

Minutes of the 407th Meeting of SEIAA dated. 08.02.2017

The 407th meeting of the State Level Environment Impact Assessment Authority was convened on 08.02.2017 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 query response have been considered:-


S.No.	Case No.	Category	No. & date of latest SEAC- II
1.	5233/2016	1(a) B2	389 th SEIAA meeting dtd. 29.11.2016
2.	5202/2016	1(a) B2	388 th SEIAA meeting dated 22-11-16
3.	3092/2015	1(a) B2	398 th SEIAA meeting dtd. 02.01.2017
4.	4169/2015	1(a) B2	398 th SEIAA meeting dtd. 02.01.2017
5.	5287/2016	1(a) B2	398 th SEIAA meeting dtd. 02.01.2017
6.	4204/2015	1(a) B2	390 th SEIAA meeting dtd. 02.12.2016
7.	5465/2016	1(a) B2	402 nd SEIAA meeting dtd. 16.01.2017
8.	5067/2015	1(a) B2	310 th SEIAA meeting dtd. 30.03.2016
9.	5293/2016	1(a) B2	386 th SEIAA meeting dtd. 07.11.2016
10.	4219/2015	1(a) B2	319 th SEIAA meeting dtd. 20.04.2016
11.	5136/2016	1(a) B2	327 th SEIAA meeting dtd. 30.04.2016

1. **Case No.5233/16** Prior Environmental Clearance for Sand Quarry in an area of 10.526 ha. for production capacity of 1,26,500 cum/year at Khasra no.-318, Village-Pitamali, Tehsil - Maheshwar, Dist. Khargone (MP) by M/s Digiana Industries Ltd, Shri Tejendra Singh, Sub Lessee of MPSMCL, G-1, Sapna Chambers, 12/1 South Tukoganj, Distt Indore, MP – 461001.


This case was discussed in 389th SEIAA meeting dtd. 29.11.2016 and it was recorded as under :-

".....From the record available, Mining Officer, Khargone has submitted the information about the number of mines in 1000 m. periphery. But in the latest notification information is desired within 500 m. periphery. Mining Officer, Khargone should submit the detail of mines in 500 m. periphery showing status of mines like date of sanction, whether operative or not, EC granted or under appraisal etc. Mining Officer, Khargone should be asked to submit this information latest by 30.12.2016. Copy to PP.

- a. PP has submitted the information regarding number of mines within 500 m. periphery. However, a petition (OA 404/2016, MA 758/2016, MA 920/2016 & MA 1099/2016) has been filed before the Hon'ble NGT (Principal Bench) New Delhi where MP-SEIAA is one of the respondent. This matter was heard by the Hon'ble NGT (Principal Bench) and they have directed for issuing of notices to MP State Mining Corporation to explain the breakup of lease area. Till such time that final directions are received from Hon'ble NGT, the case will be put on hold. Copy to PP.
- b. In the meanwhile, Mining Officer, Khargone should also submit NOC of NVDA regarding submergence and rehabilitation site.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
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2. **Case No.5202/15** Prior Environment Clearance for **Stone & Murram Quarry** in an area of 7.00 ha. for production capacity of stone – 28928 cum/year, Murram – 2708 cum/year at Khasra no.-1285, Village-Mamaun, Tehsil-Bijawar, District-Chhatarpur (MP) by Shri Rohit Kumar Pateriya, M/s Hemant Construction and Suppliers, Lessee, Indraprastha Garden District. Chhatarpur (M.P.).

This case was discussed in 388th SEIAA meeting dated 22-11-16 and it was recorded that :-

"This case was discussed in 56th SEAC-II meeting dated 08-11-16 and it was recorded that :-

"Today, Neither the Project Proponent (PP) nor his representative was present to explain the query which might be raised or to make any commitment which may be desired by the committee during the deliberation. Earlier PP was also absent in the 33rd SEAC meeting and 38th SEAC II meeting dated 13/07/2016. Committee decided that since sufficient opportunities have been given to the PP for appraisal and consideration of the project wherein PP remain absent, the case shall be returned to SEIAA assuming that PP is not interested to continue with the project."

As per the above observation, PP could not present in the SEAC meeting even after given ample chance, therefore it has been decided to delist the case which is liable for relisting once the PP submits the desired information. Copy to PP and all concerned."

PP has submitted a letter dated 23.01.2017 showing his interest in presentation of his case before SEAC-II. Therefore it has been decided to relist the case and send the file to SEAC-II for appraisal. Copy to PP and all concerned.

3. **Case No. - 3092/15** - Prior Environmental Clearance for Baghwad River Sand Quarry in an area of 16.00 ha. for production capacity of 1,50,000 cum/year at Khasra No.-192/1, 136, Vill.-Baghwad, Teh.- Timarani, District-Harda (MP) 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)-461001.

This case was discussed in 398th SEIAA meeting dtd. 02.01.2017 and it was recorded as under :-

The case was recommended in 61st SEAC-II meeting dtd. 25.11.2016 and it was recorded that

"..... Today, this case was scheduled again for presentation wherein neither (PP) nor his representative was present to explain the query which might be raised or to make any commitment which may be desired by the committee during the deliberation. PP was also absent in the 56th SEAC-II meeting dated-08/11/16. Thus Committee decided that since sufficient opportunities have been given to the PP for appraisal and consideration of the project wherein PP remain absent in the 56th and 61st SEAC meetings, the case shall be returned to SEIAA for delisting assuming that PP is not interested to continue with the project."

As per the above observation, it has been decided to delist the case on the condition that if the PP intends to present the case in SEAC, it will then be relisted for appraisal. Copy to PP and all concerned.

PP has submitted a letter dated 28.01.2017 showing his interest in presentation of his case before SEAC-II. Therefore it has been decided to relist the case and send the file to SEAC-II for appraisal. Copy to PP and all concerned.

4. **Case No.4169/15** Prior Environmental Clearance for Sand Quarry in an area of 20.140 ha. (2,01,400 cum/year) at Khasra No.- 1, 2, 9, 371, 372, , Village Niwsairidiya, Tehsil-Roun, District-Bhind (MP). by M/s Suryapratap Singh Raghuvanshi, Mahadev Vihar Colony, Distt Shivpuri (M.P) – 473551.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

This case was discussed in 398th SEIAA meeting dtd. 02.01.2017 and it was recorded as under :-

.....From the record available, Mining Officer, Bhind has submitted the information about the number of mines in 1000 m. periphery. But in the latest notification information is desired within 500 m. periphery. Mining Officer, Bhind should submit the detail of mines in 500 m. periphery showing status of mines like date of sanction, whether operative or not, EC granted or under appraisal etc. Mining Officer, Bhind should be asked to submit this information latest by 30.12.2016. Copy to PP.

PP has submitted the information regarding number of mines within 500 m. periphery. However, a petition (OA 404/2016, MA 758/2016, MA 920/2016 & MA 1099/2016) has been filed before the Hon'ble NGT (Principal Bench) New Delhi where MP-SEIAA is one of the respondent. This matter was heard by the Hon'ble NGT (Principal Bench) and they have directed for issuing of notices to MP State Mining Corporation to explain the breakup of lease area. Till such time that final directions are received from Hon'ble NGT, the case will be put on hold. Copy to PP.

5. **Case No.-5287/2016:** Prior Environmental Clearance for Stone Quarry in an area of 9.00 ha ha. for production capacity of 20,000 cum/year at Khasra nos. 772 & 774, at Village-Surajpur, Tehsil - Shajapur, Dist. Shajapur (MP)..by Shri Mohiuddin Shaikh S/o Shri Ayazuddin Shaikh, Lease, R/O - 1, Moti Bunglow, Dewas, Dist. Dewas (MP).. - 455001.

This case was discussed in 398th SEIAA meeting dtd. 02.01.2017 and it was recorded as under :-

The case was recommended in 61st SEAC-II meeting dtd. 25.11.2016 and it was recorded that

"..... The case was again scheduled for presentation today but PP remains absent. Thus Committee decided that since sufficient opportunities have been given to the PP for appraisal and consideration of the project wherein PP remain absent in the 58th and 61st SEAC meeting, the case shall be returned to SEIAA for delisting assuming that PP is not interested to continue with the project"

As per the above observation, it has been decided to delist the case on the condition that if the PP intends to present the case in SEAC, it will then be relisted for appraisal. Copy to PP and all concerned.

PP has submitted a letter dated 23.01.2017 showing his interest in presentation of his case before SEAC-II. Therefore it has been decided to relist the case and send the file to SEAC-II for appraisal. Copy to PP and all concerned.

6. **Case No.4204/2015** Prior Environmental Clearance for Sand Quarry in an area of 15.850 ha. (54,690 cum/year) at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP). by Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., Sub Lessee, M/s M.P. State Mining Corp. Ltd., P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.) - 477001.

This case was discussed in 390th SEIAA meeting dtd. 02.12.2016 and it was recorded as under :-

.....From the record available, Mining Officer, Bhind has submitted the information about the number of mines in 1000 m. periphery. But in the latest notification information is desired within 500 m. periphery. Mining Officer, Bhind should submit the detail of mines in 500 m. periphery showing status of mines like date of sanction, whether operative or not, EC granted or under

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appraisal etc. Mining Officer, Bhind should be asked to submit this information latest by 30.12.2016. Copy to PP.

PP has submitted the information regarding number of mines within 500 m. periphery. However, a petition (OA 404/2016, MA 758/2016, MA 920/2016 & MA 1099/2016) has been filed before the Hon'ble NGT (Principal Bench) New Delhi where MP-SEIAA is one of the respondent. This matter was heard by the Hon'ble NGT (Principal Bench) and they have directed for issuing of notices to MP State Mining Corporation to explain the breakup of lease area. Till such time that final directions are received from Hon'ble NGT, the case will be put on hold. Copy to PP..

7. **Case No.-5465/2016** Prior Environment Clearance for **River Sand Deposit Quarry** in an area of 5.450 ha. (7200 cum per annum) at Khasra no. 106 at Village Kodaroti, Tehsil - Betul, Dist. Betul (MP) by M/s A. D. Agro Foods Pvt Ltd, H.No. 18, Sagar Matha Apartment, MG Road, Indore, MP - 460001.

This case was discussed in 402nd SEIAA meeting dtd. 16.01.2017 and it was recorded as under :-

"This case was discussed and recommendation in 63rd SEAC-II meeting dtd. 24.12.2016 and it was recorded as under :-

".....The case was presented by the PP and their consultant wherein it was observed as per the Khasra map that the lease is in two parts. PP submitted that initially the mine was sanctioned for an area of 10.866 ha but leaving the non minable area 5.450 ha was sanctioned for the mining and accordingly the lease was allotted to him and the entire lease is on one Khasra i.e. Khasra No. 106. The committee observed that it is true that lease is sanctioned on one Khasra but a considerable area is left between both the leases without mentioning any reason and thus lease is neither continuous nor compact. Hence, sanctioning of above leases is not in accordance with the MP MMR, 1996 rule 04 (3). The committee also observed that single mine plan is prepared for the above leases. Earlier in cases of similar nature (please refer the minutes of 231st SEAC meeting dated 27/10/2015 and subsequent decision taken by SEIAA in its 327th meeting dated 05/05/2016) SEIAA has decided to close the case. The committee decided to forward this case to SEIAA for further considerations and necessary action".

As per the above observation of SEAC, it has been decided to close the case. Copy to PP and all concerned."

PP has submitted a representation quoting that the mining plan has been prepared for Khasra No. 106 and they have left 100m. each on both side of an existing road bridge that is why the lease area is viewed as broken. After detailed deliberations it has been decided to open the case and send it to SEAC-II for reappraisal in the light of the information provided by the PP. Copy to PP and all concerned.

8. **Case No. 5067/2015** Prior Environmental Clearance for **Sand Quarry (Opencast manual method)** in an area of 7.319 ha. for production capacity of 1,39,881 cum/year at Khasra No. 2/2, 4, 7, 20/2, 21/3 at Village-Mathni, Tehsil-Sausar, District-Chhindwara (MP) by M/s Smt. Pushpa Bhujade W/o Late Laxman Bhujade, Village Mathni, Tehsil-Sausar, District-Chhindwara (MP)-481661.

This case was discussed in 310th SEIAA meeting dtd. 30.03.2016 and it was recorded as under :-

".....After detailed discussions on the above recommendations it was decided to grant Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC

- I. PP shall not start mining activity before execution of lease agreement.
- II. The production capacity shall be limited to the quantity proposed by SEAC-II.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
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- III. The lease area should be properly demarcated in the presence of the Revenue & Mining Officials and proper boundary stones should be established.
- IV. No in-stream mining shall be allowed.
- V. The depth of the pit shall not exceed 3 m or normal water level prevalent in the lean season whichever is less.
- VI. The final decision of Hon'ble NGT (CZ) Bhopal and Hon'ble NGT Principal Bench, New Delhi in OA No. 49/2015 (Amarkant Mishra Vs State of MP & others), shall be obligatory on the part of PP.
- VII. PP should ensure that the river bank from where access ramps are made should be restored and access should be closed every year before rainy season.
- VIII. PP should ensure that the flow of river should not be affected due the access ramps.
- IX. No transportation should be carried out through the village.
- X. PP will ensure three row plantation towards the village settlement side in the entire length of suitable species three year old to conserve and retain the banks.

Hence, Prior Environmental Clearance is granted **Sand Quarry (Opencast manual method)** in an area of 7.319 ha. for production capacity of 1,39,881 cum/year at Khasra No. 2/2, 4, 7, 20/2, 21/3 at Village-Mathni, Tehsil-Sausar, District-Chhindwara (MP) **for the lease period to M/s Smt. Pushpa Bhujade W/o Late Laxman Bhujade, VillageMathni, Tehsil-Sausar, District-Chhindwara (MP)-481661"**

PP has submitted for modifying the Clause No. 20 spelled out in the general conditions attached as annexure-B in the 13th SEAC-II meeting dtd. 21.03.2016. After detailed deliberations, and perusal of the notification of 15.01.2016 issued MoEF&CC wherein no EC is required for excavating sand in the private lands. Therefore it was found for no need for modification in the EC and PP can follow the provisions of the new notification. Copy to PP and Mining Officer, Chhindwara.

9. **Case No.-5293/2016** Prior Environment Clearance for **River Sand mining** (opencast manual method) in an area of 9.50 ha. for production capacity of 45,500 cum/year at Khasra No. 887 at Village-Kamchand, Tehsil - Majhouli, Dist. Sidhi (MP) by M/s Shiva Corporation India Ltd, Shri Anshu Singh Bhati, Director, 312, Ganpati Plaza, MI Road, Jaipur, Raj – 452003.

This case was discussed in 386th SEIAA meeting dtd. 07.11.2016 and it was recorded as under :-

".....Based on the above recommendation, it was decided to grant Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). PP shall not start mining activity before execution of lease agreement.
- (ii). The production capacity shall be limited to the quantity as recommended by SEAC-II.
- (iii). The lease area should be properly demarcated in the presence of the Revenue, Works Department & Mining Officials and proper boundary stones should be established in such a way that a distance of 200m from the existing road bridge on the western side should be left as "no mining zone".
- (iv). No in-stream mining shall be allowed. The Mining Officer, Sidhi should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed.
- (v). The depth of the pit shall be as per Approved Mining Plan and not exceed 3m or normal water level prevalent in the lean season whichever is less.

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- (vi). *The final decision of Hon'ble NGT (CZ) Bhopal and Hon'ble NGT Principal Bench, New Delhi in OA No. 49/2015 (Amkant Mishra Vs State of MP & others), shall be obligatory on the part of PP.*
- (vii). *A petition (OA 404/2016, MA 758/2016, MA 920/2016 & MA 1099/2016) has been filed before the Hon'ble NGT (Principal Bench) New Delhi where MP-SEIAA is one of the respondent. Any order by the Hon'ble NGT shall be binding to PP.*
- (viii). *PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.*
- (ix). *PP should ensure to conserve the existing trees.*
- (x). *No transportation shall be permitted within the village.*
- (xi). *Alternate transportation route should be decided in consultation with the local Gram Panchayat.*
- (xii). *The entire lease area should be properly fenced and boundary stones marked at the site.*
- (xiii). *PP will ensure three row plantation towards the village settlement side in the entire length of suitable species three year old to conserve and retain the banks.*

Hence, Prior Environmental Clearance is granted for **River Sand mining** (opencast manual method) in an area of 9.50 ha. for production capacity of 45,500 cum/year at Khasra No. 887 at Village-Kamchand, Tehsil - Majhoul, Dist. Sidhi (MP) **for the lease period to M/s Shiva Corporation India Ltd, Shri Anshu Singh Bhati, Director, 312, Ganpati Plaza, MI Road, Jaipur, Raj - 452003.**

PP has submitted a representation that the production capacity of 47500 cum/year was approved in the mining plan, however in the EC issued it has been reduced to 45500 cum/year (as per SEAC recommendation), he has requested for a review in the production capacity. From the record, PP has applied for a production capacity of 45500 cum/year and the mining plan was approved for 47500 cum/year. EC has been issued for the production capacity as applied for in the Form-I submitted by the PP, therefore it has been decided to stick to the production capacity of 45500 cum/year for which EC has been issued and no modification is required. Copy to PP.

10. Case No.4219/15 Prior Environment Clearance for **Sand Quarry (Opencast manual method)** in an area of 20.00 ha. for production capacity of 3,90,000 cum/year (as per SEAC recommendation) at Khasra no.-591/1228, Village-Govarde, Tehsil-Manpur, District-Umaria (MP) by Shri Kailash Chandra Gupta, M/s Shiva Corporation India Pvt. Ltd., 312, Ganpati Plaza, MIG Road, Jaipur (Raj.)-472001.

This case was discussed in 319th SEIAA meeting dtd. 20.04.2016 and it was recorded as under :-

".....After detailed discussions on the above recommendations it was decided to grant Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC

- I. *PP shall not start mining activity before execution of lease agreement.*
- II. *The production capacity shall be limited to the quantity proposed by SEAC-II.*
- III. *The lease area should be properly demarcated in the presence of the Revenue & Mining Officials and proper boundary stones should be established.*
- IV. *No in-stream mining shall be allowed. The local authorities should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed.*

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(H.S.Verma)
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- V. The depth of the pit shall not exceed 2.0 m or normal water level prevalent in the lean season whichever is less.
- VI. The final decision of Hon'ble NGT (CZ) Bhopal and Hon'ble NGT Principal Bench, New Delhi in OA No. 49/2015 (Amarkant Mishra Vs State of MP & others), shall be obligatory on the part of PP.
- VII. PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- VIII. The transportation route should be decided in consultation with the Deputy Director, Bandhavgarh Tiger Reserve and in no case PP will transport the material through Bandhavgarh Tiger Reserve range.
- IX. The entire lease area should be properly fenced and boundary stones marked at the site.
- X. PP should ensure that the flow of river should not be affected due the access ramps.
- XI. PP will ensure three row plantation towards the village settlement side in the entire length of suitable species three year old to conserve and retain the banks.

Hence, Prior Environmental Clearance is granted **Sand Quarry (Opencast manual method)** in an area of 20.00 ha. for production capacity of 3,90,000 cum/year (as per SEAC recommendation) at Khasra no.-591/1228, Village-Govarde, Tehsil-Manpur, District-Umaria (MP) for the lease period to Shri Kailash Chandra Gupta, M/s Shiva Corporation India Pvt. Ltd., 312, Ganpati Plaza, MIG Road, Jaipur (Raj.)-472001..


PP has submitted a representation that the production capacity of 600000 cum/year was approved in the mining plan, however in the EC issued it has been reduced to 390000 cum/year (as per the SEAC recommendation), he has requested for a review in the production capacity. From the record, PP has applied for a production capacity of 600000 cum/year and the mining plan was approved for 600000 cum/year. It has been decided to send the application to SEAC for clarification. Copy to PP.


11. **Case No.5136/16** Prior Environment Clearance for River Sand Quarry (Opencast Manual Method) in an area of 16.967 ha. for production capacity of 4,40,000 cum/year (as per SEAC recommendation) at Khasra No. 58 at Village-Bedar, Tehsil-Vankhedi, District-Hoshangabad (MP) by M/s Sainik Foods Pvt. Ltd., Sub Lessee of MPSMCL, Shri Litesh Jha, Authorized Signatory, H.I.G.D.-5, Dindayal Nagar, Phase-1, Kanth Road, Muradabad (UP)-462001.


This case was discussed in 327th SEIAA meeting dtd. 30.04.2016 and it was recorded as under :-

".....After detailed discussion and recommendation of 20th SEAC-II meeting dtd. 26.04.2016, it was decided to grant Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC.

- (i) PP shall not start mining activity before execution of lease agreement.
- (ii) The production capacity shall be limited to the quantity as recommended by SEAC-II.
- (iii) The lease area should be properly demarcated in the presence of the Revenue & Mining Officials and proper boundary stones should be established.
- (iv) No in-stream mining shall be allowed. The local authorities should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed.
- (v) The depth of the pit shall not exceed 3.0 m or normal water level prevalent in the lean season whichever is less.


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- (vi) The final decision of Hon'ble NGT (CZ) Bhopal and Hon'ble NGT Principal Bench, New Delhi in OA No. 49/2015 (Amarkant Mishra Vs State of MP & others), shall be obligatory on the part of PP.
- (vii) PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (viii) Before commencing the mining activity, site demarcation should be done leaving 100 mtr. from the village settlement as "no mining zone". The demarcation should be done by the Revenue Officials in the presence of Mining Officer, Hoshanabad.
- (ix) No transportation shall be permitted within the village.
- (x) Alternate transportation route should be decided in consultation with the local Gram Panchayat.
- (xi) The entire lease area should be properly fenced and boundary stones marked at the site.
- (xii) PP will ensure three row plantation towards the village settlement side in the entire length of suitable species three year old to conserve and retain the banks.

Hence, Prior Environmental Clearance is granted for River Sand Quarry (Opencast Manual Method) in an area of 16.967 ha. for production capacity of 4,40,000 cum/year (as per SEAC recommendation) at Khasra No. 58 at Village-Bedar, Tehsil-Vankhedi, District-Hoshangabad (MP) **for the lease period** M/s Sainik Foods Pvt. Ltd., Sub Lessee of MPSMCL, Shri Litesh Jha, Authorized Signatory, H.I.G.D.-5, Dindayal Nagar, Phase-1, Kanth Road, Muradabad (UP)-462001.

PP has submitted a representation that the production capacity of 509280 cum/year was approved in the mining plan, however in the EC issued it has been reduced to 440000 cum/year (as per SEAC recommendation), he has requested for a review in the production capacity. From the record, PP has applied for a production capacity of 509280 cum/year and the mining plan was approved for 509280 cum/year. It has been decided to send the application to SEAC for clarification. Copy to PP.

The meeting ended with vote of thanks to the chair.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman