



State Environment Impact Assessment Authority, M.P.
(Government of India, Ministry of Environment & Forests)

Environmental Planning & Coordination Organization

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No: 1917 / SEIAA /16

Date: 13.6.16

To,
Shri Pradeep K. Mittal,
Partner M/s Pacific Exports,
11-12, Dunn Market, Jabalpur Road,
Bargawan Katni, Distt. - Katni (M.P.) - 483501

Sub: Case No. 636/2011, Prior Environmental Clearance for Jhiti Iron ore, Laterite mine in an area of 27.05 ha for production capacity of 2.7 MTPA at khasra nos. 412 & 426 .at Village - Jhiti, Tehsil- Sihora, Distt- Jabalpur (M.P) by Shri Pradeep K. Mittal, Partner M/s Pacific Exports, 11-12, Dunn Market, Jabalpur Road, Bargawan Katni, Distt. - Katni (M.P.) – 483501

The case was discussed in 335th SEIAA Meeting 24.05.2016 and it was recorded that.....

The case was discussed and recommended in 21st SEAC-II meeting dtd. 04.05.2016, it was recorded that:-

SEIAA vides letter no. 6935 dated 30/10/2015 has forwarded an application submitted by M/s Pacific Exports, Katni stating that PP vide their letter dtd. 23/02/2015 has requested to extend the period of Prior EC and informed that the mine plan for further period of 5 years is under preparation and as per reserve the life of mine estimation has been estimated at 31/3/2020. The status of facts regarding this case is given hereunder.

- i. *Prior Environmental Clearance (EC) has been granted (Vide letter no. 1676/SEIAA/12 dtd. 10/12/2012) for Jhiti Iron Ore, Laterite mine in an area of 27.05 ha for enhancement of Production Capacity from 80,640 TPA to 2.7 Million TPA at Village – Jhiti, Tehsil – Sehora, Distt. Jabalpur (M.P.) to M/s. Pacific Exports, 11-12, Dunn Market, Jabalpur Road, Bargawan, Katni, Distt. Katni (M.P.) = 483 501 for 7 years by considering expected life of mine with 53 standard condition and 08 specific conditions as recommended by SEIAA & SEAC.*
- ii. *The approved mining plan (vide IBM letter no. MP/Jabalpur/Iron/Ore /M.Sch. – 99/14- 15/2851 dtd. 07./5/2015) for the further 05 years (2015-16 to 2019-20) has been submitted at MPSEIAA office on 20/5/2015. The life of mine in the new mining plan is for 07 years. However, the lease period of the mine will end by 17/8/2040.*
- iii. *The compliance report for the period of January 2015 to June 2015 against the environment clearance issued for above project has also been submitted at SEIAA office on 06/08/2015.*

has requested (vide letter dtd. 24/06/2015) to extend the Prior EC up to the lease period i.e. 17/8/2040 on the basis of availability of minerals in the mining lease area as estimated in the new mining scheme.

The case was discussed in the 255th SEAC meeting dated 02/01/2016 wherein it was recorded that the above letter of SEIAA along with the PP's request and case file was placed before the committee for consideration. The committee after discussion decided that the EC may be extended as per the provisions of EIA Notification subject to the following: Expansion or modernization in the project, entailing capacity addition with change in process and or technology and any change in product - mix in proposed mining unit shall require a fresh Environment Clearance.

SEIAA vide their letter no. 10887/SEIAA/16 dated 01/02/2016 resend the above file to SEAC stating that " SEAC has not given clear recommendation on the case and therefore it is returned for favour of further clarification".

The case was scheduled for the discussion today wherein the PP and their consultant were also present for any query/clarification sought by the committee. The consultant presented the case and stated that they have not propose any change in the lease area, product quantum as well as in minerals, mining technology & product mix. PP also submitted that as per MoEF&CC OM No. J-11011/15/2012-IA.II (M) dated 20/03/2015 the project proponent which has valid and subsisting EC for their mining project either under EIA Notification, 1994 or EIA Notification, 2006, will not be required to obtain fresh EC at the time of renewal of the lease. This is subject to the maximum period of validity of the EC being for mining lease for 30 years. **The committee after deliberations recommended the case for the extension of validity period of EC as PP has not made any change in the lease area, product quantity, minerals, mining technology & product mix.**

As per the above recommendation of SEAC, the case was discussed at length in pursuance of the EIA Notification dated 14.09.2006 Para - 9 and Office Memorandum issued by MoEF & CC dated 20.03.2015

9. Validity of Environmental Clearance (EC):


The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), **project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities.** However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be."

OM No. J-11011/15/2012-IA.II (M) dated 20.03.2015 issued by MoEF & CC :-
"After due consideration and examination of relevant judicial pronouncements and the OMs issued in this regards, it is clarified that the project proponent which has a valid

and subsisting EC for their mining projects either under EIA Notification 1994 or EIA Notification 2006 will not be required to obtain fresh EC at the time of renewal of the lease. This is subject to the maximum period of validity of EC being for mining lease for 30 years."

According to the above Notification dtd. 14.09.2006, OM dtd. 20.03.2015 and recommendations of SEAC-II meeting dtd. 04.05.2016, the validity of EC is extended upto the mining lease period subject to approval of mining schemes by the Competent Authorities from time to time and availability of minerals and subject to the following:-

Expansion or modernization in the project, entailing capacity addition with change in process and or technology and any change in product - mix in proposed mining unit shall require a fresh Environment Clearance. All conditions imposed in the EC vide no. 1676 dated 10.12.2012 shall remain in place and PP should continue to submit regular compliance reports. RO MoEF & CC, Bhopal should oversee and monitor the conditions of the EC.



(Ajatshatru Shrivastava)
Member Secretary

Endt No. 1918 / SEIAA/16 Dated: 13.6.16

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Copy to:-

1. Principal Secretary, Department of Environment, Government of Madhya Pradesh, Mantralaya, Bhopal.
2. Secretary, SEAC, Research and Development Wing Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony Bhopal-4620 16
3. Member Secretary, Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal - 462016
4. Collector, District - Jabalpur, M. P.
5. Divisional Forest Officer, District - Jabalpur, 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 - Jabalpur, M. P.
10. Shri Anil Agrawal, DEO, for update on website.
11. Guard file


(Dr. R. K. Jain)
Officer-in-Charge

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