



State Environment Impact Assessment Authority, M.P.
(Ministry of Environment, Forest and Climate Change, Government of India)

Environmental Planning & Coordination Organization

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To,
Angareswar Infrastructure
Pro. Smt. Preeti Bhati,
5/5, Urdupura, Rassi Gali,
District - Ujjain (MP)

No.: 2151 /SEIAA/21
Date: 1/10/21

Sub:- Case No. 3496/2015: Prior Environmental Clearance for **Stone Quarry** (Opencast Semi Mechanized/Manual Method) in an area of 2.00 ha. for production capacity of 11,100 cum/year at Khasra no. 149 (Part) at Village - Chak Jairampur, Tehsil-Ujjain, District-Ujjain (M.P.) by Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) **Regarding transfer of EC in the name of Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, District-Ujjain (MP).**

The case was discussed in 686th SEIAA meeting dtd 15.09.2021 and it has been recorded that

" Case discussed in 681th SEIAA meeting dated 04.08.2021 and it was recorded that

- (1) It is noted that the PP had applied in Form-7 for transfer of Prior Environmental Clearance for Stone Quarry in an area of 2.0 ha. for production capacity of 11,100 cum per annum at Khasra No. 149 (Part) at Village - Chak Jairampur, Tehsil-Ujjain, District-Ujjain (MP) by Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) regarding transfer of EC in the name of Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP).
- (2) The Prior Environmental Clearance letter was issued by SEIAA vide 11607/SEIAA/16 dated 26.02.2016 in the name of Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP).
- (3) It is noted that in support of his request the PP has submitted the following documents
 - (i) No Objection Certificate in the form of Notarized Affidavit submitted by Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) for transfer of prior EC in the name of Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP)
 - (ii) Notarised affidavit of Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP) mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - (iii) Copy of Prior EC issued by SEIAA vide letter No. 11607/SEIAA/16 dated 26.02.2016.
 - (iv) Copy of Environmental Management Plan of Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP).
 - (v) Copy of Approved Mining Plan of Shri Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP).
 - (vi) Lease transfer letter issued by Office of Collector (Mining Division), Ujjain to Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (MP) vide letter No. 2356/उ.प./न.क्र./14/07/खनिज/2016-17 dated 07.12.2016 and L.No. 1774/खनिज/2018-19 dated 25-09-2018.
 - (vii) Lease executed by Collector Ujjain to Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (M.P.)

- (4) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11:- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

- (5) EIA Notification 2006 (Amendment dated 13.07.2021) as per the sub-section (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) provides that:

"Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended up to a period ending on the 31st March, 2020 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with"

After detailed discussion, it is observed that EC issued by DEIAA Ujjain on 26.02.2016 to Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) and lease transfer to Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (M.P.) on 07-12-2016 PP has not applied for the transfer of EC during this period (almost 4 years). **It appears to be a case of violation. PP may be called for clarification.**

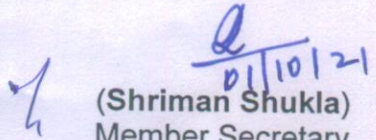
PP has requested on 13.09.2021 to present his case for clarification in SEIAA committee.

After deliberation in context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA vide L.No. 11607/SEIAA/16 dated 26.02.2016 in the name of "Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) **is hereby transferred to** Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (M.P.) for **Stone Quarry** (Opencast Semi Mechanized/ Manual Method) in an area of 2.00 ha. for production capacity of 11,100 cum/year at Khasra no. 149 (Part) at Village - Chak Jairampur, Tehsil-Ujjain, District-Ujjain (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted with following additional conditions :-

- (1) PP should ensure to submit half yearly compliance report duly certified by Regional Office, MoEF&CC, Gol, Bhopal. If PP is failed to upload or submit two consecutive half yearly compliance reports of EC conditions to concerned authority (SEIAA and Regional Office, MoEF&CC, Gol, Bhopal) than prior environmental clearance issued to PP will automatically be treated as cancelled/ revoked as per SEIAA Office Memorandum No. 930/SEIAA/2019 dated 30.05.2019."

In view of above, prior EC issued to Smt. Simlika W/o Shri Hardeep Singh R/o 306, Alakhdham Nagar, Ujjain (MP) by SEIAA vide letter No. 11607/SEIAA/16 dated 26.02.2016 **is hereby transferred to** Angareswar Infrastructure Pro. Smt. Preeti Bhati, 5/5, Urdupura, Rassi Gali, Ujjain (M.P.) for **Stone Quarry** (Opencast Semi Mechanized/ Manual Method) in an area of 2.00 ha. for production capacity of 11,100 cum/year at Khasra no. 149 (Part) at Village - Chak Jairampur, Tehsil-Ujjain, District-Ujjain (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted with following additional condition :

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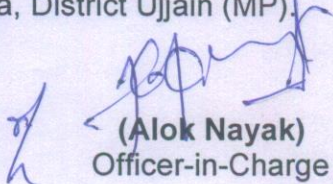

(Shriman Shukla)
Member Secretary

2152
Endt No. / SEIAA/2021

Dated: 1/10/21

Copy to:-

1. Principal Secretary, Department of Environment, Government of Madhya Pradesh, Mantralaya, Bhopal.
2. Member Secretary, SEAC, Research and Development Wing Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony Bhopal-462016
3. Member Secretary, Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal-462016
4. Collector, District Ujjain, M. P.
5. Divisional Forest Officer, District Ujjain, M. P.
6. I.A. Division, Monitoring Cell, MoEF& CC, Gol, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110 003.
7. Director (S), Regional office of the MOEF, Western Region, Kendriya Paryavaran Bhawan, Link Road No. 3 Ravi Shankar Nagar, Bhopal-462016
8. Director, Geology & Mining, Madhya Pradesh, 29-A, Khanij Bhawan, Arera Hills, Bhopal – 462002.
9. District Mining Officer, District Ujjain, M. P.
10. Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District Ujjain (MP)
11. Guard file


(Alok Nayak)
Officer-in-Charge