

Minutes of the 103rd Meeting of SEIAA dated 17.08.2012

The 103rd meeting of the State Level Environment Impact Assessment Authority was convened on 17.08.12 at 02.30 PM 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 on the basis of the receipt of the additional information:

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.	175/2008	88 th dtd. 03.04.12	08.04.12	09.07.12
2.	218/2008	92 nd dtd. 21.05.12	29.05.12	25.07.12
3.	547/2010	96 th dtd. 11.06.12	15.06.12	05.07.12
4.	614/2010	94 th dtd. 30.05.12	06.06.12	07.07.12
5.	632/2011	96 th dtd 11.06.12	15.06.12	07.07.12
6.	637/2011	100 th dtd. 18.07.12	25.07.12	05.08.12
7.	647/2011	85 th dtd. 29.02.12	03.03.12	17.07.12

2. **Case No. 175/2008**, Prior Environmental Clearance of Manganese ore mine in area of 8.11 ha for production capacity 1000 TPA at vill-Jagantola Teh-Baihar, Distt.Balaghat, M. P. by Raghuvir Ferro Alloy Pvt Ltd, Industrial Area Urla, Raipur Chhattisgarh

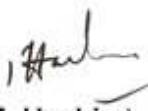
- i. The issue was discussed in 88th SEIAA meeting dtd. 03.04.12 it has been recorded that " The Authority decided that a letter should be sent to PP for submitting a certificate from Collector, Balaghat indicating distance of the mining lease area from the interstate boundary. The copy of this should be sent to the Collector, Balaghat for providing the information to the PP.

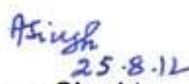
..... The Authority decided that a letter should be sent to Collector, Balaghat whether permission from the Collector, Balaghat has been given as per section, 165 of the land revenue code for Khasra Nos. 10/1 & 10/2 belonging to Gond tribes ? The information should be submitted within one month.

.... The Authority decided that the following information may be submitted by the PP within one month :-

- A certificate owning of the content of the data and its originality.
 - A brief about nonal blasting technique for reducing impact of blasting on human habitations.
 - A revised yearly plan for plantation for increasing the area for 1.85 ha to about 2.5 ha at the end of the mining lease period. "
- ii. The interstate boundary from Chhattisgarh is 109 km and that of Maharashtra is 115 km from the proposed site as per letter no. 1154/Kha.Li.-2/12, Balaghat dtd 11.06.12. The proposed site is more than 10 km away from the National Park and Sanctuaries as per details mentioned in 45th SEIAA meeting dtd. 10.01.11. Thus general condition is


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman

not attracted.

iii. **Policy Decisions**

A. Consideration of Tribal Land under Section 165 of MP Land Revenue Code, 1959

- a. Cases in which, mining lease holder is a non tribal & part / whole land of lease is owned by a tribal then whether permission of the Collector under section 165 of MP Land Revenue Code, 1959 is a prerequisite for considering a prior EC ?
- b. It is observed that section 247 of MP Land Revenue Code, 1959 provides that all mineral belongs to the state even if land is under private ownership but leasee can get entry in private land only after consent from land owner. There is no specific provision for tribal in the section.
- c. Section 165 of MPLRC provides that land of tribal person can not be transferred without the permission of the Collector of the district. According to the Transfer of Property Act "transfer includes sale, gift, mortgage and lease" The Mines & Minerals (Development & Regulation) Act, 1957 and Mineral Concession Rule, 1960 framed under it also provide for compensation for loss to land owner because of lessee's entering into the land disrupting the right on surface of the land owner. However, there is specific provision for tribal land owner in it. Hence it was decided not to insist for permission under section 165 of MPLRC, 1959.
- d. All such cases which have already been considered by the Authority in which land of tribal are involved, the permission under section 165 of MP Land Revenue, 1959, is not required and all such cases should be submitted in the very next meeting of the Authority for reconsideration.

B. Policy Decision regarding life of the mining :

It was also decided that SEAC should clearly mention life of the mining projects in all cases as per Para 9 of the EIA notification, 2006 while recommending the case for prior EC to SEIAA.

- iv. In the proposed mining lease Khasra Nos. 10/1 and 10/2 belong to Gond tribe. It was decided that the Collector shall ensure that these Gond tribal get compensation as per rule 72 of the Mineral Concession Rule, 1960.
- v. The brief explanation given by PP (vide letter no. nil dtd 28.06.12) about Nonal blasting technique for reducing impact of blasting on human habitations was examined and it was decided that in case there is any adverse impact on human habitations, then PP should compensate accordingly.
- vi. The revised yearly plan for development of green belt was also found to be satisfactory.


(Manohar Dubey)
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(M. Hashim)
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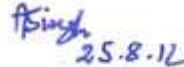

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- vii. The duly approved mining plan by Indian Bureau of Mines (vide letter no. BGT/ MN/ MPLN-979/ NAP dtd 11.12.07) was also examined and found that the life of the mine is 14 years.
- viii. The Authority accepted the recommendation of the 68th SEAC meeting dtd 30.10.10 and 44th SEAC meeting dtd 23.12.09 and decided to accord Prior Environmental Clearance for Manganese ore mine in area of 8.11 ha for production capacity 1000 TPA for project life of 14 years only at vill-Jagantola Teh-Baihar, Distt. Balaghat, MP by Raghuvir Ferro Alloy Pvt Ltd, Industrial Area Urla, Raipur Chhattisgarh
3. **Case no. 218/2008**, Prior Environmental Clearance for Lime stone & dolomite mine in an area of 13.9 ha for production capacity of 1,75,000 TPA at Village Ametha, Tehsil Vijayraghgarh, District Katni by Shri Ravi Kumar Grover, Prop M/s Lalaji K C & Sons Rest House No.1 Road, Civil Lines, P.O. Katni (M.P)
- i. The case was discussed in 84th SEIAA meeting dtd. 17.02.12 and 92nd SEIAA meeting dtd. 21.05.12 and it has been decided that *"..... In mining cases the prior EC validity is prescribed for the project life (life of the mine) as estimated by SEAC / SEIAA subject to maximum of 30 years (Para 9 of EIA notification, 2006). Since on the basis of production capacity the life of the mine is already over, it was decided that year wise details of extraction is to be obtained from mining officer, Katni from the October, 1996 to May 2012 by 31st July 2012. "*
- ii. The case was discussed in 84th SEIAA meeting dtd 17.02.12 and it is noted that the distance of Bandhavgarh National park is 60 km from the mining site, hence the general condition is not attracted and SEIAA has jurisdiction. The nearest forest boundary is 680 m (vide DFO, letter no. 4081 dtd 21.06.11) from the mining area.
- iii. As recorded in 92nd SEIAA meeting dtd 21.05.12 the mining lease and Khasra Panchsala document are satisfactory.
- iv. The information received from Collector Office (Mining Division), Katni vide letter no. 3217/Sa.Adhi Khani/2012 Katni dtd 24.07.12 and information submitted by PP in SEIAA office on 25.07.12 were examined and it was noted that the total extraction of lime stone & dolomite from October, 1996 to 2008 is 1,13,647 tonnes.
- v. As per the notarized copy of approved mine plan (for the period up to 2011-12) submitted by PP vide letter dtd 29.02.12 the proved mineral reserve are lime stone 12,60,612 tonnes and dolomite 2,22,461 tonnes (page-24). Thus at the production capacity of 1,75,000 TPA the life of the mine is about 8 years.
- vi. The public hearing documents were scrutinized and nothing adverse was found.
- vii. The year wise plantation program submitted by PP (vide letter dtd 29.02.12) is satisfactory.
- viii. The Authority accepted the recommendation of the 87th SEAC meeting


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(M. Hashim)
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dtd 07.01.12 and decided to accord for Prior Environmental Clearance for Lime stone & dolomite mine in an area of 13.9 ha for production capacity 1,75,000 TPA for life of the mine for 8 years at Village Ametha, Tehsil Vijayraghogarh, District Katni by Shri Ravi Kumar Grover, Prop M/s Lalaji K C & Sons Rest House No.1 Road, Civil Lines, P.O. Katni (M.P)

4. **Case No. 547/2010**, Prior Environmental Clearance for Mahavir Institute of Medical Science & Research, Near RGPV Campus, Village Badwai, Bhopal-M.P. by M/S Mahavir Institute of Medical Science & Research, Bhopal Dr. Rajesh Kumar Jain 30, Mangalwara, Jain Mandir Road, Bhopal-M.P.

- i. The case was discussed in 96th SEIAA meeting dtd. 11.06.2012 and it has been recorded that... " *The case was discussed in depth. The information submitted by PP were examined and found that the layout permission given by the Office of Joint Director Town & Country Planning Deptt., Bhopal (vide letter no. 1116 / L. P. 131 / 29/ Na. Gra. Ni / Ji.Ka./2006-07 Bhopal dtd 05.05.2008) is for three years from the date of issue of letter which has expired on 04.05.2011.*


It was decided that the approval of layout should conform to the norms as set in by MoEF (O. M. No. 27-270/2008-IA.III dated 07.02.2012). This should also be brought in the knowledge of Director Town & Country Planning Deptt., Bhopal.

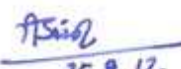
The parking provisions as per norms for two & four wheeler vehicles should also be provided by the PP.

The PP should be asked to submit following information by 15.09.2012 otherwise the case will be summarily rejected :-

- a. *Total numbers of building block to be constructed.*
 - b. *Phased program of construction of building.*
 - c. *Block wise built up area and height of the building.*
 - d. *Parking area for two & four wheeler vehicle provided in various blocks as per norms of parking area.*
 - e. *NOC for fire fighting from concern competent authority.*
 - f. *Revised approval from Town & Country Planning Deptt."*
- ii. The case was discussed in depth. The land ownership records submitted by the PP were examined and found satisfactory.
- iii. The issue of water requirement was discussed and it was found that the PP has obtained permission from Bhopal Municipal Corporation (vide no. 1260 dtd 7-10-11). It was decided that the proponent will fulfill the demand of 230 KLD fresh water requirement from the municipal water supply and the ground water extraction shall not be done.
- iv. The NOC for fire fighting obtained from the Directorate of Urban Administration and Development, Bhopal (vide no. 2164 dtd 15-05-12) was found satisfactory.
- v. The information submitted by the PP (vide no. nil dtd 02-07-12 & 14-08-12) regarding parking of four wheeler and two wheeler vehicles was examined and found satisfactory.
- vi. The issue of road width w.r.t. fire fighting provision was discussed in depth and it was noted that the MP Bhumi Vikas Niyam- 2012 (Published in


(Manohar Dubey)
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(M. Hashim)
Member

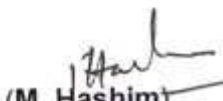

25.8.12
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Extra. Ordi.M P Gazette Notification no 258 dated 01 June 2012) has prescribed the minimum road width of 12m for the building of the height of 18 m. The office memorandum (no. 27-270/2008-IA.III dtd 07.02.12) issued by the MoEF, Gol is only a guideline. Hence, it was decided that minimum road width of the internal front road should be 12 m and other internal roads and M.O.S. as per MP Bhumi Vikas Niyam- 2012.

- vii. It was noted that the PP in his reply related to revised approval from the Town & Country Planning Department, submitted (vide no nil dtd 02-07-12) has written that they have begun the execution of the project. It was noted that the construction without prior environmental clearance is prima facie is violation of Environmental (Protection) Act 1986. Hence, it was decided that before issuing the prior Environmental Clearance the PP should be asked to submit the written commitment in the form of formal resolution from its board of Directors that the violation of Environmental (Protection) Act will not be repeated within 90 days as per para 4 (ii) MoEF, Gol Office Memorandum no J-11013/41/2006-IA.II(I) dtd. 16-11-2010,
5. **Case No. 614/2010**, Prior Environmental Clearance for Residential Township Project "Prem Shanti Residency" at Village Kumerdi, P. O. Bhawrasla, Tehsil Sanwer, District Indore, MP by M/s J K M Projects Pvt Ltd C/o J K Investment Pvt Ltd MR- 10, Near Toll Tax Booth Hotel-Sheraton, Distt-Indore-M.P.
- i. The case was discussed in 94th SEIAA meeting dtd. 30.05.12 and it has been recorded that..... ". The case was discussed in depth, it was decided that the PP should be asked to submit following information within 2 months:
- Certified copy of details of total land, developed area, built up area, total number of buildings, floor wise built up area, number of floors, height.
 - List of Khasra Numbers included in the project area.
 - Notarized copy of latest Khasra Panchshala of the project area.
 - NOC for firefighting 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.
 - The information regarding 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.
 -It was decided that the fresh water requirement should be restricted to 132 KLD as recommended by SEAC."
- ii. The land ownership document submitted by the PP were examined and found that the Proponent in his application viz. Form-1 has mentioned two survey nos. i.e. 57 & 59/1 and area of 7.0 acres for the development of the project, while the lay out approved by the Joint Director T & CP, Indore contains many survey nos. i.e. 59/1, 58, 57, 45/1, 37, 55/1, 55/2/1, 46/1, 49/1, 48/2, 44/2, 45/3/1, 45/2, 44/1, 48/1, 45/3/2, 45/4, 44/3 for the total area of 3.159 ha (vide letter no. 6920 dtd 04-12-09). Further it was also noted that the SDO, Indore (vide order dtd 01.11.2011) has amended the diversion and passed the new


(Manohar Dubey)
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order for survey no. 57 & 59/1 which contains an area of 3.150 ha on the basis of letter from T & CP office vide no 6255 dtd 06-09-11.

In view of above it was decided that PP should be asked to provide the revised development permission / layout approval from the office of Joint Director, T & CP, Indore.

- iii. The information regarding fresh water requirement submitted by the PP was examined and found satisfactory.
 - iv. The NOC submitted by the PP for fire fighting from M P Technical and Firefighting Services, Police HQ, Bhopal (vide letter no. 247-D dtd 19.08.11) was found satisfactory.
 - v. It was noted that the height of the building is 18 m and the internal roads as shown in the approved layout from T & CP ranging from 10.5 m to 6 m. It was decided that the minimum road width of internal front road of the project should be 12 m and front MOS 7.5 & back MOS 6.0 m, as per MP Bhumi Vikas Niyam- 2012.
 - vi. It was decided that PP should be asked to submit the reply by 30.11.2012 otherwise, case will be summarily rejected.
6. **Case No. 632/2011**, Prior Environmental Clearance for Group Housing Project "Coral Wood City" at Village Misrod, Tehsil Huzur, Bhopal, MP by M/s Rishi Constructions, 176-Zone-II, M.P. Nagar, Bhopal.
- i. The case was discussed in 96th SEIAA meeting dtd. 11.06.12 and it has been recorded that.... *"The land ownership records were examined and found satisfactory.*

..... It was decided that the Proponent should not exceed the limit of approved area during implementation of the project. It was also decided that PP should submit the information about block wise height of building & their built up area, number of dwelling units (DUs) and width of internal roads.

The PP should be asked to submit the information regarding width of the road w.r.t. height of the building, as per para 4 (ii) of office memorandum (No. 27-270/2008-IA.III dated 07.02.2012) MoEF Gol and NOC for firefighting from the local office fire Department as per para 4 (v) of even No. of Office Memorandum.

It was decided that information should be submitted by 20.08.2012 otherwise the case will be summarily rejectect."
 - ii. The case was discussed in depth. The information submitted by PP (vide letter no. nil dtd. 06.07.12) regarding total built up area and number of dwelling units were examined and found satisfacoty.
 - iii. The NOC submitted for the fire fighting from the Fire Division of Municipal Corporation, Bhopal (vide no. 18/Agani.Vi./11 dtd 27.06.11) was found satisfactory.
 - iv. It was noted that the PP has obtained the permission of the water supply for 935 KLD from the Bhopal Municipal Corporation (vide letter no. 118/PM/JNNURM/WS/11 dtd 23.09.11). It was decided that the fresh water demand should not to beyond 655 KLD as recommneded


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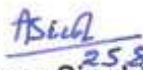

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- by the SEAC.
- v. Looking to the height of the building w.r.t. fire fighting provision it was decided that as per MP Bhumi Vikas Niyam- 2012 the width of internal front road should be 12 m and front M.O.S. 7.5 m and side & back MOS 6.0 m.
- vi. The Authority accepted the recommendation of the 84th SEAC meeting dtd 09.11.11 and decided to accord Prior Environmental Clearance subject to the conditions mentioned at in above sub para iv & v for Group Housing Project "Coral Wood City" at Village Misrod, Tehsil Huzur, Bhopal, MP by M/s Rishi Constructions.
7. **Case No. 637/2011**, Prior Environmental Clearance for 1106 Residential Units, Club, Shopping Arcade, DB City Project at village Mehra, Tehsil & District Gwalior, MP by M/s Bhaskar Housing Development Co. Pvt. Ltd., 1st Floor, Hotel Gwalior Regency, Link Road, Gwalior, MP.
- i. The case was discussed in 100th SEIAA meeting dtd. 18.07.12 and it has been recorded that ". The information submitted by PP vide his letter no. nil dtd 13.06.12 & 19.06.12 was looked into and it was found that the PP has not submitted the permission / NOC of water extraction from Central Ground Water Authority. In want of the permission from CGWA, the case was deferred and other informations submitted by him were not scrutinized. The case shall be considered just after 31.07.12 in the light of the decision of the SEIAA taken in 94th meeting dtd 30.05.12."
- ii. The information submitted by the PP (vide no. nil dtd 19.06.12) regarding NOC for the fire fighting and distance of the nearest fire fighting station (i.e. 3.9 km) was examined and found satisfactory.
- iii. Regarding water demand it was noted that the PP has obtained permission from CGWA for 537.50 KLD(vide letter no. 21-4 (134)/NCR/CGWA/2012-4294 dtd 10.08.12) and also from the Municipal Corporation, Gwalior for 729 KLD after making the payment of Rs. 1,32,000 per month (vide letter no. 12295 dtd 25.07.12). It was decided that since the GMC has agreed to provide the water supply hence, PP should fulfill his water demand from the Municipal water supply only and no water shall be extracted from the ground water source.
- iv. It was noted that as per T & CP approved layout the maximum height of the building is 30 m. Hence it was decided that the minimum road width of the internal front road should be 24 m and front M.O.S. 12 m and side & back MOS 7.5 M, as per MP Bhumi Vikas Niyam- 2012.
- v. The land ownership record submitted by the PP in Form-1 and before SEAC were discussed and it was found that it requires further examination. Hence, it was decided that the record will be examined by the SEIAA office and shall be put up for consideration in the very next meeting.
8. **Case No. 647/2011**, Prior Environmental Clearances for Residential complex "Keelandev Tower" at Shivaji Nagar, Tehsil Huzur, District Bhopal


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Total land area 13900.00 sqm & Built up area 41700.75 sqm by MP Housing & Infrastructure Development Board Division no. 6, Bhopal.

- i. The case was discussed in 85th SEIAA meeting dtd. 29.02.12 and it has been recorded that "..... PP should provide notarized / certified copy of land ownership documents and lease deed etc.

It was also decided that PP should provide map indicating area of basement, parking, residential for each block. In addition to this PP should provide proposed width of the road and location of fire station as per provision of office memorandum no. 21-270/2008-IA.III issued by Ministry of Environment & Forests, Gol dtd. 07.02.2012,

..... it was decided that PP should submit a fire-fighting plan as per the National Building Code.

.....Hence, it was decided that Proponent should be asked to submit clear-cut breakup of water requirement (i.e. fresh water and treated water) and firm commitment from Nagar Nigam, Bhopal regarding supply to them. If they will utilize some other water, then details of this area also to be given.

PP should submit above-mentioned information within one month."

- ii. The land ownership record submitted by the PP (vide letter no. 1520/Dn-6/2012 dtd 16.07.12 & letter no. 1900/TS/Dn-6/2012/ BPL dtd 13.08.12) were examined and found satisfactory.
- iii. Regarding water demand it was noted that the Proponent has obtained the permission of water supply from Municipal Corporation Bhopal (vide 34/Ja.Ka.Vi./2011-12 dtd 28.03.12) on the condition of taking legal bulk connection and proper water storage facility at the site. Hence, it was decided that the PP should fulfill his fresh water requirement i.e. 129 KLD from the municipal water supply only and should not extract water from ground water source.
- iv. The information submitted by the PP regarding NOC for fire fighting from Fire Division of Bhopal Municipal Corporation (vide letter no. 07/Agani.Vi/10 dtd 03.05.11) and distance from the nearest fire fighting station (i.e. 3.35 km from Pul Bogda) were examined and found satisfactory.
- v. Regarding road width w.r.t. fire fighting provision it was noted that the maximum height of the building is 30 m. Hence, it was decided that the internal front road width should be 24 m and front M.O.S 12 m ,side & back MOS 7.5 m ,as per MP Bhumi Vikas Niyam- 2012.
- vi. The Authority accepted the recommendation of the 87th SEAC meeting dtd 07.01.12 and decided to accord for Prior Environmental Clearances, subject to the special condition mentioned in sub para iv & v relating to the project for Residential complex "Keelandev Tower" at Shivaji Nagar, Tehsil Huzur, District Bhopal Total land area 13900.00 sqm & Built up area 41700.75 sqm by MP Housing & Infrastructure Development Board Division no. 6, Bhopal.

Meeting ended with a vote of thanks to the Chair.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman