

## Minutes of the 78<sup>th</sup> Meeting of SEIAA dated 11-01-2012

The 78<sup>th</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 11.01.2012 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. 21/2008** Prior Environmental Clearance for Marble mine 9.10 ha with production capacity of 4000 cum / annum at village Gathora, Tehsil - Sehora, Distt- Jabalpur - M.P. by M/S Jai Mata Di Marbles village Gathora, Tehsil - Sehora, Distt- Jabalpur - M.P.

The case was discussed in 72nd SEIAA meeting dtd. 16.11.11 and it has been recorded that -


"Authority scrutinized revised EIA and decided that the Proponent should give yearly plantation programme. The Authority also examined the public hearing documents and found that the Khasra No. 112 is adjacent to one of the Khasra No. viz. 135 number which is used for cremation. The Authority decided that the cremation right of the local people should not be disturbed at any cost.

The Authority also examined the various Khasra Numbers of the proposed mining lease area submitted by the PP (vide their letter no. nil dtd. 30.06.11) and found that notarized copy of the Khasra Numbers 135 & 139 have not been enclosed. The Authority also found that the Khasra numbers are in the name of M/S Mittal Roadways Pvt. Ltd., while the mining lease is in the name of M/S Jai Mata Di Marbles.

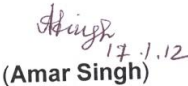
Therefore the Authority decided to write to the PP to submit to office of the Authority the notarized copy of the Khasra No. 135 and 139 and also explain arrangement with the owner, M/S Mittal Roadways Pvt. Ltd., to use his land, within one month from the dated of dispatch of the letter from the office of the SEIAA. "

The Authority examined Khasra nos. submitted by PP (vide letter no. nil dtd. 16.12.11) and found that it is government land. The agreement between PP and M/S Mittal Roadways Pvt. Ltd. for surface rights of the Khasra nos. 134/1, 134/2, 136/1, 136/2, 137/1, 137/2 and 138 were also examined by the Authority and found satisfactory. For yearly plantation program the Authority again examined the Environmental Management Plan submitted by the PP and found it satisfactory. It was decided by the Authority to grant Prior Environmental Clearance for marble mine 9.10 ha with production capacity of 4000 cum / annum at village Gathora, Tehsil - Sehora, Distt- Jabalpur - M.P. by M/S Jai Mata Di Marbles village Gathora, Tehsil - Sehora, Distt- Jabalpur - M.P.

2. **Case No. 54/2008**, Prior Environmental Clearance for Laterite and Bauxite mine 8.094 ha, production capacity of 5,500 TPA at Village -Tikaria, Tehsil - Marwar, District Katni by M/s Savitri Minerals Pathak ward, Katni M.P.

  
(Manohar Dubey)  
Member Secretary

  
(M. Hashim)  
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(Amar Singh)  
Chairman

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The case was discussed in 68<sup>th</sup> SEIAA meeting dtd. 30.09.11 and it has been recorded that "The Authority scrutinized the EIA summary and found it satisfactory. The mining lease documents submitted by PP indicates that it includes khasra nos. 144/1K & 144/2 and the lease deed expired in 2007. The PP has applied for renewal of mining lease for khasra no. 144/2 only. It is not clear whether permission for extension of mining lease period has been granted or not? If yes a copy of the revised mining lease indicating Khasra numbers for which lease is granted, the notarized certified copies of that Khasra number should be submitted by the PP within one month."

The Authority examined the office order issued by Mineral Resource Deptt. (vide letter no. F-3-40/2010/12-2 Bhopal dtd. 06.04.11) submitted by the PP vide their letter dtd. 11.11.2011. It also examined Khasra Panchsala and Bandobast Khasra Panchsala. The public hearing report was also examined. The Authority decided to grant Prior Environmental Clearance for Laterite and Bauxite mine 8.094 ha, production capacity of 5,500 TPA at Village -Tikaria, Tehsil - Marwar, District Katni by M/s Savitri Minerals Pathak ward, Katni M.P. with special condition that the PP should submit the revised lease agreement to the SEIAA within two months.

3. **Case No. 96/2008**, Prior Environmental Clearance for Iron Ore mine 20.141 ha for production capacity of 50,000 MT/Y at village Agaria, Tehsil Sihora, Dist. Jabalpur, MP by M/S Nirmala Minerals

The Authority examined the documents and found that the mining lease period is from 06.03.1987 to 05.03.2007. Thus the lease period has already expired. The Authority decided that a letter should be sent to the Proponent for submitting the renewal of the order by the Mineral Resource Deptt. within one month so that further aspects may be examined.

4. **Case No. 124/2008**, Prior Environmental Clearance for Dolomite & Limestone mine 6.817 ha. Village-Kanheri, Teh-Tendukheda, Distt-Narsingpur M.P. by Shri Pradeep Jain C/o Jain Medical store, Main market Tendukheda, Narsinghpur M.P.

The case was discussed in 75<sup>th</sup> SEIAA meeting dtd. 14.12.11 and it has been recorded that "The case was further examined at SEIAA for issue of prior EC letter and it was found that revised ToR has been issued for Dolomite and Limestone Marble Block while SEAC has recommended for prior EC for dolomite & lime stone mine and the consent letter has also been issued by MPPCB on 04.03.11 for dolomite & limestone mine. The issue was taken up with MS, SEAC and MPPCB on 25.11.11. Accordingly MS, SEAC (vide their letter no. 315/PS-MS/MPPCB/SEAC (68)/2011 dtd. 26.11.11) has informed that the case is related to dolomite and lime stone marble block for the same capacity of 4,000 Tonnes / year. Subsequently MS, MPPCB (vide their endt. no. 9615/TS/MPPCB/Mine /2011 dtd. 12.12.11) also issued revised consent letter for mining of dolomite, lime stone marble block.

The committee scrutinized these documents and it was decided that Project Proponent should submit the photocopy of the revised letter issued by the Mineral Resource Deptt. and revised lease deed duly notarized for dolomite and lime stone marble blocks. The Proponent should also submit the approved break up of quantities of dolomite, lime stone marble block to be

  
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*extracted within one month. The Collector, Narsinghpur may be directed to provide the above documents to the Project Proponent."*

The case was also discussed in 71<sup>st</sup> SEIAA meeting dtd. 09.11.11 and it has been recorded that "The Authority scrutinized documents submitted by PP vide their letter no. nil dtd. 18.10.2011 and found satisfactory.

*The Authority accepted recommendation of SEAC and decided to accord Prior EC to the proposed project with special conditions that the Proponent has to ensure development of garland drain to be constructed around waste dump as mentioned in the opinion of public hearing panel"*

The Authority examined the documents submitted by the PP vide their letter no. nil dtd. 30.12.2011 and found satisfactory. The Authority decided to accord prior EC for "dolomite, lime stone and marble block mine" in 6.817 ha at Village-Kanheri, Teh-Tendukheda, Distt-Narsingpur M.P. instead of "dolomite & limestone mine" granted earlier 6.817 ha. Village-Kanheri, Teh-Tendukheda, Distt-Narsingpur M.P.

5. **Case No. 152/2008**, Prior Environmental Clearance for Dolomite mine 5.0 ha at Village Malegaon, Tehsil Suncer Chhindwara M.P. by M/s Rajkumar N.Tirpude Civil line, Nagpur, Maharashtra

The case was discussed in 47<sup>th</sup> SEIAA meeting dtd. 22.01.11 and it has been recorded that "A letter should be sent to Collector Chhindwara asking him the distance of the mining lease area from the interstate boundary the DFO, Chhindwara also be asked about the mining lease area from the forest boundary."

The Authority examined the letter no. 8760/Khanij Shakah/Kh.Li/2011 Chhindwara dtd. 02.12.2011 and found that the interstate boundary is 23 km from the proposed mining area. Thus SEIAA has jurisdiction.

The Authority also examined notarized copy of the Khasra Panchsala and mining lease agreement and found satisfactory. The public hearing report was also examined and found satisfactory. The Authority also examined proposed plantation plan and found that plantation is proposed in 1.00 ha area.

The Authority accorded Prior Environmental Clearance for Dolomite mine 5.0 ha at Village Malegaon, Tehsil Suncer Chhindwara M.P. by M/s Rajkumar N.Tirpude Civil line, Nagpur, Maharashtra with special condition that PP should carry out plantation in 33% of the mining area.

6. **Case No 251/2008**, Prior Environmental Clearance for Manganese ore mine 11.766 ha for production capacity of 2,000 MTPA at village Jarah Mohagaon, Tehsil Katangi, District Balaghat by M/S Balasore Alloys Ltd., Balgopalpur, Balasore, Orissa.

  
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The issue was discussed in 69th SEIAA meeting dtd. 05.10.11 and it has been recorded that "Authority also examined the mining lease and ownership record and found that ownership record is not in the name of project proponent.

*It was also decided to write to the Collector, Balaghat to provide the rule under which mining lease on private land is given to Project Proponent.*

*The Proponent should submit the certified letter issued by Collector, Balaghat, mentioning distance of the project area from inter state boundary. The Collector may also be directed to provide the same to PP."*

The Authority examined distance of the interstate boundary submitted by the office of the Collector, (Mineral Resource Division) vide their letter no. 4077/Kh.Li.-2/11 Balaghat dtd. 08.12.11 and found it satisfactory. Thus SEIAA has jurisdiction. The information provided by the office of the Collector, Balaghat mentioned that the Proponent has purchased 4.471 land belonging to 6 Khasra Nos. and the process for getting consent from the land owner is under process.

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;

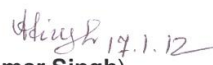
Provided also that no further consent would be required in the case of renewal where consent has already been obtained during grant of the lease".

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 manganese ore mine 11.766 ha for production capacity of 2,000 MTPA at village Jarah Mohagaon, Tehsil Katangi, District Balaghat by M/S Balasore Alloys Ltd., Balgopalpur, Balasore, Orissa with special condition that PP should get the consent of the private land owners before execution of the mining operation and submit a copy of these to the office of the SEIAA.

7. **Case No 413/2009**, Prior Environmental Clearance of Manganese ore mine 6.264 ha. at Village Jagantola, Teh- Baihar, Distt-Balaghat (M.P.) by Hira Power and Steels Limited (formally Jain Carbides & Chemicals Ltd.) Plot

  
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Power and Steels Limited (formally Jain Carbides & Chemicals Ltd.) Plot No.557, 563,564 Urla Industrial Area, Raipur (C.G.)

The case was discussed in 75th SEIAA meeting dtd. 14.12.11 and it has been recorded that " The Authority found that the letter issued by the MoEF for Environmental Clearance (vide dtd. 27.09.2007) is not available. Beside this notarized copy of the Khasra No., has also not been enclosed. The Authority examined the DFO, North Division, Balaghat letter (no. Manchitkar / 2128 Balaghat dtd. 27.08.2010) and found that it has not been clearly mentioned that there is no National Park / Sanctuary / Biosphere Reserve / wild life corridor within 10 km as per EIA notification, 2006.

The Authority decided that the Proponent should submit photocopy of the EC letter issued by the ministry dtd. 27.09.2007, notarized copy of the Khasra no. and the letter from the DFO, North Division, Balaghat clearly mentioning the distance of the proposed mining lease area from Protected Areas (viz. National Park / Sanctuary / wild life corridor)."

The Authority examined the documents submitted by the PP (vide their letter no. nill dtd. 19.12.11 and letter no. HPSL/ MINE/ 11-12 /428 dtd. 02.01.12) and found that Kanha National Park / sanctuary / Biosphere Reserve is 30 km away and Wildlife Corridor Reserve is 35 km from the forest boundary. The Authority also examined Khasra Panchsala and found it satisfactory. The letter (No. F-5-16/1981/10-3, Bhopal dtd. 12.12.11) received from the Govt. of Madhya Pradesh Deptt. of Forest were also examined. It reveals that mining lease is old one and therefore there is no need for NOC from the Committee PS, Forest.

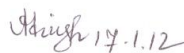
The Authority found that the interstate boundary has not been submitted by the PP. Therefore, the Authority decided that the PP should submit a letter from the Collector, Balaghat indicating distance of the mining area from the interstate boundary. It was also decided that Collector should be asked to provide the required information to the PP.

The notarized copy of the Prior Environmental Clearance letter issued by Ministry of Environment and Forest (letter no. J-11015/212/2006-IA-II (M) dtd. 27.09.2007) was examined by the Authority and it was found that Prior Environmental Clearance has been granted in 6.264 ha area for the production capacity of 8,000 Tonnes per annum based on open cast mining method. The Form- I, ToR issued by SEAC were also examined by the Authority and it was found that PP has applied for 10,000 Tonnes per annum capacity afresh on the same mining area and accordingly ToR has been issued by SEAC. Thus it is evident that it is a case of enhancement of production from 8,000 Tonnes per annum to 10,000 Tonnes per annum along with change in mining methodology from open cast to under ground mining.

As per office memorandum vide no. J-11013/41/2006-IA.II (I) dtd. 01.07.2011 of Government of India, Ministry of Environment and Forests the Authority decided that PP should submit compliance report on Environment Clearance conditions. Beside this PP should submit an affidavit whether they have

  
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received any notice under section 5 of the EPA, 1986 or relevant sections of Air and Water Acts and their compliances. It was also decided that a letter should be sent to MP Pollution Control Board for submission of the compliance report under Air/ Water Pollution Control Acts. Similarly, a letter should also be sent to the Regional Office, Bhopal of the Ministry of Environment and Forests, Govt. for comment on implementation of the compliance of the conditions imposed earlier by the Ministry vide letter dtd 27-09-07.

8. **Case No. 492/2009**, Prior Environmental Clearance for Jura lime stone mine 29.163 ha at village Jura, Teh- Maihar, Distt- Satna-M.P. by Shri Sanktha Prasad Dwivedi, Distt-Satna-M.P.

The case was discussed in 61st SEIAA meeting dtd. 06.07.11 and it has been recorded that -

*"The Authority scrutinized documents submitted by the proponent vide their letter No. nil dtd 11-05-11 and found that the land ownership of 29.163 ha mining area at village Jura, Teh- Maihar, Distt- Satna seems to be in private ownership. The Authority has also scrutinised the executive summary of EIA report and found that budget provision for the plantation programme seems to be very low. Hence, it was decided:*

*To write to Collector, Satna to know the legal provision on the basis of which mining lease has been granted to the proposed project on the land of private persons."*

The Authority examined the information sent vide letter no. Khanij/2011/2392 dtd. 03.12.11 by office of the Collector, Satna in this letter the rule has been quoted as उक्त पत्र के माध्यम से प्रकरण में वस्तु स्थिति स्पष्ट करने की पुष्टि में एम.एम.आर. डी. अधिनियम, 1957 की धारा 5 (1), 24 ए एवं एम. सी. आर. 1960 के नियम 72 तथा लीज अनुबंध फार्म "ए" की शर्त क्रमांक **viii (2)** के अद्यरणों की छायाप्रतियां संलग्न कर तदनुसार नियमों के मंशानुरूप खनिपट्टाधारी आवश्यकतानुसार भूमि का क्रय कर अथवा सहमति प्राप्त कर भूमि का सतही अधिकार जितने क्षेत्र पर प्राप्त करेगा उतनी ही क्षेत्र पर खनन कार्य करने की अनुमति प्रदान किये जाने का प्रावधान है।

The Authority also examined the plantation programme submitted by PP and it was found that it is inadequate. The Authority accorded Prior Environmental Clearance for Jura lime stone mine 29.163 ha at village Jura, Teh- Maihar, Distt- Satna-M.P. by Shri Sanktha Prasad Dwivedi, Distt-Satna-M.P. with special condition that (i) the PP should submit a copy of the agreement with private land holders before operation of the mining lease area and (ii) PP should carried out plantation in 33% area. Accordingly appropriate budget should be earmarked.

9. **Case No. 546/2010**, Prior Environmental Clearance for Manufacturing facility for formulation products and active pharmaceutical ingredients (API) at plot no-2 SEZ, Phase-II, Pithampur Distt-Dhar-M.P. by M/s Lupin Pharmacare Ltd Plot No. 2, SEZ, Pithampur Phase-II, Apparel park Distt-Dhar-M.P.

  
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The case was discussed in 55th SEIAA meeting dtd. 28.03.11 it has been recorded that "The Authority examined the case in view of MoEF, Gol Office Memorandum dtd. 13.01.2010, it was decided to write to MD, AKVN, Indore to ascertain distance from Rau Industrial area and Indore Municipal Corporation limits of this factory by 30th April 2011."

SEAC in its 80<sup>th</sup> meeting dtd. 03.09.11 recommended the case for grant of prior Environmental Clearance.

The Authority has scrutinized documents received from MPAKVN, Indore (vide no. AKVN/IND/SEZ/11/16980 dtd. 09.12.11) found the case is within jurisdiction of SEIAA as the distance of the proposed project from Indore Municipal Corporation limits is 28 km and from Rau Industrial area is 20 km.

The Authority has also gone through the minutes of 76<sup>th</sup> SEAC meeting dtd. 07.01.2011 and it has been mentioned in it that no public hearing was conducted. Hence it was decided to write a letter to Industries Deptt. to provide what type of industries are disallowed in SEZ Phase-II miscellaneous, Apparel Park, Pithampur, Distt-Dhar-M.P within one month from the date of issue of the letter.

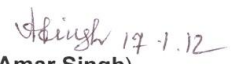
*Meeting ended with a vote of thanks to the Chair.*



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Member Secretary



(M. Hashim)  
Member



(Amar Singh)  
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