

Minutes of the 97th Meeting of SEIAA dated 20.06.2012

The 97th meeting of the State Level Environment Impact Assessment Authority was convened on 20.06.2012 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:-

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

1. Following case has 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
1.	634/2011	82nd meeting dtd. 03.02.12	09.02.12	17.04.12

2. 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 recommendation in SEIAA office	Date of receipt of records in SEIAA office
2	470/2009	95th meeting dtd 08.05.12	18.05.2012	08.06.12
3	512/2010	95th meeting dtd 08.05.12	18.05.2012	09.03.12
4	545/2010	95th meeting dtd 08.05.12	18.05.2012	08.06.12

3. **Case No. 634/2011**, Prior Environmental Clearance for Group Housing Residential Development Project Village-Badwai, Tehsil Huzur, Bhopal by M/s Radhika Intrastate Pvt. Ltd 32, Itwara Road Bhopal-462 003.

The case was discussed in 82nd SEIAA meeting dtd. 03.02.12 and it has been recorded that ".... The Authority decided that the fresh report on revenue aspect should be prepared indicating village wise Khasra details in ascending order.

The Authority decided that PP should be asked to submit the layout plan of the project indicating all detail features and area for each activity or service. It is further directed that PP should be asked to submit information regarding number of towers to be built up, built up area of each floor and also details about the parking area.

.....The Authority decided that PP should be asked to give break up of the water to be obtained from Municipal supply and ground water. The Authority decided that PP should be asked to give break up of the water to be obtained from Municipal Corporation, and CGWA. The PP should also submit firm commitment letter from the Municipal Corporation, Bhopal and Central Ground Water Authority.

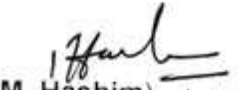
....The Authority decided that letter should be sent to PP for submitting the infrastructure details of the treatment plan indicating the arrangement for treated water supply for flushing. Besides this, the details about cost involved for providing these arrangements should also be given.

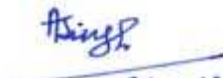
.....the Authority decided that PP should submit a fire-fighting plan as per the National Building Code and NOC for firefighting issued by Fire Office.

The above information should be provided by the PP within two months."

- i. The land ownership records were examined and found satisfactory.


(Manohar Dubey)
Member Secretary

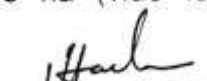

(M. Hashim)
Member 22.6.12

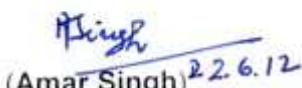

(Amar Singh)
Chairman 22.6.12

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- ii. It was observed that building maps are not attached with building permission (permission no. NC-6814-5186-62010). It was decided that the PP should be asked to submit following information:-
 - a. Map of all building to be constructed.
 - b. No of towers / blocks their height and built up area.
 - c. No of dwelling units.
 - iii. The issue of water requirement was discussed in respect of the PP's information wherein PP submitted that water requirement (459 KLD fresh water) will be met from municipal water supply and also from ground water. It was found that the PP has obtained permission of 450 KLD water supply from Bhopal Municipal Corporation (vide letter no. 475/PM/JNNURM/WS dtd 13.04.12) which fulfills the fresh water requirement. It was decided that PP shall not extract water from the ground water source.
 - iv. The issue of the disposal of treated waste water i.e. 90 KLD, as observed by the SEAC in its 79th meeting dtd 02.09.11, was discussed. It was decided that PP should be asked to submit that how the 90 KLD waste water would be disposed off and NOC for the same from Bhopal Municipal Corporation.
 - v. The issue of road width w.r.t , MoEF, Gol Office Memorandum No. 27-270/2008-IA.III dated 07.02.2012 was discussed in detail. It was observed that for 18 m high building minimum width is 15 m and desirable is 18 m. It was decided that PP should follow the norm decided by the MoEF, Gol. In case of violation the PP shall be liable for punishment under section 5 of the Environment (Protection) Act, 1986.
 - vi. Registered letter is to be sent to PP to submit above information by 31st July 2012. If these not received by this time among the case shall be rejected.
4. **Case No. 470/2009**, Prior Environmental Clearance for Rock Phosphate in an area of 48.758 ha for production capacity of 26,300 MT/Year at Village Mardeora, Tehsil Bijawar, District Chhatarpur M.P by M/s Madhya Pradesh State Mining Corporation Ltd., Paryavas Bhawan, Block no. 1 A, 2nd Floor, Jail Road, Arera Hills Bhopal.
- i. The existing mining is 110 km from the Panna National Park as per DFO, Chhatarpur, Forest Division letter (no. 413 dtd 17.02.12). The office of the SEIAA produced a letter of Collector, Chhatarpur issued (vide letter no. 520/Khanij/2011 dtd 27.05.11) in another case wherein the distance of the interstate boundary is 25 km from the village Mardeora, Tehsil Bijawar, District Chhatarpur. Thus SEIAA has the jurisdiction.
 - ii. As per the DFO, letter dtd 17.02.12, the mining area is 3 km from forest boundary of Chhatarpur, Forest Division and 150 m from forest boundary of Sagar Forest Division. As per the records the duration of the mining lease is from 27.09.1997 to 26.09.2017. Thus it is old mining area and therefore, the distance of the 250 m from boundary is not applicable as per circular issued by the Forest Deptt. (letter no. F-5/16/81/10-3 Bhopal dtd 07.10.02)
 - iii. Initially PP applied and submitted Form-1 for production capacity of 25,000 TPA in an area of 48.758 ha (vide letter no. Geology/2009-10/177 dtd


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06.10.09). Subsequently, the PP again submitted revised Form-1 indicating the production capacity of 26,300 MTPA as per mining plan (vide their letter dtd 03.03.10). Accordingly ToR was issued on 23.04.10 for production capacity of 26,300 MTPA. Thus it is not the case of expansion.

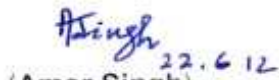
- iv. The land ownership record was examined and found satisfactory.
- v. The public hearing was examined and nothing adverse was in it. Similarly plantation program was found satisfactory.
- vi. The Authority accepted the recommendation of the 95th SEAC meeting dtd 08.05.2012 and decided to grant Prior Environmental Clearance for Rock Phosphate in an area of 48.758 ha for production capacity 26,300 MT/Year at Village Mardeora, Tehsil Bijawar, District Chhatarpur M.P by M/s Madhya Pradesh State Mining Corporation Ltd., Paryavas Bhawan, Block no. 1 A, 2nd Floor, Jail Road, Arera Hills Bhopal.

5. **Case No. 512/2010** Prior Environmental Clearance for Hospital & Medical Collage in an area of 25 acres at village Inayatpur, Tehsil Huzur, Bhopal by M/s Advance Medical Science & Education Society, 136, N.H.5, Railway Road, NIT, Faridabad, U.P.

- i. It was found that SEAC, in its appraisal in 87th meeting dtd 07.01.12, has mentioned that about 10% construction has already been carried out and the PP has already submitted an affidavit in this regard. Thus the construction carried out prior to environmental clearance is a case of violation as per O.M. No. J-11013/41/2006-II(I) of dated 16-11-2010 MoEF, Gol.
- ii. The para 4 (ii) of the O.M. dtd 16.11.2010 clearly mentioned that "after the Competent Authority has approved the proposal for grant of environmental clearance, MoEF/ SEIAA will send a communication to the project proponent informing that although the proposal has been approved by the competent Authority, formal environmental clearance will be issued to the project only after the matter relating to the violations have been put up to the Board of Directors of the Company or to the Managing Committee/CEO of the Society, Trust, partnership/ individually owned concern for consideration of its environment related policy/ plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF/SEIAA to ensure that violations of the Environment (Protection) Act etc. will not be repeated. "
- iii. Therefore, it was decided that the original affidavit submitted by the PP should be returned and be asked to submit the following information :
 - a. When the construction work started and up to which period it continued ?
 - b. What was the reason of doing construction of about 15,000 sq m ?
- iv. It was also decided that PP should stop the construction work, if any, till the Prior EC is granted, otherwise the PP would be liable for punishment under section 5 of the Environment (Protection) Act, 1986, besides other offences under this Act.
- v. It was found that PP has not submitted the notarized copy of the order of allotment and latest Khasra Panchsala. It was decided that PP should be asked to submit notarized copy of the land allotment document and Khasra Panchsala.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member

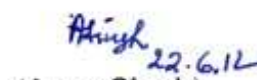

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- vi. While scrutinizing approved layout plan by Town & Country Planning Deptt., it was observed that blue print submitted by the PP is not clear. It was decided that PP should be asked to submit clear and readable layout plan approved by Town & Country Planning Deptt.
 - vii. The fresh water requirement issue was discussed and observed that requirement will be fulfilled from municipal supply and ground water. It was decided that PP should be asked to submit the exact quantity of the water requirement separately from Municipal Corporation and CGWB. Accordingly the NOCs for these agencies should be submitted.
 - viii. Regarding Bio Medical Waste (BMW) disposal it was decided to convey that PP should strictly adhere by the BMW Rules, 1998.
 - ix. The PP should submit all the information as mentioned above by 20th August, 2012 otherwise case will be summarily rejected. Registered letter should be sent to him.
 - x. **Special Observation** - It was observed that the case was sent to SEAC for appraisal on 26.02.10 and sent its recommendation to SEIAA on 08.06.2012. It seems that during this period the SEAC has taken time in asking the information from the PP which delayed the EC decision process. It has been decided that the SEAC should fix a date by which PP should submit information. If this not done, then SEAC is required to appraise and send their views without delay to the SEIAA.
6. **Case No. 545/2010**, Prior Environmental Clearance for expansion from 1000 to 9720 TPA manganese ore mine in an area of 6.985 ha at Village Hathoda, Tehsil Katangi, District Balaghat by Smt. Shakuntala Kasal, Waraseoni, District Balaghat.
- i. The mining area is 60 km from the Kanha National Park and 25 km from Pench Tiger Reserve as per DFO, Balaghat South Forest Division letter (no. 10822 dtd 17.11.11). Similarly the distance of the interstate boundary is 11 km from the site as per letter (Letter no. 3052 dtd 04.11.11) of the Assistant Mining Officer of the Office of the Collector, Balaghat Thus SEIAA has the jurisdiction.
 - ii. As per the DFO, Balaghat South Division (letter no. 1858 dtd 07.02.06) three Khasra nos. are located within 250 m from the forest boundary. As per the records, the duration of the mining lease area has been signed on 07.10.08 for duration of 20 years. Therefore, NOC from the Committee constituted under PS, Forest as per circular issued by the Forest Deptt. (no. F-5/16/81/10-3 Bhopal dtd 27.08.08) is required in the present case.
 - iii. The Khasra Panchsala submitted by PP was examined and it was found that Khasra No. 134/1 and 135 belongs to PP, Khasra nos. 136, 207/1, 207/2 belongs to private person, while Khasra no. 208 belong to tribal person. It was also decided that the concerned tribal person should apply to Collector, Balaghat for permission under 165 of Land Revenue Code for the Khasra No. 208 as per decision taking in 91st SEIAA meeting dtd 11.05.12. The Collector shall pass final "order" on such application of the tribal person under section 165 of the Land Revenue Code. The Collector order shall be made available


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to the Authority for consideration by the PP. Letter should be sent to the PP and copy should be endorsed to the Collector, Balaghat.

- iv. The prior Environmental Clearance for the project having mining area of 6.985 ha with production capacity of 1000 TPA was granted earlier by MP SEIAA (vide letter dtd 29.07.09). There is no record related to submission of certified report of the status of the compliance of the condition stipulated in Environmental Clearance by the Regional Office of the Ministry of Environment & Forests as per office memorandum dtd 30.05.12. Therefore, it was decided that PP should submit certified copy of the compliance of the conditions of the prior EC by Regional office of the Ministry of Environment & Forests.
- v. Similarly there is no record regarding whether PP has received any notice under section 5 of the Environment (Protection) Act, 1986 or relevant section of the Air and Water Acts and their compliance if any. It was decided that PP should submit a report from the MPPCB whether they have received any legal notice under section 5 of the Environment (Protection) Act, 1986 or relevant section of the Air and Water Acts. In case of legal notice has been received then its compliance should also be submitted by the PP. The above information should be submitted within two months.
- vi. The public hearing was examined and it was decided that if prior EC is granted then blasting should be carried out in such a manner so that the nearby habitation should not be affected. Plantation program was found satisfactory.
- vii. **Special Observations:** It was found that PP submitted the application Form on 03.04.10 and the ToR was issued by SEAC after nine months by the Member Secretary, SEAC. In future it should be ensured by MS, SEAC that ToR should be issued within the time limit given by in the EIA notification, 2006.

Meeting ended with a vote of thanks to the Chair.



(Manohar Dubey)
Member Secretary



(M. Hashim)
Member



22.6.12

(Amar Singh)
Chairman