

Minutes of the 150th Meeting of SEIAA dated 05.10.2013

The 150th meeting of the State Level Environment Impact Assessment Authority was convened on 05.10.2013 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 | Manohar Dubey | Member Secretary |

Following cases 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
1.	664/2012	137 th SEAC meeting dtd 24.07.2013	31.08.2013	07.09.2013
2.	715/2012	137 th SEAC meeting dtd 24.07.2013	31.08.2013	07.09.2013
3.	879/2012	138 th SEAC meeting dtd 25.07.2013	31.08.2013	07.09.2013
4.	98/2008	139 th SEAC meeting dtd 29.08.2013	12.09.2013	12.09.2013
5.	695/2012	139 th SEAC meeting dtd 29.08.2013	12.09.2013	12.09.2013
6.	1131/2013	140 th SEAC meeting dtd 30.08.2013	12.09.2013	12.09.2013
7.	200/2008	136 th SEAC meeting dtd 23.07.2013	31.08.2013	07.09.2013

1. **Case no. 664/2012** : Prior Environmental Clearance for Tamoria Lime Stone, Dolomite & Reject Stone Mine in an area of 42.567 ha. for enhancement of production capacity from 55,000 TPA to 5,00,000 TPA at Village-Tamoria, Teh-Maihar, Distt-Satna by Shri Himanshu Kothari, Executive Director, M/s S.N.S (Minerals) Ltd., P.O. Maihar, District-Satna (M.P.)-485771.

- (1) It was noted that the case was discussed in 89th SEAC meeting dtd. 14.02.2012, and **recommended in 137th SEAC meeting dtd. 24.07.2013** based on the submission of documents and presentation made by the PP the committee has **recommended for grant of prior EC to the project subject to the 4 Conditions.**
- (2) The case was discussed in depth and it was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of Tamoria Lime Stone, Dolomite & Reject Stone Mine (Opencast fully mechanized mining method) in an area of 42.567 ha. for enhancement of production capacity from 55,000 TPA to 5,00,000 TPA at Village-Tamoria, Teh-Maihar, Distt-Satna - M.P.

In this regard it was found that the Prior EC was issued by MP-SEIAA, vide letter No. 254/EPCO-SEIAA/10 dated 26.07.2010 for production capacity of 55000 TPA.


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- (3) It was noted that the Public Hearing was held on 16.11.2012 at Mining Site Village Tamoria, under the Chairmanship of Additional Collector, Satna. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.
- (4) It was found that there is a substantial enhancement in production capacity of the proposed project. The anticipated environmental impact and mitigation measures are mentioned in EIA report but SEAC has not specifically mentioned its evaluation in the minutes.

In context of above it was decided to write to the SEAC to evaluate impact due to increase of mining on environment and make recommendation at the earliest but the latest by 30.11.2013. Copy of the letter should be endorsed to PP also.

- (5) Further, it was also decided to write to the Member Secretary, MPPCB to provide the information whether any notice has been served to the PP during the period 01.01.11 to 31.07.2013 under the relevant Sections of Air and Water Acts, if yes, then please provide details by 30.11.2013. Copy of the letter should be endorsed to PP also.

2. **Case no. 715/2012**, Prior Environmental Clearance for Chapra Marble Mine in an area of 8.690 ha. at Khasra No. 455 for production capacity 24,000 MT/Year, at Village - Chapra, Tehsil – Bahoriband, Distt. – Katni (M.P.) by M/s Mahesh Marbles C/o Shri Sanjay Gupta, D-1 Samdariya City, Madhav Nagar, Katni (M.P.).

- (1) It was noted that the case was discussed in 99th, 133rd SEAC meeting dtd. 24.07.2012, 15.05.2013 and recommended in 137th SEAC meeting dtd. 24.07.2013 based on the submission of documents and presentation made by the PP the committee has recommended for grant of prior EC to the project subject to the 5 conditions.

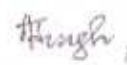
- (2) The case was discussed and it was noted that the PP has applied in Form-I for Prior Environmental Clearance of Chapra Marble Mine (Open cast mechanized method) in an area of 8.690 ha. at Khasra No. 455 for production capacity 24,000 MT/Year, at Village - Chapra, Tehsil – Bahoriband, Distt. – Katni -M.P.

While scrutinizing the documents it was found that the PP was having mining lease for 10 years i.e. from 16.10.2002 to 15.10.2012 but he has applied for Prior Environmental Clearance in SEIAA office on 21.06.2012.

- (3) In view of above it was noted that Hon'ble High Court, Jabalpur passed an Interim Order in W.P. No. 1574/2008 on 14.08.2008 regarding E C of mining in lease area of 5 ha. or more. The relevant part of the Interim Order is as follows


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Regarding mining lease areas of 5 ha. or more, clearance under the notification dated 14.09.2006 will have to be obtained either from the Central Government or from the State Level Environmental Impact Assessment Authority.


- (4) In context of above it was decided to ask the PP why he has not applied for prior E C in the year 2008 in pursuance of the said order of the Hon'ble High Court.

It was also decided to write to the Collector to provide the information regarding the quantity of the mineral produced by the PP from 2008 onward. The letter should be endorsed to PP also.


The information should be made available to SEIAA Office by 30.11.2013.

3. **Case no. 879/2012**, Prior Environmental Clearance for Manganese Ore Mine in an area of 20.0 Ha. for production capacity of 26000 TPA at forest compartment no. 820 (New Compartment No. 464) Village Netra, Tehsil Waraseoni, District Balaghat (M.P) by Shri Vedanand Rai, Director M/s Pacific Minerals (P) Ltd. Baihar Road Balaghat (M.P)- 481001.

- (1) It was noted that the case was discussed in 109th SEAC meeting dated 06.11.2012 and recommended in 138th SEAC meeting dtd. 25.07.2013..... based on the submission of documents and presentation made by the PP the committee has recommended for grant of prior EC to the project subject to the 4 conditions.
- (2) The case was discussed and it was noted that the PP has applied in Form-I for Prior Environmental Clearance of Manganese ore Mine (Opencast as well as underground) in an area of 20.0 Ha. for production capacity of 26000 TPA at forest compartment no. 820 (New Compartment No. 464) Village Netra, Tehsil Waraseoni, District Balaghat, M.P.
- (3) While scrutinizing the document it was found that PP was having a valid lease for the duration of 20 years i.e. from 11.03.2008 to 10.03.2028 but he has applied for Prior Environmental Clearance in the SEIAA office on 12.09.2012. The office of the SEIAA has mentioned in the note prepared for to-day's meeting that the mining operation were carried in the mine upto 2011-12. Obviously this is a case of violation.
- (4) In context of above it was decided to ask the PP why he has carried out mining operation without getting Prior EC according to EIA Notification 2006. The PP should submit reply to the office of the SEIAA by 30.11.2013. Copy of the letter addressed to the PP should be endorsed to the Collector to provide information about the quantity of the mineral excavated from 11.03.2008 till 30.07.2013, yearwise, monthwise by 30.11.2013 to the office of the SEIAA.



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(M. Hashim)
Member

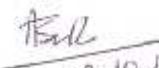

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4. **Case No. 98/2008** – Prior Environmental Clearance for Red Ochre Mine (Manual Opencast Mining Method) in an area of 12.0 ha for production capacity of 5000 TPA at Survey No. 264/2 at Village-Bankuri, Tehsil-Karahal, District-Sheopur (M.P) by Smt. Indra Devi Garg, Legal Heir of Late Shri Giriraj Garg, R/o House No. 36/729A, In-front of New Court, Old Housing Board Colony, Morena, District-Morena (M.P) 476001.
- (1) It was noted that the case was discussed in 51th, 68th SEAC meetings dtd. 23.03.2010, 30.10.2010, and **recommended in 139th SEAC meeting dtd. 29.08.2013** based on the submission of documents and presentation made by the PP the committee has **recommended for grant of prior EC to the project subject to the 8 Conditions.**
 - (2) The case was discussed in depth and it was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of Red Ochre Mine (Manual Opencast Mining Method) in an area of 12.0 ha for production capacity of 5000 TPA at Survey No. 264/2 at Village-Bankuri, Tehsil-Karahal, District-Sheopur -M.P.
 - (3) It was found that the case was discussed in 89th SEIAA meeting dated 11.04.2012 and following issues were resolved.
 - i. *The Authority examined the DFO, Sheopur letter (No. 6793 dtd. 24.12.2011) and found that the Kunopalpur National Park is located at a distance of 22 km.*
 - ii. *....._NOC from PS, Forest is not required with reference to location of the mining lease area from the forest boundary. However, the Authority decided that in case the EC is granted the DFO, Sheopur should regularly monitor the mining activities so as to avoid illegal mining in the adjoining forest area*
 - iii. *The afforestation plan was found to be satisfactory.*
 - (4) As per 89th SEIAA meeting dated 11.04.2012 following information were required from:-
 - i. *The Collector Sheopur and EE, PWD Sheopur (vide L.No. 101/EPSCO-SEIAA/12 dated 23.04.2012) were asked to provide information regarding distance of the mining area from inter-state boundary.*
 - ii. *PP vide letter No. 103/EPSCO-SEIAA/12 dated 23.04.2012 PP was asked to submit notarized copy of latest Khasra Panchsala and mining lease deed.*
 - iii. *MS-MPPCB vide L.No. 99/EPSCO-SEIAA/12 dated 23.04.2012 was requested to reorganize public hearing and submit report of the same.*
 - (5) In context of above PP has submitted notarized copies of mining lease deed & Khasra Panchsala. The EE, PWD, Sheopur vide L.No. 3351 dated 07.08.2012 has provided distance of inter-state boundary i.e. 13 Km. Hence, as per information given by DFO, Sheopur and EE, PWD Sheopur **General Conditions are not attracted.**
 - (6) It was found that MPPCB reorganized Public Hearing on 27.09.2012 near Mining Site Village Bankuri, under the Chairmanship of Additional Collector,


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Sheopur. SEAC appraised the case in its 139th meeting dated 29.08.2013. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.

- (7) It was found that as per Mining Plan approved by IBM (Vide L.No. MP/Sheopur/Ochre/Mining Scheme-36/09-10 dated 14.01.2010) the expected life of mine is 61 years.
 - (8) It was decided to accept the recommendation of 139th SEAC meeting dtd. 29.08.2013 to grant Prior Environmental Clearance for Red Ochre Mine (Manual Opencast Mining Method) in an area of 12.0 ha for production capacity of 5000 TPA at Survey No. 264/2 at Village-Bankuri, Tehsil-Karahal, District-Sheopur (M.P.) for the **lease period only i.e. up to 23.12.2023** by Smt. Indra Devi Garg, Legal Heir of Late Shri Giriraj Garg, R/o House No. 36/729A, In-front of New Court, Old Housing Board Colony, Morena, District-Morena (M.P) 476001.
5. **Case no. 695/2012**, Prior Environmental Clearance for Manganese Ore Mine in an area of 10.0 ha. for production capacity of 10,000 TPA at survey No. 460, 461 & 466 at Village G.F. Sonewani Forest Range, Tehsil Lalburra, District Balaghat (M.P) by M/s J.K. Minerals, Shri Pradhumna Trivedi, Partner, Gayatri Kripa, Ward No-5 Balaghat Road, Waraseoni, District Balaghat (M.P)- 481331.

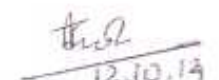
- (1) It was noted that the case was discussed in 95th SEAC meeting dtd. 08.05.2012, and **recommended in 139th SEAC meeting dtd. 29.08.2013** based on the submission of documents and presentation made by the PP the committee has **recommended for grant of prior EC to the project subject to the 4 Conditions.**
- (2) The case was discussed in depth and it was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of Manganese Ore Mine (Underground other than fully mechanized) in an area of 10.0 ha. for production capacity of 10,000 TPA at survey No. 460, 461 & 466 at Village G.F. Sonewani Forest Range, Tehsil Lalburra, District Balaghat -M.P.
- (3) It was found that the mining lease area is located in reserve forest land in Forest Compartment No. 460, 461 & 466A at village Sonewani, Distt. Balaghat, M.P. The PP has obtained formal approval of diversion of 10.0 ha. reserved forest land under Section 2 of the Forest (Conservation) Act, 1980 from MoEF, Gol vide L.No. 6 MPC007/2012 – BHO/1137 dated 17.07.2013.

There is a letter from Ministry of Mines, Gol vide L.No. 5/19/2010-M.IV dated 05.03.2010 addressed to the Secretary, MRD, GoMP wherein following has been mentioned regarding grant of mining lease

I am directed to refer to your letter No. 3-33/07/12/1 dated 13.11.2009 on the subject mentioned above and to convey the prior approval of Central Govt. by grant of ML for manganese ore over an area of 10.00 ha. in Forest Compartment No. 460,


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461 & 466 A in village Sonewani, Distt. Balaghat, M.P. in favour of M/s J.K. Minerals for a period of twenty years by relaxing the provisions of Rule 59(1) of MCR 1960.

Further it was also noted that there is a letter from DFO (South) Balaghat vide No 6146 dated 11.09.2012, addressed to the MS, SEAC regarding information of distance of mining lease area from Protected Area under Wildlife (Protection) Act 1972 wherein it has been mentioned that :

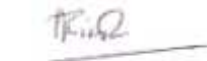
अतः आवेदक संस्थान मेसर्स जे.के. मिनरल्स, मेन रोड बालाघाट के उपरोक्त प्रकरण में वास्तविकता निम्नानुसार है :

उपरोक्त विषय में G.F. Sonewani Forest Range (10.000 ha.) khasra No. 460, 461, 466 Village G.F. Sonewani Forest Range उल्लेखित है। जो वस्तुतः वास्तविकता में म.प्र. शासन वन विभाग अंतर्गत दक्षिण बालाघाट (सामान्य) वनमंडल के वनपरिक्षेत्र वारासिवनी (सा.) क्षेत्रान्तर्गत आरक्षित वनखण्ड सोनेवानी अंतर्गत वनक्षेत्र वन क्र. 460, 461, 466 के अंश भाग में 10.000 हेक्टेयर आवेदित प्रस्तावित वनक्षेत्र वनभूमि है जिसे आवेदक संस्थान द्वारा वन संरक्षण अधिनियम 1980 के अंतर्गत उक्त वनभूमि को गैरवानिकी प्रयोजन हेतु उपयोग पर देने हेतु उक्त अधिनियम अंतर्गत प्रस्ताव प्रेषित किया गया है।

- (4) In cotnext of Para No. 3 above it is noted that inadvertently in Form-I and the letter issued from MoEF, Gol, in place of Forest Compartment No. 460, 461 & 466, as mentioned in the letter of MoM, Gol and letter from office of DFO (South) Balaghat, it has been mentioned as Survey Nos. 460, 461 & 466. It is also noted that lease deed is yet to be executed.
- (5) It was noted that as per DFO, Balaghat letter vide No. 6146 dtd. 11.09.2012 the National Park/Sanctuary are not located within 10 Km., radius and the inter-state boundary is also not within 10 km. radius from the mining site. Hence, the **General Conditions are not attracted.**
- (6) Regarding plantation program it was found that in the letter issued by MoEF, Gol dated 17.07.2013 following have been mentioned at Point No. 3 and 16.
 - *No felling of trees or damage to forest shall be done.*
 - *State Govt. shall under take gap planting and soil & moisture conservation activities to re-stock and rejuvenate the degraded open forest (having crown density less than 0.4) if any located in the area within 100 m. from outer perimeter of the mining lease from fund realized from the User Agency.*
- (7) It was noted that the Public Hearing was held on 20.06.2013 at Mining Parisar (Village G.F. Sonewani Forest Range), under the Chairmanship of ADM, Balaghat. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.
- (8) It was found that as per Mining Plan (Vide L.No. BGT/MN/MPLN - 1104/NGP, dtd. 20.01.2012) the expected life of mine is 5 years.
- (9) It was decided to accept the recommendation of 139th SEAC meeting dtd. 29.08.2013 to grant Prior Environmental Clearance for Manganese Ore Mine (Underground other than fully mechanized) in an area of 10.0 ha. in Forest Compartment No. 460, 461 & 466 for production capacity of 10,000


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TPA at Village G.F. Sonewani Forest Range, Tehsil Lalburra, District Balaghat (M.P.) for life of mine only i.e. Five Years by M/s J.K. Minerals, Shri Pradhuma Trivedi, Partner, Gayatri Kripa, Ward No-5 Balaghat Road, Waraseoni, District Balaghat (M.P.)- 481331.

6. **Case no. 1131/2013**, Prior Environmental Clearance for Laterite, Ochre & Clay Mine in an area of 9.0 Ha. at Survey No. 48/1 for production capacity of 1,34,000 TPA at Village Khitola, Tehsil Manjholi, District Jabalpur (M.P.) by Shri Ashish Khampariya, Owner, Pratap Ward, Khash Mohalla, Panagarh, Jabalpur, District Jabalpur (M.P.).

- (1) It was noted that the case was discussed in 120th SEAC meeting dtd. 27.02.2013, and recommended in 140th SEAC meeting dtd. 30.08.2013 based on the submission of documents and presentation made by the PP the committee has recommended for grant of prior EC to the project subject to the 5 Conditions.
- (2) The case was discussed and it was noted that the PP has applied in Form-I for Prior Environmental Clearance of Laterite, Ochre & Clay Mine (Open cast semi mechanized method) in an area of 9.0 ha. at Survey No. 48/1 for production capacity of 1,34,000 TPA at Village Khitola, Tehsil Manjholi, District Jabalpur -M.P.
- (3) It was noted that the proposed case is related to the **Mining of Major Mineral i.e. Laterite, Ochre & Clay Mine** but there is no letter from the Ministry of Mines, Gol addressed to the Secretary, MRD, GoMP regarding grant of mining lease.

However, there is a letter form Mineral Resource Department, GoMP vide No. F3-30/2012/12/2 dated 29.11.2012 addressed to the PP and endorsed to the Collector and others regarding grant of the mining lease of the proposed minerals. The relevant content of the letter is given here under :-

आपके द्वारा प्रस्तुत उक्त खनिपट्टा आवेदन पत्र का परीक्षण करने पर 9.000 हेक्टेयर क्षेत्र खनिपट्टा में आवेदित खनिज लेटेराइट, रेड ओकर, यलो ओकर एवं क्ले के लिये 30 वर्ष की अवधि के लिये स्वीकृत करने हेतु उपलब्ध पाया गया है।

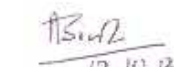
अतः आदेशानुसार खनि रियायत नियम 1960 22(4) के प्रावधान अनुसार खनिपट्टा स्वीकृत करने के पूर्व जिला जबलपुर, तहसील मझौली के ग्राम खितौला के खसरा नं. 48/1 के रकबा 9.000 हेक्टेयर क्षेत्र का माइनिंग प्लान भारतीय खान ब्यूरो से अनुमोदित कराकर 6 माह के अंदर प्रस्तुत करें ताकि स्वीकृत हेतु आगामी कार्यवाही की जा सके।

- (4) In context of above it was decided to write a letter to the Secretary, MRD, GoMP to send copy of the order/letter issued by the Ministry of Mines, Gol, addressed to the Secretary, Department of Mineral Resource, GoMP communicating their approval for granting mining lease.

The information should be made available to SEIAA Office by 30.11.2013.


(Manohar Dubey)
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7. **Case No. 200/2008:** Prior Environmental Clearance for Stone Mine with Crusher (Opencast Manual Method) in an area of 11.54 ha. at Village–Nayagaon-Lakheri, Teh–Rajnagar, Dist–Chhatarpur for production capacity of 800 m³ per year by M/s Vindhyaachal Minerals, Village and Post–Dhamna, Teh–Rajnagar, Dist – Chhatarpur (M.P.).
- (1) It was noted that the case was discussed in 40th, 95th, 101st SEAC meetings dtd. 25.11.2009, 08.05.2012, 22.08.2012 and **recommended in 136th SEAC meeting dtd. 23.07.2013** based on the submission of documents and presentation made by the PP the committee has **recommended for grant of prior EC to the project subject to the 6 conditions.**
 - (2) The case was discussed and it was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of **Stone Mine with Crusher** (Open cast manual method) in an area of 11.54 ha for production capacity 800 cum/year at **Survey No. 873** at Village–Nayagaon (Lakheri), Teh–Rajnagar, Dist–Chhatarpur -M.P. in the year 2008. **As per lease agreement the lease was valid up to 08.05.13 at the time of application**
 - (3) It was found that PP has submitted EIA report on 07.10.2009 and SEAC has recommended the case for Prior EC in 136th SEAC meeting dated 23.07.2013. It is noted that the case was considerably delayed at SEAC level **and subsequently the duration of lease has expired.**
 - (4) It is found that PP has applied for renewal of lease and related documents were submitted by PP in SEIAA office on 13.09.2013. Information submitted through this letter is not notarized. PP has not applied for Prior EC on account of re-newal proceeding of the earlier lease.
 - (5) In context of above it was decided that PP **should apply afresh** for Prior EC for the project. It is also decided that if PP applies then case will be processed expeditiously at all stages by SEIAA & SEAC.

The meeting ended with vote of thanks to the chair.


(Manohar Dubey)
Member Secretary


(M. Hashim)
Member


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