

Minutes of the 499th Meeting of SEIAA dated. 13.08.2018

The 499th meeting of the State Level Environment Impact Assessment Authority was convened on 13.08.2018 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 Jitendra Singh Rajee | Member Secretary |

A. Following mining cases have been considered:-

S.No.	Case No.	Category	No. & date of latest SEAC & SEIAA meeting
1.	153/2008	1(a)	416 th SEIAA meeting dated 16.03.2017
2.	250/2008	1(a)	494 th SEIAA meeting dated 12-07-2018
3.	485/2009	1(a)	492 nd SEIAA meeting dated 07-07-2018
4.	2471/2015	1(a)	491 th SEIAA meeting dated 05-07-2018

1. **Case No. 153/2008** Prior Environmental Clearances for laterite, yellow ochride, manganese, red oxide, red ochride & fire clay mining (Opencast semi mechanised method) in an area of 48.562 ha for production capacity Total (684474 TPA) Laterite 482502 TPA, Yellow Ochre 52668 TPA, Rex Oxide -26681 TPA, red ochride- Manganese 122625 TPA at khasra no. 310, 311, 313, 314/1 & 2, 315, 316, 317, 318, 265, 267, 320 P (Revised Khasra no. 346, 359, 360, 361, 362, 373, 374, 375, 376, 378, 507 (Part) at Village Jhinna Teh- Dhimmerkhera, Distt- Katni M.P. by M/s Shukdeo Prasad Goenka C/o Goenka Bhawan, Station Road, Katni M.P.

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

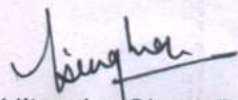
The case was discussed in 64th SEIAA meeting dtd. 04.08.11 and it has been recorded that " As per Forest Deptt. GoMP (letter No. F-5/16/81/10-3 dt 29-08-2008) the mining lease area lying within 250 m from the forest boundary requires NOC from the committee constituted under Principal Secretary, Forest.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

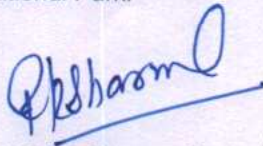
In view of above it is not possible for the Authority to take decision on Prior Environmental Clearance. Accordingly it was decided by the Authority to inform the Project Proponent to get recommendation from the committee constituted under Principal Secretary, Forest for the mining lease area falling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

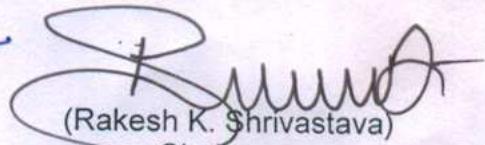
The proponent has submitted notarized copy of sanction lease deed and order of State Government, Deptt. of Forest dtd. 2006 and other orders.

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


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

Minutes of the 499th Meeting of SEIAA dated. 13.08.2018

As per Forest Dept., 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 (वन व्यवस्थापन अधिकारी) / 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 dated 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.

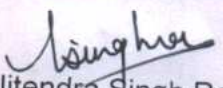
(2) The case was discussed in 98th SEIAA meeting dtd 30.11.11 and it has been recorded that

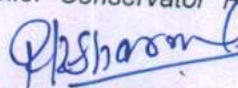
i. With reference to compliance of the above decision letter was sent to PP on 03.01.12 and endorsement to Collector and DFO (T) Katni for providing the information. Another letter was sent to Collector & DFO with endorsement to PP on the same day for providing required information to PP. DO letters 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.

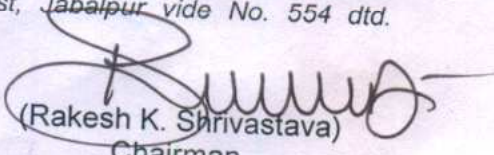
ii. The issue was discussed in depth and it was decided that DO, letters should be sent to Commissioner, Jabalpur Division, Jabalpur and also Chief Conservator, Forests, Jabalpur Circle, Jabalpur to direct the concerned Authorities to submit a joint report and map showing revenue land and forest land 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) The case was discussed 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.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

Minutes of the 499th Meeting of SEIAA dated. 13.08.2018

19.07.2012 and 552 dtd. 19.07.2012 respectively. It was found that the direct reply from the respective officers has not been received in the SEIAA office.

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

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

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

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

(4) The case was discussed 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..."

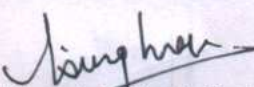
Similarly, the relevant and operative part of the order of the Hon'ble High Court in another Appeal No. 1406/2012 is mentioned below:

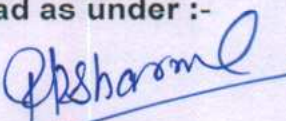
"3--- Similar questions have been considered in the judgment passed today in Second Appeal No. 750/2003 challenging the order dated 03.06.2000 passed by the Collector, Katni and it has been held that the suit land for which the mining lease has been granted to the respondent/plaintiff is not a part of 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."

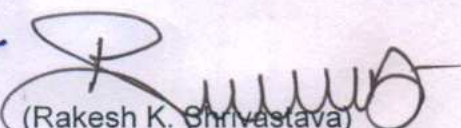
2. On the basis of above facts the authority decided to write a letter to the Collector, Katni asking him to provide the information whether any SLP has been filed in the Hon'ble Supreme Court or any stay has been obtained against above said order dated 11.10.2013 of Hon'ble High Court. The copy of the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

(5) The matter was further discussed in 179th SEIAA meeting dated 26.08.2014, 336th SEIAA meeting dtd 26.05.2016 and 379th SEIAA meeting dtd 24.10.2016.

(6) Directives of the Hon'ble M.P. High Court dated 15.9.15 on Review Petition-257/2015 which is read as under :-


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

We have considered the aforesaid contention also and we find that based on various documents and evidence that have come on record, findings are recorded to hold that the area in question is not a forest land. Apart from the fact that the documents Annexure D-2 is not applicable in the facts and circumstances of the present case, overwhelming evidence available on record has been considered by the courts below to record a finding that the land is not a forest land, it was never a forest area, had never been transferred to forest department and therefore, the suit is decreed. The evidence that had come on record and the concurrent findings recorded are to the effect that there is no proof about transfer of land to the forest department or there being any material to show the land as forest land. On these considerations, the suit has been decreed, this is a specific finding of fact based on due appreciation of evidence that came on record and there is no error apparent on the face of record warranting reconsideration. The grounds raised in these applications are not such on the basis of which a review is permissible. Accordingly, both the review applications are dismissed.

- (7) **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.

- (8) **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.

- (9) **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 :-**

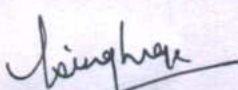
Heard the learned counsel for the petitioners and perused the relevant material. Application for exemption from filling official translation is allowed. Issue notice on the application for condonation of delay, on the special leave petitions and also on the prayer(s) for interim relief.

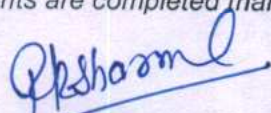
- (10) **The matter was discussed in 416th SEIAA meeting dtd 16.03.2017**

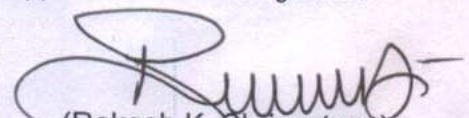
The matter was discussed in 411th SEIAA meeting dtd 25.02.2017 and it was recorded that

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.


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

Minutes of the 499th Meeting of SEIAA dated. 13.08.2018

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 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

(11) The matter was further discussed in 455th SEIAA meeting dtd 08.11.2017

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

(12) Again the case was discussed in 487th SEIAA meeting dtd. 29.05.2018 and it has been recorded that

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.

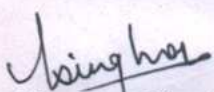
PP has made representation in SEIAA vide letter No. 79/पर्यावरण/2018 dated 28.05.18 requesting to consider the case for granting environmental clearance in compliance of the direction of Hon'ble High Court.

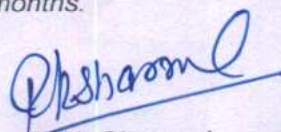
(13) PP has submitted an order of the Hon'ble M.P. High Court, Jabalpur dated 11.06.18 of WP-12706/2018 in which directives were issued to SEIAA and read as under

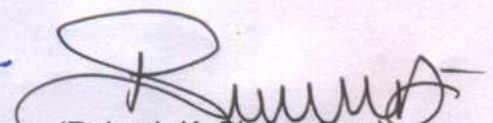
In this view of the matter, this petition is disposed of with a direction that the respondent No.6 i.e. State Environment Impact Assessment Authority, shall pass appropriate order in regard to grant of environmental clearance and NOC to the petitioner in accordance with law within a period of two months from the date of receipt of the copy of the order. Subject to verification of fact that whether there is any stay granted by the Hon'ble Supreme Court in pending SLP or not. If environment clearance and NOC will be granted in favour of the petitioner by the respondent no.5, it may proceed further for mining operations in accordance with law.

(14) The State Govt. has filed SLP No. 5351-5352/2017 in Hon'ble Supreme Court of India for which the hearing was conducted on 03.08.18 and recorded as under :-

Heard a learned counsel for the petitioners and perused the relevant material. Application for permission to file additional documents and for exemption from filing OT are allowed. List the matters for hearing after two months.

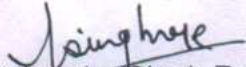

(Jitendra Singh Rajee)
Member Secretary

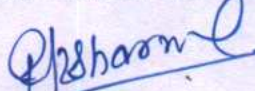

(R.K. Sharma)
Member

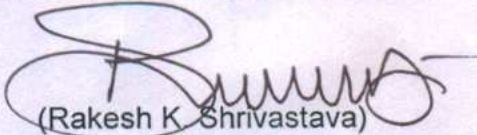

(Rakesh K. Shrivastava)
Chairman

As per direction of Hon'ble High Court, Jabalpur dated 11.6.18 in WP-12706/2018, the SEIAA Case No. 153/2008 of Mr. Sukhdeo Prasad Goenka for prior EC of laterite, yellow ochride, manganese, red oxide, red ochride & fire clay mining project in an area of 48.562 ha at Village Jhinna Teh- Dhimmerkhera, Distt- Katni M.P. has been considered and observed that hon'ble Supreme Court has not yet granted any stay in this matter as per hearing dated 3.8.18. This case has been examined from environmental angle considering revenue land as per decision of Hon'ble High Court, Jabalpur dated 15.09.2015 and Collector letter dated 21.03.2016. However, letters dated 23.6.18 and 3.8.18 were written to Forest Department, Govt. of M.P. to seek departmental opinion about aforesaid land and know the current status of SLP filed in Hon'ble Supreme Court but no response has been received till date. Hence, PP called today for presenting the case with all relevant documents and PP made a technical presentation in the meeting which is recorded as under:

- (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 20.02.2044) with production Capacity of Laterite – 482502 TPA, Red Oxide – 26681 TPA, Yellow Ocher – 52668 TPA and Red Ocher – Manganese – 122625TPA.
- (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 Minerals Resources Department Govt. of M.P.vide Order 3-53/98/12/2 dtd. 13.01.1999. Now lease was extended to 50 year from 21.02.1994 to 20.02.2044 (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) Above said land is not a forest land as per decision of Hon'ble High Court, Jabalpur in its order dated 15.9.15 in RP-257/2015 and Collector, Katni vide letter No. 1255/खनिज/2016 dated 21.3.16 has mentioned that the said land of sanctioned mining lease is of revenue Department, Govt. of M.P based on the report of Tehsildar, Deemarkhera dated 23.2.16. However, the matter is sub judice in Supreme Court.
- (5) There are few types of different species of tress found in the mining area which can be categorized into Mango, Neem, Mahua, and Char etc which are sparsely present in the lease area. Mahua tress can be counted to number 83

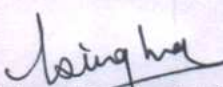

(Jitendra Singh Raje)
Member Secretary

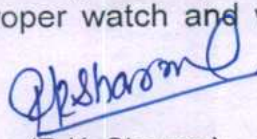

(R.K. Sharma)
Member

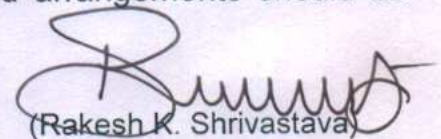

(Rakesh K. Shrivastava)
Chairman

in khasra no 507 being of 75.57 hectare out of which only 32.382 hectare includes as a part in mining lease area along with 1896 plants of shrub nature present in the lease area, rest khasra number which fall within the mining lease area includes approx. 50 tress of different species as found and formulated by the concerned authority. Reclamation for which the Lessee has proposed compensatory plantation of 10000 trees during 1st five years.

- (6) The proposed plantation program was examined and it was found that an area of 28.5104 ha area shall be covered under plantation at the end of conceptual 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-Dhimmerkhera, 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. These issues have been addressed by during public hearing.
- (9) PP has submitted an affidavit ensuring that they will not cut any existing tree in the mining lease area. If it is necessary, prior permission of the competent authority will be obtained and they have not done any mining activities from the date of submission of application for prior environmental clearance in July 2008.
- (10) After detailed discussions and perusal of recommendations of 47th SEAC meeting dtd. 29.01.2010, it is **decided to accept the recommendation of SEAC and grant prior EC to the project subject to the following specific conditions:**
 1. Since the matter regarding land of lease area is under sub-judice as SLP filed by Forest Department hence final decision of Hon'ble Supreme Court will be obligatory to PP.
 2. PP shall commence mining activities only after execution of lease agreement.
 3. The EC granted for a project on the basis of aforesaid documents shall become invalid in case the actual land for the project site turns out to be different from the land considered from the time of appraisal of the project and mentioned in the EC as per MoEF&CC, Gol OM dated 07.10.2014.
 4. Grant of Environmental Clearance does not necessarily imply that forestry clearance shall be granted to the project and their proposal for their forestry clearance will be considered by respective authorities on their merits and decision taken. The investment made in the project if any, based on environmental clearance so granted, in anticipation of the clearance from forestry angle shall be entirely at the cost and risk of project proponent and SEIAA shall not be responsible in this regard in any manner as per MOEF&CC, Gol OM dated 02.12.2009.
 5. Before commencing any mining activity fencing shall be carried out all around the lease area. Proper watch and ward arrangements should be

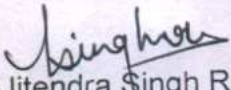

(Jitendra Singh Raje)
Member Secretary

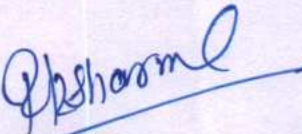

(R.K. Sharma)
Member

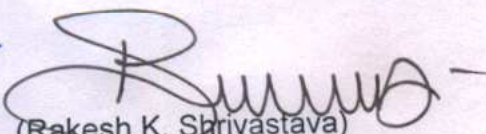

(Rakesh K. Shrivastava)
Chairman

made with installation of signage at 4 corners of lease area to avoid any untoward incident involving public and animals by the PP.

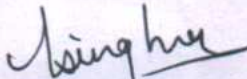
6. PP shall ensure not to cut any existing tree in the mining lease area. If it is necessary, prior permission of the competent authority will be obtained
7. PP shall demarcate a barrier zone of 7.5 m towards the forest boundary as no mining zone and develop a green belt in it. The plantation shall be carried out in the greenbelt area in current year with proper watering arrangement. The Chain-link fencing (7 ft. height) shall be also carried out towards the forest area in consultation with Forest Department. Besides this, proper fencing shall be carried out in the periphery of the ML area.
8. The compensatory afforestation (10000 trees during 1st five years) should clearly be an additional plantation activity and not a diversion of part of the annual plantation programme
9. Plantation programme as mentioned in EIA/EMP and presented during presentation in SEIAA & SEAC shall be followed in content and spirit. PP shall ensure dense plantation towards southern boundary of lease area to protect human habitation.
10. Greenbelt consisting of 3-tier plantation of width not less than 7.5 m shall be developed all along the mine lease area as soon as possible. The green belt comprising a mix of native species (endemic species should be given priority) shall be developed all along the major approach/ transportation roads.
11. The mining operation shall be restricted to above ground water table and in no case it should intersect the ground water table. In case of working below the ground water table approval of the Central Ground Water Board shall be obtained.
12. Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) after due treatment conforming to the specific requirement (standards).
13. Before commencing the mining activity, site demarcation should be done leaving 15 m. from the forest boundary as a "no mining zone" and it will be maintained as buffer zone. The demarcation should be done by the Revenue Officials in the presence of Mining Officer, Katni.
14. The entire excavated area, backfilling, external OB dumping (including top soil) and afforestation plan shall be in conformity with the "during mining"/"post mining" land-use pattern, which is an integral part of the approved Mining Plan and the EIA/EMP submitted to authority. Progressive compliance status vis-a-vis the post mining land use pattern shall be submitted to the MOEFCC/RO. No overburden will be dumped outside the mine lease area. Overburden shall be used for the beneficial uses.
15. PP shall bound to compliance the final closure plan as approved by the DGM/IBM.

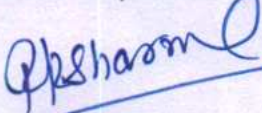

(Jitendra Singh Rajee)
Member Secretary

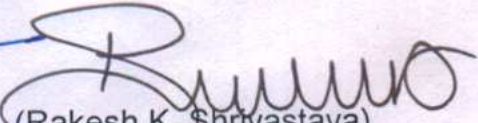

(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

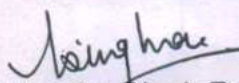
16. PP will obtain other necessary clearances/NOC from respective authorities.
17. Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
18. Mining shall be carried out as per the approved mining plan(including Mine Closure Plan) abiding by mining laws related to mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
19. No Blasting & drilling will be carried out.
20. Zero liquid discharge should be maintained.
21. Retaining wall along with drain shall be provided all around the down side of the hillock.
22. Approach road to the mine site shall be made pucca and be maintained properly by the PP to control fugitive emissions.
23. Peripheral plantation all around the project boundary shall be carried out using tall saplings of minimum 2 meters height of species which are fast growing with thick canopy cover preferably of perennial green nature. As proposed in the landscape plan & EMP a minimum of **2000** No's per annum of trees will be planted along and within the ML. PP will also make necessary arrangements for the causality replacement and maintenance of the plants.
24. Transportation of material shall be done in covered vehicles.
25. Transportation of minerals shall not be carried out through forest area.
26. Catch and or garland drains and siltation ponds in adequate numbers and appropriate size shall be constructed around the mine working & OB dumps to prevent run off of water and flow of sediments directly into the river and water bodies.
27. All garland drains shall be connected to settling tanks through settling pits and settled water shall be used for dust suppression, green belt development and beneficiation plant. Regular de-silting of drains and pits should be carried out.
28. Settling tanks and pits shall be provided for proper settling time. The accumulated silt (containing silica also) shall be used for back filling and till than store in RCC lined tank.
29. PP will take adequate precautions so as not to cause any damage to the flora and fauna during mining operations.
30. The commitments made in the public hearing will be fulfilled by the PP.
31. PPE's such as helmet, ear muffs etc should be provide to the workers during mining operations.
32. The proposed EMP cost is Rs. 25.00 lakhs per year, out of which Rs. 10.00 lakhs per year is proposed for green belt development inclusive of green belt along approach road.
33. The environment policy of the company is framed as per MoEF&CC guidelines and same should be implemented through monitoring cell. In

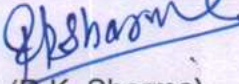

(Jitendra Singh Raje)

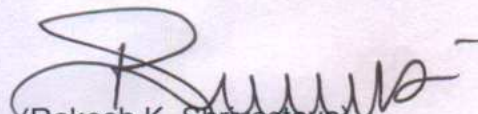

(R.K. Sharma)


(Rakesh K. Shrivastava)

- case the allocated EMP budget for mitigative measures to control the pollution is not utilized fully, the reason of under utilization of budgetary provisions for EMP will be addressed in annual return.
34. A separate account will be maintained for all the expenses made in the EMP activities by PP for financial accountability and these details will be provided in Annual Environmental Statement.
 35. PP will be responsible for discrepancy (if any) in the submissions made by the PP to SEAC & SEIAA.
 36. The validity of the EC shall be as per the provisions of EIA Notification subject to the following : Expansion or modernization in the project, entailing capacity/ built-up area/ project area, addition with change in process and or technology and any change in product - mix in proposed mining unit shall require a fresh Environment Clearance.
 37. Regular air & water quality monitoring shall be carried out by PP before discharging it into the nearby agriculture fields from authorized laboratory in consultation with Regional Officer, MPPCB.
 38. Implementation of the action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the action plan submitted with budgetary provisions during the public hearing.
 39. PP shall ensure generation of employment opportunities to nearby Village on priority bases.
 40. Payments of wages to the workers shall be done in consonance with the provisions in the labour laws.
 41. Proper infrastructure with shelter, drinking water, toilet and first-aid facilities shall be provided for the laborers. A provision should be made to construct a pakka rest shelter along with toilet and drinking water facility.
 42. PP should also carry out regular sprinkling in the mining lease area to arrest dust emission from mining activities affecting the nearby agriculture fields
 43. Mining shall be limited to the area as shown in surface plan and as per the approved mining scheme.
 44. PP shall ensure the proper water supply arrangements for plantation especially in summer season.
 45. Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.
 46. PP shall ensure proper implementation of plantation, dust suppression, approach road construction, maintenance of existing pakka road and construct of garland drain with settling tank especially for prevention of pollution in nearby lake as part of Environmental Management Plan. Additional budget provision shall be made as part of EMP.
 47. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member

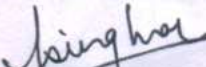

(Rakesh K. Shrivastava)
Chairman

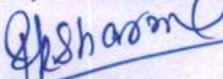
48. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
49. Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining PUC' certificate from the authorized pollution testing centers.
50. The transportation of minerals shall be carried out as per the provisions and route envisaged in the approved Mining Plan or environment monitoring plan. Transportation of the minerals through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed so that the impact of sound, dust and accidents could be appropriately mitigated.
51. PP must ensure implementation of the following activities with separate budget provision of Rs.10.00 lakhs per year should be kept under CSR :
 - a. Donation of 500 no. blankets at Bandhi & Jhinna under Gram Panchayat Supervision.
 - b. Construction of 10 no toilets at village Bandhi & Jhinna.
 - c. Construction of 10 nos. community urinals at village Bandhi & Jhinna under Gram Panchayat Supervision
 - d. Construction of community center at village Bandhi & Jhinna
 - e. Donation of Hand Cart and Dust Bins to Gram Panchayat Bandhi & Jhinna
 - f. Promotion of Hygiene education.
 - g. Medical Health check up camp for nearby villagers
 - h. Hand Pump bore well for clean water facilities in nearby Bandhi & Jhinna villages
 - i. Appropriate and submitted activities will be taken up for social upliftment of the Region. Funds reserved towards the same shall be utilized through Gram Panchayat.

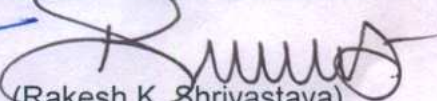
The modification to the above activities can be made with the permission of the district administration and need based activity for the development of nearby villages shall be implemented by PP in consultation with the District Collector and Grampanchayat.

52. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No.22-65/2017-IA.III dated 1stMay 2018, as applicable, regarding Corporate Environment Responsibility
53. PP should ensure to submit half yearly compliance report and CSR activity report with photographs of plantation in MP-SEIAA.

Hence, Prior Environmental Clearance is granted for laterite, yellow ochride, manganese, red oxide, red ochride & fire clay mining (Opencast semi mechanised method) in an area of 48.562 ha for production capacity Total (684474 TPA) Laterite 482502 TPA, Yellow Ochre 52668 TPA, Rex Oxide -


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

26681 TPA, red ochride- Manganese 122625 TPA at khasra no. 310, 311, 313, 314/1 & 2, 315, 316, 317, 318, 265, 267, 320 P P (Revised Khasra no. 346, 359, 360, 361, 362, 373, 374, 375, 376, 378, 507 (Part) at Village Jhinna Teh-Dhimmerkhera, Distt- Katni M.P. for the lease period to M/s Shukdeo Prasad Goenka C/o Goenka Bhawan, Station Road, Katni M.P

2. **Case No. 250/2008** Prior Environmental Clearance for Limestone mine in an area of 9.008 ha. at Khasra No. 1068, 1069, 1070, 1071, 1072, 1074, 1075, 1076, 1080 at village Bhatia, Teh Maihar, Distt Satna M.P. by M/s Ram Lubhaya Sehgal Rewa Road, Maihar Distt Satna M.P.

After detail discussion, it is decided to call PP for clarification regarding transfer of EC with all compliance reports, NOC of the PP and other relevant documents as per EIA Notification 2006.

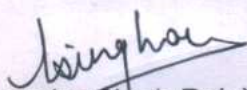
3. **Case No. 485/2009**, Prior Environmental Clearance for Amheta limestone & Dolomite mine (Opencast mechanised method) in an area of 9.86 ha. from existing mineable area of 5.17 ha & for expansion of production capacity from 45,000 TPA to 2,00,000 TPA of at village Amheta Tehsil- Vijayraghgarh, Distt-Katni-M.P.. by M/s S.N. Sunderson & Co. Opposite S-1/56, Sector-1, Dadda Dham, P.O. Distt-Katni-M.P 483501

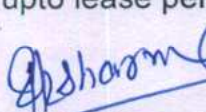
This is a project pertaining to mining of Amheta limestone & Dolomite mine in MLA of 9.86 ha. The activity is mentioned at S.No. 1 (a) of the Schedule of EIA Notification 2006 as amended from time to time. Earlier the case was recommended in 93rd SEAC meeting dated 10.04.2012 and Environmental Clearance is granted by SEIAA in its 98th SEIAA meeting dated 05.07.2012. The EC letter issued vide Letter No. 586 dtd. 24.07.2012 for five years based on anticipated mine life.

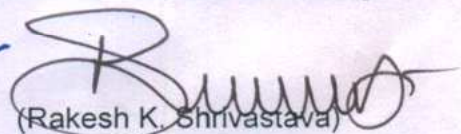
Shri Ajay Pandey (GM - Works) M/s S.N. Sunderson & Co. has submitted a request application vide letter no. SNSK/84 dated 28.05.2018 received in SEIAA office dtd. 29.05.2018 regarding extension of validity of Environmental Clearance upto lease period of 30.08.2028. PP has submitted following supporting documents infavour of extension of validity of Environmental Clearance :

- Collector Office (Mining Division) Letter no. 2411 dated 25.06.2016. - The ML area is deemed to have been extended upto 50 years period from date of 1st grant of ML i.e. upto 30.08.2028 under the provisions of The MM (D & R) Amendment Act 2015.
- Copy of Approved Mining Plan by Gol, MOM, IBM vide letter no. MP/Katni/ Limestone/MPLN/MOD – 09/2016-17 2109 dated 31.08.2016.
- Compliance report dated 1.6.18 submitted by PP to Regional Office, MoEF&CC, Gol, Bhopal on point-wise environmental condions given in prior EC dated 24.7.12.
- Affidavit affirming that there is no change in lease area and no expansion in production capacity from earlier granted environmental clearance.
- Photographs showing plantations in the area and CSR activities carried out by PP.
- PP has ensured to conduct CSR activities with budget of Rs.3.90 lakhs per annum.

Considering above and after detailed discussions regarding extension of validity of Environmental Clearance upto lease period i.e 30.08.2028, the authority


(Jitendra Singh Rajee)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman

decided to extend EC validity upto lease period i.e 30.08.2028 on the same terms & conditions under which the prior environmental clearance was initially granted. Copy to PP and all concerned.

4. **Case No. - 2471/2015** M/s S.N.S. (Minerals) Ltd., Shri Himanshu Kothari, Executive Director & Nominated Owner, N.H-7, Rewa Road, Maihar, distt-Satna (M.P.) -485771 Tilaura Limestone Mine Lease Area - 3.774 ha.Capacity Limestone 25000TPA & Reject Stone 30000 TPA at Khasra Nos. 909, 910, 911, 912, 915, 996, 997, 998, 999, & 1001 at Vill.-Tilaura, Th.-Maihar, Distt-Satna (M.P.).

1. The case for delisting recommended in 314th SEAC meeting dated 10.05.2018 and it was recorded that.....

----- TOR's were issued to the following cases and till date neither the EIA is submitted by PP nor has PP submitted any request for TOR's validity extention and the validity of TOR is expired. Hence committee after deliberations decided that these cases may be sent to SEIAA for delisting.

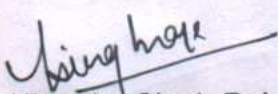
2. On the basis of SEAC recommendation, the case was closed in 483rd SEIAA meeting dated 16.05.2018.
3. PP has submitted an application on 25.05.2018 & 10.08.2018 with revised Form-1 and PFR for reconsideration the case as per OM dated 29.08.2017 issued by MoEF&CC and requested to extend ToR validity for one year from the completion of three years. It is also mention that the public hearing was conducted on 05.02.2018. ToR has been issued by SEAC vide L.No. 448/PS-MS/MPPCB/SEAC/TOR(192)/2015 dated 15.06.2015.
4. After review of the documents submitted by PP for reconsideration of the case and considering OM dated 29.08.2017 issued by MoEF&CC and regarding clarification of the validity of ToR, it is as mention in OM dated 29.08.2017 as below

(iii) *The above validity period can be extended by the concerned regulatory authority for a maximum period of one year without referring the proposal to the EAC/SEAC concerned, provide on application is made by the applicant before expiry of the validity period, together with an updated From-1 and proper justification and there is no change in terms and conditions of the ToRs. After the lapse of validity such extension will need EAC/SEAC consideration.*

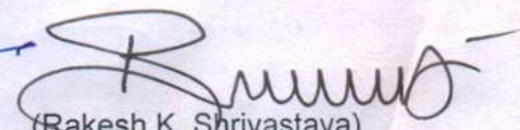
(viii) *Public consultation shall be conducted during the validity of the ToRs. The public consultation conducted after the expiry of ToRs shall not be accepted by the Regulating Authority.*

Since PP has submitted revised Form-1, PFR and Public Hearing as per above OM hence, it is decided to re-open the case and send technical file to SEAC for consideration and appraisal of case. Copy to PP and all concern.

Meeting ended with a vote of thanks to the Chair.


(Jitendra Singh Raje)
Member Secretary


(R.K. Sharma)
Member


(Rakesh K. Shrivastava)
Chairman