

## Minutes of the 93<sup>rd</sup> Meeting of SEIAA dated 24.05.2012

The 93<sup>rd</sup> meeting of the State Level Environment Impact Assessment Authority was convened on 24.05.2012 at 10.30 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:-

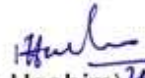
- 1 Shri M. Hashim Member
- 2 Shri Sharad Kumar Jain Member Secretary (In-charge)

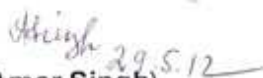
1. The following cases are being considered on the recommendations made by SEAC in its 93<sup>rd</sup> meeting dated 10.04.2012. Their minutes were received on 04.05.2012 and subsequently the files were received in SEIAA office on 16.05.2012 from the SEAC.

Case No.	Particulars of Cases
122/2008	Prior Environmental Clearance for Lime Stone mine in an area of 9.5 ha for production capacity 15,000 MT / A at Village Jhinna, Tehsil New Ram Nagar, District Satna, MP by M/s Balaji Stone Lime Company, Lalpur Burhar, District Shahdol-484110.
268/2009	Prior Environmental Clearance for laterite, bauxite, iron ore, manganese & clay mine in an area of 6.44 for production capacity 80,000 MT / year at village Devnagar, Tehsil Sihora, District Jabalpur, MP by Shri Intizar Hussain S/o Shri Jawad Hussain Mohalla Bai Imli, P.O. Nawgawan Sada, District JP Nagar, UP
485/2009	Prior Environmental Clearance for expansion of limestone from 45,000 TPA to 2,00,000 TPA (limestone + dolomite) mine in an area of 9.86 ha from existing area of 5.17 ha at Village Ametha, Tehsil Vijayraghavgarh District Katni by M/s S.N. Sunderson & Co., Jabalpur Road, Bargawan, PO & District-Katni.
600/2010	Prior Environmental Clearance for S.S. Wire Rod for production capacity of 1,50,000 MT / year at Plot no. 164, C-3, Industrial Area, Pithampur, District Dhar by M/s Mittal Corporation Ltd, (Unit -II) Abhay Prasal, Race Course Road, Distt. - Indore - (MP)
609/2010	Prior Environmental Clearance for modernisation of Limestone mine in an area of 8.01 ha for existing production capacity 40,000 MTPA at Village Jamuwanikala, Tehsil Vijayraghavgarh District Katni by M/s ACC Ltd., Kymore Cement Works, P.O. Kymore, Distt. Katni (MP)
610/2010	Prior Environmental Clearances for Lime stone mine in an area of 31.43 ha for production capacity Expansion from 40,000 TPA to 1,60,000 TPA at Village Jamuwanikala, Tehsil Vijayrahavgarh, District Katni, MP by M/S ACC Limited, Kymore Cement Works, P. O. Kymore, District Katni, M. P.

2. It has been observed that the NOC from the Gram Sabha is being asked by SEAC in several cases. Due to this the disposal of the cases are generally being delayed. As per Para 7 III Stage (3) of the EIA notification 2006, the Public consultation is required as per Schedule (except as exempted as per EIA notification, 2006). Therefore no NOC is required from the Gram Sabha in non schedule notified area.
3. **Case No. 122/2008**, Prior Environmental Clearance for Lime Stone mine in an area of 9.5 ha for production capacity 15,000 MT Per Annum at Village Jhinna,

  
(Sharad Kumar Jain)  
Member Secretary

  
(M. Hashim) 24.5.12  
Member

  
(Amar Singh) 29.5.12  
Chairman



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Tehsil New Ram Nagar, District Satna, MP by M/s Balaji Stone Lime Company, Lalpur Burhar, District Shahdol-484110.

As per minutes of the 93<sup>rd</sup> SEAC meeting dtd 10-04-12, it has been recorded that "Reply to the above queries was submitted by the proponent in the 51<sup>st</sup> meeting of SEAC dtd 23/03/2010 the only document left for submission was NOC from 'Gram Sabha'. The NOC from the Gram Sabha has been submitted by the proponent, the same was examined by the committee in this meeting. The presentation and detailed discussion on the project was made in the 44<sup>th</sup> SEAC meeting dated 23/12/2009 followed by the query response discussion in 51<sup>st</sup> meeting dot. 23/03/2010. Based on the above, committee decided to recommend the case to SEIAA for grant of prior environmental clearance subject to the nine special conditions".

The documents submitted by PP were examined and it was found that the photocopy of transfer of mining lease deed and Khasra Panchsala are of the year 1992-93 and that are not readable. Further, it was found that the proposed lease was initially in the name of the Shri Ismail Khan from 1974 to 1994 (20 years) and it was transferred to Balaji Stone Lime Co. in 1993. PP has submitted the letter from Mineral Resources Dept., Govt. of MP (vide no. 03-235/ 93/12/2/3 dtd 08.11.93) which states that "अतः खान रियायत नियमावली, 1960 के नियम 37 के अंतर्गत राज्य शासन मेसर्स इस्माईल एंड सन्स, कटनी द्वारा मेसर्स बालाजी स्टोन लाईम कंपनी, जमुई जिला शहडोल को उक्त क्षेत्र का खनि पट्टा शेष अवधि दिनांक 10.01.1994 तक के लिये हस्तांतरित करने की स्वीकृति दी जाती।

खान रियायत नियमावली, 1960 के नियम 37 (ए) के अंतर्गत हस्तांतरित पट्टे का करारनामा प्रपत्र (ओ) में स्वीकृत आदेश प्रसारित करने की तिथि से तीन माह में निष्पादित कर प्रति भेजी जावे।"


No documents pertaining to mining lease after 1994 has been submitted by PP. Hence, prior Environmental Clearance can not be considered and the case is summarily rejected. A letter to this effect should be sent to PP, Collector, Satna, Member Secretary, SEAC, Member Secretary, MPPCB and Mineral Resources Dept. GoMP.

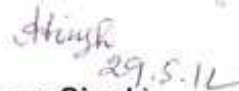
4. **Case No. 268/2009**, Prior Environmental Clearance for laterite, bauxite, iron ore, manganese & clay mine in an area of 6.44 for production capacity 80,000 MT / year at village Devnagar, Tehsil Sihora, District Jabalpur, MP by Shri Intizar Hussain S/o Shri Jawad Hussain Mohalla Bai Imli, P.O. Nawgawan Sada, District JP Nagar, UP.

As per minutes of the 93<sup>rd</sup> SEAC meeting dtd 10-04-12 it has been recorded that "PP has submitted the satisfactory reply to the above queries along with the supporting documents. The EIA / EMP and other submissions made by the PP were found satisfactory, hence committee decided to recommend the case for grant of prior Environmental Clearance subject to the seven special conditions."

The case was examined and it was found that the duration of the lease is for 20 years with effect from 31.03.1996 and production capacity is 80,000 MTPA. As per the EIA presentation made on 15.12.2010 in SEAC meeting (hard copy of

  
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.ppt) the life of the mine is 15 years. In mining cases the prior EC validity is prescribed for the project life (life of the mine) as estimated by SEAC / SEIAA subject to maximum of 30 years (Para 9 of EIA notification, 2006). It was decided that a letter should be sent to Collector, Jabalpur to submit quantity of year wise extraction of the ore from April 1996 till May 2012 within one month. A copy of this letter should be endorsed to PP.

5. **Case No. 485/2009**, Prior Environmental Clearance for expansion of limestone from 45,000 TPA to 2,00,000 TPA (limestone + dolomite) mine in an area of 9.86 ha from existing area of 5.17 ha at Village Ametha, Tehsil Vijayraghavgarh District Katni by M/s S.N. Sunderson & Co., Jabalpur Road, Bargawan, PO & District-Katni.

As per minutes of the 93rd SEAC meeting dtd 10-04-12 it has been recorded that "PP has submitted required information. The EIA/EMP and other submission in the projects were found satisfactory and therefore committee decided to recommend the case to SEAC with 8 conditions".

The prior EC for limestone mine in an area of 5.17 ha at village Ametha for production capacity of 45000 TPA was granted (vide SEIAA letter no. 370-SEIAA/08 dtd 23-03-09).

As per mining plan the geological reserve is 2907500 tonnes. The recoverable reserve is 1664710 tonnes. The mining lease has been granted from 1998 for a period of 20 years. Based on the present capacity, it is being estimated that about 5-6 lacs tones has already been extracted. Therefore, the life of the mining was considered for 5 years only. Thus the period of EC will be valid only for 5 years from the issue of the prior EC (if any).

It was decided that a letter should be sent to PP whether unit has received any notice under section 5 of EPA 1986 or relevant section of Air and Water Acts and their compliance (as per office memorandum no. J-11013/41/2006-IA.II (I) dtd 01-07-11) from the date of issue of prior EC letter on 23-03-09. This should be submitted directly to the SEIAA.

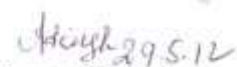
The public hearing was examined and it was found that there is no adverse remark. The plantation programme was also found to be satisfactory.

6. **Case No. 600/2010**, Prior Environmental Clearance for S.S. Wire Rod for production capacity of 1,50,000 MT / year at Plot no. 164, C-3, Industrial Area, Pithampur, District Dhar by M/s Mittal Corporation Ltd, (Unit -II) Abhay Prasad, Race Course Road, Distt. - Indore - (MP)

The case was discussed in 85<sup>th</sup> SEIAA meeting dtd. 29.02.12 and it has been recorded that "The Authority examined minutes of the 82nd SEAC meeting dtd. 13.10.11. In this meeting it has been recorded that "..... The SEAC has not clarified whether emission of these gases comes under toxic category or not? The Authority decided that the case may be returned to SEAC to give details as how criteria of the category is fulfilled by the project. "

  
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The observations/clarification as per minutes of the 93<sup>rd</sup> SEAC meeting dtd 10-04-12 was discussed in depth and it was decided to grant Prior Environmental Clearance for S.S. Wire Rod for production capacity of 1,50,000 MT / year at Plot no. 164, C-3, Industrial Area, Pithampur, District Dhar by M/s Mittal Corporation Ltd, (Unit –II) Abhay Prasal, Race Course Road, Distt. - Indore - (MP)

7. **Case No. 609/2010**, Prior Environmental Clearance for modernisation of Limestone mine in an area of 8.01 ha for existing production capacity 40,000 MTPA at Village Jamuwanikala, Tehsil Vijayraghavgarh District Katni by M/s ACC Ltd., Kymore Cement Works, P.O. Kymore, Distt. Katni (MP)

The case was discussed in 85<sup>th</sup> SEIAA meeting dtd. 29.02.12 and it has been recorded that *"It was decided that a letter should be sent to Collector, Katni whether permission from Collector, Katni has been accorded for this survey no. under section 165 of M. P. Land Revenue Code to transfer the land of Scheduled Tribe related to Khasra no 835 covering an area of 10.5 ha and copy should be endorsed to PP also. Collector should make available this information within two months."*

*It was decided to send back the case to SEAC for giving details of nearest habitations and ascertaining the impact of the blasting / vibrations on these habitations and ground water."*

The observations/clarification related to nearest human habitations and also ascertaining the impact of blasting/vibrations on the human habitations and groundwater, as per minutes of the 93<sup>rd</sup> SEAC meeting dtd 10-04-12, was discussed in depth and it was found satisfactory.

Regarding tribal land, it was decided that PP and Collector, Katni may be informed for providing information as per decision taken in 91<sup>st</sup> SEIAA meeting dtd 11.05.12. The same is quoted as *"the concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. The Collector shall pass final "order" on such application of the tribal person under section 165 of the Land Revenue Code. The Collector order shall be made available to the Authority for consideration by the PP"*.

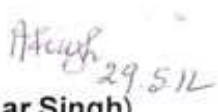
8. **Case No. 610/2010**, Prior Environmental Clearances for Lime stone mine in an area of 31.43 ha for production capacity Expansion from 40,000 TPA to 1,60,000 TPA at Village Jamuwanikala, Tehsil Vijayrahavgarh, District Katni, MP by M/S ACC Limited , Kymore Cement Works, P. O. Kymore, District Katni, M. P.

The case was discussed in 85<sup>th</sup> SEIAA meeting dtd. 29.02.2012 and it has been recorded that *" The Authority decided that PP should be asked to submit the following within one month:-*

- i. Latest notarized copy of the Khasra Panchsala for Khasra nos. 830, 847, 836 and 850.*
- ii. Notarized copies of the mining lease deed and transfer lease deed.*
- iii. NOC from Gram Sabha.*
- iv. Details of any application, if any, for / prior Environmental Clearance to be obtained by PP or their predecessor for the 40,000 MTA capacity as per directions of Hon'ble High Court, Jabalpur passed in public interest litigation in 2008 relating to the mining activity ?*

  
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(M. Hashim)  
Member

  
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It was decided that letter should be sent to Collector, Katni enquiring whether permission from Collector, Katni has been accorded for the survey nos. belonging to Scheduled Tribes under section 165 of M. P. Land Revenue Code? Collector should submit this information within two months to the SEIAA.


The Authority examined the public hearing and found that few people have raised vibration issues during mechanized mining and blasting activities and they have fear that the nearby houses are at the risk of developing cracks. No clear-cut view has been expressed by SEAC on this issue. It was decided by the Authority to send back the case to SEAC for giving details of nearest habitations and ascertaining the impact of the blasting / vibrations on these habitations and ground water"

The observations/clarification related to nearest human habitation and also ascertaining the impact of blasting/vibrations on the human habitation and groundwater, as per minutes of the 93rd SEAC meeting dtd 10-04-12 was discussed in depth and it was found satisfactory.


Regarding tribal land, it was decided that PP and Collector, Katni may be informed for providing information as per decision taken in 91<sup>st</sup> SEIAA meeting dtd 11.05.12. The same is quoted as "the concerned tribal person should apply to Collector, Katni for permission under 165 of Land Revenue Code. The Collector shall pass final "order" on such application of the tribal person under section 165 of the Land Revenue Code. The Collector order shall be made available to the Authority for consideration by the PP".

It was also decided that a registered letter should be sent to PP for submission of the information as per the 85<sup>th</sup> SEIAA meeting by 15.07.2012 after which the case will be summarily rejected.

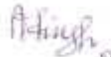
*Meeting ended with a vote of thanks to the Chair.*



(Sharad Kumar Jain)  
Member Secretary



(M. Hashim)  
Member 29.5.12



(Amar Singh)  
Chairman 29.5.12