

## Minutes of the 101<sup>st</sup> Meeting of SEIAA dated 27.07.2012

The 101<sup>st</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 27.07.12 at 10.30 AM at the Authority's Office in M. P. Pollution Control Board Building, Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Amar Singh, Chairman, SEIAA. The following members attended the meeting:-

- 1 Shri M. Hashim Member
- 2 Shri Manohar Dubey Member Secretary

1. Following cases received from SEAC have been considered and the details of the receipt of the recommendation & record from the office of SEAC is as follows:

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.	187/2008	96 <sup>th</sup> meeting dtd 13.06.12	16.07.12	19.07.12
2.	429/2009	97 <sup>th</sup> meeting dtd 14.06.12	16.07.12	16.07.12
3.	655/2011	97 <sup>th</sup> meeting dtd 14.06.12	16.07.12	19.07.12
4.	668/2012	96 <sup>th</sup> meeting dtd 13.06.12	16.07.12	25.07.12
5.	681/2012	96 <sup>th</sup> meeting dtd 13.06.12	16.07.12	19.07.12
6.	690/2012	96 <sup>th</sup> meeting dtd 13.06.12	16.07.12	19.07.12

2. Following cases have been considered and the details of the receipt of the additional information from PP is as follows :

S No.	Case No.	No. & date of SEIAA meeting in which add. information was asked	Date of issue of minutes of SEIAA meeting	Date of receipt of information
7.	643/2011	84 <sup>th</sup> SEIAA meeting dtd. 17.02.12	24.02.12	02.06.12
8.	122/2008	93 <sup>rd</sup> SEIAA meeting dtd. 24.05.12	30.05.12	22.06.12

3. **Case No. 122/2008**, Prior Environmental Clearance for Lime Stone mine in an area of 9.5 ha for production capacity 15,000 MT / year at Village Jhinna, Tehsil New Ram Nagar, District Satna, MP by M/s Balaji Stone Lime Company, Lalpur Burhar, District Shahdol-484110

- i. The case was discussed in 93<sup>rd</sup> SEIAA meeting dtd. 24.05.12 and it has been recorded that "The documents submitted by PP were examined ..... Hence, prior Environmental Clearance can not be considered and the case is summarily rejected. A letter to this effect should be sent to PP, Collector, Satna, Member Secretary, SEAC, Member Secretary, MPPCB and Mineral Resources Deptt. GoMP. "
- ii. The information submitted by PP in SEIAA office on 22.06.12 was examined and it is noted that Mineral Resource Deptt. GoMP (vide letter no. F 3-88/94/12-1 dtd 23.03.11) has given approval for renewal of mining lease to PP for 20 years from 11.10.94 in an area of 23.58 acres (9.5 ha), Khasra Nos. 971, 972, 987 & 988. As per the Khasra Panchsala submitted by PP it is Government land. Hence land

  
(Manohar Dubey)  
Member Secretary

  
(M. Hashim)  
Member

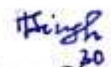
  
(Amar Singh)  
Chairman  
30.7.12

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- ownership documents were found satisfactory.
- iii. The afforestation plan in an area of 6.0 ha with plantation of 9,000 trees was examined and found to be satisfactory.
  - iv. It is noted that the public hearing was carried out at government primary school village Sonwarsa, tehsil Amarpatan. It was decided that a letter should be sent to Collector, Satna asking (a) why the public hearing was conducted at the government primary school, village Sonwarsa instead at site of mine? (b) Distance of the mining site from public hearing place. This information should be submitted to SEIAA latest by 31.08.12. A copy of this letter should be endorsed to PP also.
4. **Case No. 187/2008**, Prior Environmental Clearance IT/ITes SEZ project at Lasudia parmar Teh- Sanwer Distt- Indore 3,09,788 sq.m built-up area about 30857 by Ashim Gandhi Parsvnath SEZ Ltd 8<sup>th</sup> floor, Arunachal Building 19, Barakhamba Road New Delhi.
- i. The case was discussed and it was found that the SEAC in its 96<sup>th</sup> meeting dtd 13.06.12 has recommended .....*"The case placed before the Committee in the 84<sup>th</sup> meeting dated 09.11.11 whereby it was decided to give a last reminder to the PP for submission of reply to the said queries and if reply is not filed by December 2011 the case may be send back to SEIAA for delisting. As the time limit has already finished the case is recommended for closure assuming that the PP is not interested to continue with the project."*
  - ii. On the basis of recommendation of SEAC it was decided to accept the recommendation and the case be summarily closed. Accordingly a letter should be sent to PP, MPPCB and Concerned Agencies.
5. **Case No. 429/2009**: Prior Environmental Clearance for Granite Query in an area of 5.00 ha for production capacity 10,000 MTA at village Bansia, Tehsil Loundi, District Chhatarpur, M. P. by M/S Bhagyawanti Granite & Stone Pvt. Ltd. at Chhangeraja House, Benisagar, Panna, M. P.
- i. The case was discussed in 90<sup>th</sup> SEIAA meeting dtd. 13.04.12 and it has been recorded that *"..... Therefore, the Authority decided that a letter should be sent to Member Secretary, MPPCB to seek clarification how the consent for establishment was issued on 28.02.2011 while the SEIAA meeting was held on 10.02.2011?"*  
*..... Based on the recommendation of SEAC in its 71<sup>st</sup> meeting dtd 13.10.10, the Authority decided to grant prior Environmental Clearance for granite quarry in an area of 5.00 ha for production capacity 10,000 MTA at village Bansia, Tehsil Loundi, District Chhatarpur, MP by M/S Bhagyawanti Granite & Stone Pvt.Ltd. at Panna,MP"*
  - ii. While recommending the case for grant of EC by SEAC in its 71<sup>st</sup> meeting dtd 13.12.10 it was observed that in condition no. 4 of the recommendation it has been mentioned that *the mine is reported to be operating without obtaining prior EC under EPA. Action against mine owner may be initiated by the competent authority for such violation as per office memorandum 16 November 2010. "*
  - iii. With reference to this a letter was sent (vide letter no. 251 dtd 26.05.12) to MS, SEAC to inform the basis for conclusion /

  
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Member Secretary

  
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Member

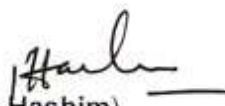
  
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recommendation on the above issue? Thereafter the case was discussed in 97<sup>th</sup> SEAC meeting dtd 14.06.12.

- iv. It was observed that the comments given by SEAC are much generalized and thus it does not come under specific case of violation. It was decided to issue prior EC letter as per decision taken in 90<sup>th</sup> SEIAA meeting dtd 13.04.12 with the conditions that specific condition no. 4 is not written in the EC to be issued to the PP as recommended by SEAC in its 71<sup>st</sup> meeting dtd 13.12.10.
6. **Case No. 643/2011**, Prior Environmental Clearance for Residential project Rhythm Towers (Krishna Pinnacle) at village Bawadia Kalan, Misrod, Tehsil Huzur, District Bhopal by M/S Krishna Homes Builders & Developers, 5, GF Block-K-20, Area Colony, Bhopal.
- i. The case was discussed in 84<sup>th</sup> SEIAA meeting dtd. 17.02.12 and it has been recorded that " *The Authority scrutinized the Khasra details and found that ownership of the land is in four names as per the reports of the office of the SEIAA. The PP should be asked to clarify the legal arrangements from other three landowners to use this land.*
- The Authority also examined land diversion letter submitted by the PP. It was found that the land diversion record is different from the approved area of the project (T&CP letter vide no. 125/L.P.031/29/ Na.Gra.Ni/ Ji.Ka./ 2010 dtd. 14.01.2011). Therefore, it was decided that Proponent should be asked to clarify these aspects.*
- The Authority has gone through copy of the presentation (ppt) showing proposed parking area in 23,910 sq m. The Proponent should clarify that the proposed parking area is for how many vehicles and what standard is followed for proposed parking area.*
- The Proponent has mentioned in their presentation that total fresh water requirement is 371 KLD. Out of this, they have obtained CGWA permission for 128 cum / day. The Proponent should submit firm commitment for supply of balance fresh water requirement from Bhopal Municipal Corporation.*
- The NOC for fire fighting issued by the Competent Authority was also examined and found satisfactory. The Authority also found that total height of the building is 30 m. As the height of the building is more than 15 m, the fire-fighting plan as per National Building Code is required. No such plan has been submitted by the PP. Therefore, it was decided that PP should submit a fire-fighting plan as per the National Building Code. PP should submit above-mentioned information within two months. "*
- ii. At the outset a policy issue of land ownership by the Proponent was discussed. It was observed that the following four situations occur regarding land ownership :-
- The Proponent has the total land in his name.
  - The Proponent has the part of land in his name and the remaining land is allowed to use by the PP by the power of attorney made by concerned owners.
  - The Proponent has part of land in his name and for remaining land included in the project he has the land development agreement between him and land owner in execution of the development of all

  
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land included in the project.

- d. In few cases the Proponent has the part of land in his name and some land owned by others and they have given power of attorney to the PP and the remaining land could be developed by PP belonging to other owner who have not given power of attorney but have entered agreement.

It was decided that power of attorney by other land owners will not be acceptable. There should be **registered agreement** between PP and the owners of remaining land included in the project mentioning the details of conditions for the execution of the project.

- iii. The information submitted by the Proponent (vide letter no. nil dtd 13.03.12 and dtd 09.05.12) regarding land ownership was examined and found that the Power of Attorney has been given to the Proponent Smt. Saroj Kapoor by Mr. Deepak Kapoor for survey no. 324/1/2/3/1, 325, 468, 325/3/18, 336/2/2; by Mr. Deepak Kapoor and Mr. Mayank Kapoor for survey no. 329/3/3 & 329/3/5 and by M/s Deepam Realtors Pvt. Limited, through its Managing Director Mr. Deepak Kapoor for survey no. 338/1/2/4 Kh. This is evident that for the survey nos. mentioned above only Power of Attorney has been given to the Proponent Smt. Saroj Kapoor but there is no Registered Agreement with the Proponent for development and execution of the project. It was decided that the PP Mrs. Saroj Kapoor should have separate registered agreements with different land owners whose lands included in the project as mentioned in the above sub Para ~~(iii)~~ (ii)
- iv. It was found that the PP has not submitted the building permission and it was decided that PP should be asked to submit the same.
- v. The information regarding fresh water requirement was examined and found that PP has permission from the BMC for 400 KLD on availability of Narmda water supply (vide letter no. 140/Ja.Ka. Vi/Aa /Yan/ N. Ni.Bhopal dtd 30.11.11). It was decided that the PP must fulfill his demand of fresh water i.e. 371 KLD from the Municipal Water Supply and in any case the ground water extraction should not be done.
- vi. Keeping in view the height of the building i.e. 30 m it was noted that as per T & CP approval the width of the internal road are 12 m, 9 m & 6 m. In this regard it was noted that as per MoEF, Gol Office Memorandum (vide no. 21-270/2008-IA.III dtd 07.02.12) the minimum width of the road for buildings with height between 15-30 m should be 15 m. **It was decided to ask the PP to explain how he / she will manage the fire fighting?**
- vii. The PP should be asked to submit the above informations by 31.08.12. In case these are not received by this date, the case may be summarily rejected.

  
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7. **Case No. 655/2011**, Prior Environmental Clearance for Group Housing Project " The Bellaire" at Vilalge Gondermou, Tehsil Huzur, Bhopal by M/s Rishikesh Nirmaan Colonizers Developers, E-2/68, 1st Floor, Arera Colony, Bhopal.
- i. The case was discussed and it was found that the PP has not submitted the Khasra Panchsala along with the land ownership document. It was decided that the PP should be asked to submit the notarized copy of the latest Khasra Panchsala. The information submitted by the PP regarding total land area was examined and it was found that there is discrepancy in the information given in Form-1 and T & CP layout approval. The total land area in the Form-1 is 33,155.73 sqmt. against survey no. 471/2, 471/2/1 & 471/3, 503/1/2/3, 503 /1/1/4, 503/1/1/6, 503/1/1/5, 503/1/2/2, 503/1/1/3, 503/1/2/4, 503/1/1/2, 474/1/1 whereas in T & CP approval (vide letter no.1371/ LP 308 / Na. Gra.Ni.2011 dtd 26.05.11 ) the area is 13966 sqmt (1.395 ha) against survey no. 471/2/2, 471/2/1, 471/3. It was also found that the survey no. viz. 474/1/1, 475/1/1, 503/1 shown in building permission (vide permission no. NC1101786-42011 dtd 31.03.11) are differed from the survey no. shown in T & CP approval. Hence it was decided that the PP should be asked to clarify the exact land area for the proposed project and should also give the reason for the discrepancies in the records submitted by him.
- ii. It was decided that PP should submit the information by 31.08.12 positively otherwise case will be summarily rejected.
8. **Case No. 668/2012**, Prior Environmental Clearance for Limestone & Dolomite mine in an area of 11.31 ha at village Badagaon, Teh-Badwara Distt-Katni-M.P. by M/s Kachhawaha Minerals Pvt Ltd 8 Anupam Nagar Gwalior-M.P
- i. The case was discussed on the basis of SEAC 96<sup>th</sup> meeting dtd 13.06.12 recommendation " *Neither the PP nor his representative was present to explain the query which might be raised or make any commitment which may be desired by the committee during the deliberation. It is noted that this is the third consecutive chance when PP has not turned up for presentation, hence committee decided to return the application to SEIAA for further action.*" It was decided to accept the SEAC recommendation and the case be summarily closed. Accordingly a letter should be sent to PP, MPPCB, Collector, Satna, Mining Deptt. and Concerned Agencies.
9. **Case No. 681/2012**, Prior Environmental Clearance for Elixir M.K. City, Village Sirol-Teh-Morar, Distt-Gwalior by M/s Elixir Infrastructure (India) Pvt. Ltd, Gwalior.
- i. The case was discussed and it was found that the MS, SEAC on the basis of decision taken in 95<sup>th</sup> SEAC meeting dtd 08.05.12 issued the letter (vide letter no. 237/PS-MS/MPPCB/SEACQry(94-95)/ 2012 dtd 02.06.12) to PP regarding status of the project with respect to the quantum of construction (if any) to be furnished. The PP has submitted

  
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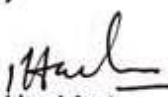
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the copy of resolution regarding stoppage of construction activity (vide letter no. nil dtd 06.06.12) as Annexure-7. It was observed that the SEAC has not considered / reviewed the information submitted by PP. It was decided that the SEAC should be asked to reconsider the case on this issue and provide the factual report in this regard by 31.08.12.

10. **Case No. 690/2012**, Prior Environmental Clearance for Kolar-Sip irrigation (Medium) Tank Project (CCA-35,000 ha) at village Jamli, Tehsil Ichachwar, District Sehore, MP by Shri M.G. Chobey, Engineer-in-Chief, Deptt. of Water Resources Deptt., Tulsi Nagar, Bhopal.
  - i. The case was discussed on the basis of SEAC 96<sup>th</sup> meeting dtd 13.06.12 recommendation " ..... As the existing Kolar project falls under category 'A'..... Hence, committee suggested the Proponent to apply to MoEF, New Delhi for issue of new / amended prior EC for proposed execution. "It was decided to accept the SEAC recommendation and the case may be summarily closed. Accordingly a letter should be sent to PP, MPPCB, MoEF and Concerned Agencies.

*Meeting ended with a vote of thanks to the Chair.*

  
(Manohar Dubey)  
Member Secretary

  
(M. Hashim)  
Member 30.7.12

  
(Amar Singh)  
Chairman 30.7.12