

Minutes of the 434th Meeting of SEIAA dated. 24.05.2017

The 434th meeting of the State Level Environment Impact Assessment Authority was convened on 24.05.2017 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. MS, SEIAA could not attend the meeting as he was on leave. The following member attended the meeting:-

1 Shri H.S. Verma

Member

A. Hon'ble High Court directions to hear appeal in respect of the decision of DEIAA, Gwalior

B. Following other than mining cases have been considered:-

S.No.	Case No.	Category	No. & date of latest SEAC- II
1.	1119/2013	8(a)	265 th SEIAA meeting dtd 01.12.2015
2.	1328/2013	8(b)	195 th SEIAA meeting dtd. 07.09.2015
3.	1537/2013	8(a)	188 th SEIAA meeting dtd. 18.03.2015
4.	1686/2013	8(a)	195 th SEIAA meeting dtd. 07.09.2015
5.	1701/2013	8(a)	265 th SEIAA meeting dtd 01.12.2015
6.	1732/2013	8(a)	195 th SEIAA meeting dtd. 07.09.2015
7.	2275/2014	8(a)	306 th SEIAA meeting dtd. 21.03.2016
8.	2885/2015	8(a)	253 rd SEIAA meeting dtd. 29.10.2015
9.	2192/2014	5(f)	423 rd SEIAA meeting dtd. 24.04.2017
10.	2193/2014	5(f)	423 rd SEIAA meeting dtd. 24.04.2017
11.	1704/2013	8(a)	PP representation

HON'BLE HIGH COURT DIRECTIONS TO HEAR APPEAL IN RESPECT OF THE DECISION OF DEIAA, GWALIOR -


Hon'ble High Court, Gwalior Bench in its order dated 09.05.2017 in Case No. WP 1222/2017 has directed the petitioner to avail the remedy by appealing before SEIAA as DEIAA, Gwalior has declined the EC on certain ground of illegal mining even the case was recommended by DEAC, Gwalior. The High Court order is reproduced below :-

"The grievance of the petitioner in the present petition is that despite grant of environmental clearance by the DEAC by order dated 07.12.2016 (Annexure P/11) for carrying out mining operation subject to certain conditions, the DEIAA has declined the environmental clearance vide Annexure P-1 dated 19.01.2017 on the ground that petitioner is involved in illegal mining and transportation of minor mineral.

The learned counsel for the petitioner has raised various grounds assailing the decision of the DEIAA dated 19.01.2017. It is not disputed by the learned counsel for the rival parties that against the decision of DEIAA, remedy of appeal lies to the SEIAA which is the State level body for environmental clearance, in respect of mining of minor minerals.

Admittedly, the said remedy has not been availed by the petitioner. Since disputed questions of fact are involved, this court declines interference in writ jurisdiction and relegates the petitioner to avail the said remedy of appeal before SEIAA which if filed within a period of ten days from today alongwith copy of this order, shall be entertained and decided on its own merits without being dismissed on limitation alone. Needless to emphasis that SEIAA shall decide the appeal as expeditiously as possible preferably within a period of one month from the date of it's filing provided the petitioner cooperates.

With above directions, the petition stands disposed of sans cost".


(H.S.Verma)
Member


(Waseem Akhtar)
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Since the matter is urgent, it has been decided to call the petitioner and heard his prayer. Before that the record of DEAC and DEIAA Gwalior be called at an earliest. Copy to Chairman, DEIAA Gwalior, PP and Mining Officer, Gwalior.

1. **Case No. 1119/2013** Prior Environmental Clearance for proposed Building Construction Project "Coral Reefs", at Khasra no. 342,343,344,345, 346, 348/1, 350/2, 356/2 & 357/1 Village Pigdamber, Tehsil Mhow, Distt. Indore, MP, Plot Area 20850.00 Sq.M., Built up Area 37062.13 sq.m. by M/s Divyesh Properties & Builders Pvt. Ltd through Director, Mr. Mahendra Jain, 123, Bansi Trade Centre, M.G. Road, Indore, M.P. Env. Consultant: ENV Developmental Assistance System (I) Pvt. Ltd. Lucknow)

The case was discussed in 265th SEIAA meeting dtd 01.12.2015 and it was recorded that :-

It is decided that the case may be delisted with the following directives:-

- (i). *If any construction / activity is started by PP without obtaining prior EC under EIA Notification 2006, the provisions of MoEF Gol O.M. dtd. 12.12.12 & 27.06.13 regarding violation of EIA Notification 2006 shall be attracted and PP shall be solely responsible for it and liable for legal action.*
- (ii). *A copy of letter should be sent to Project Proponent, MoEF & CC Gol, New Delhi & Regional Office Bhopal, Member Secretary MPPCB, Secretary SEAC, District Collector, Commissioner Nagar Nigam/CEO Zila Panchayat and all concerned.*
- (iii). *Commissioner Nagar Nigam may be directed to examine whether the building permission has been issued or not. If Building permission has been issued and work has started on the site, PP may be accordingly advised to get EC. If building permission has not been granted, PP may be asked the copy of the EC before proceeding for statutory permission.*

The case will be liable for relisting on the submission of the requisite information.


The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the record it was observed that the PP has applied for a builtup area totaling 37062.13 sq.mtr. PP in the last two years have not shown any interest in pursuing the case and therefore it has been decided to close it. The case is hereby closed and PP may be informed to apply afresh in case he intends to commence any activity.


2. **Case no. 1328/2013** Prior Environmental Clearance for proposed Sahara City Home at Guna, Madhya Pradesh plot area 3,99,056.98 m² and built up area 4,15,148.03 m² by Sahara India Commercial Corporation Ltd. Sahara City Homes, Guna C/o Sahara India Pariwar 797, South Civil Lines Near Civil Lines Police Thana, Jabalpur, MP – 482001

The case was discussed in 195th SEIAA meeting dtd. 07.09.2015 it was recorded that :-

It is decided to accept the recommendation of 169th SEAC meeting dtd. 27.01.15 and delist the case.

- (i). *If any construction / activity is started by PP without obtaining prior EC under EIA Notification 2006, the provisions of MoEF Gol O.M. dtd. 12.12.12 & 27.06.13 regarding violation of EIA Notification 2006 shall be attracted and PP shall be solely responsible for it and liable for legal action.*
- (ii). *A copy of letter should be sent to Project Proponent, MoEF & CC Gol, New Delhi & Regional Office Bhopal, Member Secretary MPPCB, Secretary SEAC, District Collector, Commissioner Nagar Nigam/CEO Zila Panchayat and all concerned.*


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- (iii). *Commissioner Nagar Nigam may be directed to examine whether the building permission has been issued or not. If Building permission has been issued and work has started on the site, PP may be accordingly advised to get EC. If building permission has not been granted, PP may be asked the copy of the EC before proceeding for statutory permission..*

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was observed that the PP has not started any construction on the site and therefore at this stage doesn't warrant any further action. PP in the last two years have not shown any interest in pursuing the case and therefore it has been decided to close it. The case is hereby closed and PP may be informed to apply afresh in case he intends to commence any activity.

3. **Case No. 1537/2013** Prior Environmental Clearance for Proposed Residential Project "Vasantkunj" at Survey No. 102,103,104,106/1,106/2,107,108/1,108/2, 111(09 Khasra) (Patwari Halka No. 81), Village Ramaua, Tehsil Gwalior, Distt. Gwalior (MP) Total Land Area 52,200 sq.m, Total Built Up Area – 62250 sq.m by M/s Healthy Business Pvt. Limited through Director-Shri Manak Shankar, 205, Global Apartment, City Center, Gwalior (M.P.) Tel. No. 0751-4004492, Email: manakshankar@gmail.com

The case was discussed in 188th SEIAA meeting dtd. 18.03.2015 it was recorded that :-

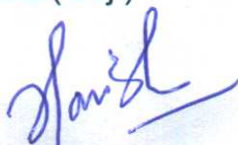
It is decided that :-

- a. *Since PP has not submitted the information for more than six months hence the case is delisted as per MoEF & CC, Gol Office Memorandum dtd 30.10.12. PP and all concerned should be informed accordingly.*
- b. *If the violation of EIA Notification 2006 is reported by MPPCB, PP shall be liable to credible action as per MoEF & CC, Gol Office Memorandum dtd 12.12.2012 & 27.06.2013.*

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was observed that the PP has already partially constructed the buildings and therefore warrant action as a violation case.

The Ministry of Environment, Forest and Climate Change (MoEF&CC) has provided a six months window, as a one-time opportunity to the units, which have not obtained prior environmental clearance to apply for the same. It has been decided taking cognizance of the above notification, PPs who have violated and identified as violator by SEIAA should be informed to apply online afresh in the MoEF&CC. All related record and technical files regarding this violation case should be properly formatted and collated for onward transfer to MoEF&CC. At SEIAA level the case is hereby closed and PP should pursue online submission to MoEF&CC to seek EC as per the details chartered in the notification dated 14.03.2017.

4. **Case No. 1686/2013** Prior Environmental Clearance for Residential Township project "BCM Planet" at Khasra No. 32/1/2/2 & 33, Village Nipania, Pipliyakumar, Tehsil & Distt. Indore (MP), Plot Area 6,480 M², Built up Area 2,876.940 sqm, Ground Coverage: 30% of Plot Area(1944 M²) by M/s BCM Group Project Incharge Mr. Rajendra Soni, UG-21, BCM Heights, Shri Badal Chand Mehta Marg, Scheme No. 54, Vijay Nagar, Indore (M.P) 452010 Env. Consultant: Kadam Env. Con. , Vadodra (Guj.)



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The case was discussed in 195th SEIAA meeting dtd. 07.09.2015 it was recorded that :-

It is decided to accept the recommendation of 169th SEAC meeting dtd. 27.01.15 and delist the case.

- (i). *If any construction / activity is started by PP without obtaining prior EC under EIA Notification 2006, the provisions of MoEF Gol O.M. dtd. 12.12.12 & 27.06.13 regarding violation of EIA Notification 2006 shall be attracted and PP shall be solely responsible for it and liable for legal action.*
- (ii). *A copy of letter should be sent to Project proponent, MoEF & CC Gol, New Delhi & Regional Office Bhopal, Member Secretary MPPCB, Secretary SEAC, District Collector, Commissioner Nagar Nigam/CEO Zila Panchayat and all concerned.*
- (iii). *Commissioner Nagar Nigam may be directed to examine whether the building permission has been issued or not. If Building permission has been issued and work has started on the site, PP may be accordingly advised to get EC. If building permission has not been granted, PP may be asked the copy of the EC before proceeding for statutory permission.*

This case was discussed in 137th SEAC meeting dtd 24.07.2013, wherein the PP has submitted an application for withdrawal of the case on the plea that they have decided to restrict the builtup area upto 12000 sq.mtr. and gave a commitment to apply afresh in SEIAA if they decide to beyond 20000 sq.mtr. builtup area. However the case was delisted in SEIAA on the grounds that PP could not attend the proceeding in SEAC. PP in the last two years have not shown any interest in pursuing the case and therefore it has been decided to close it. The case is hereby closed and PP may be informed to apply afresh in case he intends to commence any building/construction activity.

5. **Case No. 1701/2013** Prior Environmental Clearance for proposed "**Ruchi Lifescapes**" at Khasra No. 235/1, 235/2/1, 236/1, 239/1, 239/2, 240/2, 252/1, 253, 254/1, 254/2, 256/1, 256/2, 256/3, 259/1, 259/2, 260/1, 260/2, 260/3, 261/1, 261/2, Village- Jhalaria, Tehsil - Indore, Distt. – Indore (M.P.) Total Land Area – 25, 1500 sq.mt. (25.15 ha), Total Built Up Area – 53,938.22 sq.mt. (Form-I) by M/s Vishal Resorts & Hotels Pvt. Ltd. through Shri Rishabh Mahajan, Director "Ruchi Lifescapes" 2/1, South Tukoganj, Behind High Court, Indore (M.P.) 452001 email: indore@ruchirealty.com (Consultant Insitu Envirocare, Bhopal)

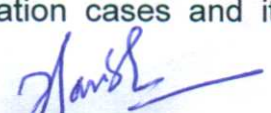
The case was discussed in 265th SEIAA meeting dtd 01.12.2015 and it was recorded that :-


It is decided that the case may be delisted with the following directives:-

- (i). *If any construction / activity is started by PP without obtaining prior EC under EIA Notification 2006, the provisions of MoEF Gol O.M. dtd. 12.12.12 & 27.06.13 regarding violation of EIA Notification 2006 shall be attracted and PP shall be solely responsible for it and liable for legal action.*
- (ii). *A copy of letter should be sent to Project Proponent, MoEF & CC Gol, New Delhi & Regional Office Bhopal, Member Secretary MPPCB, Secretary SEAC, District Collector, Commissioner Nagar Nigam/CEO Zila Panchayat and all concerned.*
- (iii). *Commissioner Nagar Nigam may be directed to examine whether the building permission has been issued or not. If Building permission has been issued and work has started on the site, PP may be accordingly advised to get EC. If building permission has not been granted, PP may be asked the copy of the EC before proceeding for statutory permission.*

The case will be liable for relisting on the submission of the requisite information.

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was


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observed that the PP has started partial construction on the site and therefore it has been decided to have a site verification from RO, MPPCB Indore to the extent of the work done. Looking to the urgency RO, MPPCB Indore should submit the report latest by 10.06.2017.

6. **Case No. 1732/2013** Prior Environmental Clearance for ANANTARA by Dhruv Vinmay Pvt. Ltd. through Director Shri Pawan Jaiswal & others, at Khasra No. – 267/1, 267/2, 267/3, 267/4, 267/5, 280/1, 283, 284, 285/1, 288/1, 288/2, 289, 290/1, 290/2, 291/1, 291/2, 292, 293 and 64/1, 64/2, 65/1, 65/3, Village – Tilhari, Teh. & Distt. - Jabalpur (M.P.) Total Land Area – 11.782 ha., Total Built up Area – 107291 Sq. Mt. for Multi stories, Duplexes and Commercial Space. By M/s Evergreen Dealcom Pvt. Ltd. & Dhruv Vinmay Pvt. Ltd. Through Director Sh. Pawan Jaiswal, Bunglow No. - 06, Civil Line – Jabalpur, Distt. - Jabalpur, (M.P.) 482001Env. Consultant : CES, Bhopal (M.P.)

The case was discussed in 195th SEIAA meeting dtd. 07.09.2015 it was recorded that :-

It is decided to accept the recommendation of 169th SEAC meeting dtd. 27.01.15 and delist the case.

- (i). *PP has not submitted query reply of SEAC 145th meeting dtd 07.11.13 and since more than 6 months period has lapsed it is decided to delist the case as per MoEF & CC Gol OM dtd. 30.10.12 and 22.08.14.*
- (ii). *If any construction / activity is started by PP without obtaining prior EC under EIA Notification 2006, the provisions of MoEF Gol O.M. dtd. 12.12.12 & 27.06.13 regarding violation of EIA Notification 2006 shall be attracted and PP shall be solely responsible for it and liable for legal action.*
- (iii). *A copy of letter should be sent to Project proponent, MoEF & CC Gol, New Delhi & Regional Office Bhopal, Member Secretary MPPCB, Secretary SEAC, District Collector, Commissioner Nagar Nigam/CEO Zila Panchayat and all concerned.*
- (iv). *Commissioner Nagar Nigam may be directed to examine whether the building permission has been issued or not. If Building permission has been issued and work has started on the site, PP may be accordingly advised to get EC. If building permission has not been granted, PP may be asked the copy of the EC before proceeding for statutory permission.*

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was observed that the PP has already constructed the buildings and therefore warrant action as a violation case.

The Ministry of Environment, Forest and Climate Change (MoEF&CC) has provided a six months window, as a one-time opportunity to the units, which have not obtained prior environmental clearance to apply for the same. It has been decided taking cognizance of the above notification, PPs who have violated and identified as violator by SEIAA should be informed to apply online afresh in the MoEF&CC. All related record and technical files regarding this violation case should be properly formatted and collated for onward transfer to MoEF&CC. At SEIAA level the case is hereby closed and PP should pursue online submission to MoEF&CC to seek EC as per the details chartered in the notification dated 14.03.2017.

7. **Case No. 2275/2014** Prior EC for proposed housing project "Girnar Valley" at village-Mohali, Tehsil-Huzur, District-Bhopal (M.P.) Total Land area - 52436.22 Sq.m. Total Built up Area 43464.02 sq.m. by M/s. Shri Prabhakar Colonizer & Developers Pvt. Ltd. & Mr. Akbar Hafiz Khan Land Owner through Mr. Mohit Sharma



(H.S.Verma)
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Director, 152 Zone-I M.P. Nagar Bhopal-462011 email : shripabhakarcolonizers@yahoo.com Mob No. 9993490123

The case was discussed in 306th SEIAA meeting dtd. 21.03.2016 it was recorded that :-

The case was discussed in 207th SEIAA meeting dtd 09.06.2015 after almost nine months, PP could not furnish the desired information. SEIAA has now decided to delist the case with the conditions that on receipt of the information the case shall be liable for relisting. Copy to PP and all concerned.

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was observed that the PP has completed partial construction on the site. MPPCB vide L.No. 8786 dated 24.10.2011 has given consent to establish (CTE) for an area of 12128.19 sq.mtr. with the condition that if the project area exceeds 50 ha. or builtup area exceeds 20000 sq.mtr. than PP has to get EC as per the provisions of EIA Notification 2006. It was also cleared by MPPCB that violation of this condition may lead to cancellation of this consent. Therefore it has been decided to have a site verification from RO, MPPCB Bhopal to the extent of the work done specially the builtup area constructed as per the CTE (12128.19 sq.mtr.). In case PP has constructed more than the specified builtup area than it should be specifically mentioned in the site visit report. Looking to the urgency RO, MPPCB Bhopal should submit the report latest by 10.06.2017.

8. **Case No. 2885/2015** Prior Environment Clearance for proposed Residential Project "Godavari Heights" at Khasra No. – 83/1, 87-249/87 & 88, Village-DamkhedaKolar Road, Tehsil-Huzur, District-Bhopal (MP) Total Area of Project – 14320.00 sq.m., Total Built up area of Project- 25177.58 sqm. by Mr. Prashant Singhai, M/s Singhai Infra Projects, G-3, 4, Sanyukt Suresh Vihar, Chuna Bhatti, Bhopal (MP)-462016

The case was discussed in 253rd SEIAA meeting dtd. 29.10.2015 it was recorded that :-

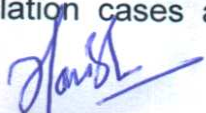
After deliberations by PP, the case was discussed in depth and It is decided that PP should submit following information latest by 30.11.2015 :-

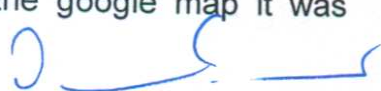
- (i) Water balance including waste water generation, STP capacity, recycled water and management of extra treated waste water (during monsoon and non-monsoon).
- (ii) Clear NOC from Municipal Corporation, Bhopal specifying the quantity of fresh water required for the project.
- (iii) Clear NOC from Nagar Nigam Bhopal and ensure linkage with municipal sewer line for disposal of waste water whenever municipal sewer line is laid in the project area.
- (iv) The disposal of MSW should be linked with Municipal Corporation, Bhopal and PP should submit NOC from Bhopal Municipal Corporation for disposal of MSW.
- (v) Revised car parking plan along with location map as per MPBVR 2012.
- (vi) Detailed plantation plan including area, trees in two rows all along the periphery of the project area, avenue plantation on the road sides, open spaces and parks along with number of trees and species to be planted and budget for the same.

The case was discussed in 306th SEIAA meeting dtd. 21.03.2016 it was recorded that :-

The case was discussed in 253rd SEIAA meeting dtd 29.10.2015 after almost five months PP could not furnish the desired information. SEIAA has now decided to delist the case with the conditions that on receipt of the information the case shall be liable for relisting. Copy to PP and all concerned.

The case is reviewed in the light of the MoEF&CC notification dated 14.03.2017 regarding violation cases and its disposal thereof. From the google map it was


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observed that the PP has not started any construction on the site and therefore at this stage doesn't warrant any further action. PP in the last one year have not shown any interest in pursuing the case and therefore it has been decided to close it. The case is hereby closed and PP may be informed to apply afresh in case he intends to commence any construction activity.

9. **Case No. 2192/2014** Prior EC for proposed expansion of unit for Organic intermediate production Capacity: 50 MT/Month at Plot No. 30 AKVN Industrial Area, Tehsil Meghnagar District: Jhabua (MP), by Shri Gaurav Khandelwal Partner M/s. Siddhivinayak Enterprises Teacher Colony, Rambhalpur Road, Meghnagar, Dist. Jhabua (MP)-457779, E-mail: gaurav.khandelwal.meghnagar@gmail.com, Telephone No. 07390284498.

The case was discussed in 423rd SEIAA meeting dtd. 24.04.2017 it was recorded that :-

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

PP has submitted a letter of 19.05.2017 and submitted the required information. Therefore it has been decided to relist the case and send the technical file to SEAC for appraisal. Copy to PP and all concerned.

10. **Case No. 2193/2014:** Application for Prior EC for Expansion for manufacturing of Dye Intermediates production capacity 50 MT/Month at Plot No. 137 Village Meghnagar Tehsil Meghnagar, District District: Jhabua (M.P) Existing land area is 3203 sq.m. by Shri Mahesh Prajapati Partner M/s. Devansh Trading Company Dashahra Maidan, Meghnagar, Dist. Jhabua (MP) Email: maheshmgnj232gmail.com Telephone No. 07390284498

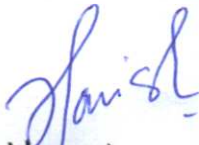
The case was discussed in 423rd SEIAA meeting dtd. 24.04.2017 it was recorded that :-

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

PP has submitted a letter of 19.05.2017 and submitted the required information. Therefore it has been decided to relist the case and send the technical file to SEAC for appraisal. Copy to PP and all concerned.

11. **Case No. 1704/2013** Prior Environmental Clearance for proposed Residential & Commercial Development Project at Plot No. 27, Yashwant Niwas Road, Tehsil & District Indore MP. Total Plot area 12626 sq.mt., built up area 63,802.97 sqmt. by M/s Saicharan Properties Ltd., Mr. Sanjay Daga Authorized Signatory, 101, Kalpataru Synergy, Opp. Grand Hyatt, Santacruz, East Mumbai 400055

PP has submitted a letter on 20.05.2017 in which he has proposed configuration changes in the buildings by reducing floors in wing-B and increasing the floors wing-C&D without any change in the total builtup area (63802.97 sq.mtr.). However the number of shops have been reduced to 19 from 21 and the residential units have been reduced from 116 to 114. From the record it was revealed that the EC was granted in 172nd SEIAA meeting dtd 08.01.2015 and a corrigendum was issued in 251st SEIAA meeting dtd. 15.10.2015. It has been decided to invite PP and his consultant for clarification and also the building permission if taken. Copy to PP.


(H.S. Verma)
Member


(Waseem Akhtar)
Chairman
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