

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

The 411th meeting of the State Level Environment Impact Assessment Authority was convened on 25.02.2017 at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Waseem Akhtar, Chairman, SEIAA. The following members attended the meeting:-


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


A. Following mining cases of query response have been considered:-


S.No.	Case No.	Category	No. & date of latest SEAC- II
1.	3893/2015	1(a)	406 th SEIAA meeting dtd. 06.02.2017
2.	2187/2014	1(a)	406 th SEIAA meeting dtd. 06.02.2017
3.	3298/2015	1(a) B2	398 th SEIAA meeting dtd. 02.01.2017
4.	153/2008	1(a)	394 th SEIAA meeting dtd. 08.12.2016
5.	96/2008	1(a)	399 th SEIAA meeting dtd. 09.01.2017
6.	1294/2013	1(a) B2	392 nd SEIAA meeting dtd. 06.12.2016
7.	4272/2015	1(a)	405 th SEIAA meeting dtd. 25.01.2017
8.	4204/2015	1(a) B2	407 th SEIAA meeting dtd. 08.02.2017

1. **Case No. 3893/2015** Prior Environmental Clearance for **Bhatoora Limestone Mine** (Opencast Other than fully - mechanized method) in an area of 2.748 ha for production capacity of 50260 TPA at Khasra No. 10,13,15/1P,15/2P at Village - Bhatoora, Tehsil -Maihar, Dist. - Satna (MP) by Shri Prabhu Dayal Awasthi, Village-Mohan Tola, Tehsil Vijayraghgarh, District - Katni (M.P.) - 483775

- (1) This is a project pertaining to mining of **Limestone mine** in MLA of 2.748 ha. The activity is mentioned at S.No. 1 (a) of the Schedule of EIA Notification 2006 as amended from time to time. The project is reported to be at a distance of more than 10 km from National park and sanctuary etc. and more than 250 m from the forest boundary. Thus it is not attracted by the general conditions and falls under category '1 (a)' by virtue of its location and mining lease area. The case was forwarded by SEIAA to SEAC for appraisal of EIA for environment clearance for the project. It was submitted that this is a proposed mine having valid lease for 50 years with production capacity of 50260 TPA.
- (2) It was reported by the PP that the first lease was granted to Shri Rajesh Kumar Chaudaha S/o Shri Govind Das Chaudaha for 10 years from 22.02.1984 to 01.02.1994 and thereafter lease was transferred to Shri Prabhu Dayal Awasthi for 20 years from 01.02.1994 to 31.1.2014 and lease was extended for 20 years from 01.02.2014 to 31.01.2034. The Mining Plan with progressive mine closure plan has been approved by IBM (vide IBM L.No. MP/Satna/Limestone/MPLN/R-16/13-14 dtd. 25.06.2014).
- (3) SEAC in its 64th SEAC-II meeting dtd. 16.01.2017 has recommended the case with 15 special conditions for issuance of EC.
- (4) The case was then discussed in 406th SEIAA meeting dtd. 06.02.2017 and PP/Consultant was invited for presentation. Thereafter, PP/Consultant made a presentation on all aspects of the project and all concerned issues were discussed in detail.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member

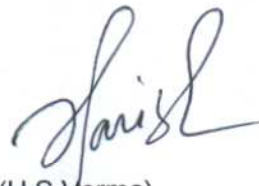

(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

- (5) The proposed plantation program was examined and it was found that 3120 sapling of tree species covering an area of 1.558 ha shall be planted during the lease period.
- (6) It was noted that the water requirement is 10 KLD (5.0 KLD for Dust Suppression+ 2.5 KLD for Green Belt + 2.5 KLD for Domestic/Drinking), which shall be met from mine sump and ground water source situated in ML area.
- (7) It was also noted that the Public Hearing was carried out on 27.08.2016 at mine site, Vill.- Bhatoora, Tehsil -Maihar, Dist. - Satna (MP).
- (8) Based on the recommendation of 64th SEAC-II meeting dtd. 16.01.2017, presentation made by the PP in SEIAA & SEAC, **it was decided to accept the recommendation of SEAC for grant of prior EC to the project subject to the following specific conditions:**
- I. Before commencing any mining activity fencing shall be carried out all around the lease area. Proper watch and ward arrangements should be made with installation of signage at 4 corners of lease area to avoid any untoward incident involving public and animals by the PP.
 - II. Plantation programme as mentioned in EIA/EMP and presented during presentation in SEIAA & SEAC shall be followed in content and spirit.
 - III. PP shall demarcate a barrier zone of 7.5 m as no mining zone in the periphery of mining lease area and develop a green belt. The two row plantation shall be carried out in the greenbelt area in current year.
 - IV. Plantation shall be carried out as per the plantation programme and 1560 plants will be planted in the current year and 300 additional plantation should be done on both side of the road.
 - V. The mining operation shall be restricted to above ground water table and in no case it should intersect the ground water table. In case of working below the ground water table approval of the Central Ground Water Board shall be obtained. Regular depth of ground water table should be monitored by the State Ground Water Survey.
 - VI. PP should construct garland drain of 390 m. length with size 2m x 1.5m all around the mining lease area alongwith 01 settling tanks size (20m x6mx3m). PP shall also ensure the proper cleaning and maintenance of garland drain and settling tank. PP should ensure zero discharge from the mined area.
 - VII. Regular air & water quality monitoring shall be carried out in consultation with RO, MPPCB before pumping out of pull water prior permission should be taken from MPPCB.
 - VIII. The over burden and waste will be simultaneously backfilled in the mined out area and plantation will be raised on it.
 - IX. No overburden will be dumped outside the mine lease area.
 - X. Construction & maintenance of 160 m tar road from mining site to main road.



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member




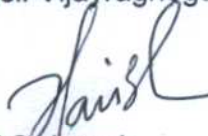
(Waseem Akhtar)
Chairman

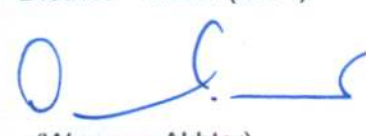
- XI. No transportation should be carried out through the forest area without the permission of DFO, Satna. Labour at mine site shall be strictly prohibited not to enter the forest area
- XII. Controlled blasting shall be carried out during mining operation.
- XIII. The height of the benches are not perfect in existing mine hence height of benches will be kept as per consent of DGMS.
- XIV. Construction of retention/toe walls to arrest sliding down of the excavated material and choking of streams/water bodies.
- XV. Consent of the farmers shall be taken before discharging the mine water into their fields.
- XVI. Vibration study of the area shall be carried out in consultation with the local stakeholders through any authorized technical institution.
- XVII. Top soil of lease area should be kept at a separate protected area so this soil can be used for plantation purpose.
- XVIII. Water tankers with fogging arrangement will be used for regular water sprinkling on the haul roads to ensure effective dust suppression
- XIX. Payments of wages to the workers shall be done in consonance with the provisions in the labour laws.
- XX. Proper infrastructure with shelter, drinking water, toilet and first-aid facilities shall be provided for the labourers. A provision should be made to construct a pakka rest shelter of 8m x6m along with toilet and drinking water facility.
- XXI. PP has proposed under CSR the following activities for which a provision of 5.00 lakhs has been kept :-
 - a) Health awareness and camps for local community in village Bhatoora, Padrehi and Dhanwahi.
 - b) Financial assistance for construction fo separate toilets for boys and girls in Schools in Village Bhatoora and Padreshi.
 - c) Providing computer (4 number) in the higher secondary school in Village Bhatoora along with a instructor.
 - d) Providing LED light (200 Nos) and street light in Village Bhatoora and Padrehi.
 - e) Environmental and Agriculture awareness camp, MSW management Camp, Education Camp for organic farming, dissipation of knowledge on drip irrigation and latest technology for agriculture..

The modification to the above activities can be made with the permission of the district administration.

Hence, Prior Environmental Clearance is granted for **Bhatoora Limestone Mine** (Opencast Other than fully - mechanized method) in an area of 2.748 ha for production capacity of 50260 TPA at Khasra No. 10,13,15/1P,15/2P at Village - Bhatoora, Tehsil -Maihar, Dist. - Satna (MP) **for the lease period to Shri Prabhu Dayal Awasthi, Village- Mohan Tola, Tehsil Vijayraghgarh, District – Katni (M.P.) - 483775.**



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

2. **Case No. 2187/2014** Prior Environmental Clearance for **Limestone Mine** (Opencast mechanized method) in an area of 14.733 ha. for production capacity-5,00,000 TPA, at Khasra no.-39/1 at Village-Morka, Tehsil-Jawad, District-Neemuch (MP) by M/s Veer Durgadas Minerals Pvt. Ltd, Shri Kan Singh Rathore, Director, Rathore House, Near FCI Godown, Chanderia, District-Chittorgarh (RJ)- 02021.

- (1) This is a project pertaining to mining of **Limestone mine** in MLA of 14.733 ha. The activity is mentioned at S.No. 1 (a) of the Schedule of EIA Notification 2006 as amended from time to time. The project is reported to be at a distance of more than 10 km from National park and sanctuary etc. and more than 250 m from the forest boundary. Thus it is not attracted by the general conditions and falls under category '1 (a)' by virtue of its location and mining lease area. The case was forwarded by SEIAA to SEAC for appraisal of EIA for environment clearance for the project. It was submitted that this is a proposed mine having valid lease for 50 years with production capacity of 5,00,000 TPA.
- (2) It was reported by the PP that the lease area was granted to Shri Sunil Kumar garani S/o Shri Satya Narayan Gagrani for 20 years (from 29.11.1995 to 28.11.2015) and lease was transfer to M/s Durgadas Minerals Pvt.Ltd. for 30 years upto 28.11.2045. The Mining Plan with progressive mine closure plan has been approved by DGM, Bhopal (vide IBM L.No. MP/Satna/Limestone/M.Sch-11/2014-15/6577 dtd. 25.11.2014).
- (3) SEAC in its 65th SEAC-II meeting dtd. 17.01.2017 has recommended the case with 13 special conditions for issuance of EC.
- (4) The case was then discussed in 406th SEIAA meeting dtd. 06.02.2017 and PP/Consultant was invited for presentation. Thereafter, PP/Consultant made a presentation on all aspects of the project and all concerned issues were discussed in detail.
- (5) The proposed plantation program was examined and it was found that 4873 sapling of tree species covering an area of 4.873 ha shall be planted during the lease period.
- (6) It was noted that the water requirement is 19 KLD (10 KLD for Dust Suppression+ 8.0 KLD for Green Belt + 1.0 KLD for Domestic/Drinking), which shall be met from Hand pump and tube well.
- (7) It was also noted that the Public Hearing was carried out on 18.02.2016 at mine site, Vill.- Morka, Teh.-Jawad , District-Neemuch (MP).
- (8) Based on the recommendation of 65th SEAC meeting dtd. 17.01.2017, presentation made by the PP in SEIAA & SEAC, **it was decided to accept the recommendation of SEAC for grant of prior EC to the project subject to the following specific conditions:**
 - I. Before commencing any mining activity fencing shall be carried out all around the lease area. Proper watch and ward arrangements should be made with installation of signage at 4 corners of lease area to avoid any untoward incident involving public and animals by the PP.
 - II. Plantation programme as mentioned in EIA/EMP and presented during presentation in SEIAA & SEAC shall be followed in content and spirit.



(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

- III. PP shall demarcate a barrier zone of 7.5 m as no mining zone in the periphery of mining lease area and develop a green belt. The two row plantation shall be carried out in the greenbelt area in current year.
- IV. PP should construct garland drain 1245 m. long of size 2m x 1.5m alongwith 08 settling tanks (5m x5mx3m) of the mining lease boundary. PP shall also ensure the proper cleaning and maintenance of garland drain and settling tank. PP should ensure zero discharge from the mined area.
- V. The mining operation shall be restricted to above ground water table and in no case it should intersect the ground water table. In case of working below the ground water table approval of the Central Ground Water Board shall be obtained. Regular depth of ground water table should be monitored by the State Ground Water Survey.
- VI. The PP shall demarcate a minimum distance of 100 m from the edge of the main road (Neemuch to Jawad) as no mining zone and create a green buffer to minimize effect of dust emissions from the mine and also to keep a safe distance from the three existing electric lines passing in close proximity and within 100 m. of the proposed no mining zone. This 100 m. no mining zone will also be a safe distance from the existing jail building. For plantation in the no mining zone, care should be taken to leave an appropriate distance from the electricity line and according to the norms laid down in THE INDIAN ELECTRICITY RULES, 1956.
- VII. Consent of the farmers shall be taken before discharging the mine water into their fields after qualitative assessment by MPPCB.
- VIII. Construction of 100 m. Pakka Approach road from mine site to Jawad Neemuch road. This is MDR road under maintenance of MPRDC, major communication of vehicles go on this road so proper care should be taken regarding congestion of vehicles at entry point of mining area.
- IX. A minimum 4873 plants shall be planted preferably having minimum age of three years at the end of the mine life. During the first year plantation in the no mining zone and buffer zone (7.5 m.) should be taken up. Top soil shall be used during plantation.
- X. No overburden will be dumped outside the mine lease area.
- XI. Controlled blasting shall be carried out as permitted by DGMS.
- XII. Proper infrastructure with labour shelter (size 600 sq.ft), drinking water, toilet and first-aid facilities shall be provided for the labourers.
- XIII. Constant monthly air & water quality monitoring to be carried out by PP in consultation with Regional Officer, MPPCB. Ujjain.
- XIV. Water tankers with fogging arrangement will be used for regular water sprinkling on the haul roads to ensure effective dust suppression
- XV. Payments of wages to the workers shall be done in consonance with the provisions in the labour laws.
- XVI. PP has proposed under CSR the following activities for which a provision of 8.5 lakhs has been kept :-


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

- a) Provide sports goods or sports accessory & maintenance of sports ground.
- b) Solar lantern distribution in 400 houses at nearby villages; Morka, Maheshpuria, Segva etc.
- c) Provide computer facility in nearby villages 4 villages morka, Maheshpuria, Segva & Suwakhera 4 computer.
- d) Washroom in village school with water tank facility.

The modification to the above activities can be made with the permission of the district administration.

Hence, Prior Environmental Clearance is granted for **Limestone Mine** (Opencast mechanized method) in an area of 14.733 ha. for production capacity-5,00,000 TPA, at Khasra no.-39/1 at Village-Morka, Tehsil-Jawad, District-Neemuch (MP) (M.P.) **for the lease period to M/s Veer Durgadas Minerals Pvt. Ltd, Shri Kan Singh Rathore, Director, Rathore House, Near FCI Godown, Chanderia, District-Chittorgarh (RJ)-02021.**

3. **Case No. - 3298/15:** Prior Environment Clearance for **Dolomite Mine** in an area of 13.25 ha. for production capacity of 6,00,000 TPA at Village-Kakiya, Tehsil-Bichiya, District-Mandla (MP) by Shri O.G. Goyal, Executive Director & Nominated Owner, M/s Hira Power & Steels Ltd., 101-C, Parwani Complex, Civil Line, Raipur (CG)-492001

This case was discussed in 398th SEIAA meeting dtd. 02.01.2017 and PP was invited for presentation. All though this case has been appraised by SEAC as B2 category based on the EMP prepared by the PP. However looking to the broader aspects of mining near Kanha Tiger Reserve and the judgment/order dated 04.04.2014 passed by the Hon'ble NGT, Central Zone Bhopal in OA No. 16/2013 and also the complaint lodged by the nearby farmers before SEIAA, it has been decided to invite PP for presentation on 20.03.2017.

4. **Case No. 153/2008,** Prior Environmental Clearances for **laterite, yellow ochride, manganese, red oxide, red ochride & fire clay mining** in an area of 48.562 ha at Village Jhinna Teh- Dhimmerkhera, Distt- Katni M.P. by M/s Shukdeo Prasad Goenka C/o Goenka Bhawan, Station Road, Katni M.P.

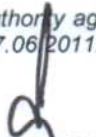
- (1) **The case was discussed in 73rd SEIAA meeting dtd. 30.11.11 and it has been recorded that**

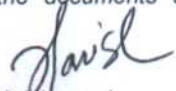
The case was discussed in 64th SEIAA meeting dtd. 04.08.11 and it has been recorded that " As per Forest Deptt. GoMP (letter No. F-5/16/81/10-3 dt 29-08-2008) the mining lease area lying within 250 m from the forest boundary requires NOC from the committee constituted under Principal Secretary, Forest. Further, a part of the area also falls under the category of Orange forest area.

In view of above it is not possible for the Authority to take decision on Prior Environmental Clearance. Accordingly it was decided by the Authority to inform the Project Proponent to get recommendation from the committee constituted under Principal Secretary, Forest for the mining lease area falling within 250 m area from the forest boundary and also getting NOC from Forest Deptt/Govt. of India for the mining lease area categorized as Orange forest area. A copy of the letter should be sent to Principal Secretary, Forest, GoMP and concerned DFO."

The proponent has submitted notarized copy of sanction lease deed and order of State Government, Deptt. of Forest dtd. 2006 and other orders.

The Authority again scrutinized the documents submitted by the proponent vide their letter no. nil dtd. 07.06.2011. The Authority found the documents submitted by the proponent that the


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

enclosures including circular of the State Govt. Deptt. of Forest of 2006 does not help any more. Hence it was decided by the Authority that the decision taken in 58th SEIAA meeting will remain unchanged. "

Before this the case was discussed in 58th SEIAA meeting dtd. 16.05.11 and it has been recorded that "In this reference the DFO, Katni (vide letter No Draftsman/2718, Katni dtd. 21-04-11) has informed that proposed Mining lease area (48.562 ha) is within 250 m from the Forest boundary. Out of the total area 21.85 ha falls under Orange forest category. The lease area is 100 km from Protected Area viz., Bandhavgarh National Park.

As per Forest Deptt. GoMP (letter No. F-5/16/81/10-3 dt 29-08-2008) the mining lease area lying within 250 m from the forest boundary requires NOC from the committee constituted under Principal Secretary, Forest. Further a part of the area also falls under the category of Orange forest area.

In view of above it is not possible for the Authority to take decision on Prior Environmental Clearance. Accordingly it was decided by the Authority to inform the Project Proponent to get recommendation from the committee constituted under Principal Secretary, Forest for the mining lease area falling within 250 m area from the forest boundary and also getting NOC from Forest Deptt/Govt. of India for the mining lease area categorized as Orange forest area. A copy of the letter should be sent to Principal Secretary, Forest, GoMP and concerned DFO."

The Authority scrutinized the documents submitted by the PP vide their representation dtd. 16.09.11 and 05.11.11. The order dtd 28-10-2011 passed by the Court of Forest Settlement Officer (ou O;oLFkku vf/kdkjh) / Sub Divisional Officer (Revenue) in case no. - 01/A-19(04)/2010-11 of Sukhdev Prasad Goenka and S. Ankun v/s Govt. of MP, Divisional Forest Officer, Katni was examined in depth and it was found that Khasra No. 507 has been excluded from the forest.

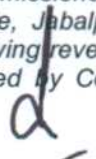
The other Khasra Nos. viz. 346, 362, 374, 376, 360, 361, 359, 373, 378 & 375, were further examined in the light of the letter (vide no. F-25/51/2005/10-3 Bhopal dtd. 21.08.06) issued to Collector, Katni by the Forest Deptt. Govt. M.P. in another case and the letter provided by the DFO, Katni (vide no. Manchitrakar/2718, Katni dtd 21.04.11).

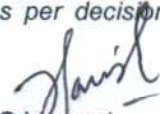
The Authority also examined the decision of the Hon'ble High court, Indore Bench (writ petition no. 3861/2010, O) filed by Ambalal VS State of MP and others enclosed by PP. The Authority found that the decision of the Hon'able High Court has no bearing in this case.

In the light of above mentioned facts it was decided by the Authority that PP should submit a joint report and map showing revenue land and forest land of the total area included in the mining lease. Both these should be signed by the Collector and DFO, Katni. PP should also submit a letter from the DFO, Katni indicating the distances of the Reserve and Protected Forests, if any, from the boundary of the area included in the mining lease. It was also decided to write to DFO and Collector, Katni to provide the above-mentioned information to the Proponent within one month.

(2) It was decided in 98th SEIAA meeting dtd 30.11.11 and it has been recorded that

- i. With reference to compliance of the above decision letter was sent to PP on 03.01.12 and endorsement to Collector and DFO (T) Katni for providing the information. Another letter was sent to Collector & DFO with endorsement to PP on the same day for providing required information to PP. DO letters were also written to DFO (T), Katni and Collector, Katni on 16.02.12. Subsequently DFO (T), Katni (vide letter no. 1456 dtd 29.02.12) informed the SEIAA that they have not received letter dtd 03.01.12. The entire information was sent to DFO, Katni on 18.04.12. However, no response was received by Collector & DFO (T), Katni. Subsequently PP submitted notarized copy of the Khasra Panchsala of 7 numbers out of the total 11 numbers involved in the case (vide their letter no. nil dtd 09.05.12). A letter was sent to PP on 23.05.12 to submit the remaining 4 Khasra Panchsala. The same was submitted by PP on 15.06.12.
- ii. The issue was discussed in depth and it was decided that DO, letters should be sent to Commissioner, Jabalpur Division, Jabalpur and also Chief Conservator, Forests, Jabalpur Circle, Jabalpur to direct the concerned Authorities to submit a joint report and map showing revenue land and forest land of the total area included in the mining lease duly signed by Collector & DFO, Katni as per decision taken in 73rd SEIAA meeting dtd


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

30.11.11. The endorsement letter should also be sent to Collector & DFO, Katni as well as PP. "

(3) It was decided in 113th SEIAA meeting dtd 01.12.2012 and it has been recorded that

1. The case was discussed in depth. It was noted that the DO letter was sent to the Commissioner, Jabalpur and Chief Conservator Forest, Jabalpur vide No. 554 dtd. 19.07.2012 and 552 dtd. 19.07.2012 respectively. It was found that the direct reply from the respective officers has not been received in the SEIAA office.

While scrutinizing the documents submitted by the PP it was found that the PP has submitted (vide No. nil dtd. 07.11.2012) the notarized copy of the joint report by the Collector & DFO, Katni which he received through Right to Information (Case No. 105/2012-13, Collector Office L.No. 13 dtd. 09.10.2012).

2. It was noted that according to Joint Report the Khasra No. 507 is part of PF 365 and is also a habitat of wildlife. The PF 365 has been included in the working plan and approved by the MoEF vide L.No. 12-14/2003 (Qksj) 2349 dtd. 28.11.2005.

It is also mentioned in the report that the case of Khsara No. 507 is under consideration at the Court of Collector, Katni, therefore is dose not seems appropriate to issue the Prior EC for the above Khasra Nos.

3. Considering the above facts and to avoid the violation of Forest Conservation Act 1980, it was decided to close the case at present. It was also decided that all concerned should be informed accordingly.

(4) It was decided in 157th SEIAA meeting dtd 26.08.2014 and it has been recorded that

1. In context of above it was also noted that the PP has submitted another application vide No. 391 dated 14.07.2014 enclosing the order of Hon'ble High Court Jabalpur dated 11.10.2013 against second appeal No. 750/2003 and 1406/2012 and requested to take decision. The relevant part of the concerned order dated 11.10.2013 on Appeal No. 750/2003 and 1406/2012 under context is mentioned below:-

".....Since the suit land involved in the suit filed by the plaintiffs is not a part of forest land looking to the concurrent finding of fact of both the Courts below, the provisions of Section 20 of the Indian Forest Act and Section 2 of the Forest (Conservation) Act 1980 are not applicable and further the judgment of the Hon'ble apex Court passed in the matters of T.N. Godavarman Thirumulkpad V/s Union of India and others, (1997) 2 SCC 267 and T.N. Godavarman Thirumulkpad V/s Union of India (2002) 10 SCC 606....

.....Therefore, the substantial questions of law Nos. 1 and 2 are answered against the appellants and in favour of the plaintiffs/respondents as the suit land is not a part of forest land and is not covered by Hon'ble Apex Court passed in the matters of T.N. Godavarman Thirumulkpad V/s Union of India and others, (1997) 2 SCC 267 and T.N. Godavarman Thirumulkpad V/s Union of India (2002) 10 SCC 606..."

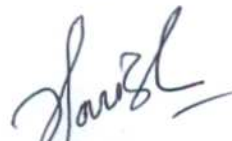
Similarly, the relevant and operative part of the order of the Hon'ble High Court in another Appeal No. 1406/2012 is mentioned below:

"3--- Similar questions have been considered in the judgment passed today in Second Appeal No. 750/2003 challenging the order dated 03.06.2000 passed by the Collector, Katni and it has been held that the suit land for which the mining lease has been granted to the respondent/plaintiff is not a part of forest land and similar substantial questions of law have been answered against the appellants and appeal has been dismissed, therefore, this matter is also covered by the judgment passed in Second Appeal No. 750/2003. Therefore, all the substantial questions of law are answered against the appellants and the appeal filed by the appellants is dismissed."

2. On the basis of above facts the authority decided to write a letter to the Collector, Katni asking him to provide the information whether any SLP has been filed in the Hon'ble Supreme Court or any stay has been obtained against above said order dated 11.10.2013 of Hon'ble High Court. The copy of the letter should be endorsed to the PP also.



(Anupam Bajaj)
Member Secretary



(H.S. Verma)
Member



(Waseem Akhtar)
Chairman

- (5) The matter was further discussed in 179th SEIAA meeting dtd 26.08.2014, 336th SEIAA meeting dtd 26.05.2016 and 379th SEIAA meeting dtd 24.10.2016.
- (6) The matter was discussed in 394th SEIAA meeting dtd 08.12.2016 and it was recorded that

Collector, Katni has submitted a letter on 26.11.2016 in which he has enclosed the copy of the order nominating Chief Conservator of Forest, Jabalpur as OIC to file SLP before the Hon'ble Supreme Court against the order dtd. 15.09.2015 of the Hon'ble High Court (Review Bench) No. 257/2015 and 258/2015. In the meanwhile, a letter be written to Secretary, Mineral Resources Department, GoMP informing about the SLP which is being filed by Forest Department in the matter of ownership of land and seek his opinion on the current status of renewal of lease. Copy to PP.

- (7) In the meanwhile, PP has submitted an order of the Hon'ble M.P. High Court dated 21.12.2016 of WP -20548/2016 in which directives were issued to SEIAA also and read as under :-

"State Government cannot sit over on the application. For the present without entering into controversy on merit, we direct the competent authority to hear the petitioner and if required grant an opportunity of complying with the statutory requirement of law and thereafter take a decision on the application after following the due process of law in accordance to the statutory provisions as are applicable within a period of 6 weeks from the date of receipt of the certified copy of this order. It is made clear that this court has not expressed any opinion on the merit of the case, it is for the competent authority to take a decision on the application after complying with the due process of law. With the aforesaid, this petition stands disposed of.

- (8) The State Govt. has filed SLP No. 2808-2809/2017 in Hon'ble Supreme Court of India for which the hearing was conducted on 10th Feb. 2017 and the notices were issued for condonation of delay and on interim relief :-

Heard the learned counsel for the petitioners and perused the relevant material. Application for exemption from filing official translation is allowed. Issue notice on the application for condonation of delay, on the special leave petitions and also on the prayer(s) for interim relief.

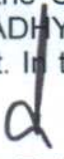
It has now been decided after detail discussion that PP may be invited to present his representation on 16.03.2017 regarding issuance of EC as per directives of the Hon'ble M.P. High Court in their order dated 21.12.2016 and to seek his response regarding the pending SLP against him.

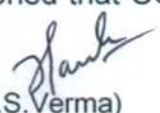
5. **Case No. 96/2008, Prior Environmental Clearance for Agaria Iron ore mine** (Open cast Semi-mechanized Method) in an area of 20.141 ha for production capacity of 50000 TPA at Khasra No.1093 at Village - Agaria Tehsil- Sihora District - Jabalpur (M.P) by M/s Nirmala Minerals, Pathak Ward P.O. Katni, District - Katni (MP) - 483501

The case was discussed in 399th SEIAA meeting dtd. 09.01.2017 and it was recorded that :-

.....PP has submitted the information regarding ground water table from Ground Water Survey, Jabalpur, the same may be got verified from Central Ground Water Board. Copy to PP.

PP has submitted a report of the Central Ground Water Board for Jabalpur District (2013) and mentioned that no specific report for agariya village is available. SEIAA has a copy of the Central Ground Water Board "STATUS OF GROUND WATER LEVELS IN MADHYA PRADESH DURING MAY 2015" which has also covered Jabalpur District. In the report it is mentioned that CGWB has monitored 38 sample


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member



(Waseem Akhtar)
Chairman


points of Jabalpur District and concluded the prevailing below ground water level. PP should submit based on the above report the prevailing ground water level of the nearest monitoring station to Agariya village.


6. **Case No. – 1294/ 2013**, Prior Environment Clearance for **Chhapra Marble Mine (Opencast Mechanized Method)** in an Area of 7.58 ha for production Capacity of 41494 TPA (Marble 20792.2 TPA Waste Marble - 20701.80 TPA) **(As per SEAC recommendation)** at Khasra Nos.- 189,190,191,192,193 at Vill.- Chhapra, Teh.- Bahoriband , District-Katni (M.P.) by M/s. Sagar Mines Pvt. Ltd., Post & Village - Chhapra, District-Katni (M.P.)

This case was discussed in 392nd SEIAA meeting dtd. 06.12.2016 and it was recorded that :-

- (1) *This is a project pertaining to mining of Marble Mine in MLA of 7.58 ha. The activity is mentioned at S.No. 1 (a) of the Schedule of EIA Notification 2006 as amended from time to time. The project is reported to be at a distance of more than 10 km from National Park /Sanctuary etc. and forest boundary is more than 250 m distance from the ML area. The interstate boundary is not applicable as mining site falls in Vill.- Chhapra, Teh.-Bahoriband , District-Katni, thus it is not attracted by the general conditions and falls under category 'B-2' by virtue of its location and mining lease area. The case was forwarded by SEIAA to SEAC for appraisal of EIA for environment clearance for the project. It was submitted that this is a proposed mine having valid lease for 30 years from the execution of the lease deed with production of Marble 20792.2 TPA Waste Marble - 20701.80 TPA (As per SEAC recommendation).*
- (2) *It was reported by the PP that the lease area was granted to M/s. Sagar Mines Pvt. Ltd., Post & Village - Chhapra, District - Katni on 27.08.2003 for 10 years. Later the lease period was extended to 30 years (vide Government order dtd 22.03.2014). This is a case of existing mining lease. The scheme of mining with progressive mine closure plan has been approved by Director, Geology & Mining (vide Letter. No. 17777-78 dtd. 12.09.2014).*
- (3) *The case was recommended in 57th SEAC -II meeting dtd 09.11.2016 with 12 special conditions.*
- (4) *The case was then discussed in 388th SEIAA meeting dtd 22.11.2016 and PP/Consultant was invited for presentation. Thereafter, PP/Consultant made a presentation on all aspects of the project and all concerned issues were discussed in detail.*
- (5) *The proposed plantation program was examined and it was found that 1600 sampling of tree species shall be planted including greenbelt in an area of 0.1125 ha during the lease period.*
- (6) *It was also noted that the Public Hearing was carried out on 07.04.2016 at mine site, Vill.- Chhapra, Teh.-Bahoriband , District-Katni (MP) and following suggestions/complaints were recorded :*
 - I. *Maintenance of Chapra Niwas road.*
 - II. *Provide help to Gram Panchayat for development works.*
 - III. *Employment to the local villagers.*
 - IV. *Proper treatment of mine water to prevent contamination of drinking water.*
 - V. *Control of heavy blasting.*
 - VI. *Objection on depth of mine.*
 - VII. *Threat to wild life.*
 - VIII. *Safety of labour.*
 - IX. *Depletion of water table.*
- (7) *It was noted that the water requirement is 50 KLD (35 KLD Mine Operation, 08 KLD Dust Suppression 05 KLD Plantation + 02 KLD Drinking purpose), which shall be met by Tube well/ Surface water body.*


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

(8) PP ensured the following during presentation:

- i. Water table shall not be intersected during mining activities.
- ii. Construction of pucca Approach road from mine site to Chapra village (approx. 1 km) in PPP mode.
- iii. To install the signage at the mining sites specially mentioning the not to drink mine pit water and dangers of entering the mining site.
- iv. To carry out the water quality analysis through authorized laboratory and if found fluoride or any other content higher than the prescribed limit shall inform the PHE office immediately for taking further precautionary measures.
- v. To install the RO at labour shelter room to provide the safe drinking water.
- vi. The transportation of minerals shall not be carried out through forest area.
- vii. A total of 6000 plants shall be planted preferably in an undisturbed area in the current year and top soil shall be used during plantation.
- viii. The entire area shall be fenced.
- ix. Controlled blasting shall be carried out as permitted by RGMS only for rock breaking purpose.
- x. Budget provision of Rs 12.49 lakhs shall be kept for CSR activities.


(9) After detailed discussion and perusal of recommendations of 57th SEAC -II meeting dtd 09.11.2016, presentation made by the PP in SEIAA & SEAC, it was decided that:

- I. PP shall submit the detail year wise excavation and backfilling management plan including the information of excavated area from starting of mining operations to till date duly certified by Mining Officer, Katni.
- II. Mining Officer, Katni shall provide the information whether any litigation related with illegal mining is pending in this case or not.
- III. The hydro-geological study of the area carried out by the PP shall be validated by State Groundwater Board or any other Government recognized institute.
- IV. PP shall submit the Plan mentioning the number of settling tanks and size of Garland drain in the ML area alongwith the proper drawing.
- V. PP shall submit a plan mentioning the detail of construction of shelter, toilet and providing drinking water facilities for the labours.
- VI. Air & Water quality details shall be certified by Accredited Consultant or any Government agency and resubmitted at SEIAA office.

PP has submitted point wise query reply to the issues raised as above on 16.02.2017. Mining Officer, Katni has certified that there are no cases of illegal mining pending against the PP.

(1) After detailed discussions and perusal of recommendations of 57th SEAC-II meeting dtd 09.11.2016, presentation made by the PP in SEIAA & SEAC, it was decided that to accept the recommendation of SEAC for grant of prior EC to the project **subject to the following specific conditions:-**


- (i). Before commencing any mining activity fencing shall be carried out all around the lease area. Proper watch and ward arrangements should be made with installation of signage at 4 corners of lease area to avoid any untoward incident involving public and animals by the PP.
- (ii). Plantation programme as mentioned in EIA/EMP and presented during presentation in SEIAA & SEAC shall be followed in content and spirit.

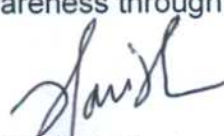

(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

- (iii). PP shall demarcate a barrier zone of 7.5 m as no mining zone in the periphery of mining lease area and develop a green belt. The two row plantation shall be carried out in the greenbelt area in current year.
- (iv). A total of 6000 plants shall be planted preferably in an undisturbed area in the current year and top soil shall be used during plantation.
- (v). PP should construct garland drain 1447 m. long of size 2m x 1.5m (inner periphery) and 811 m. long of size 2m x 1.5m (outer periphery) alongwith 02 settling tanks (5m x 5m x 2m) at the southern end of the mining lease boundary. PP shall also ensure the proper cleaning and maintenance of garland drain and settling tank. PP should ensure zero discharge from the mined area.
- (vi). The mining operation shall be restricted to above ground water table and in no case it should intersect the ground water table. In case of working below the ground water table approval of the Central Ground Water Board shall be obtained. Regular depth of ground water table should be monitored by the State Ground Water Survey.
- (vii). Construction of Pakka approach road from mine site to Chapra village (approx. 1 km) in PPP mode.
- (viii). PP shall carry out the water quality analysis through authorized laboratory and if found fluoride or any other content higher than the prescribed limit shall inform the PHE office immediately for taking further precautionary measures.
- (ix). PP has committed to construct a labour rest room (5m x 4m) with toilet facility for male and female separately. He will also provide a kitchen of 3m x 3m and provide the safe drinking water facility for laborers.
- (x). The transportation of minerals shall not be carried out through forest area.
- (xi). Controlled blasting shall be carried out as permitted by RGMS only for rock breaking purpose.
- (xii). Constant monthly air & water quality monitoring to be carried out by PP in consultation with Regional Officer, MP PCB. Katni.
- (xiii). Water tankers with fogging arrangement will be used for regular water sprinkling on the haul roads to ensure effective dust suppression
- (xiv). Payments of wages to the workers shall be done in consonance with the provisions in the labour laws.
- (xv). PP has proposed under CSR the following activities for which a provision of 12.49 lakhs has been kept :-
 - a) Education for children and old people of nearby villages alongwith the awareness training camp for the advance agricultural techniques like drip irrigation.
 - b) IT education camps and distribution of computers.
 - c) Health Camps.
 - d) Energy conservation awareness through distribution of solar lamps.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017


The modification to the above activities can be made with the permission of the district administration.

Hence, Prior Environmental Clearance is granted for **Chhapra Marble Mine (Opencast Mechanized Method)** in an Area of 7.58 ha for production Capacity of 41494 TPA (Marble 20792.2 TPA Waste Marble - 20701.80 TPA) **(As per SEAC recommendation)** at Khasra Nos.- 189,190,191,192,193 at Vill.- Chhapra, Teh.- Bahoriband, District-Katni (M.P.) **for the lease period to M/s. Sagar Mines Pvt. Ltd., Post & Village - Chhapra, District-Katni (M.P.).**

7. **Case No. 4272/2015-** Prior Environmental Clearance for **Bauxite, Laterite & Fire Clay Mine** (Open cast mechanized method) in an area of 4.01 ha for production capacity of 43801 TPA (Bauxite-35588 TPA, Laterite - 5475 TPA & Fire Clay - 2738 TPA) at khasra no 463, 464/2, 501 & 502/1 at Village- Tikariya, Tehsil-Murwara, District-Katni (M.P.) by Shri Moti Lal Bajaj S/o Shri Panna Lal Bajaj, R/o - House No. 1, Vinoba Bhave Ward Barhi Road, Near Mainadi, District-Katni (M.P.) - 483501.

This case was discussed in 405th SEIAA meeting dtd. 25.01.2017 and it was recorded that :-

- (1) This is a project pertaining to mining of Bauxite, Laterite & Fire Clay Mine in MLA of 4.01 ha. The activity is mentioned at S.No. 1 (a) of the Schedule of EIA Notification 2006 as amended from time to time. The project is reported to be at a distance of more than 10 km from National park and sanctuary. It was noted that the interstate boundary is more than 10 Km from mining site falls in Village- Tikariya, Tehsil-Murwara, District-Katni. The case was forwarded by SEIAA to SEAC for appraisal of EIA for environment clearance for the project. It was submitted that this is a proposed mine with Total production capacity of 43801 TPA (Bauxite-35588 TPA, Laterite - 5475 TPA & Fire Clay - 2738 TPA)
- (2) It was reported by the PP that the lease area was granted to Smt. Aruna Devi Bajaj for 20 years (29.09.2009 to 28.09.2029). After the death of Smt. Aruna Devi Bajaj this lease was transferred to Legal heirs (Son) Shri Moti Lal Bajaj S/o Late Shri Panna Lal Bajaj.
- (3) It was noted that 05 mines (66.84 ha.) are located in the periphery of 500 m of proposed mine and this is the lease was sanctioned by M.P. Govt. Mineral Resources Department, Bhopal for 20 years vide Order no 3-33/2008/ 12/2 dated 18/06/2009.
- (4) This is a case of existing mining lease. The Mining Plan with progressive mine closure plan has been approved by IBM, (vide letter No. MP/ Katni/ Bauxite/ M.Sch- 03/ 2014 -15 dated 24.07.2014).
- (5) SEAC in its 63rd SEAC-II meeting dtd. 24.12.2016 has recommended the case with 16 special conditions for issuance of EC.
- (6) The case was then discussed in 402th SEIAA meeting dtd 16.01.2017 and PP/Consultant was invited for presentation. Thereafter, PP/Consultant made a presentation on all aspects of the project and all concerned issues were discussed in detail.
- (7) It was noted that the water requirement is 41.165 KLD (10 KLD for Dust Suppression+ 29.50 KLD for Green Belt + 1.665 KLD for Domestic), which shall be met from dug wells & tube wells.
- (8) The proposed plantation program was examined and it was found that 3400 sapling of tree species covering an area of 1.18 ha shall be covered under plantation during the end of lease period.
- (9) PP ensure & demarcate a barrier zone of 7.5 m as no mining zone in the periphery of mining lease area and develop a green belt in an area of 0.35 ha (1000 sapling). The two row plantation shall be carried out in the greenbelt area in current year before the start of the mining activities.
- (10) PP will ensure to construct a tar road from mining site to the State Highway for the movement of trucks.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017


(11) After deliberation the case was discussed in depth and PP was asked to submit the following information :-

- i. Ground water details with water table of the area from Central Ground Water Board.
- ii. DGMS approval for registration of this mining case regarding start of mining beyond the limit of 6 m.
- iii. Ambient Air Quality Monitoring report of mining area by MPPCB
- iv. Water quality Monitoring done by MPPCB.
- v. Revised Environmental Management Plan giving details of 5.0 lakhs Rupees for plantation in First Year & CSR in consultation with Gram Sabha.

PP has submitted point wise query reply to the issues raised as above on 20.02.2017.

After detailed discussions and perusal of recommendations of 63rd SEAC-II meeting dtd. 24.12.2016, presentation made by the PP in SEIAA & SEAC, it was decided to accept the recommendation of SEAC for grant of prior EC to the project **subject to the following specific conditions:-**

- (i). Before commencing any mining activity fencing shall be carried out all around the lease area. Proper watch and ward arrangements should be made with installation of signage at 4 corners of lease area to avoid any untoward incident involving public and animals by the PP.
- (ii). Plantation programme as mentioned in EIA/EMP and presented during presentation in SEIAA & SEAC shall be followed in content and spirit.
- (iii). PP ensure & demarcate a barrier zone of 7.5 m as no mining zone in the periphery of mining lease area and develop a green belt in an area of 0.35 ha (1000 sapling) and budget provision of Rs. 5.00 lakhs to be made in the EMP. The two row plantation shall be carried out in the greenbelt area in current year before the start of the mining activities.
- (iv). The mining operation shall be restricted to 2 mts above ground water table and in no case it should intersect the ground water table. In case of working below the ground water table approval of the Central Ground Water Board shall be obtained. Regular depth of ground water table should be monitored by the State Ground Water Survey. PP should also ensure that no slurry should be disposed of outside the mining lease area. MPPCB should monitor it regularly.
- (v). PP will ensure to construct a tar road from mining site to the State Highway for the movement of trucks.
- (vi). PP should construct garland drain length is 1107 m. of size 2m x 1.5m all around the mining lease area alongwith 02 settling tanks (5m x 5m x 2m). PP shall also ensure the proper cleaning and maintenance of garland drain and settling tank. PP should ensure zero discharge from the mined area.
- (vii). PP has committed to construct a labour rest room (5m x 4m) with toilet facility for male and female separately. He will also provide a kitchen of 3m x 3m and provide the safe drinking water facility for laborers.
- (viii). The transportation of minerals shall not be carried out through village area.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

- (ix). Controlled blasting shall be carried out as permitted by DGMS only for rock breaking purpose and no deep hole blasting shall be done in the mine.
- (x). Constant monthly air & water quality monitoring to be carried out by PP in consultation with Regional Officer, MPPCB, Katni.
- (xi). Water tankers with fogging arrangement will be used for regular water sprinkling on the haul roads to ensure effective dust suppression
- (xii). Payments of wages to the workers shall be done in consonance with the provisions in the labour laws.
 - (i). PP shall ensure to carry out mining activities as per the condition given in the consent letter of DGMS dated 17.02.2017.
 - (ii). PP has proposed under CSR the following activities for which a provision of 20.00 lakhs has been kept :-
 - a) Education for children and old people of nearby villages alongwith the awareness training camp for the advance agricultural techniques like drip irrigation.
 - b) IT education camps and distribution of computers.
 - c) Health Camps.
 - d) Energy conservation awareness through distribution of solar lamps.

The modification to the above activities can be made with the permission of the district administration.


Hence, Prior Environmental Clearance is granted for **Bauxite, Laterite & Fire Clay Mine** (Open cast mechanized method) in an area of 4.01 ha for production capacity of 43801 TPA (Bauxite-35588 TPA, Laterite – 5475 TPA & Fire Clay – 2738 TPA) at khasra no 463, 464/2, 501 & 502/1 at Village- Tikariya, Tehsil-Murwara, District-Katni (M.P.) **for the lease period to Shri Moti Lal Bajaj S/o Shri Panna Lal Bajaj, R/o – House No. 1, Vinoba Bhawe Ward Barhi Road, Near Mainadi, District-Katni (M.P.) – 483501.**


8. **Case No. - 4204/15:** Prior Environmental Clearance for **Sand Quarry** (opencast manual method) in an area of 15.850 ha. for production capacity of 47,550 cum/year **(as per SEAC recommendation)** at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP). by Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., Sub Lessee, M/s M.P. State Mining Corp. Ltd., P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.) - 477001.


This case was recommended in 59th SEAC meeting dtd. 11.11.2016 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 407th SEIAA meeting dated 08-02-17 and it was recorded that :-


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

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

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.

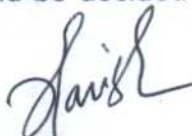
Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, 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, 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 (47,550 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 (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). No transportation shall be permitted within the village.
- (ix). Alternate transportation route should be decided in consultation with the local Gram Panchayat.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

Minutes of the 411th Meeting of SEIAA dated. 25.02.2017

- (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 for **Sand Quarry** (opencast manual method) in an area of 15.850 ha. for production capacity of 47,550 cum/year (**as per SEAC recommendation**) at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP) **for the lease period to** Shri Kailash Chandra Gupta, M/s Esteem Infrabuild Pvt. Ltd., Sub Lessee, M/s M.P. State Mining Corp. Ltd., P-4, Lal Bahadur Nagar, Durgapura, Jaipur (Raj.) - 477001.

Meeting ended with a vote of thanks to the Chair.



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member



(Waseem Akhtar)
Chairman