

## Minutes of the 99<sup>th</sup> Meeting of SEIAA dated 11.07.2012

The 99<sup>th</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 11.07.12 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 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 Rcpt. of last inform.
1	188/2008	92 <sup>nd</sup> SEIAA meeting dtd. 21.05.12	30.05.12	13.06.12
2	189/2008	92 <sup>nd</sup> SEIAA meeting dtd. 21.05.12	30.05.12	13.06.12
3	508/2010	83 <sup>rd</sup> SEIAA meeting dtd. 08.02.12	14.02.12	24.05.12
4	559/2010	N A	N A	N A
5	613/2010	96 <sup>th</sup> SEIAA meeting dtd. 11.06.12	15.06.12	20.06.12
6	626/2011	81 <sup>st</sup> SEIAA meeting dtd. 27.01.12	31.01.12	08.06.12

2. **Case No. 188/2008**, Prior Environmental Clearance for sand mine in an area of 10.156 ha for production capacity 70,000 meter cube / year at village Kanki (Wainganga River), Taluka Waraseoni, District Balaghat by M/S Manganese Ore India Ltd. 3, Mount Road Extension, Moil Bhawan, A-1, Katol Road, Chhaoni, Nagpur, M.S.

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**Case No. 189/2008**, , Prior Environmental Clearance for Sand mine in an area of 5.50 ha for production capacity 70,000 m<sup>3</sup> / A at Village Kanki, Taluka Waraseoni, District Balaghat by M/S Manganese ore India Ltd.

The cases were discussed in 92<sup>nd</sup> SEIAA meeting dtd. 21.05.12 and it has been recorded that "..... Hence, it was decided that a letter should again be sent to Member Secretary, MP Pollution Control Board requesting to inform to the Authority whether stay has been given or not in the SLP filed by MPPCB. "

- i. The case was discussed in 89<sup>th</sup> SEAC meeting on 14.02.12 and the committee recommended for prior environmental clearance subject to 10 specific conditions.
- ii. As per information provided by MS, SEAC (vide their letter no. 287 dtd 13.06.12) till now no stay order is passed by the Hon'ble Supreme Court against the decision of the Hon'ble High Court, Jabalpur. Hence, as of now according to Para 31 of Hon'ble M P High Court's above decision, no Prior Environmental Clearance is required to be obtained in respect of quarrying of sand and Bajri in Madhya Pradesh.
- iii. The Member Secretary, SEAC (vide letter no. 372 dtd 21.12.11) provided the records to office of the SEIAA regarding Special Leave to Appeal (Civil) No. 13587 of 2011 filed by MP Pollution Control Board Vs. MP State

  
(Manohar Dubey)  
Member Secretary

  
(M. Hashim)  
Member

  
(Amar Singh) 16.7.12  
Chairman

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of Mining and others (viz. Secretary, Ministry of Environment & Forest, Gol State Level Expert Appraisal Committee, State Level Environment Impact Assessment Authority, Secretary Deptt. of Housing & Environment).

- iv. The issue was discussed in depth and it was decided that a letter may be sent to Member Secretary, MP Pollution Control Board requesting him to inform whether the SLP has been admitted by Hon'ble Supreme Court?
3. **Case No. 508/2010**, Prior Environmental Clearance for Shopping mall with multiplex at Bawadia Kalan, Tehsil Huzur, Bhopal. Total plot area 15637 sqmt built up area 52605 sqmt by M/s Shri Govind Reality, PB-5 Block-C, Mansarovar Complex, Bhopal.

- i. The case was discussed in 83<sup>rd</sup> SEIAA meeting dtd. 08.02.12 and it has been recorded that " .....

*It was decided to write to MS, MPPCB to inform when PP applied to them for permission under Air & Water Acts for 52,605 m<sup>2</sup> & when it was granted. They should enclose certified copies of revised permission after receipt of these: it shall be examined by the Authority."*

- ii. The case was discussed in detail. It was examined that the Proponent (vide letter no. nil dtd 26.03.12 received in SEIAA office on 09.04.12) has accepted the completion of the construction of its multiplex mall under bonafide belief of deemed environmental clearance as per Para 8 (iii) of EIA notification, 2006 and at the same time accepted the violation as per MoEF, Gol Off. Memo. J-11013/41/2006-IA.II(I)dtd 16.11.10.
- iii. Further it was also examined that in response of SEIAA letter (vide no. 1207 dtd 03.03.12) to the Member Secretary, MP Pollution Control Board regarding certified copy of the consent for construction of 52,605 sq m under Air & Water Acts to the Proponent, the Board has informed (vide letter no. 2028 dtd 21.03.12) that they have received the application for consent from the PP under Air & Water Acts on 03.03.11. The Board has scrutinized the application and completed the formality of presentation and has kept the decision pending till the environmental clearance is accorded.

The Authority will take view on above mentioned facts when it will decide finally to grant prior environmental clearance.

- iv. Further on the basis of documents and information submitted by PP the following issues were discussed :-
- a. The land ownership record submitted by the Proponent and report from the SEIAA's Revenue Consultant were examined and found satisfactory.
- b. The fresh water requirement i.e. 321 KLD and permission from the Central Ground Water Authority (vide letter no. 21-4 (78) NCR/CGWA/2010 1917 dtd 06.09.10) NOC for withdrawal of 321 KLD water were examined and found satisfactory.
- c. Regarding rain water harvesting it was suggested that PP should ensure the proper and scientific implementation of rain water

  
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harvesting measures.

- d. The PP has submitted the NOC from the Chief Engineer, Directorate Urban Administration and Development (vide letter no.Ya.Pra./2012/924 Bhopal dtd 03.03.12). It was noted that as per MoEF, Gol Office Memorandum (vide no. 21-270/2008-IA.III dtd 07.02.12) Para 4 (v) the NOC should be obtained from the local fire station before construction and after completion of construction of the building. **It was decided that PP should submit the NOC from the local fire station as per Office Memorandum. Besides this the PP should also be asked to submit the distance of the nearest fire station from the project site.**
- e. Keeping in the 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 9 m & 6 m. In this regard it was further noted that as per MoEF, Gol Office Memorandum (vide no. 21-270/2008-IA.III dtd 07.02.12) the minimum width for buildings with height between 15-30 m should be 15 m. **It was decided to ask from the PP that how he will manage the fire fighting?**
- f. **It was decided that PP should be asked to submit the information by 15.09.12 positively in the office of the SEIAA.**

4. **Case No. 559/2010**, Prior Environmental Clearance for Rolling Mill at village Matkuli, Tehsil- Pipariya District – Hoshangabad - (M.P) by M/s Oasis Enterprises, 31-C, Goel Vihar Complex Zone-2, M.P. Nagar Bhopal (M.P)

- i. The case was appraised in 59<sup>th</sup> SEAC meeting dtd 29.06.10 and it has been recorded that *"Neither the PP nor his representative was present to help in understanding the documents etc. nor did to explain discrepancy / gap if found any during the deliberation. The application submitted by the PP was found to be incomplete and without any requisite annexure hence Committee decided to return the case to SEIAA for delisting"*.
- ii. The file of the case along with 13 other files was sent to MoEF, on 24.09.10 for further action as per SEAC recommendation. Letter sent to MoEF on 05.05.11 mentioning that file along with other two files have not been returned by MoEF. Subsequently MoEF, Gol informed SEIAA on 11.05.11 that they are tracing the file and would be sent back when found.
- iii. Further, reminder letters sent to Ministry on 04.07.11 & 29.07.11 to provide the file with endorsement to PP. However, no response was received from MoEF & PP so far.
- iv. It was decided to accept the recommendation of the 59<sup>th</sup> SEAC meeting dtd 29.06.10 and the case is summarily closed.

5. **Case No. 613/2010** Prior Environmental Clearance for expansion of dolomite & limestone mine from 6660 TPA to 5,00,000 TPA in an area of 19.71 ha at village Chhapparwah, Tehsil Badwara, District Katni.

- i. The case was discussed in 96<sup>th</sup> SEIAA meeting dtd. 11.06.12 and it has

  
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been decided that " ....

- a. SEAC has no Authority to accept change in name / address as per Para 11 of the EIA notification 2006.
  - b. This is the case of expansion of existing mine for which EC was issued. So before change in the name of Project Proponent in present case of expansion, the change in the name in original EC is necessary.
  - c. (i) M/s Grasim Industries Ltd. (White Cement Division) should apply for transfer of earlier granted prior EC (capacity of 6660 TPA) to M/S Ultratech Cement Ltd. (Birla White Unit) as per Para 11 of EIA notification 2006. The present case of expansion will be considered after receiving the application.  
(ii) The EIA submitted in the name of M/S Ultratech Cement Ltd. (Birla White Division) should be returned to M/S Ultratech Cement Ltd. (Birla White Division) immediately. "
  - ii. The legal documents along with order (no. F 3-23/2002/12-2 dtd 13.07.11) of the Mineral Resource Deptt. GoMP submitted by PP vide their letter no. nil dtd 20.06.12 was scrutinized and it was decided to grant permission for transfer of prior environmental clearance to M/s Grasim Industries Ltd. (white cement division) granted earlier vide letter nos. 374/EPCO-SEIAA /2009 dtd 16.12.09 and 357/EPCO-SEIAA / 2010 dtd 04.09.10 to M/s Ultratech Cement Ltd. (Birla White Division). All terms and conditions given during grant of prior EC to M/s Grasim Industries Ltd. (white cement division) will be applicable to M/s Ultratech Cement Ltd. (Birla White Division)
  - iii. As ToR has already been issued by SEAC for proposed expansion from 6,660 to 5,00,000 TPA (vide letter no. 71/PS-MS/ MPPCB / SEAC/ToR (74)/2011 Bhopal dtd 11.02.11) the Proponent should submit draft Environmental Impact Assessment Report incorporating a separate chapter on compliance of environmental clearance conditions and / or the NOC from the State Pollution Control Board as per OM (J-11013/41/2006-IA.II(I) dtd 01.07.11). The draft EIA report should also incorporate environment responsibility as per OM (J-11013/41/2006-IA.II(I) dtd 18.05.12). The PP should also submit a certified report of the status of the compliance of the conditions stipulated in the environmental clearance for existing operation by the Regional Office of the Ministry of Environment & Forests, Gol.
  - iv. Letter should be sent to M/s Ultratech Cement Ltd. (Birla White Division).
6. **Case No. 626/2011**, Prior Environmental Clearance for Proposed Residential Project Heritage Hill at Near Ahmadabad Palace, Kohefiza, Tehsil Huzur, District Bhopal-M.P. by M/S Reliable House, Heritage Hill, A-6, Kohe-Fiza, Indore Road, Bhopal

The case was discussed in 81<sup>st</sup> SEIAA meeting dtd. 27.01.12 and it has been recorded that " ..... 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 in dwelling units. Besides this the details about cost involved for providing these arrangements within one month.

  
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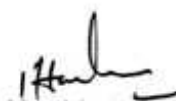
The Authority decided that PP should submit firm commitment for supply of water from Nagar Nigam.

The Authority also found that total height of the building is more than 15 m. The Authority decided that a fire fighting plan as per the National Building Code and also NOC for fire fighting issued by Fire Office should be submitted. "

- i. The land ownership records submitted by the PP and comments of SEIAA's Revenue Consultant were examined and it was found that out of 2 survey nos. i.e. 52/1/क/5 & 52/1/ख as shown in the T & CP approved layout plan the notarized copy of the Khasra Panchsala for survey no. 52/1/क/5 is not in the name of Proponent. It was decided that PP should be asked to submit the notarized copy of the latest Khasra Panchsala of 52/1/क/5.
- ii. The NOC obtained by PP for water supply of 450 KLD from Municipal Corporation, Bhopal (vide letter no. 161/Ja.Ka.Vi./Mu.A/Na.Gra. Ni. Bhopal dtd 14.02.12) was examined and found satisfactory. The fresh water requirement submitted by the PP is 387 KLD but it was noted that the SEAC in its 84<sup>th</sup> meeting dtd 09.11.11 (point no. 14) has recommended that fresh water demand shall not go beyond 593 KLD. It was decided that the fresh water requirement by PP should not exceed 387 KLD as the fresh water requirement recommended by SEAC seems to be on higher side.
- iii. The NOC for the fire fighting (vide letter no. 73/Agani.V/12 Bhopal dtd 16.02.12) and distance from the local fire station submitted by PP were examined and found satisfactory.
- iv. Regarding rain water harvesting it was suggested that PP should ensure the proper and scientific implementation of rain water harvesting measures.
- v. Keeping in the view the height of the building i.e. 18 m it was examined that as per T & CP approval the width of the internal road are 18 m, 12 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 building with height between 15-30 m should be 15 m. It was decided to ask the PP how he will manage the fire fighting?
- vi. It was decided that PP should be asked to submit the information by 25.08.12 positively in the office of the SEIAA.

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

  
(Manohar Dubey)  
Member Secretary

  
(M. Hashim) 16.7.12  
Member

  
16.7.12  
(Amar Singh)  
Chairman