



File No: OL/TOR/MIN/BEMETARA/3095

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority(SEIAA),
CHHATTISGARH)



Dated 07/08/2024



To,

Dyaram Yadav
DAYARAM YADAV
Village-Berlakala, Tehsil-Berla, District- Bemetara C.G. , Berlakala, BEMETARA, CHHATTISGARH,
, 490036
berlakalabrickearthquarry@gmail.com

Subject: Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding.

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project M/s Berlakala Bricks Earth Quarry for mining of Soil capacity – 1200 m3 /year, Kharsa No. 596/1, 596/2, 596/4, 620/1, area - 0.57 Ha. at Village - Berlakala Tehsil - Berla District - Bemetara (C.G.) submitted to Ministry vide proposal number SIA/CG/MIN/454030/2023 dated 30/01/2024.

2. The particulars of the proposal are as below :

(i) TOR Identification No.	TO23B0108CG5480718N
(ii) File No.	OL/TOR/MIN/BEMETARA/3095
(iii) Clearance Type	TOR
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	M/s Berlakala Bricks Earth Quarry
(viii) Name of Company/Organization	DAYARAM YADAV
(ix) Location of Project (District, State)	BEMETARA, CHHATTISGARH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-1(Part A and B) were submitted to the Ministry for an appraisal by the State Environment Impact Assessment Authority(SEIAA) Appraisal Committee (SEIAA) in the Ministry under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by State Environment Impact Assessment Authority (SEIAA) Appraisal Committee of SEIAA in the meeting held on 28/06/2024. The minutes of the meeting and all the Application and documents submitted [(viz. Form-1 Part A, Part B, Part C EIA, EMP)] are available on PARIVESH portal which can be accessed by scanning the QR Code above.
5. The brief about configuration of plant/equipment, products and byproducts and salient features of the project along with environment settings, as submitted by the Project proponent in Form-1 (Part A, B and C)/EIA & EMP Reports/presented during SEIAA are annexed to this EC as Annexure (1).
6. The SEIAA, in its meeting held on 28/06/2024, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of Terms of Reference under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of specific and general conditions as detailed in Annexure (2).
7. The SEIAA has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the State Environment Impact Assessment Authority (SEIAA) Appraisal Committee hereby decided to grant Terms of Reference for instant proposal of M/s. Dyaram Yadav under the provisions of EIA Notification, 2006 and as amended thereof.
8. The Ministry reserves the right to stipulate additional conditions, if found necessary.
9. The Terms of Reference to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. This issues with the approval of the Competent Authority.

Copy To

S.No.	Address
1	Director, Ministry of Environment, Forest and Climate Change, Prithvi Wing, 2nd Floor, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 100003
2	Integrated Regional Office RAIPUR, MoEF&CC , Govt. of India , Ground Floor, Aranya Bhawan, North Block, Sector- 19, Naya Raipur, Atal Nagar, Chhattisgarh – 492002
3	Director, Directorate of Geology and Mining, Chhattisgarh, Indravati Bhavan, Block-4, Second Floor, Nawa Raipur Atal Nagar, Chhattisgarh India
4	Member Secretary, Chhattisgarh Environment Protection Board, Paryavas Bhawan, Sector-19, Nava Raipur Atal Nagar, District-Raipur (Chhattisgarh)
5	Member Secretary, Central Ground Water Board, West Block-2, Wing-3, Ground Floor, Sector-1, R.K. Puram, New Delhi - 110066
6	Forwarded to the Collector, Office of the Collector, BEMETARA, District-BEMETARA(CG) for information and necessary action.
7	Forwarded to Regional Officer, Regional Office, Chhattisgarh Environment Protection Board, Durg- Bhilai for information and necessary action.

Annexure 1

Specific Terms of Reference for (Mining Of Minerals)

1. Additional Terms Of Reference

S. No	Terms of Reference
1.1	1. 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. 2. Project Proponent shall submit affidavit regarding that the entire mining related action will be carried out within the lease area. 3. Project proponent shall submit the Individual Environment Management Plan and Common Environment Management Plan. 4. Project proponent shall submit the details of monitoring equipments alongwith its specifications. Project proponent shall monitor as per the Methodology issued by MoEF&CC. 5. Project proponent shall ensure that the kiln should be within the mine lease area and accordingly submit the revised approved mining plan from the mining department. 6. Project proponent shall submit an affidavit stating that no harm, no damage and no contamination shall be committed to nearby water bodies. Nearby water tanks, rivers & nalla shall be protected. 7. Project proponent shall submit water NOC for usage of water from the competent authority. 8. Project proponent shall submit an affidavit for commitment to the public (Objections/suggestions raised by public) during Public Hearing. 9. Project proponent shall ensure that mining lease area to be demarcated by erection of boundary pillars at all corner and area to be fenced. 10. EIA study shall be done at minimum 8 no. of stations for data collection considering the pre-dominant wind direction. 11. Project proponent shall submit the copy of panchnama and photographs of every monitoring station. 12. 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. 13. 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. 14. Project proponent shall undertake plantation 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. 15. Project proponent shall undertake plantation during the monsoon & incorporate in the EIA report. 16. 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 maintainance cost for atleast 5 years & incorporate the details in the EIA report.

Standard Terms of Reference for (Mining of minerals)

1.

S. No	Terms of Reference
1.1	An EIA-EMP Report shall be prepared for peak capacity (1200 cum) operation in an ML/project area of 0.57 ha based on the generic structure specified in Appendix III of the EIA Notification, 2006.
1.2	An EIA-EMP Report would be prepared for peak capacity operation to cover the impacts and environment management plan for the project specific activities on the environment of the region, and the environmental quality encompassing air, water, land, biotic community, etc. through collection of data and information, generation of data on impacts including prediction modeling for 1200 cum of clay mining based on approved project/Mining Plan. Baseline data collection can be for any season (three months) except monsoon.
1.3	Propoer KML file with pin drop and coordinate of mine at 500-1000 m interval be provided
1.4	A Study area map of the core zone (project area) and 10 km area of the buffer zone (1: 50,000 scale) clearly delineating the major topographical features such as the land use, surface drainage pattern including rivers/streams/nullahs/canals, locations of human habitations, major constructions including railways, roads, pipelines, major industries, mines and other polluting sources. In case of ecologically sensitive areas such as Biosphere Reserves/National Parks/WL Sanctuaries/ Elephant Reserves, forests (Reserved/Protected), migratory corridors of fauna, and areas where endangered fauna and plants of medicinal and economic importance found in the 15 km study area should be given. The above details to be furnished in tabular form also
1.5	Map showing the core zone delineating the agricultural land (irrigated and un-irrigated, uncultivable land as defined in the revenue records, forest areas (as per records), along with other physical features such as water bodies, etc should be furnished.
1.6	A contour map showing the area drainage of the core zone and 25 km of the study area (where the water courses of the core zone ultimately join the major rivers/streams outside the lease/project area) should also be clearly indicated in the separate map.
1.7	Catchment area with its drainage map of 25 km area within and outside the mine shall be provided with names, details of rivers/ riverlet system and its respective order. The map should clearly indicate drainage pattern of the catchment area with basin of major rivers. Diversion of drains/ river need eloboration in form of lengthe, quantity and quality of water to be diverted
1.8	Details of mineral reserves, geological status of the study area and the seams to be worked, ultimate working depth and progressive stage-wise working scheme until the end of mine life should be provided on the basis of the approved rated capacity and calendar plans of production from the approved Mining Plan. Geological maps and sections should be included. The Progressive mine development and Conceptual Final Mine Closure Plan should also be shown in figures. Details of mine plan and mine closure plan approval of Competent Authority should be furnished for green field and expansion projects.
1.9	Details of mining methods, technology, equipment to be used, etc., rationale for selection of specified technology and equipment proposed to be used vis-à-vis the potential impacts should be provided.

S. No	Terms of Reference
1.10	Impact of mining on hydrology, modification of natural drainage, diversion and channeling of the existing rivers/water courses flowing through the ML and adjoining the lease/project and the impact on the existing users and impacts of mining operations thereon.
1.11	A detailed Site plan of the mine showing the proposed break-up of the land for mining operations such as the quarry area, green belt safety zone, Stockyard, (within and adjacent to the ML), undisturbed area -if any, and landscape features such as existing roads, drains/natural water bodies to be left undisturbed along with any natural drainage adjoining the lease /project areas, and modification of thereof in terms of construction of embankments/bunds, proposed diversion/re-channelling of the water courses, etc., approach roads, major haul roads, etc should be indicated.
1.12	Study on the existing flora and fauna in the study area (10km) should be carried out by an institution of relevant discipline. The list of flora and fauna duly authenticated separately for the core and study area and a statement clearly specifying whether the study area forms a part of the migratory corridor of any endangered fauna should be given. If the study area has endangered flora and fauna, or if the area is occasionally visited or used as a habitat by Schedule-I species, or if the project falls within 15 km of an ecologically sensitive area, or used as a migratory corridor then a Comprehensive Conservation Plan along with the appropriate budgetary provision should be prepared and submitted with EIA-EMP Report; and comments/observation from the CWLW of the State Govt. should also be obtained and furnished.
1.13	One-season (other than monsoon) primary baseline data on environmental quality - air (PM10, PM2.5, SOx, NOx and heavy metals such as Hg, Pb, Cr, As, etc), noise, water (surface and groundwater), soil - along with one-season met data coinciding with the same season for AAQ collection period should be provided. The detail of NABL/ MoEF&CC certification of the respective laboratory and NABET accreditation of the consultant to be provided.
1.14	Map (1: 50, 000 scale) of the study area (core and buffer zone) showing the location of various sampling stations superimposed with location of habitats, other industries/mines, polluting sources, should be provided. The number and location of the sampling stations in both core and buffer zones should be selected on the basis of size of lease/project area, the proposed impacts in the downwind (air)/downstream (surface water)/groundwater regime (based on flow). One station should be in the upwind/upstream/non-impact/non-polluting area as a control station. The monitoring should be as per CPCB guidelines and parameters for water testing for both ground water and surface water as per ISI standards and CPCB classification wherever applicable. Observed values should be provided along with the specified standards.
1.15	For proper baseline air quality assessment, Wind rose pattern in the area should be reviewed and accordingly location of AAMSQ shall be planned by the collection of air quality data by adequate monitoring stations in the downwind areas. Monitoring location for collecting baseline data should cover overall the 10 km buffer zone i.e. dispersed in 10 km buffer area. In case of expansion, the displayed data of CAAQMS and its comparison with the monitoring data to be provided
1.16	A detailed traffic study along with presence of habitation in 100 mts distance from both side of road, the impact on the air quality with its proper measures and plan of action with timeline for widening of road. The project will increase the no. of vehicle along the road which will indirectly contribute to carbon emission so what will be the compensatory action plan should be clearly spell out in EIA/ EMP report.
1.17	The socio-economic study to conducted with actual survey report and a comparative assessment to be provided from the census data should be provided in EIA/ EMP report also occupational status &

S. No	Terms of Reference
	economic status of the study area and what economically project will contribute should be clearly mention. The study should also include the status of infrastructural facilities and amenities present in the study area and a comparative assessment with census data to be provided and to link it with the initialization and quantification of need based survey for CSR activities to be followed.
1.18	The Ecology and biodiversity study should also indicate the likely impact of change in forest area for surface infrastructural development or mining activity in relation to the climate change of that area and what will be the compensatory measure to be adopted by PP to minimize the impact of forest diversion.
1.19	Baseline data on the health of the population in the impact zone and measures for occupational health and safety of the personnel and manpower for the mine should be submitted.
1.20	Study on land subsidence including modeling for prediction, mitigation/prevention of subsidence, continuous monitoring measures, and safety issues should be carried out.
1.21	Detailed break up of water requirement as per different activities in the mining operations, including use of water for Green belt, Dust separation, Domestic uses etc., should be given separately. Source of water for use in mine, sanction of the Competent Authority in the State Govt. and impacts vis-à-vis the competing users should be provided.
1.22	PP shall submit design details of all Air Pollution control equipment (APCEs) to be implemented as part of Environment Management Plan vis-à-vis reduction in concentration of emission for each APCEs
1.23	PP shall propose to use LNG/CNG based trucks for transportation of minerals. The measures adopted to conserve energy or use of renewable sources shall be explored
1.24	Site specific Impact assessment with its mitigation measures, Risk Assessment and Disaster Preparedness and Management Plan should be provided.
1.25	Impact of choice of mining method, technology, selected use of machinery and impact on air quality, mineral transportation, handling & storage, etc should be provided.
1.26	The number and efficiency of mobile/static water sprinkling system along the main mineral transportation road inside the mine, approach roads to the mine, and also the frequency of their use in impacting air quality should be provided.
1.27	Conceptual Final Mine Closure Plan and post mining land use and restoration of land/habitat to the pre- mining status should be provided. A Plan for the ecological restoration of the mined out area and post mining land use should be prepared with detailed cost provisions. Impact and management of wastes and issues of re-handling (wherever applicable) and backfilling and progressive mine closure and reclamation should be furnished.
1.28	Adequate greenbelt with details of species selected and survival rate Greenbelt development should be undertaken around the mine boundary.
1.29	Cost of EMP (capital and recurring) should be included in the project cost and for progressive and final mine closure plan.

S. No	Terms of Reference
1.30	CSR Plan along with details of villages and specific budgetary provisions (capital and recurring) for specific activities over the life of the project should be given.
1.31	Corporate Environment Responsibility:
1.32	Status of any litigations/ court cases filed/pending on the project should be provided.
1.33	PP shall submit clarification from PCCF that mine does not falls under corridors of any National Park and Wildlife Sanctuary with certified map showing distance of nearest sanctuary.
1.34	Copy of approvals such as Mining Plan Approval, mine closer plan approval, NOC from Flood and Irrigation Dept. (if req.), etc. wherever applicable.
1.35	Details on Public Hearing should cover the information relating to notices issued in the newspaper, proceedings/minutes of Public Hearing, the points raised by the general public and commitments made by the proponent and the time bound action proposed with budgets in suitable time frame. These details should be presented in a tabular form. If the Public Hearing is in the regional language, an authenticated English Translation of the same should be provided.
1.36	PP shall carry out survey through drone highlighting the ground reality for atleast 10 minutes
1.37	Detailed Chronology of the project starting from the first lease deed allotted/Block allotment/ Land acquired to its No. of renewals, CTO /CTE with details of no. renewals, previous EC(s) granted details and its compliance details, NOC details from various Govt bodies like Forest NOC(s), CGWA permissions, Power permissions, etc as per the requisites respectively to be furnished in tabular form.
1.38	The first page of the EIA/ EMP report must mention the peak capacity production, area, detail of PP, Consultant (NABET accreditation) and Laboratory (NABL / MoEF & CC certification)
1.39	The compliances of ToR must be properly cited with respective chapter section and page no in tabular form and also mention sequence of the respective ToR complied within the EIA-EMP report in all the chapter,s section.
1.40	Details of R&R. Detailed project specific R&R Plan with data on the existing socio- economic status of the population (including tribals, SC/ST, BPL families) found in the study area and broad plan for resettlement of the displaced population, site for the resettlement colony, alternate livelihood concerns/employment for the displaced people, civic and housing amenities being offered, etc and costs along with the schedule of the implementation of the R&R Plan should be given.
1.41	e) Environment Managament Cell and its responsibilities to be clearly spleel out in EIA/ EMP report

Additional Terms of Reference

Annexure 2

Details of Products & By-products

Name of the product /By-product	Product / By-product	Quantity	Unit	Mode of Transport / Transmission	Remarks (eg. CAS number)
Bricks	Bricks	1200	In cubic meter per year	Road	NA

