



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

Environmental Planning & Coordination Organization

Paryavaran Parisar, E-5, Arera Colony

Bhopal - 462016

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No.: 2133 /SEIAA/ 21

Date: 1/10/21

To,

M/s Vijay Construction,
Partner Shri Ajay Tiwari,
S/o Shri Vijay Tiwari,
Village - Gunaikhalsa,
Tehsil & Dist. Ujjain, MP - 456006

Sub:- Case No. – 8648/2021 Prior Environment Clearance for **Stone Quarry** in an area of 2.0 ha. for production capacity of 24000 cum per annum at Khasra No.311 at Village - Gunaikhalsa, Tehsil - Ujjain, Dist. Ujjain (MP) by Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District Ujjain (MP). **Regarding Transfer of EC in the name of M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006.**

The case was discussed in 686th SEIAA meeting dtd 15.09.2021 and it has been 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. with production capacity of 24000 cum per annum at Khasra No.311 at Village - Gunaikhalsa, Tehsil - Ujjain, Dist. Ujjain, (MP) by M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006
- (2) The Prior Environmental Clearance letter was issued by DEIAA, Ujjain vide DEIAA/2016/995 Dated 19.05.2016 in the name of Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District 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 Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District Ujjain (MP) for transfer of prior EC in the name of M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006
 - (ii) Notarized affidavit of M/s Vijay Construction, Shri Ajay Tiwari, Partner, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006 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 DEIAA vide L.No. DEIAA/2016/995 Dated 19.05.2016.
 - (iv) Copy of Environmental Management Plan submitted by M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006
 - (v) Copy of Approved Mining Plan submitted by M/s Vijay Construction, Shri Ajay Tiwari, Partner, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006
 - (vi) Lease transfer order issued by Office of Collector, Ujjain vide order no. 2827, dated 03.11.2015 (**Validity upto 06.01.2019**) to M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006.

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(vii) Copy of lease renewal letter issued by Director, Geology & Mining, Bhopal vide letter no. 763, dated 13.01.2021 (**Validity upto 06.01.2029**) to M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006

(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"

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 DEIAA vide L.No. DEIAA/2016/995 Dated 19.05.2016 in the name of "Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District Ujjain is **hereby transferred to M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006 for Stone Quarry** in an area of 2.0 ha. for production capacity of 24000 cum per annum at Khasra No.311 at Village - Gunaikhalsha, Tehsil - Ujjain, Dist. 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 Shri Praveen Arya S/o Shri Kishanlal Arya R/o 2/3, Nikash Chauraha, District Ujjain (MP) by DEIAA vide letter No. DEIAA/2016/995 Dated 19.05.2016 is **hereby transferred to M/s Vijay Construction, Partner Shri Ajay Tiwari S/o Shri Vijay Tiwari, Village - Gunaikhalsa, Tehsil & Dist. Ujjain, MP - 456006 for Stone Quarry** in an area of 2.0 ha. for production capacity of 24000 cum per annum at Khasra No.311 at Village - Gunaikhalsha, Tehsil - Ujjain, Dist. Ujjain (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted with following additional conditions :

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Endt No. ²¹³⁶ / SEIAA/2021

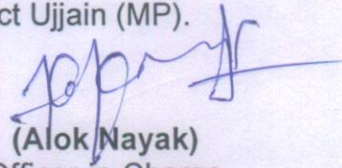
Copy to:-

1. Principal Secretary, Department of Environment, Government of Madhya Pradesh, Mantralaya, Bhopal.

Dated: 11/10/21

^{11/10/21}
(Shriman Shukla)
Member Secretary

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