

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

The 408th meeting of the State Level Environment Impact Assessment Authority was convened on 15.02.2017 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:-

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| 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.	4002/2015	1(a) B2	403 rd SEIAA meeting dated 23-01-17
2.	3099/2015	1(a) B2	406 th SEIAA meeting dated 06-02-17
3.	5438/2016	1(a) B2	406 th SEIAA meeting dated 06-02-17
4.	5286/2016	1(a) B2	391 th SEIAA meeting dated 05-12-16
5.	4516/2015	1(a) B2	397 th SEIAA meeting dated 24-12-16
6.	5224/2016	1(a) B2	402 th SEIAA meeting dated 16-01-17
7.	5460/2016	1(a) B2	401 st SEIAA meeting dated 13-01-17
8.	5222/2016	1(a) B2	401 st SEIAA meeting dated 13-01-17
9.	5223/2016	1(a) B2	401 st SEIAA meeting dated 13-01-17
10.	5461/2016	1(a) B2	401 st SEIAA meeting dated 13-01-17
11.	4476/2015	1(a) B2	397 th SEIAA meeting dated 24-12-16
12.	5236/2016	1(a) B2	397 th SEIAA meeting dated 24-12-16
13.	4509/2015	1(a) B2	397 th SEIAA meeting dated 24-12-16
14.	5101/2016	1(a) B2	393 rd SEIAA meeting dated 07-12-16
15.	5183/2016	1(a) B2	402 nd SEIAA meeting dated 16-01-17
16.	4468/2015	1(a) B2	405 th SEIAA meeting dated 25-01-17
17.	4479/2015	1(a) B2	405 th SEIAA meeting dated 25-01-17
18.	4848/2015	1(a) B2	391 th SEIAA meeting dated 06-12-16
19.	4379/2015	1(a) B2	405 th SEIAA meeting dated 23-01-17
20.	5317/2016	1(a) B2	394 th SEIAA meeting dated 08-12-16
21.	5165/2016	1(a) B2	400 th SEIAA meeting dated 12-01-17
22.	3391/2015	1(a) B2	393 th SEIAA meeting dated 07-12-16
23.	5318/2016	1(a) B2	394 th SEIAA meeting dated 08-12-16
24.	5207/2016	1(a) B2	391 th SEIAA meeting dated 05-12-16

- Case No. - 4002/15:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 15.800 ha. for production capacity of 94,800 cum/year (as per SEAC recommendation) at Khasra No.-825, Vill.-Khamroli, Tehsil-Sewada, District-Datia (MP) by M/s Shri Murli Construction, Shri Vaibhav Singh Yadav, R/o 27, Jyoti Nagar, Thatipur, District-Gwalior (MP)-474003.

This case was recommended in 54th SEAC meeting dtd. 14.10.2016 and it was recorded that :.....

"PP vide letter dated 14/10/2016 have submitted photographs and certificate issued by the Nayab Tehsildar issued vide letter no. 78/2016 dated 13/10/2016 stating that there is no bridge in the lease. Since there is no bridge in existence in the QL area as per the certificate of Tehsildar the issue regarding existence of bridge in the QL area is resolved. The other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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This case was discussed in 403rd SEIAA meeting dated 23-01-17 and it was recorded that :-

".....PP has submitted a letter on 12.01.2017 for appraisal to grant EC in the light of the directives given by the Hon'ble NGT Principal Bench New Delhi. It has been decided that till the final decision/directives of the above mentioned case before the Hon'ble NGT Principal Bench New Delhi, the case will continue to be on hold"

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

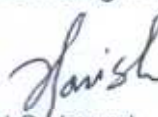
Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Datia shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (94800 cum/year).
- (iv). No in-stream mining shall be allowed. The Mining Officer, Datia 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.
- (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). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (viii). PP should ensure to conserve the existing trees.

(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

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- (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 **Sand Quarry** (Open cast manual method) in an area of 15.800 ha. for production capacity of 94,800 cum/year (as per SEAC recommendation) at Khasra No.-825, Vill.-Khamroli, Tehsil-Sewada, District-Datia (MP) for the lease period to M/s Shri Murli Construction, Shri Vaibhav Singh Yadav, R/o 27, Jyoti Nagar, Thatipur, District-Gwalior (MP)-474003.

2. **Case No. - 3099/15** - Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in area of 22.00ha., for production capacity of 1,00,000 cum/year at Khasra No.-1/1, Village.-Uchan, Tehsil.-Handiya, 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 and recommendation in 65th SEAC-II meeting dtd. 17.01.2017 and it was recorded as under :-

".....The committee after deliberations decided that file may be sent to SEIAA with clarification that the above recommendations were based on (a) the revised mine plan where only 6.00 ha area is sanctioned for sand evacuation out of 22.00 ha, (b) Google image of Jan.2016 based on the coordinates provided by the PP, where the availability of the lease area which is not submerged in water was only 30% and rest 70 % of QL area is submerged in water (c) letter of Collector, District-Harda issued vide letter no. khariz/5799 dated 09/06/2016 stating that lease is on the upstream of the dam & not affected by the submergence of Indra Sagar Dam and partially submerged in water and (d) photographs submitted by the PP and OIC, MPSC, Bhopal showing the availability of sand on land. The committee has not considered 70% area which is submerged in water is for evacuation of sand and thus in stream mining is not envisaged.

This case was discussed in 406th SEIAA meeting dated 06-02-17 and it was recorded that :-

"..... 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."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSC are pending with MP SEIAA for quite some time and therefore, a direction may be

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Harda shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (100000 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Harda should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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). PP should ensure to conserve the existing trees.
- (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 Sand Quarry (Open cast manual method) in area of 22.00ha., for production capacity of 1,00,000 cum/year at Khasra No.-1/1, Village.-Uchan, Tehsil.-Handiya, District Harda (MP) **for the lease period to 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.**

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

3. **Case No.-5438/2016** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 10.00 ha. for production capacity 1,00,000 cum /year at Khasra no. 1/1 at Village -Rewa Vankhedi, Tehsil - Sohagpur, Dist. Hoshangabad by M/s Digiana Industries Pvt. Ltd, G-1, Sapna Chambers, 12/1 South Tukoganj, Indore, MP – 465661.

This case was discussed and recommendation in 65th SEAC-II meeting dtd. 17.01.2017 and it was recorded as under :-

".....Today, this case was again placed in agenda where PP and consultant were present. And after presentation it was recorded that: The other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 406th SEIAA meeting dated 06-02-17 and it was recorded that :-

"..... 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Hoshangabad shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (100000 cum/year).

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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- (iv). No in-stream mining shall be allowed. The Mining Officer, Hoshangabad 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.
- (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). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 10.00 ha. for production capacity 1,00,000 cum /year at Khasra no. 1/1 at Village -Rewa Vankhedi, Tehsil - Sohagpur, Dist. Hoshangabad **for the lease period to M/s Digiana Industries Pvt. Ltd, G-1, Sapna Chambers, 12/1 South Tukoganj, Indore, MP – 465661.**

4. **Case No.-5286/2016** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 15.0 ha. for production capacity of 1,50,000 cum/year at Khasra No. 1/1 at Village-Pawarkheda, Tehsil - Babai, Dist. Hoshangabad (MP). by M/s Sainik Foods Pvt. Ltd, Sub Lessee of MPSMCL of HIG-D-5, Dindayal Nagar, Phase -1 Kantha Road, Muradabad - UP – 244001.

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

**.....The PP vide letter dated 12/10/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':*

This case was discussed in 391th SEIAA meeting dated 05-12-16 and it was recorded that :-

**..... 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..*

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.


Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeiv Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Hoshangabad shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (150000 cum/year).
- (iv). No in-stream mining shall be allowed. The Mining Officer, Hoshangabad 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.
- (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). PP should ensure to conserve the existing trees.
- (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.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

- (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 **Sand Quarry** (Open cast manual method) in an area of 15.0 ha. for production capacity of 1,50,000 cum/year at Khasra No. 1/1 at Village-Pawarkheda, Tehsil - Babai, Dist. Hoshangabad (MP). **for the lease period to M/s Sainik Foods Pvt. Ltd, Sub Lessee of MPSMCL of HIG-D-5, Dindayal Nagar, Phase -1 Kantha Road, Muradabad - UP – 244001.**

5. **Case No.4516/15:** Prior Environment Clearance for **Sand Quarry** (Open cast manual method) in an area of 10.570 ha. for production capacity of 1,05,730 cum/year at Khasra No.- 3349, 3350, 3355, 3402, 3403, 3405, Village-Bharoli Khurd, Tehsil-Mehgaon, District-Bhind (MP) by M/s Esteem Infrabuild Pvt. Ltd Shri Kailash Chandra Gupta, P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).

The case was recommended in 53rd SEAC-II meeting dtd. 13.10.2016 and it was recorded that :-

".....The case was presented by the PP and their consultant wherein the submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':"

This case was discussed in 397th SEIAA meeting dated 24-12-16 and it was recorded that :-

"..... PP has submitted the desired information of number of mines within 500 m. periphery. However this case is still under motion hearing before the Hon'ble NGT (Principal Bench) New Delhi and the next date of hearing has been scheduled for 06.01.2017. Therefore it has been decided to keep it on hold till the final order in the case. Copy to PP."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

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- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (105730 cum/year).
- (iv). No in-stream mining shall be allowed. The Mining Officer, Bhind 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.
- (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). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (viii). PP should ensure to conserve the existing trees.
- (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 for **Sand Quarry** (Open cast manual method) in an area of 10.570 ha. for production capacity of 1,05,730 cum/year at Khasra No.- 3349, 3350, 3355, 3402, 3403, 3405, Village-Bharoli Khurd, Tehsil-Mehgaon, District-Bhind (MP) **for the lease period to M/s Esteem Infrabuild Pvt. Ltd Shri Kailash Chandra Gupta, P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).**

6. **Case No.5224/16** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 12.750 ha. for production capacity of 63,750 cum/year at Khasra no.-1, 2, 181, Village-Dahema, Tehsil - Raun, Dist. Bhind (MP). by M/s Vedansh Minerals Resources, Sub Lease, M.P. State Mining Corporation Ltd, 47, Saraswati Nagar, Gwalior, M.P.

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

**.....PP vide their letter dated 24/12/2016 has submitted the revised certificate of MO issued vide letter no. 2139 dated 24/12/2016 wherein MO has informed that there are 02 more mines in 500 meters cluster excluding this mine with total cluster area 61.480ha which was placed before the committee. Committee after deliberation decided that since earlier the other submissions made by PP were found satisfactory and acceptable and thus the committee decided to*

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 402th SEIAA meeting dated 16-01-17 and it was recorded that :-

..... 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSCMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (63750 cum/year).
- (iv). No in-stream mining shall be allowed. The Mining Officer, Bhind 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.
- (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.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

- (vii). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (viii). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 12.750 ha. for production capacity of 63,750 cum/year at Khasra no.-1, 2, 181, Village-Dahema, Tehsil - Raun, Dist.Bhind (MP). **for the lease period to M/s Vedansh Minerals Resources, Sub Lease, M.P. State Mining Corporation Ltd, 47, Saraswati Nagar, Gwalior, M.P.**

7. **Case No.-5460/2016:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 14.358 ha. for production capacity of 57400 cum/year at Khasra No. 1, 137 at Village- Dangra, Tehsil - Datia, Dist. Datia (MP) by Shri Sunil Singh, Sub Lessee - MPSMCL, 141, Gram Guda, Gwalior, MP – 452001.

This case was discussed and recommendation in 62nd SEAC-II meeting dtd. 23.12.2016 and it was recorded as under :-

".....The EMS and other submissions made by the PP were found to be satisfactory and acceptable, hence committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B'."

This case was discussed in 401st SEIAA meeting dated 13-01-17 and it was recorded that :-

"..... 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."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter

(Anupam Rajan)
Member Secretary

(H.S. Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeew Suri Vs UOI.


In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Datia shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (57400 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Datia should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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 access ramps for transportation of sand should be temporarily constructed during the dry season and then removed at the onset of monsoon season.
- (viii). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 14.358 ha. for production capacity of 57400 cum/year at Khasra No. 1,137 at Village- Dangra, Tehsil - Datia, Dist. Datia (MP) **for the lease period to Shri Sunil Singh, Sub Lessee - MPSMCL, 141, Gram Guda, Gwalior, MP - 452001.**


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

8. **Case No. 5222/2016:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 19.00 ha. for production capacity of 57000 cum/year at Khasra No. 534 at Village- Nivsai-C, Tehsil - Raun, Dist. Bhind (MP) by M/s Vedansh Minerals Resources Pvt. Ltd., Sub Leese, M/s M.P.State Mining Corporation Ltd, 47, Saraswati Nagar, District Gwalior, M.P.

From the mining plan it was observed that the surface plan had similar coordinates as that shown in case No. 5223/2016. Both the cases should be returned to SEAC for clarification. Copy to PP.

9. **Case No.5223/16** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 19.00 ha. for production capacity of 57,000 cum/year at Khasra no .-534, Village-Nivsai-B, Tehsil - Raun, Dist.Bhind (MP) by M/s Vedansh Minerals Resources Pvt. Ltd., Sub Leese, M/s M.P.State Mining Corporation Ltd, 47, Saraswati Nagar, District Gwalior, M.P.

From the mining plan it was observed that the surface plan had similar coordinates as that shown in case No. 5222/2016. Both the cases should be returned to SEAC for clarification. Copy to PP.

10. **Case No.- 5461/2016:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 23.00 ha. for production capacity of 115000 cum/year at Khasra no. 551 at Village-Badoni Kalan, Tehsil - Datia, Dist. Datia (MP) by Shri Pranay Kumar Mishra, Sub Lessee - MPSMCL, Sanatan Dharam Mandir, Near Amritsari Shop, Laskar, Gwalior, MP – 452001.

This case was discussed and recommendation in 62nd SEAC-II meeting dtd. 23.12.2016 and it was recorded as under :-

".....The EMS and other submissions made by the PP were found to be satisfactory and acceptable, hence committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':"

This case was discussed in 401st SEIAA meeting dated 13-01-17 and it was recorded that :-

"..... 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Datia shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (115000 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Datia should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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 access ramps for transportation of sand should be temporarily constructed during the dry season and then removed at the onset of monsoon season.
- (viii). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 23.00 ha. for production capacity of 115000 cum/year at Khasra no. 551 at Village-Badoni Kalan, Tehsil - Datia, Dist. Datia (MP) **for the lease period to Shri Pranay Kumar Mishra, Sub Lessee - MPSMCL, Sanatan Dharam Mandir, Near Amritsari Shop, Laskar, Gwalior, MP - 452001.**

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

11. **Case No.4476/2015** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 11.170 ha. for production capacity of 1,70,000 cum/year at Khasra no.-1713, 2278, 2435, Village Bharolikalan, Tehsil-Mehgaon, District-Bhind (MP) by M/s Esteem Infrabuild Pvt. Ltd. Shri Kailash Chandra Gupta, Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....The PP vide letter dated 03/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B': "

This case was discussed in 397th SEIAA meeting dated 24-12-16 and it was recorded that :-

"..... PP has submitted the desired information of number of mines within 500 m. periphery. However this case is still under motion hearing before the Hon'ble NGT (Principal Bench) New Delhi and the next date of hearing has been scheduled for 06.01.2017. Therefore it has been decided to keep it on hold till the final order in the case. Copy to PP.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

- (ii). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined.
- (iii). PP shall not start mining activity before execution of lease agreement.
- (iv). The production capacity shall be limited to the quantity (170000 cum/year).
- (v). No in-stream mining shall be allowed. The Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed.
- (vi). 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.
- (vii). 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.
- (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 **Sand Quarry** (Open cast manual method) in an area of 11.170 ha. for production capacity of 1,70,000 cum/year at Khasra no.-1713, 2278, 2435, Village Bharolikalan, Tehsil-Mehgaon, District-Bhind (MP) **for the lease period to M/s Esteem Infrabuild Pvt. Ltd. Shri Kailash Chandra Gupta, , Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).**

- 12. Case No.5236/2015** Prior Environmental Clearance for **Sand Deposit Quarry** (Opencast manual method) in an area of 7.780 ha. for production capacity of 77,800 cum/year at Khasra no.-1420 (Old-1472, 1473, 1495) at Village-Goram, Tehsil - Mehgaon, Dist. Bhind (MP) by M/s Esteem Infrabuild Pvt. Ltd, Authorized person, P-4, Lal Bhadur Nagarm Durgapura, Jaipur (Raj).

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....The PP vide letter dated 03/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

This case was discussed in 397th SEIAA meeting dated 24-12-16 and it was recorded that :-

**..... PP has submitted the desired information of number of mines within 500 m. periphery. However this case is still under motion hearing before the Hon'ble NGT (Principal Bench) New Delhi and the next date of hearing has been scheduled for 06.01.2017. Therefore it has been decided to keep it on hold till the final order in the case. Copy to PP..*

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (77800 cum/year).
- (iv). No in-stream mining shall be allowed. The Mining Officer, Bhind 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.
- (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). PP should ensure to conserve the existing trees.
- (ix). No transportation shall be permitted within the village.

(Anupam Rajan)
Member Secretary

(H.S. Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

- (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 **Sand Deposit Quarry** (Opencast manual method) in an area of 7.780 ha. for production capacity of 77,800 cum/year at Khasra no.-1420 (Old-1472, 1473, 1495) at Village-Goram, Tehsil - Mehgaon, Dist. Bhind (MP). **for the lease period to M/s Esteem Infrabuild Pvt. Ltd, Authorized person, P-4, Lal Bhadur Nagarm Durgapura, Jaipur (Raj).**

13. **Case No.4509/15** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 19.0 Ha for production capacity of 1,90,000 cum/Year at Khasra No. 546, 850 at Village Khairauli, Tehsil – Mehgaon, Distt. Bhind (M.P.) by M/s. Esteem Infrabuild (P) Ltd., Shri Kalish Chandra Gupta, Sub Lessee, M.P. State Mining Corp. Ltd., P-4, Lal Bhadur Nagar, Durgapura, Jaipur (Raj.).

The case was recommended in 53rd SEAC-II meeting dtd. 13.10.2016 and it was recorded that :-

**.....The case was presented by the PP and their consultant wherein the submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':"*

This case was discussed in 397th SEIAA meeting dated 24-12-16 and it was recorded that :-

**..... PP has submitted the desired information of number of mines within 500 m. periphery. However this case is still under motion hearing before the Hon'ble NGT (Principal Bench) New Delhi and the next date of hearing has been scheduled for 06.01.2017. Therefore it has been decided to keep it on hold till the final order in the case. Copy to PP..*

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSCMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Minutes of the 408th Meeting of SEIAA dated. 15.02.2017

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (190000 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 19.0 Ha for production capacity of 1,90,000 cum/Year at Khasra No. 546, 850 at Village Khairauli, Tehsil – Mehgaon, Distt. Bhind (M.P.) **for the lease period to M/s. Esteem Infrabuild (P) Ltd., Shri Kalish Chandra Gupta, Sub Lessee, M.P. State Mining Corp. Ltd., P-4, Lal Bhadur Nagar, Durgapura, Jaipur (Raj.)**

- 14. Case No. 5101/2016:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 16.340 ha. for production capacity of 32,680 cum/year at Khasra no.-137 at Village-Dangra, Tehsil-Badoni, District-Datia (MP) by Shri LalliRam Rai, Sub Lessee, MPSMCL, Village-Ward No. 14, Krishnapuram, District-Shivpuri (MP)-473551.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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The case was recommended in 54th SEAC-II meeting dtd. 14.10.2016 and it was recorded that :-

".....The case was presented by the PP and their consultant wherein after presentation, it was observed that the other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':."

This case was discussed in 393rd SEIAA meeting dated 07-12-16 and it was recorded that :-

"..... PP has submitted the query response on the above issue. However in the meanwhile 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."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Datia shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (32680 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Datia should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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- (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.
- (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). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 16.340 ha. for production capacity of 32,680 cum/year at Khasra no.-137 at Village-Dangra, Tehsil-Badoni, District-Datia (MP) **for the lease period to Shri LalliRam Rai, Sub Lessee, MPSMCL, Village-Ward No. 14, Krishnapuram, District-Shivpuri (MP)-473551.**

15. **Case No. -5183/16** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 24.73 ha. for production capacity of 1,23,650 cum/year at Khasra No.-181, Village-Dahema-C, Tehsil-Roun, District Bhind (MP) by Shri O.P. Vyas, Dy. GM, MP State Mining Corporation, Ltd. , 47, Saraswati Nagar, Gwalior (MP).

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

".....PP vide their letter dated 24/12/2016 has submitted the revised certificate of MO issued vide letter no. 2139 dated 24/12/2016 wherein MO has informed that there are 02 more mines in 500 meters cluster excluding this mine with total cluster area 61.480ha which was placed before the committee. Committee after deliberation decided that since earlier the other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 402nd SEIAA meeting dated 16-01-17 and it was recorded that :-

"..... 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSCMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (123650 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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). PP should ensure to conserve the existing trees.
- (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.

(Anupam Ratan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

- (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 **Sand Quarry** (Open cast manual method) in an area of 24.73 ha. for production capacity of 1,23,650 cum/year at Khasra No.-181, Village-Dahema-C, Tehsil-Roun, District Bhind (MP) for the lease period to Shri O.P. Vyas, Dy. GM, MP State Mining Corporation, Ltd. , 47, Saraswati Nagar, Gwalior (MP).

16. **Case No.4468/2015** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 16.120 ha. for production capacity of 1,61,200 cum/year at Khasra No. – 01, Village-Kondh, Tehsil-Roun, District-Bhind (MP). by M/s Prime Vision Industries Pvt. Ltd. Sub –Lessee of MPSMCL, 303, 3rd Floor, Vishal Chamber, P-1, Sector-18, Noida, District-Gautambudh (UP)-201301.

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....The PP vide letter dated 03/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information. As per the map submitted by PP, only 2.816 ha area is available for mining and as per mine plan the approved depth is 2.5 meters, thus 70,400 cum/year sand can be evacuated from this lease. Other submissions made by PP earlier were found satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B'"

This case was discussed in 405th SEIAA meeting dated 25-01-17 and it was recorded that :-

"..... PP has submitted the information regarding number of mines within 500 m. periphery, but till the final decision/directives of the above mentioned case before the Hon'ble NGT Principal Bench New Delhi, the case will continue to be on hold."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeew Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (161200 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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). PP should ensure to conserve the existing trees.
- (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 **Sand Quarry** (Open cast manual method) in an area of 16.120 ha. for production capacity of 1,61,200 cum/year at Khasra No. – 01, Village-Kondh, Tehsil-Roun, District-Bhind (MP). **for the lease period to M/s Prime Vision Industries Pvt. Ltd. Sub –Lessee of MPSMCL, 303, 3rd Floor, Vishal Chamber, P-1, Sector-18, Noida, District-Gautambudh (UP)-201301.**

17. **Case No.4479/2015** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 14.710 ha. for production capacity of 73,350 cum/year at Khasra no.-66, 75, Village-Matiyawali, Tehsil Mihona, District-Bhind (MP).by M/s Esteem Infrabuild Pvt. Ltd ,Shri Kailash Chandra Gupta,, Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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".....The PP vide letter dated 04/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 405th SEIAA meeting dated 25-01-17 and it was recorded that :-

"..... PP has submitted the information regarding number of mines within 500 m. periphery, but till the final decision/directives of the above mentioned case before the Hon'ble NGT Principal Bench New Delhi, the case will continue to be on hold.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (73350 cum/year).
- (iv). From the google map it was observed that the exposed dry surface is available only from Feb. onwards. Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed. No in-stream mining shall be allowed.
- (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.
- (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.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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- (vii). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (viii). PP should ensure to conserve the existing trees.
- (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 Sand Quarry (Open cast manual method) in an area of 14.710 ha. for production capacity of 73,350 cum/year at Khasra no.-66, 75, Village-Matiyawali, Tehsil Mihona, District-Bhind (MP). **for the lease period to M/s Esteem Infrabuild Pvt. Ltd, Shri Kailash Chandra Gupta., Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).**

18. **Case No.4848/2015** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 18.230 ha. for production capacity of 54,690 cum/year at Khasra No.-1, 2, 12, 45, 67, Village-Dhour, Tehsil Mihona, District-Bhind (MP) by Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....The PP vide letter dated 03/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':"

This case was discussed in 391th SEIAA meeting dated 06-12-16 and it was recorded that :-

"..... 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..."

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (54690 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined.
- (v). Mining should be carried out leaving 50 m. from the bank. The banks should be conserved and plantation be done in three rows.
- (vi). No in-stream mining shall be allowed. The Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (vii). 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.
- (viii). 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.
- (ix). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (x). PP should ensure to conserve the existing trees.
- (xi). No transportation shall be permitted within the village.
- (xii). Alternate transportation route should be decided in consultation with the local Gram Panchayat.
- (xiii). The entire lease area should be properly fenced and boundary stones marked at the site.
- (xiv). 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.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

Hence, Prior Environmental Clearance is granted for **Sand Quarry** (Open cast manual method) in an area of 18.230 ha. for production capacity of 54,690 cum/year at Khasra No.-1, 2, 12, 45, 67, Village-Dhour, Tehsil Mihona, District-Bhind (MP) **for the lease period to Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., Sub Lessee, Madhya Pradesh State Mining Corporation Limited, R/o P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.)**

19. **Case No.4379/2015** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 16.250 ha. for production capacity of 1,62,000 cum/year) at Khasra no.- 278, Village Bheekampura, Tehsil-Sevda, District-Datia (MP). by Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....The PP vide letter dated 04/11/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information which is satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B': "

This case was discussed in 405th SEIAA meeting dated 23-01-17 and it was recorded that :-

"..... PP has submitted the information regarding number of mines within 500 m. periphery, but till the final decision/directives of the above mentioned case before the Hon'ble NGT Principal Bench New Delhi, the case will continue to be on hold.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Datia shall be

(Anupam Ratan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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responsible to oversee that PP or his representative shall adhere to this condition..

- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (162000 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined.
- (v). Mining should be carried out leaving 50 m. from the bank. The banks should be conserved and plantation be done in three rows.
- (vi). No in-stream mining shall be allowed. The Mining Officer, Datia should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (vii). 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.
- (viii). 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.
- (ix). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (x). PP should ensure to conserve the existing trees.
- (xi). No transportation shall be permitted within the village.
- (xii). Alternate transportation route should be decided in consultation with the local Gram Panchayat.
- (xiii). The entire lease area should be properly fenced and boundary stones marked at the site.
- (xiv). 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 Sand Quarry (Open cast manual method) in an area of 16.250 ha. for production capacity of 1,62,000 cum/year) at Khasra no.- 278, Village Bheekampura, Tehsil-Sevda, District-Datia (MP). **for the lease period to Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.).**

20. **Case No.-5317/2016** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 10.0 ha. for production capacity of 45,000 cubic meter per year at Khasra no.-629, 1209, Village-Padhora, Tehsil - Roun, Dist. Bhind (MP). by M/s Shri Individual, Shri Brajendra Singh Tomar, Partner, 101, 102, Adityapura, Bhind Road, Grid Maharajpura, A.F., Distt. Gwalior, MP – 474005.

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

**.....The PP vide letter dated 01/09/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information and as per revised map, sand is shown on the upper part of the*

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QL which is also evident from the Google image of the site that sand is available on the upper side of the QL. Since the area is 10.00 ha and proposed volume is only 45,000 cum/year which can be evacuated from this side. The other submission made by PP are satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 394th SEIAA meeting dated 08-12-16 and it was recorded that :-

"..... However in the meanwhile 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..

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition..
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (45000 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined.
- (v). No in-stream mining shall be allowed. The Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..

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Member Secretary

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Member

(Waseem Akhtar)
Chairman

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- (vi). 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.
- (vii). 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.
- (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 **Sand Quarry** (Open cast manual method) in an area of 10.0 ha. for production capacity of 45,000 cubic meter per year at Khasra no.-629, 1209, Village-Padhora, Tehsil - Roun, Dist. Bhind (MP). **for the lease period to M/s Shri Individual, Shri Brajendra Singh Tomar, Partner, 101, 102, Adityapura, Bhind Road, Grid Maharajpura, A.F., Distt. Gwalior, MP - 474005.**

21. **Case No. -5165/16** - Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 17.500 ha. for production capacity of 2,62,500 cum/year at Khasra No.-181/1, Village-Rajon, Tehsil-Babai, District-Hoshangabad (MP). Shri R.K. Nema, DGM, MP State Mining Corporation, Paryavas Bhawna, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011.

The case was recommended in 53rd SEAC-II meeting dtd. 13.10.2016 and it was recorded that :-

".....The case was presented today by the PP and their consultant and during representation, PP informed that as per their representation submitted vide letter dated-07/09/2016 their mine falls under non-cluster category as one mine with an area of 17.500 ha have got EC on dated 05/01/2016 and thus as per the GOI, MoEF&CC notification dated 01/07/2016 the area of this mine which have got EC before 15/01/2016 should not be considered for cluster area calculation. Deducting the 17.500 ha area from the total cluster area i.e. 39.40 ha, the remaining area will be 21.905 ha which is less than the 25.00 ha area. The committee on perusal of the documents submitted by PP observed that as per the certificate issued by the Mining Officer vide letter no. 3988 dated 24/03/2016, there are 03 more mines within 500 meters of this lease with cumulative area of 39.405 ha and thus TOR was issued to this lease vide letter no. 878 dated 28/05/2016. Now as per the recent notification of GOI, MoEF&CC notification dated 01/07/2016, one lease with an area of 17.500 ha have got EC on dated 05/01/2016 and thus as per notification dated 01/07/2016, this area will not be considered while calculating area for cluster approach. Deducting the 17.500 ha area from the total area of 39.405 ha, the effective area within 500 meters of this lease comes to 21.905 ha and thus this mine will become non-cluster as per the GOI, MoEF&CC notification dated 01/07/2016. The other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B'."

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Member Secretary

(H.S.Verma)
Member

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Chairman

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This case was discussed in 400th SEIAA meeting dated 12-01-17 and it was recorded that :-

"..... PP has submitted the desired information of number of mines within 500 m. periphery of the lease area. 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our standing council has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSCMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Hoshangabad shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (262500 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined. Mining should be carried out leaving 50 m. from the river bank. The river banks should be conserved and plantation be done in three rows.
- (v). No in-stream mining shall be allowed. The Mining Officer, Hoshangabad should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (vi). 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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Member Secretary

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Member

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Chairman

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- (vii). 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.
- (vi). 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 **Sand Quarry** (Open cast manual method) in an area of 17.500 ha. for production capacity of 2,62,500 cum/year at Khasra No.-181/1, Village-Rajon, Tehsil-Babai, District-Hoshangabad (MP). **for the lease period to Shri R.K. Nema, DGM, MP State Mining Corporation, Paryavas Bhawna, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011.**

22. **Case No. 3391/15** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 20.243 ha. for production capacity of 2,00,000 cum/year at Khasra No.-1163, Village - Nimsadiya, Tehsil -Hoshangabad, District-Hoshangabad (MP) by Shri Dharmendra Singh Parmar, Sub Lessee, LIG-14, Housing Board Colony, District-Chhatarpur (MP)-461001.

The case was recommended in 53rd SEAC-II meeting dtd. 13.10.2016 and it was recorded that :-

**.....The case was presented today by the PP and their consultant and during presentation it was observed that the replenishment plans is forwarded by SEIAA vide letter no.12556 dated 22/03/2016. As per the replenishment plan, the replenished quantity of sand is expected to be 2,00,000 cum/year and the mine plan is also approved for 2,00,000 cum/year. The other submissions made by PP were found satisfactory and acceptable and thus the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':*

This case was discussed in 393th SEIAA meeting dated 07-12-16 and it was recorded that :-

**..... PP has submitted the query response on the above issues. However in the meanwhile 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..*

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Hoshangabad shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (200000 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined. Mining should be carried out leaving 50 m. from the river bank. The river banks should be conserved and plantation be done in three rows.
- (v). No in-stream mining shall be allowed. The Mining Officer, Hoshangabad should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (vi). 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.
- (vii). 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.
- (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.

(Anupam Rajan)
Member Secretary

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Member

(Waseem Akhtar)
Chairman

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- (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 **Sand Quarry** (Open cast manual method) in an area of 20.243 ha. for production capacity of 2,00,000 cum/year at Khasra No.-1163, Village - Nimsadiya, Tehsil -Hoshangabad, District-Hoshangabad (MP) **for the lease period to** Shri Dharmendra Singh Parmar, Sub Lessee, LIG-14, Housing Board Colony, District-Chhatarpur (MP)-461001.

23. **Case No.-5318/2016** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 10.0 ha. for production capacity of 45,000 cubic meter per year at Khasra no.-1288, 1339, Village-Bahadurpura, Tehsil - Roun, Dist. Bhind (MP) by M/s Shri Individual, Shri Brajendra Singh Tomar, Partner, 101, 102, Adityapura, Bhind Road, Grid Maharajpura, A.F., Distt. Gwalior, (MP) – 474005.

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

"The PP vide letter dated 01/09/2016 has submitted the reply which was placed before the committee for further evaluation. The committee after deliberation observed that the PP has submitted the desired information. As per the Google image of June, 2015, a bridge is under construction in the lease area thus 200 meters area should be left as no mining zone and safe area from the both sides of the bridge. Since the area is 10.00 ha and proposed volume is only 45,000 cum/year which can be evacuated from this side. The other submissions made in the reply were found satisfactory and acceptable, hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':

This case was discussed in 394th SEIAA meeting dated 08-12-16 and it was recorded that :-

"..... PP has submitted a representation in response to the above observation of SEIAA and explain that the lease granted to them is at Khasra No. 629, 1209 measuring 10.0 ha. is contiguous and therefore should have been appraised as single lease. After deliberation the representation made by PP was found to be acceptable.

However in the meanwhile 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.

The above matter was heard before the Hon'ble NGT, Principal Bench, New Delhi and our Standing Counsel has sent a mail for appraising cases in respect of issuing Prior EC where the PP happens to the State Mining Corporation. The contents of the mail are recorded as under :-

Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSCMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, directing that any orders passed by SEIAA in the pending matters (which have been brought to the notice of the Hon'ble Tribunal by the applicant), shall be subject to the final orders of the Hon'ble Tribunal in the aforesaid case. Therefore, the SEIAA will decide the pending cases accordingly, for which no separate direction is required and the matter

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has now been adjourned to 24.3.2017 to be heard alongwith other OA 405 of 2016 Rajeev Suri Vs UOI.

In view of the aforesaid, you are requested to comply the order dated 24.10.2016 passed by this Hon'ble Tribunal.

Based on the recommendation of SEAC and the aforementioned legal advice given by the standing counsel, it was decided to grant conditional Prior Environmental Clearance subject to the following specific conditions in addition to the conditions imposed by SEAC-II :-

- (i). This EC will be subject to the Hon'ble NGT, Principal Bench, New Delhi final orders in OA No. 404/2016. No mining operation shall commence on the lease area till the final orders are issued. Mining Officer, Bhind shall be responsible to oversee that PP or his representative shall adhere to this condition.
- (ii). PP shall not start mining activity before execution of lease agreement.
- (iii). The production capacity shall be limited to the quantity (45000 cum/year).
- (iv). No excavation should be carried out from the agriculture fields as it will affect the river bank. Safe distance should be kept from the agriculture field and only exposed dry portion of the river should be mined. Mining should be carried out leaving 50 m. from the river bank. The river banks should be conserved and plantation be done in three rows.
- (v). As per the conditions imposed by SEAC for no mining zone within 200 m. on the upstream and downstream sides each from the road bridge under construction, Mining Officer, Bhind should ensure demarcation of the site leaving 200 m. distance from the road bridge (under construction) in consultation with Revenue/Works Department and this area will be treated as "no mining activity zone".
- (vi). No in-stream mining shall be allowed. The Mining Officer, Bhind should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (vii). 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.
- (viii). 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.
- (ix). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.
- (x). PP should ensure to conserve the existing trees.
- (xi). No transportation shall be permitted within the village.
- (xii). Alternate transportation route should be decided in consultation with the local Gram Panchayat.
- (xiii). The entire lease area should be properly fenced and boundary stones marked at the site.

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Member Secretary

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Member

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- (xiv). 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.

Herice, Prior Environmental Clearance is granted for **Sand Quarry** (Open cast manual method) in an area of 10.0 ha. for production capacity of 45,000 cubic meter per year at Khasra no.-1288, 1339, Village-Bahadurpura, Tehsil - Roun, Dist. Bhind (MP) for the lease period to M/s Shri Individual, Shri Brajendra Singh Tomar, Partner, 101, 102, Adityapura, Bhind Road, Grid Maharajpura, A.F., Distt. Gwalior, (MP) - 474005.

24. **Case No.5207/2016** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 7.87 ha. for production capacity of 8000 cum/year at Khasra no.-170, Village -Amlavadabika, Tehsil - Badnagar, Dist. Ujjain (MP). by Shri Lakhan Singh S/o Shri Arjun Singh, Village Jahangirpur, Tehsil Badnagar, Distt Ujjain, (M.P).

This case was discussed in 391th SEIAA meeting dated 05-12-16 and it was recorded that :-

This case was discussed in 59th SEAC-II meeting dated 11-11-16 and it was recorded that :-

".....PP has submitted the reply vide letter dated 11/08/2016 which was placed before the committee. It was observed by the committee that as per the Google image of December, 2015 most part of the lease area was submerged in the water and now PP has submitted the revised production/operational map wherein the sand availability is shown in patches and since the volume is only 8,000 cum/year, same can be evacuated from the lease. Hence the committee decided to recommend the case for grant of prior EC subject to the following special conditions in addition to the standard conditions at annexure 'B':"

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."

From the record available, this case is not covered under OA No. 404/2016 and therefore appraised at SEIAA level.

Based on the recommendation of SEAC and 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 (8000 cum/year).
- (iii). No in-stream mining shall be allowed. The Mining Officer, Ujjain should ensure that the mining activity is confined only in the dry portion of the river where sand is exposed..
- (iv). 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.
- (v). 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.
- (vi). PP should ensure that no access ramps are made for transportation of sand from the opposite bank of the river.

(Anupam Rajan)
Member Secretary

(H.S.Verma)
Member

(Waseem Akhtar)
Chairman

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- (vii). PP should ensure to conserve the existing trees.
- (viii). No transportation shall be permitted within the village.
- (ix). Alternate transportation route should be decided in consultation with the local Gram Panchayat.
- (x). The entire lease area should be properly fenced and boundary stones marked at the site.
- (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 for **Sand Quarry** (Open cast manual method) in an area of 7.87 ha. for production capacity of 8000 cum/year at Khasra no.-170, Village -Amlavadabika, Tehsil - Badnagar, Dist. Ujjain (MP). **for the lease period to** Shri Lakhan Singh S/o Shri Arjun Singh, Village Jahangirpur, Tehsil Badnagar, Distt Ujjain, (M.P).

Meeting ended with a vote of thanks to the Chair.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman