

Minutes of the 415th Meeting of SEIAA dated. 09.03.2017

The 415th meeting of the State Level Environment Impact Assessment Authority was convened on 09.03.2017 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 other than mining case and mining cases query response have been considered:-

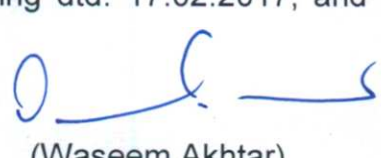
S.No.	Case No.	Category	No. & date of latest SEAC- II
1.	2171/2014	2 (a)	410 th SEIAA meeting dtd. 17.02.2017
2.	2844/2015	1(a) B2	317 th SEIAA meeting dtd. 12.04.2016
3.	3662/2015	1(a) B2	391 nd SEIAA meeting dtd. 05.12.2016
4.	2939/2015	1(a) B2	392 nd SEIAA meeting dtd. 06.12.2016
5.	5436/2016	1(a) B2	398 nd SEIAA meeting dtd. 02.01.2017
6.	2951/2015	1(a) B2	-
7.	3017/2015	1(a) B2	-
8.	3010/2015	1(a) B2	-
9.	3014/2015	1(a) B2	-
10.	3031/2015	1(a) B2	-
11.	5187/2016	1(a) B2	403 rd SEIAA meeting dtd. 23.01.2017
12.	5190/2016	1(a) B2	403 rd SEIAA meeting dtd. 23.01.2017

1. **Case No. 2171/2014:** Prior EC for proposed production of 0.95 MTPA Wet Type Coal washery at Khasra No.320/1,320/2 at Village-Chirhulli, Teh-Badwara Dist-Katni (MP), by Shri Anuj Jain Director, M/S Mahavir Coal Resources Pvt. Ltd. Coal Processing Unit, Jain Complex, Pureni, Katni M.P.483501 Mob :9752413400 email : mcrpl.india@gmail.com

- (1) The proposed project is Coal Washery at Village – Chirhulli, Tehsil – Badwara, Distt. Katni (M.P.). The Company supplies coal, washed coal, Imported coal etc. to user industries like power, cement, chemicals, steel and many other medium and small scale industries. The project proponent is M/S Mahavir Coal Resources Pvt. Ltd., through Director Shri Anuj Jain.
- (2) There is no National park / Sanctuaries (DFO letter dtd. 21.10.14), Eco-sensitive areas, critically polluted areas and inter-State boundaries within 05 km around the proposed site.
- (3) The proposed capacity of coal beneficiation is 0.95 Million Ton Per Annum, the project is covered under 2 (a) category B of the EIA Notification issued by the Ministry of Environment & Forests vice S.O.1533 (E), dtd. September 14, 2006 and its amendments.
- (4) ToR was issued on 10.04.15 & PP has submitted EIA report on 27.04.16.
- (5) The case was discussed in SEAC meetings 171 dtd. 29.01.15, 275th dtd 12.05.2016, 281 dtd. 01.09.2016, 286th dtd. 28.01.2017 and has recommended for grant of prior EC subject to 25 special conditions.
- (6) The case was also discussed in 410th SEIAA meeting dtd. 17.02.2017, and decided to call PP for presentation.



(Anupam Rajan)
Member Secretary

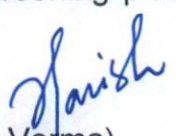

(H.S. Verma)
Member

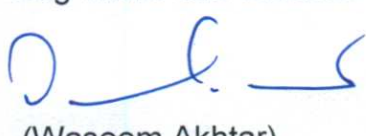

(Waseem Akhtar)
Chairman

(7) After the deliberation ,the case was discussed in depth and it is noted that :-

- (i). The total land area of the project is 4.44 ha. PP has submitted Khasra Panchsala (2011-12).
- (ii). PP has already established a crushing and screening unit at the proposed coal washery site after obtaining consent to operate from MPPCB vide letter No. AW-11244/RO/PCB/Katni dated 17.8.15 for producing 6.0 lakh TPA graded/crushed coal (without washing).
- (iii). Public Hearing was conducted in the Village Chirhuli, Tehsil Badwara District Katni on 18.01.2016. It is noted that some issues raised in the PH regarding air pollution due to railway siding, transportation, overloading, pollution of coal crushing and screening, loading and unloading, impact on human health, effect on crop production impact on Datla Reservoir, Educational facilities, Health Care, maintenance of roads, water supply and employment etc. which were addressed by PP
- (iv). It is noted that the total water requirement is 4357 KLD (coal washing – 4320 KLD + dust suppression – 27 KLD + green belt development – 5 KLD + domestic use – 5 KLD). The source of water for the project will be Ground water for which PP has obtained Permission from CGWA on 27-11-2014. PP has informed that presently there are 2 existing bore wells in the plant site with sufficient yield.
- (v). The total effluent generation will be 3672 KLD which will be recycled in process. The waste water generated from washing circuit and from Dust Suppression will be drained to the ETP and is proposed to be recycled 100%. Domestic waste water 5.0 KLD will be disposed of through septic tank followed by soak pit.
- (vi). Raw material storage & transport
 - Coal will be sourced from different mines of South Eastern Coalfield Limited located at 260 KM, SE.
 - Raw Coal will be transported by rail up to Rupaund Railway Station which is located 3.58 KM, NE from plant site from which the raw coal would be transported by road to plant site.
 - Coal will be stacked in designated area within the plant site and water sprinkling arrangements will be provided to avoid fugitive emissions.
 - Washed coal from the plant will be supplied to the different power plants and other industries through rail and road mode.
 - Covered transportation of coal will be ensured to avoid dust emission during transport.
- (vii). The coal washery will produce rejects and coal fines as byproduct. Both have significant calorific value and is proposed to be sold to power plant.
- (viii). For air pollution control, PP has proposed to construct concrete roads, water sprinklers during coal unloading and stacking, closed conveyor belts, dry fog type dust suppression arrangements, enclosures/shirt boards in coal crushing and screening plants, Bag filters etc. Besides


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PP has proposed 15 m wide greenbelt for control of air pollutants & operating vehicles with PUC.

- (ix). PP has proposed firefighting measure including medium velocity spray portable fire extinguishers, fire alarm system, fire detection, heat detection, and alarm system to detect fire/heat/smoke in the vulnerable areas of the plant.
- (x). PP has submitted layout plan showing details of storage area, crushing and screening unit and traffic movement plan, parking facilities, width of approach road and has also submitted traffic density study with proposed movement of 20 tonner's capacity of 144 trucks for handling 2880TPD coal washery materials.
- (xi). PP has proposed to provide rooftop rainwater harvesting system as well as PP has proposed to adopt 3 village ponds of surrounding area for rain water harvesting.
- (xii). Green area proposed by PP is about 2.67 ha which is approximately 33% of the total land area. A 15 m wide green belt will be developed all around the washery plant.
- (xiii). PP has included disaster management plan, fire fighting provisions in the EIA.

Hence It is decided to accept the recommendations of 286th SEAC meeting dtd.28.01.17 with 25 special conditions and accord Prior Environmental Clearance for proposed production of 0.95 MTPA Wet Type Coal washery.at Khasra No.320/1,320/2.at Village-Chirhulli, Teh-Badwara Dist-Katni (MP), by Shri Anuj Jain Director, M/S Mahavir Coal Resources Pvt. Ltd. Coal Processing Unit, Jain Complex, Puren, Katni M.P.483501 subject to following specific conditions imposed by SEIAA:-

- i. For controlling fugitive emission, construct concrete roads, regular water sprinkling during coal unloading and stacking, closed conveyor belts, fog type dust suppression arrangements, use mechanical sweepers, enclosures/shirt boards in coal crushing and screening plants, Bag filters & wind shields at appropriate distances in vulnerable areas of the plants shall be ensured.
- ii. PP shall ensure that the treated effluent from the unit are within the norms stipulated under the EPA rules of MPCB whichever is more stringent. In case of process disturbances/failure of pollution control equipment adopted by the unit, the respective unit shall be shut down and shall not be restarted until the control measures are rectified to achieve the desired efficiency.
- iii. The particulate emissions shall conform to the prescribed standards. The emissions from the DG sets shall be dispersed through stack of adequate height as per M.P.Pollution Control Board standards. Acoustic enclosures shall be provided to mitigate the noise pollution.
- iv. Poly-electrolite process shall be used for water treatment.
- v. Railway siding shall be properly concreted with provision of fixed sprinkling and vacuum cleaning system (Mechanical Sweeper) to control dust emissions.



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member



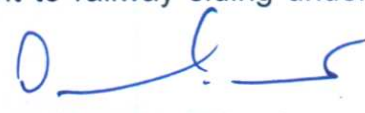
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- vi. Adequate number of water quality monitoring stations shall be set up in consultation with the State Pollution Control Board. Regular monitoring should be carried out for relevant parameters.
- vii. Regular monitoring of the air quality specially SPM, NO_x, SO₂ and CO both in work zone and ambient air shall be carried out in and around plant and records shall be maintained. The location of monitoring stations and frequency of monitoring shall be decided in consultation with M.P. Pollution Control Board (MPPCB) & suit report accordingly to MPPCB.
- viii. A detailed scheme for rainwater harvesting shall be prepared and implemented to recharge ground water. PP shall ensure to develop proper rainwater harvesting system in plant premises and adopt nearby 3 villages for rainwater harvesting as committed.
- ix. PP shall develop green belt in 2.67 ha land (33% of total area) with 5500 numbers of trees. Minimum 3 year old saplings will be used for plantation. A 15 m wide three tier green belt will be developed in about 975 m periphery of washery plant
- x. PP shall ensure to obtain approval of Competent Authority for fire fighting, Onsite & Offsite Disaster Management, Risk Management plan before commencing the operation of the unit.
- xi. A length of 500 m internal roads and coal storage yard area of the plant should be properly concrete/pakka to reduce dust emission.
- xii. Leq of noise level shall be maintained as per standards. For people working in the high noise area, requisite personal protective equipment like earplugs etc. shall be provided.
- xiii. The overall noise levels in and around the plant are shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall confirm to the standards prescribed under Environment (Protection) Act, 1986 and Rules 1989.
- xiv. Adequate safety measures shall be provided to limit the risk zone within the plant boundary, in case of an accident.
- xv. The company shall undertake following waste minimization measures:
 - a) Metering of quantities of active ingredients to minimize waste.
 - b) Reuse of by products from the process as raw materials or as raw material sub situates in other process.
 - c) Maximizing recoveries.
 - d) Use of automated material transfer system to minimize spillage.
 - e) Use of "close feed" system into crushing, screening and washery unit.
- xvi. Regular mock drills for the on-site emergency management plan shall be carried out. Implementation of changes/improvements required. If any, in the on-site management plan shall be ensured.
- xvii. An amount of Rs. 5.00 lakhs per year shall be contributed to District Administration for maintaining village road from plant to railway siding under


(Anupam Rajan)
Member Secretary


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(Waseem Akhtar)
Chairman

EMP, Besides this, appropriate budget provision for concreting the internal road and coal storage yard area also be made in EMP

- xviii. There is a possibility that dust emission from coal handling at railway siding might affect the standing crops and the agriculture soil of the nearby fields. This was highlighted during the public hearing also. PP must ensure six monthly monitoring cycle of the standing crop and soil samples in collaboration with the district agriculture department. Any damage to the crop should be duly compensated by the PP.
- xix. PP should ensure 100% recycling and in no circumstance waste water should be discharged outside the premises.
- xx. PP should provide garland drain all along the periphery of the project area with 3 nos. of settling tank of adequate capacity.
- xxi. PP should ensure the traffic movement plan, parking facilities and road width as proposed.
2. **Case No. – 2844/2015** Prior Environmental Clearance for **Sand Quarry** (opencast manual method) in an area of 4.049 ha. for production capacity of 40490 cum/year (**as per SEAC recommendation**), at Khasra No. – 29, 117, Village-Salaiya, Tehsil-Manpur, District-Umariya (MP). Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)-483501

This case was discussed and EC granted in the 317th SEIAA meeting dtd. 12.04.2016 and it was recorded that :-


This case was discussed in the 317th SEIAA meeting dtd. 12.04.2016. Additional condition for grant of EC subject to necessary wild life clearance from NBWL is hereby imposed as under :-

- i. SEAC has put a condition for obtaining Wild Life Clearance from NWLB and PP has submitted on-line application also. No mining activity shall commence till the Wild Life Clearance is given by the National Board for Wild Life. The OM dated 02.12.2009 shall be applicable in this particular case. Mining Officer, Indore shall be responsible for compliance.
- (i) Grant of environmental clearance does not necessarily implies that forestry and wildlife clearance shall be granted to the project and that their proposals for forestry and wildlife clearance will be considered by the respective authorities on their merits and decision taken..


ED, MP State Mining Corporation has submitted a letter No. 121 dtd. 15.02.2017 mentioning that in the Gazette of India published on 14.12.2016, the Eco Sensitive Zone in case of Bandhavgarh Tiger Reserve has been fixed with an extend of 2 km. from the boundary of the Bandhavgarh National Park and desired that the specific condition of Wild Life Clearance from NBWL should be withdrawn. It has been decided to send the file to SEAC-II for examining the Gazette Notification and recommend the withdrawal of the clearance conditions. Copy to PP.

3. **Case No. 3662/2015** Prior Environmental Clearance for **Stone Quarry** (opencast manual/ semi mechanized method) in an area of 12.050 ha. for production capacity of 3,00,000 cum/year at Khasra No.-4145, 4146, 4155, & 4156, Village-Parsen, Tehsil-Gwalior, District-Gwalior (MP) by Shri Dharmendra Sharma S/o Shri Ramniwas Sharma, E-25, New Vivekanand Colony, Thathipur, Murar, Gwalior, District-Gwalior (MP)-475001

The case was discussed in 391nd SEIAA meeting dtd. 05.12.2016 and and it was recorded that


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(H.S. Verma)
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".....PP should submit the NOC of the WRD regarding submergence at full tank level and the impact of mining on the water reservoir and its structure, WRD should also examine the distance of the mining lease periphery from the full submerged level and its ownership. Copy to mining officer, Gwalior."

PP has submitted the required information in the form of NOC by EE, WRD, Dabra District Gwalior dtd. 28.02.2017, in which they have no objection if PP leave 150 m. distance from the FTL of the Parsen Dam.

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

- I. PP shall not start mining activity before execution of lease agreement.
- II. The depth of the pit shall be as per the Approved Mining Plan.
- III. Before commencing the mining activity, site demarcation should be done leaving 150 m. from the FTL of Parsen Dam as a "no mining zone". The demarcation should be done by the Revenue Officials in the presence of WRD and Mining Officer, Gwalior.
- IV. The entire area shall be fenced and three rows of plantation should be done on the periphery of the boundary.
- V. Proper sign boards highlighting the dangers of trespassing by the villagers should be installed at four corners of the lease area.

Hence, Prior Environmental Clearance is granted for **Stone Quarry** (opencast manual/ semi mechanized method) in an area of 12.050 ha. for production capacity of 3,00,000 cum/year at Khasra No.-4145, 4146, 4155, & 4156, Village-Parsen, Tehsil-Gwalior, District-Gwalior (MP) **for the lease period to** Shri Dharmendra Sharma S/o Shri Ramniwas Sharma, E-25, New Vivekanand Colony, Thathipur, Murar, Gwalior, District-Gwalior (MP)-475001.

4. **Case No. 2939/2015** - Prior Environmental Clearance for **Granite Mine** in an area of 21.0 ha. for production capacity of Granite – 22140 cum/year, Stone-26291 cum/year at Khasra No. 219 at Village- -Sunar, Tehsil-Datia, District-Datia (MP) by M/s Balaji Granites, Shri Praveen Singh Bundela, Prop.H-12, K.K. Colony, Tehsil & District-Datia (MP) - 473661.

The case was discussed in 392nd SEIAA meeting dtd. 06.12.2016 and it was recorded that

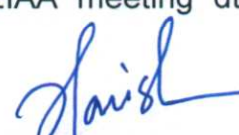
".....The case was presented by the consultant/PP and the contents of the EMP and other documents were not properly analyzed and therefore it has been decided to invite the PP on separate date after fulfilling all the required information as desired by the authority."


PP has requested for a date of presentation in SEIAA. It has been decided to invite the PP on 20.03.2017 at 1:30 PM.

5. **Case No. 5436/2016:** Prior Environmental Clearance for **Sand Quarry** in an area of 12.00 ha ha. for production capacity of 1800 cum/year cum/year at Khasra no. 1 at Village- Kalakhedi, Tehsil - Alote, Dist. Ratlam (MP) by Shri Madan Singh S/o Shri Bheem Singh, Village Karadiya, Tehsil Alote, District Ratlam, MP – 457118.

The case was discussed in 398nd SEIAA meeting dtd. 02.01.2017 and it was recorded that


(Anupam Rajan)
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(H.S. Verma)
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(Waseem Akhtar)
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".....As per the above observation, it has been decided to delist the case on the condition that if the PP intends to present the case in SEAC, it will then be relisted for appraisal. Copy to PP and all concerned.."

PP has requested by letter dated 09.01.2017 that the ready to make a presentation for the above case in SEAC. It has been decided to relist the case and send the file to SEAC for appraisal. Copy to PP and all concerned.

6. **Case No. – 2951/2015** Prior Environmental Clearance for **Gajanpur-1 Sand Quarry** in an area - 2.00 Ha., for production capacity - 45,000 cum/year at Khasra No. 55 at Vill.-Gajanpur-1, Teh.-Khategaon, District-Dewas (M.P.) by Shri Raj Kumar Nema, OIC,M.P. State Mining Corporation Ltd., Sub Off 20, MIG Nehru Colony, Dist-Harda (MP)-455001.

PP has submitted a representation that he has been granted EC for a production capacity of 45000 cum/year whereas in the mining plan the capacity demanded was 60000 cum/year. It has been decided to send the representation alongwith the case file to SEAC for their comments. Copy to PP.

7. **Case No. 3017/16** Prior Environmental Clearance for **Nemawar (II) Sand Mine** (Opencast Manual Method) in an area - 0.418 ha., for production capacity - 9000 cum/year at Khasra No.- Vill.-Nemawar (II), Teh.-Khategaon, District-Dewas (M.P.) by Shri Raj Kumar Nema, OIC,M.P. State Mining Corporation Ltd., Sub Off 20, MIG Nehru Colony, Dist-Harda (MP)-455001.

PP has submitted a representation that he has been granted EC for a production capacity of 9000 cum/year whereas in the mining plan the capacity demanded was 12000 cum/year. It has been decided to send the representation alongwith the case file to SEAC for their comments. Copy to PP.

8. **Case No. – 3010/2015.** Prior Environmental Clearance for **Gajanpur-V Sand Quarry** in an area- 2.00 Ha., for production capacity - 11,400 cum/year, at Khasra No. 55 at Vill.- Gajanpur-V, Teh.-Khategaon, District-Dewas (M.P.) by Shri Raj Kumar Nema, OIC, Sub Off ,M.P. State Mining Corporation Ltd., 20 MIG Nehru Colony, Dist-Harda (MP).

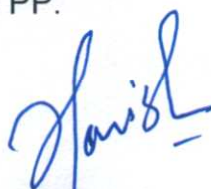
PP has submitted a representation that he has been granted EC for a production capacity of 11400 cum/year whereas in the mining plan the capacity demanded was 57000 cum/year. It has been decided to send the representation alongwith the case file to SEAC for their comments. Copy to PP.

9. **Case No. – 3014/2015** Prior Environmental Clearance for **Sand Quarry** (Opencast Manual Method) in an area 3.787 Ha. for production capacity of 40,000 cum/year at Khasra No.- 527 at Vill.-Nemawar (IV), Teh.- Khategaon, District-Dewas (M.P.) by Shri Raj Kumar Nema, OIC, Sub Off., M.P. State Mining Corporation Ltd., Sub office, 20 MIG, Nehru Colony, Dist-Harda (MP)-455001.

PP has submitted a representation that he has been granted EC for a production capacity of 40000 cum/year whereas in the mining plan the capacity demanded was 100000 cum/year. It has been decided to send the representation alongwith the case file to SEAC for their comments. Copy to PP.



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member



(Waseem Akhtar)
Chairman

10. **Case No. – 3031/2015** Prior Environment Clearance for **Gola Malgajari (B) River Sand** Quarry in an area of 6.00 ha. (1,50,000 cum/year) at Village- Gola Malgajari (B), 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.

PP has submitted a representation that he has been granted EC for a production capacity of 37500 cum/year whereas in the mining plan the capacity demanded was 150000 cum/year. It has been decided to send the representation alongwith the case file to SEAC for their comments. Copy to PP.

11. **Case No. -5187/2016** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 20.00 ha. for production capacity of 75,000 cum/year at Khasra No.-28/1/1/1, Village-Bhasunda, Tehsil-Maheshwar, District-Khargone (MP).by Shri Rajeev Saxena, Dy. GM, Sub Office-Dhamnod, MP State Mining Corporation, Paryavas Bhawan, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011

The case was discussed in 403rd SEIAA meeting dtd. 23.01.2017 and 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.."

PP has submitted the required information in the form of NOC dtd. 23.02.2017 issued by SDO and Competent Authority NVDA that the said village (Bhasunda) doesn't fall within the submergence of Narmada River.

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.

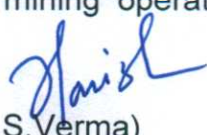
Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, 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


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman

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lease area till the final orders are issued. Mining Officer, Khargone 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. Mining Officer, Khargone should further ensure that the khasra number of the mining lease area is not under submergence and nor reserved for any rehabilitation activity under NVDA.
- (iii). Before commencing the mining activity, site demarcation should be done leaving 50 m. on the western side from the back water as a "no mining zone". The demarcation should be done by the Revenue Officials in the presence of NVDA and Mining Officer, Khargone
- (iv). The production capacity shall be limited to the quantity (75000 cum/year).
- (v). No in-stream mining shall be allowed.
- (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). A case regarding illegal mining is pending before the Hon'ble NGT (CZ) Bhopal (OA No. 78/2015 Medha Patkar Vs. State of MP & 8 Ors.). It shall be obligatory on the part of PP to commence mining activity only after the outcome of this particular case. No mining activity shall commence till the final orders of the Hon'ble NGT (CZ).
- (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.
 - (i). 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 20.00 ha. for production capacity of 75,000 cum/year at Khasra No.-28/1/1/1, Village-Bhasunda, Tehsil-Maheshwar, District-Khargone (MP). **for the lease period to** Shri Rajeev Saxena, Dy. GM, Sub Office-Dhamnod, MP State Mining Corporation, Paryavas Bhawan, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011 .

12. **Case No. – 5190/2016** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 15.00 ha. for production capacity of 56,250 cum/year at khasra no. 105/1/1/1 at Village-Jalood, Tehsil-Maheshwar, District-Khargone (MP) by Shri Rajeev Saxena, Dy. GM, Sub Office-Dhamnod, MP State Mining Corporation, Paryavas Bhawna, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011



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Chairman

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The case was discussed in 403rd SEIAA meeting dtd. 23.01.2017 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.."

PP has submitted the required information in the form of NOC dtd. 23.02.2017 issued by SDO and Competent Authority NVDA that the said village (Jalood) doesn't fall within the submergence of Narmada River.

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 :-

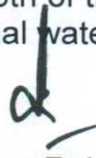
Today when the matter came up for hearing before the Hon'ble Tribunal, a request was made on behalf of counsel for MoEF for adjournment on the ground that he was not keeping well.

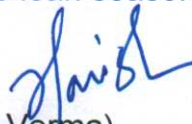
Further, it was pointed out to the Hon'ble Tribunal that the applications for grant of EC filed by MPSMC are pending with MP SEIAA for quite some time and therefore, a direction may be issued to SEIAA to decide them. The undersigned informed that the Hon'ble Tribunal has already passed order dated 24.10.2016, 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, Khargone 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. Mining Officer, Khargone should further ensure that the khasra number of the mining lease area is not under submergence and nor reserved for any rehabilitation activity under NVDA.
- (iii). Before commencing the mining activity, site demarcation should be done leaving 50 m. on the southern side and 50 m. on the eastern side from the back water as a "no mining zone". The demarcation should be done by the Revenue Officials in the presence of NVDA and Mining Officer, Khargone
- (iv). The production capacity shall be limited to the quantity (56250 cum/year).
- (v). No in-stream mining shall be allowed.
- (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.


(Anupam Rajan)
Member Secretary


(H.S. Verma)
Member


(Waseem Akhtar)
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.
- (viii). A case regarding illegal mining is pending before the Hon'ble NGT (CZ) Bhopal (OA No. 78/2015 Medha Patkar Vs. State of MP & 8 Ors.). It shall be obligatory on the part of PP to commence mining activity only after the outcome of this particular case. No mining activity shall commence till the final orders of the Hon'ble NGT (CZ).
- (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.
- (ii). 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 15.00 ha. for production capacity of 56,250 cum/year at khasra no. 105/1/1/1 at Village-Jalood, Tehsil-Maheshwar, District-Khargone (MP) **for the lease period to** Shri Rajeev Saxena, Dy. GM, Sub Office-Dhamnod, MP State Mining Corporation, Paryavas Bhawna, Block-A, 2nd Floor, Jail Road, Arera Hills, Bhopal (MP)-462011.

Meeting ended with a vote of thanks to the Chair.



(Anupam Rajan)
Member Secretary



(H.S. Verma)
Member



(Waseem Akhtar)
Chairman