

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Vineet Khand-I, Gomti Nagar, Lucknow - 226 010

Phone : 91-522-2300 541, Fax : 91-522-2300 543

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.in

Minutes of the 345th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 06/02/2020

The meeting of 345th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on 06/01/2020 at the Directorate of Environment. The following were present in the meeting:-

1. Prof. Rana Pratap Singh
2. Dr. (Smt.) Madhu Bhardwaj
3. Sri Ashish Tiwari

Chairman, SEIAA, U.P.
Member, SEIAA, U.P.
Member Secretary, SEIAA, U.P.

Agenda-A: -Complaints/letters – Nil

Agenda-B:-Replies- Nil

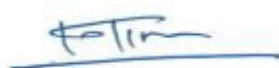
Agenda-C:- Minutes of 442nd SEAC Meeting Dated 06/01/2020

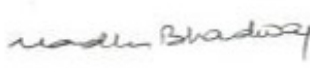
1. Dolo Stone(Gitti, Boulder) Mine at Araj No.-7536Ga Mi, Khand No.- 02, Villlage-Billimarkundi, Tehsil-Robertsganj, Sonbhadra, Area -4.0 ha. File No. 4736/Proposal No. SIA/UP/MIN/34334/2019

SEIAA agreed with the recommendations of the SEAC to close the file as the project proponent did not appear and open only after submission of online request on prescribed online portal.

2. Dolo Stone (Gitti, Boulder) Mine at Araj No.-5593 ka, Khand No.-08, Villlage-Billimarkundi, Tehsil-Robertsganj, District-Sonbhadra, U.P, M/s Amit Enterprises, Leased Area -4.230 ha. File No. 4737/Proposal No. SIA/UP/MIN/34345/2019

SEIAA agreed with the recommendations of the SEAC to close the file as the project proponent did not appear and open only after submission of online request on prescribed online portal.





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3. Sand Mining (Khand No.-Part of 50, 52/1, 53, 54, 55, 56, 57, 58, 59 & 60/1/3 Near Village- Sadimadanpur, Tehsil- Pailani, District-Banda, U.P., M/s Esteem Infrabuild Pvt. Ltd., Area- 28.33 ha). File No. 4578/Proposal No. SIA/UP/MIN/ 29998/2018

SEIAA agreed with the recommendation of SEAC that the matter shall be discussed after submission of online information on prescribed portal.

4. Sand Mining from Ganga River Bed at khasra no. 5, Near Village- Manikapur Kham, Tehsil- Sahawar, District- Kasganj, U.P., (Leased Area- 23.225 ha.). File No. 4664/Proposal No. SIA/UP/MIN/31235/2019

SEIAA noted that SEAC has recommended to issue Environmental Clearance along with the conditions. SEIAA gone through the file and documents and a letter of DM office letter no. 551/Khanij/2018 dated 13/01/2020 regarding correction in lease area. SEIAA found that there is difference in latitude and longitude in mining plan, ToR issued and application for EC. Hence SEIAA opined that the project shall be referred back to SEAC to review the case.

5. Sand from Ganga River Bed at Khasra No.- 46/9, Near Village-Allipur Barwara Kham, Tehsil-Kasganj, District- Kasganj, U.P., (Leased Area- 8.384 ha.). File No. 4669/Proposal No. SIA/UP/MIN/31276/2019



SEIAA noted that SEAC has recommended to issue Environmental Clearance along with the conditions. SEIAA gone through the file and documents and found that there is difference in latitude and longitude in mining plan, ToR issued and application for EC. Hence SEIAA opined that the project shall be referred back to SEAC to review the case.

6. Sand/Morrum Mining at Khand No.-11/37 to 11/39, Village-Engna, Tehsil- Manjhanpur, District-Kaushambi, U.P., M/s Prime Vision Industries Pvt. Ltd. Leased Area -16.0 ha. File No. 5251/4822/Proposal No. SIA/UP/MIN/47263/2019

SEIAA noted that SEAC has recommended to grant of environmental clearance for the project proposal along with general and specific conditions. SEIAA also gone through file/documents and letter of DM Kaushambi Office letter no. 507/Khanan Sahayak/Ko. dated 11/06/2019.

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC adding two specific condition as follows:-

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.

 Anil Bhardwaj  RPS.

7. Sand/Morrum Mining (Gata No.-Part of 333/7, Khand No.-02) Near Village- Marauli Khandar, Tehsil & District-Banda, U.P., M/s Sahu Electrical Store (Leased Area-22.00 Ha). File No. 4906/Proposal No. SIA/UP/MIN/37803/2019

SEIAA agreed with the recommendation of SEAC that the matter shall be discussed after submission of online information on prescribed portal.

8. Sand Stone (Gitti- Pathhar, Khandas & Boulder) Mine at Khasra No./Plot No.-107, Khand No.-8 & 9, Village- Surwadlapur, Tehsil-Meja, District-Prayagraj., Shri Vidhya Bhushan Singh, (Area-1.01 ha). File No. 4723/Proposal No.SIA/UP/MIN/ 33757/2019

SEIAA gone through the recommendation of SEAC and agreed with the recommendation to amend the environmental clearance letter no. 209/parya/SEAC/4723/2019 dated 05/08/2019 as per above project details. All the contents mentioned in Environmental Clearance letter no. 209/parya/SEAC/4723/2019 dated 05/08/2019 shall remain unchanged.

9. Ordinary Earth Mining at Gata No.-1180, Villge-Fattepur, Tehsil- Bhognipur, District-Kanpur Dehat., Shri Prashant Soni., (Leased Area -1.024 ha.). File No. 4883/Proposal No. SIA/UP/MIN/33871/2019

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC adding two specific condition as follows:-

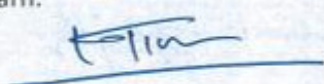
1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.

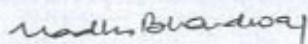
10. Brick Earth Mining at Gata No.-1298,2591,2572,2594,1221,1091, 2925,2902,2571, 1262,153,154,155,156,Village-Naugai,Khubariyanpur&Depakpur, Mohammadabad, Tehsil-Bhaogaon, Kannauj, U.P., M/s B R Brick Field (Leased Area: 4.812 Ha). File No. 4884/Proposal No. SIA/UP/MIN/35349/2019

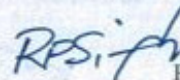
SEIAA agreed with the recommendations of the SEAC to close the file as the project proponent did not appear and open only after submission of online request on prescribed online portal.

11. Brick Earth Mining at Khasra No.-426, Village-Bhadroi, Tehsil-Koil, District- Aligarh., M/s Shanti Ent Udyog,(Leased Area: 3.686 Ha). File No. 4888/Proposal No. SIA/UP/MIN/33924/2019

SEIAA noted that SEAC has recommended to grant of environmental clearance for the project proposal .SEIAA gone through the file and documents and noted that the project lies in district of CPA/SPA but no mention has been made in the minutes of the SEAC. Hence SEIAA also opined to seek report of RO UPPCB Aligarh, whether the following project falls in TTZ area or not and whether the present project is inside or within 05 km of CPA/SPA Aligarh.







12. Extraction of Ordinary Sand from Ganga River bed at Gata No.-72 at Village/Ghat-Katri Manpur, Tehsil-Sadar, District-Farrukhabad, U.P., Shri Suresh Chandra Dani, Leased Area - 10.177 ha. File No. 5003/Proposal No. SIA/UP/MIN/41460/2019

SEIAA noted that SEAC has recommended to issue the terms of reference (TOR) for the preparation of EIA. SEIAA gone through the file and documents and found that in DSR area of lease is mentioned as 10.177 acres while in all the documents submitted by project proponent lease area has been mentioned as 10.177 hac. Hence SEIAA opined that the project proponent should clarify at the time of submission of EIA. The SEIAA agreed with the recommendation of the SEAC to issue the additional ToR;s to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR;-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
- 3- MOU signed between the project proponent and the consultant should be submitted.
- 4- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.
- 5- The lease area, its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.

13. Extraction of Ordinary Sand from Ganga river bed at Gata No.-1/3, Village-Sinauli, Tehsil-Kaimganj, Farrukhabad., Shri Suresh Chandra Dani, (Leased Area-10.117 ha.). File No. 5008/Proposal No. SIA/UP/MIN/41687/2019

SEIAA noted that SEAC has recommended to issue the terms of reference (TOR) for the preparation of EIA. SEIAA gone through the file and documents and found that in DSR area of lease is mentioned as 10.177 acres while in all the documents submitted by project proponent lease area has been mentioned as 10.177 hac. Hence SEIAA opined that the project proponent should clarify at the time of submission of EIA. The SEIAA agreed with the recommendation of the SEAC to issue the additional ToR;s to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR;-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
- 3- MOU signed between the project proponent and the consultant should be submitted.



Madan Bhadwaj



- 4- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.
- 5- The lease area, its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.

14. Sand Mining (Gata No.-392/1) Near Village-Barua Aehatmalisi, Tehsil- Rajapur, Distt-Chitrakoot, M/s Kashi Construction Company., Area-17.71 Ha. File No. 4912/Proposal No. SIA/UP/MIN/37811/2019at

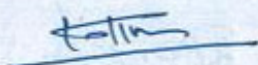
SEIAA noted the comment of SEAC that- "action has already been taken by SEIAA in its meeting dated 20/12/2019."

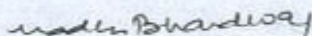
15. Soil Excavation at Gata No.-353, Village-Lala Khera Majra Paharpur, Tehsil-Purwa, District-Unnao, U.P. (Leased Area -0.5566 Ha.). Shri Sanjay Singh Chauhan, File No. 5051/Proposal No. SIA/UP/MIN/42509/2019ok

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC but the SEIAA replaces the specific conditions no-2 of annexure-2 as "If in future during the progressive mining this lease area becomes part of cluster i.e. area equal to or more than 5 ha., limited to B-1 category, then additional conditions based on the EIA conducted by the concerned lease holders shall be imposed and joint EMP shall be implemented. The lease holder shall mandatorily follow all the imposed 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 the law shall be initiated against the authority issuing the cluster certificate". And adding one condition:- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.

16. Sand/Morrum Mining from Ken Riverbed at Khand No.-10/27 to 10/28, Village-Kataaiya, Tehsil-Chail, District-Kaushambi. M/s K.K. Associates., Sanctioned Lease Area-24.28 Ha. File No. 4535/4385/Proposal No. SIA/UP/MIN/ 29538/2018

SEIAA gone through the recommended of SEAC to grant of EC to the project and noted that the various dates mentioned in the minutes are not correct as public hearing is being showed after 9.5 months of the grant of ToR. SEIAA also gone through the file and documents and noted that application for EC and EIA has been submitted before recommendation of ToR and SEAC has not mentioned in the minutes whether all the points of ToR has been addressed in the EIA submitted and whether the project has been appraised in that light. Hence SEIAA opined that the project shall be referred back to SEAC for recommendation including all details.





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17. Sand/Morrum Mining along Yamuna River Bed in Gata No.-20, 57,58, 59,61m, 62,67m, 68,69,70,71,72,73kh,82m,83,84,314m,86,88,306,310, 311, 312m, 313m, 317m,21m,322/39 (Gata No.-85,273,320area0.30ha for haulage road), at Village-Naglarai Atatmal,Thsil-Kairana, Shamli., M/s Devansh Infra. (Area-24.92 Ha). File No. 4662/Proposal No. SIA/UP/MIN/ 30953/2019

SEIAA noted that the above project was taken in its 334th meeting dated 08/01/2020. Hence SEIAA opined that no further action is required.

18. Sand/Morrum Mining at Gata No. part of 1130 (Khand No. 01) Village-Achraud, Tehsil-Banda, Distt:-Banda., M/s Tripathi Contactor, Lease area 28.0 ha. File No. 4704/Proposal No. SIA/UP/MIN/32745/2019

SEIAA noted that the above project was taken in its 343rd meeting dated 01/02/2020. Hence SEIAA opined that no further action is required.

19. Sand/Morrum Mining at Khand No.- 02,Village-Jauharpur, Tehsil & District-Banda., M/s Sheetal Enterprises (Leased Area-15.0Ha). File No. 4659/Proposal No. SIA/UP/MIN/ 31149/2019

SEIAA noted the recommendation of SEAC that- "SEAC has seen the digital map of this lease area prepared by SEIAA Secretariat. The SEAC does not find any shortcoming in grant of EC of this project." Hence SEIAA agreed with the recommendation of 429th SEAC meeting dated 05/11/2019 to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC adding two specific condition as follows:-

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.

20. Sand/Morrum Mining along Ken Riverbed in Gata No.-176mi, 172ga, 182 and 187 at Village-Amlorkhadar, Tehsil-Pailani, District-Banda, U.P., Shri Vipul Tyagi , (Leased Area-25.29 Ha). File No. 4670/Proposal No. SIA/UP/MIN/ 31379/2019

SEIAA noted that the above project was taken in its 338th meeting dated 27/01/2020. Hence SEIAA opined that no further action is required.

21. Sand/Morrum Mining Project at Ken River Bed at Part of Gata no- 1130, khand No.- 02, at Village- Achharaund, Tehsil & District-Banda. M/s Sai Ent Udhyog (Leased Area-28.00 Ha). File No. 4560/Proposal No. SIA/UP/MIN/29780/2018

SEIAA noted that the Environmental Clearance has been already granted by SEIAA, U.P. vide letter no. 446/Parya/SEAC/4560/2018 dated 05/12/2019.

22. Discussion on NGT O.A. NO.474/2019, Surendra Singh V/s MOEFCC & Others

The SEIAA noted the comments of SEAC that action has been already taken by SEIAA in this case. Hence, no further action is required.

23. Discussion on Civil Contempt No. 7129 of 2019 M/s Laxmi Construction Vs. Dr. (Prof) S. N. Singh, Chairman, SEAC/SEIAA, U.P., Vineet Khand-1, Gomti Nagar, Lucknow.

SEIAA gone through the comments of SEAC that:- "In compliance with the Hon'ble High Court order dated: 01.4.2019, served by the applicant vide his letter dated: 14.4.2019, SEAC considered the case in 398th SEAC meeting dated: 30.4.2019.

The committee discussed the letter dated 14/04/2019 submitted by Shri Dinesh Chand Nishand, M/s Laxmi Construction and found that the petitioner has not given all facts, which were necessary to be brought on record for just and appropriate decision of the case, directed the petitioner/project proponent/consultant to present their detailed representation before the SEAC regarding the matter. The minutes of meeting have been put on public domain.

However, the Project Proponent/ Consultant did not appear before the Committee to resolve the matter but outwardly approached the Hon'ble Court with misleading facts.

Again, in compliance with the order of Hon'ble High Court dated 21-11-2019 (received on 17-12-2019) again, the petitioner was required to present his case before SEAC in its 442nd meeting dated 06-01-2020 (Agenda of 442 item no. 23) bringing on record the detailed facts necessary for disposal of the case. The information was also uploaded on public domain www.seiaaup.in and the petitioner was also informed vide registered letter no. 746/parya/SEAC-4010/2018 dated: 30-12-2019 in this regard, but the petitioner or their any representative didn't turn up. He also didn't send any representation or any reason for his absence.

It is pertinent to mention here that since the Hon'ble High Court had not adjudicated the averments made in the petition on merits, it was necessary for the committee to require the petitioner to bring on record the necessary facts, but the petitioner didn't do so; instead the petitioner is pressing the contempt petition on misleading facts. In this situation, the committee is not being able to dispose of the matter in just and fair manner."

SEIAA opined that the facts should be brought in notice of the Hon'ble High Court .

With the permission of the Chairman:-

- 1. Sand Morrum mining at Khand No. K-1 Gata No. 364Mi, 366Mi, 365Mi, 367Mi, 390Mi, Vill:Kharka, Bhognipur, Distt: Kanpur Dehat. Sri Bishan Singh., Area 17.56 ha. File No. 4159/Proposal No. SIA/UP/MIN/22652/2018**

SEIAA noted that the above project was taken in its meeting 339th dated 28/01/2020. SEIAA reviewed the case and agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC replacing two specific condition as follows:-

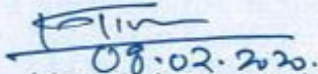
1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.

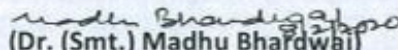


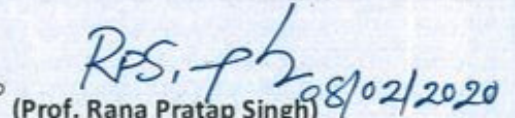
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2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.


08.02.2020
(Shri Ashish Tiwari, IFS)
Member-Secretary
SEIAA


08.02.2020
(Dr. (Smt.) Madhu Bhardwaj)
Member
SEIAA


08/02/2020
(Prof. Rana Pratap Singh)
Chairman
SEIAA