

Minutes of the 155th Meeting of SEIAA dated 08.08.2014

The 155th meeting of the State Level Environment Impact Assessment Authority was convened on 08.08.2014 at 3.00 PM at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Waseem Akhtar, Chairman, SEIAA. The following members attended the meeting:-

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|---|-------------------|----------------------|
| 1 | Shri H.S. Verma | Member |
| 2 | Ms Dipali Rastogi | Member Secretary I/c |

Following cases received from SEAC was considered and the detail of the receipt of the recommendations & record from the office of SEAC is as follows:

- A. Case related to Govt/Public undertaking Sector have been considered on priority basis as per the Office Memorandum of MoEF, Gol issued vide dtd. 04.11.2008, para 3(1).


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.	1212/2013	146 th SEAC meeting dtd. 08.11.2013	18.12.2013	04.01.2014


- B. Cases other than Govt./ Public undertaking Sector


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
2.	605/2010	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
3.	718/2012	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
4.	671/2012	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
5.	477/2009	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
6.	1688/2013	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
7.	713/2012	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
8.	633/2011	143 rd SEAC meeting dtd. 29.10.2013	27.11.13	27.11.13
9.	M/s Nakoda Industries	146 th SEAC meeting dtd. 08.11.2013	18.12.2013	04.01.2014

1. **Case No. – 1212/2013:** Prior Environmental Clearance for Construction of LPG Bottling plant at MPAKVN Industrial Area Plot no. 93, Pilukhedi, Tehsil- Narsingharh Distt. Rajgarh (M.P.) Capacity: 100,000 TPA LPG Bottling & 1500 MT LPG Mounded Storage (03 Nos of 500 MT each) , Land Area - 50 Acres by Hindustan Petroleum Corporation Limited, LPG Projects (A Govt. of India Enterprise) through Shri Abhishek Datta, Dy. G.M. Hindustan Bhawan 3rd Floor, Shoorji Vallabhdas Marg, Ballard Estate, Mumbai - (M.P.) 400001 email: mnmurthy@hpcl.co.in (Consultant :- Sun Consultancy & Services Budheshwari, Bhubaneswar)

- (1) The project pertains to LPG Bottling Plant with Capacity: 100,000 TPA LPG Bottling & 1500 MT LPG mounded Storage (03 Nos of 500 MT each). The plant is located at MPAKVN Industrial Area Plot no. 93, Pilukhedi, Tehsil- Narsingharh Distt. Rajgarh (M.P.) The project proponent is Hindustan Petroleum Corporation Limited through Dy. G.M. Shri Abhishek Datta.
- (2) It was noted that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius, therefore, General Conditions are not attracted.


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- (3) The ToR were issued to PP by SEAC (vide letter no. 445/TOR (122)2013 dtd 15.05.2013) and EIA was submitted by PP (vide letter dtd 02.11.13).
- (4) The case was discussed in 122nd meeting. SEAC dtd.11.03.13, & 146th dtd. 08.11.13 recommended for grant of prior EC subject to 13 (Thirteen) special conditions.
- (5) The case was discussed in depth and it is noted that :-
- (i). As per 146th SEAC meeting dated 08.11.2013 the project is petrochemical based processing and is covered under 5 (e) category of the EIA Notification 2006. However PP has applied under category 6(b) of the schedule of EIA Notification 2006. It is noted that MoEF Gol has issued the clearance for LPG project under category 6(b) to HPCL bottling plant Khapri, Maharashtra vide F. No. J-11011/1071/2007-IA-II(I) dtd. 06.02.2008 and also SEIAA Chattisgarh letter no. 192/SEAC-CG/EC/Bottling/RYP/258 dtd. 06.03.12 for Indian Oil Corporation has issued EC in category 6(b). It was decided that SEAC should revisit the applicability of category.
 - (ii). The total land area of the project is 50 Acre. PP has submitted lease deed (dtd 12.11.2012) for 99 years (12.11.2012 to 11.11.2111) with MPAKVN (Bhopal) Ltd. Bhopal through Managing Director along with land allotment letter (dtd. 11.10.12) issued from MPAKVN (Bhopal) Ltd. is satisfactory.
 - (iii). The project is located in notified Pilukhedi Industrial area District Rajgarh approved by AKVN and public hearing for the project has not been conducted. It is noted that MoEF, Gol, has issued OM dated 16.05.2014 and has clarified that "*The exemption from public consultation, as provided for under para 7 (i) III. Stage (3) (i) (b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification 2006 as provided for under item 7(c) of the schedule*".....It was decided that SEAC should appraise the case in view of the above notification.
 - (iv). The total water requirement is 20^{m3}/day (2^{m3}/day for Domestic + 12^{m3}/day Industrial washing+ 6^{m3}/day for gardening). The source of water for the project will be MPAKVN, Bhopal. PP has submitted assurance letter dtd. 16.12.11 for supply of water. Further, it is noted that under "*Facilities –Safety & Utilities*" (146th SEAC mtg. dtd. 08.11.13) PP has proposed 2 nos. X 3300 KL above ground water storage tanks for fire fighting and automatic sprinkler system in all LPG areas. It is not clear from where this water supply will be met and has also not submitted NOC for the same. It is decided that SEAC needs to appraise the above point also.
 - (v). The Hazardous waste (spent oil form D. G. set – 0.5 MT per annum, ETP sludge – 0.5 MT per annum, Plant sludge – 0.250 MT per annum) will be generated. It is proposed to be disposed through authorized recyclers. The waste oil / used oil / skimmed oil / oily

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sludge are proposed to be sold to authorized reprocesses. Used oil filter will be fed to the furnace. PP has applied to MPPCB RO Guna vide letter dated 16.07.2013 for consent under Air and Water Act and authorization for handling of hazardous waste from the project. As recommended by SEAC (146th meeting dtd 08.11.2013) the project proponent should comply with the provisions made in Manufacture, Storage and Import of Hazardous Chemicals Rules 1989, as amended and the Public Liability Insurance Act for handling of hazardous chemicals, Hazardous Waste (Management, Handling & Trans-boundary Movement) Rules 2008 etc.

- (vi). PP has proposed that Quality of Storage and Handling equipments, Safety, Fire fighting and fire protection equipments and other machinery will be maintained and inspected periodically to ensure safe and effective usage. All the tank trucks will be checked and inspected periodically for safety fittings, electrical wiring, mechanical condition etc. to ensure safe transportation of LPG on the road outside the premises. PP has not submitted Fire fighting NOC / copy of application for firefighting/approval from Industrial Health and Safety deptt/ certificate from DMI. (ERDMP). It is decided that PP should obtain NOC/ requisite clearances for fire safety and explosives before implementing the project.
- (vii). PP has proposed roof top rain water harvesting including 2 no of rain water harvesting ponds and is satisfactory.
- (viii). As proposed by PP the Greenbelt Development in 33% (17 Acre) of the total site area in the plant premises is satisfactory.
- (ix). PP has submitted Onsite Disaster Management Plan & Risk Analysis Report which are not approved by concern authorities. PP should obtain NOC/ requisite clearances for On-site, Off-site Disaster Management Plan & Risk Analysis Report before starting the construction of the project.
- (x). While examining the layout plan of the Pilukhedi Industrial Area it was observed that (a) Village Gilakhedi is located at a distance of 1 Km only. b) the width of the roads of Industrial area is only 7 mts. **It was decided that a letter should be sent to AKVN to provide at least 24 mts. wide roads for good traffic management of LPG trucks and to avoid traffic congestion. Also dedicated parking bay should be provided for the LPG trucks. Copy of letter should be endorsed to PP.**

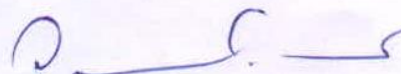
It was decided that the case file should be sent to SEAC for reconsideration with reference to above points i,iii and iv.



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2. **Case no. 605/2010** : Prior Environmental Clearance for Ametha lime stone mine in an area 12.93 ha. for production capacity of 1,64,763 TPA at village Ametha, Teh-Vijayraghogarh, Distt-Katni-M.P by M/s Ramchandra, Badri Prasad Gaur, Hanumanganj, Distt-Katni (MP)-483501.

- (1) The case was discussed in 74th, 77th, 82nd, and 87th SEAC meeting dated 05.01.2011, 25.08.2011, 13.10.2011, 07.01.2012 and **recommended in 143rd SEAC meeting dtd. 29-10-2013**. 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 3 conditions**.
- (2) The authority found that MoEF vide its Notification, SO 2731(E) dated 9.9.2013 has made following entry in the column 5 of the schedule.....**"Note- Prior Environmental Clearance is required at the stage of renewal of mine lease for which a application shall be made up to two years prior to the date due for renewal. Further a period of two years with effect from the 4th April 2011 is provided for obtaining environmental clearance for all those mine leases which were operating as on the 4th April 2011 with requisite valid environmental clearance and which have fallen due for renewal on or after 4th November 2011."**

In context of above the case was considered accordingly.

- (3) It was noted that the PP has applied in **Form-I** for Prior Environmental Clearance **of Ametha Lime stone mine** in an area 12.93 ha. for production capacity of 1,64,763 TPA at 15 Khasra Nos. **(as per lease deed)** at village Ametha, Teh-Vijayraghogarh, Distt-Katni .
- (4) While scrutinizing the documents it was found that PP has mentioned the old survey numbers in Form 1 while in EIA report there are old and new numbers. The old and new numbers are given hereunder;

Old survey Nos. 311, 336, 350, 327, 339, 341, 344, 351, 326, 338, 337, 328, 340, 343, 345.

New survey Nos. 187, 188, 208, 207, 210, 219, 211, 212, 214, 215.

It was also noted that a very old record showing some date of 1998 about conversion of old numbers into new numbers is there but it does not show the lease area. It was decided that PP should be asked to submit the authenticated record of old and new survey numbers with corresponding mining lease area. The information should be submitted by 30.09.2014.

- (5) The authority observed that the Hon'ble High Court has passed an Order dated 02.05.2012 on WP No. 17760/2011 and directed Mineral Resource Department for renewal of mining lease on the basis of his application for renewal dated 16.09.1994. It was found in the record that the Director, Geology & Mining has issued a letter vide no L.No. 9674/F-14-40/2012/12/2 dated 27.06.2012, where it is mentioned that Lease is renewed for 20 year w.e.f. 11.05.1996 subject to following conditions


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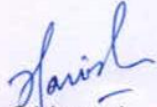
(Shri H.S. Verma)
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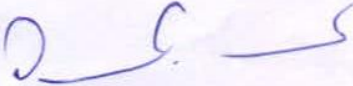
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- The applicant shall submit Mining Plan approved by IBM, GoI.
 - He will also obtain Environmental Clearance and Air & Water consent from the competent authority
- (6) It was noted that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the **General Condition is not attracted**.
- (7) The proposed plantation program was examined and it was found that **7600** trees would be planted in an area of **5.5 ha** at the end of lease period. The plantation program was found satisfactory.
- (8) It was found that as per Mining Plan (vide L.No. MP/Katni/Limestone/M.Sch-63/2012-13 Katni dtd 14.02.2013) the expected life of mine is 16 years.
- (9) It was noted that the Public Hearing was held on 04.04.2013 at mining site under the Chairmanship of ADM, Katni. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.
3. **Case No. 718/2012** - Prior Environmental Clearance for Tikariya Bauxite & White Clay Mine in an area of 16.187 ha. at Village-Tikariya, Tehsil-Murwara, Distt-Katni (M.P) for expansion in production capacity from 5000 ton / year to 50,000 ton / year by Smt. Rada Devi Sharma C/o Shri Shankar Lal Vishwakarma (Power of Attorney), Jalpadevi Ward, Gautam Mohalla, Distt- Katni (M.P.)-483501.
- (1) The case was discussed in 98th SEAC meeting dtd. 23.07.2012, and **recommended in 143rd SEAC meeting dtd. 29.10.2013**. 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 special conditions**.
- (2) It was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of **Tikariya Bauxite & White Clay Mine** (Opencast Manual Method) in an area of 16.187 ha. for expansion in production capacity from 5000 ton / year to 50,000 ton / year at Khasra Nos. 2/1K, 2/2, 2/3KH, 2/5&18/5 at Village Tikariya, Tehsil- Murwara, Distt- Katni (MP).
- (3) The case was discussed in depth and it was noted that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the **General Condition is not attracted**.
- (4) It was noted that the distance of the mining site from forest boundary is about 12 km (Conservator Forest, Katni vide L.No. 2730 dtd 13.06.2012).
- (5) The proposed plantation program was examined and it was found that presently about 2.4 ha area has been covered under plantation and 2500 trees would be planted in an area of 1.25 ha. during next 5 years. Total 33% area to be covered during lease period. The plantation program was found satisfactory.


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- (6) It was found that as per Mining Plan (vide L.No. MP/Katni/Baux./MPLN/R-06/06-07 dtd. 05.12.06) & EIA Report the expected life of mine is 45 years.
- (7) As per notarized copy of lease deed the lease was sanctioned for 20 years w.e.f. 20.03.1972. Further as per Collector, Katni L.No. 6/खनि./2013 dtd. 02.01.2013, the period of lease is under deemed status as per MCR 1960 Rule 24A(6).
- (8) It was noted that water requirement is 12 KLD, which shall be met-out from ground water and mine pit water.
- (9) It was noted that the Public Hearing was held on 21.06.2013 at Mining Site Tikariya, Katni under the Chairmanship of Additional Collector, Katni. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.
- (10) It was decided to accept the recommendation of 143rd SEAC meeting dtd. 29.10.2013 to grant Prior Environmental Clearance for **Tikariya Bauxite & White Clay Mine** (Opencast Manual Method) in an area of 16.187 ha. for expansion in production capacity from 5000 ton / year to 50,000 ton / year at Khasra Nos. 2/1K,2/2,2/3KH,2/5&18/5 for **the lease period** at Village-Tikariya, Tehsil-Murwara, Distt-Katni (M.P.) by Smt. Rada Devi Sharma C/o Shri Shankar Lal Vishwakarma (Power of Attorney), Jalpadevi Ward, Gautam Mohalla, Distt- Katni (M.P.)- 483501.

4. Case no. 671/2012- Prior Environmental Clearance for Bauxite, Laterite and Fire Clay mine in an area of 27.02 ha for expansion of production capacity from 1,25,000 MTPA to 7,00,000 MTPA at Village Tikariya, Tehsil Murwara District Katni by Shri Shankarlal Vishwakarma, Shri Purnlal Vishwakarma , Jalpadevi ward, Gautam Mohalla, Dist. Katni M.P – 483501.

- (1) The case was discussed in 92th and 142nd SEAC meeting dated 09.04.2012, 11-09-2013 and **recommended in 143rd SEAC meeting dtd. 29-10-2013.** 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) It was noted that the PP has applied in **Form-I** for Prior Environmental Clearance of **Bauxite, Laterite and Fire Clay mine** in an area of 27.02 ha for expansion of production capacity from 1,25,000 MTPA to 7,00,000 MTPA at 20 Khasra Nos. **(as per lease deed)** at Village Tikariya, Tehsil Murwara District Katni (MP).
- (3) The case was discussed in depth and it was noted that the inter-state boundary, National Park/Sanctuary are not located within 10 Km. radius. Hence, the **General Condition is not attracted.**
- (4) The plantation program was examined and it was found that exiting area under plantation is **2.56 ha** and proposed area would be 8.91 ha. The plantation program was found satisfactory.

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- (5) It was noted that as per notarized copy of lease deed the lease period is for 20 years i.e from 06.03.2003 to 05.03.2023.
- (6) It was noted that the Public Hearing was held on 05.10.2012 at mining site under the Chairmanship of ADM, Katni. The issues raised during public hearing were of general nature and nothing adverse was found regarding degradation of the environment.
- (7) It was observed that the Proposal is for expansion of production capacity. As per MoEF, O. M. J-11011/618/2010-IA-II(I) dated 30.05.2012, regarding consideration of expansion proposals, the process should be adopted as mentioned in Para 2 & 3 of the said OM are given hereunder :-
2. *It has been now decided that while submitting the application for consideration for grant of environmental clearance of all expansion projects under the EIA Notification, 2006, the project proponent shall henceforth submit a certified report of the status of compliance of the conditions stipulated in the environmental clearance for the ongoing / existing operation of the project by the Regional Offices of the Ministry of Environment and Forests.*
 3. *The status of compliance of the conditions stipulated in the environmental clearance as highlighted in the report(s) will be subsequently discussed by the respective Expert Appraisal Committees during the appraisal of the expansion proposal and duly recorded in the minutes of the meeting. Applications for expansion project received without the compliance status as mentioned in para no.2 above shall not be accepted and placed for consideration before the Expert Appraisal Committees.*

It was noted that the SEAC has not followed the procedure as mentioned above. In the mean time the PP has submitted the certified report of the status of compliance of conditions stipulated in the EC from R.O., MoEF Bhopal, which was received on SEIAA office 05.08.2014.

In context of above it was decided that the case has to be referred back to SEAC for discussion/ appraisal as per OM dated 30.05.2012 at the earliest.

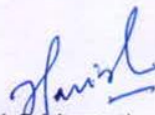
- (8) It was found that as per Mining Plan (vide L.No. MP/Katni/Bx/MPLN/Mod-01/09-10 Katni dtd 28.07.2009) the expected life of mine is 32 years and in EIA Report it is 12.2 years. It was noted that there is a disparity in the anticipated life of mine and the project life has not been estimated by SEAC.

In context of above it was observed that the SEAC has to decide the project life as per EIA Notification 2006 Point no. 9 **Validity of Environmental Clearance (EC)** - "Project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects".

It was decided that the SEAC should decide the project life while discussing the issue of expansion at the earliest.



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5. **Case No. 477/2009**, Prior Environmental Clearance for "County Walk" Area Development (Residential) Project at Village- Zalariya, Distt- Indore.(M.P) Total Plot Area - 80.811 ha (area 44.334 ha Khasra No. 15/4, 27 पैकी, 29/1, 30/2, 33, 50/1, 50/2, 52, 54/1, 54/2, 55, 56, 58/1, 58/2, 61, 62/1, 62/1 पैकी, 62/1 पैकी, 62/2 पैकी, 62/3, 63, 64/1/1, 64/1/2, 64/2/1, 64/2/2, 153, 154 & area 36.477 ha Khasra No. 12/3, 12/4, 12/5, 12/7, 12/8, 12/6 पैकी, 14, 15/1, 17/1, 17/2, 18/1, 19, 36, 37, 38, 39, 40/1, 46/1/1/1 पैकी, , 46/1/1/2, 46/1/2/1, 46/1/2/3, 48 & 49) Built Up Area - 7,38,556.68 sq.m.by Shri Nimish Arora, Director M/s Aarone Developers Pvt Ltd 6th Floor, Office Tower, Select City Walk A-3, District Centre Saket, New Delhi-110 017 (**Consultant Name – Grass Roots & Creation India (P) Ltd., Noida, U.P.**)
- (1) The proposed "County Walk" is area Development project at Village – Zalariya, Tehsil –Indore, Distt. – Indore (M.P.). The Project comprises of Plotted development, Construction of Group housing, Commercial, School, Club and Informal sector. The Proponent is M/s Aarone Developers Pvt. Ltd., through Director Shri Nimish Arora, New Delhi.
- (2) As per approval of the T & CP, Indore (vide letter 3323 dtd 23.06.2008 & 5666 dtd 13.10.09) the total area is 36.477 ha and 44.334 ha respectively (total 80.811 ha) at Village Zalariya, Tehsil. & Distt. – Indore (M.P.). The validity of Town & Country Planning approval is till 12.10.12. The total built up area proposed by PP is 7,38, 556.68 sq. m The project comes under 8 (b) category (B1) of schedule of EIA Notification, 2006 as the total plot area is more than 50 ha & construction is more than 1,50,000 sqmt.
- (3) The case was examined in depth and it is noted that :-
- (i). The application (Form-I, Form-A in old format) was submitted by PP vide letter dtd 06.11.09 received in SEIAA office on 09.11.09.
- (ii). PP has submitted details of the total area 80.811 ha in two parts. and has submitted photocopy of the Khasra Panchsala for 2007-08 for only 44.334 ha land. PP has not submitted notarized copy of latest Khasra Panchsala for total area.(80.811ha)
- (iii). The case was sent to SEAC vide letter dtd 324 dtd 10.11.09 for appraisal under EIA Notification 2006.
- (iv). The case was discussed in SEAC meetings 40th (25.11.09), 44th (23.12.09), 84 (09.11.11), 91 (03.03.12), 97 (16.06.12), 103 (12.09.12), 109 (06.11.12), 132 (14.05.13) & 143 (29.10.13) and SEIAA meetings 29th (06.02.10) 57th (28.04.11), 64th (04.08.11), 80th (19.01.12), 86th (29.03.12). The case was returned to SEAC for reconsideration as per decision in 80th & 86th SEIAA meetings for issue of ToR and submission of EIA accordingly. The case was discussed in 97th, 103, 109, 132 & 143 SEAC meetings and recommended for grant of prior EC with 06 special conditions.
- (v). As per 97 SEAC meeting dtd 14.06.12 Committee decided to visit the site before issue of TOR. Site was visited by SEAC members.


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- (vi). As per the minutes of 103rd SEAC meeting dtd 12.09.12 it is recorded that *"It is observed on site that the building and infra-structure construction was going on a large area and substantial number of plots have already been sold by the Project Proponent without obtaining the Environmental Clearance. It requires an explanation and submission of factual statement from PP before issue of TOR. The same shall be included in EIA also. Letter in this context may be written to the PP...."*
- (vii). As per the minutes of 109th SEAC meeting dtd 06.11.12 it is recorded that *"It is observed on site that the building and infra-structure construction was going on a large area (exceeding 20,000 sqm) and substantial number of plots have already been sold by the Project Proponent without obtaining the Environmental Clearance. It requires an explanation and submission of factual statement. The statement may be included in EIA...."*
- (viii). As per the EIA report 1.3.1 PP has submitted that 5% of the project area has been constructed.
- (ix). The Authority is of the view that it is undisputed that PP has already constructed 5% of the total built-up area (7,38,556.68 sq.m) i.e. approximately 36,900 sq. m. at the time of site visit without obtaining prior EC under EIA Notification 2006, hence appears to be a clear case of violation. **It is decided that:-**
- (a). As per GoI, MoEF office memorandum dtd 12.12.12 and 27.06.13 PP should submit the details of date of starting the construction work, total built up area that has been constructed till now, number and area of plots sold, the present status of the construction activity whether it is still going on or stopped / completed and why the construction activities have been undertaken without taking prior Environmental Clearance under EIA Notification, 2006? **PP should stop the construction activities with immediate effect and no further construction or any other related activities should be undertaken until Environmental Clearance is granted under EIA Notification 2006.** PP should submit the resolution duly passed by the Board of Directors as per GoI, MoEF office memorandum dtd 12.12.12 regarding violation of EIA Notification 2006.
- (b). After the receipt of above information MPSEIAA shall decide further action on the application of EC.
- (c). After the consideration SEIAA will decide to send formal proposal to the Principal Secretary, Housing & Environment Deptt. Govt. of MP to file complaint u/s 19 of the Environment (Protection) Act in the competent court so that criminal case is initiated u/s 15 of the same Act.
- (4) **A letter should be written to PP to submit the above information by 30.09.2014 in the office of the SEIAA.**
- (5) SEAC has not considered the case as violation case with reference to GoI, MoEF office memorandum dtd 12.12.12 and 27.06.13. A letter should be written to SEAC asking them so as to why the case is not considered as


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violation case with reference to the above Office Memorandum by 30.09.14.

6. **Case No. – 1688/2013:** Prior Environmental Clearance for proposed "CAPETOWN HEIGHTS" Project at Survey No. – 672/1, 672/2, 673/2/1/2, 674/1/2, 673/2/1/1, 673/2/1/3, 674/1/3, 671 Village – Amaudha Near Blooms Academy, Tehsil – Raghuraj Nagar, Distt. - Satna, (M.P.) Total Land Area = 15130.0 sq.mt. , Total Built up Area – 30,224.99 sq.mt. (Residential 23137.81 sq.mt. + Commercial 7087.19 sq.mt.) by M/s Land mark Developers (Smt. Madhu Agrawal & Smt. Kamlesh Agrawal Land Owners & Partners), Blooms Academy Campus, Panna Road, Satna (M.P.) – 485001(Consultant : Insitu Envirocare, MP Nagar, Bhopal).

- (1) The proposed project is building construction project at Village - Amaudha Near Blooms Academy, Tehsil – Raghuraj Nagar, Distt. - Satna, (M.P.). The project involves the construction of 4 Blocks/Towers having 220 nos unit for Residential (S+10); 24 nos unit for EWS (G+4); Commercial complex with shops, restoruant & 33 nos Apartments (G+6).The Proponent is M/s Land mark Developers through Smt. Madhu Agrawal & Smt. Kamlesh Agrawal Land Owners & Partners.
- (2) As per the approval of T & CP, Satna (vide letter dtd 18.01.13) total area is 15220.48 sq.m (1.522 ha) at Village - Amaudha Near Blooms Academy, Tehsil – Raghuraj Nagar, Distt. - Satna, (M.P.).The total built up area proposed by PP is 30,224.99 sq.m. The project comes under 8 (a) category (B) of schedule of EIA Notification, 2006 because total construction is between 20,000 sqmt. & 1, 50,000 sq mt. and plot area is less than 50 ha.
- (3) The case was discussed in SEAC meetings 138th dtd 25.07.13 & and in 143rd dtd.29.10.13. the project is recommended for grant prior EC subject with 07 special conditions.
- (4) The case was examined in depth and it is noted that :-
 - (i). PP has submitted notarized copy of T & CP Permission, Khasra Panchsala 2012-2013, land diversion order and partnership deed. As per the T & CP permission for Khasra Nos. 672/1, 672/2, 673/2/1/2, 674/1/2, 673/2/1/1, 673/2/1/3, 674/1/3, 671 total area 1.522 ha Village – Amaudha is given to M/s Landmark Developers through partner Smt. Madhu Agarwal and Smt. Kamlesh Agarwal. However, land ownership is in the name of Smt. Madhu Agarwal and Smt. Kamlesh Agarwal 1.513 ha.(As per the Khasra Panchsala 2012-2013)
 - (ii). The total water requirment is 281 KLD. Out of this 80.5 KLD for commercial & 200.5 KLD for residential purpose. The total fresh water requirment is 133.5 KLD (107 KLD for resedential purpose and 26.5 KLD for commercial purpose). It is noted that as per the SEAC meeting 143 dtd.29.10.13 the total fresh water requirement has been mentioned as 107KLD only. The total recycled water is 93.5 KLD. The source of water supply is Municipal water supply. PP

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has submitted copy of application subjected to Commissioner Nagar Nigam, Satna dtd 22.07.13 for supply of 133.5 KLD water. **It is decided that PP should submit a NOC from Nagar Nigam, Satna for supply of 133.5 KLD fresh water.**

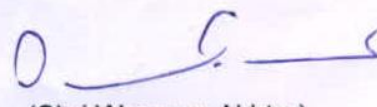
- (iii). The total waste water generation is 144 KLD. PP has provided sewage treatment plant of 150 KLD. The total treated waste water is 135 KLD, which is proposed to be recycled (53.5 KLD for flushing, 40 KLD for horticulture & Miscellaneous and remaining extra treated 41.5 KLD water will be disposed in nearby sewer line/Nallah. PP has submitted copy of application submitted to Commissioner Nagar Nigam, Satna dtd 18.07.13 for disposal of extra treated waste water from STP in Municipal sewer line. **It is decided that the disposal of extra treated waste water (41.5 KLD) should be linked with Municipal sewer line and PP should submit a NOC from Nagar Nigam, Satna for disposal of 41.5 KLD of treated waste water in their municipal sewer line.**
- (iv). Approximately 1.05 TPD of Municipal Solid waste shall be generated. Door to door collection of MSW and segregation into biodegradable and non-biodegradable components is proposed. The main MSW collection centre will be at the gate of campus where three covered bins of green, white and black color will be placed for collection from the campus and for final transportation for disposal. NOC from MC not submitted. PP has submitted copy of application submitted to Commissioner Nagar Nigam, Satna dtd 05.03.13 for collection of solid waste from the site for its disposal. **It is decided that the disposal of MSW should be integrated with Satna Municipal Corporation and PP should submit clear NOC from Nagar Nigam, Satna for disposal of 1.05TPD of MSW in their trenching ground / landfill site.**
- (v). The maximum height of the building is 29.5 m. PP has provided main entry road width 12.0 m & 6.0 m ; Front MOS 12.0 m and side / rear MOS 7.5 m. As per MPBVR 2012 rule no. 42 table 4 the requirement of road width is 24 mt & above, front MOS is 12 m and side / rear MOS 7.50 m for buildings having height up to 30 m. **It is decided that the PP should provide road width and MOS as per the provision of MPBVR 2012 rule no. 42 Table 1.**
- (vi). PP has proposed to provide Fire fighting provisions including water storage tanks, wet riser system, sprinkler system, manually operated alarm system, hydrant system, and fire tender route with access to each tower, fire escape, and firefighting equipment in accordance with NBC, 2005. PP has submitted letter from Satna Municipal Corporation (dtd.15.03.13) regarding distance of fire station (5.5 km) from the project site. PP has submitted copy of application to Commissioner Nagar Nigam, Satna dtd 16.07.13 for



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firefighting NOC. It is decided that PP should submit NOC from Nagar Nigam, Satna for Fire fighting .

- (vii). PP has proposed to provide recharge pits for roof top rain water harvesting through a network of percolation wells for artificial recharge of ground water and is satisfactory.
- (viii). PP has proposed car parking for total 397 ECS (283 ECS for Residential and 114 ECS for commercial). It is decided that PP should provide parking space as per Rule no. 84 Table 1.3 of MPBVR 2012.

A letter should be written to PP to submit above information latest by 30.10.14. A copy of this letter should be endorsed to Commissioner Nagar Nigam Satna. The case will be considered after submission of all the above information by PP.

7. **Case No. – 713/2012** – Prior Environmental Clearance for revalidation of existing EC & change in product mix of Bulk Drug, Intermediates and API for total 66 products mix with production capacity of 2951 MTPA at Plot no. Q-1 to Q-4 Ghirongi Industrial Area, Vill -Malanpur, Teh – Gohad Distt.- Bhind (M.P.) by M/s Teva API India Limited through Shri S. Sunderganesh Authorized Signatory (Sr. Director – Technical Operations), Plot No. Q1 to Q4, Malanpur Industrial Area, Malanpur, Distt. - Bhind (M.P.) – 477116 EIA Env.Consultant :Kadam Environmental Consultant Ahmedabad (Gujrat).

- (1) This is a case of revalidation change in product mix for total 66 products mix with production capacity for 2951 MTPA (122nd SEAC meeting dtd 11.03.13) in place of prior Environmental Clearance granted earlier by MP-SEIAA for case no. 16/2008 vide letter No. 307/EPCOSEIAA/ 09, dated 11/02/09 for 17 products mix with production capacity 2957.22 MTPA. In Form-I PP has applied for expansion of the project.
- (2) The bulk drug project is covered under 5 (f) category (B) of the schedule of EIA Notification issued by the Ministry of Environment & Forests vide S.O.1533 (E), dtd. September 14, 2006, hence is required to obtain prior EC.
- (3) The case was discussed in SEAC mtg 98th dtd.23.07.12, 122nd SEAC dtd.11.03.13 & 125th dtd. 09.04.13 recommended for grant of prior EC subject to 04 special conditions and amendment in condition in SEAC 132 mtg. dtd. 14.05.13.
- (4) The case was discussed in SEIAA 138th mtg. dtd. 20.06.13 and returned to SEAC for appraisal of compliances of EC /Consent conditions in view of MoEF O.M. dated 30/05/2012.
- (5) As per 143rd SEAC meeting "After scrutiny of the project it was observed that increase in production capacity has not been proposed also it was observed that the proposal does not involve additional land hence the MoEF O.M. dated 30/05/2012 is not applicable for the proposed change. The only aspect to be examined meticulously is change in pollution load and the same has been carried out while appraising the project. In view

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above facts the recommendations of SEAC in the meetings dated 09/04/2013 and 14/05/2013 remains unaltered."

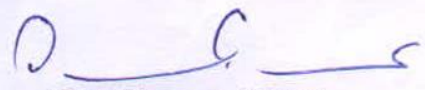
- (6) The case was examined in depth and it is noted that :-
- i. The total land area of the project is 2,92,500.00 sq. m. PP has submitted notarized copy of lease deed dtd 01.02.2008 for 30 years (01.02.2008 to 31.01.2038) for plot no. Q1 to Q4 Ghirongi Industrial Area, Village -Malanpur, Distt.- Bhind (M.P.) The total plot area 2,92,500.00 sq. m with MPAKVN (Gwalior) Ltd. Gwalior through Managing Director District and is satisfactory.
 - ii. The project is located in notified Ghirongi Industrial Area, District Bhind approved by AKVN and public hearing for the project has not been conducted. It is noted that MoEF, Gol, has issued OM dated 16.05.2014 and has clarified that *"The exemption from public consultation, as provided for under para 7 (i) III. Stage (3) (i) (b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification 2006 as provided for under item 7(c) of the schedule"*.....It was decided that the case file should be sent to SEAC to appraise the case in view of the above notification.
 - iii. In response to SEIAA 138th mtg. dtd. 20.06.13 PP vide letter dtd. 06.09.13.. has submitted that the production capacity as approved vide earlier EC (letter no. 307/EPCOSEIAA/09 dtd. 11/02/09) for manufacturing Bulk drug, API and its intermediates is 2957.22 MTPA while the revised production capacity would be 2951 MTPA, which is less. It is noted that though the production capacity is not increasing however as per the information submitted by PP in Form-I and Pre feasibility report construction area under various activities e.g. solvent recovery plant, production blocks, ETP etc. is increasing (Form-I pg 25 to 27 and as given in PFR (pt. 8.2 pg 54) also the proposed investment for building construction plant and machinery is given as Rs. 54940 lacs. Thus it is evident that the project is undergoing expansion and modernization. It is decided that a letter should be written to SEAC to revisit the case with reference to the above by 30.10.14. The case file should also be sent to SEAC.
 - iv. Response to SEIAA letter no. 1136 dtd. 02.07.13 addressed to MS MPPCB requesting to provide information pertaining to Notices served to PP under Air & Water Act. is still awaited. it is decided that again a reminder should be sent to MSMPPCB with CC to RO MPPCB Gwalior to furnish the information latest by 15.09.14.



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8. **Case No. - 633/2011:** Prior Environmental Clearance for Captive Thermal Power Plant of 2x30 M W Existing Trident Group Complex at Village – Budni, Distt. Sehore (M.P) through Mr. D.K. Mittal (Location Head), M/s Trident Group, Hoshangabad Road – Budhni, Tehsil – Budhni, Distt. – Sehore (M.P.)-

(1) The case was discussed in depth and it is noted that :-

- i. The case was registered in SEIAA on 01.07.11 and forwarded to SEAC vide letter no. 237 dtd 04.07.11 for processing as per EIA Notification 2006.
- ii. ToR was issued to vide SEAC letter no. 360 dtd 19.11.11.
- iii. PP submitted final EIA on 04.06.12. It was forwarded to SEAC on 22.06.12. Vide letter no. 402 dtd 22.06.12 SEAC was informed that the NOC from Chief Wild Life Warden /DFO Sehore has not been enclosed by PP. A CC of this letter was also sent to PP. The case was discussed in SEAC meetings 99th dtd 24.07.12, 116th dtd 15.01.13, 138th dtd 25.07.13. The case was discussed in 124th SEIAA meeting dtd 19.03.13 regarding exemption from public hearing and it was decided that PP should get the public hearing conducted.
- iv. Meanwhile letter no. 5069 dtd 26.08.13 from PCCF office, Bhopal was received SEIAA on 29.08.13 stating that the proposed project of M/s Trident group at village Budani is located within 10 km of Ratapani wild life sanctuary and its distance from sanctuary boundary is 8.3 km. The letter was forwarded to SEAC vide letter dtd 06 09.13.
- v. The case was discussed in 143rd SEAC meeting dtd 29.10.13 and it is recorded that *"The case was considered and recommended for grant of prior EC in the 138th SEAC meeting dated 25/07/2013 on the basis of the distance of project boundary from the boundary of Ratapani Sanctuary as provided by the Forest SDO, Budni. Before the matter could be processed further, letter number 5069 dated 26.08.2013 from PCCF office, was forwarded by SEIAA vide letter no. 1577 dated 06/09/2013 mentioning that the distance of project boundary from the boundary of Ratapani sanctuary is only 8.3 Km i.e. less than 10 Km. Thus, the project attracts general conditions and hence falls under category 'A' as per the provisions of EIA notification. PP has requested to forward the case to MoEF with recommendations in favour of the project. Scrutiny of the project reveals that being Thermal Power project a comprehensive evaluation has to be carried out keeping in view the reported sensitive features with in 10 Km from the project boundary. Hence it is recommended that, the case may be closed & delisted at State level and PP may be asked to apply afresh to MoEF."*
- vi. PP vide letter dtd 23.11.13 & 06.12.13 received in SEIAA office on 27.11.13 & 06.12.13 respectively requested to forward the case to MoEF, Gol as the case falls under category A. Hence, vide letter no.



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2021 dtd 19.12.13 the case was forwarded to Govt. of India, MoEF, New Delhi.

- vii. It was decided to accept the recommendation of 143 SEAC mtg. dtd. 29.10.13 and accord post facto approval for forwarding the case to MoEF, Gol and delisting the case from MPSEIAA.

9. M/s Nakoda Industries Chemical manufacturing unit at Sausar AKVN Industrial Area – Chhindwara (M.P.) – Discussion on SEIAA letter no. 1874 dated 01/11/2013

1. The case was discussed in depth and it is noted that :-

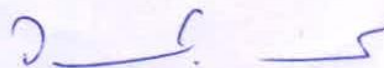
- (i). Vide letter dated 14/10/2013 PP requested for clarification towards applicability of environmental clearance for proposed project of chemical manufacturing plant at Sausar AKVN Industrial Area – Chhindwara (M.P.)
- (ii). The case was discussed in 146 SEAC mtg dtd. 08.11.13 and it is recorded that *"Scrutiny of the case reveals that Copper Phthalocyanine is an organometallic compound and is not covered under any of the items mentioned in the schedule of the EIA Notification, hence is not required to obtain prior EC before commencement of production. The industry shall however be required to obtain necessary consents under the provision of Air / Water Acts and Authorization under HW (M, H&T) Rules from MPPCB."*
- (iii). It was decided to defer the recommendation of SEAC. A letter should be sent to MoEF Gol for clarification. The copy of the letter should be endorsed to Project Proponent, MPPCB & SEAC.



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