

Minutes of 808th SEAC-2 Meeting Dated 09/11/2023

The 808th meeting of SEAC-2 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 09/11/2023. Following members participated in the meeting:

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|----|-----------------------------|-----------------------------|
| 1. | Dr. Harikesh Bahadur Singh, | Chairman, SEAC-2 |
| 2. | Dr. Amrit Lal Haldar, | Member, SEAC-2 |
| 3. | Dr. Dineshwar Prasad Singh, | Member, SEAC-2 (through VC) |
| 4. | Shri Tanzar Ullah Khan, | Member, SEAC-2 |
| 5. | Prof. Jaswant Singh, | Member, SEAC-2 (through VC) |
| 6. | Shri Ashish Tiwari, | Member Secretary, SEAC-2 |

The Chairman welcomed the members to the 808th SEAC-2 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-2 informed the committee that the agenda has been approved by the Member Secretary, SEAC-2/Director, Directorate of Environment.

The Secretariat informed the committee that the matter pending before Hon'ble High Court, Allahabad. Hence, the committee directed to the Nodal Officer, SEAC to send the separate minutes of the project to SEIAA for necessary action.

**1. "Riverbed Ordinary sand mining" along river Ganga at Gata no/Araji no.- 30 at Village-
Purwa, Tehsil- Gyanpur, District- Bhadohi, Shri Girdhari Prasad Pathak, Area- 4.047 ha.,
8402/7893/SIA/UP/MIN/450387/2023**

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and development. During the presentation the project proponent submit the brief chronology of the project proposal:

- The case was considered in SEIAA meeting held on 05.05.2023 in which SEIAA noted that the above project was taken in 719th SEIAA meeting dated 08.04.2023 in which SEIAA gone through the letter of Shri Girdhari Prasad Pathak dated 30.01.2023 regarding the above subject and found that the original EC issued vide letter no. 185/parya/DEAC/DEIAA/2018 dated 02.01.2018 for 121410 cum annual production and period of 5 years was transferred to Shri Girdhari Prasad Pathak vide letter dated 486/parya/SEIAA/Gen/2020 dated 15.10.2020. The above lease was cancelled by DM, Bhadohi vide letter dated 05.05.2022 and the lease holder Shri Girdhari Prasad Pathak was in jail during the period from 20.11.2021 till 10.03.2022 and 15.04.2022 till 01.08.2022 as informed by lease holder . In his letter dated 30.01.2023 Shri Girdhari Prasad Pathak has stated that DM Bhadohi vide letter dated 30.11.2022 has reinstated the lease but the letter has not been enclosed. Shri Girdhari Prasad Pathak has requested to extend the validity of EC for the period 01.05.2022 till 30.11.2022 (period for which lease was cancelled). SEIAA opined that a letter shall be send to DM Bhadohi and DGM for the present legal status of the lease area.*
- DM, Bhadohi vide letter no. 113/khanan lipik/2023 dated 4.5.2023 has informed that:-*

"कृपया उपर्युक्त विषयक पत्र संख्या-99/पर्या/सामान्य/2022 दिनांक 01.05.2023 के संबंध में अवगत कराना है कि जनपद भदोही के साधारण बालू खनन क्षेत्र तहसील ज्ञानपुर के ग्राम-पुरवा गाटा संख्या-30 रकबा 4.047 हे० ई-निविदा सह ई-नीलामी के माध्यम से सर्वोच्च बोली रूपया 68/- प्रति घनमीटर को स्वीकार करते हुए श्री गिरधारी प्रसाद पाठक पुत्र श्री जनार्दन प्रसाद पाठक निवासी ग्राम महेरा तहसील वारा जिला प्रयागराज द्वारा आवश्यक अभिलेख प्रस्तुत करने के उपरान्त पट्टा विलेख का निष्पादन दिनांक 29.12.2020 से 05 वर्ष के लिये करते हुये खनन कार्य प्रारम्भ

किया गया। किन्तु माह नवम्बर, 2021 से माह अप्रैल 2022 तक खनन पट्टे का किश्त व 10 प्रतिशत डी0एम0एफ0 धनराशि तथा समस्त रायल्टी का 02 प्रतिशत टी0सी0एस0 की धनराशि जमा नहीं किया गया।

उपरोक्त के संबंध में समस्त बकाया धनराशि जमा करने के लिये पट्टेधारक को नियमानुसार कार्यालय के पत्र संख्या-74/खनन लिपिक/2022, दिनांक 25.03.2022 द्वारा समस्त बकाया धनराशि पत्र प्राप्ति के तीन दिन के अन्दर जमा करने हेतु निर्देशित किया गया। किन्तु पट्टेधारक द्वारा इस संबंध में न कोई प्रत्युत्तर प्रस्तुत किया गया और न ही नोटिस में अंकित धनराशि को जमा कर उसका ट्रेजरी चालान कार्यालय में प्रस्तुत किया गया।

श्री गिरधारी प्रसाद पाठक पुत्र श्री जनार्दन प्रसाद पाठक निवासी ग्राम महेरा तहसील वारा जिला प्रयागराज के पक्ष में निष्पादित खनन पट्टा के भाग-2 नियम 27(3) के अनुसार बकाया धनराशि रूपया 62,74,470/- डी0एम0एफ0 की धनराशि रूपया 7,98,476.20/- व टी0सी0एस0 की धनराशि रूपया 2,74,095024/- समस्त बकाया धनराशि (कुल रूपया 73,47,041.44/-) जमा न करने के कारण साधारण बालू खनन क्षेत्र ग्राम पुरवा गाटा संख्या-30, रकबा 4.047 हे0 स्थित खनन पट्टा दिनांक 01.05.2022 को तत्कालीन जिलाधिकारी भदोही द्वारा निरस्त करते हुये निरस्तीकरण आदेश दिनांक 05.05.2022 पारित किया गया है।

उक्त आदेश के विरुद्ध मा0 उच्च न्यायालय, इलाहाबाद में योजित रिट याचिका संख्या-23409/2022 गिरधारी प्रसाद पाठक बनाम उ0प्र0 राज्य योजित की गयी, जिसमें पारित आदेश दिनांक 29.08.2022 कार्यकारी अंश निम्नवत् है:-

1. The order dated May 05, 2022 passed by the District Magistrate, Bhadohi by which the lease deed executed in favour of the petitioner for a period of five years from December 29, 2020, has been cancelled.
2. Learned Counsel for the petitioner submitted that before passing the impugned order, no opportunity of hearing was granted to him. It is evident even from the order that three days time was granted to him for deposit of the balance royalty, vide letter dated March 25, 2022. However, Rule 59 (2) of the Uttar Pradesh Minor Minerals (Concession) Rules, 2021, provides for giving time of thirty days for deposit of any balance amount. He further submitted that on account of certain criminal cases registered against the petitioner on false allegations, he remained in custody from November 20, 2021 to March 10, 2022 and thereafter from April 15, 2022 to August 1, 2022, and now is on bail.
3. The impugned order was passed when the petitioner was in custody. The fact that the petitioner remained in custody during the aforesaid period has not been disputed.
4. After hearing learned Counsel for the parties and considering the fact that the petitioner remained in custody for the period from November 20, 2021 to March 10, 2022 and thereafter from April 15, 2022 to August 1, 2022, and the impugned order was passed on the date when he was in custody, hence, there is no question of grant of opportunity of hearing to him.
5. On the sole ground that the impugned order of cancellation of lease deed has been passed without affording effective opportunity of hearing to the petitioner, we deem it appropriate to set aside the same.
6. Ordered accordingly.
7. The matter is remitted back to the District Magistrate, Bhadohi for proceeding afresh in the matter and pass appropriate order after affording opportunity of hearing to the petitioner.
8. Let the petitioner appear before the District Magistrate, Bhadohi on September 12, 2022 at 11:00 am.

मा0 उच्च न्यायालय, इलाहाबाद में योजित रिट याचिका संख्या-23409/2022 गिरधारी प्रसाद पाठक बनाम उ0प्र0 राज्य में पारित आदेश दिनांक 29.08.2022 के अनुपालन में दिनांक 12.09.2022 प्रातः 11:00 बजे याचिकाकर्ता श्री गिरधारी प्रसाद पाठक तत्कालीन जिलाधिकारी के समक्ष उपस्थित हुये एवं उन्होंने विस्तार से अपना पक्ष रखते हुए प्रत्यावेदन दिनांक 12.09.2022 प्रस्तुत किया।

मा0 उच्च न्यायालय, इलाहाबाद द्वारा पारित आदेश दिनांक 29.08.2022 के अनुपालन में याचिकाकर्ता श्री गिरधारी प्रसाद पाठक के प्रत्यावेदन दिनांक 12.09.2022 निस्तारित करते हुये दिनांक 12.09.2022 को तत्कालीन जिलाधिकारी द्वारा आदेश पारित किया गया।

उक्त आदेश दिनांक 12.09.2022 के विरुद्ध मा0 उच्च न्यायालय, इलाहाबाद में योजित सिविल मिस रिट याचिका संख्या-30047/2022 गिरधारी प्रसाद पाठक बनाम उ0प्र0 राज्य योजित की गयी, जिसमें पारित अन्तरिम आदेश दिनांक 20.11.2022 के कार्यकारी अंश निम्नवत् है:-

"It is submitted by the learned counsel for the petitioner that the District Magistrate, Bhadohi by the impugned order dated 12.09.2022 has acted in violation of the order of remand passed by this Court on 29.08.2022 and has mechanically reiterated earlier order

passed by him on 05.05.2022 since quashed vide order dated 29.08.2022 passed by a Division Bench of this Court.

Admit.

Issue notice.

Notice on behalf of all the respondents has been accepted by Mr. Alok Kumar Singh, Standing Counsel. He is granted four weeks' time to file counter affidavit.

List for orders on 30.11.2022 in the additional cause list.

Order on Civil Misc. Stay Application No. 01 of 2022

Issue notice.

Meanwhile, operation of the impugned order dated 12.09.2022 passed by the District Magistrate, Bhadohi shall remain suspended subject to the condition that the petitioner deposits a sum of Rs. 10,00,000/- with the District Magistrate, Bhadohi within two weeks of date and continue to deposit the royalty, whenever it falls due.

Subject to the fulfillment of the above condition, the petitioner shall be permitted to continue mining in terms of the lease."

उक्त आदेश के क्रम में श्री गिरधारी प्रसाद पाठक पुत्र श्री जनार्दन प्रसाद पाठक निवासी ग्राम महेरा तहसील वारा जिला प्रयागराज द्वारा कुल दस लाख रुपये का एच0डी0एफ0एसी0 बैंक शाख जोगिनका, डी0डी0 संख्या-002303, दिनांक 02.11.2022 जिला मजिस्ट्रेट भदोही के पक्ष में दिनांक 30.11.2022 को प्रस्तुत की गयी।

मा0 उच्च न्यायालय, इलाहाबाद में याजित सिविल मिस रिट याचिका संख्या-30047/2022 गिरधारी प्रसाद पाठक बनाम उ0प्र0 राज्य में पारित आदेश दिनांक 20.10.2022 के समादर में श्री गिरधारी प्रसाद पाठक को तहसील ज्ञानपुर स्थित ग्राम पुरवा गाटा संख्या-30 रकबा 4.047 हे0 में 1,21,410 घनमीटर प्रति वर्ष साधारण बालू खनन हेतु अनुमति पत्रांक 398/खनन लिपिक/2022, दिनांक 30.11.2022 नियमानुसार 30.11.2022 को प्रदान की गयी। उक्त अनुमति दिनांक 29.12.2020 को निष्पादित खनन पट्टा विलेख की शर्तों एवं मा0 न्यायालय के आदेशों के अधीन है। उक्त याचिका मा0 न्यायालय में विचाराधीन है।"

SEIAA noted that the above lease was restored by District Magistrate, Bhadohi vide letter no. 398/khanan lipik/ 2022 dated 30.11.2022 and the project proponent also has valid LOI dated 6.7.2020 issued by District Magistrate, Bhadohi and mining plan approval letter no. 2023/4/30/207884 dated 5.5.2023 issued by Director, Directorate of Geology and Mining, Lucknow. Hence SEIAA opined that Shri Girdhari Prasad Pathak shall be allowed to carry out mining operation for further seven months from Environmental angle Only {equivalent to period for which lease was cancelled (later restored by DM vide letter dated 30.11.2022) and mining was not carried out for valid EC issued vide letter no. 185/parya/DEAC/DEIAA/2018 dated 02.01.2018 which was later transferred to Shri Girdhari Prasad Pathak on dated 15.10.2020}.

This permission is subject to the order passed by Hon'ble High Court.

In view of above decision, the SEIAA issued a letter no. 20/Parya/SEIAA/Gen/2020, dated 05/05/2023 to carry out mining operation for further seven months from Environmental angle only {equivalent to period for which lease was cancelled (later restored by DM vide letter dated 30.11.2022)}.

The project proponent submitted online terms of reference application vide proposal no. SIA/UP/MIN/429327/2023 for the remaining mining lease period i.e. 06/07/2025. The Terms of Reference in the matter were issued by SEIAA, U.P vide letter No. 147/Parya/SEIAA/7893/2023 dated 01/07/2023 and public hearing in the matter was organized on 07/10/2023. Final EIA report submitted by the project proponent through online Parivesh Portal vide proposal no. SIA/UP/MIN/450387/2023, dated 27/10/2023.

Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Ordinary Sand Mining” river Ganga at Gata No./Araji No.-30 at Village–Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P. of Shri Girdhari Prasad Pathak, Area- 4.047 ha.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 147/Parya/SEIAA/7893/2023 dated 01/07/2023.
3. The Public Hearing was organized on 07/10/2023. Final EIA report submitted by the project proponent on 27/10/2023.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	New Proposal no. SIA/UP/MIN/450387/2023 Old Proposal no. SIA/UP/MIN/ 429327/2023																	
2.	File No. allotted by SEIAA, UP	8402/7893																	
3.	Name of Proponent	Girdhari Prasad Pathak S/o Janardan Prasad Pathak																	
4.	Full correspondence address of proponent and mobile no.	R/o Village - Mahera, Tehsil - Bara, District - Prayagraj, U. P.																	
		Mobile no. – 6392885772																	
		E mail ID - pathaksand23@gmail.com																	
5.	Name of Project	Environmental clearance for proposed “riverbed Ordinary sand mining” having lease area- 4.047 ha along river Ganga at Gata no/Araji no.-30 at Village–Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P. of Shri Girdhari Prasad Pathak.																	
6.	Project Location (Plot. Khasra/Gata No.)	Gata no/Araji no.-30																	
7.	Name of Village	Purwa																	
8.	Tehsil	Gyanpur																	
9.	District	Bhadohi																	
10.	Name of Minor Mineral	Riverbed Ordinary sand mining																	
11.	Sanctioned Lease Area (in Ha.)	4.047 ha																	
12.	Max. & Min mRL within lease area	Highest mRL is 76.2 mRL Lowest mRL is 70.9 mRL																	
13.	Pillar Coordinates (Verified by DMO)	<table><tr><td>Pillar No</td><td>N</td><td>E</td></tr><tr><td>A</td><td>25° 13' 17.13"N</td><td>82° 20' 43.51"E</td></tr><tr><td>B</td><td>25° 13' 17.40"N</td><td>82° 20' 53.13"E</td></tr><tr><td>C</td><td>25° 13' 11.58"N</td><td>82° 20' 52.81"E</td></tr><tr><td>D</td><td>25° 13' 12.91"N</td><td>82° 20' 44.12"E</td></tr></table>			Pillar No	N	E	A	25° 13' 17.13"N	82° 20' 43.51"E	B	25° 13' 17.40"N	82° 20' 53.13"E	C	25° 13' 11.58"N	82° 20' 52.81"E	D	25° 13' 12.91"N	82° 20' 44.12"E
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		C	25° 13' 11.58"N	82° 20' 52.81"E															
D	25° 13' 12.91"N	82° 20' 44.12"E																	
14.	Total Geological Reserves	2,02,420 m3																	
15.	Total Mineable Reserve	1,21,432 m3																	
16.	Proposed Production /year (as per LoI)	1,21,410 m ³ /annum																	
17.	Sanctioned Period of Mine lease	Plan Period 5 years																	
18.	No. of workers	29																	
19.	Type of Land	Govt./Non Forest Land																	
20.	Ultimate Depth of Mining	30.0 m (5 years)																	
21.	Nearest metalled road from site	0.75 km																	
22.	Water Requirement	PURPOSE																	
		Drinking - 0.29 KLD																	
		Suppression of dust - 9.0 KLD																	
		Plantation - 5.0 KLD																	
		Others (if any) - 0.00 KLD																	
		Total - 14.29 KLD																	
23.	Name of QCI Accredited Consultant with QCI No and period of validity.	Paramarsh Servicing Environment and development NABET/EIA/2124 RA 0224, Valid till –01 May 2024																	
24.	Any litigation pending against the project or land in any court	Name of the court- High court Allahabad Case No.- WRIT - C No. - 5860 of 2023																	
25.	Details of 500 m Cluster	Letter No – 56/Khanij/2020, dated - 06-07-2020																	

	Certificate verified by Mining Officer	
26.	Details of Lease Area in approved DSR	at Serial no. 03, Page no. 11
27.	Proposed EMP cost	EMP cost-19.06 Lacs (Project Cost 95.00 lacs & CER cost- 1.90 Lacs)
28.	Length and breadth of Haul Road	Length – 0.75 km, Breadth – 6.00 m
29.	No. of Trees to be Planted	5000
30.	Monitoring Period	Baseline Monitoring during Pre-Monsoon Season March 2023 to May 2023

5. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
6. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
7. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
8. There is no litigation pending in any court regarding this project.
9. The project proposal falls under category–1(a) of EIA Notification, 2006 (as amended).

The consultant (EIA Coordinator) also submitted an affidavit dated 08/11/2023 mentioning is as follows:

1. I Dr. S V Ghavri S/o Shri Pratap Kumar is EIA Coordinator of Paramarsh servicing Environment and Development.
2. I have prepared EIA/EMP report for the Environmental clearance for proposed “riverbed Ordinary sand mining” having lease area- 4.047 ha along river Ganga at Gata no/Araji no.-30 at Village–Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P. of Shri Girdhari Prasad Pathak., Proposal number: New Proposal no. SIA/UP/MIN/450387/2023 Old Proposal no. SIA/UP/MIN/429327/2023 with my team.
3. I have personally visited the proposed site along with team and certify that no mining activity has been undertaken on the project site for the present proposal.
4. I am satisfied with that all the necessary data/information required for EIA/EMP preparations are true and correct.
5. I certify that this project has been uploaded for the first time on Parivesh Portal.
6. I certify that there is no mismatch between information/data provided on online application and hard copy/presentation submitted.
7. I state that all the TOR Points have been complied and all the issues raised during Public Hearing have been properly addressed in EIA report.
8. The EIA/EMP report for the Proposal is prepared by my team as per guidelines laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 01

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-1 to these minutes. The committee also stipulated the following additional conditions:

1. The environmental clearance will be co-terminus with the validity of the lease period mentioned in the LoI or co-terminus with the validity of current mine plan whichever is earlier, after this period the EC will become null and void.
2. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon’ble NGT orders. The quantity mentioned in LoI or quantity mentioned in replenishment study, whichever is less, would be maximum quantity which project proponent may extract. It will be ensured by District Administration and Geology and Mining Department.
3. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.

4. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
5. The project proponent shall install solar light in their site office.
6. During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report.
7. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
8. Link Road from the quarry site to the main road shall be constructed as an all-weather road with blacktopping and maintained by the project proponent.
9. Vehicular emissions should be kept under control and regularly monitored. Suitable measures shall be taken for proper maintenance of vehicles used in a quarry operation and transportation.
10. The project proponent should explore the possibilities of rainwater harvesting.
11. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
12. Latest technology (water sprinklers/ tankers) to be adopted for mitigating dust at source points in lease area and haulage road during operational activity/vehicular movement.
13. As per the proposed plan, plantation with area specific plant species, number of plants to be planted and report of green belt development to be submitted to the concerning department
14. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
15. Submit the Hydrological study report of lease area that the quantity given in LoI will be mined without affecting the geo-hydrology of the River.

(Prof. Jaswant Singh)
Member

(Dr. Amrit Lal Haldar)
Member

(Dr. Dineshwar Prasad Singh)
Member

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Member

(Ashish Tiwari)
Member-Secretary

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Chairman

Nodal, SEAC-2

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEAC-2 during the meeting.

Annexure-1

General and Specific Conditions for Sand/Morum Mining Proposals

General Conditions:

1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended).
4. Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.
5. Mining and loading shall be done only within day hours' time.
6. No mining shall be carried out in the safety zone of any bridge and/or embankment.
7. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
8. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.
9. Parking of vehicles should not be made on public places.
10. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
11. No wildlife habitat will be infringed.
12. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.
13. It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.
14. It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.
15. Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.
16. Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.
17. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.
18. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.

23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).

42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, GoI, Lucknow by e-mail.
45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is earlier.
2. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
3. Environment management in according to environmental status and impact of the project.
4. During the school opening and closing time transportation of minerals will be restricted.
5. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
6. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
7. Pakkamotorable haul road to be maintained by the project proponent.
8. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
9. Permission from the competent authority regarding evacuation route should be taken.
10. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
11. Provision for cylinder to workers should be made for cooking.
12. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
13. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
14. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
15. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
16. Provision for two toilets and hand pumps should be made at mining site.
17. Drinking water for workers would be provided by tankers.
18. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
19. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
20. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.

21. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
22. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
23. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
24. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
25. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
26. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
27. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
28. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
29. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.
30. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
31. The mining work will be open-cast and manual/semi mechanized (subject to orders). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
32. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
33. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
34. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
35. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
36. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
37. The critical parameters such as PM10, PM2.5, SO₂ and NO_x in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS))].
38. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
39. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.

40. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
41. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
42. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
43. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
44. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
45. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
46. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P. and UPPCB.
47. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, CPCB, State PCB.
48. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
49. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
50. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
51. Waste water from potable use be collected and reused for sprinkling.
52. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.