

Minutes of the 89th Meeting of SEIAA dated 11.04.2012

The 89th meeting of the State Level Environment Impact Assessment Authority was convened on 11.04.2012 at 02.30 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 | Shri Sharad Kumar Jain | Member Secretary (In-charge) |

1. **Case No 48/2008**, Prior Environmental Clearance for dolomite mine in an area of 6.60 ha for production capacity 20,000 MTPA at Village Bhanwartal, Tehsil Bicchiya, District Mandla, MP by M/s Aruna Dolomite mine, Near Sales Tax Office, Civil lines, Mandla, MP.

The case was discussed in 45th SEIAA meeting dtd. 10.01.11 and it has been recorded that " *The Authority while scrutinizing the documents observed that the DFO's letter no.136 dtd 08.01.2010 only states that the distance of mining lease area from Kanha National Park. It does not specify the distance of mining lease area from the Forest boundary.*

Hence it was decided to write to the concerned DFO asking the distance of mining lease area from the forest boundary. The copy of the letter should be endorsed to the Conservator of Forest and the Project Proponent."

The Authority examined the DFO, Mandla letter (no. 2382 dtd 21.07.2010) and found that the general conditions are not attracted, hence, SEIAA has jurisdiction. Further it was found that the north & east boundary of Khasra no. 113 & 114 are adjacent to forest while other Khasras are 250 m away from the forest boundary. As per decision of 77th SEIAA meeting dtd 07.01.2012, no NOC from the PS, Forest is required relating to mining lease area sanctioned before 29.08.2008 (vide no. F-5/16/81/10-3 Bhopal dtd 29.08.08). As mining lease has been sanctioned in the year 2005, thus 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, Mandla should regularly monitor the mining activities so as to avoid illegal mining in the adjoining forest area.

The Authority examined the notarized copy of mining lease deed and found it satisfactory. Out of total 9 Khasras, 8 belong to MP Govt., while remaining 1 belongs to the PP. The public hearing documents were also scrutinized by the Authority and nothing adverse was found. The proposed plantation plan was scrutinized and it was found that 1500 trees have been proposed to be planted in 1.0 ha area from 1st to 5th year and total 9,000 trees covering an area of 5.99 ha is to be planted by the 20th year. The Authority also noted that the production capacity as mentioned in Form-1 is 17,000 TPA however, in the lease deed, Executive summary of EIA and presentation the capacity mentioned is 20,000 TPA. Based on the recommendation of SEAC in its 47th meeting dtd 29.01.2010 and 68th meeting dtd. 30.10.2010 the Authority decided to grant prior Environmental Clearance for dolomite mine in an area of 6.60 ha for production capacity 20,000 MTPA at Village Bhanwartal, Tehsil Bicchiya, District Mandla,


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MP by M/s Aruna Dolomite mine, Near Sales Tax Office, Civil lines, Mandla, MP with following conditions :-

- a. PP will carry out yearly plantation with minimum 300 trees per year and submit the compliance report to the concerned regulatory Authority.
 - b. DFO, Mandla should regularly monitor the mining activities so as to avoid illegal mining in the forest area adjoining to Khasra no. 113 & 114.
2. **Case No. 98/2008**, Prior Environmental Clearance for Red Ochre mine in an area of 12.0 ha for production capacity 5000 T / Y at Village Bankuri, Tehsil Karahal, District Sheopur by Indra Devi Garg legal heir of late Shri Giriraj Garg, Balaji Handloom, Saraswati Shishu ke Samne, Jeewajiganj, P.O. & Dist - Morena (MP)

The case was discussed in 45th SEIAA meeting dtd. 10.01.11 and it has been recorded that "The Authority while scrutinizing the documents observed that the DFO's letter no. 4546 dt 18.10.2002 only states that the mining lease area is located out of forest area. It does not specify the distance of mining lease area from the Forest boundary.

Hence, it was decided to write to the concerned DFO asking the distance of mining lease area from the forest boundary. The copy of the letter should be endorsed to the Conservator of Forest and the Project Proponent."

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 and the nearest forest boundary is at a distance of 100 m. As per decision of 77th SEIAA meeting dtd 07.01.2012, no NOC from the PS, Forest is required relating to mining lease area sanctioned before 29.08.2008 (vide no. F-5/16/81/10-3 Bhopal dtd 29.08.08). From the ToR issued by SEAC it seems that mining lease has been sanctioned in the year 2003. Therefore, the Authority decided that the 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.

The Authority found that the distance of interstate boundary, notarized copy of lease deed & latest Khasra Panchsala have not been submitted. The afforestation plan was found to be satisfactory. The public hearing documents were also examined by the Authority and it was found that the public hearing has been conducted at the tehsil office Karahal. As per the Para 7 III stage (3) - Public consultation (iii) of the EIA notification 2006 the public hearing is to be conducted at/ or in closed proximately to the site.

Therefore, Authority decided that: -

- (a) PP should submit certificate/ letter issued by Collector / EE, PWD, Sheopur, mentioning distance of the mining area from inter state boundary. The Collector and EE PWD, Sheopur may also be directed to provide the same to PP.


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- (b) PP should submit latest certified copies of the Khasra Panchsala and mining lease deed within one month.
 - (c) Letter should be sent to the MS M. P. Pollution Control Board to organize public hearing as written above and submit report within two months to the Member Secretary, SEIAA. Copy of this letter should be endorsed to the PP also.
3. **Case No. 144/2008**, Prior Environmental Clearance for Bauxite & Ochre mine in an area of 15.62 ha for production capacity 10,000 MT/year at village Karigohi, tehsil Majhgawn, district Satna, MP by M/S Rakesh Agencies, PO- Jaitwara, Dist- Satna, MP.


The case was discussed in 72nd SEIAA meeting dtd. 16.11.11 and it has been recorded that " The revised EIA report has been examined by SEAC again in 80th SEAC meeting dtd. 03.09.11 and it has been recorded that " The submitted of EIA have been scrutinized as per Notification and are being forwarded to SEIAA with earlier recommendation unaffected."

The Authority examined the Notarized copy of the endorsement letter (no. 1631/Khanij/2011, Satna dtd. 26.08.11) issued by Dy. Director (Kha.Pra) from the office of the Collector, Satna and submitted by the PP (vide their letter no.nil dtd. nil) received in SEIAA office on 13.09.11. According to this the distance of the proposed mining lease area is about 12.00 km from the inter state boundary. General condition is not applicable and SEIAA has jurisdiction to consider the case for granting prior EC. The Authority also scrutinized revised EIA submitted by the Proponent and found that the plantation plan has been proposed to be carried out in 14.05 ha area by the end of 20th year of the total mining lease area of 15.62 ha. Thus the overall plantation plan is satisfactory. It also examined the notarized copy of the Khasra no. submitted by the Proponent (vide their letter no. nil dtd. 28.06.2011) and found that private land is involved and most of the Khasra numbers and some belong to tribal people. Therefore, it was decided to write a letter to Collector, Satna asking him to provide the rules under which private and tribal persons land have been included in the mining lease."

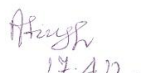
The Authority examined the information submitted by PP vide letter dtd 20.12.2011, lease deed and Khasra Panchsala and it was noted that the Khasra Nos. 302/2/B, 302/3/B, 303/2, 303/3, 303/4 belong to tribal. The Khasra nos. 302/4/B, 302/Ka/2, 303/5, 304/1/Ka/1, 304/1/Ka/2, 304/2/Ka/Ka, 304/2/Ka/Kha, 304/B are private land while Khasra no. 302/1/B, 302/Ka/1, 303/1 are government land. As per section, 165 of the MP Land Revenue Code, the tribal land can not be given without the permission of the Collector.

The Authority examined the Collector letter no. 1631 / mining /2011 Satna dtd 26.08.2011 according to which the interstate boundary is 12 km from the mining site. As per the DFO, Satna letter dtd 02.12.2010 the National Park and Sanctuary is located more than 10 km away from the mining area. Hence, the general conditions are not attracted and SEIAA has jurisdiction.

The Authority examined the public hearing documents and observed that the public hearing has been conducted at the Govt. Primary School village Baradadi whereas the mining area is located in village Karigohi. As per the Para 7 III stage (3) - Public consultation (iii) of the EIA notification 2006 the public hearing


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is to be conducted at/ or in closed proximity to the site. The plantation plan was examined by the Authority and was found to be satisfactory.

The Authority decided that

- (a) Proponent should submit permission from the Collector, Satna under section, 165 of the MP Land Revenue Code for the land belonging to tribal within one month.
- (b) PP should submit a certificate from the Collector, Satna regarding the distance of village Baradadi from the mining Parisar.

The Collector, Satna letter should be informed to provide a above mentioned information to the PP.

4. **Case No. 201/2008**, Prior Environmental Clearance for marble mine in an area of 5.63 ha for production capacity of 10,000 MTA at village Ghuthei, Tehsil Majholi, district Jabalpur, MP by M/S Rajas Marbles, 1024 Bai Ka Bagicha, Gali No. 1, Ghamapur, Jabalpur, MP.

The case was discussed in 37th SEIAA meeting dtd 21.06.2010 and it has been recorded that "The Authority while scrutinizing the documents observed that some of the Khasras may be located within 250 m from forest boundary. As the Forest Deptt. NOC does not specify the distance of mining lease area from forest boundary, nor is there any mention of all the Khasra nos. in the Forest Deptt. NOC.

Hence it was decided to send the case back to SEAC for reconsideration on the above grounds. SEAC may obtain a fresh Forest Deptt. NOC from the proponent having all the above information."

The office of the SEIAA informed that the original filed was called from the office of the SEAC. As per records the MS, SEAC has sent letters to DFO, Jabalpur on 07.07.2010 and 20.09.2011 for providing information related to location of the nearest forest boundary and Protected Areas (National Park / Sanctuary) from the proposed mining area. However, the response from the DFO is still awaited. The Authority decided that letter should be sent to DFO, Jabalpur for providing the required information within one month with endorsement to PP.

The Authority also found that notarized mining lease and Khasra Panchsala as well as approved mining management plan have not been submitted by the PP. Therefore, it was decided that letter should be sent to PP to submit latest Khasra Panchsala, notarized copy of mining lease as well as approved mining management plan within one month.

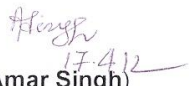
The Authority also scrutinized public hearing documents and afforestation program and found these to be satisfactory.

5. **Case No. 264/2009**, Prior Environmental Clearance for pyrophyllite & diaspoire mine in an area of 6.60 ha for production capacity 10,000 MPTA at village Nandgaikala, Tehsil & District Chhatarpur, MP by Arvind Pratap Singh, Behind Hanuman Toria Chhatarpur, M.P.

The case was discussed in 44th SEIAA meeting dtd. 14.12.10 and it has been recorded that "above case was recommended by SEAC for grant of Prior Environmental Clearance.


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The Authority while scrutinizing the documents found that objections were raised during Public Hearing regarding grazing land. Villagers have raised an issue that presently the area is being used as the grazing land by the villagers for their cattle.

Once the mining activity will start the area will not be available for grazing.

It was decided by the Authority that the Distt. Collector may be asked about.

- i. What is the total area of the village?
- ii. How much area is earmarked for grazing ?
- iii. Whether the area proposed for mining activity is used as grazing land at present by the villagers ?

Similarly the Forest Deptt. NOC submitted by the Proponent is a hand written photocopy without the date of issue. Same may be verified from the concerned DFO.

The Authority examined the letter received from office of the Collector, Chhatarpur (no. 1717 dtd 14.12.2011) and found these satisfactory. The information received from DFO (no. 4190 dtd 01.10.2010) was examined and found satisfactory. As per DFO letter the Ken Ghariyal Sanctuary and Panna National Park are located 25 km away from the mining area. Hence, the general conditions are not attracted and SEIAA has jurisdiction. The nearest forest boundary is at a distance of 4.5 km. The Authority while examining the documents found that the public hearing and proposed plantation as per EIA report is satisfactory.

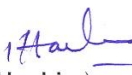
The Authority found that EIA summary, undertaking by PP regarding content of data and its originality, notarized copy of mining lease deed and latest Khasra Panchsala have not been submitted. The Authority decided that PP should submit EIA summary, undertaking by PP regarding content of data and its originality, notarized copy of mining lease deed and latest Khasra Panchsala within one month.

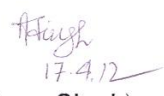
6. **Case No. 272/2009**, Prior Environmental Clearance for Deshgaon Basalt metal stone quarry in area of 18.84 ha for production capacity 19,800 cum per year at village Deshgaon, tehsil Khandwa, district East Nimar, MP by Shri Rakesh Kumar Bansal, Ram Krishna Road, tehsil & district Khandwa, MP.

The case was discussed in 74th SEIAA meeting dtd. 01.12.12 and it has been recorded that " The Authority scrutinized revised EIA report, mining plan and public hearing and found that these satisfactory. The Authority also examined mining lease documents and Khasra details and found that Proponent has not submitted Khasra relating to the survey No. of 1214 included in lease deed. The Authority decided to write a letter to the Proponent to submit latest notarized copy of Khasra Panchshala of survey No. 1214 within one month."

The Authority examined the notarized copy of Khasra Panchsala submitted by PP and found it satisfactory. As per DFO, Khandwa (no. 135 dtd 04.01.2011) there is no National park and Sanctuary within 20 km. Hence, the general conditions are not attracted and SEIAA has jurisdiction. The nearest forest boundary is 5 km from the mining area. The Authority scrutinized the public hearing proceedings and nothing adverse was found. Afforestation plan proposed by PP in EIA report (6.2 ha) is acceptable by the Authority.


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Based on the recommendation of SEAC in its 76th meeting dtd 07.01.2011 the Authority decided to grant prior Environmental Clearance for Deshgaon Basalt metal stone quarry in area of 18.84 ha for production capacity 19,800 cum per year at village Deshgaon, tehsil Khandwa, district East Nimar, MP by Shri Rakesh Kumar Bansal, Ram Krishna Road, tehsil & district Khandwa, MP.

7. **Case No. 293/2009**, Prior Environmental Clearance for dolomite & lime stone in an area of 41.39 ha for production capacity 11,000 TPA at village Durghati-Pipariya, Tehsil Dhimerkheda, Distt. Katni, MP by Shri Kishor Kumar Bagadia, Shir Kamal Lime Industry Station Road Katni-M.P.

The case was discussed in 79th SEIAA meeting dtd. 16.01.12 and it has been recorded that *"The Authority examined the document submitted by DFO and found that Bandhavgarh National Park is 122 km from the proposed mining area. Thus the SEIAA has jurisdiction. The Authority found that the nearest forest boundary is 2 km. The Public Hearing and plantation program were also examined by the Authority and found to be satisfactory. The Authority found that photocopy of the Khasra Panchsala and mining lease documents have been submitted by the PP."*

The Authority decided that PP should be asked to provide notarized copy of the latest Khasra Panchsala and mining lease documents within one month."

The Authority examined the notarized copy of the Khasra Panchsala and mining lease documents submitted by the PP (vide their letter dtd 09.02.12) and found that a total of 39 Khasras are involved. Out of these 9 Khasra nos. belong to government land and 30 nos. belong to private land. The Authority found that it is not clear whether private land belong to general category or tribes. It was decided that a letter should be sent to Collector, Katni for verifying whether any of the Khasra no. of the private land belong to tribal person? If yes, then whether permission from the Collector, Katni has been given as per section, 165 of the Land Revenue Code ? The PP should also be informed accordingly. The Collector should submit the information within one month.

8. **Case No 498/2010**, Prior Environmental Clearance for Deori lime stone, laterite, ochre & white clay mine in an area of 23.123 ha for production capacity 50,000 TPA at Village Deori, Tehsil Maihar, District Satna, MP by Shri Lalit Sehgal, Rewa Road, Maihar, P.O. Satna, M. P.

The case was discussed in 63rd SEIAA meeting dtd. 20.07.11 and it has been recorded that *"The Authority has scrutinized the Executive summary & found that it is satisfactory. The mining lease & Khasra No were also scrutinized. It was observed that some of Khasra are related to private ownership."*

Hence, it was decided by the Authority that Member Secretary, SEIAA will send a DO letter to Collector, Satna for submitting legal provisions by 31st August, 2011, under which permission of mining has been given on the land of private person."

The Authority examined the certified copy of lease deed and Khasra Panchsala submitted by PP vide letter dtd 11.05.2011, and it was noted that out of total 17 Khasras 03 Khasras (Nos. 57/4, 57/5, 57/6) belong to tribals, 08 Khasras (nos. 49P, 53/2, 55/2, 56, 57/2, 57/3, 57/7, 57/8) are private land while remaining 06


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Khasras (nos. 53/1, 55/1, 57/1, 56, 59 & 60) are government land. As per section, 165 of the MP Land Revenue Code, the tribal land can not be given without the permission of the Collector.

The Authority examined the public hearing documents and observed that the public hearing has been conducted at the Govt. Primary School village Jirhat, Tehsil Maihar whereas the mining area is located in village Deori. As per the Para 7 III stage (3) - Public consultation (iii) of the EIA notification 2006 the public hearing is to be conducted at/ or in closed proximately to the site. The plantation plan was examined by the Authority and was found to be satisfactory.

The Authority decided that Proponent should submit

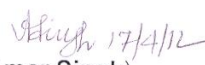
- (a) Permission from the Collector, Satna under section, 165 of the MP Land Revenue Code for the land belonging to tribal within one month. Copy of this letter should be endorsed to the Collector, Satna for providing information to the PP.
- (b) A letter from Collector, Satna regarding the distance of village Jirhat from the mining Parisar.

The Collector, Satna should be informed for providing above mentioned information to the PP.

Meeting ended with a vote of thanks to the Chair.


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