

Minutes of the 59th Meeting of SEIAA dtd 7-6-2011

The 59th meeting of the State Level Environment Impact Assessment Authority was convened on 7th June, 2011 at 4.00 P.M 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:-

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| 1 | Shri M. Hashim | Member |
| 2 | Shri Praveen Garg, | Member Secretary |

1. The order of the High Court with reference to (Writ Petition No 1574/ 2008 and Writ Petition No 13329/2009) for exemption of sand mining and Bajri cases for Prior Environmental Clearance and SLP filed by MP Pollution Control Board in Hon'ble Supreme Court

In view of the exemption of sand mining and Bajri cases on account of Hon'ble High Court decision dated 29-9-10 and subsequently SLP filed by MP Pollution Control Board in Hon'ble Supreme Court, the authority decided that these will be studied by the Chairman and Member in depth and further action, if any, will be taken after informal separate discussion

2. Writ Petition No 5362/ 2001 filed in Hon'ble High Court by N M Dubash stone and lime Co, Pvt Ltd, Bistara lime stone and Dolomite mine Distt. Katni. M.P

It was decided by the Authority that in future Member Secretary shall put up Writ Petition files to the Member and Chairman for consideration. The practice is to be followed in this case. Concerned file should be submitted soon.

3. Writ Petition No 8330/2010 filed in Hon'ble High Court by Ram Kishen Asawa,. Distt. Jabalpur - M.P

The case was placed before the committee in view of the direction issued by the Hon'ble High Court in their order dated 09-03-11. In the order it has been asked that the SEIAA to provide Prior EC within two months in accordance with law.

The fact is that - the case was taken up in 26th SEIAA meeting dt 16-12-09 and following decision was recorded that "to send it to the District Collector for his opinion and the comments of the project proponent on the objection raised during public hearing. The same has been received. Meanwhile a complaint was received by the Authority from Shri Sushil Choubey stating that the proposed mining lease area now comes under orange area and no mining activity can be permitted by the Forest Deptt. Hence it is decided that the matter be referred to DFO for verification of the current status of the mining lease area. Hence it is decided that the matter be referred to DFO for verification of the current status of the mining lease area. The decision is deferred".

(Praveen Garg)
Member Secretary

(M. Hashim)
Member

(Amar Singh)
Chairman

The Authority while scrutinizing the documents of Divisional Forests Officer, Jabalpur (vide letter no/Dragsman/ 1238 dt 20-04-2011) found that the proposed dolomite and soap stone mine area is 8.00 ha in Khasra no 357 & 364 of village Seonitola, Tehsil & Distt. Jabalpur. As per this letter the total area of Khasra no 357 is 26.0 ha and that of Khasra no 364 is 1.70 ha. The mining area under Khasra no 357 and 364 are falling under orange area of Seoni forest Department (Orange Areas have got the status of Protected Forests). As per Forest Conservation Act 1980 necessary permission is required from MoEF, Gol. No such permission has been produced by the applicant.

Hence, the Authority decided to reject request to grant Prior EC. The Registrar of Hon'ble High Court, Madhya Pradesh, Jabalpur, Principal Secretary, Forests and Mineral Resource Department are also to be informed accordingly.

4. Writ Petition No 18262/ 2010 filed in Hon'ble High Court by M/s Ramchandra, Badri Prasad Gaur, Distt-Katni-M.P.

Member Secretary, MP Pollution Control Board has sent (vide their letter dtd 20.04.11) order of the High Court with reference to above Writ Petition. In the order dated 05.01.11 the Hon'ble High Court has accepted the representation of Proponent dated 01.12.10 addressed to Secretary, SEIAA and directed to consider the representation in proper prospective in accordance with law within two months. The Authority observed that it was not respondent in this Writ Petition. Hence no return was filed by the Authority.

It was decided by the Authority that Member Secretary will submit Writ Petition file to the Member and the Chairman for consideration soon according to the practice to be followed.

The meeting ended with vote of thanks to Chair

Sd/-
(Praveen Garg)
Member Secretary

Sd/-
(M. Hashim)
Member

Sd/-
(Amar Singh)
Chairman