

Minutes of the 487th Meeting of SEIAA dated. 29.05.2018

The 487th meeting of the State Level Environment Impact Assessment Authority was convened on 29.05.2018 at the Authority's Office in Environmental Planning and Co-Ordination Organization (EPCO), Paryavaran Parisar, Bhopal. The meeting was chaired by Shri Rakesh K. Shrivastava, Chairman, SEIAA. The following members attended the meeting:-

- | | | |
|----|------------------|------------------|
| 1 | Shri R.K. Sharma | Member |
| 2. | Shri P Narahari | Member Secretary |

A. Following other than mining cases, mining cases and additional queries have been considered:-

S.No.	Case No.	Category	No. & date of latest SEAC & SEIAA meeting
1.	5637/2018	1(a)	481 st SEIAA meeting dtd. 10.05.18
2.	5612/2017	5(f)	481 st SEIAA meeting dtd. 10.05.18
3.	5485/2016	8(b)	481 st SEIAA meeting dtd. 10.05.18
4.	153/2008	1(a)	457 th SEIAA meeting dtd. 17.11.17
5.	5517/2017	5(f)	482 nd SEIAA meeting dtd. 11.05.18
6.	5617/2017	1(a)	472 nd SEIAA meeting dtd 14.03.18

1. **Case No. 5637/2018** Prior Environment Clearance for **Stone Quarry** in an area of 7.639 Ha. for production capacity of 41249 cum per annum at Khasra no. 407/13, 406/4, 406/6, 406/7, 419/3, 419/3, 407/1, 408/1 at Village- Bartola, Tehsil - Pushparajgarh, Dist. Anuppur (MP) by Shri Gaya Prasad Agrawal S/o Shri Jagdish Prasad Agrawal, Village - Amarkantak, Tehsil - Pushparajgarh, Dist. Anuppur, MP – 484886.

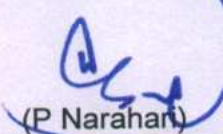
This case was discussed in 478th SEIAA meeting dated 11.04.2018 and it was recorded that.....

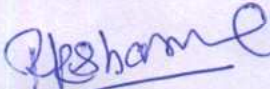
" The case was recommended in 310th SEAC Meeting dated 24th March 2018, PP may be invited for presentation."

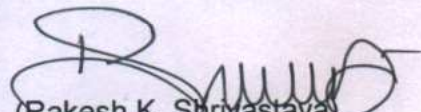
As per the google image, it is observed that the mining activities are proposed to be carried out on plateau area of Bartola village which is in close proximity of 2 major drains/nallas flowing in eastern and south-west direction. These drains are major tributary of Johilla River flowing in southern direction. The said mining lease falls under the catchment of this Johilla River. This mining lease area seems ecologically and environmentally sensitive as mining activities may lead to adverse impact on the above 2 major tributary flowing in the close vicinity of the lease area. Looking to the above local condition and environmental setting, it is decided to send the case file to SEAC for site visit and re-appraise the case from environmental angle.

2. **Case No. 5612/2017:** Prior Environment Clearance for Proposed Manufacturing of Acid Slurry (LABSA) and Spent Acid - by product at Plot No. 70, Village- Kajipalasia (Khudel), Tehsil - Indore, Dist. Indore (MP) Total land area : 37452.1 sq.m. Proposed area : 9254sq. m. (No additional land requird) Production Capcity : 9000TPA Spent Acid – 7500 TPA by M/s Bhaskar Venkatesh Products Pvt. Ltd (Unit-II), Bhawani Complex, 35, Hanumanganj, Jumerati, Bhopal, MP-452016 Mob: 9009625000 E-mail – bhskar@poojapaath.com Env. Consultant : Creative Enviro Services, Bhopal

- (1) The propsed project is Acid Slurry unit (LABSA 100%) with capacity of


(P Narahari)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
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9000 TPA with by product as Spent Acid 7500TPA within existing premises of detergent unit at Village-Kajipalasiya Tehsil-Indore Dist.-Indore (MP). The Proposed LABSA unit is interlinked with existing Detergent and Soap manufacturing unit with following capacities:-

S.NO.	Product	Quantity, MT/Month		
		Existing	Product Addition	Total After proposed Addition
1.	Detergent Powder	6000	-	6000
2.	Detergent cake	3000	-	3000
3.	LABSA(EC Product)	-	750	750
	By Product (Spent Acid)	-	625	625

- (2) Linear alkyl benzene (LAB), the material used to produce LABSA, is derived exclusively from petroleum bi-products--benzene and paraffin derived from kerosene. LAB currently represents the active ingredients in detergents worldwide.
- (3) The Linear Alkyl Benzene Sulphonic Acid (LABSA) manufacturing activity is covered under 5 (f) category B of the MoEF, GoI EIA Notification, 2006 and its amendments.
- (4) As per OM dated 13.02.2017 of MoEF &CC, the project pertaining to manufacturing of LABSA has been decided to categorized as B-2, if the water consumption is < 25 KLD and Fuel consumption is < 25 TPD. In the subject proposal of manufacturing of LABSA (9000 TPA), the water requirement is only 4 KLD and no fuel is required for sulfonation of LAB with sulphuric acid in batch reactors. Hence EMP has been prepared for the project and presented by PP.
- (5) There is no interstate boundary within 05 km (Tehsildar letter dtd. 01.05.17) and no National park, Sanctuary and Eco-sensitive areas within 05 km (DFO letter dtd. 24.05.17) of the project area hence General condition are not attracted.
- (6) ToR issued by SEAC vide letter dtd. 25.01.2018 and EMP report submitted by PP on 01.05.18.
- (7) The case was discussed in SEAC meetings 302nd dtd. 22.12.17, 313rd dtd. 18.04.18 and 314th dtd. 10.05.18 is recommended for grant of prior EC subject to 37 special conditions.
- (8) After recommendation the case was discussed in 483rd SEIAA meeting and decide to PP may call for presentation.
- (9) After deliberations by PP the case was discussed in depth & it is noted that:-
 - i. The Total land area available with the unit is 37452.1 sq.m. Out of that 9254 sq.mt. Land is required for the proposed LABSA plant. PP has submitted sale deed dtd. 29.04.15. As per the sale deed the said land buyere by by M/s Bhaskar Venkatesh Products Pvt. Ltd
 - ii. The Raw material required for the project is Linear Alkaline benzene (LAB)-6000 MTPA, Sulphuric Acid (H₂SO₄)-9000 MTPA, Water -1500

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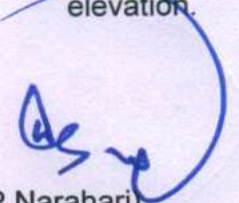
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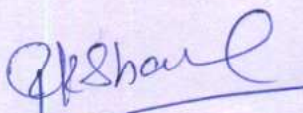
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MTPA for input and for output Linear Alkyl Benzene Sulphonice Acid-9000 MTPA Spent Acid 7500. The raw material shall be stored in the storage tank. The spent acid will be used in the sale out to SSP unit.

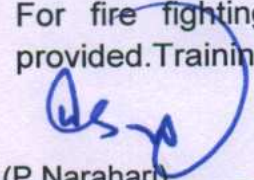
- iii. The water requirement for proposed unit will be 04 KLD and total requirement for existing and proposed unit will be 12 KLD, whereas domestic requirement will be about 15 KLD. The water will be supplied by the tankers. PP has submitted commitment letter of the tanker supplier.
- iv. The process of manufacturing of LABSA does not attract the water consumption and effluent generation. All generated waste water will be disposed off to STP. Reuse of cooling bleed-off is using in manufacturing process also therefore, no effluent discharge unit and maintain zero discharge condition
- v. No significant emission is envisaged from the unit as there is no point source emission. Whereas fugitive emissions are envisaged from various material transfer points. To mitigate the impact of pollutants from diesel generator sets, sources of fugitive emission and vehicular traffic during the operational phase of the site, following measures are proposed for implementation:
 - a. Adequate stack height of 15 mt for the DG set 100 KVA shall be provided for better dispersion.
 - b. Dust collectors system shall be provided at various material transfer points.
 - c. Regular Monitoring of Ambient air quality to ensure that air quality shall be met the limit at all the time.
 - d. Development of green belt in time bound manner in consultation with forest department.
 - e. Provision of enclosure for all the loading & unloading operations, if possible.
 - f. Regular maintenance of air pollution control equipment.
 - g. Provision of dust mask for workers and instruction of compulsory use.
 - h. Regular maintenance and water spraying arrangement over approach road of the unit crossing the village and meeting to NH.
- vi. PP has propped proper maintenance of DG set to reduce noise level and ensure the proper functioning of the acoustic enclosure. This is to ensure the noise level is within the statutory limits and will not affect health of the workers (hearing
- vii. PP has propped Rainwater harvesting structures with 03 numbers of recharging pits to harvest the run-off water from rooftops by laying a separate storm water drainage system for recharging of ground water. Following are the site specific measures further proposed to control the water pollution aspect :
 - a. Embankment of area towards NH-59 side will be provided slope at higher elevation.

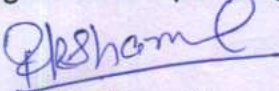

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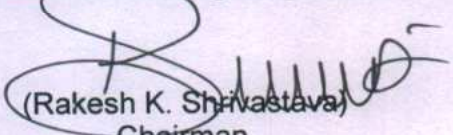

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- b. A drain along the boundary wall shall be made, which joins the settling tank to protect the flow of contaminant outside the premises if any.
 - c. Since the plant is having adequate land, it is proposed to construct a water reservoir to meet the water requirement. The capacity of water holding structure should be for 120 days and same will be filled with monsoon water. The size of the water body may be planned for volume of 1000 M³.
 - d. Web camera for monitoring of ZLD condition shall be installed before commission of new unit of LABSA plant.
- viii. The quantity of storm water will constitute runoff from buildings, roads and paved areas. Contamination of storm water is possible from Diesel and oil spills from diesel generator, fuel storage area, Oil spills and leaks from vehicle parking lots and washing area. A detailed "Storm Water Management Plan" will be implemented in consideration of above sources.
- a. Provision of drainage network in above area.
 - b. Regular inspection and cleaning of storm drains.
 - c. Provision of cover at waste storage areas.
 - d. Provision of secondary containment and dykes in fuel/oil storage facilities.
 - e. Preparation of spill response plans, particularly for fuel and oil storage areas
- ix. The source of solid/hazardous waste generation will be used oil (500 lit/annum) and discarded containers (100 MT per annum). Entire quantity of hazardous waste will be handled and disposed as per Hazardous and other Wastes (Management & Transboundary Movement) Rules, 2016. Used lubricating oil will reused as lubricating oil in pumps and gear box, and in case of excess, will be sent to registered re-refiners. Discarded drums/containers Liners will be sold to approved recyclers.
- x. The power requirement for the project is 560 kVA, Sourced from Madhya Pradesh Vidyut Vitran Company Ltd. DG set of 100 kVA will be installed as back up supply.
- xi. PP has included Disaster Management plan in the EIA Report. For firefighting measure PP has provided Fire extinguishers and Fire Hydrants at project site.
- xii. As part of CSR activity PP has proposed Construction of toilets to stop open defecation at Asrawad Buzurg, Kapliya kheri, Kundel Buzurg, Mundlaja, Tkaran, Kaji Palasia, Provision of supply of drinking water or payment of bills of water supply of villages. Rain water harvesting in the villages Asrawad Buzurg, Kapliya kheri, Kundel Buzurg, Mundlaja, Tkaran, Kaji Palasia, Solar light, at common property of surrounding villages. Infrastructure facilities at schools of nearby villages in terms of provision of computers, teachers, facility of safe drinking water, separate toilets for girls and boys
- xiii. For fire fighting fire extinguishers and fire water network will be provided. Training will be given the operating staff on fire fighting. Foam


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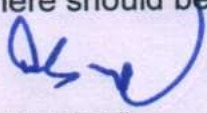
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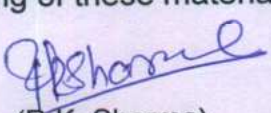
will be available to fight hydrocarbon fire. The whole factory area will be declared as no smoking zone. Flameproof equipments will be used in the tank farm area.

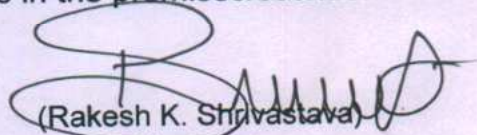
- xiv. Existing area of plantation in an area of 1535 sq.mt. PP has proposed green area of 18426 sq.m. by planting 3650 of local species trees.

It is decided to accept the recommendations of 314th SEAC meeting dtd 10.05.2018 with 37 special conditions and accord prior Environmental Clearance to Proposed Manufacturing of Acid Slurry (LABSA) and Spent Acid - by product at Plot No. 70, Village- Kajipalasia (Khudel), Tehsil - Indore, Dist. Indore (MP) Total land area : 37452.1 sq.m. Proposed area : 9254sq. m. Production Capacity : 9000TPA Spent Acid – 7500 TPA by M/s Bhaskar Venkatesh Products Pvt. Ltd (Unit-II), Bhawani Complex, 35, Hanumanganj, Jumerati, Bhopal, MP-452016 subject to all specific conditions imposed by SEIAA in its meetings.

1. If the water requirement increases water met from IMC, use of tanker water (bore well) will be stopped and there shall be no extraction of ground water.
2. Ensure to provide fully covered storage facility at the factory site for hazardous and inflammable substances.
3. Ensure the transportation of raw / finished material only by covered vehicles.
4. Ensure the storage and handling of all the chemicals in a proper and safe manner to avoid any spillages and also to prevent runoff contamination in monsoon.
5. Ensure collection & treatment of spillages, if any.
6. All necessary precautionary measures shall be taken to avoid any kind of accident during storage and handling of hazardous chemicals.
7. All the storage tanks shall be fitted with appropriate controls to avoid any leakages. Bund/dyke walls shall be provided for storage tanks for Hazardous Chemicals. Close handling system for chemicals shall be provided
8. PP should maintain zero discharge from the Industry.
9. Industrial effluent generation shall be completely evaporated with help of Evaporator so as to achieve zero discharge.
10. There shall be no industrial effluent discharge from the unit.
11. The performance of air pollution control system should be regularly monitored and maintained. Regular stack monitoring & ambient air quality monitoring should be carried out as per the guidelines/norms of MPPCB/CPCB.
12. PP should obtain Authorization from the competent authority (TSDF, Pithampur) for disposal of hazardous wastes.
13. PP should obtain authorization from MPPCB for collection / treatment / storage / disposal of hazardous wastes.
14. PP should ensure handling, disposal and management of hazardous waste as per the related prescribed rules.
15. PP should ensure disposal of hazardous waste regularly through sale or in TSDF site and there should be no dumping of these materials in the premises/outside.


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16. PP should provide RCC layer and double layered HDPE lining for primary and secondary leachate collection.
 17. Discarded bags/liners/containers shall be either reused or sold to the registered recyclers.
 18. Used oil shall be either reused in lubrication of the plant machineries or sold to the registered recyclers
 19. PP should obtain approval of the Competent Authority for Health and safety, Onsite disaster management plan, Risk management plan before commencing of the project.
 20. PP should obtain approval of the Competent Authority for Firefighting before commencing of the project.
 21. PP should ensure plantation in three rows all along the periphery of the project area, and along the roads area subject to minimum of 33% of total plot area. PP should ensure plantation of the trees of indigenous local varieties like Neem, Peepal, Kadam, Kachnaar etc. Every effort should be made to protect the existing trees on the plot.
 22. PP should ensure the implementation of CSR activities to the extent on regular basis in consultation with the Gram Panchayat of the receptive village.
 23. In the event of failure of any pollution control system adopted by the unit, the unit shall be safely closed down and shall not be restarted until the desired efficiency of the control equipment has been achieved.
 24. Total quantity of runoff water generated and green belt area should be collected in underground tank & used for process in plant to minimize fresh water requirement.
3. **Case No. 5485/2016:** Prior Environmental Clearance for proposed " Katni Integrated Township Project" at Khasra No. 691, 692, 699, 700, 703, 704, 705/1, 722/1K, 722/1KH & 723 Village- Jhijhri, National Highway Road, Tehsil & Distt. Katni MP Total land area- 8,56,000 sq.m., by Chief Executive Officer Katni Development Authority, National Highway Road 07, Dugadi Nala Katni MP- 483504 E-mail- kda.katni@gmail.com Ph.07622- 220288

The case was scheduled for the presentation as per 486th SEIAA meeting dated 28.05.18 wherein it was recorded that the case was scheduled for presentation however consultant were not present to explain the case. On the request of PP it is decided to call the PP in subsequent meeting. Accordingly, the case was again scheduled in this meeting as per request of PP but neither the Project Proponent (PP) nor his representative was present to explain the case hence the authority decided to defer the case for next meeting.

4. **Case No. 153/2008 :** Prior Environment Clearance for Laterite yellow ochre and manganese red oxide, red ochre mines fire clay 48.562 hect. Vill- Jhinna Teh- Dheemerkhera, Distt- Katni by M/s Shukdeo Prasad Goenka C/o Goenka Bhawan, Station Road , Katni M.P.

The case was discussed in 411th SEIAA meeting dtd. 25.02.17 and it has been recorded that

- (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

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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 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 v/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 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).

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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 Khasra No. 507 is under consideration at the Court of Collector, Katni, therefore it does not seem 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.

(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.

(P Narahari)
Member Secretary

(R.K. Sharma)
Member

(Rakesh K. Shrivastava)
Chairman

Minutes of the 487th Meeting of SEIAA dated. 29.05.2018

Before commencement of the presentation, PP has submitted a summary of Court Cases pending against this case and also submitted the grounds for suitable hearing of his case in SEIAA. The summary is as under :

1. As per order of Hon'ble High Court our application cannot be kept pending and has to be decided on Merit within 6 weeks from 21.12.2016 which already over.
2. If all necessary requirements are completed than application has to be granted.
3. If there is any deficiency then we should be given opportunity to rectify the same before grant of consent to operate from MPPCB.
4. Since there is already a decree of the court against interference by forest department, can not object to the application.

After studying the summary, it has been decided by SEIAA to instruct PP for making his presentation on the environmental parameters of his case.

- (1) This is a project pertaining to mining of Laterite, Yellow Ocher, Manganese, Red Oxide, Red Ocher and Fire Clay mining in MLA of 48.562 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 less than 250 m from the forest boundary (As per DFO Katni vide letter no. 2718 dtd. 21.04.2011). 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 (21.02.1994 up to 20.02.2046) with production Capacity of Laterite – 482502 TPA, Red Oxide – 26681 TPA, Yellow Ocher – 52668 TPA and Red Ocher – Manganese – 122625
- (2) It was reported that the previous lease was granted for Shri Nimesh Bajaj by the State of MP Minerals Resources Department Order dtd. 01.04.1991 for the period of 20 years (from 21.02.1994 to 20.02.2014). Thereafter lease was transferred in favour of Shri Sukhdeo Prasad Goenka, Prop. Shri Anand Goenka. By State of MP Minerals Resources Department Order 3-53/98/12/2 dtd. 13.01.1999. Now lease was extended to 50 year from 21.02.1994 to 20.02.2046 (As per Collector Katni vide letter no 5338 /2015 dtd. 12.03.2015) The Mining Plan with progressive mine closure plan has been approved by IBM (vide IBM L.No. MP/Katni/Laterite/MPLN /R-19/2014-15/2792 dtd. 05.05.2015).
- (3) SEAC in its 47th SEAC meeting dtd. 29.01.2010 has recommended the case with 05 special conditions for issuance of EC.
- (4) The case was then discussed in 411th SEIAA meeting dtd. 25.02.2017 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) There are about 1896 exiting trees in the mining lease.
- (6) PP has proposed to plant 2000 trees in an area of 31.5368 ha in five year period.
- (7) It was noted that the water requirement is 27 KLD (24 KLD for Dust Suppression & Green Belt + 3.0 KLD for Domestic/Drinking), which shall be met from Tankers of Dhimerkheda Nagar Palika.
- (8) It was also noted that the Public Hearing was carried out on 09.02.2009 at mine site, Village-Jhinna, Tehsil-Dhimmerkheda, Distt- Katni – (M.P) the major issues raised during public hearing were illegal mining by the PP, destruction of flora and fauna and no approval granted under Forest Conservation Act 1980.
- (9) As per the decision taken in 31st SEIAA meeting dtd. 06.04.2010 regarding issue of illegal mining (as raised in the public hearing also) and the letter issued by Mining Officer, Katni to be authenticated by Collector, Katni. A reminder in this regard be sent to Collector, Katni with copy to PP.

(P Narahari)

Member Secretary

(R.K. Sharma)

Member

(Rakesh K. Shrivastava)

Chairman

Minutes of the 487th Meeting of SEIAA dated. 29.05.2018

This case discussed in 416th SEIAA meeting dtd. 16.03.2017 and it was recorded that :-

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. Details of exiting trees in the mining lease area inclusive of species, height and girth.
- iii. Details of missing Khasra Nos 374, 359, 373
- iv. Explanation of 4.91 ha Non mineralized area
- v. Quality, quantity and disposal arrangement for pit water.
- vi. Size and length of the garland drain alongwith the settling tanks.
- vii. Water Air & Noise quality parameters study and its findings
- viii. Revised EMP and CSR.

This case discussed in 455th SEIAA meeting dtd. 08.11.2017 and it was recorded that:-

"PP has submitted query response on 24.06.2017 and it has been decided to call PP for clarification."

PP has made representation in SEIAA vide letter No. 79/पर्यावरण/2018 dated 28.05.18 requesting to consider the case for granting environmental clearance in compliance of the direction of Hon'ble High Court. Since, the State Govt. has filed SLP No. 2808-2809/2017 in Hon'ble Supreme Court of India and matter is sub-Judice in court hence it is decided to take legal opinion of Shri Purushendra Kaurav, Senior Advocate and Advocate General, High Court, Jabalpur in this case.

5. **Case No. 5517/2017** Prior Environment Clearance for Manufacturing of Acid Slurry "LABSA", Plot No. 176, Industrial Area, Meghnagar, Dist. Jhabua, MP by Madhya Bharat Phosphate Private Limited Unit III, Meghnagar Industrial Area Plot No. 176, AKVN Industrial Area, Meghnagar, Dist. Jhabua, MP.

After detailed discussion and perusal of the recommendations of 290th SEAC meeting dated 22-05-17 and it was recorded that

....." As far as LABSA plant is concerned, PP has started erecting storage tank for LAB on the western side of the plant premises and the sulphuric acid will be stored in on existing tank. It was also observed during inspection that PP has also started erecting LABSA plant on the western side of the unit in an existing shed adjacent to the SSP/GSSP manufacturing unit with all the units such as acid and LAB storage tanks, reaction tanks, finish product storage tanks etc in place. The proposed location of the LABSA plant is also altered as during presentation for TOR, it was submitted by PP that the LABSA plant will be erected on the eastern side of the existing unit while above installation is done on the western side. The inspection report was placed before the committee for discussion. Committee observed that PP has already started the construction of proposed LABSA plant which is evident from the above inspection report of sub-committee & photographs and is the violation of EIA Notification, 2006. Thus committee after deliberations decide that this case may be referred back to SEIAA for onward necessary action as per EIA Notification, 2006 and it's amendment issued vide S.O 804(E) dated 14.03.2017 "Process for appraisal of TOR/EC projects under violation of EIA Notification, 2006".....

(P Narahari)
Member Secretary

(R.K. Sharma)
Member

(Rakesh K. Shrivastava)
Chairman

Minutes of the 487th Meeting of SEIAA dated. 29.05.2018

The case was discussed in 438 SEIAA meeting dated 31.05.17 and it was recorded as :

"As per the above observation, report of MPPCB should also be taken regarding any violation of the consents and if any case has been registered against the PP, the same may be intimated to SEIAA."


As per above decision, letter was written to MPPCB on 20.06.17 to submit the report but response is still awaited. Hence it is decided to delist the case. The case shall be relisted after receiving the report from MPPCB.

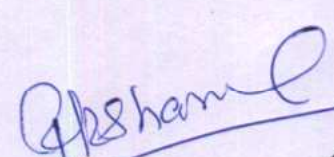
6. **Case No. – 5617/2017** Prior Environment Clearance for Limestone & Dolomite Mine in an area of 1.870 Ha.. (25266 ton per annum) (Khasra no. 503 New 867, 955) at Village- Rupaund, Tehsil - Badwara, Dist. Katni by Shri Yogesh Khare, Sakin Khare Building, Gandhiganj, Katni, MP – 483501

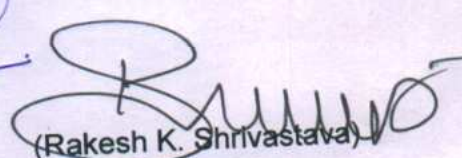
This case was discussed in 472nd SEIAA meeting dated 14.03.2018 and it was recorded that.....

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

PP has submitted a request letter on 23.05.2018, therefore it has been decided to relist the case and send the technical file to SEAC for appraisal. Copy to PP and all concerned.


(P Narahari)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman