

Minutes of the 95th Meeting of SEIAA dated 04.06.2012

The 95th meeting of the State Level Environment Impact Assessment Authority was convened on 04.06.2012 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 |

A. Cases related to 93rd SEAC meeting

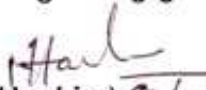
Following cases received from SEAC have been considered and the details of the receipt of the recommendation & record from the office of SEAC is as follows:


S. No.	Case No.	No. & date of latest SEAC meeting in which case was approved	Date of receipt of SEAC recommendation in SEIAA office	Date of receipt of records in SEIAA office
1.	649/2011	93 rd meeting dtd. 10.04.12	04.05.2012	16.05.2012
2.	679/2012	93 rd meeting dtd. 10.04.12	04.05.2012	16.05.2012

1. Case No. 649/2011, Prior Environmental Clearance for Residential Building Project IBD "King's Park" in an area of 5.92 acres at Village Bawadia Kalan, Tehsil Huzur, District Bhopal, MP by Smt. Omvati Patidar M/S IBD Universal Pvt. Ltd. 74, Zone II M.P. Nagar Bhopal.

- i. As per the 93rd SEAC meeting dated 10.04.12 it has been recorded that "PP has submitted satisfactory reply to the above queries. The EMP and other submissions made by the PP were found to be satisfactory by the committee. A field visit to the site was also carried out by the sub-committee to ensure the site suitability with respect to the nearby river. Based on the submissions of the PP and the site visit report committee decided to recommend the project for grant of prior environmental clearance subject to the 45 special conditions"
- ii. The case was discussed in depth and it was found that the ownership of the project is not clear. The Khasra and diversion is in the name of Smt. Omvati Patidar but the permission obtained from the Town & Country Planning vide letter no. 729 dtd 22.03.2011 is in the name of M/s IBD Universal Pvt. Ltd. and building permission from Bhopal Municipal Corporation vide permission no. NC5211-881-82011 dtd 30.08.2011 is in the name of Smt. Omvati Patidar through M/S IBD Universal Pvt. Ltd. It was decided to ask from the PP that what is the legal entity of the project and who will be juristic person / Project Proponent.
- iii. The issue of water requirement was discussed and it was observed that the PP has got permission from Municipal Corporation, Bhopal (JNNURM Project) vide letter no. 16PM/JNNURM/WS/2012 dtd 04.01.2012 for use of 353 KLD water and it was found satisfactory.
- iv. Regarding firefighting aspect it was decided that following information should be asked from the PP :-
 - a. Road width within the project area and width of the road w.r.t. height of the building, as per para 4 (ii) office memorandum (No. 27-270/2008-IA.III dated 07.02.2012) MoEF Gol regarding guidelines for high-rise building.


(Manohar Dubey)
Member Secretary

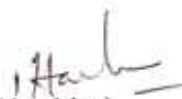

(M. Hashim) 8.6.2012
Member

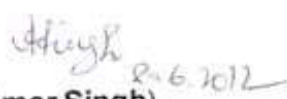

(Amar Singh) 8.6.2012
Chairman

Minutes of the 95th Meeting of SEIAA dated 04.06.2012

- b. NOC for fire fighting from the fire Department's local office as per Para 4 (v) of office memorandum (No. 27-270/2008-IA.III dated 07.02.2012) MoEF Gol regarding guidelines for high-rise buildings.
- v. While discussing height of the building it was found that height of the building has been shown 18 mtr in building permission and it was decided to ask block wise height of the buildings from the PP.
- vi. PP should be asked to submit the information by 31st July 2012 otherwise the case will be summarily rejected.
2. **Case No. 679/2012**, Prior Environmental Clearance for Manufacturing of Single Super Phosphate from powder form to granular without changing in production capacity i.e. 1,65,000 MTPA (Change in product form) at Meghnagar Industrial Area "A" , Village – Meghnagar, Tehsil Meghnagar, Distt.- Jhabua (M.P.) by M/s Madhya Bharat Phosphate Pvt Ltd E-1/50, Arera Colony, Bhopal-M.P.
- i. As per the 93rd SEAC meeting dated 10.04.12 it has been recorded that "Based on the presentation and the submissions made by the PP and his consultant committee has decided to recommend the case for amendment in the prior Environmental Clearance issued by MoEF vide letter dated 25/08/08. The EC may be modified for 'production of Granulated Single Super Phosphate (GSSP) to the tune of 1,65,000 MTPA' subject to the 6 special conditions."
- ii. The case was discussed in depth and it was found that earlier case was submitted to MoEF, Gol and after EIA notification 01.12.2009 the Single Super Phosphate has been categorized as category B against item 5 (a) and accordingly the case was transferred from Director, MoEF, Gol, IA Division, vide letter no. J011011/1534/2008-IA II (I) dtd 14.02.2012 and the same was forwarded by M S, SEIAA to M S, SEAC vide letter no. 1259/EPCO-SEIAA/12 dtd 06.03.2012.
- iii. This case involves change in product – mix in an existing manufacturing unit. Hence according to para 2 (iii) of EIA notification of Ministry of Environment & Forests, Gol dated 14.09.2006 will require new Environmental Clearance. This case was registered on 21.02.12 in SEIAA office and sent to SEAC on 06.03.2012. No ToR has been finalized and no EIA report has been submitted for the product mix. Hence, it was observed that SEAC has recommended the case without issuing the TOR. It was decided that the case should be sent back to SEAC to submit the ToR. The ToR shall also categorically mention that a separate chapter to be provided in EIA report by the PP, about compliance to environmental clearance conditions and the NOC from the respective State Pollution Control Board, if the PP has been served any notice under section 5 of Environment Protection Act, 1986 or relevant section of Air & Water Acts vide MoEF, Gol office memorandum J-11013/41/2006-IA.II (I) dtd 01.07.2011.
- iv. The SEAC should be asked to prepare and issue ToR by 15th July 2012 positively.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman

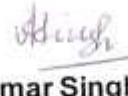
Minutes of the 95th Meeting of SEIAA dated 04.06.2012

B. Cases related to additional information submitted by PP

3. **Case No. 96/2008**, Prior Environmental Clearance for Iron Ore mine 20.141 ha for production capacity of 50,000 MT/Y at village Agaria, Tehsil Sihora, Dist. Jabalpur, MP by M/S Nirmala Minerals.
- The case was discussed in 78th SEIAA meeting dtd. 11.01.12 and it has been recorded that *"The Authority examined the documents and found that the mining lease period is from 06.03.1987 to 05.03.2007. Thus the lease period has already expired. The Authority decided that a letter should be sent to the Proponent for submitting the renewal of the order by the Mineral Resource Deptt. within one month so that further aspects may be examined."*
 - The PP has informed vide letter dtd 13.03.12 that the mining lease period was between 06.03.1987 to 05.03.2007 which has expired. The PP has submitted application for renewal on 03.03.2006 and since the State Govt. has not disposed of the application till date therefore by operation of sub rule 6 of rule 24A of Mineral Concession Rules, 1960, the lease is deemed to be extended for further period. The case was discussed in depth and it was decided that a letter should be sent to Secretary, Mining Deptt. stating that the mining lease of PP was between 06.03.1987 to 05.03.2007 which has expired and still the mining lease renewal have not been granted. The reasons for not extending the mining lease to PP should be informed to SEIAA within one month.
 - Further, Central Empowered Committee Report constituted by Hon'ble Supreme Court, of India, New Delhi in IA no. 1349, IA no. 1246-47, 1378-80 and 2299-2300 regarding mines in forest land in Madhya Pradesh in sub Para a of Para 16 has recommended *"In the areas covered under the Notification dtd 10.07.1958 issued under section 29 of the Indian Forest Act, 1927, no non-forestry user including mining should be permitted without approval under the Forest (Conservation) Act, 1980. The mining lease areas of M/s Nirmala Minerals and M/s Jai Minerals and other (if any) should accordingly be reviewed."* It was decided that a letter be written to Secretary, Mining, Deptt. GoMP to submit the status of the above case within one month. Copy of this letter should be endorsed to Principal Secretary, Forest Department, GoMP and PP also.
 - It was noted that MPPCB vide letter no. 9174/TS/MPPCB dtd 21.11.11 has informed that MPPCB, Regional Office Jabalpur and District Collector (Mining), Jabalpur has found that the PP has exceeded the production capacity as specified in water / air consent / environment clearance. Accordingly MPPCB has issued closure direction and also court case under provision of water / air (P & CP) Act, 1974, 1981 and EPA 1986 have been initiated by the board. It was decided that a letter should be written to Member Secretary, MPPCB to submit within one week the details of the case pending in the Court. He should also inform the Acts and details of sections etc. under which violation has been done.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh) 8.6.2012
Chairman

Minutes of the 95th Meeting of SEIAA dated 04.06.2012

4. **Case No 437/2009**, Prior Environmental Clearance for Lime Stone & Dolomite mine in 5.97 ha for production capacity of 13,000 TPA at Baragaon Teh- Barwara Distt- Katni-MP by M/s Ashok Goenka Station Road Distt-Katni M.P.
- The case was discussed in 90th SEIAA meeting dtd. 13.04.12 and it has been recorded that " The Authority examined the Rin-Pustika and the application of the PP received in the office of the SEIAA dtd 11.01.2012. The Authority also examined the Khasra Panchsala submitted by the PP in the office of SEIAA on 13.02.2012. It was found that संतोष कुमार ना. बा. वल्द अशोक कुमार वली मा मु. किरन घ. प. स्व. अशोक कुमार has been mentioned in the Khasra nos. 111/2 & 119. The fact is that Ashok Kumar is signing on all the documents. The Authority decided the letter should be sent to the PP to get a certificate from the Tehsildar, Barwara about clarification on स्व. अशोक कुमार. The endorsement letter should also be sent to Tehsildar, Barwara, District Katni. "
 - The PP has informed vide letter dtd. 23.05.12 and 09.05.12 stating that due to typographical mistake स्व. अशोक कुमार was written and has submitted notarized copy of latest Khasrapanchsala issued on 03.05.12 by Tehsildar Barawara, District Katni. It was examined and found satisfactory.
 - The afforestation plan as per EIA is acceptable.
 - It was noted that public hearing was conducted in the mine parisar village Baragaon, District Katni and one demand was raised that vehicles should not pass through the village and a pucca road from the mine parisar to the main road ^{by pass} should be constructed. This point has also been pointed out by SEAC and included in the special condition.
 - It was decided that based on the recommendation of 81st SEAC meeting dtd 12.10.2011 prior EC may be granted for Lime Stone & Dolomite mine in 5.97 ha for production capacity of 13,000 TPA at Baragaon Teh- Barwara Distt- Katni-MP by M/s Ashok Goenka Station Road Distt-Katni M.P.
5. **Case No. 491/2009**, Prior Environmental Clearance for Propose residential development of Khasra no. 552/2, 527/2, 553/1 at village Bairagarh, Chichli, Kolar road, Bhopal-M.P. by College group Khaneja Properties Pvt. Ltd 56-58, Community Centre East of Kailash, New Delhi
- The case was discussed in 80th SEIAA meeting dtd. 19.01.12 and it has been recorded that "The Authority has gone through 84th SEAC meeting minutes dtd. 09.11.11 and found that no scrutiny has been done according to the direction of the 70th meeting of SEIAA. Hence, Authority decided to issue a letter to PP to submit information as per decision of 70th SEIAA meeting dtd. 13.10.11 within one month from the issue of the letter. "
 - The case was discussed in depth and found that the as per decision of 70th SEIAA meeting dtd 13.10.11 PP was asked to submit following information :
 - Total built up area as per EIA notification amended on 04.04.11.
 - Copy of the letter issued by T & CP (vide no. 386/LP-108/3P/2009 dtd. 22.07.2009) as shown on the approved layout map by T & CP.



(Manohar Dubey)
Member Secretary

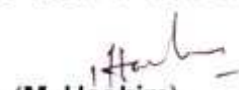

(M. Hashim)
Member

(Amar Singh)
Chairman

Minutes of the 95th Meeting of SEIAA dated 04.06.2012

- c. Calculation of water requirements during construction stage and also when entire accommodation is occupied after construction. In case the water requirement is partially met from the ground water then the permission for extraction of ground water from CGWA should be provided for both the stages.
- d. Similarly clear cut commitment of the Local Body (Kolar Nagar Palika) for water supply during both the stages should be obtained.
- iii. The information submitted by PP regarding total land area and T & CP letter were found satisfactory.
- a. The Proponent has not submitted the actual quantity of water required and commitment for that quantity from the Nagar Palika, Kolar.
- b. It was also decided to ask from the PP that what arrangements have been made to park the four wheel vehicles as per number of dwelling units.
- c. Since the height of the proposed building is more than 15 meters, the PP should intimate road width within project as per para 4 (ii) of office memorandum (27-270/2008-IA.III dated 07.02.2012). The PP should also submit NOC as per Para 4 (v) of the office memorandum (27-270/2008-IA.III dated 07.02.2012).
- d. All above information must be received in office of SEIAA by 31st July 2012 positively. If it is not received then the case shall be summarily rejected. Registered letter is to be sent to the PP.
6. **Case No. 621/2011**, Prior Environmental Clearance for Integrated Paint Plant at Plot No. GAE-1, GAF-1, GAF-2, Malanpur Industrial Estate, District Bhind, M. P. by M/S Akzonoble India Ltd.
- i. The case was discussed in 86th SEIAA meeting dtd. 29.03.12 and it has been recorded that *"The project site is located in notified industrial area. As per the list provided by Commerce Industries and Employment Deptt., GoMP (letter no. 154/ 165 /2012 / B-11 dtd. 18.01.2012) the proposed activity is not prohibited in the industrial area. Hence, public hearing is not required.*
- The Authority has gone through the documents submitted by the Proponent. It is found that both the projects are located in the same plot of industrial area allotted by Industrial Infrastructure Development Corporation, Gwalior (IIDC), Ltd. However, the allotment has been issued by the IIDC in the name of M/S Akzonoble India Ltd only as per letter (No. IIDC land possession certificate no. IIDC (G)/TECH/2010/5675 Gwalior dtd. 28.12.11) while the both the units are registered in different names.*
- The Authority decided to write a letter to PP to clarify the issue and submit notarized / certified copy of lease deed / land ownership documents for both the units within one month. Copy of the letter should be endorsed to IIDC, Gwalior."*
- ii. The case was discussed in depth and found that the SEIAA in its 86th meeting dtd 29.03.2012 observed that case no. 621 & 622 are located in the same plot of industrial area allotted by Industrial Infrastructure Development Corporation, Gwalior (IIDC). However the allotment have been issued by the IIDC in the name of M/S Akzonoble India Ltd. while the both the units are registered in the different names. In view of this the PP was asked (vide letter no. 95/EPCO-


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman

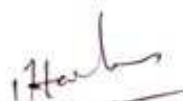
Minutes of the 95th Meeting of SEIAA dated 04.06.2012


SEIAA/12 dtd 20.04.12) to clarify the issue and submit notarized / certified copy of lease deed / land ownership documents for both the units within one month. It was observed that the documents submitted by the PP are satisfactory.

- iii. It was decided that based on the recommendation of 88th SEAC meeting dtd 13.02.2012 Prior Environmental Clearance may be granted for Integrated Paint Plant at Plot No. GAE-1, GAF-1, GAF-2, Malanpur Industrial Estate, District Bhind, M. P. by M/S Akzonoble India Ltd.
7. **Case No. 622/2011**, Prior Environmental Clearance for Powder Coating Plant at Plot No. GAE-1, GAF-1 & 2, Malanpur Industrial Estate District Bhind, MP by M/S Akzonoble Coatings India Pvt. Ltd.
- i. The case was discussed in 86th SEIAA meeting dtd. 29.03.12 and it has been recorded that " *The project site is located in notified industrial area. As per the list provided by Commerce Industries and Employment Deptt., GoMP (letter no. 154/ 165 /2012 / B-11 dtd. 18.01.2012) the proposed activity is not prohibited in the industrial area. Hence, public hearing is not required.*
- ii. *The Authority has gone through the documents submitted by the Proponent. It is found that both the projects are located in the same plot of industrial area allotted by Industrial Infrastructure Development Corporation, Gwalior (IIDC), Ltd. However, the allotment has been issued by the IIDC in the name of M/S Akzonoble India Ltd only as per letter (No. IIDC land possession certificate no. IIDC (G)/TECH/2010/5675 Gwalior dtd. 28.12.11) while the both the units are registered in different names.*
- iii. *The Authority decided to write a letter to PP to clarify the issue and submit notarized / certified copy of lease deed / land ownership documents for both the units within one month. Copy of the letter should be endorsed to IIDC, Gwalior."*
- iv. The case was discussed in depth and found that the SEIAA in its 86th meeting dtd 29.03.12 observed that case no. 621 & 622 are located in the same plot of industrial area allotted by Industrial Infrastructure Development Corporation, Gwalior. However, the allotment have been issued by the IIDC in the name of M/S Akzonoble India Ltd. while the both the units are registered in the different names.
- v. The PP was asked (vide letter no. 97/EPCO-SEIAA/12 dtd 20.04.12) to submit the clarifications about the same. It was observed that the documents submitted by the PP are clear and found satisfactory.
- vi. It was decided that based on the recommendation of 88th SEAC meeting dtd 13.02.2012 Prior Environmental Clearance may be granted for Powder Coating Plant at Plot No. GAE-1, GAF-1 & 2, Malanpur Industrial Estate District Bhind, MP by M/S Akzonoble Coatings India Pvt. Ltd.

Meeting ended with a vote of thanks to the Chair.


(Manohar Dubey)
Member Secretary


(M. Hashim) 8.6.2012
Member


(Amar Singh)
Chairman