

Minutes of the 379th Meeting of SEIAA dated. 24.10.2016

The 379th meeting of the State Level Environment Impact Assessment Authority was convened on 24.10.2016 at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Waseem Akhtar, Chairman, SEIAA. The following members attended the meeting:-

- | | | |
|----|-------------------|------------------|
| 1 | Shri H.S. Verma | Member |
| 2. | Shri Anupam Rajan | Member Secretary |

A. Following mining cases received from SEAC-II and cases of query response other than mining have been considered:-

S.No.	Case No.	Category	No. & date of latest SEAC
1.	2640/2015	5(f)	280 th SEAC meeting dtd. 31.08.2016
2.	2615/2015	1 (a) B2	360 th SEIAA meeting dtd. 12.08.2016
3.	1979/2014	1 (a) B2	376 th SEIAA meeting dtd. 17.10.2016
4.	5212/2016	1 (a) B2	363 rd SEIAA meeting dtd. 29.08.2016
5.	122/2008	1 (a) B1	-
6.	153/2008	1 (a) B1	336 th SEIAA meeting dtd. 22.04.2016
7.	3175/2015	1 (a) B2	361 st SEIAA meeting dtd. 24.08.2016
8.	5330/2016	1 (a) B1	50 th SEAC-II meeting dtd. 20.09.2016
9.	5300/2016	1 (a) B1	50 th SEAC-II meeting dtd. 20.09.2016
10.	5319/2016	1 (a) B2	50 th SEAC-II meeting dtd. 20.09.2016
11.	2939/2015	1 (a) B2	50 th SEAC-II meeting dtd. 20.09.2016
12.	2527/2015	1 (a) B2	50 th SEAC-II meeting dtd. 20.09.2016
13.	3146/2015	1 (a) B2	51 st SEAC-II meeting dtd. 11.10.2016
14.	3866/2015	1 (a) B2	51 st SEAC-II meeting dtd. 11.10.2016
15.	3599/2015	1 (a) B2	52 nd SEAC-II meeting dtd. 12.10.2016

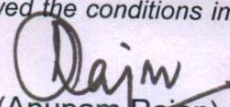
1. **Case No 2640/2015:** Prior Environment Clearance for Proposed expansion of Manufacturing of Bulk Drugs Steroids & Hormones) at Plot no : 3,5,6,7 & 8, Pharma Zone, Phase II, Indore Special Economic Zone, Pithampur, Dhar (Dist), M.P. Proposed Capacity up to 1000 MT/year by Mr. Anil Satwani- Managing Director Symbiotec Pharmalab Pvt. Limited, 385 / 2, Pigdamber, RAU - 453331, Indore,(M.P) Env. Cons. – Anacon Lab. Nagpur (M.S.).

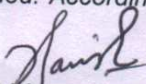
PP has requested for an alternate date for making a presentation before the authority. It was decided to grant them a convenient date.

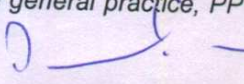
2. **Case No. 2615/2015** Prior Environmental Clearance for Noornagar Stone Quarry (Opencast Manual / Semi Mechanized Method) in an area of 2.834 ha. for production capacity of 23,520 cum/year at Khasra No. 297/1, 298 at Village-Noornagar, Tehsil-Udaipura, District-Raisen (MP) by M/s Monte-Carlo Limited, Shri Ravindra Kumar Singh, , Village-Partalai, Tehsil-Badi, Raisen (MP) – 464665

This case was discussed in 360th SEIAA meeting dtd. 12.08.2016 and it was recorded as under :-

"In the above case, Prior EC was issued on 06.07.2015 with 13 specific condition and 21 general conditions. Shri Hanumant Singh Dhakad, Village Noornagar, Tehsil Udaipura, District Raisen had filed a complaint before the M.P. State Human Right Commission and the Hon'ble Commission has directed SEIAA to redress grievances of the complainant with regard to the damage done due to mining activity near his agriculture field. It seems that the PP has not followed the conditions imposed in the EC issued. According to the general practice, PP has to


(Anupam Rajan)
Member Secretary


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Minutes of the 379th Meeting of SEIAA dated. 24.10.2016

submit compliance report on 01st June and 1st Dec. of each calendar year to RO, MoEF&CC Bhopal and SEIAA on the terms & conditions stated in the EC. However no compliance report has been received before SEIAA. It is therefore imperative to seek a report from the RO, MoEF&CC Bhopal on the receipt of the statutory compliance report in their office and whether PP has implemented and followed the conditions imposed in the EC. Since the matter is urgent and a report to be submitted before 24.09.2016 in the M.P. State Human Right Commission, a letter be written to RO, MoEF&CC Bhopal for a site visit and compliance of the conditions by the PP.

2. Regarding the establishment of crusher and the conditions imposed by the MPPCB, a letter be sent to MS, MPPCB to submit a report on the grievances highlighted by the complainant latest by 15.09.2016.

3. On submission of these reports, the case may be put-up before SEIAA."

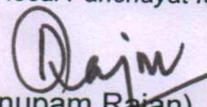
- a. Dr. A.C. Karera. Chief Chemist, Regional Office, MPPCB Bhopal had visited to site on 21.09.2016. They have submitted a report directly to the MP Human Rights Commission with a copy to SEIAA. They have observed the Air & Water consent are valid till 30.06.2018 and no mining activity was being carried out by PP.
- b. Based on the above instructions, Dr. H.V.C. Chary Guntupalli, Scientist "D", Regional Office, Western Region, MoEF&CC, GOI, Bhopal visited the site on 23.09.2016 and submitted the following summary and recommendations vide L.No. 1013 dtd. 20.10.2016.

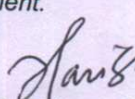
Observations:


1. It is observed that majority of the conditions stipulated by SEIAA are not complied. It appears a case of major EC violation as the project authorities appear to be more inclined towards extracting monetary benefits from the project and hence, accorded least priority to comply with the stipulated environmental protection measures. The presence of a human settlement within 500m distance from the Mine Lease Area is an attempt by the project authorities to conceal the facts in order to obtain the EC. Further, the non-compliance with respect to conditions related to mining also shows little respect to the conditions stipulated by SEIAA. As such, the present case of non-compliance is deemed fit for withdrawal of EC accorded by SEIAA.
2. A portion of the agricultural land adjoining the Mine Lease Area towards the western side is found affected by the mining activity. Although no land degradation was observed due to mining activity, there is a high probability of rocks from the mining activity to cause hurt to the agricultural laborers (if working), as no control measures were put in place by the project authorities. During the site visit, it is observed that the rocks were indeed present in the adjoining farm land which must be from the mining activity as no control measures were found in place.
3. During the site visit, the mine pit was filled, with rainwater and as such, could not ascertain the exact depth upto which mining was undertaken. There is a likelihood of the mining activity going beyond 6 m. SEIAA in co-ordination with District Mining Officer shall ascertain if the mining depth of 6 m was violated and in the event of violation, the project proponent shall be made to pay 50% of the revenue generated from the illegal mining as fine, the funds from which shall be made available to the local Panchayat for the social upliftment and developmental activities of the area.

Recommendations:

1. In light of the observation no. 1, it is recommended that may consider withdrawal of EC and appropriate action may be initiated accordingly.
2. In light of the observation no 2, it is recommended that there is a necessity to compensate the farm laborer for the loss of agricultural yield for the entire period of mining activity.
3. In view of the observation no. 3, it is recommended that appropriate fine be levied against the project authorities in the event of violation of mining depth and the so levied be made available to the local Panchayat for the social upliftment.


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SEIAA took note of the compliance report submitted by the Regional Office, MoEF&CC Bhopal and the site visit report of MPPCB and found gross irregularity in complying with the specific & general conditions imposed in the EC issued on 06.07.2015. The matter was discussed at length, and it was decided to invoke the standard condition 20 of the EC which states that "Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provision of Environment (Protection) Act, 1986". Therefore the EC is hereby withdrawn and Collector, Raisen is hereby directed that no mining should be permitted and statutory action should be taken for any deviation of the mining lease agreement. R.O. MoEF&CC, Bhopal is hereby directed to initiate proceedings against the PP for non compliance of EC conditions as per the provisions of the EPA 1986. Copy to PP and all concerned.

3. **Case No. 1979/2014** Prior Environment Clearance for Sand Quarry in an area of 8.100 ha. for production capacity 2,25,400 at khasra no 457 at Village-Jaramohangaon, Tehsil-Katangi, District-Balaghat (MP) by Shri Sanjay Singh, Town & Tehsil-Baraseoni, District-Balaghat (MP)

This case was discussed in 376th SEIAA meeting dtd. 17.10.2016 and it was delisted for want of information regarding a road bridge in close proximity to the mining lease area. Now Collector, Balaghat vide letter dtd. 21.10.2016 has informed that the mining lease agreement has already expired on 31.03.2015 and it is no more valid. He has further requested that the case may be closed. After detail discussion it has been decided to close the case and inform the PP and all concerned.

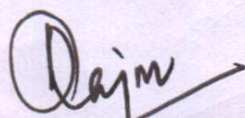
4. **Case No. 5212/2016** Prior Environment Clearance for **Marble Quarry** in an area of 4.0 ha. (20000 MT/year) at Khasra No. 120 at Village-Amoch, Tehsil - Bahoriband, Dist.Katni (MP) by M/s Kesari Nandan Marble Pvt. Ltd, District - Jaipur (Raj.)

This case was discussed in 363rd SEIAA meeting dtd. 29.08.2016 and it was delisted on the recommendation of 45th SEAC-II meeting dtd. 09.08.2016. PP has given a letter dtd. 14.10.2016 seeking relief as per notification of MoEF&CC dtd. 01.07.2016. The case is hereby relisted and should be sent to SEAC-II for appraisal as per the latest notifications of 15.01.2016 & 01.07.2016. Copy to PP.

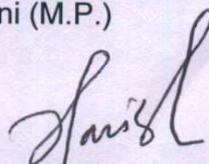
5. **Case No. 122/2008** Prior Environment Clearance for Limestone mine 9.5 ha for production capacity of 15000 MT/year at khasra no. 971,987,& 988 at Village Jhinna, Teh-Amarpatan District Satna (M.P) by Balaji stone lime company, Jamni, Shahdol, (M.P)

In this case, EC was issued on 25.06.2013 for the lease period i.e. upto 10.10.2014, now PP has requested for extending the validity of EC. Since this is a case where EC was issued for a particular date, therefore any extension shall imply renewal of mining lease. It is therefore decided to ask the PP for renewal of the mining lease order from the competent authority.

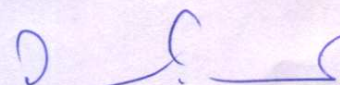
6. **Case No. 153/2008** Prior Environmental Clearance for Laterite Yellow Ochre and Manganese Red Oxide, Red Ochre Mines Fire Clay in an area 48.562 ha. at Vill-Jhinna, Teh- Dheemerkhera, Distt- Katni (M.P.) by M/s Shukdeo Prasad Goenka C/o Goenka Bhawan, Station Road , Katni (M.P.)



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Minutes of the 379th Meeting of SEIAA dated. 24.10.2016

This case was discussed 336th SEIAA meeting dtd. 22.04.2016 and it was recorded as under :-

"This matter was discussed in 321st SEIAA meeting dtd. 22.04.2016 and it was recorded as under :-

"...From the letter it appears that the mining lease agreement has not been executed as yet. Secondly against the order of the Hon'ble High Court Jabalpur dtd. 15.09.2015 DFO, Katni has proposed for a SLP and it is active consideration with the Forest Department. Based on the letter of the Collector, Katni, PP may be asked to produce the mining lease agreement document. Further Chief Conservator Forest, Jabalpur should be asked the latest position on filing of SLP. Copy to PP".

In response to the above query, Collector Katni's letter has been received in this office 01.04.2016 and the content are as below :-

- (a) The case for executing the lease agreement for renewal according to latest directives of the Mineral Resources Deptt. GoMP dtd. 12.03.2015 is still pending at the district level.
- (b) Against the order of the Hon'ble High Court dtd. 15.09.2015, DFO Katni has submitted a proposal before the Chief Conservator Forest, Jabalpur for nominating the OIC for registering the SLP before the Hon'ble Supreme Court.
- (c) As per the latest revenue record, the mining lease area has been shown as "Revenue Deptt. Madhya Pradesh Shasan".

The above points content in the Collector's letter were discussed at length in SEIAA and it was concluded that the lease agreement has not been executed as yet. No response has been received from the Chief Conservator Forest, Jabalpur on SEIAA's letter dtd. 05.05.2016. It was decided to take an update from the Collector that in the preceding period whether the lease agreement has been executed and whether the OIC in this case has been nominated by the Forest Deptt. and the SLP filed by them or not. Copy to Chief Conservator Forest, Jabalpur, DFO Forest Division (General) Katni and PP."

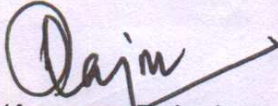
On the above query, Collector, Katni has written to the Conservator Katni asking for details regarding the proposed SLP to be filed by the Forest Department in view of the High Court decision in review petition No. 257/2015. PP has also submitted a representation for an early disposal of the case. After detail discussion it was decided to wait till the final reply to the Collector's letter is received. Since the matter is pending for long, Conservator Forest, Katni should be asked to file the reply of the Collector's letter at an earliest. Copy to PP and Collector, Katni.

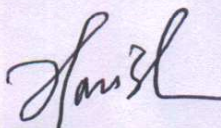
7. **Case No. 3175/2015:** Prior Environment Clearance for Khaikheda Sand Quarry in an area of 8.50 ha. for production capacity of 1,18,500 cum/year at Khasra no. 578, 579, 57 at Village-Khaikheda, Tehsil-Sitamau, District-Mandsaur (MP) by Shri Dignpal Singh S/o Shri Anup Singh, Mandsaur (MP)-458880

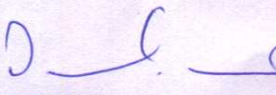
This case was discussed 236th SEAC meeting dtd. 01.11.2015 and it was recorded as under :-

".....The case was presented by the PP and their consultant and during deliberations it was observed that the mine lease area has three sites which are distantly located. Out of three, one is on the upstream of a barrage/dam totally under the water even in the month of April as per the Google image (based on the co-ordinate provided by the PP) and thus mining is not possible at this site and the remaining two are in the downstream of the barrage/dam. Moreover, a combined mining plan has been prepared for all the three sites. In view of this grant of EC is not recommended in the present form of mining plan."

This case was discussed 361st SEIAA meeting dtd. 24.08.2016 and it was recorded as under :-


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5

Minutes of the 379th Meeting of SEIAA dated. 24.10.2016

"This case was discussed in 338th SEIAA meeting dtd. 04.06.2016 and PP was asked to submit the required information of replenishment plan. Since PP has not submitted the desired information, the case was delisted. PP has submitted a letter dtd. 17.08.2016 that the entire lease area is under submergence and should be rejected. However the committee feels that since the mining plan has been approved by the Regional Head, Indore, Directorate of Geology & Mining, the letter be sent to Collector, Mandsaur, Director, Geology & Mining Bhopal and Regional Head, Indore to seek clarification regarding the site conditions as highlighted by PP. Copy to PP."

In response to the above query, Collector, Mandsour has corroborated that the site is not ideal for mining activity. Even EE, WRD Mandsour has also certified the water submergence upto May-June in the lease area. After detail discussions it has been decided to close this case at this level only on the demerits of the prevailing site conditions in the present form of mining plan. However PP is independent to submit a fresh application in SEIAA with proper modified mining plan duly approved by the competent authority and as per the realistic production capacity. Copy to PP and all concerned.

8. **Case No.-5330/2016** Prior Environment Clearance for Ochre, White Clay, Laterite & Bauxite Mine in an area of 8.094 ha. (46,798 TPA) at Khasra no.-66/2, Village-Barui, Tehsil - Birsinghpur, Dist. Satna (MP) by M/s Kumjilal Ishwari Prasad Agrawal, P.O. Jaitwara, Distt Satna, (MP) – 485221

This case was recommended in 50th SEAC-II meeting dtd. 20.09.2016 and PP may be invited for presentation.

9. **Case No.-5300/2016** Prior Environment Clearance for Granite Deposit in an area of 14.999 ha. (6000 cum/year) at Khasra No. 692 at Village-Mahed, Tehsil - Nowgoung, Dist. Chhatarpur (MP) by Ritesh Tradefin Ltd, Lenin Sarni, Durgapur, Warddhaman, WB – 713101

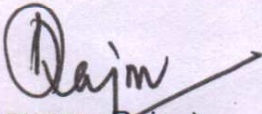
This case was recommended in 50th SEAC-II meeting dtd. 20.09.2016 and PP may be invited for presentation.

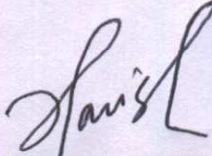
10. **Case No.-5319/2016** Prior Environment Clearance for Sand Quarry in an area of 5.5 ha. (25385 cubic meter per year) at Khasra no.-272, Village-Borgaon Khurd, Tehsil - Burhanpur, Dist. Burhanpur (MP) by Shri Dr. Yunus Baksh, Ward No. 15, H.N.334/1, Near Noor Madarsa, Nagjhiri, Tehsil & District - Burhanpur, (MP) 450331.

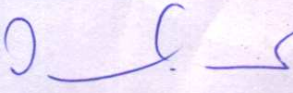
This case was recommended in 50th SEAC-II meeting dtd. 20.09.2016, from the google map it is observed that the mining site is in close proximity of railway bridge. The case may be returned to SEAC for reappraisal in the light of existence of rail bridge. Copy to PP.

11. **Case No. – 2939/2015** Prior Environmental Clearance for Granite Mine area - 21.00 Ha., Capacity Granite - 22140 cum/year, Gitty Stone - 26291 cum/year, at Khasra No. – 219, Vill.-Sunar, Teh.-Datia, District - Datia (M.P.) by Shri Praveen Singh Bundela, Prop., M/s Balaji Granites, H-12, K.K. Colony, Teh. & District-Datia (M.P.)-473661

This case was recommended in 50th SEAC-II meeting dtd. 20.09.2016 and PP may be invited for presentation.


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Minutes of the 379th Meeting of SEIAA dated. 24.10.2016

- 12. Case No.- 2527/2015** Prior Environmental Clearance for Batura River Sand Quarry Lease Area - 5.00 ha., Capacity- 1,42,500 cum/year at Khasra no.-1279/1567, Vill.-Batura, Th.-Bhudhar, Dist - Shahdol (M.P.) by Shri Kamlesh Gupta S/o Shri Kalika Prasad Gupta, Vill.-Mau, Teh-Biohari, Shahdol (M.P.) - 484774

This case was recommended in 50th SEAC-II meeting dtd. 20.09.2016 and it was recorded as under :-

".....The case was placed before the committee but PP and their consultant remains absent. Committee on perusal of documents observed that it's a case of River Sand Quarry with an area of 5.00 ha and the Lease was sanctioned vide letter no.-2433 dated: 15/12/2014 and the concerned Mining Officer vide letter no. 227 dated: 02/03/15 has also reported that there are no more mines operating or proposed within 500 meters around the said mine. The committee after deliberations recommends that the case falls under the preview of DEIAA and thus may be transferred to DEIAA through SEIAA."

As per the above recommendation, the case is hereby transferred to DEIAA, Shahdol for onward action. Copy to PP and all concerned.

- 13. Case No. – 3146/2015** Prior Environmental Clearance for River Sand Mine Area - 20.242 Capacity - 4,00,000 cum/year, at Khasra No.- 149/1, Vill.-Joshipur, Teh.-Budhni, District-Sehore (M.P.) by Shri Raj Kumar Nema, OIC, Sub Off., M.P. State Mining Corporation Ltd., H.No. 12, Ward No. 17, Sainath Colony, Meenakshi, Hoshangabad. (MP)

This case was recommended in 51st SEAC-II meeting dtd. 11.10.2016, from the report of DFO, Sehore wherein he has indicated Ratapani Sanctuary to be 8.15 km. from the mining lease site. The case may be returned to SEAC for reappraisal. Copy to PP.

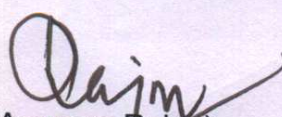
- 14. Case No. 3866/15** Prior Environmental Clearance for Sand Quarry in an area of 19.746 ha. (1,25,000 cum/year) at Khasra No. – 226, Vill.- Horiyapipar, Tehsil-Hoshangabad, District-Hoshangabad (MP).by Shri Sohan Singh Thakur, M/s Thakur Constructions, Vill.-Bamora Behda Chhparai, Band, District-Sagar (MP)-452001.

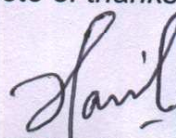
This case was recommended in 51st SEAC-II meeting dtd. 11.10.2016, PP has not submitted the list of mines within 500 m. periphery and the status of those mines. They may be asked to submit the information latest by 15.11.2016. Copy to Mining Officer, Hoshangabad.

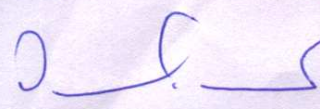
- 15. Case No. 3599/15** Prior Environmental Clearance for Sand Quarry in an area of 20.243 ha. (2,00,000 cum/year) at Khasra No.- 1163, Vill.-Nimsadiya, Teh.-Hoshangabad, District-Hoshangabad (MP). By Shri Santosh Raj Dwivedi, Sub Lessee, M.P. State Mining Corporation Ltd., 235-A, Kheldar, G.T. Road, Fatehpur (UP)-212601

This case was recommended in 52nd SEAC-II meeting dtd. 12.10.2016, PP has not submitted the list of mines within 500 m. periphery and the status of those mines. They may be asked to submit the information latest by 15.11.2016. Copy to Mining Officer, Hoshangabad.

Meeting ended with a vote of thanks to the Chair


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman