

No. J-11015/30/2004-IA.II (M)
Government of India
Ministry of Environment, Forests and Climate Change

Paryavaran Bhawan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003
Dated: 28th July, 2014

OFFICE MEMORANDUM

Subject: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation – reg.

This O.M. may be read in continuation of earlier O.M. of even number dated 19.12.2012, 07.1. 2014 and 30.5. 2014 which deal with the above subject.

2. The Ministry of Environment and Forests has, vide OM dated 19 December, 2012 issued guidelines for exemption from public hearing in respect of existing coal mining projects which apply for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area. The 25% expansion in production capacity is subject to a ceiling of 2 MTPA of additional production where the transportation of the additional production is proposed by road and a ceiling of 5 MTPA if such transportation is proposed by conveyor and/or rail transport.

3. The Ministry of Coal has been taking up the matter with this Ministry requesting for further dispensation arguing the need for quick ramping up of coal production considering the power generation requirements in the Country. They had argued that in the case of smaller coal mining projects the cap of capacity expansion up to 25% was inadequate as it resulted in relatively small increase in production in absolute terms for such mines. They had requested for increasing the limit of capacity expansion in respect of smaller projects. The matter was considered in the Ministry of Environment & Forests and it was decided that for expansion proposals of existing coal mining projects having production capacity up to 8 MTPA as per the EC letter, the limit of one time capacity expansion may be considered as 50% or incremental production upto 1 MTPA, whichever is more, in the existing mining operation, within the existing mine lease area, by the EAC for exempting Public Hearing under Clause 7(ii) of the EIA Notification, 2006. An OM of even number dated 7.01.2014 was accordingly issued.

4. The Ministry of Coal had again requested this Ministry that the dispensation given for one time capacity expansion for coal mining projects of production capacity up to 8 MTPA as per OM of 07th January, 2014 may also be extended to those coal mining projects which have already availed dispensation of one time production capacity expansion under earlier OM of 19th December, 2012. They had also pointed out an anomalous situation in respect of coal mining projects with capacity above 8 MTPA and up to 16 MTPA, where the transportation of additional production of coal was proposed by means of a conveyor and / or rail transport. While as per OM dated 07th January, 2014, the additional production allowed for such projects up to 8 MTPA capacity would be 4 MTPA, for projects with capacity more than 8 MTPA and less than 16 MTPA, the additional production allowed as per the earlier OM of 19th December, 2012 would be

less than 4 MTPA. They had requested for removing this anomaly. The matter was again considered in the Ministry of Environment & Forests and it was decided that the dispensation given for one time capacity expansion for coal mining projects having production capacity up to 8 MTPA, as provided for in the OM dated 07th January, 2014, would also be applicable to the projects with capacity up to 8 MTPA, which had already availed the dispensation earlier under OM of 19th December, 2012. It was also decided that the coal mining projects with production capacity exceeding 8 MTPA and up to 16 MTPA may be given further dispensation under the O.M. dated 19.12.2012 to the effect that they could have one time capacity expansion, with additional production up to 4 MTPA if the transportation of additional production of coal was proposed by means of a conveyor and / or rail transport. The above dispensation was conveyed vide OM dated 30 May, 2014.

5. The Ministry of Coal has once again urged this Ministry for further dispensation in the matter so as to quickly ramp-up coal production for enhancing power production in public interest. The matter has been examined in this Ministry and considering the request of Ministry of Coal, it has been decided that in respect of one time capacity expansion proposals of existing coal mining projects with production capacity exceeding 16 MTPA, the EAC may after due diligence consider exempting public hearing subject to the ceiling of additional production up to 5 MTPA if the transportation of additional production of coal is proposed by means of a conveyor and / or rail transport. The above dispensation would be subject to satisfactory compliance with environmental clearance(s) issued in the past as judged by the EAC.. All other stipulations stated in earlier O.Ms. of even number dated 19.12.2012, 07.01.2014 and 30.5.2014 will continue to apply in such cases.

This issues with the approval of the Competent Authority.


(Dr. Manoranjan Hota)
Director

To

1. PS to MEF
2. PPS to Secretary (E&F) / PPS to AS (SS)
3. PPS to JS (AT) / PS to JS (MS)
4. All Officers of IA Division
5. PMO
6. Ministry of Coal