

## Minutes of the 115<sup>th</sup> Meeting of SEIAA dated 17.12.2012

The 115<sup>th</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 17.12.2012 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 Sharad Kumar Jain 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.	508/2010	110th SEIAA meeting dtd 16.10.12	01.11.2012	05.12.2012
2.	569/2010	110th SEIAA meeting dtd 16.10.12	01.11.2012	05.12.2012
3.	611/2010	111 <sup>th</sup> SEIAA meeting 23.10.12	01.11.2012	30.11.2012
4.	637/2011	111 <sup>th</sup> SEIAA meeting 23.10.12	01.11.2012	PP-26.11.12 & 06.12.12 Collector, Gwalior 29.11.12

2. Following case received from SEAC have been considered and the details of the receipt of the recommendations & 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 minutes in SEIAA	Date of receipt of records in SEIAA office
5	444/2009	109 <sup>th</sup> SEAC meeting dtd 06.11.12	04.12.12	07.12.12

3. Mining cases less than 5 ha in which general condition is attracted.


S No	Case
6	Prior Environmental Clearance for stone / boulder quarry in an area of 4.008 ha for production capacity 35,000 cubic meter per year at Khasra No. 3/6, Village Barhakheda, Tehsil Goharganj, District Raisen, MP by Shri Sachin Malviya S/o Mr. Rakesh Malviya
7	Prior Environmental Clearance for stone / boulder quarry in an area of 2.024 ha for production capacity 5.000 cubic meter per year at Khasra No. 382/2, Village Kamton Kansiya, Tehsil Goharganj, District Raisen, MP by Shri Brajlal Uike, District Raisen, MP

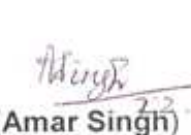
4. **Case No. 508/2010**, Prior Environmental Clearance for Shopping mall with multiplex at Bawadia Kalan, Tehsil Huzur, Bhopal. Total plot area 15637 sqmt built up area 52605 sqmt by M/s Shri Govind Reality, PB-5 Block-C, Mansarovar Complex, Bhopal

- i. The case was discussed in 110<sup>th</sup> SEIAA meeting dtd 16.10.12 and it has been recorded that
  - i. The case was discussed in 99<sup>th</sup> SEIAA meeting dtd. 11.07.12 and it has been recorded that " ... The Authority will take view on above mentioned facts when it will decide finally to grant prior environmental clearance.  
Further on the basis of documents and information submitted by PP the following issues were discussed :-

  
 (Sharad Kumar Jain)  
 Member Secretary

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 (M. Hashim)  
 Member

  
 (Amar Singh)  
 Chairman

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- The land ownership record submitted by the Proponent and report from the SEIAA's Revenue Consultant were examined and found satisfactory.
- 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.
- Regarding rain water harvesting it was suggested that PP should ensure the proper and scientific implementation of rain water harvesting measures.
- 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, GoI 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.
- 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, GoI 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?

It was decided that PP should be asked to submit the information by 15.09.12 positively in the office of the SEIAA."

- Though land ownership records were found satisfactory in 99<sup>th</sup> SEIAA meeting, however as per policy decision in 101<sup>st</sup> SEIAA meeting dtd 27.07.12 regarding land ownership, the notarized copy of Khasra Panchsala (2011-2012) submitted by the PP land is in the name of the Shri Govind Reality through partners and details of khasra nos. are as follows :

SNo	Khasra No.	Area in ha	Land possessors as per KP 2011-2012
1	397/2/3	0.146	M/s Govind Reality partner O. P. Kriplani- Land owner
2	397/2/3	0.150	M/s Govind Reality partner O. P. Kriplani- Land owner
3	397/2/4	0.150	M/s Govind Reality partner O. P. Kriplani- Land owner
4	397/1/1/1/4/2	0.049	Partnership firm Shri Govind Reality through partners Jairam Lalchandani, Mamta D/o T. C. Lalchandani, Jayant Bhandari, Bisan Asnanai, O. P. Kriplani, Manoj, Bulchandani- Land owner
5	397/1/1/2/2	0.069	Partnership firm Shri Govind Reality through partners Jairam Lalchandani S/o T. C. Lalchandani, Mamta D/o T. C. Lalchandani, Jayant Bhandari, & others- Land owner
6	397/2/5	0.359	Partnership firm Shri Govind Reality through partners Jairam Lalchandani S/o T. C. Lalchandani, Mamta D/o T. C. Lalchandani, Jayant Bhandari, & others- Land owner
7	397/2/11/1	0.336	Rajkumar Arora S/o Kishan Lal Billa- Land owner
8	398 / 1/1 क 398 / 1/2 400/1 402/1 402/2 404/2	Total 21600 sqft	Ajay Narang S/o Ashok Narang- land owner (Ganesh Nagar Plots)

PP is directed to submit notarized copy of registered agreement between PP and owners of remaining land included in the project mentioning the details of conditions for the execution of the project.

- In response to queries made in 99<sup>th</sup> SEIAA meeting dtd 11.07.2012 information submitted by PP (vide letters dtd.29.08.12) was examined and it is noted that:-
  - The rain water harvesting details submitted by PP are satisfactory. PP should implement the rainwater harvesting plan.

(Sharad Kumar Jain)  
Member Secretary

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- b. The maximum height of building is 30 m. The road width and open space details as per T & CP approval and as per rule 4 of Rule 95 of M P Bhumi Vikas Niyam 2012. Regarding multiplex cum shopping mall are as follows.

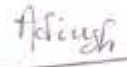
Width of approach road to site	Req. as per MPBV Rules 2012 for Rule 95 multi + shopping	Proposed by PP and T & CP map
Height of building	30 m	30 m
Road width (m)	30 m	9 m
Front MOS (m)	12 m	10.5 m
Side / Rear MOS (m)	7.5 m	6.0 m
Location of fire station (km)	-	-

- c. The road width and MOS provided by PP are less as per the norms. It was noted that in 99<sup>th</sup> SEIAA meeting dtd 11.07.12 point no. e PP was asked to submit the details of road width open spaces and fire fighting. PP has not addressed this issue in his reply to the above query. PP should clarify as to how he will comply with the norms prescribed in MPBV Rules 2012 and MoEF, Gol Office Memorandum (vide no. 21-270/2008-IA.III dtd 07.02.12) ?
- d. It was noted that as per the T & CP approval based on 1984 Rules PP has proposed parking for 400 ECS. However PP should provide parking space as per the norms prescribed in Rule 95 (4) of MP Bhumi Vikas Niyam, 2012 which is 1 ECS per 45 sqm of built up area i.e. 52605/45 – 1169 ECS. PP should clarify the whether space is available for the above parking or not ?
- e. The fire fighting NOC issued by UAD Deptt. vide letter dtd 03.03.12 is not notarized. PP should submit notarized copy of the same. It was decided that as mentioned in the letter GoMP UAD Deptt. should be asked to give certified copy of inspection report by 30.11.2012.
- iv. It was decided that PP should submit all above information by 30.11.12."
- ii. PP has submitted information in SEIAA office on 05.12.12. However, the date in PP letter (29.12.12) is wrongly mentioned and perhaps should be 29.11.12. The query reply submitted by PP was discussed in depth and it is noted that as per Khasra Panchsala 2011-2012 regarding owner of the remaining land (Khasra no. 397/2/11/1 area 0.336 ha) Shri Raj Kumar Arora S/o Kishan Lal Billa, PP has submitted notarized copy of registered agreement (registration no. 5550 (१), Vol. No. A-1/25941 dtd 22.03.07) between PP - M/s Govind Realty (first party) and Shri Rajkumar Arora (second party.)
- iii. It is noted that the layout plan was approved by T & CP (vide letter no. 1452/LP-170/29/Na.Gra.Ni./2009 dtd 08.07.2009) and as per 1984 MPBV Rules the PP has submitted that MOS Front – 10.50 m, side /rear 6.0 m, car parking @1 ECS per 50 sqmt. built up area and all other construction are in accordance with approved layout and have completely complied with conditions. The Authority decided that since the building is already constructed and is in operation, MOS and parking as per T & CP approval dtd 08.07.2009 based on 1984 rules should be acceptable.
- iv. PP has submitted notarized copy of fire fighting NOC issued by commissioner Urban Administration Development Deptt. , GoMP (vide letter no. या.प्र./2012/924 dtd 03.03.12). The certified copy of the inspection report (mentioned in UADD letter) has not been submitted. It was noted that the fire fighting report is

  
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Member Secretary

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(M. Hashim)  
Member

  
22.12.12  
(Amar Singh)  
Chairman

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necessary so that the condition in fire fighting NOC can be examined and if necessary further condition may be added.

- v. It is noted that as already discussed earlier in 83<sup>rd</sup> SEIAA meeting dtd 08.02.12 (point ii of the minutes) 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 the multiplex mall before taking prior Environmental Clearance, hence it is a case of violation of provisions of GoI, MoEF EIA Notification, 2006. PP is directed to submit explanation so as to why the construction was done without obtaining prior EC under EIA Notification 2006 of MoEF, GoI ?
- vi. After receiving the above mentioned both the documents post facto approval for prior EC may be considered.
- vii. PP is directed to submit the information pertaining to point no. iv & v above by 28.02.2013 else the application to grant EC shall be rejected.
5. **Case No. 569/2010**, Prior Environmental Clearance for High rise residential complex at Khasra No. 56/1, 61/1 & 61/2 village-Pipalya Kumar, Teh. & Distt - Indore-M.P total area 4.61 ha by M/s Ashoka Hi-Tech Builders Pvt Ltd 501, corporate house, 6<sup>th</sup> Floor 169, RNT, Marg - Indore-MP
- i. The case was discussed in 110<sup>th</sup> SEIAA meeting dtd 16.10.2012 and it was recorded that "
- i. The case was discussed in 81<sup>st</sup> SEIAA meeting dtd. 27.01.12 " ..... The Authority decided that PP should be asked to provide the following information within two months: -
- i. The breakup of the total water requirement of 1398 KLD into ground water and Narmada water supply should be provided. Whether this is adequate with reference to proposed project?
- ii. Permission from CGWA with reference to ground water should be given.
- iii. Commitment letter from Nagar Nigam, Indore for supply of Narmada water and SWM plan linkage should be obtained.
- iv. Whether the capacity of proposed STP is adequate according to the population residing in the building?
- v. Proposal and provision related to safety and disaster management with reference to high-rise building norms."
- ii. In response to queries made in 81<sup>st</sup> SEIAA meeting dtd 27.01.2012 information submitted by PP (vide letter no. nil dtd nil received in SEIAA office on 03.05.12 and letter dtd 30.07.12 received in SEIAA office on 04.08.12) was examined and it is noted that:-
- a. The total water requirement is 1398 KLD and fresh water requirement is 1002 KLD while 745 KLD of treated waste water shall be recycled through dual plumbing. PP has submitted application to Commissioner Nagar Nigam, Indore (vide letter dtd 08.11.11) for 1200 no. of connection meters. It was decided that PP should submit clear NOC from Nagar Nigam, Indore for supply of water required in total bulk quantity. The NOC should specify the quantity of water that will be made available to PP by Nagar Nigam, Indore. There should be no extraction of ground water.
- b. The STP details and water balance chart was examined and found satisfactory.
- c. The land ownership documents submitted by PP were examined and it is noted that as per the Khasra Panchsala 2011-12 noted that the land is in the name of Ashoka High Tech Builders Pvt. Ltd. Director Nitesh Ashok Vadhvani –and includes Khasra Nos. 56/1, 61/1 & 61/2 total area 4.160 ha.

(Sharad Kumar Jain)  
Member Secretary

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- d. The maximum height of building is 51 m. PP has proposed side & rear MOS as 6 m while road width and front MOS is not clear. It is noted that MOS is not in conformity with the MP Bhumi Vikas Niyam 2012 rule 2 of rule 42 for building up to 60 m height. PP should submit details of the road width, MOS etc. as per MP Bhumi Vikas Niyam 2012.
  - e. PP has submitted fire fighting NOC (Provisional) issued from Police Agnishaman Sewa, Indore (letter no. iqefu@v-'k-l-@NOC/135-B/10 dtd 09.07.2010). PP is directed to submit fire fighting NOC from the nearest local fire station as per the Gol Office Memorandum No. 21-270/2008-IA III dtd 07.02.2012.
  - f. PP should also submit certificate from the nearest local fire station regarding the distance between fire station & project.
  - g. The PP has provided parking of 1444 ECS as against the Town & Country Planning approval map (vide letter no. 2390 dtd 16.04.10) which specify parking of total 1111 ECS (1 ECS per 100 sqm built up area for residential area, 1 ECS per 75 sqm of built up for community hall). This is in conformity to the norms prescribed in rule 84 – appendix I 1 (I-3) of the MP Bhumi Vikas Niyam, 2012.
- iii. It was decided that PP should submit all the above information by 31.12.2012.
- ii. In response to queries made in 110<sup>th</sup> SEIAA meeting dtd 16.10.12 information submitted by PP (vide letter dtd 01.12.12 received in SEIAA office on 05.12.12) was examined and it is noted that :-
- a. PP has not submitted NOC for water supply from Nagar Nigam, Indore. It is noted that PP has submitted application to Commissioner Nagar Nigam, Indore vide letter dtd 08.11.11 for 1200 no. of connection meter (refer point no. ii (a) of the minutes of 110<sup>th</sup> SEIAA meeting dtd 16.10.12). PP is directed that the entire fresh water requirement of 1002 KLD should be met from water supply by Nagar Nigam, Indore and there should be no extraction of ground water.
  - b. As per the Town and Country Planning approval (vide letter no. 2390/न.ग्रा. नि./Indore dated 16.04.10), the total land area is 4.610 ha and total built up area is 110764.70 sqmt. and is between 20,000 sqmt. and 1,50,000 sqmt. hence the project comes under 8 (a) category of schedule of EIA Notification 2006. It is noted that due to typographical mistake the total area has been mentioned as 4.160 ha instead of 4.610 ha in 110<sup>th</sup> SEIAA meeting minutes point no. ii (c) hence it should be corrected as 4.610 ha.
  - c. As per the notarized copy of Khasra Panchsala 2011-2012 submitted by PP (vide nil dtd 03.08.12) the land owners of Khasra No. 56/1, 61/1 & 61/2 is Ashoka Hi-Tech Builders Pvt. Ltd. through Shri Nitesh S/o Ashok Wadhwani.
  - d. The proposed height of the building is 51 m and the norms for MOS and Road width are as follows :-

	T & CP approval dtd 16.04.12	MPBV Rules 2012 (rule 42)	MoEF, Gol Off. Memo dtd 07.02.12
Building height	51 m	Up to 60 m	45-60 m
Road width	30 m	36 m & above	24-30 m
MOS Front	27.50 m & 9.0 m	18-0 m	-
MOS side / rear	12.75 m & 9.0 m	9.0 m	-
Distance of nearest fire station			5 km min 2 km desirable

(Sharad Kumar Jain)  
Member Secretary

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(M. Hashim)  
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PP is directed to strictly follow the norms as per rule 42 (2) of MP Bhumi Vikas Rules 2012 for all features except internal main road width. The width of internal main road inside the premises approaching the building should not be less than 24 m (Gol norms).

- e. PP has submitted letter no. 25-A dtd 08.11.12 issued by office of police Deptt. Fire Fighting Services, Indore according to which the nearest fire station is 10 km from the proposed site.
- f. PP has submitted provisional NOC for firefighting (issued vide 135-B of 09.07.10) from fire fighting Services Police Deptt. Indore. It is noted that the NOC has been issued for only 30 m height though the proposed height of building is 51 m. PP is directed to obtain fire fighting NOC from Nagar Nigam, Indore and provide provisions in accordance to fire fighting NOC issued by Nagar Nigam, Indore.
- g. Regarding the distance (10 km) of nearest fire station and water supply, Authority strongly feels that in view of fast development in the out skirts of Indore town the number of fire station should be increased with the location in the near vicinity of developing areas and Nagar Nigam should also make necessary arrangements for Municipal water supply (bulk connection) so as to discourage extraction of ground water. It was decided that a letter be written to Commissioner Nagar Nigam, Indore to open more fire station in the vicinity of developing areas and to make necessary arrangement for water supply. A copy of this letter should be endorsed to PS, Deppt. Of Urban Administration & Development

- iii. The Authority accepted the recommendation of the 76<sup>th</sup> SEAC meeting dtd 07.01.11 with 06 (six) special conditions and decided to accord Prior Environmental Clearance subject to the conditions mentioned in sub Para iv (a), (d) & (f) above to high rise High rise residential complex at Khasra No. 56/1, 61/1 & 61/2 village-Pipalya Kumar, Teh. & Distt - Indore-M.P total area 4.61 ha by M/s Ashoka Hi-Tech Builders Pvt Ltd 501, corporate house, 6<sup>th</sup> Floor 169, RNT, Marg - Indore-MP

**6. Case No. 611/2010, Prior Environmental Clearance for Area Development cum construction Mantri City- Integrated Township at village Sujana & Kulaish, Tehsil & District Gwalior, MP total area 71.77 acres (29.04 ha) by M/s Sunil Mantri Reality Limited, Gwalior.**

- i. The case was discussed in 110<sup>th</sup> SEIAA meeting dtd 16.10.2012 and it was recorded that "

*i. It was noted that in the 110<sup>th</sup> SEIAA meeting dtd 16.10.2012 (case no. 9) it was decided that " In response to queries made in 100<sup>th</sup> SEIAA meeting dtd 18.07.2012 information submitted by PP (vide letter no. nil dtd 30.08.2012) was examined and it is noted that:-*

- a. *The NOC for water supply for total water requirement of 1500 KLD from SADA, Gwalior (vide letter no. विक्षेप/तक /2012/ 3426 dtd 25.08.2012 is satisfactory.*
- b. *The layout and development permission issued (vide letter no. 6601 dtd 29.12.2010) by SADA, Gwalior was examined and found satisfactory.*
- c. *Regarding building permission PP has submitted (point no. 2 vide letter dtd 30.08.2012) that SADA has refused to give building permission (vide letter no. 4146 dtd 01.11.11) and has stated*

(Sharad Kumar Jain)  
Member Secretary

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in the letter that the building permission shall be considered after submission of prior environmental clearance. The matter was discussed in detail and it is noted that as per point no. 3 of appendix -V of EIA Notification, 2006 it is clearly mentioned that ".....in the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraised all category B projects or activities on the basis of Form-1, Form-1A and the conceptual plan and stipulate the conditions for environmental clearance. As and when the applicant submits the approved scheme / building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC / SEAC shall recommend the grant of environmental clearance to the competent authority." It was decided that a letter should be sent to SADA informing that it is mandatory to follow the guidelines of GoI EIA Notifications and issue building permission to PP and also inform SEIAA by 30.11.12.

- d. The maximum height of building is still + 30 m. The front road width is 30 m, front MOS is 24 m and side & rear MOS is 9 m as proposed by PP and are as per the norms prescribed in sub rule 2 of Rule 42 of M P Bhumi Vikas Niyam 2012 for building up to 30 m height. PP should ensure to implement these rules.

A. Regarding fire fighting NOC it was noted that PP should submit :Distance of nearest fire station in Gwalior Nagar Nigam area certified by Gwalior Nagar Nigam and b

B. NOC for firefighting from the local fire station (nearest fire station in Gwalior Nagar Nigam, area ) as per the GoI Office Memorandum No. 21-270/2008-IA III dtd 07.02.2012

- ii. It was decided that PP should submit all the above information by 31.12.12."

- ii. In response to queries made in 110<sup>th</sup> & 111<sup>th</sup> SEIAA meeting dtd 16.10.12 and 23.10.2012 respectively information submitted by PP (vide letter dtd 27.11.12 received in SEIAA office on 30.11.12) was examined in depth and it is noted that :

- a. PP has submitted notarized copy of map submitted to SADA, Gwalior for building permission for high rise group housing.
- b. The height of building with respect to proposed (30 m) were examined and found to be satisfactory. A comparative chart of prescribed norms and proposed by PP as follow :

Details	As per SADA dev. Plan 2011	MPBVR 2012 rule 42 table 4	Prop. by PP
Height of building	30 m	30 m	30 m
Front road width	30 m	24 m	24 m
Front MOS	15 m (1/2 hgt.)	12m	15 m
Side / Rear MOS	6 m	7.5 m	7.5 m

PP is directed that main internal road inside the premises approaching the building should not be less than 18 m as per Ministry of Environment & Forest letter dated 07.02.12 regarding high rise buildings.

- c. Fire fighting NOC issued by Nagar Palika Nigam, Gwalior (letter no. 355 dtd 06.11.12) submitted by PP is satisfactory. As per the letter the distance of nearest fire station is proposed at transport Nagar, Gwalior which is 8 km from the PP site. PP has also submitted copy of maps approved by fire officer Nagar Nigam, Gwalior. PP has also submitted letter no. 4370 dtd 26.11.12 from SADA, Gwalior regarding fire fighting provision in SADA area, Gwalior.

- iii. It is noted that as per the additional information submitted by PP vide letter dtd 27.11.12 (SADA Map) PP has proposed parking for 256 cars. However as per the

(Sharad Kumar Jain)  
Member Secretary

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MP Bhumi Vikas Niyam, 2012 rule 84 Appendix-I-I the requirement of ECS for residential, commercial public / semi public use area as follows :

Req. as per MPBV Rules 2012 for	As per approval of T & CP	Proposed by PP
Res. 1 ECS / 100 sqmt. Built up = 73057.46/100 = 730 ECS Comm 1 ECS / 50 sqmt. = 41009.26/50 = 820 ECS Public / semi public- 1 ECS / 75 sqmt. built up = 6932/75 = 93 <b>1643 ECS total</b>	@ 240 sqmt. built up as per SADA development plan 129 cars (SADA map)	@ 30 sqmt. built up area  <b>256 cars</b>
	32156.42/240 = 129 cars	7707.54 / 30 = 256 cars

It was decided that PP should strictly adhere to the parking norms as per MPBVR 2012 and accordingly provide parking space.

- iv. The NOC for water supply (1500 KLD) from SADA, Gwalior (vide letter dtd 25.08.12), layout and development permission (vide letter no. 6601 dtd 29.12.2010) by SADA were examined earlier in 110<sup>th</sup> SEIAA meeting and found satisfactory.
  - v. As discussed in 94<sup>th</sup> & 100<sup>th</sup> SEIAA meeting dtd 30.05.12 & 18.07.12 respectively only 71.77 acres of land is under the possession of PP and the case comes under category 8 (a) of the schedule of EIA Notification 2006.
  - vi. Authority accepted the recommendation of the 93<sup>rd</sup> SEAC meeting dtd 10.04.12 with 43 special conditions and decided to accord Prior Environmental Clearance subject to the conditions mentioned in sub Para ii (b) & iii above to Area Development cum construction Mantri City- Integrated Township at village Sujana & Kulaish, Tehsil & District Gwalior, MP total area 71.77 acres (29.04 ha) by M/s Sunil Mantri Reality Limited, Gwalior.
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 111<sup>th</sup> SEIAA meeting dtd 23.10.12 and it has been recorded that "


- i. *The case was discussed in 105<sup>th</sup> SEIAA meeting dtd 12.09.12 and it has been recorded that " The case was discussed in 103<sup>rd</sup> SEIAA meeting dtd. 17.08.12 and it has been recorded that " .....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."*

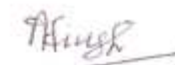
*It was brought to the notice by the office of SEIAA attending the meeting the PP has submitted Khasra Panchsala for only 18 Khasras out of 50 and the building permission submitted vide letter 22.04.10 does not include the maps approved by Nagar Palika Gwalior. It was decided that PP should submit by 15.11.2012 the building permission maps approved by Nagar Palika, Gwalior and the latest notarized copy of Khasra Panchsala for all the Khasras included in the project area."*

- ii. *The Khasra Panchsala for 50 Khasras submitted by PP vide letter dtd 21.09.2012, received in SEIAA office on 21.09.2012 was examined and it was noted that Khasra no. 612, 706, 708 are mentioned in Form-1 and T & CP approval issued vide letter no. 1565/case no. 03687/Na.Gra.Ni./2009 dtd 08.09.2009. However, in Khasra Panchsala the Khasra no. 612, 706/1, 708/1 area 2.195 ha are in the name of Bhura Singh, Raghuveer Singh, Betal Singh all S/o Ram Singh Mu. Vidhya Bai Bewa Late Shri Ram Singh area 0.130 part land owner, Bhaskar Housing and Development Company Pvt. Ltd. through Director Mayank Garg area 0.967 ha part land owner.*

  
(Sharad Kumar Jain)  
Member Secretary

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(M. Hashim)  
Member

  
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The joint project agreement submitted by PP vide letter dtd 23.02.12 is between Alok Griha Nirman Sahakari Samiti Maryadit, Gwalior and Bhaskar Housing Development Company Pvt. Ltd. through Shri Vishnu Prasad Garg. It was decided that PP should submit joint legal entity document for the Khasra No. 612, 706 & 708 in the name of Bhura Singh, Raghuveer Singh, Betal Singh all S/o Ram Singh Mu. Vidhya Bai W/o Late Shri Ram Singh area 0.130 part land owner, Bhaskar Housing And Development Company Pvt. Ltd. through Director Mayank Garg as above.


- iii. It was noted that in the Form-II Khasra submitted by PP vide letter dtd 21.09.2012 in column 12 (dSfQ;r) it is mentioned that "fllyax izdj.k esa yafcr" in Khasras 573, 574/1, 575/1, 642, 579/3 & 579 mi area 0.421 ha, 584, 585, 586, 587, 593, 595 to 611, 613 to 619, 621, 622/1, 622/2, 623 to 627, 581, 582. It was decided that letter be sent to Collector, Gwalior to provide the latest present status of the above Khasras with clear Kaifiyat in column 12. Copy of letter be endorsed to PP.
- iv. The fire fighting NOC, distance of fire station from the project site, water requirement and NOC from Gwalior Municipal Corporation and Road Width with respect to the height of the building have already been discussed in 103<sup>rd</sup> SEIAA meeting dtd 17.08.2012.
- v. It was noted that as per T & CP approval based on 1984 rules PP has proposed parking for 810 ECS. However, PP should provide parking space for 1265 ECS (1 ECS /100 Sq. m. of built up area) as per norms prescribed in Rule 84 (1) appendix I-1 of MP Bhumi Vikas Niyam, 2012.
- vi. It was brought to the notice of authority by SEIAA office that vide letter no. F-No.-19-90/2012 -IA-III Gol MoEF dtd 24.09.2012, a complaint has been forwarded regarding violation of EIA Notification 2006 by M/s Bhaskar Housing and Development Company Pvt. Ltd., Gwalior.
- vii. The Authority was of the view that as per decision in the 94<sup>th</sup> SEIAA meeting dtd 30.05.2012 (point no. iii), it was decided that if any construction is going on then it should be stop with immediate effect and no construction should take place till formal EC is issued to them. It was decided that PP should submit status of construction activities giving details of construction work that has already been done and the date from which construction has been stopped totally. Copy of the letter should be sent to Collector, Gwalior to submit detail report in the matter giving the status of construction work and whether it is still going on or stopped.

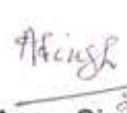
It was decided that PP should submit information regarding point nos. ii, iii, vii and letter be sent to Collector regarding point nos. iii, vi & vii above by 31.12.2012.

- ii. In response to queries made in 110<sup>th</sup> & 111<sup>th</sup> SEIAA meeting dtd 16.10.12 and 23.10.12, the information submitted by PP vide letter dtd 20.11.12 and 05.12.12 and letter dtd 24.11.12 from Collector Gwalior received in SEIAA office on 26.11.12, 06.12.12 and 29.11.12 respectively were examined and it is noted that :-
  - a. Regarding joint legal entity for Khasra No. 612, 706 & 708 PP vide letter dtd 20.11.12 has clarified that "the total land of said Khasra is 2.195 ha out of which 0.967 ha belongs to Bhaskar Housing Development Co. Pvt. Ltd. it. As we have planned only for land (0.967 ha) from Khasra in our project from Khasra no. 612, 706 & 708 and balance land in the name of Bhura Singh, Raghuveer Singh, Betal Singh all S/o Ram Singh, Mu. Vidhya Bai W/o Late Shri Ram Singh area is not related with our project."
  - b. PP has submitted that "Khasra no. 642 mentioned in the minutes of meeting is not related with the project. " It was decided that correction may be done accordingly.
  - c. Regarding mention of "सीलिंग प्रकरण में लंबित" in column 12 (कैफियत) of Khasra Panchsala submitted earlier by PP vide letter dtd 21.09.12, PP has submitted notarized copy of Collector office letter no. 102/reader/न.भू.सा/2012 dtd 22.11.12 and letter no. 100/reader/ न.भू.सा /2012 dtd 22.11.12 in which it is mentioned that "आवेदक के आवेदक का परीक्षण किया गया। यह सही है कि विषयांकित सर्वे क्रमांकों की भूमि अतिशेष घोषित नहीं हुई है, तथा नगर भूमि सीमा निरसन अधिनियम के प्रभावी होने से अब

  
(Sharad Kumar Jain)  
Member Secretary

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सीलिंग प्रकरण नहीं चलाया जा सकता। तदनुसार विषयांकित प्रविष्टि को विलोपित किया जाना उचित है, जिसकी नियमानुसार कार्यवाही करें

- d. Further vide letter dtd 05.12.12 has submitted notarized copy of Khasra Panchsala 2012-2013 mentioning "सीलिंग प्रकरण विलोपित किया गया" in column 12 of Khasra Panchsala. It is noted that this clarified the situation.
- e. Regarding parking space the submission of PP (vide letter dtd 20.11.12 point no. 3) that Bhumi Vikas Adhiniyam 2012 does not apply as permission was taken in 2008, 2009 & 2010 is not acceptable to Authority and PP is directed to strictly adhere to the norms as per the Rule 84 (1) appendix 1-1 of MP Bhumi Vikas Niyam 2012 i.e. 1 ECS per 100 sqmt. of built up area (refer point no. v) of 111<sup>th</sup> SEIAA meeting dtd 23.10.12 and provide parking space accordingly for 1265 ECS.
- f. Regarding complaint pertaining to violation of EIA Notification PP has informed that construction activity has already been stopped as per instruction of SEIAA. Collector, Gwalior vide letter no.Q/Nazul/ Misc./2012 dtd 24.11.12 received in SEIAA office dtd 29.11.12 it has been informed that "Halka Patwari has reported on 24.11.12 that the construction work has been stopped long time before. No construction is going on presently on the said land."
- g. It was decided that in principle Authority agrees to issue prior EC. PP should submit a resolution passed by Board of Directors within 60 days i.e. by 28.02.2013 as per requirement of office memo J-11013/41/2006-1A dtd 12.12.2012 clearly mentioning that it shall not repeat further any violation of EIA Notification, 2006 of the Ministry of Environment & Forest, Govt.
8. **Case No. 444/09**, Prior Environmental Clearances for Township Project Modern city Indore Proposed Township project at vill-Sonwaya, Teh-Mhow by Amrapali Homes Project Pvt. Ltd. C-56/40, Sector-62, Noida-U.P.
- i. The case was discussed in 74<sup>th</sup> SEIAA meeting dtd 01.12.11 it was decided that  
..... The Authority decided to issue a show cause notice to the Project Proponent mentioning that - why not the prior EC issued earlier vide this office EC letter no. 344/EPCO-SEIAA/10 dtd. 30.08.2010 be cancelled as the information supplied by him (Project Proponent) is prima facie found fictitious which was received through his letter (dtd. 19.12.2009 - Annex-I regarding availability of water from Indore, Municipal Corporation letter dtd. 11.12.09) submitted to Secretary, SEAC. The PP has to reply this notice within one month from the date of issue of the notice."
- ii. As per decision in 74<sup>th</sup> SEIAA meeting a show cause notice was served to PP vide letter no. 997/EPCO-SEIAA/12 dtd 13.02.12 stating the following facts :-
- a. It is observed that you have submitted letter issued to EE, Maintenance Division no. 2 Indore Municipal Corporation, Musakhedi, Indore dtd 11.12.09 ; which was enclosed as annexure of your covering letter dtd 19.12.09 addressed to Secretary, SEAC.
- b. Executive Engineer, Municipal Corporation, Indore vide letter no. 8054 dtd 02.09.11 informed that M/s Amarpali Modern City at village Sonwaya, Tehsil Mahw, District Indore, MP has submitted letter dtd 11.12.09 which has not been issued by Indore Municipal Corporation hence the said letter is fictitious.

(Sharad Kumar Jain)  
Member Secretary

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Following this a letter was sent to EE Municipal Corporation, Indore (vide letter no. 542 dtd 04.10.11) to verify the facts again. EE, MC, Indore (vide letter no. 8869 dtd 20.10.11) confirmed that the office of Indore Municipal Corporation has not issued any water supply related letter dtd 11.12.09. The letter is fictitious.

- c. Thus .... through your letter dtd 19.12.09 addressed to Secretary, SEAC is prima facie found fictitious. Hence, a show cause notice is hereby served to you that why not prior EC (vide this office letter no. 344 dtd 30.08.10) issued to you be cancelled.
- iii. In response to show cause notice PP has submitted reply (vide letter dtd 03.03.12) stating that .... *We have submitted only one letter address to Executive Engineer, Municipal Corporation, Indore vide letter no. 7709/ITS/EE/Div.02 /2008 and we deeply regret that such fictitious letter as mentioned above has been received by you and it is in your file in the above case and at the same time we are not aware such fictitious letter .....*
- iv. The letter was sent to SEAC (vide letter no. 1343 dtd 26.03.12) for comments on Proponent reply dtd 03.03.12 submitted against the show cause notice. SEAC in its 93<sup>rd</sup> meeting dtd 10.04.12 considered the case and it is recorded that .... *"vide their reply the Proponent have revealed their innocence in the matter. However, it is also a fact the said papers has been received in SEAC."* It was further decided by SEAC that PP be asked to submit status of the project with respect to stage of construction, status of registration / transfer of houses / plot to various purchasers and how water supply being maintained in the project for various dwellers if any.
- v. Further in SEAC 109<sup>th</sup> meeting dtd 06.11.12 it is recorded that *"... the project has already been completed and 25 families are residing in the said township .... Permission from CGWA has been obtained (letter dtd 03.12.11) for abstraction 240 cum / day of ground water. "*
- vi. It was decided that in view of para 8 (vi) of EIA Notification dtd 14.09.2006 *"Deliberate .....cancellation of prior Environmental Clearance already granted in such ground shall be decided by the regulatory Authority after giving a personal hearing to the applicant, and following the principle of natural justice. A registered letter be sent to PP for personal hearing on 22.01.2013 at 11.00 AM before the Authority at SEIAA office, Research and Development Wing Madhya Pradesh Pollution Control Board Paryavaran Parisar, E-5. Arera Colony Bhopal-4620 16.*
- vii. According to Para 8 (vi) of EIA Notification dated 14.09.2006 the cases relating to cancellation of EC are to be decided by SEIAA on principle of natural justice and a personal hearing is to be given to the PP in whose favour EC has been issued. There is no provision to obtain recommendation / views of SEAC in deciding cancellation of EC. In future no such case should be sent to SEAC. It is to be noted that the Member Secretary (in-charge) has disagreed to include this para in the minutes because the reply submitted by PP against show cause notice was sent to MS, SEAC to give comments on PP's reply as the above said letter (EE,

  
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Municipal Corporation, Indore dtd 11.12.09) was received in SEAC office. Hence, dissent of Member Secretary (in-charge) is hereby recorded.

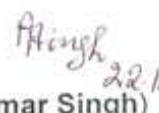
- viii. The office will ensure that SEIAA meeting is held on 22.01.13 and in that this case shall be considered along with other cases if any.
9. **Prior Environmental Clearance for stone / boulder quarry in an area of 4.008 ha for production capacity 35,000 cubic meter per year at Khasra No. 3/6, Village Barhakheda, Tehsil Goharganj, District Raisen, MP by Shri Sachin Malviya S/o Mr. Rakesh Malviya**
- i. PP has submitted application in Form-1 for prior EC for stone / boulder quarry at Khasra No. 3/6, Village Barhakheda, Tehsil Goharganj, District Raisen, MP by Shri Sachin Malviya S/o Mr. Rakesh Malviya
- ii. As information given in Form-1 point no. 7 PP has mentioned that there is no national park or sanctuary within 10 km radius. However as per the letter from office of Superintendent, Ratapani Sanctuary endt. letter no. 1121 dtd 29.05.12 submitted by PP along with DFO, Raisen letter dtd 30.05.12 the proposed site is at a distance of 1365 m from the compartment no. RF 845 Ratapani wild life sanctuary, MP.
- iii. Authority noted that since the distance of Ratapani Sanctuary is within 10 km hence the general conditions is attracted and case does not come under the Jurisdiction of SEIAA, MP. It was noted that case need not to be registered and the application with all documents in original should be returned to PP along with a letter to PP stating reason. Copy of letter should be endorsed to all concerned.
10. **Prior Environmental Clearance for stone / boulder quarry in an area of 2.024 ha for production capacity 5,000 cubic meter per year at Khasra No. 382/2, Village Kamton Kansiya, Tehsil Goharganj, District Raisen, MP by Shri Brajlal Uike, District Raisen, MP.**
- i. PP has submitted application in Form-1 for prior EC for stone / boulder quarry in an area of 2.024 ha for production capacity 5,000 cubic meter per year at Khasra No. 382/2, Village Kamton Kansiya, Tehsil Goharganj, District Raisen, MP by Shri Brajlal Uike, District Raisen, MP
- ii. As information given in Form-1 point no. 7 PP has mentioned that there is no national park or sanctuary within 10 km radius. However as per the letter from office of Superintendent, Ratapani Sanctuary endt. letter no. 2346 dtd 26.11.11 submitted by PP along with DFO, Raisen letter no. 3405 dtd 28.12.2011 the proposed site is at a distance of 3500 m from the compartment no. RF 438 Ratapani wild life sanctuary, MP.
- iii. Authority noted that since the distance of Ratapani Sanctuary is within 10 km hence the general conditions is attracted and case does not come under the Jurisdiction of SEIAA, MP It was noted that case need not to be registered and the application with all documents in original should be returned to PP along with a letter to PP stating reason. Copy of letter should be endorsed to all concerned.

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

  
(Sharad Kumar Jain)  
Member Secretary

115<sup>th</sup> SEIAA Meeting dtd. 17.12.2012

  
(M. Hashim)  
Member

  
(Amar Singh)  
Chairman

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