

**Minutes of the 19th Goa State Expert Appraisal Committee
(Goa-SEAC) meeting held on 20th March 2014 at 2.30 p.m. in the
Conference Room of the EIA Secretariat, O/o Goa State Pollution Control
Board (GSPCB), Patto.**

The nineteenth meeting of the Goa-SEAC was held on 20th March 2014 in the Conference room of the GSPCB at 02.30 p.m. under the Chairmanship of Prof. Antonio Jaime Afonso. The list of members who attended the meeting is at "Annexure – I".

At the beginning Chairman welcomed the Members and informed about the purpose of this special meeting to re-consider the recommendations, prior to its onward communication to the Goa-SEIAA, of the 17th SEAC meeting held on 24th February with specific reference to minor mineral quarry proposals (*presented and deliberated in the past*) in light of Office Memorandums (O. M.'s) / Notification(s) issued by the Ministry of Environment and Forests (MoEF) namely – (i) O. M. No. L-11011 / 47/2011-IA.II(M) dated 18th May 2012 in compliance to the 'Order' of Hon'ble Supreme Court dated 27th February 2012 in IA no. 12-13 of 2011 in SLP (C) No. 19628-19629 of 2009 in the matter of Deepak Kumar Etc. Vs State of Haryana and ors. – mandating the requirement of prior environmental clearance (EC) for minor mineral mining projects upto less than 50 Ha. of lease area, (ii) Draft Notification (Extraordinary) No. 1698, PART-II, Section-3, Sub-section (ii) dated 19th July 2013 – mandating the requirement of NABET / QCI accredited or MoEF notified environmental consultant for preparation and presentation of Environment Impact Assessment (EIA) report and Environment Management Plan (EMP) for a particular category of project for that sector, (iii) Notification (Extraordinary) No. 2116, PART-II, Section-3, Sub-section (ii) dated 10th September 2013 – notifying exception of applicability of General Conditions(s) for minor mineral project or activity of less than 5 Ha. of lease area, (iv) Notification (Extraordinary) No. 545, PART-II, Section-3, Sub-section(ii) dated 4th March 2014 – delegating the powers vested under Section(5) of the Environment (Protection) Act, 1986 (29 of 1986) to all the State and Union Territory Environment Impact Assessment Authorities (*i.e. to issue show cause notice(s) to project proponent(s) or activities within their jurisdiction and to issue directions for keeping such environmental clearance in abeyance or withdrawn from them*) for any violations of the EC condition(s) and (v) Draft Notification (Extraordinary) No. 624, PART-II, Section-3, Sub-section(ii) dated 10th March 2014 – notifying the list of State-wise villages categorizing them as Ecologically Sensitive Areas (ESAs') as well as mandating the regulatory, implementation and monitoring mechanism for various categories of projects / activities, mentioned therein.

Accordingly, all the minor mineral quarry proposals were discussed, deliberated and reviewed to ascertain the compliance / applicability of the same to above referred O.Ms' / Notification(s). Subsequently, Goa-SEAC resolved that –

- (a) Non-applicability of General Conditions (i.e. – *“Any project or activity specified in Category ‘B’ will be treated as Category ‘A’, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) (Critically Polluted areas as identified by the Central Pollution Control Board)⁴⁶ from time to time, (iii) Ecosensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as , Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries: Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometers of the areas mentioned at item (i), (ii) and (iii) above.”*) for Minor mineral quarry proposals having lease area up to less than 5 Ha.
- (b) Requirement of NABET / QCI accredited or MoEF notified environmental consultants for preparation / presentation of EIA report and EMP w.r.t. a specified category of the project in that sector.

Based on above, the Committee agreed to finalize the minutes of the 17th SEAC minutes for onward recommendation of the Goa-SEIAA. Further, the Committee also felt a need to seek legal opinion on O.Ms' / Notifications(s) for effective interpretation vis-à-vis mandating its applicability. Further, in respect of the Draft Notification referred to in (v) above, the Committee felt that State Government may like to replicate the Kerala model and undertake the exercise of demarcating Ecologically Sensitive Areas (ESAs') in the State (*in the listed villages annexed to the said draft notification*) by setting up a Expert Committee or through State-specific Statutory Board dealing with conservation of biodiversity aspects to study the impact of High Level Working Group recommendations and to assess ground-level information by undertaking on-the-spot physical verification (natural and cultural landscape) and interacting with stakeholders. Such exercise would attempt / help to spatially delineate / demarcate exclusive ESA's in these villages while other areas may be excluded as ESAs'.

In response to the communication received from the Goa Coastal Zone Management Authority (GCZMA), informing about the complaint of violating the provisions of the CRZ Notification, 2011 and Land Conversion Regulations by M/s Palacio Property Developers Pvt. Ltd., who have been issued EC by the then Goa-SEIAA for the expansion project at

Goa Velha. The Committee noted the contents and after deliberations decided to forward it to Goa-SEIAA in order to initiate suitable action as per the provision of the Notification referred to in (iv) above.

The meeting ended with vote of thanks to the Chair.

Dr. Manoj R. Borkar _____ *Sd./-* _____

Mrs. Anita. A. B. Barreto _____ *Sd./-* _____

Mr. Suhas Gaonkar _____ *Sd./-* _____

Dr. P. K. John _____ *Sd./-* _____

Prof. Jagannath Hirkude _____ *Sd./-* _____

Sd./-
Dr. Mohan R. Girap
Secretary, Goa-SEAC

Sd./-
Mr. Antonio Jaime C. Afonso
Chairman, Goa-SEAC

Place: Patto, Panaji
Date: 25th March 2014

ANNEXURE – 1

List of members who attended the nineteenth Goa-SEAC meeting

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| 1. Prof. Antonio Jaime C. Afonso, St.Istevam | Chairman |
| 2. Dr. Manoj R. Borkar, Nuvvem | - <i>Member</i> |
| 3. Mrs. Anita B. Barreto, Panaji. | - <i>Member</i> |
| 4. Mr. Suhas Gaonkar, Canacona | - <i>Member</i> |
| 5. Dr. P. K. John, Alto-St.Cruz | - <i>Member</i> |
| 6. Dr. Jagannath Hirkude, Verna | - <i>Member</i> |
| 7. Dr. Mohan R. Girap, Panaji | - <i>Secretary</i> |
