

## Minutes of the 77<sup>th</sup> Meeting of SEIAA dated 07-01-2012

The 77<sup>th</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 07.01.2012 at 10.30 A.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:-

- |   |                    |                  |
|---|--------------------|------------------|
| 1 | Shri M. Hashim     | Member           |
| 2 | Shri Manohar Dubey | Member Secretary |

1. **Case No 66/2008**, Prior Environmental Clearance for Limestone mininig in an area of 11.83 ha for production capacity of 2,00,000 TPA at village - Nanwara Tehsil - Murwara, District - Katni by M/S Associate Lime Co., Mission Chowk, Katni, M.P.

The issue was discussed in 68th SEIAA meeting dtd. 30.09.11 it has been recorded that "The Authority scrutinized the documents and found that the proposed mining lease area is 300 m from the forest boundary and 65 km from Bandhavgarh National Park. The mining lease document is only photocopy and there is no Khasra Panch Shala for the eleven khasra numbers for the proposed area. The Authority found that there is no comment of SEAC on EIA, EMP and public hearing. No specific recommendation has been given by SEAC. The concerned Nodal Officer of SEAC, Dr. Avinash Karera on call, attended the meeting. He was instructed that in future SEAC must submit casewise appraisal report, while recommending it to SEIA for grant of prior Environmental Clearances, mentioning the following points:

- i) Opinion on jurisdiction of SEIAA on the basis of distance of the project site from Protected Areas (National Park, Sancuaries, and Tiger Resrves), Critically Polluted areas and Interstate boundary, as and when required.
- ii) In case of mining projects distance from nearest forest boundary and NoC of the the committee constituted under PS, Forest (as per 2008 circular), if it is located within 250 m from forest boundary.
- iii) Ownership of the land and documents(Certified or notorisred photocopy) duly examined by SEAC.
- iv) On acceptance of EIA, DMP, EMP etc., by SEAC, it should be clearly mentioned by SEAC whether it is satisfactory or not?. It should clearly mention the conditions, if any to be imposed.
- v) The availability of water. It should clearly mention whether it would be of ground water withdrawal or surface water? In case of ground water, if required permission from the competent Authority. In case of surface water, necessary comitment of competent authority should be examined.
- vi) The mitigative measures proposed by the PP for minimising proposed adverse impacts.
- vii) The conditions for grant of prior Environmental Clearances.

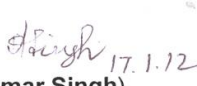
The Authority decided to return the case to SEAC for examining it again on above grounds and also in all new cases above information should be sent to SEIAA for consideration."

Accordigly the case was returned back to SEAC which was again discussed in 84th SEAC meeting dtd. 09.11.11 it has been recorded that "SEIAA Query

1. Opinion regarding jurisdiction of SEIAA - The application has been forwarded by SEIAA after categorizing the project as 'B' category. However, as per the information submitted by the PP the project site is more than 10 Km from the Protected areas (national Park,

  
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Sanctuaries & Tiger reserves), critically polluted areas and inter-state boundary hence falls within the jurisdiction of SEIAA in opinion of SEAC

2. Distance of nearest forest boundary from the boundary of the proposed site – As per the information given by DFO Katni, Forest boundary is more than 250 meters and Bandhavgarh National Park is 65 Km away from the proposed site. DFO has recommended the case.
3. Ownership of the land & documents (Certified or Notarized copies) - PP has submitted Notarized copy of Paanch Sala Khasra, which is in name of M/s Associated Lime Co. Katni.
4. Acceptance of EIA, EMP, and DMP etc. by SEAC – Already examined and dealt in the SEAC meeting dated 29/10/2010. The Submitted EIA, EMP/DMP is acceptable.
5. Source of water with permission from competent authority - PP was asked to reply to this query by SEAC to PP submitted reply on 21/02/2011 according to which mining pit water shall be utilized for the mining processes.
6. Mitigation measures proposed by the PP for minimizing the expected adverse impacts – As the case has been recommended by the SEAC it obvious that the mitigation measures proposed in the EMP are satisfactory.

Committee decided to send the cases back to SEIAA without any change in earlier recommendations."

The Authority examined the documents and found satisfactory. The Authority also examined Khasra Numbers and found that Khasra No. 60, 61, 62/2 and 66 are owned by Proponent and the remaining Khasra Nos. 62/1, 65, 70 and 71 belong to other land holders. The office of the Authority produced rules related to The Mineral Concession Rules, 1960. In rule 22 (3) (i) (h) it has been mentioned that

"the applicant has, where the land is not owned by him, obtained surface rights over the area or has obtained consent of the owner for starting mining operations :

Provided that no such statement shall be necessary where the land is owned by the Government:

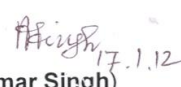
Provided further that such consent of the owner for starting mining operations in the area or part thereof may be furnished after execution of the lease deed but before entry into the said area;

Provided also that no further consent would be required in the case of renewal where consent has already been obtained during grant of the lease".

Based on the recommendation of the SEAC, satisfactory conditions of the documents and also the above mentioned rule, the Authority decided to accord Prior Environmental Clearance for limestone project in 11.83 ha having

  
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production capacity of 2,00,000 TPA at village Nanwara, Tehsil Murwara, District Katni by M/S Associate Lime Co.

### Policy Decision:

The Authority also decided that all such previous cases wherein private land of non tribal persons is included in the mining lease and letters have been sent to various agencies or PPs to seek clarification, these should be re-evaluated soon in the light of above rule and be put up before the Authority for reconsideration.

2. **Case No. 229/2008**, Prior Environmental Clearance for Residential Township project at village-Bijalpur, Indore, M.P. by M/S 21<sup>st</sup> Century Developers Pvt. Ltd., 6th floor, Treasure Island - II, Tukoganj Main Road, Indore.

The case was discussed in 65th SEIAA meeting dtd. 26.08.11 and it has been recorded that "The Authority observed that the project site is within Indore Municipal Corporation limit, which is critically polluted area. As per condition no. (vii) of the office memorandum issued by MoEF GoI vide no.J-11013/5/ 2010-IA II (1) dtd. 31.03.2011, "the EACs/SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these area."

*In view of the above mentioned conditions, the Authority decided to send the case back to SEAC for reappraisal for imposing specific strigent conditions for the proposed project. "*

Accordingly the case was discussed in 84th SEAC meeting dtd. 09.11.2011 and it has been recorded that "The case has been dealt in detail in earlier meetings keeping in view all safe guards for the environment. However, as desired by SEIAA, SEAC decided to forward the case back to SEIAA for grant of prior EC, imposing 37 special conditions:"

The Authority scrutinized the documents and found that the total built up area is 5,80,000 sq.m and total land area is 6,64,430 sq.m as per Form-1 filled by the PP. As per schedule 8 of the EIA notification, 2006, the case comes under 8 (b). As the land area is more than 50 ha and the built up area is also more than 1,50,000 sq. m, it comes under B (1) category for which ToR and EIA are mandatory. Therefore, the entire exercise carried so far becomes redundant. The Proponent should be asked to submit ToR so that SEAC may issue ToR for carrying Environment Impact Assessment Report.

3. **Case No 469/2009**, Prior Environmental Clearance for Manganese ore mine 22.498 ha for production capacity of 20,000 MTPA at village Lodhikhera, Tehsil Sausar, District Chhindwara by M/S Ajay Khandelwal, D-9, BDA, Koh- H -Fiza, Distt Bhopal.

The case was discussed in 82nd SEAC meeting dtd. 13.10.11 and it has been recorded that " Request has been submitted by the PP for withdrawal of case in view of proximity (less than 10 K.M.) of the site from Inter state boundary. Earlier it was reported by the PP that the distance of proposed site is more than 10 km from the interstate boundary based on the

  
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*submissions and presentations made by the PP TOR was issued to the PP. Committee has accepted the request of PP and recommends that the case be de-listed based on the fact that it is 'A' Category project and does not falls under the purview of MPSEIAA."*

The Authority examined the letter submitted by the Proponent and accepted the recommendation of the SEAC. The Authority decided the case should be closed and the application should be returned to the PP.

4. **Case No. 547/2010**, Prior Environmental Clearance for Mahavir Institute of Medical Science & Research, Near RGPV campus Village- Badwai, Bhopal-M.P. by Mahavir Institute of Medical Science & Research, Bhopal Dr. Rajesh Kumar Jain 30, Mangalwara, Jain Mandir Road, Bhopal-M.P.

The case was discussed in 82nd SEAC meeting dtd. 13.10.2011 and it has been recorded that *"PP has submitted satisfactory reply to the queries raised by SEAC. Based on information obtained from the PP and the presentation made thereby the SEAC decided to recommend the case for grant of prior EC subject to 49 special conditions."*

The Authority examined the documents and found that water requirement will be met from ground water and Narmada scheme of the Municipal Corporation. The Municipal Corporation (vide their letter no. 1260/PM/JNRUM/WS/2011 Bhopal dtd. 07.10.11) has committed that water supply distribution of Bhopal city is under execution and the requirement of the water can be considered once the project is completed. As the proponent has mentioned that water supply shall also be met from the ground water, therefore, the proponent should give breakup of the water supply from the Municipal Corporation and the ground water withdrawal. In case the ground water is more than the permissible limit of withdrawal, then the permission from the Central Ground Water Board Authority should be submitted as applicable.

The Authority also examined the Khasra details and found that government land has been allotted to the Proponent. The Authority decided that the Proponent should be asked to provide the copy of the land allotment Order. Both these information should be submitted within one month.

5. **Case No. 557/2010**, Prior Environmental Clearance for Rock Phosphate Beneficiation Plant 9.27 ha (92700 sq. m.) for production capacity 90,000 TPA at Saurai, Industrial Area, Teh- Banda, Distt-Sagar-M.P. by M/s Madhya Bharat Agro Products Ltd, Manohar Raghuwanshi 127, Rachna Nagar, Bhopal-M.P.

The case was discussed in 82nd SEAC meeting dtd. 13.10.2011 and it has been recorded that *"after deliberations the committee was satisfied with EMP and other submissions of the Proponent and decided to recommend the project for issue of prior EC with 10 special conditions."*

The Authority examined the documents provided by the SEAC and found satisfactory. The Authority also examined the agreement lease deed allotment letter provided by MPAKVN and the public hearing was found satisfactory. The

  
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letter issued by CGWA for the withdrawal of the ground water was also examined and found satisfactory. The distances from the Protected Areas and interstate boundary were discussed in depth and the Authority was of the opinion the interstate boundary and Protected Areas are more than 10 km. The Authority accepted recommendation of the SEAC and decided to grant Prior Environmental Clearance for for Rock Phosphate Benefication Plant 9.27 ha (92700 sq.m) for production capacity 90,000 TPA at Saurai, Industrial Area, Teh- Banda, Distt-Sagar-M.P. by M/s Madhya Bharat Agro Products Ltd.

6. **Case No. 570/2010**, Prior Environmental Clearance for Ramrama Manganese ore mine 43.086 ha at village Ramrama, Teh-Waraseoni, Distt- Balaghat-M.P. by M/s A.P. Trivedi & Sons Main Road, Distt-Balaghat-M.P.

The case was discussed in 82nd SEAC meeting dtd. 13.10.2011 and it has been recorded that *"After deliberations committee found the submissions satisfactory. The EIA and EMP report presented by the PP and his consultant was found to be acceptable hence based on the information and the presentations made by the PP committee decided to recommend the case for grant of prior Environmental Clearance subject to four special conditions:"*


The Authority examined land status, EMP, and public hearing aspects of the SEAC meeting and found satisfactory. It also examined distance of the Protected Areas and inter state boundary and noted that there is no national park and sanctuary within 10 km. Besides there is no interstate boundaries within 10 km. Thus the SEIAA has jurisdiction.

The Authority examined the letter (no. F-5-5/2010/10-3 Bhopal dtd. 04.01.2012) issued by the Govt. of Madhya Pradesh Department of Forest, which states that the mining lease area is old one and therefore there is no need of NOC from PS, Forest. The Authority also examined the Khasra details and found that total numbers of Khasra involved is 57. Out of this most of the Khasras belong to government land and a few Khasras belong to M/S A. P. Trivedi & Sons. The public hearing was also examined and found satisfactory.


The Authority decided to grant prior EC Ramrama Manganese ore mine in 43.086 ha for production capacity 25,000 TPA at village Ramrama, Teh-Waraseoni, Distt- Balaghat-M.P. by M/s A.P. Trivedi & Sons.

### Policy Decision:

A policy decision has been taken in 42nd SEAC meeting dtd. 13.08.2010 and it has been recorded that *"The Authority took a decision in all such cases where mining lease areas located within 250 m from the forest boundary, and NOC has been issued prior to 7th October 2002, the Project Proponent should procure and submit an NOC from the Committee headed by Secretary, Govt. of M. P., Forest Deptt. as per order no. F-5/16/81/10-3 dtd. 27.08.2008."*

  
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In view of the letter written by Govt. of M. P., Deptt. of Forest dtd. 04.01.12, the Authority decided that the policy decision taken in this regard in 42nd SEIAA meeting dtd. 13.08.10 is revoked.

The Authority also decided that all such previous cases, wherein it has been decided by the Authority that NOC from the Principal Secretary, Govt. of Madhya Pradesh Department of Forest, should be submitted by the PP, such cases should again be re-evaluated and be put up before the Authority for reconsideration.

7. **Case No. 639/2011**, Prior Environmental Clearance for Rock Phosphate Beneficiation Plant for production capacity 0.06 TPA at Industrial Area, Meghnagar, Distt. Jhabua -M.P. by M/S APINIDIA, Biotech Pvt. Ltd. 188, Pulbogda, Jinsi, Bhopal.

The case was discussed in 83rd SEAC meeting dtd. 08.11.2011 and it has been recorded that "PP has submitted query response with reference to SEAC meeting dtd. 12.10.2011. After deliberations the Committee decided to recommend the case for grant of prior EC subject to 12 specific conditions."

The Authority noted that the ToR has been issued by the Ministry of Environment and Forest, GoI (vide their letter F No. J-11011/554/2010-IA II (I) dtd. 07.03.11). It has been mentioned in it that no public hearing / consultation is required as per stage section 7 (i) III, stage (3) Para (i) (b) of EIA notification.

The Authority examined documents submitted by PP (vide letter dtd. 06.01.2012) regarding distance from the interstate boundary and commitment letter issued by the AKVN for supply of water to the proposed unit. The AKVN has committed for supply of 1,50,000 l/day while the requirement of the proponent is 1,80,000 l/day. It was decided by the Authority that entire requirement of the water will have to met by AKVN supply, either by enhancing by AKVN or by reduction in demand of the PP. In any case no underground water shall be exploited for the project.

The Proposed project is located in Industrial estate. The contents of Para III Stage(3) - relating to public Consultation provides in clause(i) (b) that such activity should not be disallowed in the industrial estate by the concerned Authority. The Authority found that no information is available in the record if mineral beneficiation is banned in this industrial estate. Hence letter is to be sent to the Principal Secretary Commerce and Industry department Gov. of M.P. to get this information.

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

  
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