

Minutes of the 156th Meeting of SEIAA dated 21.08.2014

The 156th meeting of the State Level Environment Impact Assessment Authority was convened on 21.08.2014 at 3.00 PM at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Waseem Akhtar, Chairman, SEIAA. The following members attended the meeting:-

- | | | |
|---|--------------------|------------------|
| 1 | Shri H.S. Verma | Member |
| 2 | Shri Gulshan Bamra | Member Secretary |

Following cases received from SEAC was considered and the detail of the receipt of the recommendations & record from the office of SEAC is as follows:

- A. Case related to Govt/Public undertaking Sector have been considered on priority basis as per the Office Memorandum of MoEF, Gol issued vide dtd. 04.11.2008, para 3(1).**

S No	Case No.	No. & date of latest SEAC meeting in which case was recommended	Date of receipt of SEAC minutes in SEIAA	Date of receipt of records in SEIAA office
1.	625/2011	146 th SEAC meeting dtd. 08.11.13	18.12.13	04.01.14


- B. Cases other than Govt./ Public undertaking Sector**

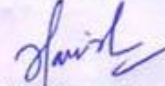
S No	Case No.	No. & date of latest SEAC meeting in which case was recommended	Date of receipt of SEAC minutes in SEIAA	Date of receipt of records in SEIAA office
2.	489/2009	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
3.	1701/2013	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
4.	457/2009	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
5.	1247/2013	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
6.	684/2012	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13

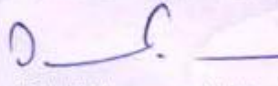
- C. National Green Tribunal Directions dtd 03.01.2014 – Case no.516/2010**

D. POLICY DECISION FOR REGISTRATION OF CASES FORWARDED BY MOEF

- (1) **Case No. - 625/2011:** Prior Environmental Clearance for Indira Gandhi National Tribal University Amarkantak, at Khasra No. 136 to 217, 658 to 684, 180/715, 201/716, 201/717, 207/718 in Village - Lalpur ; 342, 344 to 354 in Village - Sendurkhar ; 2 to 99, 129 to 136, 138/1, 139 in Village - Bijori, Tehsil Pushprajgarh, District – Anuppur (M.P.) Plot Area - 1501440 sq mt. (150.144 ha), Total. Built up Area - 575998.85 sq mt. by Dr. Utpal Debnath, Registrar, Indira Gandhi National Tribal University Amarkantak , Mekal Sadan, Kapildhara Road – Amarkantak (M.P.) – 484886
- (i). The proposed project is Area Development project of "Indira Gandhi National Tribal University, Amarkantak at Village – Lalpur, Sendurkhar & Bijori, Tehsil Pushprajgarh District – Anuppur (M.P.). The project includes development of university insitution and residential. The Proponent is Dr. Utpal Debnath, Registrar I/C, Indira Gandhi National Tribal University Amarkantak, Mekal Sadan, Kapildhara Road – Amarkantk (M.P.)
- (ii). The total land area is 150.144 ha and total built up area proposed by PP is 575998.85 sq.m (Form-I). PP has not submitted T & CP permission and


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approved layout plan. The project comes under 8 (b) category (B1) of schedule of EIA Notification, 2006 as the total plot area is more than 50 ha & construction is more than 1,50,000 sqmt.

- (iii). The ToR was issued vide letter dtd 12.09.11 and PP submitted EIA on 02.09.13.
- (iv). The case was discussed in SEAC meetings; 78th dtd.26.08.11 & 146th dtd.08.11.13 and has recommended the project for grant of prior EC subject to 07 special conditions.
- (v). The case was discussed in depth and it is noted that :-
 - a) PP has submitted copy of khasra panchsala 2009-2010 according to which the land is in the name of MP Govt. Revenue Deptt. PP has submitted photocopy of two nos. of lease deeds dtd 24.02.10 & 17.10.11 executed between Collector, Annupur for Governor of M.P and Kulpati, Indira Gandhi National Tribal University, Amarkantak M.P. for HRDD Gol Delhi. The above lease deeds for 150.144 ha & 0.405 ha are valid up to 31 March 2040 & 31 March 2041 respectively. As per lease deed MP Govt. has allotted (vide order dtd 01.02.2010) the land to the University for Institutional cum residential purpose **and is satisfactory.**
 - b) In 144th SEAC meeting dtd. 30.10.13. it is recorded that *"PP and the consultant informed the committee that some data in the report needs to be reviewed and re-calculated in view of the revised population data, hence a chance for presentation in the next meeting was requested by the PP. Committee agreed to call the PP in the next meeting to be held in November 2013."*
 - I. Accordingly, PP vide letter dtd. 06.11.13 submitted revised form-I, Form-A Conceptual plan stating that the total built up area and the land area of the project remains the same as earlier, however, due to a slight revision in population amendments has been made and PP made presentation in 146th SEAC meeting dtd 08.11.13 for the same.
 - II. While examining the documents it is observed that as per the presentation made by PP there is considerable increase in the water requirement, waste water generation, MSW generation, parking requirement etc.
 - c) However, the EIA report & 146th SEAC meeting dtd 08.11.13 in which EC recommendation are given is based on old Form-1 submitted on 14.03.11. **It is decided that the case file should be returned to SEAC for appraisal accordingly.**
- (vi). It is noted that PP has not submitted proper layout plan showing width of the roads, details of buildings, parking place etc. with index and dimension NOC from concerned authorities for water requirement, waste water discharge disposal of MSW and fire fighting etc. Hence, it is decided that PP should submit notarized copy of all the documents/ NOC to SEAC for appraisal.

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- (2) **Case No. 489/2009**, Prior Environmental Clearance for Jamuani Kala Limestone & Dolomite Mine, 8.584 ha for Production Capacity of 10,000 MTPA to 2,00,000 MTPA at village Jamuani Kala, Tehsil Vijayraghgarh, Distt. Katni, M. P. by Shri Himanshu Kothari (ED) M/S S. N. S. (Minerals) Limited, P. O. Maihar, Distt. Satna, M. P. – 485771

- (i). The case was discussed in 88th and 137th SEAC meetings dated 13.02.2012 & 24.07.2013 and recommended in 143rd SEAC meeting dtd. 29-10-2013. Based on the submission of documents and presentation made by the PP the committee has recommended for grant of prior EC to the project subject to the **4 conditions**.
- (ii). It was noted that the PP has applied in Form-I for Prior Environmental Clearance of Jamuani Kala Limestone & Dolomite Mine, in an area of 8.58 ha. for amendment in production capacity from 10,000 TPA to 2,00,000 TPA at 12 Khasra Nos. (as per lease deed) at village Jamuani Kala, Tehsil Vijayraghgarh, Distt. Katni (MP).
- (iii). It was noted that as per notarized copy of lease deed the lease period is for 20 years i.e from 23.09.1995 to 22.09.2015.
- (iv). It was found that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the **General Condition is not attracted**.
- (v). It was also noted that as per DFO Katni letter vide No. 4618 dated 01.07.2013 the distance of forest boundary (RF 27) is 1074 meter from the mining site.
- (vi). The plantation program was examined and it was found that existing area under plantation is 1.322 ha and proposed area would be 2.75 ha. The plantation program was found satisfactory.
- (vii). The authority noted that the SEAC, while recommended the Prior EC, has recorded in the minutes of 143rd meeting dated 29.10.2013 that PP has accepted the violation and proposed action as per MoEF OM No. J-11013/41/2006-IA II(I) dated 12.12.2012.

On scrutinizing the documents it was found that PP has already submitted the formal resolution by the Board of Directors in the SEAC that violation will not be repeated. It was decided that copy of the commitment as mentioned in Para 5 (iii) of the OM will be put on MP-SEIAA website.

- (viii). Further it was decided that as per para 5 (ii) of OM dated 12.12.2012 a letter should be written to the State Govt. to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act 1986 taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and evidence provided to MP-SEIAA of the credible action taken.

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- (3) **Case No. 1701/2013-** : - Prior Environmental Clearance for proposed "**Ruchi Lifescapes**" at Khasra No. 235/1, 235/2/1, 236/1, 239/1, 239/2, 240/2, 252/1, 253, 254/1, 254/2, 256/1, 256/2, 256/3, 259/1, 259/2, 260/1, 260/2, 260/3, 261/1, 261/2, Village- Jhalaria, Tehsil - Indore, Distt. - Indore (M.P.) Total Land Area - 25, 1500 sq.mt. (25.15 ha), Total Built Up Area - 53,938.22 sq.mt. (Form-I) by M/s Vishal Resorts & Hotels Pvt. Ltd. through Shri Rishabh Mahajan, Director "Ruchi Lifescapes" 2/1, South Tukoganj, Behind High Court, Indore (M.P.) 452001 email: indore@ruchirealty.com (Consultant Insitu Envirocare, Bhopal)
- (i). The proposed project is building construction project comprising Duplexes-82 nos. Group Housing (G+6) 336 Nos. EWS 280 Nos. and Other - Plot development for the purpose of Duplexes, Apartment, Residential/Commercial, Convenience/Local shopping & School. etc. at Village- Jhalaria, Tehsil - Indore, Distt. - Indore (M.P.) The Proponent is M/s Vishal Resorts & Hotels Pvt. Ltd. through Shri Rishabh Mahajan, Director "Ruchi Lifescapes", 2/1, South Tukoganj, Behind High Court, Indore (M.P.)
- (ii). As per the T & CP Indore (vide letter 6825 dtd.06.11.12) the total land area is 25.15 ha at Village- Jhalaria, Tehsil - Indore, Distt. - Indore (M.P.) The total built up area proposed by PP is 53,938.22 sq.mt. (ppt. pg-07) The project comes under 8 (a) category (B) of schedule of EIA Notification, 2006 because total construction is between 20,000 sq mt. & 1, 50,000 sq mt. and plot area is less than 50 ha.
- (iii). The case was discussed in 139th SEAC meeting dtd 29.08.13 and 143rd SEAC meeting dtd 29.10.13 and recommended the project for grant of prior EC subject to 07 special conditions.
- (iv). The case was examined in depth and it is noted that :-
- a) PP has submitted notarized copy of Permission from T & CP, Indore, Khasra Panchsala 2012-13 and diversion order. The total land area as per T & CP approval is 25.15 ha in the name of M/s Vishal Resorts & Hotels Pvt. Ltd. through Director Shri Rishabha Mahajan. The diversion order has also been issued for 25.15 ha to M/s Vishal Resorts & Hotels Pvt. Ltd. through Director Shri Rishabha Mahajan. As per the Khasra Panchsalal 2012-13 the land area 26.360 ha is in the name of M/s Vishal Resorts & Hotels Pvt. Ltd. through Director Shri B.K. Gupta and **is satisfactory**.
- b) The total water requirement is 1337 KLD (domestic 670.4 + flushing 341.5 + landscapes & others 325.0 KLD) and fresh water requirement is 671 KLD (.ppt 24 & SEAC 139th mtg. dtd. 29.08.13). As per SEAC 143rd meeting dtd. 29.10.13 recommendation "fresh water demand for the project shall not exceed 122.0 KLD. The total recycled water 666.5 KLD. The source of water supply is Municipal Corporation Indore (139th SEAC minutes). PP has submitted copy of application (dtd. 09.07.13) submitted to Commissioner Municipal Corporation, Indore for supply of 671KLD water. **It is decided that :-**
- A. PP should submit NOC from Nagar Nigam, Indore for supply of 671 KLD fresh water.

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- B. A letter should be written to SEAC seeking clarification / justification regarding the recommendation of "fresh water demand for the project shall not exceed 122.0 KLD" by 15.09.14
- c) The total waste water generation is 911.3 KLD. PP has provided sewage treatment plant of 925 KLD. The total treated waste water is 820 KLD and out of this 667 KLD will be recycled (341.5 KLD – flushing + 325.0 KLD Horticulture & Miscellaneous) while remaining extra treated waste water is 153.5 KLD which is proposed to be drained into nearby Nala / sewer line. PP has not submitted NOC from Nagar Panchayat / local body for discharge of extra treated waste water. **It is decided that the disposal of extra treated waste water (153.5 KLD) should be linked with Municipal sewer line and PP should submit a NOC from Nagar Nigam, Indore for disposal of 153.5 KLD of treated waste water in their municipal sewer line.**
- d) Approximately 3.40 TPD (1.53 TPD non bio-degradable + 1.87 TPD bio-degradable) of Municipal Solid waste shall be generated this is proposed to be segregated at source, collected door to door and stored in bins of three colors (green, white and black) separate for biodegradable and non biodegradable. The MSW collection centre will be at the gate of campus where three covered bins of green, white and black color will be placed for collection from the campus and for final transportation for disposal. PP has not submitted NOC for disposal of MSW. **It is decided that the disposal of MSW should be integrated with Indore Municipal Corporation and PP should submit clear NOC from Nagar Nigam, Indore for disposal of 3.40 TPD of MSW in their trenching ground / landfill site.**
- e) The maximum height of the building is 18 m. PP has provided road width 18 m Front MOS 12 m and side / rear MOS 9.0m. **It is decided that the PP should provide road width and MOS as per the provision of MPBVR 2012 rule no. 42.**
- f) PP has proposed to provide fire fighting provisions including fire hydrants, hose pipes, wet riser system, portable fire extinguishers, sprinkler system, manually operated alarm system, fire tender route to access to each tower and other firefighting equipment. PP has submitted fire fighting NOC issued from UADD, Bhopal dtd. 11.07.13 and is **satisfactory**.
- g) PP has proposed to provide rooftop rainwater and storm water harvesting systems with network of percolation wells and green belt for recharge of ground water and is **satisfactory**.
- h) As per Rule no. 84 Table 1.3 of MPBVR 2012 the required car parking for group housing $36586.68 / 100 = 366$ ECS. PP has proposed to provided 380 ECS covered parking for group housing and 82 nos. individual parking provided for Duplex and is **satisfactory**.
- i) An area of 22,007 sq. m (10.05 % of N.P.A.) plotted development and 2674 group housing total (24681.00 sq. m.) is proposed to be developed as green area (garden).

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- (4) **Case no. 457/2009**, Prior Environmental Clearance for Lime stone mine in an area of 16.890 ha. for production capacity of 6000 TPA at village- Kubri- Teh- Maihar, Distt- Satna M.P. by M/s Sukhdeo Prasad Goenka, Anand Kumar Goenka, Station Road Katni, District Katni (MP).
- (i). The case was discussed in 71st SEAC meeting dated 13.12.2010 and recommended in 143rd SEAC meeting dtd. 29-10-2013. Based on the submission of documents and presentation made by the PP, the committee has recommended for grant of prior EC to the project subject to the 5 conditions.
 - (ii). It was noted that the PP has applied in Form-I for Prior Environmental Clearance of Lime stone mine in an area of 16.890 ha. for production capacity of 6000 TPA at 9 Khasra Nos. (as per lease deed) at village- Kubri, Teh- Maihar, Distt- Satna M.P.
 - (iii). It was found that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the General Condition is not attracted.
 - (iv). It was also noted that as per DFO Satna letter vide No. Maa.chi./3383 dated 25.05.2011 the distance of forest boundary is 274 meter from the mining site.
 - (v). The proposed plantation program was examined and it was found that 9020 trees would be planted in an area of 6.0 ha at the end of lease period. The plantation program was found satisfactory.
 - (vi). It was found that as per Mining Plan (vide L.No. 71614/B/Satna/89/II dated 28.11.1989) the expected life of mine is 20 years.
 - (vii). It was found in the record that the Department of Mineral Resource, GoMP has passed an order vide No. F-3-269/82/12/2 dated 03.06.2010, wherein the lease period is allowed for 30 years subject to fulfillment of certain conditions.
- In context of above it was noted that the PP has not submitted the current status of the lease period. It was decided that PP should be asked to submit the current status of the lease in SEIAA office by 30.09.2014.
- (viii). It was found that the SEAC has recorded in the minutes of its 71st meeting dated 13.12.2010 that this is a case of violation.

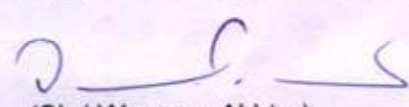
Further it was noted that the SEAC, while recommended the case for Prior EC in its 143rd meeting dated 29.10.2013, has mentioned under special condition No. (1) necessary action has to be taken as per MoEF, GoI OM no. J-11013/41/2006-IA II(I) dated 12.12.2012.

In context of above following action has been decided:

- a) A letter to be written to the PP to submit a formal resolution passed by Board of Directors or the managing committee to insure that violation will not be repeated, as mentioned in para 5 (i) of the said OM.
- b) A letter to be written to the State Govt. concerned to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act 1986 taking necessary legal action under Section 15 of


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the Act for the period for which the violation has taken place and evidence provided to MP-SEIAA of the credible action taken.

- (5) **Case no. 1247/2013**, Prior environmental clearance for Single Super Phosphate (Powder/Granulated) production capacity 115500 MT/Year, (b) Dicalcium Phosphate – (DCP) 3300 MT/Year at Plot No.- 135-A, 136-AII, 137-A & 138-A, plot area 8821 sqmt. Industrial Growth Centre – Meghnagar, Distt, - Jhabua (M.P.) by Mr. Rajkumar Suhane, Managing Director, M/s Agro Phos(India) Ltd.. M-87, Trade Centre, 18, South Tukoganj, Indore (M.P.) – 452001 (Consultant Eco Chem Sales and Service Pollution Control Consultant, Surat, Gujrat)
- (i). The proposed project is for the manufacture of SSP (powder / granulated), and Di calcium Phosphate. The production capacity planned is as follows: Single Super Phosphate SSP (Powder / Granulated) – 115,500MT/Year & Di calcium Phosphate (DCP) – 33,00 MT/Year. The project proponent is M/s Agro Phos(India) Ltd through Mr. Rajkumar Suhane, Managing Director,
 - (ii). The project is located at Plot No.- 135-A, 136-AII, 137-A & 138-A, Industrial Growth Centre – Meghnagar, Distt, - Jhabua (M.P.) The project is covered under 5 (a) category B of the Schedule of EIA Notification issued by the Ministry of Environment & Forests vide S.O.1533(E), dtd. September 14, 2006 and its amendments.
 - (iii). The ToR were issued to PP by SEAC (vide letter no. 483/TOR (122)2013 dtd 06.06.2013) and EIA was submitted by PP (vide letter dtd 24.07.13).
 - (iv). The case was discussed in 139th SEAC meeting dtd 29.08.2013, & 143rd SEAC meeting dtd 29.10.13 recommended the project for grant of prior EC subject to 06 special conditions.
 - (v). The case was discussed in depth and it is noted that :-
 - a) The proposed total land area of the project is 8821 sq. m. PP has submitted land allotment letter dtd 06.07.11 from AKVN for plots nos. 135-A & 138-A for area of 5521 sqmt. PP has submitted amended lease deed dtd 08.04.2011 with MPAKVN, Indore for plot no. 136 A II & 137 A for an area of 3300 sqmt and is **satisfactory**.
 - b) The project is located in notified Industrial Growth Centre – Meghnagar, Distt, - Jhabua (M.P.) approved by AKVN and public hearing for the project has not been conducted. It is noted that MoEF, Gol, has issued OM dated 16.05.2014 and has clarified that "The exemption from public consultation, as provided for under para 7 (i) III. Stage (3) (i) (b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification 2006 as provided for under item 7(c) of the schedule".....**It was decided that a letter and technical file should be sent to SEAC to appraise the case in view of the above notification by 15.09.14.**
 - c) The total water requirement is 325 KLD (Fresh Water 190 KLD + Recycled 135KLD). SEAC in its 143 mtg dtd. 29.10.13. has recommended that the

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fresh water requirement in the project including domestic requirement shall not exceed 190 KLD. PP has submitted that as per office order of Industries and Commerce Department Government of MP vide order no F B 16/82/11/8 dtd 15.03.1984 all the facilities including Water supply will be provided to all the new units coming up in AKVN. Meghnagar is one of the AKVN area. PP has submitted copy of application submitted to AKVN dtd 19.10.12 for supply of water (500 KLD). **It is decided that PP should obtain clear NOC from AKVN for supply of 190 KLD fresh water.**

- d) The effluent generation from the process is zero. The industrial effluent (washing, overflow and linkages) will be collected in effluent collection sump of 10 m³ capacity, this effluent will be sent to Reaction tank with mixer (1000 mm x 1000 mm x 1500TD) by gravity and will be neutralized by mixing lime. The coagulated effluent will be sent to hopper bottom settling tank of 10 m³ capacity. The sludge will be settling at the bottom which will be dried in sludge drying beds 4 nos. and dry sludge will be sent to SSP godown for reuse. Clear supernatant will be collected in treated water tank and same will sent back to process. Domestic effluent will be treated in Septic tank. **It is decided that there should be ZERO discharge of treated effluent from the unit.**
 - e) PP has provided three stage Fluorine Scrubber System for collection of fluorine from Acidulation process.
 - f) Hazardous Waste will be generated 0.75 MT/year from the industry as spent oil from DG sets. The Hazardous waste is proposed to be reused for lubrication to the maximum extent and balance will be sold to authorized re-processor.
 - g) Out of total plot area 8821 sqmt. an area of 4000 sq. m. will be used for green belt. The species proposed for green belt include banyan, peepal, rubber, palash, dalbergia trees along with shrubs and ground covers.
 - h) PP has provided CSR plan with financial provision of 5% of the total cost of the project towards Social Welfare programme in a period of ten years.
- (6) **Case No. 684/2012** : Prior Environmental Clearance for Gidurha Laterite & Iron Ore Deposit Mine in an area of 9.20 ha. at Village-Gidurha, Tehsil-Sihora, Distt-Jabalpur for production capacity of 3,00,000 TPA by Shri Jasjeet Singh Walia, M/s Broken Hill Mining Company, 188, Rizwan Bagh, Lalghati, VIP Road, Bhopal, District-Bhopal (M.P.)-462032.
- (i). The case was discussed in 93rd SEAC meeting dtd. 10.04.2012 & 139th SEAC meeting dtd. 29.08.2013 and recommended in 143rd SEAC meeting dtd. 29.10.2013. Based on the submission of documents and presentation made by the PP the committee has recommended for grant of prior EC to the project subject to the 5 special conditions.
 - (ii). It was noted that the PP has applied in Form-I for Prior Environmental Clearance of Gidurha Laterite & Iron Ore Deposit Mine (Open Cast other than Fully Mechanized Method) in an area of 9.20 ha. for production capacity of

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3,00,000 TPA at Khasra Nos. 633, 634 and 397 at Village-Gidurha, Tehsil-Sihora, Distt-Jabalpur (MP).

- (iii). It was found that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the General Condition is not attracted.
- (iv). It was noted that the distance of the mining site from forest boundary is 400m (Conservator Forest, Jabalpur L.No. 1175 dtd. 07.11.2012).
- (v). The proposed plantation program was examined and it was found that a green belt of 1.20 ha. will be developed on barrier zone by planting 2400 plants and reclaimed area will be afforested in 7.66 ha. by planting 15320 plants. The plantation program was found satisfactory.
- (vi). It was found that as per Mining Plan (vide L.No. MP/Jabalpur/IronOre/MPLN/G-10/11-12 dtd. 03.09.2012) the life of mine is 10 years.
- (vii). It was noted that the Public Hearing was held on 05.04.2013 at Mining Site Gidurha, Jabalpur under the Chairmanship of SDM, Sihora. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.

However, it was decided that the commitment made by PP on the issues raised during public hearing should be incorporated as special condition while issuing the EC letter.

- (viii). It was noted that water requirement is 33 KLD, which shall be met-out from Dug well, Bore well & Mine sump water.
- (ix). It was noted that Govt. of India, Ministry of Mines has given prior approval to the grant of mining lease for 30 years vide L.No. 5/19/2011-M.IV dtd. 17.10.2011.
- (x). It is found that the Mineral Resource Deptt. Govt. of MP vide order Endt. No. F3-44/2010/12-2 dtd. 18.02.2013 has sanctioned the mining lease for 30 years with the following conditions:-
 - a) Subject to outcome of Write Petition pending against the proposal in Hon'ble Court.
 - b) The entire ore produced in the mining operation shall be used exclusively for own consumption in iron or steel making and cannot be either sold in India or exported to other countries.

It was also noted that PP has made the commitment for installation of beneficiation plant during public hearing dated 05.04.2013.

- (xi). In context of above it was decided that PP should be asked to submit an undertaking to comply with the conditions as mentioned in the above said order passed by Mineral Resource Deptt. Govt. of MP vide Endt. No. F3-44/2010/12-2 dtd. 18.02.2013.

Further it was also decided that the PP should be asked to submit the undertaking to fulfill the commitment made by him during public hearing dtd.

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05.04.2013 for installation of benefication plant (as recorded in the statement of issues).

The above information should be submitted by PP in SEIAA office by 30.09.2014.

- (7) **Case no. 516/2010** Prior Environmental clearance for M/s Samdariya Builders Pvt. Ltd, Samdariya House, Russel Chowk, Jabalpur M. P. construction of shopping mall with multiplex, at civic centre Jai Prakash, Narayan ward, scheme no 18, Jabalpur, MP.

(i). Brief history of the case was examined and it is noted that :-

- a) Earlier the case was submitted to SEIAA office Case No. 441/2009 for grant of prior EC. PP during its presentation in 35th SEAC meeting dtd 22.09.09 submitted that the case may be exempted from obtaining EC under EIA Notification as built up area is less than 20,000 sqmt. calculated as per MPBVR 1984. SEAC returned the case to SEIAA to seek opinion from MOEF.
- b) SEIAA in its 24th meeting dtd 17.11.09 allowed the exemption to PP without seeking the opinion of MoEF and issued the exemption letter dtd 04.12.2009.
- c) The case was also under process for grant of air and water consent from MPPCB. The board was of the opinion that the total built up area (including parking) is more than 20,000 hence PP should obtain prior EC. According to MoEF clarification dtd 11.02.2010 the total built up area covers the basement and other service area proposed in the building / construction projects. Hence the PP was asked to obtain prior EC.
- d) The application was submitted by PP in SEIAA office for prior EC on 12.03.10. The case was considered in 53rd SEAC meeting dtd 27.04.10 and the case was recommended for grant of EC on note sheet signed by MS & Chairman SEAC dtd 11.05.10.
- e) In 37th SEIAA meeting dtd 21.06.10 the case was returned to SEAC asking to forward the case by the full committee and after verifying the construction activities. The case was considered in 61st & 62nd SEAC meeting.
- f) SEIAA in its 42nd meeting dtd 13.08.10 decided that SEAC should submit the file after reconsideration along with specific report on issue of starting construction work.
- g) In the 64th SEAC meeting dtd 31.08.10 it was decided that RO, MPPCB, Jabalpur should submit the details regarding construction directly to SEIAA.
- h) Meanwhile letter dtd 01.10.10 the case was referred to MOEF, Gol (SEIAA & SEAC were dissolved) the case was received back from MOEF on 04.12.10.

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- i) Inspection report from RO was received on 21.10.10 and the case was considered in 43rd SEIAA meeting dtd 10.12.10 it was decided to get clarification from MOEF, Gol as the period of 45 days was over and to report the matter of violation to State Govt. MP for further action as per law. Letter sent to PS, Housing and Environment Deppt. on 14.01.11. The case was again discussed in 48th SEIAA meeting dtd 05.02.11 and decided to accept the recommendation of SEAC and accord prior Environmental Clearance.
- j) Further, since the case was of violation, as per office memorandum dtd 16.11.2010 PP vide letter dtd 27.05.11 was asked to submit resolution passed by Board of Directors. Accordingly PP submitted notarized copy of the resolution passed in the meeting held on 07.06.11 of Board of Directors of M/s Samadariya Builders Pvt. Ltd., Jabalpur. A letter dtd 14.01.11 was sent to Principal Secretary, Govt. of MP Housing & Environment Deppt. to take legal action as per law. The Authority was appraised of the resolution submitted by PP in 65th SEIAA meeting dtd 26.08.11 and decision was taken to put the resolution on the website of SEIAA. Finally the EC was issued by the SEIAA vide letter no. 492/EPCO-SEIAA/11 dtd 16.09.2011.
- k) As per the requirement of SEAC PP vide letter dtd 30.04.2010 has committed to provide 35% plantation.
- (ii). **The case was filed in NGT (case no. 39/2013 KISHORE SAMRITE V/s UNION OF INDIA & OTHERS). The important points made in the prayer are as follow :-**
- a) An application no. 39/2013 was filed before the National Green Tribunal sitting at Bhopal by Shri Kishore Samrite V/o Union of India & Others in which Respondent no. 2 was State Level Environment Impact Assessment Authority, Gol, Bhopal and Respondent no. 8 was Shri Manohar Dubey, Member Secretary, MP-SEIAA. The applicant has appealed against the prior EC dtd 16.09.11 granted to M/s Samdariya Builders, Jabalpur and in its petition has said that:-
- Before environmental clearance the respondent no. 9 made its shopping mall which is contrary to the Notification dtd 14.09.06 and if violation is detected there is penal action under section 15 of EPA 1986.
 - The Environmental Clearance has been granted under the certain terms and conditions mentioned. No public hearing has been made.
 - It is also mentioned that in the EC letter dtd 16.09.11 condition is mentioned regarding provision of plantation as per CPCB guidelines subject to minimum of 35% of the total area but in fact there is no single plant and space has not been left hence there is clear cut violation of mandatory conditions of green belt.

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- IV. Applicant before the Hon'ble Tribunal has prayed that the EC granted is totally contrary to the rules of Environment, therefore the same is illegal, and contrary to the law and the cause of action is everyday because the EC is not granted as per law. More so the terms of EC of Green-belt is still being violated. The applicant has prayed the Hon'ble Tribunal to hold that the EC dtd 16.09.11 is void and illegal and more so there is no compliance of its terms, therefore the Respondent no. 9 (M/s Samadariya Builders) running mall is illegal and has requested the Hon'ble Tribunal to direct the concerned respondents to close the operation of the shopping mall till final decision of the Hon'ble Tribunal.
- (iii). Meanwhile, PP vide letter dtd 23.09.13 received in SEIAA office on 24.09.13 submitted that as the construction activity was completed at the time of presentation of the case for EC before SEAC therefore the conditions mentioned in the EC letter under construction phase are irrelevant and needs to be corrected / reviewed. It is to mention that out of the total 8 conditions in the EC under construction phase PP has requested to withdraw condition no. I, II & III and shift the condition no. IV to specific conditions / operation phase.
- (iv). The case was discussed in 151st SEIAA meeting dated 22.10.2013 and it is recorded that "
- (i). *The Authority was apprised regarding filing of the application / appeal no. 39 / 2013 before the Hon'ble National Green Tribunal Central Zone Bench at Bhopal against the EC granted by the SEIAA and non fulfillment of certain conditions mentioned in it. It was also informed that the written statement / reply has since been filed on behalf of the SEIAA in the Tribunal.*
- (ii). *After the institution of the case a letter has been received on 23.09.13 in the office of the SEIAA from the PP to amend EC and withdraw some conditions. Since the EC has been challenged in the Tribunal and is still under consideration and hence it was decided not to examine such prayer because the matter is sub-judice. "*
- (v). A letter was sent to PP vide no. 1948 dtd 12.11.13 informing the above decision of SEIAA.
- (vi). Thereafter, PP challenged the orders dtd 12.11.13 passed by MP-SEIAA before the Hon'ble NGT, Bhopal registered as Case No. 145/2013.
- (vii). After hearing both the cases (39/2013 & 145/2013) Hon'ble National Green Tribunal issued order as follows :

1) NGT Order dtd 03.01.2013 Case No. 39/2013

The Hon'ble NGT disposed of the case on the ground and passed order that "*..... we disposed of this application with the direction as has been given in the matter of Samdariya Builders Pvt. Ltd. In original application no. 145/2013 decided by us today remanding the matter to the SEIAA after setting aside their order /communication dtd. 12.11.13 given to decide the matter raised in original application no. 145/2013 by Samdariya Builders Pvt. Ltd. on merits without being influenced by the fact that the same has*

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been challenged in the present application i. e. original application no. 39/2013 by Shri Kishore Samrite.....

Accordingly, Original Application no. 39/2013 disposed of".

2) NGT order dtd. 03.01.14 in Case no. 145/2013

.....Accordingly, we would set aside order passed by the SEIAA dtd. 12.11.13 and direct the SEIAA to decide the matter raised in the application dtd. 23.09.13 filed by the applicant in accordance with law, preferably within a period of 90 days from today. It would be the duty of applicant to furnish the copy of this order to the respondent....."

- (viii). M/s Samdariya vide letter 14.01.14 received in SEIAA office 17.01.14 PP submitted a copy of direction given by honorable green tribunal in case no. 39/2013 and 145/2013 with a request to consider the representation made by PP on 23.09.13 for reconsideration of conditions of EC. Since the tenure of MPSEIAA and SEAC was over after 11.11.13, PP was informed that the authority is not functional at the state level vide letter dtd. 27.01.14.
- (ix). Again PP vide letter dtd. 16.07.14 received in SEIAA office 23.07.14 has requested to reconsider the conditions of EC in view of his letter dtd. 23.09.13 as now the SEIAA has been formed. PP has enclosed Orders of NGT in case no. 39/2013 & 145/2013
- (x). It was decided that the case may be sent to SEAC for examining the representation submitted by Project Proponent and give their recommendations by 15.09.2014, keeping in view the time limit given by Hon'ble National Green Tribunal.

POLICY DECISION FOR REGISTRATION OF CASES FORWARDED BY MOEF.

It was noted that the MoEF has forwarded following 17 proposals of Mining of Minor Minerals in <5 ha. lease area and 3 proposals of different categories (other than mining), which were submitted by PPs to MoEF, GoI for seeking prior EC. After constitution of MP-SEIAA all these projects proposals have come under **Category B**, so, MoEF has forwarded these proposals (in hard-copy) to MP SEIAA for further necessary action vide L.Nos. Z-11013/271/2012-IA-II(M)Pt. dtd. 13.09.2013, J-11011/133/2014-IA-II(I) dtd. 18.07.2014, J-11011/935/2007-IA-II(I) dtd. 07.07.2014 & J-11011/196/2014-IA-II(I) dtd. 18.07.2014.

(a) List of Proposals of Minor Minerals having lease area less than 5 ha.

S.No.	Company Name	Area (in ha./ acres)
1.	M/s Swastik Enterprises for Malka Granite Query at Vill-Malka, Distt-Chhatarpur	3.836
2.	M/s Dipesh Parmar for Stone Mine at Vill-Samnapurkalan of Raisen district	2
3.	M/s Ashok Sharma for Stone Mine at Vill-Agariya of Raisen F.No. J-11015/357/2012-IA.II(M)	4
4.	M/s Sanjay Kothari for Stone Mine at Vill-Samnapurkalan of Raisen F.No. J-11015/313/2012-IA.II(M)	2.023

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5.	M/s Mahendra Kumar Mittal for Stone Mines at Vill-Samnapurkalan of Raisen F.No. J-11015/346/2012-IA.II(M)	2.023
6.	M/s Lal Singh for Stone Mine at Vill-Prakash Bamhauri, Distt-Chhatarpur F.No. J-11015/356/2012-IA.II(M)	1
7.	M/s Bholeram Sharma for Stone Mine at Vill-Agariya, Distt-Raisen F.No. J-11015/349/2012-IA.II(M)	4
8.	M/s Sanjay Kothari for Stone Mine at Vill- Samnapurkalan of Raisen F.No. J-11015/314/2012-IA.II(M)	3.44
9.	M/s Sanjay Kothari for Stone Mine at Vill- Samnapurkalan of Raisen F.No. J-11015/325/2012-IA.II(M)	1
10.	M/s Anupam Kumar Chaturvedi for Black Stone Mine at Vill-Raghopur, Distt-Umaria	2
11.	M/s Shri Padam Pratap Singh for Stone Mine at Vill-Garoli, Distt-Chhatarpur	1.8
12.	M/s Saurabh Garg for Pratapura Metal Stone Quarry at Vill-Pratapura, Distt-Tikamgarh	3
13.	M/s Laxman Singh for Stone Mine at Vill-Kamton Kamsiya, Distt-Raisen J-11015/347/2012-IA.II(M)	2.226
14.	M/s Shri Balwant Singh Tanay for Stone Mining at Vill-Ghatahari of Distt-Chhatarpur	2.55
15.	M/s Shiv Kumar Solanki for Stone Mine at Vill-Badoura Kalan, Distt-Chhatarpur	2.9
16.	M/s Transstroy (India) Ltd. for quarry of Boulder Stone, Murum & Soil at Jawaharkheda of Sehore	3.728
17.	M/s Jaywant Singh, Prakash Bamori Granite Mine at Vill-Prakash Bamori, Distt-Chhatarpur	4.0

(b) List of Proposals of different categories (other than mining)

S.No.	Project details
1.	ToR proposal for expansion of SSP Fertilizer Plant at Dewas, Madhya Pradesh by M/s Balaji Phosphates Pvt. Ltd
2.	Expansion of production capacity (48 MT to 100 MT) of production of Bulk Drugs (Steroids & Hormones) and Installation of Husk Boiler of M/s Symbiotec Pharma Lab Ltd. at SEZ, Pithampur, Distt-Dhar (M.P)
3.	ToR proposal for augmentation of additional tankage at existing POL, Depot, Bhitoni, Jabalpur, Madhya Pradesh by M/s Bharat Petroleum Corporation Ltd

The issue regarding registration of above proposals as mentioned at above lists (a) & (b) were discussed in depth. It is found that these proposals received in hard-copy contain information in Form-1 along with some attachments, but all desired information to be attached for registration of the case under category-B, are not available with submitted documents.

Now, the online registration of project proposals has become mandatory in MP SEIAA from 14.08.2014 and this is available on our website viz. www.mpseiaa.nic.in. In context of this, it was decided that all the applicants of above cases will be informed to submit their application through online for registration. The copy of this letter should be endorsed to MoEF for information.

Meeting ended with a vote of thanks to the Chair

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