

## **Minutes of the 650<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 19.09.2022**

The meeting of 650<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 19.09.2022 at the Directorate of Environment. The following were present in the meeting:-

1. Dr. Rajiv Kumar Garg
2. Shri Paras Nath
3. Shri Ajay Kumar Sharma

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

### **1. IT/ITES Park at Industrial Plot No. 04, Sector 156, Noida, U.P., M/s Motherson Sumi Infotech & Designs Ltd., Shri Rajesh Srivastava, R/o- plot no. 04, Sector 156, Noida, File No. 6902/Proposal No. SIA/UP/MIN/244915/2021**

This project was taken up in SEIAA meeting no. 585 dated 20.04.2022 where SEIAA noted as follows –

SEIAA noted that SEAC has recommended to grant EC to the above project. SEIAA gone through file and documents and found that in online form serial no. 4 (Production of solid wastes during construction or operation or decommissioning (MT/month)) and serial no. 7 (Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea) incomplete information has not been provided by the PP/consultant. PP/consultant should upload complete information in online form.

The project proponent has submitted complete information in online form. SEIAA opined to accept the recommendation of SEAC-1 636<sup>th</sup> meeting and grant EC to the said project along with all the general and specific conditions as suggested by SEAC-1. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- The project proponent shall submit within the next 3 months the details of solar power plant and solar electrification details within the project.
- 2- The project proponent shall ensure to plant broad leaf trees and their maintenance. The CPCB guidelines in this regard shall be followed.
- 3- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. CER activities must not be less 2% of the project cost. The CER activities should be related to mitigation of Environmental Pollution and awareness for the same.
- 4- The project proponent shall submit within the next 3 months the details of estimated construction waste generated during the construction period and its management plan.



- 5- The project proponent shall submit within the next 3 months the details of segregation plan of MSW.
- 6- The project proponent shall ensure that waste water is properly treated in STP and maximum amount should be reused for gardening flushing system and washing etc. For reuse of water for irrigation sprinkler and drip irrigation system shall be installed and maintained for proper function. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge.
- 7- Under any circumstances untreated sewage shall not be discharged to municipal sewer line.
- 8- The project proponent will ensure that proper dust control arrangements are made during construction and proper display board is installed at the site to inform the public the steps taken to control air pollution as per the Construction and Demolition Waste Management Rules.
- 9- The project proponent shall install micro solar power plants, toilets in nearby villages, public place or school from CER fund of the project for which E.C is granted in addition to and water harvesting pits and carbon sequestration parks / designed ecosystems.
- 10- A certificate from Forest Department shall be obtained that no forest land is involved and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
- 11- In compliance to Hon'ble Supreme Court order dated 13/01/2020 in IA no. 158128/2019 and 158129/2019 in Writ petition no. 13029/1985 (MC Mehta Vs GOI and others) anti-smog guns shall be installed to reduce dust during excavation.
- 12- If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
- 13- Provision for charging of electric vehicles as per the guidelines of GoI / GoUP should be submitted within the next 3 months.
- 14- PP should display EC granted to them on their website. 6-monthly compliance report should be displayed on their website and a copy of the same should be made available to occupants / owners of this building.

#### Agenda –A Review

1. Residential Project “Vinayak Platina” at Arazi No.- 555, 557 & 557/617, 561 Mauza-Sheopurwa, Pargana-Dehat Amanat, Dist.- Varanasi, U.P. M/s Shreenath Ji Dwellings LLP. File No. 7112/Proposal No. SIA/UP/MIS/ 77067/2022

This project which was earlier taken up in SEIAA meeting no. 639<sup>th</sup> dated 11.08.2022 was reviewed by SEIAA and opined to amend the 3<sup>rd</sup> para of MoM as follows:-

SEIAA opined that recommendation made by SEAC-1 and documents submitted by PP / consultant will be examined (at the time of EIA presentation) only after above two conditions imposed by SEIAA are complied with.





**2. Sand Stone Mining at Araj No. 83 क Village-Bhusi Patharaha, Tehsil-Lalganj Mirzapur., Smt. Sushma Mishra., Area – 2.424 Ha. File No. 6855/Proposal No. SIA/UP/MIN/ 70909/2022**

This project which was earlier taken up in SEIAA meeting no. 638<sup>th</sup> dated 10.08.2022 was reviewed by SEIAA and opined to amend the MoM as follows:-

“SEIAA noted that SEAC-1 has recommended to issue to ToR to the above project. SEIAA gone through file and documents and found that at point no. 18 of the table in MoM total mineable reserves has been mentioned as 58,176 m<sup>3</sup> per year which is a wrong statement and needs to be corrected when presenting the EIA-EMP report before SEAC. SEAC-1 needs to read the draft MoM before signing the same.”

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- 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.
- 3- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 4- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
  - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted

- a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.
  - c. Status of submission of six-monthly compliance report to EC granted earlier
  - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 3,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 14- Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then ToR / EC will be cancelled and legal actions will be initiated against them. Further, certificate from concerned RO, UPSPCB that area doesn't attract CPA and a copy of the same should be submitted at the time of evaluation of EIA-EMP report by SEAC.
- 15- In consultation with District Environment Authority or an authority nominated by concerned DM, Project Proponent will prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 15ha. Funds for the same will be kept in a separate bank account and six-monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 16- Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
- 17- Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
- 18- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
- 19- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.





**3. Sand Stone Mine at Arazi No- 428 (Sl. No. 08), Village- Dhuria, Tehsil- Chunar, Mirzapur, Shri Manish Kumar, Area 2.02 ha. File No. 7027/Proposal No. SIA/UP/MIN/ 75031/2022**

This project which was earlier taken up in SEIAA meeting no. 638<sup>th</sup> dated 10.08.2022 was reviewed by SEIAA and opined to amend the MoM as follows:-

"SEIAA noted that SEAC-1 has recommended to issue to ToR to the above project. SEIAA agreed with the recommendation of SEAC-1 to grant ToR. While examining the file and documents and found that at point no. 16 of the table in MoM total mineable reserves has been mentioned as 60,600 Cum/year which is a wrong statement and needs to be corrected when presenting the EIA-EMP report. SEAC-1 needs to read the draft MoM before signing the same."

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- 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.
- 3- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 4- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
  - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted



- a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.
  - c. Status of submission of six-monthly compliance report to EC granted earlier
  - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 3,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 14- Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then ToR / EC will be cancelled and legal actions will be initiated against them. Further, certificate from concerned RO, UPSPCB that area doesn't attract CPA and a copy of the same should be submitted at the time of evaluation of EIA-EMP report by SEAC.
- 15- In consultation with District Environment Authority or an authority nominated by concerned DM, Project Proponent will prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 15ha. Funds for the same will be kept in a separate bank account and six-monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 16- Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
- 17- Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
- 18- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
- 19- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.





**4. Sand Stone Mine at Arazi No 37 (Sl. No. 14), Village- Dakahi, Tehsil- Chunar, Mirzapur, Shri Manish Kumar, Area 2.02 ha. File No. 7028/Proposal No. SIA/UP/MIN/ 75033/2022 Taken**

This project which was earlier taken up in SEIAA meeting no. 638<sup>th</sup> dated 10.08.2022 was reviewed by SEIAA and opined to amend the MoM as follows:-

"SEIAA noted that SEAC-1 has recommended to issue ToR to the above project. SEIAA agreed with the recommendation of SEAC-1 to grant ToR. While examining the file and documents and found that in point no. 16 of table in MoM total mineable reserves in LOI has been mentioned as 60,600 Cum/year production capacity which is wrong statement and needs to be correcte when presenting the EIA-EMP report. SEAC-1 needs to read the draft MoM before signing the same."

SEAC-1 has recommended to grant ToR for a production of 60,600 m3 per annum. This figure is with swell factor of 1.5. **Refer this issue to DGM for their expert evaluation / advice on prevalent practice for taking swelling factor / stack volume factor for stones.** SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- 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.
- 3- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 4- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.



- (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
- a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.
  - c. Status of submission of six-monthly compliance report to EC granted earlier
  - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 3,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 14- Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then ToR / EC will be cancelled and legal actions will be initiated against them. Further, certificate from concerned RO, UPSPCB that area doesn't attract CPA and a copy of the same should be submitted at the time of evaluation of EIA-EMP report by SEAC.
- 15- In consultation with District Environment Authority or an authority nominated by concerned DM, Project Proponent will prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 15ha. Funds for the same will be kept in a separate bank account and six-monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 16- Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
- 17- Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
- 18- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.





- 19- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.

**Agenda -B 679<sup>th</sup> SEAC-1 Meeting Dated 16/08/2022**

1. **MOEFCC letter dated 27-06-2022 regarding Monitoring of project "MIXED land Use Development project "Bliss" at Plot NO. ML-1, Village- Karpoori Puram, P.S.- Govindpuram, District- Ghaziabad, Uttar Pradesh" – Non Compliance regarding**

SEIAA opined that a letter shall be send to DM, Ghaziabad to ensure that no construction work is started until valid EC is obtained and in case construction has been carried out without valid EC then work should be stopped and legal action should be initiated against the PP.

2. **E-mail of Dr. Sharad Gupta, Dated 17-06-2022- regarding cancel/withdraw EC dated 06-05-2022 by SEIAA for proposed 5-Star Resort & Hotel Project "Shree Goverdhan Resort & SPA" at Village – Myapur, Agra, U.P., M/s Shree Goverdhan Awas Pvt. Ltd. File NO.-6680/ Proposal NO. SIA/UP/MIS/238485/2021**

SEIAA observed as follows –

- a) Proposal for seeking EC for the above project was uploaded on the Parivesh portal of MoEFCC, Gol vide proposal no. SIA/UP/MIS/238485/2021 dated 13.11.2021
- b) This project falls in TTZ area
- c) This proposal was deliberated upon by SEAC-1 in their meeting no. 642 dated 06.05.2022, representative of NEERI also joined the meeting through VC. SEAC-1 recommended the project for grant of EC.
- d) SEIAA discussed this project in their meeting no. 592 dated 27.04.2022 and recorded their opinion as follows –  
"SEIAA agreed with the recommendations of the SEAC-1 to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC-1."
- e) EC to this project was accorded vide EC Identification no. EC22B038UP177937 dated 06.05.2022
- f) SEIAA in meeting no. 625 dated 05.07.2022, regarding the above mentioned complaint letter opined as follows –  
"SEIAA gone through the letter of Dr. Sharad Gupta dated 17.06.2022 regarding the above subject. SEIAA opined to refer the letter to SEAC-1 for review/comments."
- g) SEAC-1 has recorded their deliberation as follows –  
"The committee went through the complaint letter dated 17/06/2022 of Dr. Sharad Gupta and opined that this complaint letter should be sent to project proponent/consultant to submit para wise reply, so that the SEIAA/SEAC may take further action accordingly."

SEIAA opined as follows –

- a) The project falls in TTZ area. Till the time the issue is resolved, EC to the said project be kept in abeyance and a letter to this effect be sent to DM, Agra; VC, Agra Development Authority; and MS, SPCB to ensure that no work is carried during the



period EC is kept in abeyance and in case PP commences the work, it should be stopped and legal action should be initiated against the PP.

- b) SEAC-1 to finalize their recommendation and comments within 15 days and send a self-speaking recommendation to SEIAA

MS, SEIAA to send a reply to MoEFCC, GoI, New Delhi in reference to their letter no. Q-17012/7/2022-CPA dated 27.06.2022

**3. Discussion of letter of Mr. D.K. Singh, Dated 09-06-2022:**

**(A) Gitti - Boulder (Dolostone) Mining Project At Araj No. 4478 Chha Village- Billi Markundi, Tehsil- Obra , District- Sonbhadra, Uttar Pradesh, M/s Omax Minerals Pvt Ltd, Area 2.20 Ha., File- NO.-6747/ Proposal NO. SIA/UP/MIN/69992/2021**

**(B) Gitti Boulder (Dolo Stone) Mining at Araj No:-4478 Chha, Village-Billimarkundi, Tehsil – Obra District-Sonbhadra, Shri Rajeev Kumar Sharma, Area 1.80 ha. File-NO.-7062/6749, Proposal NO. SIA/UP/MIN/76421/2021**

**(C) Gitti - Boulder (Dolostone) Mining project At Araj No. 5593 Ka Khand No.-08 Village- Billi Markundi, Tehsil- Obra , District-Sonbhadra, Uttar Pradesh, M/s K.D. Resources Pvt. Ltd, Area:4.230 HaFile-NO.- 6724/Proposal NO. SIA/UP/MIN/69932/2021**

SEIAA took note of comments recorded by SEAC-1.

**4. Residential Project “Vinayak Platina” at Araz No.- 555, 557 & 557/617, 561 Mauza- Sheopurwa, Pargana-Dehat Amanat, Dist.- Varanasi, U.P. M/s Shreenath Ji Dwellings LLP File No. 7112/Proposal No. SIA/UP/MIS/ 77067/2022**

SEIAA took note of comments recorded by SEAC-1.

**5. Letter of Mr. Anil Kumar dated 07-07-2022 regarding false/incorrect information given in EC letter for IT/ITES project Max Digital Infotech Pvt Ltd .at Plot No-2 Sector - 140A, Noida, District- Gautam Buddha Nagar, U.P., M/s Max Digi Infotech Pvt. Ltd. File No. 4467/Proposal No. SIA/UP/NCP/ 28877/2018**

SEIAA took note of comments recorded by SEAC-1.

**6. MoEF&CC letter No. VII/env/SCL-UP/287/35 dated 23-05-2022- regarding group housing project “R.G. Residency” at GH-02, Ssect-120, Noida.**

SEIAA took note of comments recorded by SEAC-1. Nodal Officer, SEAC-1 should make available the letter in issue and related documents to SEAC-1.

**7. Withdrawal of Expansion Manufacturing of Formaldehyd & Resin under synthetic organic chemicals at Plot No.- R-3 & 4, Parsa khera Industrial Area,(UPSIDC), District- Bareilly, U.P.,M/s Manglam Chemicals Pvt. Ltd. File No. 7152/6439/Proposal No. SIA/UP/IND3/ 64509/2021**

Nodal office, SEIAA informed that withdrawl application has been accepted by MS, SEIAA on 08.09.2022.





8. Morrum Mining at Gata No.-385, Khand-Sa, Village-Barhmori, Tehsil- Obra, Sonbhadra, Shri Satyendra Singh Pawar, M/s N.D. Pharma Pvt. Ltd. Area-12.146 ha. File No. 6504/Proposal No. SIA/UP/MIN/66737/2021

SEIAA agreed with the recommendations of SEAC-1 to close/ delist the file as the project proponent did not appear and open only after submission of online request on prescribed online portal. A letter shall be send to DM, Sonbhadra to ensure that no mining activity is started until valid EC is obtained and in case mining has been carried out without valid EC then work should be stopped and legal action should be initiated against the PP.

9. Morrum Mining at Gata No.-824 kha, Khand- 02, Village- Aghori khas, Tehsil Obra, - Sonbhadra, Shri Rasmeet Singh Malhotra, M/s Malhotra Brothers., Area-16.194 ha. File No. 6506/Proposal No. SIA/UP/MIN/66751/2021

SEIAA agreed with the recommendations of SEAC-1 to close/ delist the file as the project proponent did not appear and open only after submission of online request on prescribed online portal. A letter shall be send to DM, Sonbhadra to ensure that no mining activity is started until valid EC is obtained and in case mining has been carried out without valid EC then work should be stopped and legal action should be initiated against the PP.

10. Group Housing Project at Plot No.GH-3B, Sector-12, Greater Noida (West), U.P., Shri Gaurav Bhati, M/s Sublime Realtech Pvt. Ltd. File No. 7184/Proposal No. SIA/UP/MIS/282537/2022

SEIAA opined that PP / consultant to submit approval letter issued by RERA, UP and building plan duly approved by Greater Noida Development Authority. PP / consultant to specify from where they will source the water during the construction phase?

11. Sand Stone Mining at Arazi No.-309 (Sl. No. 11), Village- Baradih, Tehsil- Chunar, Mirzapur, Shri Ram Laxhan Singh. Area: 0.8090 ha. File No. 7185/Proposal No. SIA/UP/MIN/79679/2022

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- 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.
- 3- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 4- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.



- 7- Status of leases granted/to be granted in various mining khandas along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
  - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
  - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.
  - c. Status of submission of six-monthly compliance report to EC granted earlier
  - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 1,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 14- Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then ToR / EC will be cancelled and legal actions will be initiated against them. Further, certificate from concerned RO, UPSPCB that area doesn't attract CPA and a copy of the same should be submitted at the time of evaluation of EIA-EMP report by SEAC.
- 15- In consultation with District Environment Authority or an authority nominated by concerned DM, Project Proponent will prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 5 ha. Funds for the same will be kept in a separate bank account and six-





- monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 16- Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
- 17- Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
- 18- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
- 19- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.

**12. Discussion on Hon'ble NGT, Principal Bench, New Delhi order dated 01/07/2022 in the matter of O.A. No. 319/2022 (I.A. No.152/2022 and 153/2022).**

Honourable NGT Principal Bench, New Delhi order dated 01.07.2022 reads as follows –

- Para-1 The applicant has filed the present application seeking setting aside/quashing of the impugned Environmental Clearance dated 31.03.2018 issued in respect of Sand Ghat/ Mine located at Khand No. 11/15 and 11/16 at Village- Diya Upahar, Tehsil, Manjhanpur, District Kaushambi, Uttar Pradesh for an area admeasuring 24.28 hectares and restraining respondent no. 6 from transferring impugned environmental clearance in favor of respondent no. 7 on the grounds that the impugned environmental clearance is defective/invalid having been granted without EIA/EMP/Public Consultation and contrary to order dated 13.09.2018 passed by this Tribunal in O.A No. 186/2016 titled as Satendra Pandey Vs. MoEF & CC and others.*
- Para-2 ..... Respondent no. 7, accordingly, submitted an application for transfer of the Impugned environmental clearance dated 31.08.2018 which was during pendency of the present application transferred in favour of respondent no. 7 vide transfer order dated 04/22.04.2022.....*
- Para-8 It is undisputed that neither any replenishment study has been undertaken till date nor any EIA and EMP have been submitted nor other requirements, in terms of judgment of the Hon'ble Supreme Court and the guidelines, including public consultation, complied.*
- Para-9 In view of above undisputed facts, we direct SEIAA, UP to revisit the EC and related issues as per law, including the SSMG-2016 and EMGSM-2020, within two months. It will be open to the parties to put forwarded their viewpoint, if any, before SEIAA, UP. Pending such consideration, the interim order will continue.*



SEIAA took up Honourable NGT said order in their meeting no. 628 dated 08.07.2022 and observed as follows –

*The applicant has filed the application for seeking setting aside/quashing of the impugned EC dated 31.03.2018 issued in respect of Sand Ghat / Mine located at Khand No. 11/15 and 11/16 at Village- Diya Upahar, Tehsil, Manjhanpur, District-Kaushambi, Uttar Pradesh for an area admeasuring 24.28 hectares and restraining transferring impugned EC on the grounds that the impugned EC is defective / invalid having been granted without EIA/EMP/Public Consultation and contrary to order dated 13.09.2018 passed by this Tribunal in O.A No. 186/2016 titled as Satendra Pandey Vs. MoEF & CC and others.*

*EC in question was issued vide letter no. 281/parya/SEAC/4045/2018 dated 31.03.2018 (MoEFCC Parivesh id – SIA/UP/MIN/72559/2018) and transferring impugned EC was issued vide letter no. 25/parya/SEAC/4045/2021 dated 22.04.2022.*

SEIAA opined as follows –

- 1) Copy of Honourable NGT order be sent to SEAC-1 with the direction that EC issued to said mining lease be examined and SEAC-1 should submit their self-speaking recommendations to SEIAA, within 1 month, regarding the EC in question.
- 2) Copy of Honourable NGT, Principal Bench, New Delhi above order be also sent to SEAC-2 for bringing the same to the notice of all the members. In future while examining the proposals, directions given by Honourable NGT should be followed by SEAC-1 & SEAC-2.
- 3) Copy of Honourable NGT order be sent to Director, Directorate of Geology and Mining, GoUP, DM, Kaushambi and MS, SPCB for necessary compliance.
- 4) Transfer of EC issued vide letter no. 25/parya/SEAC/4045/2021 dated 22.04.2022 is kept in abeyance till further orders.

SEAC-1 in their meeting no. 679 dated 16.08.2022 has recorded as follows –

*The committee noted that under para-11 of EIA Notification, 2006 mentioned as below: "A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases."*

*Hence, no action is required in transfer of environmental clearance cases at SEAC level.*

SEIAA opined as follows –

1. It is evident from the comments recorded by SEAC-1 that they have neither read Honourable NGT dated 01.07.2022 nor the MoM of SEIAA meeting dated 08.07.2022. Honourable NGT had given a time line of 2 months from for taking a decision. Issue was referred to SEAC-1 through SEIAA meeting dated 08.07.2022. SEAC-1 took up the matter in their meeting dated 16.09.2022 (after a lapse of more than 1 month) and



Minutes of the 650<sup>th</sup> Meeting of the SEIAA, UP held on 19.09.2022

the MoM of their meeting no. 679 which was held on 16.08.2022 was uploaded on 16.09.2022 (Friday) after a lapse of another 1 month. Chairman & MS, SEAC-1 to look into these lapses. MoM of this meeting be sent to SEAC-1 for bringing it to the notice of all the members.

2. As per the directive of Honourable NGT said order para -9 "It will be open to the parties to put forward their viewpoint" but none of the parties have put forward their viewpoint. Thus SEIAA opined that EC transfer order issued vide letter no. 25/parya/SEAC/4045/2021 dated 22.04.2022 is cancelled and EC issued vide letter no. 281/parya/SEAC/4045/2018 dated 31.03.2018 (MoEFCC Parivesh id – SIA/UP/MIN/72559/2018) is terminated. Orders to this effect to be issued.

**Assistant Nodal/Nodal Officer  
SEIAA, UP**

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



**(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA**

**(Paras Nath)  
Member  
SEIAA**

**(Dr. Rajiv Kumar Garg)  
Chairman  
SEIAA**