

Minutes of the 106th Meeting of SEIAA dated 14.09.2012

The 106th meeting of the State Level Environment Impact Assessment Authority was convened on 14.09.2012 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. Remaining agenda related to 103rd SEIAA meeting dtd 17.08.2012 - Proposal for Categorisation of Mining cases < 5 ha into B2. It was decided that the issue shall be discussed separately on 17.09.2012.

B. Cases related to tribal land (section 165 of MP Land Revenue Code, 1959)

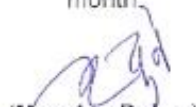
1. **Case No. 09/2008**, Prior Environmental Clearance for white clay, ochre & laterite mine in an area of 15.30 ha for production capacity 14,000 TPA at village Khomarha, tehsil Amarpatan, district Satna by M/S K L Agrawal, VPO, Jaitwara, Satna, MP.

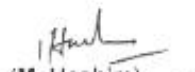
- i. The case was discussed in 88 SEIAA meeting dtd. 03.04.12 and it has been recorded that *"The Authority examined Khasra details and found that Khasra Panchsala of 766/3 have not been submitted by the PP. Besides this, 8 Khasra nos. (viz. 754, 755, 756/1, 756/2, 757, 758, 759/1, 759/2) belong to tribal persons. As per section, 165 of the Land Revenue Code, the tribal land cannot be given without the permission of the Collector. The Authority decided that the proponent should submit permission from the Collector, Satna in this regard within one month and copy of this letter should be endorsed to the Collector, Satna for providing information to the PP. Beside, this PP should also submit Khasra Panchsala of Khasra No. 766/3 within one month."*

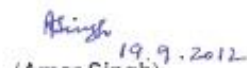
As per NOC given by DFO, Satna, the distance of the proposed area is 100 m from the forest boundary. The lease has been granted on 21.07.1998 for 20 years period. Thus, the mining lease is old and no NOC from the PS, Forest is required as per the decision taken in 77th SEIAA meeting dt 07.01.2012.

The public hearing was examined by the Authority and found no adverse remarks. The plantation program was also found satisfactory."

- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the Collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
- iv. It was noted that the PP was asked to provide the Khasra Panchsala of Survey No. 766/3 vide letter No. 73/EPCO-SEIAA/2012 dated 18.04.2012, the response of the same from the PP is still awaited. It was decided that PP should be asked to submit copy of the notarized Khasra No. 766/3 within a month.


(Manohar Dubey)
Member Secretary

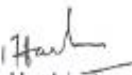

(M. Hashim)
Member
19.9.12

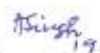

(Amar Singh)
Chairman
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- v. The Authority accepted the recommendation of 76th SEAC meeting dated 07.01.2011 and decided to accord Prior Environmental Clearance for white clay, ochre & laterite mine in an area of 15.30 ha for production capacity 14,000 TPA for mining lease period i.e. up to 20.07.2018 only at village Khomarha, tehsil Amarpatan, district Satna by M/S K L Agrawal, VPO, Jaitwara, Satna, MP.
2. **Case No. 61/2008**, Prior Environmental Clearance for limestone and dolomite deposit in 9.35 ha for production capacity of 25,000 TPA at village Bhatgaon-Sunehra, Murwara, Katni, MP by Mr. Arif Ahmad S/o Late Shri Ishak Ahmad, R/o Mission Chowk, PO Katni- Pin 483501.
- i. The case was discussed in 91 SEIAA meeting dtd. 11.05.12 and it has been recorded that "The issue related to entry for the mining activity on the tribal land under Land Revenue Code 165 and Mining Concession Rule, 1960 written by Collector, Katni (vide letter no. 1472/ Mining/ 2012 Katni dtd 16.04.12) was discussed in depth by the Authority and it was decided that the concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP. Letter should be sent to the PP and copy should be endorsed to the Collector, Katni".
- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal person. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
- iii. In view of above it is decided that the collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
- iv. Proposed plantation scheme mentioned in EIA and EMP was also examined and found satisfactory.
- v. The Authority accepted the recommendation of 58th & 85th SEAC meeting dated 02.06.2010 & 13.12.2011 respectively and decided to accord Prior Environmental Clearance for limestone and dolomite deposit in 9.35 ha for production capacity of 25,000 TPA for mining lease period i.e. 17.01.2022 only at village Bhatgaon-Sunehra, Murwara, Katni, MP by Mr. Arif Ahmad S/o Late Shri Ishak Ahmad, R/o Mission Chowk, PO Katni- Pin 483501.
3. **Case No. 77/2008**, Prior Environmental Clearance for limestone and dolomite deposit in mining 25.19 ha for production capacity of 4820 tonnes / annum at village Bhatgaon - Sunehra, Tehsil Murwara, District Katni by Shri Aslam Ahmed S/o Late Shri Ishak Ahmed, R/o Mission Chowk, PO Katni Distt. – Katni (M.P.).
- i. The case was discussed in 91 SEIAA meeting dtd. 11.05.12 and it has been recorded that "The issue related to entry for the mining activity on the tribal land under Land Revenue Code 165 and Mining Concession Rule, 1960 written by Collector, Katni (vide letter no. 1472/ Mining/ 2012 Katni dtd 16.04.12) was discussed in depth by the Authority and it was decided that the concerned tribal person should apply to Collector, Katni for permission


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman

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under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP. Letter should be sent to the PP and copy should be endorsed to the Collector, Katni. "

- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
 - iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. The Authority accepted the recommendation of 58th & 85th SEAC meetings dated 02.06.2010 & 13.12.2011 respectively and decided to accord Prior Environmental Clearance for limestone and dolomite deposit in mining 25.19 ha for production capacity of 4820 tonnes / annum for mining lease period i.e. up to 01.04.2022 only at village Bhatgaon - Sunehra, Tehsil Murwara, District Katni by Shri Aslam Ahmed S/o Late Shri Ishak Ahmed, R/o Mission Chowk, PO Katni Distt. - Katni (M.P.)
4. **Case No. 144/2008**, Prior Environmental Clearance for Bauxite & Ochre mine in an area of 15.62 ha for production capacity 10,000 MT/year at village Karigohi, tehsil Majhgawn, district Satna, MP by M/S Rakesh Agencies, PO- Jaitwara, Dist- Satna, MP.
- i. The case was discussed in 89 SEIAA meeting dtd. 11.04.12 and it has been recorded that " The Authority examined the information submitted by PP vide letter dtd 20.12.2011, lease deed and Khasra Panchsala and it was noted that the Khasra Nos. 302/2/B, 302/3/B, 303/2, 303/3, 303/4 belong to tribal. The Khasra nos. 302/4/B, 302/Ka/2, 303/5, 304/1/Ka/1, 304/1/Ka/2, 304/2/Ka/Ka, 304/2/Ka/Kha, 304/B are private land while Khasra no. 302/1/B, 302/Ka/1, 303/1 are government land. As per section, 165 of the MP Land Revenue Code, the tribal land can not be given without the permission of the Collector.
- The Authority examined the Collector letter no. 1631 / mining /2011 Satna dtd 26.08.2011 according to which the interstate boundary is 12 km from the mining site. As per the DFO, Satna letter dtd 02.12.2010 the National Park and Sanctuary is located more than 10 km away from the mining area. Hence, the general conditions are not attracted and SEIAA has jurisdiction.*
- The Authority examined the public hearing documents and observed that the public hearing has been conducted at the Govt. Primary School village Baradadi whereas the mining area is located in village Karigohi. As per the Para 7 III stage (3) - Public consultation (iii) of the EIA notification 2006 the public hearing is to be conducted at/ or in closed proximately to the site. The plantation plan was examined by the Authority and was found to be satisfactory.*

The Authority decided that

- (a) Proponent should submit permission from the Collector, Satna under section, 165 of the MP Land Revenue Code for the land belonging to tribal within one month.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


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(b) PP should submit a certificate from the Collector, Satna regarding the distance of village Baradadi from the mining Parisar.

The Collector, Satna should be informed to provide the above mentioned information to the PP."

- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
 - iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. It was noted that the PP (vide letter No. 143/EPCO-SEIAA/12 dated 25.04.2012) and the Collector Satna (vide letter No. 141/EPCO-SEIAA/12 dated 25.04.2012) were asked to provide the distance of Village Baradadi from the mining parisar in context of Public Hearing. The response from the PP and Collector Satna is still awaited. It was decided that a DO letter from MS, SEIAA to Collector, Satna with endorsement to PP should be written to provide the required information within one month.
5. **Case No 271/2009, Shri Ganesh acid Chemical (P) Ltd Ward No-1, Mishra Nagar Waraseoni, Distt- Balaghat-M.P. Borikheda manganese deposit 5.977 hact. at village Borikehda Teh- Katangi, Distt-Balaghat-MP.**
- i. The case was discussed in 70rd SEIAA meeting dtd. 13.10.11 and it has been recorded that " The Authority examined the letter (No. Manchitra/5244, Balaghat dtd. 15.06.2010) of DFO, South Division, Balaghat and found that the proposed mining area is more than 1 km from the forest boundary. The DFO has mentioned that there is no N.P./ Sanctuary in the nearby area. However, the exact distance of the protected area from the mining boundary has not been mentioned. It is to point out that as per 77th SEAC meeting dtd. 25.08.2011 it has been mentioned that the proponent has submitted requisite information with supporting documents. It was decided by the Authority that the proponent should submit the certified letter issued by DFO, South Division, Balaghat, mentioning distance of the project area from protected areas (viz National Park, Sanctuary and Project Tiger). The DFO, South Division, Balaghat may also be directed to provide the same to PP within 15 days from the receipt of the letter.
 - The Authority also scrutinized the EIA report and found it satisfactory. The Authority also examined Khasra Panchsala and mining lease documents. The examination of the Khasra Panchsala revealed that entire land belonged to private people. Out of this some Khasra numbers are related to Gond Tribes. It was decided by the Authority to write a letter to Collector Balaghat to apprise the SEIAA under which rules private land has been given for mining lease purpose. It was also decided by the Authority to write to the Collector whether permission under 165 of Land Revenue Code has been obtained for transferring the tribal land and furnish the information within 15 days from the receipt of the letter. "
 - ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C.


(Manohar Dubey)
Member Secretary



(M. Hashim)
Member

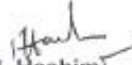

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1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.

- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. It was noted that the DFO, South Division Balaghat vide letter No. 1249/EPCO-SEIAA/ 2012 dated 06.03.2012 was asked to provide certified letter mentioning the distance of the project area from National Park, Sanctuary and Project Tiger. The same is still awaited. It was decided that a DO letter from MS, SEIAA to DFO, South Division Balaghat with endorsement to Chief Conservator Forest, Balaghat Circle should be written to provide the required information within one month.
 - v. The minutes of Public Hearing held on 28.10.2009 at proposed mining site (village Borikheda, Tehsil Katangi Dist. Balaghat) were examined and it was noted that the control blasting has been suggested by the public. It was decided that controlled blasting should be used to prevent damage to houses.
 - vi. Proposed plantation scheme mentioned in EIA and EMP was also examined and found to be satisfactory.
6. **Case No. 293/2009**, Prior Environmental Clearance for dolomite & lime stone in an area of 41.39 ha for production capacity 11,000 TPA at village Durghati-Pipariya, Tehsil Dhimerkheda, Distt. Katni, MP by Shri Kishor Kumar Bagadia, Shir Kamal Lime Industry Station Road Katni-M.P.
- i. The case was discussed in 89 SEIAA meeting dtd. 11.04.12 and it has been recorded that "The Authority examined the notarized copy of the Khasra Panchsala and mining lease documents submitted by the PP (vide their letter dtd 09.02.12) and found that a total of 39 Khasras are involved. Out of these 9 Khasra nos. belong to government land and 30 nos. belong to private land. The Authority found that it is not clear whether private land belong to general category or tribes. It was decided that a letter should be sent to Collector, Katni for verifying whether any of the Khasra no. of the private land belong to tribal person? If yes, then whether permission from the Collector, Katni has been given as per section, 165 of the Land Revenue Code? The PP should also be informed accordingly. The Collector should submit the information within one month."
 - ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
 - iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. The Authority accepted the recommendation of 77th & 84th SEAC meeting dated 25.08.2012 & 09.11.2011 respectively and decided to accord Prior


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Environmental Clearance for dolomite & lime stone in an area of 41.39 ha for production capacity 11,000 TPA for mining lease period i.e. up to 29.01.2029 only at village Durghati-Pipariya, Tehsil Dhimerkheda, Distt. Katni, MP by Shri Kishor Kumar Bagadia, Shri Kamal Lime Industry Station Road Katni-M.P.

7. **Case No. 483/2009**, Prior Environmental Clearance for Bauxite, Laterite & Fireclay mine in an area of 30.88 ha for production capacity 3,00,000 TPA at Village Padwar, Tehsil Bahoriband, District Katni, M. P. by M/s Awin Trading Pvt. Ltd., 241/1, Saket Nagar, Baldeobag, District Jabalpur, M. P.

- i. The representation given by PP on 29-6-12 was discussed in 102 SEIAA meeting dtd 08.08.2012 and "it was decided that the representation is to be examined in the main file of the case".

Before this the case was discussed in 91 SEIAA meeting dtd. 11.05.12 and it has been recorded that "The issue related to entry for the mining activity on the tribal land under Land Revenue Code 165 and Mining Concession Rule, 1960 written by Collector, Katni (vide letter no. 1472/ Mining/ 2012 Katni dtd 16.04.12) was discussed in depth by the Authority and it was decided that the concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP. Letter should be sent to the PP and copy should be endorsed to the Collector, Katni. "

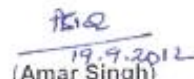
- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
- iv. The Authority accepted the recommendation of 87th SEAC meeting dated 07.01.2012 and decided to accord Prior Environmental Clearance for Bauxite, Laterite & Fireclay mine in an area of 30.88 ha for production capacity 3,00,000 TPA for mining lease period i.e. up to 30.11.2025 only at Village Padwar, Tehsil Bahoriband, District Katni, M. P. by M/s Awin Trading Pvt. Ltd., 241/1, Saket Nagar, Baldeobag, District Jabalpur, M. P.

8. **Case No 498/2010**, Prior Environmental Clearance for Deori lime stone, laterite, ochre & white clay mine in an area of 23.123 ha for production capacity 50,000 TPA at Village Deori, Tehsil Maihar, District Satna, MP by Shri Lalit Sehgal, Rewa Road, Maihar, P.O. Satna, M. P.

- i. The case was discussed in 89 SEIAA meeting dtd, 11.04.12 and it has been recorded that "The Authority examined the certified copy of lease deed and Khasra Panchsala submitted by PP vide letter dtd 11.05.2011, and it was noted that out of total 17 Khasras 03 Khasras (Nos. 57/4, 57/5, 57/6) belong to tribals, 08 Khasras (nos. 49P, 53/2, 55/2, 56, 57/2, 57/3, 57/7, 57/8) are private land while remaining 06 Khasras (nos. 53/1, 55/1,


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57/1, 56, 59 & 60) are government land. As per section, 165 of the MP Land Revenue Code, the tribal land cannot be given without the permission of the Collector.

The Authority examined the public hearing documents and observed that the public hearing has been conducted at the Govt. Primary School village Jirhat, Tehsil Maihar whereas the mining area is located in village Deori. As per the Para 7 (ii) stage (3) - Public consultation (iii) of the EIA notification 2006 the public hearing is to be conducted at/ or in closed proximally to the site. **The plantation plan was examined by the Authority and was found to be satisfactory.**

The Authority decided that Proponent should submit

- (a) Permission from the Collector, Satna under section, 165 of the MP Land Revenue Code for the land belonging to tribal within one month. Copy of this letter should be endorsed to the Collector, Satna for providing information to the PP.
- (b) A letter from Collector, Satna regarding the distance of village Jirhat from the mining Parisar.

The Collector, Satna should be informed for providing above-mentioned information to the PP*

- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
 - iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. It was noted that the PP (vide letter No. 106/EPCO-SEIAA/12 dated 23.04.2012) and the Collector Satna (vide letter No. 104/EPCO-SEIAA/12 dated 23.04.2012) were asked to provided the distance of Village Jirhat from the mining parisar in context of Public Hearing. The response from the PP and Collector Satna is still awaited. It was decided that a DO letter from MS, SEIAA to Collector, Satna with endorsement to PP should be written to provide the required information within one month.
9. **Case No. 555/2010** Prior Environmental Clearance of marble mine in an area of 5.10 ha. for production capacity 5000 TPA at village Chhapra, Tehsil Bahoriband, District Katni M.P. by M/s Vineet Marbles Pradeep Jain, Paras marble 810, Nepier town Dr. Barat Road, Jabalpur-M.P.
- i. The case was discussed in 76 SEIAA meeting dtd. 15.12.11 and it has been recorded that "The Khasra Nos. provided by the PP (vide letter no. nil dtd. 26.11.11) was examined by the Authority and it was found that Khasra No. 23 is in the name of tribal person. The Authority also examined the consent letter submitted by PP in this regard. As per section 165 of the revenue code the tribal land cannot be given without the permission of the Collector. The Authority decided that the proponent should submit permission from the Collector, Jabalpur in this regard within one month and copy of this letter should be endorsed to the Collector, Jabalpur."
 - ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for


(Manohar Dubey)
Member Secretary



(M. Hashim)
Member

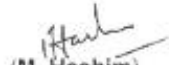

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taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.

- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. The minutes of Public Hearing held on 15.11.2010 at proposed mining site (village Chhapra Tehsil bahoriband Dist. Katni) were examined and nothing adverse was found.
 - v. Proposed plantation scheme mentioned in EIA and EMP was also examined and found satisfactory.
 - vi. The Authority accepted the recommendation of 76th SEAC meeting dated 07.01.2011 and decided to accord Prior Environmental Clearance for marble mine in an area of 5.10 ha. for production capacity 5000 TPA for mining lease period i.e. up to 19.06.2025 only at village Chhapra, Tehsil Bahoriband, District Katni M.P. by M/s Vineet Marbles Pradeep Jain, Paras marble 810, Nepier town Dr. Barat Road, Jabalpur-M.P.
10. **Case No. 609/2010**, Prior Environmental Clearance for modernisation of Limestone mine in an area of 8.01 ha for existing production capacity 40,000 MTPA at Village Jamuwanikala, Tehsil Vijayraghavgarh District Katni by M/s ACC Ltd., Kymore Cement Works, P.O. Kymore, Distt. Katni (M.P).
- i. The case was discussed in 93rd SEIAA meeting dtd. 24.05.12 and it has been recorded that *"The observations/clarification related to nearest human habitations and also ascertaining the impact of blasting/vibrations on the human habitations and groundwater, as per minutes of the 93rd SEAC meeting dtd 10-04-12, was discussed in depth and it was found satisfactory.*
Regarding tribal land, it was decided that PP and Collector, Katni may be informed for providing information as per decision taken in 91st SEIAA meeting dtd 11.05.12. The same is quoted as "The concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP".
 - ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
 - iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
 - iv. The Authority accepted the recommendation of 87th SEAC meeting dated 07.01.2012 and decided to accord Prior Environmental Clearance for


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Chairman

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modernisation of Limestone mine in an area of 8.01 ha for existing production capacity 40,000 MTPA for mining lease period i.e. up to 14.09.2018 only at Village Jamuwanikala, Tehsil Vijayraghvarh District Katni by M/s ACC Ltd., Kymore Cement Works, P.O. Kymore, Distt. Katni (M.P).

11. Case No. 610/2010, Prior Environmental Clearances for Lime stone mine in an area of 31.43 ha for production capacity Expansion from 40,000 TPA to 1,60,000 TPA at Village Jamuwanikala, Tehsil Vijayrahavgarh, District Katni, MP by M/S ACC Limited, Kymore Cement Works, P. O. Kymore, District Katni, M. P.

- i. The case was discussed in 93rd SEIAA meeting dtd. 24.05.12 and it has been recorded that "The observations/clarification related to nearest human habitation and also ascertaining the impact of blasting/vibrations on the human habitation and groundwater, as per minutes of the 93rd SEAC meeting dtd 10-04-12 was discussed in depth and it was found satisfactory.

Regarding tribal land, it was decided that PP and Collector, Katni may be informed for providing information as per decision taken in 91st SEIAA meeting dtd 11.05.12. The same is quoted as "the concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP".

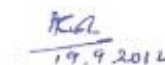
It was also decided that a registered letter should be sent to PP for submission of the information as per the 85th SEIAA meeting by 15.07.2012 after which the case will be summarily rejected."

- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
- iv. It was noted that the PP (vide letter No. 737/SEIAA/12 dated 04.08.2012) was asked to submit the notarized copy of latest Khasra Panchsala for Khasra No. 836/1, 836/2 & 836/3, which is still awaited. It was decided to ask the PP to submit the required information within a month.
- v. The case was examined and found that the PP (vide letter no 1316/EPCO-SEIAA/12 dated 16-03-2012) was asked to provide detail of application, if any for Environmental Clearance by them or their predecessor for the capacity 40,000 MTA as per direction of Hon'ble High Court, Jabalpur passed in public interest litigation in 2008.

It was also noted that in response to decision taken in 85th SEIAA meeting dated 29-02-2012 and SEIAA letter (vide no 1316/EPCO-SEIAA/12 dated 16-03-2012) the PP (vide letter No. nil dated 13.07.2012) has informed that his predecessor M/S Sial and Sons Pvt. Ltd has not applied for Environmental


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


19.9.2012
(Amar Singh)
Chairman

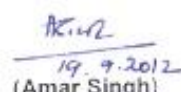
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clearance earlier for mining of 40000 MTPA capacity, as it was started well before the applicability of EIA notification 14.09.2006. Since PP has applied for Environmental clearance for the expansion of production capacity from 40000 MT/A to 1,60,000 MT/A after the EIA notification 2006 hence, the case has been considered as fresh application.

- vi. The Authority accepted the recommendation of 87th SEAC meeting dated 07.01.2012 and decided to accord Prior Environmental Clearance for Limestone mine in an area of 31.43 ha for production capacity expansion from 40,000 TPA to 1,60,000 TPA for mining lease period i.e. up to 01.09.2017 only at Village Jamuwanikala, Tehsil Vijayraghavgarh District Katni by M/s ACC Ltd., Kymore Cement Works, P.O. Kymore, Distt. Katni (M.P).
12. **Case No. 619/2010**, Prior Environmental Clearance for Limestone mine for production capacity 1.00 Lac TPA in an area of 10.431 ha at village - Bhatia, Tehsil - Maihar, District - Satna, MP by M/S KJS Cement, Village - Amiliya, Post & Tehsil - Maihar, District - Satna, MP-45771.
- i. The case was discussed in 94 SEIAA meeting dtd. 30.05.12 and it has been recorded that " (i) *The documents submitted by PP were examined and it was found that the Khasra Panchshala for 3 Khasras 911, 912 & 913 have not been submitted, hence PP should submit the notarized copy of latest Khasra Panchshala of these Khasras. Further it was noted that 7 Khasras 930, 931, 932, 933, 934, 936 & 971 belong to tribal (Kol). Regarding tribal land, it was decided that PP and Collector, Katni may be informed for providing information as per decision taken in 91st SEIAA meeting dated 11.05.12. The same is quoted as "the concerned tribal person should apply to Collector for permission under 165 of Land Revenue Code. 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 to the Authority for consideration by the PP". This information should be made available to SEIAA office within two months.*
- (ii) *The plantation plan submitted by PP is satisfactory. It was also found that during public hearing issues pertaining to blasting were raised hence if prior EC is granted condition of safe blasting should be imposed. "*
- ii. As per policy decision taken in 103rd SEIAA meeting dated 17.08.2012 the permission under section 165 of the MP Land Revenue Code 1959 is not required for the land belonging to tribal persons. Hence there is no need for taking permission from the Collector under section 165 of the M.P.L.R.C. 1959. However, it was also decided that the collector shall ensure that the tribal person gets compensation as per rule 72 of the Mineral Concession Rule, 1960.
- iii. In view of above it is decided that the Collector and PP should be informed with the policy decision taken in 103rd SEIAA Meeting dated 17.08.2012, regarding section 165 of MPLRC 1959.
- iv. It was noted that the PP (vide letter No. 302/SEIAA/12 dated 11-06.2012) was asked to submit the notarized copy of latest Khasra Panchsala for Khasra No.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


19. 9. 2012
(Amar Singh)
Chairman

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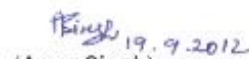
911,912 and 913, which is still awaited. It was decided to ask the PP to submit the required information within a month.

- v. The Authority accepted the recommendation of 93rd SEAC meeting dated 10.04.2012 and decided to accord Prior Environmental Clearance for production capacity 1.00 Lac TPA in an area of 10.431 ha for mining lease period i.e. up to 28.05.2022 only at village - Bhatia, Tehsil - Maihar, District - Satna, MP by M/S KJS Cement, Village - Amiliya, Post & Tehsil - Maihar, District - Satna, MP-45771.

Meeting ended with a vote of thanks to the Chair.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


(Amar Singh)
Chairman