

Minutes of the 597th Meeting of SEIAA dated. 17.02.2020

The 597th meeting of the State Level Environment Impact Assessment Authority was convened on 17.02.2020 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 Jitendra Singh Rajee Member Secretary

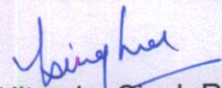
A. Following other than mining and mining cases have been considered:-

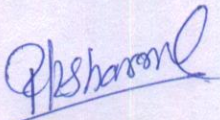
S.No.	Case No.	Category	No. & date of latest SEAC & SEIAA meeting
1.	4476/2015	1(a)	Transfer of EC
2.	5183/2016	1(a)	Transfer of EC
3.	4204/2015	1(a)	Transfer of EC
4.	4263/2015	1(a)	Transfer of EC
5.	4207/2015	1(a)	Transfer of EC
6.	4202/2015	1(a)	Transfer of EC
7.	4170/2015	1(a)	Transfer of EC
8.	4205/2015	1(a)	Transfer of EC
9.	4203/2015	1(a)	Transfer of EC
10.	3296/2015	1(a)	Transfer of EC
11.	2785/2015	1(a)	Transfer of EC
12.	5777/2018	1(a)	Transfer of EC
13.	4060/2015	1(a)	Transfer of EC
14.	6301/2019	1(a)	571 st SEIAA meeting dated 17.09.2019
15.	Review of Sarbhanga Mining Case	1(a)	Clarification


1. **Case No.4476/2015:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 11.170 ha. for production capacity of 1,70,000 cum/year at Khasra no.-1713, 2278, 2435, Village Bharolikalan, Tehsil-Mehgaon, District-Bhind (MP) by **Sarpanch Gram Panchyat** Bharolikalan, Tehsil-Mehgaon, District-Bhind MP.

Regarding transfer of EC in the name of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 11.170 ha. for production capacity of 1,70,000 cum/year at Khasra no.-1713, 2278, 2435, Village Bharolikalan, Tehsil-Mehgaon, District-Bhind MP by **Sarpanch Gram Panchyat** Bharolikalan, Tehsil-Mehgaon **District-Bhind MP**.
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1958/SEIAA/15 dtd.14.3.2018** in the name of "**Sarpanch Gram Panchyat** Bharolikalan, Tehsil-Mehgaon **District-Bhind MP** .


(Jitendra Singh Rajee)
Member Secretary

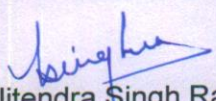

(R.K. Sharma)
Member

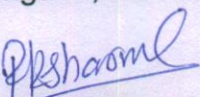

(Rakesh K. Shrivastava)
Chairman

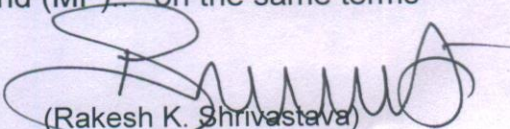
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/039 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely " **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Bharolikalan, Tehsil-Mehgaon District-Bhind MP. "**
- (4) It is noted that in support of his request the PP has submitted the following documents
- No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - Notarised affidavit of **Sarpanch Gram Panchyat Bharolikalan, Tehsil-Mehgaon, District-Bhind "**mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - Copy of Prior EC issued by SEIAA vide letter No. **1958/SEIAA/18 dtd.14.3.2018.**
 - Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Copy of **Approved Mining Plan with Replenishment Plan** of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited,** vide letter No. **531/132/2020/12/1 dated 6.2.2020.**
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued SEIAA on 14.03.2018 in the name of " **Sarpanch Gram Panchyat Bharolikalan, Tehsil-Mehgaon, District-Bhind.**" is hereby transferred to **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-** for Sand Quarry in an area of 11.170 ha. for production capacity of 1,70,000 cum/year at Khasra no.-1713, 2278, 2435, Village Bharolikalan, Tehsil-Mehgaon, District-Bhind (MP). " on the same terms


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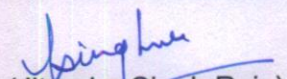

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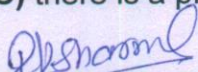

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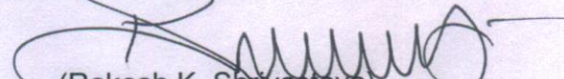
& conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

2. **Case No.5183/2015:** Prior Environmental Clearance for Sand Mine Deposit (Opencast Manual Method) in an area of 24.73 ha. for production capacity of 123650 cum/year at Khasra No. 181 at Village-Dahema-C, Tehsil-Roun, District-Bhind (MP) by **Sarpanch**, Gram Panchayat, Reonja, **Bhind**. **Regarding transfer of EC in the name of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 24.73 ha. for production capacity of 123650 cum/year at Khasra No. 181 at Village-Dahema-C, Tehsil-Roun, District-Bhind (MP) by **Sarpanch Gram Panchyat** Reonja, **District-Bhind** MP.
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1998/SEIAA/19 dtd.23.3.2018** in the name of " **Sarpanch Gram Panchyat** Reonja, **District-Bhind** MP .
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/038 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely " **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat** Reonja, **District-Bhind** MP. "
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat** Reonja, **District-Bhind** ".mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - iii. Copy of Prior EC issued by SEIAA vide letter No. **1998/SEIAA/18 dtd.23.3.2018.**
 - iv. Copy of Environmental Management Plan of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
 - v. Copy of **Approved Mining Plan with Replenishment Plan** of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
 - vi. Lease transfer order issued by **Mineral Resource Department** order to **Power Mech Projects Limited**, vide letter No. **529/132/2020/12/1 dated 6.2.2020.**
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member

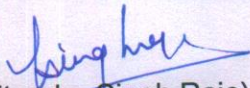

(Rakesh K. Shrivastava)
Chairman

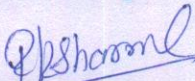
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

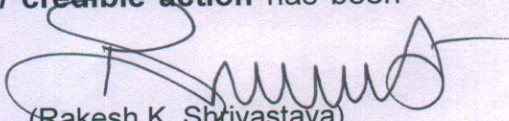
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 23.03.2018 in the name of " **Sarpanch Gram Panchyat Reonja, District-Bhind**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-** for Sand Quarry in an area of 24.73 ha. for production capacity of 123650 cum/year at Khasra No. 181 at Village-Dahema-C, Tehsil-Roun, District-Bhind (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

3. Case No.4204/2015:- Prior Environmental Clearance for **Sand Quarry** (opencast manual method) in an area of 15.850 ha. for production capacity of 47,550 cum/year (as per **SEAC recommendation**) at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP). by **Sarpanch, Gram Panchayat, Parrayach District-Bhind MP.** Regarding transfer of EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 15.850 ha. for production capacity of 47,550 cum/year (as per **SEAC recommendation**) at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP). by **Sarpanch Gram Panchyat Parrayach,, District-Bhind MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 2073//SEIAA/18 dtd.31.3.2018** in the name of "**Sarpanch Gram Panchyat Parrayach, District-Bhind MP .**
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/051 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "**Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Parrayach District-Bhind MP. "**
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Parrayach, District-Bhind "**mentioning that no legal action/ ~~credible action~~ has been


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.

- iii. Copy of Prior EC issued by SEIAA vide letter No. 2073/SEIAA/18 dtd.31.3.2018.
- iv. Copy of Environmental Management Plan of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
- v. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
- vi. Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited**, vide letter No. 557/132/2020/12/1 dated 6.2.2020.

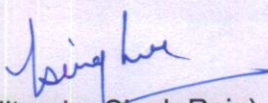
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

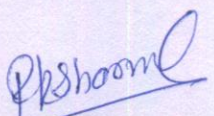
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

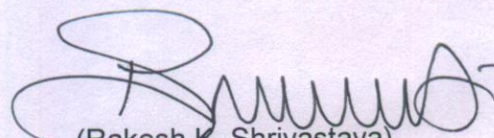
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 31.03.2018 in the name of " **Sarpanch Gram Panchayat Parayach, District-Bhind**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**. for Sand Quarry in an area of 15.850 for production capacity of 47,550 cum/year (as per SEAC recommendation) at Khasra no.-247, 290, Village-Dhour, Tehsil-Mihona, District-Bhind (MP).. on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

4. **Case No.4263/2015:** Prior Environmental Clearance for Sand Quarry Opencast Manual Method) in an area of 10.00 ha. for expansion in production capacity from 55,000 to 1,00,000 cum/year Khasra No. 1420 at Village-Goram, Tehsil-Mehgaon, District-Bhind (MP) by **Sarpanch, Gram Panchayat, Goram, District-Bhind.** Regarding transfer of EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (2) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 10.00 ha. for expansion in production capacity from 55,000 to 1,00,000 cum/year Khasra No. 1420 at Village-Goram, Tehsil-Mehgaon, **District-Bhind (MP) by Sarpanch Gram Panchayat Goram, District-Bhind MP.**


(Jitendra Singh Raje)
Member Secretary

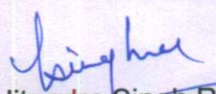

(R.K. Sharma)
Member

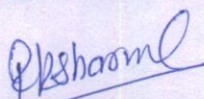

(Rakesh K. Shrivastava)
Chairman

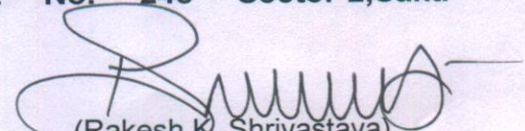
- (3) The Prior Environmental Clearance letter was issued SEIAA vide L.No. 1901/SEIAA/18 dtd.9.3.2018 in the name of "Sarpanch Gram Panchyat Goram, District-Bhind MP .
- (4) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/042 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely " **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of Sarpanch Gram Panchyat Goram, District-Bhind MP. "
- (5) It is noted that in support of his request the PP has submitted the following documents
- No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - Notarised affidavit of **Sarpanch Gram Panchyat Goram, District-Bhind ".mentioning that no legal action/ credible action** has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - Copy of Prior EC issued by SEIAA vide letter No. **1901/SEIAA/18 dtd.9.3.2018**
 - Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Copy of **Approved Mining Plan with Replenishment Plan** of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited**, vide letter No. **537/132/2020/12/1 dated 6.2.2020.**
- (6) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 9.032018 in the name of " **Sarpanch Gram Panchyat Goram, District-Bhind**" is hereby transferred to **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti**


(Jitendra Singh Rajee)
Member Secretary

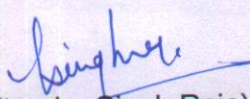

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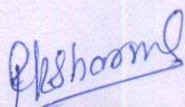

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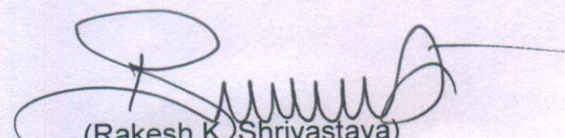
Nagar,Habibgang Bhopal MP-". for Sand Quarry in an area of 10.00 ha. for expansion in production capacity from 55,000 to 1,00,000 cum/year Khasra No. 1420 at Village-Goram, Tehsil-Mehgaon, District-Bhind (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. All concerned be informed accordingly.

5. **Case No.4207/2015:** Prior Environmental Clearance for **Sand Quarry (opencast manual method)** in an area of 9.460 ha. for production capacity of 94,600 cum/year at Khasra no.-1043, 1103, Village-Mangarh, Tehsil-Roun, District-Bhind (MP) by **Sarpanch, Gram Panchayat, Mangarh, District Bhind.Regarding transfer of EC in the name of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 9.460 ha. for production capacity of 94,600 cum/year at Khasra no.-1043, 1103, Village-Mangarh, Tehsil-Roun, District-Bhind (MP) by **Sarpanch Gram Panchyat Mangarh, District-Bhind MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 2631/SEIAA/19 dtd.13.3.2019** in the name of " **Sarpanch Gram Panchyat Mangarh District-Bhind MP .**
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/048 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely " **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Mangarh District-Bhind MP. "**
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Mangarh District-Bhind ".mentioning that no legal action/ credible action** has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - iii. Copy of Prior EC issued by SEIAA vide letter No. **2631/SEIAA/19 dtd.13.3.2019**
 - iv. Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - v. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

- vi. Lease transfer order issued by Mineral Resource Department order to of Power Mech Projects Limited, vide letter No. 539/132/2020/12/1 dated 6.2.2020.

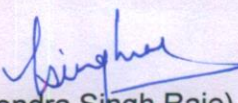
- (5) It is noted that in EIA Notification 2006 as per Para-11 Transferability of Environmental Clearance (EC) there is a provision of transferring the EC.

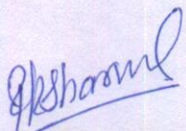
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

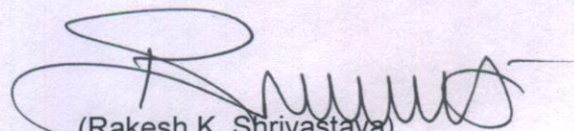
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 13.03.2019 in the name of "Sarpanch Gram Panchyat Mangarh." is hereby transferred to Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-". for Sand Quarry in an area of 9.460 ha. for production capacity of 94,600 cum/year at Khasra no.-1043, 1103, Village-Mangarh, Tehsil-Roun, District-Bhind (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. All concerned be informed accordingly.

6. **Case No.4202/2015:** Prior Environment Clearance for Sand Quarry (Open cast manual method) in an area of 11.680 ha. for production capacity of 35,040 cum/year at Khasra no.-245, 246, & 251 at Village-Dhour, Tehsil-Mihona, District-Bhind (MP) by Sarpanch Gram Panchyat Parayach, Tehsil-Lahar, District-Bhind MP Regarding transfer of EC in the name of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 11.680 ha. for production capacity of 35,040 cum/year at Khasra no.-245, 246, & 251 at Village-Dhour, Tehsil-Mihona, District-Bhind MP by Sarpanch Gram Panchyat Parayach, Tehsil-Lahar, District-Bhind MP.
- (2) The Prior Environmental Clearance letter was issued SEIAA vide L.No. 1834/SEIAA/18 dtd.1.3.2018 in the name of "Sarpanch Gram Panchyat Parayach, Tehsil-Lahar, District-Bhind MP .
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/050 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.." in place of Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP. "
- (4) It is noted that in support of his request the PP has submitted the following documents


(Jitendra Singh Rajee)
Member Secretary

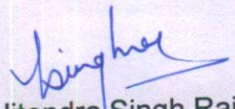

(R.K. Sharma)
Member

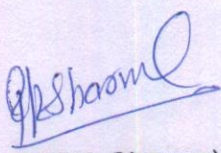

(Rakesh K. Shrivastava)
Chairman

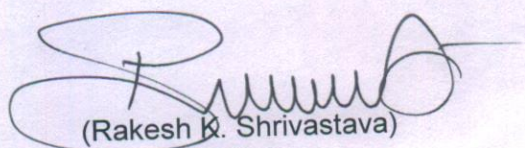
- i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Parayach, Tehsil-Lahar, District-Bhind** ".mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - iii. Copy of Prior EC issued by SEIAA vide letter No. **1834/SEIAA/18 dtd.1.3.2018.**
 - iv. Copy of Environmental Management Plan of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
 - v. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
 - vi. Lease transfer order issued by **Mineral Resource Department** order to M/s Venus Mining and Mineral, Partner Shri Pawan Jain R/o Hotel P.S. Residency Compound, Bypass Road, Dist. Shivpuri, MP. vide letter No. **555/132/2020/12/1 dated 6.2.2020.**
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued SEIAA on 1.03.2018 in the name of "**Sarpanch Gram Panchyat Parayach District-Bhind MP.**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-** for Sand Quarry in an area of 11.680 ha. for production capacity of 35,040 cum/year at Khasra no.-245, 246, & 251 at Village-Dhour, Tehsil-Mihona, District-Bhind (MP) on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

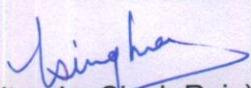

(Jitendra Singh Raje)
Member Secretary

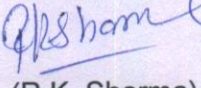

(R.K. Sharma)
Member

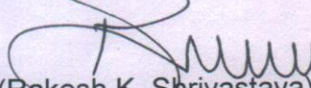

(Rakesh K. Shrivastava)
Chairman

7. **Case No. 4170/2015:** Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 9.00 ha. for production capacity of 90,000 cum/year at Khasra No.-1576,Village-Ajnaar, Tehsil-Lahar, District-Bhind (MP). by **Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP Regarding transfer of EC in the name of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 9.00 ha. for production capacity of 90,000 cum/year at Khasra No. 1576 at Village Ajnaar, Tehsil-Lahar, District-Bhind by **Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1865/SEIAA/2018 dated 9.3.18** in the name of "**Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP.**".
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/056 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "**Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP.**".
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP.** ".mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - iii. Copy of Prior EC issued by DEIAA vide letter No. **1865/SEIAA/2018 dated 9.3.18.**
 - iv. Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - v. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - vi. Lease transfer order issued by **Mineral Resource Department** order to M/s Venus Mining and Mineral,Partner Shri Pawan Jain R/o Hotel P.S. Residency Compound, Bypass Road, Dist. Shivpuri, MP.vide letter No. **567/132/2020/12/1 dated 6.2.2020.**
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member

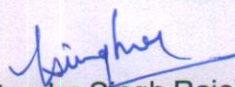

(Rakesh K. Shrivastava)
Chairman

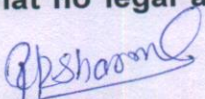
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

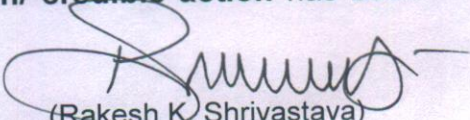
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued SEIAA on 9.03.2018 in the name of " **Sarpanch Gram Panchyat Ajnaar, Tehsil-Lahar, District-Bhind MP.**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-.** for Sand Quarry in an area of 9.00 ha. for production capacity of 90,000 cum/year at Khasra No.-1576, at Village-Ajnaar, Tehsil-Lahar, District-Bhind (MP).. on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

8. Case No.4205/2015: Prior Environmental Clearance for **Sand Quarry** (Open cast manual method) in an area of 24.90 ha. for production capacity of 61,450 cum/year (at per SEAC recommendation) at Khasra no.-01, Village-Badettar, Tehsil-Mihona, District-Bhind (MP) by **Sarpanch Gram Panchyat Parayach, District-Bhind** Regarding transfer of EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 24.90 ha. for production capacity of 61,450 cum/year (at per SEAC recommendation) at Khasra no.-01, Village-Badettar, Tehsil-Mihona, District-Bhind (MP) by **Sarpanch Gram Panchyat Parayach, District-Bhind MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1879/SEIAA/19 dtd.9.3.2018** in the name of "**Sarpanch Gram Panchyat Parayach, District-Bhind MP.**"
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/048 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "**Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Reonja, District-Bhind MP.**"
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Parayach, District-Bhind** ".mentioning that no legal action/ credible action has been


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.

- iii. Copy of Prior EC issued by SEIAA vide letter No. 1879/SEIAA/18 dtd.9.3.2018.
- iv. Copy of Environmental Management Plan of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
- v. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**
- vi. Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited**, vide letter No. 551/132/2020/12/1 dated 6.2.2020.


- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

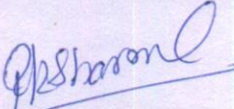
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

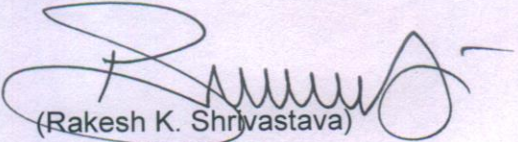
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 9.03.2018 in the name of " **Sarpanch Gram Panchyat Parayach, District-Bhind**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-**. for Sand Quarry in an area of 24.90 ha. for production capacity of 61,450 cum/year (at per SEAC recommendation) at Khasra no.-01, Village-Badettar, Tehsil-Mihona, District-Bhind (MP)." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

9. **Case No.4203/2015:**, Prior Environmental Clearance for Sand Quarry (Opencast Manual Method) in an area of 23.810 ha. for production capacity of 119800 cum/year at Khasra No. 1576 at Village -Ajnaar, Tehsil-Lahar, **District-Bhind** (MP) by **Sarpanch, Gram Panchayat, Ajnaar,, District-Bhind.** **Regarding transfer of EC in the name of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 23.810 ha. for production capacity of 119800 cum/year at Khasra No. 1576 at Village -Ajnaar, Tehsil-Lahar, **District-Bhind** (MP) by **Sarpanch Gram Panchyat Ajnaar,, District-Bhind MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1818//SEIAA/18 dtd.1.3.2018** in the name of "**Sarpanch Gram Panchyat Ajnaar, District-Bhind MP .**


(Jitendra Singh Raje)
Member Secretary

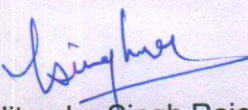

(R.K. Sharma)
Member

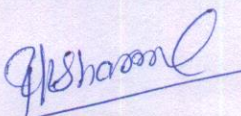

(Rakesh K. Shrivastava)
Chairman


- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/055 dtd.10.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "**Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of Sarpanch Gram Panchyat Reonja, District-Bhind MP. "
- (4) It is noted that in support of his request the PP has submitted the following documents
- No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - Notarised affidavit of **Sarpanch Gram Panchyat Ajnaar, District-Bhind ".mentioning that no legal action/ credible action** has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - Copy of Prior EC issued by SEIAA vide letter No. **1818/SEIAA/18 dtd.1.3.2018.**
 - Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Copy of **Approved Mining Plan with Replenishment Plan** of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited**, vide letter No. **565/132/2020/12/1 dated 6.2.2020.**
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11 :- *A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.*

In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 1.03.2018 in the name of "**Sarpanch Gram Panchyat Ajnaar, District-Bhind**" is hereby transferred to **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**. for Sand Quarry in an area of 23.810 ha. for production capacity of 119800 cum/year at Khasra No. 1576 at Village -Ajnaar, Tehsil-Lahar, **District-Bhind.**" on the same terms & conditions and validity period


(Jitendra Singh Raje)
Member Secretary

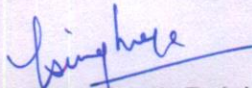

(R.K. Sharma)
Member

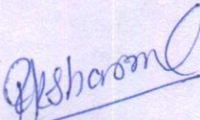

(Rakesh K. Shrivastava)
Chairman

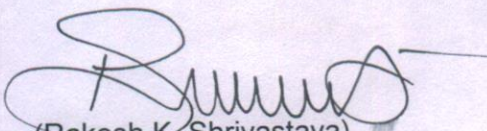
under which the prior environmental clearance was initially granted. All concerned be informed accordingly.

10. Case No.- 5777/2018: Prior Environmental Clearance for **Sand Mine** (Opencast Manual Method) in an area of 23.0 ha. for production capacity of 230000 cum/year at Khasra nos. 300,311 at Village-- Jahazpura, Tehsil- Rehti District Sehore (MP) by Sarpanch, Gram panchayat Jahazpura R/o Village -Jahazpura Tehsil Rehti, District Sehore (MP)-462011- **Regarding transfer of EC in the name of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 23.00 ha. for production capacity of 230000 cum/year at Khasra No. 300, 311 at Village - Jahazpura, Tehsil- Rehti District Sehore (MP) by **Sarpanch Gram Panchyat Jahazpura, District-Sehore MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 1968//SEIAA/19 dtd.09.01.2019** in the name of "**Sarpanch Gram Panchyat Jahazpura, District- Sehore MP .**
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/22 dtd.14.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely "**Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024..**" in place of Sarpanch Gram Panchyat Reonja, District- Sehore MP. "
- (4) It is noted that in support of his request the PP has submitted the following documents
 - i. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-462024.**
 - ii. Notarised affidavit of **Sarpanch Gram Panchyat Jahazpura, District-Sehore ".mentioning that no legal action/ credible action** has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - iii. Copy of Prior EC issued by SEIAA vide letter No. **1968/SEIAA/19 dtd.09.01.2019.**
 - iv. Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - v. Copy of **Approved Mining Plan with Replenishment Plan** of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
 - vi. Lease transfer order issued by **Mineral Resource Department** order to of **Power Mech Projects Limited,** vide letter No. **773/132/2020/12/1 dated 13.2.2020.**


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

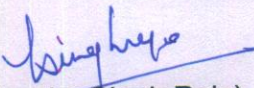
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

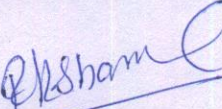
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 09.01.2019 in the name of " **Sarpanch Gram Panchyat Jahazpura, District-Sehore**" is hereby transferred to **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-** for Sand Quarry in an area of 23.0 ha. for production capacity of 230000 cum/year at Khasra nos. 300,311 at Village-- Jahazpura, Tehsil- Rehti **District Sehore.**" on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**


- 11. Case No. 4060/2015:** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 16.187 ha. for production capacity of 1,61,870 cum/year at Khasra no.893/852,852, Village-Sardarnagar, Tehsil-Budhni, District-Sehore (MP) by **Sarpanch, Gram Panchayat, Sardarnagar, District-Sehore- Regarding transfer of EC in the name of Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**

- (1) It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 16.187 ha. for production capacity of 161870 cum/year at Khasra No. 893/852, 852 at Village - Sardarnagar, Tehsil-Budhni, District-Sehore (MP) by **Sarpanch Gram Panchyat Sardarnagar, District-Sehore MP.**
- (2) The Prior Environmental Clearance letter was issued **SEIAA vide L.No. 2045//SEIAA/18 dtd.31.03.2018** in the name of "**Sarpanch Gram Panchyat Sardarnagar, District- Sehore MP .**
- (3) It is noted that PP has requested vide no PMPL/MD/BHOPAL/BND/19-20/24 dtd.14.2.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely " **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024..**" in place of **Sarpanch Gram Panchyat Reonja, District- Sehore MP. "**
- (4) It is noted that in support of his request the PP has submitted the following documents

- vii. No objection letter of previous Project Proponent (to whom prior EC was granted) for transfer of prior EC in the name of **Power Mech Projects Limited, Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2, Sakti Nagar, Habibgang Bhopal MP-462024.**


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

- viii. Notarised affidavit of **Sarpanch Gram Panchyat Sardarnagar, District- Sehore** ".mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
- ix. Copy of Prior EC issued by SEIAA vide letter No. **2045/SEIAA/18 dtd.31.03.2018.**
- x. Copy of Environmental Management Plan of **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
- xi. Copy of **Approved Mining Plan with Replenishment Plan of Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**
- xii. Lease transfer order issued by **Mineral Resource Department order to of Power Mech Projects Limited,** vide letter No. **766/132/2020/12/1 dated 13.2.2020.**

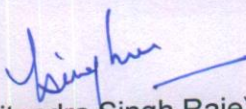
- (5) It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

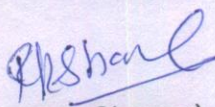
Para-11 :- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

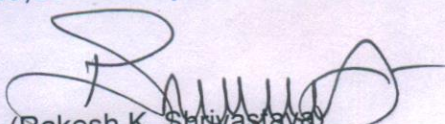
In context of above it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA on 31.03.2018 in the name of "**Sarpanch Gram Panchyat Sardarnagar, District-Sehore**" is hereby transferred to **Power Mech Projects Limited,Krishna Pravin Kota Executive Director R/o Flat No. 248 Sector-2,Sakti Nagar,Habibgang Bhopal MP-**. for Sand Quarry in an area of 16.187 ha. for production capacity of 1,61,870 cum/year at Khasra no.893/852, 852 at Village-Sardarnagar, Tehsil-Budhni, **District-Sehore** ." on the same terms & conditions and validity period under which the prior environmental clearance was initially granted. **All concerned be informed accordingly.**

12. **Case No. 3296/15** Prior Environmental Clearance for **River Sand Quarry** (Opencast Manual Method) in an area of 15.00 ha. (1,20,000 cum/year) at khasra no. 358 at Village - Paraswara, Tehsil - Barhi, District - Katni (MP) by Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP) - 483501 - **Regarding transfer of EC in the name of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).**

- i. It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 15.0 ha. for production capacity of 1,20,000 cum/year at khasra

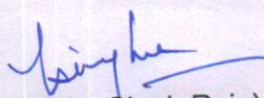

(Jitendra Singh Raje)
Member Secretary

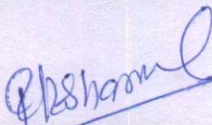

(R.K. Sharma)
Member

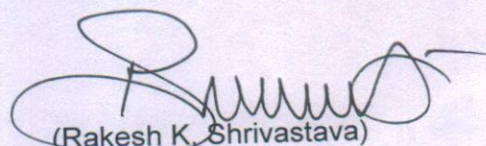

(Rakesh K. Shrivastava)
Chairman

- no. 358 at Village - Paraswara, Tehsil - Barhi, District - Katni (MP) by Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)- 483501.
- ii. The Prior Environmental Clearance letter was issued by SEIAA, M.P. vide L.No. 7021/SEIAA/15 dated 31.10.15 in the name of "Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)".
- iii. It is noted that PP has requested vide letter no. nil dtd. 11.02.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely **M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH)** in place of **Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP) - 483501.**
- iv. It is noted that in support of his request the PP has submitted the following documents:
- a) **No objection letter of previous Project Proponent** (to whom prior EC was granted) for transfer of prior EC in the name of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - b) **Notarised affidavit of Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd.,** Dubey Colony, Katni, Dist. - Katni (MP) mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.
 - c) **Copy of Prior EC** issued by SEIAA vide letter No. 7021/SEIAA/15 dtd. 31.10.2015.
 - d) **Copy of Environmental Management Plan** of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - e) **Copy of Approved Mining Plan with Replenishment Plan** of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - f) **Lease transfer order** issued by **Mineral Resource Department** to M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH) vide letter No. 653/132/2020/12/1/ dated 07.02.2020.
- v. It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11:- A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member

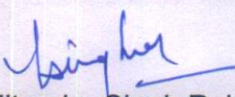

(Rakesh K. Shrivastava)
Chairman

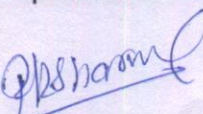
reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.


In context of above, it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA, MP on 31.10.2015 in the name of "Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)" is hereby transferred to "M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH)" for Sand Quarry in an area of 15.0 ha. for production capacity of 1,20,000 cum/year at khasra no. 358 at Village - Paraswara, Tehsil - Barhi, District - Katni (MP) on the same terms & conditions and validity period under which the prior Environmental Clearance was initially granted.

13. **Case No. 2785/15** Prior Environmental Clearance for **Hinota River Sand Quarry** (Opencast Manual Method) in an area of 2.295 ha. (50,000 cum/year) at khasra no. 19 at Village - Hinota, Tehsil - Vijay Raghogarh, District - Katni (MP) by Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP) - 483501 - **Regarding transfer of EC in the name of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).**

- i. It was noted that the PP had applied in Form-I for Prior Environmental Clearance of 2.295 ha. for production capacity of 50,000 cum/year at khasra no. 19 at Village - Hinota, Tehsil - Vijay Raghogarh, District - Katni (MP) by Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP) - 483501.
- ii. The Prior Environmental Clearance letter was issued by **SEIAA, M.P. vide L.No. 9947/SEIAA/15 dated 29.12.15** in the name of "Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)".
- iii. It is noted that PP has requested vide letter no. nil dtd. 11.02.2020 to make amendment in the Prior EC letter by changing the name of PP of the mining project namely **M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH)** in place of **Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP) - 483501.**
- iv. It is noted that in support of his request the PP has submitted the following documents:
 - a) **No objection letter of previous Project Proponent** (to whom prior EC was granted) for transfer of prior EC in the name of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - b) **Notarised affidavit of Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Dubey Colony, Katni, Dist. - Katni (MP)** mentioning that no legal action/ credible action has been initiated against the mine till date and commitment to comply all the standard and specific conditions stipulated in the prior EC issued.


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

- c) **Copy of Prior EC** issued by SEIAA vide letter No. 9947/SEIAA/15 dtd. 29.12.2015.
 - d) **Copy of Environmental Management Plan** of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - e) **Copy of Approved Mining Plan with Replenishment Plan** of M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH).
 - f) **Lease transfer order** issued by **Mineral Resource Department** to M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH) vide letter No. 647/132/2020/12/1/ dated 07.02.2020.
- v. It is noted that in EIA Notification 2006 as per **Para-11 Transferability of Environmental Clearance (EC)** there is a provision of transferring the EC.

Para-11:- *A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.*

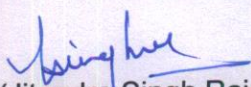
In context of above, it seems that PP has submitted adequate documents to make the change in the name of PP as per EIA Notification 2006 (Para-11). Hence, prior EC issued by SEIAA, MP on 29.12.2015 in the name of "**Shri Suresh Kumar Dubey, OIC, M.P. State Mining Corporation Ltd., Vanshroop Ward, Bhatatha Mohalla, Katni (MP)**" is hereby transferred to "**M/s Vista Sales Pvt. Ltd., Gala no. 216, Building no. 03 B, Rahul Mittal Industries State Kurla Road, Andheri Mumbai - 400059 (MH)**" for **Sand Quarry** in an area of **2.295 ha.** for **production capacity of 50,000 cum/year** at **khasra no. 19** at **Village - Hinota, Tehsil - Vijay Raghogarh, District - Katni (MP)** on the same terms & conditions and validity period under which the prior Environmental Clearance was initially granted.

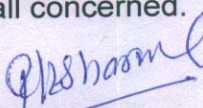
- 14. Case No. – 6301/2019** Prior Environmental Clearance for Sand Quarry (Open cast manual method) in an area of 1.229 ha. for production capacity of 18,387 cum / year at Khasra No. 20, 61/2 at Village - Beera, Tehsil - Ajaygarh, Dist. Panna (MP) by Shri Amrendra Singh Parmar, R/o Hotel Chandra, Dist. Panna, MP – 488220.

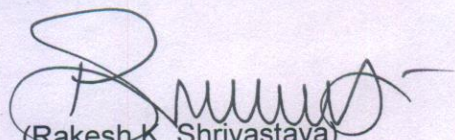
This case was discussed in 571st SEIAA meeting dated 17.09.2019 and it was recorded that.....

".....As per above observation 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."

As per above decision PP has submitted the desired information vide letter dtd. Nil received in SEIAA office 27.01.2020 as per 391st SEAC meeting dated 28.08.2019. Hence it is decided to relist the case and send the case along with technical file to SEAC for appraisal. Copy to PP and all concerned.


(Jitendra Singh Rajee)
Member Secretary

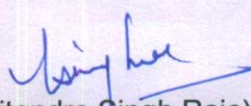

(R.K. Sharma)
Member

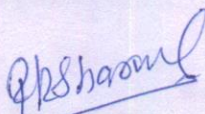

(Rakesh K. Shrivastava)
Chairman

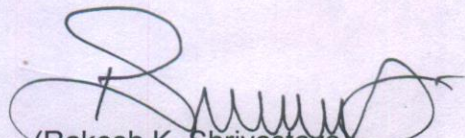
15. Review of Case for clarification of NOC of Sarbhanga Ochre, White Clay, Laterite & Bauxite Mine in 5.505 Hect. at Khasra No 47P (Forest Compartment No. 168 of Majhgawan of Satna Forest Division) at village Sarbhanga Distt Satna, M.P by Murarilal Bansal

Shri Murarilal Bansal has represented vide letter dated 16.10.19 to consider the NOC for carrying out Ochre, White Clay, Laterite & Bauxite mining in an mining lease area of 5.626 Hectare (Previously broken area – 3.00 hect ,mineable lease area- 2.505 hect. and extraction path area – 0.121 hect.) at Khasra No 47 P (Forest Compartment No. 168 of Majhgawan of Satna Forest Division) at village Sarbhanga Tehsil- Majhgawan, Distt Satna on the basis of consent granted by M.P. Pollution control Board Under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 (No.6 of 1981) and section 21 and 22 of the Air (Prevention and Control of Pollution) Act, 1981 (No.14 of 1981) subject to the condition mentioned in the consent order considering following major factual matrix and facts:-

1. The said Sarbhanga Bauxite Mining lease area was earlier held by M/s Neogi & Sons in the year 1956-76 for carrying out mining activity for period of 20 years. Since then Neogi & Sons has surrender the area few years later from the date of approval. Thereafter, the State Government declared the area open in terms of Rule 59(1) (b) and invited application for mining lease as per gazette notification dated 31.01.1975.
2. The said mining area was applied for by M/s Ram Chandra Bansal for grant of Mining Lease for extraction of mineral bauxite, ochre, white clay and laterite. That mining lease was granted in favour of Ram Chandra Bansal for 10 years 15.11.79 to 14.11.89.
3. Shri Ram Chandra Bansal had applied for renewal of mining lease on 15.11.88. Shri Bansal filed a revision in Govt. of India against the renewal as it was not sanctioned within one year by State Govt. However renewal was rejected by MRD on 29.11.90 in absence of consent from MoEF, Gol. Applicant Shri Ram Chandra Bansal filed a revision in Ministry of Mines, Gol against the cancellation order of MRD on 17.1.91. Ministry of Mines, Govt. of India after accepting the request of applicant has stayed the State Govt. order dated 29.11.90 of implementing the cancellation of mining lease renewal application vide order dated 19.02.91. After getting the permission from Govt. of India, State Govt. has granted approval of renewal of lease from year 1989 to Shri Ram Chandra Bansal for 5.626 ha land vide letter No. 3-222/89/12/2 dated 24.07.2000 subject to the condition that mining lease period will be 20 years from lease agreement under MMRD act. Accordingly, lease agreement for 5.505 ha after leaving 0.121 ha of mining road was executed on 21.11.2000 for 20 years period from 10.11.2000 to 9.11.2020.
4. As per Section No 24A (Point -6) - Renewal of mining lease title of Mineral Concession Rules /Mines and Minerals Manual If an application for renewal of a mining lease made within the time referred to in sub-rule (1) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended by a further period till the State Government passes order thereon.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member

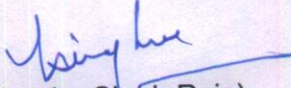

(Rakesh K. Shrivastava)
Chairman

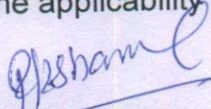
5. After transfer of mining lease, the Project Proponent has also got the mining plan approved from the Indian Bureau of Mines, Nagpur vide order dated 12.12.2011 and 10.08.2018 for extraction of minerals and has submitted the same before the State Government and the Collector.
6. The PP was given consent by the M.P Pollution Board on 01.11.2011 for period from 01.04.2012 to 31.03.2015 under Section 25 and Section 26 of Water (Prevention and Control of Pollution) Act, 1974 and under Section 21 and Section 22 of Air (Prevention and Control of Pollution) Act, 1981 for continuance of mining activity over the area, which has been renewed on 24.01.2015 for 3 years period from 01.04.15 to 31.03.2018 and subsequently renewed on 29-03-2018 for upto 31.03.2021.
7. In light of above, all necessary approvals/clearances have been obtained from all competent/ concerned authorities/departments by the PP and having followed all statutory provisions since the inception of the process for obtaining mining lease, judgment by the National Green Tribunal in Original Application No. 34/2016 on 04th May, 2016, in which it is stated that at Para 22 (3): *"all the mines owners which of them have not submitted the application as on 31st March 2016 to SEIAA, DEIAA and DEAC, shall be shut down forthwith and will not be permitted to carry on any mining activity in any manner whatsoever"* is misconceived. That this order of the NGT is only applicable to minor minerals which is not the case of the PP as undersigned has mining rights for major minerals. That, the mining office is erred in finding that the judgment by the National Green Tribunal in Original Application No. 34/2016 on 04th May, 2016 is applicable in case of Major Mineral. It is only applicable to the minor mineral which clearly mentioned in the finding of the Judgment, Para 22: *"Therefore, we dispose of this application in relation to **Minor Minerals** with the following directions: - 1..., 2..., 3..., 4...and 5..."*
8. It is further submitted that the subject area was ready for the ripe. But time to time various orders has been passed on basis of Impugned Orders of National Green Tribunal Order dated 13th January 2015 in OA No.123/2014 wherein the order pertains to enforceability of Environmental Clearance to minor mineral as per Deepak Kumar's Case which gets evident from the Para 16 itself –

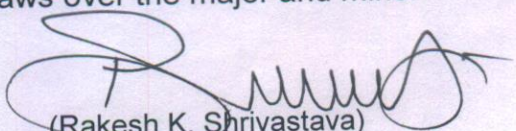
"Discussion on law in force in relation to mining of minor minerals"

16. In order to properly consider various contentions that have been raised in the above Original Applications, Appeal as well as Miscellaneous Applications, it is necessary for us to examine the regime of law, relating to mining of brick earth, ordinary earth and all other minor minerals that has been in force."

9. The Mines and Mineral (Development and Regulation) Act, 1957 and the Mineral Concession Rules, 1960 contain complete code in respect of the grant and renewal of prospecting licences as well as mining leases in lands belonging to Government as well as lands belonging to private persons as observed by the Hon'ble Apex Court in the matter of **Sandur Manganese and Iron Ores Ltd Vs State of Karnataka & Ors. (2010) 13 SCC 1**. It is submitted that the minor minerals are governed under the M.P Minor Mineral Rules, 1996 and the major minerals are governed from the MMDR Act, 1957 and MCR, 1960. But in utter disregard to the applicability of laws over the major and minor


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

minerals, observations cum directions of the National Green Tribunal for a minor mineral has been bluntly applied over the major minerals which is an encroachments over the powers of Central Statute under the garb of Tribunal's Order. It is pertinent to note that the National Green Tribunal has considered the directions of Deepak Kumar's Case while passing the Order dated 13.01.2015 and stated as follows –

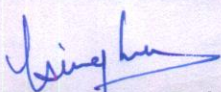
"In paragraph 29 of the same judgment, the Hon'ble Supreme Court, while emphasising upon the need for seeking Environmental Clearances in relation to mining activity, held as under:

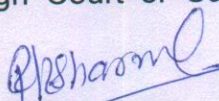
"Leases of minor mineral including their renewal for an area of less than five hectares be granted by the States/Union Territories only after getting environmental clearance from the MoEF".

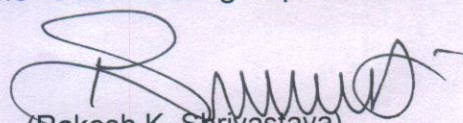
The above quoted paragraph from Deepak Kumar's case shows that it pertains to minor minerals exclusively.

10. The Mineral Conservation and Development Rules, 1988 under Rule 31 to Rule 41 also deals with the protection and development of Environment by the mineral concession holders wherein they have to take precautions and steps for safety of land, water, air and soil from getting polluted. It is pertinent to note that the Authorized Officer under MCDR, 1988 is the any officer of Indian Bureau of Mines appointed by the Controller General who can at any point of time recommend action against the mining lease holders for causing pollution in breach of norms. But in the instant matter no such recommendation has ever been made showing the true bonfide of the lease holders of Major Mineral.
11. It is now well-settled principle of law that a decision is an authority for what it decides and not what can logically be deduced therefrom. It is submitted that the Impugned Order only quotes a paragraph from the Order dated 13.01.2015 passed by the National Green Tribunal without dealing, understanding and interpretation of the Judgment in totality and considering the issue involved therein. It is pertinent to note that the Order dated 13th January 2015 i.e Himmat Singh Shikhawat Case was dealing with applicability of Environmental Clearance over the existing minor mineral leases in light of the Hon'ble Supreme Court directions passed in Deepak Kumar's Case (2012) 4 SCC 629 whereas the mining leases in question affected by the Impugned Order are carrying out mining operations of major minerals due to which the shadow of NGT's order dated 13.01.2015 is completely in applicable and redundant. It is submitted that a line or a word or a paragraph in a judgment cannot be read in isolation decisions without discussing the factual situation fits of the case in the context in which they appear to impute a different meaning to the observations as observed by the Hon'ble Apex Court in the matter of **Prabha Shankar Dubey v. State of M.P., (2004) 2 SCC 56** and **Haryana Financial Corpn. v. Jagdamba Oil Mills, (2002) 3 SCC 496**.

That, no instructions of Ministry of Environment, Forest & Climate Change in respect of applicability of Environmental Clearance over the existing major mineral leases and further the State Government cannot su-motu apply an order of National Green Tribunal wherein no directions were passed qua major mineral mining leases of less than 5 Hectares. It is submitted that the Tribunal which is not equivalent to High Court or Supreme Court having equivalent


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

powers to issue directions for the country without making them a party. It has been held time and again that all tribunals are not courts but all courts are tribunals. It is seen by Gazette Notification dated 07th October 2014, clause-1(a) 5(note): of Ministry of Environment, Forest & Climate Change while passing the Impugned Order which makes it void ab initio (to be treated as invalid from the outset,) being without jurisdiction as observed by the Hon'ble Apex Court in the matter of **Deepak Agro Foods v. State of Rajasthan, (2008) 7 SCC 748**.

Considering the above facts, the case has been discussed in detail and examined from the existing legal provision/OM of MoEF&CC, GoI and direction of Hon'ble NGT and Hon'ble Supreme Court which are as follows:

Ministry of Environment, Forests and Climate Change, New Delhi in its notification dated 07th October 2014 has further mentioned that:-

"Prior Environmental Clearance is required at the stage of renewal of mine lease for which an application shall be made up to two years prior to the date due for renewal."

Hon'ble National Green Tribunal Principal Bench, New Delhi in OA No. 495 of 2015- Jatinder Singh and Jagjit Singh Vs Union of India and others has given following direction in its order dated 19th February 2016

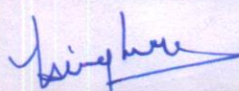
"It shall be mandatory for all the applicants to seek EC for carrying on of mining activity of minor or major minerals, even if the lease area is less than 5 ha. In other words, MoEF, SEIAA and all other authorities would adopt uniform practice for issuance of EC in regard to the mining area of less than 5 ha. notwithstanding the fact that environmental impact of mining minerals is no way less than that of the mining of major minerals. The judgment of the Supreme Court in the Deepak Kumar Vs State of Haryana (2012) 4 SCC 629 is applicable to both minor and major minerals."

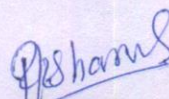
However, Hon'ble Supreme Court of India in WP No. 114 of 2014 Common Cause Vs Union of India and Others and WP No. 194 of 2014- Prafulla Samantra and Anr. Vs Union of India and Others has clarified in the conclusion on the issues of Mining without an EC or FC or both in its direction on 2nd August 2017 to avoid any misunderstanding, confusion or ambiguity, we make the following very clear:-

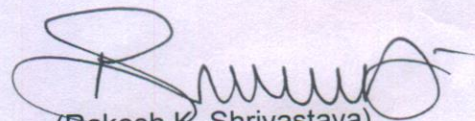
A mining project that has commenced prior to 27th January 1994 and has obtained a No Objection Certificate from the SPCB prior to that date is permitted to continue its mining operations without obtaining an EC from the Impact Assessment Agency. However, this is subject to any expansion (including an increase in the lease area) or modernization activity after 27th January, 1994 which would result in an increase in the pollution load. In that event, a prior EC is required. However, if the pollution load is not expected to increase despite the proposed expansion (including an increase in the lease area) or modernization activity, a certificate to this effect is absolutely necessary from the SPCB, which would be reviewed by the Impact Assessment Agency.

The renewal of a mining lease after 27th January 1994 will require an EC even if there is no expansion or modernization activity or any increase in the pollution load.

After review of above MoEF&CC Notification dated 7.10.14 and direction given by Hon'ble NGT and Hon'ble Supreme Court, it is clear that Prior Environmental Clearance is required at the stage of renewal of mine lease and a mining project that has commenced prior to 27th January 1994 and has obtained a No Objection Certificate from the SPCB prior to that date is permitted to continue its mining operations without obtaining an EC from the Impact Assessment Agency. It is to mention here that Hon'ble NGT has made mandatory for all the applicants to seek EC for carrying on of mining activity of minor or major minerals, even if the lease area


(Jitendra Singh Rajee)
Member Secretary

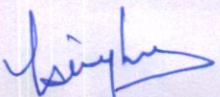

(R.K. Sharma)
Member

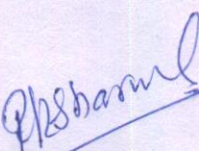

(Rakesh K. Shrivastava)
Chairman

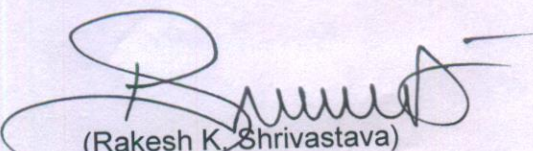
is less than 5 ha for new mining leases but NGT has not given any direction for the mining projects which have commenced prior to 27th January 1994.

Looking to above facts, It is observed that Sarbhnga mine is old mine being operated since Year 1979 by Ram Chandra Bansal and now by Murarilal Bansal. Sarbhnga Ochre, White Clay, Laterite & Bauxite Mine in an area of 5.626 hect.(previously broken area-3.00 hect, mineable area- 2.505 hect. and extraction path area – 0.121 hect.) at Khasra No 47P (Forest Compartment No. 168 of Majhgawan of Satna Forest Division) at village Sarbhnga Tehsil Majghawan, Distt Satna by Ram Chandra Bansal and now Shri Murarilal Bansal is being operated prior to 27th January 1994 considering deemed renewal from year 1989 and with valid consent upto 31.03.2021 from MP Pollution Control Board. However, after detailed discussion, authority has empowered Member Secretary, SEIAA to verify the document/ facts in consultation with Mining Department and can take necessary decision accordingly.

Meeting ended with a vote of thanks to the Chair.


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman