

**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
visit us <http://www.mpseiaa.nic.in>
Tel: 0755-2466970, 2466859
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No: 1732 / SEIAA/13
Date: 3/10/2013

Registered Post

To,
Mr. Kamal Gupta Vice President
M/s Satya Infrastructures Ltd,
Plot No. 8, Sector-44, Gurgaon, Haryana-122003,
Ph. No. 09818698835,
Email purchase @ satya developers.com..

Sub: Case no. 1333/2013, Application for Prior Environmental Clearance for expansion of area development and township projects "Malwa County" (existing 26,500.24 m²) plot area 4,42,890 m² and total built up area after expansion 1,48,895.85 m² at Khasra No. 112, 113/3, 113/4, 119/3/1, 119/3/2/1, 128, 129/4/1, 129/4/3, 130, 131, 132, 133/1/2 KH, 133/1/2/GH, 133/2, 133/3, 133/159, 134, 137, 138, 139, 140/1, 140/2/1, 140/2/2, 141, 142, 143/2, 144/2, 146/1, 146/2, 146/3, 146/4, 147, 148/1, 148/2, 150, 151, 152, 155/2/1, 155/2/2, 155/2/3, 155/2/4, 155/3, 156/1, 158/2 & 158/3 at village Rau Khedi, Tehsil Sanwer, District Indore by M/s Satya Infrastructures Ltd. through Vice President Mr. Kamal Gupta, Plot No. 8, Sector-44, Gurgaon, Haryana-122003, Ph. No. 09818698835, Email purchase @ satya developers.com.

The case was discussed in 146th SEIAA meeting dtd 12.09.2013 and it was recorded that "... (1)..... (2) In response to the above query, reply submitted by PP (vide letter dtd 2.08.13 received in SEIAA office on 19.08.13) was examined in depth and it is noted that :-

- (a) PP vide letter dt 02.08.2013 has submitted that the company applied for consent to establish to the Member Secretary, MP Pollution Control Board on 1st Aug 2006.
- (b) Accordingly, the permission to establish the township and area development project was accorded by the MPPCB Bhopal through letter no. 7367/MOCBP007 dtd. 18th Sep.2007.
- (c) The development of the township was undertaken after procurement of CTE sanctioned by MPPCB, Bhopal vide letter dtd. 18.09.07.
- (d) MPPCB, Bhopal vide letter no. 5145/Tech/SE - 1/PCB/2012 dt. 12.07.12, issued a notice asking explanation for not having procured the EC, quoting reference of the EIA Notification 2006 & Minutes of meeting of 91st MP SEIAA meeting dt.11.05.12, through which the environment clearance was made mandatory for all projects with built up area more than 20,000 sq. m.
- (e) PP submitted reply to MPPCB, Bhopal and RO MPPCB, Indore justifying that the case do not require EC as :-
 - (i) That the Malwa County Project is covered in the of item 8 (b) category of EIA Notification 2006.
 - (ii) That the CTE was procured on 18th Sept 2007 and the legislation of Prior EC, implemented through minutes of mtg. of 91st SEIAA meeting dtd 11.05.2012.
- (f) MPPCB, Bhopal vide their notice no. 7404/Tech/SE-1/PCB/2012 dtd 09.10.2012 intimated that the CTE issued on 18th Sep 2007 stands cancelled on the ground of MPPCB, not being satisfied by the reply submitted by the PP & further instructed not to carry out / undertake any further construction work.
- (g) PP has submitted that till then the area to the tune of 23,539.18 sq mt had been constructed, thereafter the complete construction work of the township was stopped & since then **"No construction work has taken place at all"**

Cont..2..

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

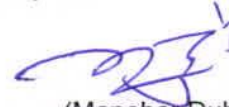
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- (h) After that PP filed an appeal in the appellate authority MP Govt. Deptt. of housing & environment, pleading for reinstate of the CTE issued long back in the year 2007 & resumption of construction work as the legislation of enforcing the decision of making EC mandatory for all the projects whose built up area is greater than 20,000 sqmt. through 91st MP SEIAA meeting dtd 11.05.2012, was implemented much later.
- (i) Appellate authority returned the appeal and advised PP to apply for EC however, passed the comments ,
"अपीलार्थी द्वारा पर्यावरणीय स्वीकृति के लिए आवेदन करने पर बोर्ड दिनांक 09.10.2012 के अपने पत्र में दिये गये निर्देशों पर पुनः विचार कर सकता है"
- (j) Application for EC was submitted by PP in the office of MPSEIAA on 04.03.2013.
- (i) After examining the facts in depth the Authority is of the view that inspite of the notice dt 09.10.2012 issued by MPPCB, PP applied for prior EC on 04.03.2013 and has constructed 23,539.18 sq mt (more than 20000 sq. m) area out of the total built up area of the 1,48,895.85 m² and is serious violation of the EIA Notification, 2006 hence **it is decided to reject the case outrightly for grant of prior EC as per Para 7 of the Memorandum No. J-11013/41/2006-IA.II (I) dtd 12.12.12 issued by the Ministry of Environment & Forests, Gol .**
- (ii) A letter should be sent to Secretary, GoMP, Housing and Environment giving the details of violation and office memorandum of MoEF, Gol J-11013/41/2006 IA II (I) dt. 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 Secretary H&EN GoMP taken should be made available to the Authority by 31.10. 2013.
- (iii) The details of project proponent, a copy of commitment and Resolution (submitted by PP vide letter dt 03.05.2013 received in SEIAA office on 06.05.2013) passed in the meeting of the Board of Directors of M/s Satya Infrastructures Ltd. New Delhi held on 03.05.13 should be put on the website of MPSEIAA for information of all stake holders."

In the light of above point no. 2 (j) (i) you hereby informed that the Authority has decided "**to reject the case outrightly for grant of prior EC as per Para 7 of the Memorandum No. J-11013/41/2006-IA.II (I) dtd 12.12.12 issued by the Ministry of Environment & Forests, Gol "**


o/c (Manohar Dubey)
Member Secretary

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