

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

Research and Development Wing
Madhya Pradesh Pollution Control Board
Paryavaran Parisar, E-5. Arera Colony
Bhopal-4620 16
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Tel:0755-2466970, 2466859
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No: 1963 / SEIAA/13
Date: 14-11-13

To,
Principal Secretary,
Housing & Environment Deptt.
3rd Floor, Mantralaya Vallabh Bhawan,
Bhopal.

Sub:- Case No. 1703/2013 Prior Environmental Clearance for proposed Commercial Complex "Madhav Plaza" at Khasra No. 756, Village Lashkar, Tehsil Huzrat Road, Lashkar, Distt. Gwalior (MP) Total Plot Area 9,305 sqm Total Built Up Area 26,117.81 sqm by Gwalior Development Authority, Gwalior, MP through Chief Executive Officer, Shri S.K. Mishra, Vikas Bhawan, 1, Ravi Nagar, Gwalior (MP) 474002.

The case was discussed in 152nd SEIAA meeting dated 26.10.13 and it was recorded that

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- (i). Application for Prior Environmental Clearance was submitted by PP (vide letter dtd 14.05.13) received in SEIAA office 08.07.13.
 - (ii). The case was registered and forwarded to SEAC for appraisal on 16.07.13.
 - (iii). This is a case of building & construction project (commercial complex) in an area of 9,305 sqm and total built-up area of 26,117.81 sqm (Form-I) The project comes under 8(a) category(B) of schedule of EIA Notification, 2006 because total construction is between 20,000 sqm & 1, 50,000 sqm and plot area is less than 50 ha.
 - (iv). The case was examined in depth and it is noted that :-
 - (v). The case was discussed in 139th SEAC meeting dtd 29.08.2013 and as per committee decision "It was informed by the project proponent that the construction activity has already been started without obtaining prior EC and has reached to substantial levels. Thus, this is a clear case of violation of EIA Notification. Committee decided to return the case to SEIAA for taking necessary credible action and if need be, issue of directions for immediate suspension of construction at existing level, in light of the MoEF O.M. no J-110131/41/2006 - IA- II (I) dated 12/12/2012 and dated 27/06/2013".
 - (vi). It is decided that as per MoEF, Gol, OM No. J-110131/41/2006-IA-II (I) dtd 12.12.2012 and OM dtd 27.06.2013 PP should submit the details as to why the construction activities have been undertaken. How much construction has already been done ? Whether the construction activities are still continuing? PP is directed to stop the construction activities with immediate effect and should not undertake any kind of construction until prior EC under EIA Notification 2006 is accorded.
 - (vii). PP should submit the above information latest by 15.12.13. The case will be considered thereafter.
 - (viii). The Authority is of the view that it is undisputed that violation of EIA Notification 2006 has taken place. It is decided that a letter should be sent to Principal Secretary, GoMP, Housing and Environment giving the details of violation to take action as per office memorandum of MoEF, Gol J-110131/41/2006 IA II (I) dt. 27.06.13 & 12.12.2012 (Para 2) "to initiate credible action on the violation by invoking powers under section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken." The details of legal action taken by the Principal Secretary H & EN GoMP taken should be made available to the Authority by 15.12.13."

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- **Correspondence Address:** Member Secretary, SEIAA, Environmental Planning and Coordination Organisation (EPCO), Paryavaran Parisar, E-5, Arera Colony, Bhopal - 462016
 - **Registration No.:** To be quoted in registered cases for correspondence

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(2)

In view of point no. viii above it is to mentioned that it is undisputed that violation of EIA Notification 2006 has taken place. As per office memorandum of MoEF, Gol J-11013/41/2006 IA II (I) dtd 27.06.13 & dtd. 12.12.2012 (Para 5 (ii)) you are requested "to initiate credible action on the violation by invoking power under section 19 of the Environment (Protection) Act 1986 for taking necessary legal action under section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken." A copy of section 15 & 19 of EPA act and office memorandum dtd 27.06.2013 and 12.12.2012 are enclosed for necessary action against PP.

The details of action taken should be made available to the Authority by **15.12.2013**.

Encl: - As above


o/c
(Manohar Dubey)
Member Secretary

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