tehsil - Simga, District – Balodabazar-Bhatapara for Lime Stone Capacity of 26,340 Tonne Per Year.

1(a): STANDARD TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR NON-COAL MINING PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

A. STANDARD TERMS OF REFERENCE (TOR)

- Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The 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, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting

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study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

- 9) The study rea will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study rea delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory a forestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed imitative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of 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, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In

case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions 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.

- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL. HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would lso need to obtain approval of the concerned Coastal Zone Management Authority).
- 21) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sect oral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 22) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) : December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
- 23) 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 also be indicated on the map.
- 24) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

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- 25) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 26) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 29) Details of any stream, seasonal or otherwise, passing through the lease area and modification /diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 30) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 31) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory a forestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 32) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 33) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 34) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 35) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be

incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

- 36) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 37) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 38) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 39) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 40) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 41) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 43) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 44) Besides The Above, The Below Mentioned General Points Are Also To Be Followed:
 - a. Executive Summary of the EIA/EMP Report.
 - b. All documents to be properly referenced with index and continuous page numbering.
 - c. Where data are presented in the report especially in tables, the period in which the data were collected and the sources should be indicated.
 - d. Project proponent shall enclose all the analysis / testing reports of water, air, soil, noise etc. using the MoEF&CC / NABL accredited laboratories. All the original analysis / testing reports should be available during appraisal of the project.
 - e. Where the documents provided are in a language other than English, an English translation should be provided.
 - f. The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - g. While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

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- h. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of SEIAA and SEAC, Chhattisgarh with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i. As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

B. BESIDES THE ABOVE, THE BELOW MENTIONED GENERAL POINTS ARE ALSO TO BE FOLLOWED:-

- A. Project proponent shall submit detail action plan regarding plantation including list of plant of local species to be planted.
- B. Executive Summary of the EIA/EMP Report.
- C. All documents to be properly referenced with index and continuous page numbering.
- D. Period / date of data collection shall be clearly indicated. Where data are presented in the report especially in tables, the period in which the data were collected and the sources should be indicated.
- E. Project proponent shall enclose all the analysis / testing reports of water, air, soil, noise etc. using the MoEF&CC / NABL accredited laboratories. All the original analysis / testing reports should be available during appraisal of the project.
- F. Where the documents provided are in a language other than English, an English translation should be provided.
- G. While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry of Environment, Forests and Climate Change, Government of India should also be followed.
- H. Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of SEIAA and SEAC, Chhattisgarh with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- I. The copy of the letter received from SEAC, Chhattisgarh on the TOR prescribed for the project should be attached as an annexure to the final

EIA-EMP report. The compliance statement of TOR prescribed should also be incorporated.

- J. The consultants involved in the preparation of EIA-EMP report after accreditation with Quality Council of India (QCI) / National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA-EMP reports prepared by them and data provided by other organization / Laboratories including their status of approvals etc. Name of the Consultant and the Accreditation details shall be posted on the EIA-EMP Report as well as on the cover of the Hard Copy of the Presentation material for EC presentation.
- K. The TORs are valid for a period of three years from the date issue of this letter. However, this period could be further extended by a maximum period of one year provided an application is made by the project proponent at least three months before the expiry of the validity period, together with updated Form – I based on proper justification.

C. Additional Terms and Reference:-

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- i. Project proponent shall inform SEIAA & S.E.A.C. Chhattisgarh before commencement of Baseline Data Generation and start of monitoring work for preparation of EIA Study Report.
- ii. Project proponent shall submit the Individual Environment Management Plan and Common Environment Management Plan.
- iii. Project proponent shall submit compliance report of previous environmental clearance from Integrated Regional Office, MoEF&CC Raipur.
- iv. Project proponent shall submit production details to till date from the mining department.
- v. Project proponent shall submit top soil management plan & incorporate the details in the EIA report.
- vi. Project Proponent shall submit an undertaking that the top soil would be stacked at the earmarked place and shall use the same in plantation and backfilling of the mined out area.
- vii. Project proponent shall submit an affidavit for commitment to the public (Objections/suggestions raised by public) during Public Hearing.
- viii. Project proponent shall ensure that mining lease area to be demarcated by erection of boundary pillars at all corner and area to be fenced.
- ix. Project proponent shall submit an affidavit stating that no harm, no damage and no contamination shall be committed to nearby water bodies.
- x. EIA study shall be done at minimum 8 no. of stations for data collection considering the pre-dominant wind direction.
- xi. Project proponent shall submit the copy of panchnama and photographs of every monitoring station.
- xii. Project proponent shall submit a Cumulative Environment Impact Assessment Study (Air, Water, Noise, Soil, Traffic etc) of the mines located in the nearby area and Ecology of the buffer zone of study area and shall incorporate the same in the EIA report.
- xiii. The project proponent shall submit an undertaking that there is no court case pending relating to this project before any Court of Law in India.

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- xiv. The project proponent shall submit an undertaking in the form of an affidavit stating that there is no violation of Notification S.O. 804(E) dated 14/03/2017 issued by Ministry of Environment, Forest and Climate Change, Government of India and the direction given by Hon'ble Supreme Court of India in the matter of Common Cause vs Union of India order dated 02.08.2017.
- xv. Project proponent shall undertake plantation & incorporate in the EIA report.
- xvi. Project proponent shall submit layout map earmarking 7.5 meter of mine lease periphery & previously mined out area in safety zone, calculation of mined out area and remedial measures for development of greenbelt in 7.5 meter wide all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. Project proponent shall incorporate the remedial measures for mining activity carried out in the past in safety zone.
- xvii. Project proponent shall complete the restoration of 7.5 meter width of mine lease periphery & do plantation during the current year incorporating the plant cost, fertilizer cost, irrigation cost, maintainance cost for atleast 5 years and the details alongwith photographs in the EIA report.
- xviii. Project proponent shall undertake plantation (as far as possible tree bearing species) within the mining lease area as per guidelines issued from time to time and particularly in the 7.5 meter safety zone area of minimum 05 feet height and shall maintain 90% survival rate. The plantation shall be maintained by project proponent for atleast 5 years. Project proponent shall submit half yearly reports regarding compliance to the Authority. The details to be submitted alongwith Geotag photographs in the EIA report.
- xix. Project proponent shall submit CER proposals with details of works alongwith their estimates including land cost and incorporating the plant cost, fertilizer cost, irrigation cost and maintenance cost for atleast 5 years & incorporate in the EIA report.

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