

Minutes of the 588th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 21.04.2022

The meeting of 588th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 21.04.2022 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

Nodal Officer SEIAA informed that agenda is prepared by Secretariat and approved by MS SEIAA which is hereby put up for the consideration of SEIAA and placed files and documents related to below mentioned projects before SEIAA.

Agenda-A:-Reply-

1. **Sand Mining at Gata No. 387Mi, Village-Bhagwant Nagar, Tehsil- Swar, District-Rampur, U.P., Shri Nusrat Naim Siddiqui, Area-4.005 ha., File No. 6818/Proposal No. SIA/UP/MIN/ 248879/2021**

SEIAA noted that the above project was taken in its 572nd meeting in which SEIAA opined that the project proponent shall submit relevant documents regarding DSR for above area and it is not evident from the MoM of SEAC-1 whether entire ToR has been addressed while preparing EIA/EMP report or not. The project proponent has submitted his reply vide letter dated 13.04.2022 along with letter of DM, Rampur vide letter no. 1061/khanij-2021 dated 01.01.2021 regarding DSR and stating that it is a B2 category project. 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 condition regarding cluster certificate 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 following conditions:-

1. Validity period of this EC is 6 months from the date of issue as the LoI has been issued for a period of 6 months or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
2. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route 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.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. 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.
5. 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 5,000 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 should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
6. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 25 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
7. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
8. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.

Agenda-A:- Minutes of 639th SEAC-1 Meeting Dated 25/03/2022

1. **Proposed of 99 KLPD Grain based Distillery At Arazi No.- 115, 106mi, 135, 104mi, 95mi, 97mi, 103mi, 92,135, Village Kasia, Tehsil –Kasia, District-Kushinagar., M/s. Ramaya Distilleries & Bottlers Pvt. Ltd., File No. 6937/Proposal No. SIA/UP/IND2/72281/2022**

SEIAA opined that PP / consultant should following documents -



- 1- The project proponent should submit complete documents related to land associated with the project.
 - 2- Source for procuring raw material.
 - 3- Location of multi-effect evaporator.
2. Sand/Morrum Mining from Son River bed at Arazi No.-385, (Khand-3f), Village-Barhmori, Tehsil- Obra, District- Sonbhadra., Shri Vijay Son, M/s Master Genie Services Pvt. Ltd. Area: 12.146 Ha., File No. 6938/Proposal No. SIA/UP/MIN/71659/2022

SEIAA opined that PP to give details of court cases pending/decided(in last 5 years) with respect to this area/project either by Hon'ble NGT or Hon'ble High Court/ Hon'ble Supreme Court, current status of these cases, judgments , if any , passed by Hon'ble Courts and status of compliance on these judgment.

3. Proposed Construction of New Multi-Specialty Hospital at Arazi/ Khasara No. 911, 912 & 913, Village- Balkunthpur, District-Kanpur Nagar, M/s Yash Kothari Memorial Hospital (YKMH), File No. 6939/Proposal No. SIA/UP/MIS/72305/2022

SEIAA agreed with the recommendation of the SEAC-1 to issue the additional ToR 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 duly 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- 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 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- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 6- Provision for charging of electric vehicles as per the guidelines of GoI / GoUP should be submitted.
- 7- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.

SEAC-1 in their MoM has recorded that PP / consultant has informed that they have carried out construction work without seeking EC. It's a violation project. SEIAA opined that in light of directions given by MoEF&CC, GoI vide OM F.No. 22-21/2020-IA.III [E 138949] dated 28.01.2022 following decision are taken –

- a) Action to be initiated under section 15 read with section 19 of The Environment (Protection) Act, 1986 against the violator.
- b) Order to effect closure, as directed through said SoP, to be issued to violating project.
- c) A reference be sent to DM, Kanpur Nagar; MS, SPCB; VC, KDA; and Nagar Nigam, Kanpur Nagar that no construction activity should take place without valid EC.

4. Sand/Morrum Mining From Riverbed Ganga at Gata No.: 1, Khand No.:02, Village: Uchagaon Khadar, Tehsil: Dibai, District : Bulandshahr, Shri Satish Kumar, Area: 11.424 Ha., File No. 6944/Proposal No. SIA/UP/MIN/70943/2022

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR 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- 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 SEIAA opined that the project proponent shall submit permission of LGWA or proposal for alternative source of fresh water.
- 5- KML file for the area and mining lease area should be provided.
- 6- 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.
- 7- In case project proponent intends to temporarily store mined out material or any tools, equipment's 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.
- 8- 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.
- 9- 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.
- 10- 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, Gol, 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.
- 11- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 12- Replenishment study, duly approved by the competent authority for approving DSR for the district should be submitted.



- 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 12,000 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- In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 60 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
 - 15- 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.
 - 16- 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.
5. Building Stone (Khanda / Gitti / Boulder / Pahadi Lal Morrum) Mining at Gata No. 1078 (Khand No.- 32), Village- Gonda, Tehsil- Karwi, District- Chitrakoot, Shri Shivmangal Singh., Area- 2.024 Ha., File No. 6945/Proposal No. SIA/UP/MIN/72325/2022

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR 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- 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- 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 15 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.
- 15- 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.
- 16- 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.

- 17- 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.
6. Proposed "Hi-Tech Township" at Village: Kalli Paschim, Maati, Ali Nagar Khurd, Ashraf Nagar & Ahamad Nagar, Raibareli Road, District: Lucknow, M/s Omaxe Garv Buildtech Pvt. Ltd., Cyber Tower, II Floor, TC34/V2, Vibhuti Khand, Gomti Nagar, Lucknow., File No. 6946/Proposal No. SIA/UP/MIS/72333/2022
- SEIAA agreed with the recommendation of the SEAC-1 to issue the additional ToR to the title proposal for conducting EIA studies. The SEIAA also added the following points to ToR-
- 1- All pages of technical documents/EIA/TMP etc. should be signed by the consultant and project proponent both.
 - 2- Copy of all the analysis reports duly 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- 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 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- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
 - 6- Provision for charging of electric vehicles as per the guidelines of GoI / GoUP should be submitted.
 - 7- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
7. Building Stone, Khanda, Ballast (Gitti) (Granite) & Hilly Red Morrum" at Aarji No.-1969, Village Makarbai, Tehsil Sadar & District- Mahoba, Shri Daljeet Singh., Area 0.567 Ha., File No. 6948/Proposal No. SIA/UP/MIN/72411/2022
- SEIAA noted the comments of SEAC-1 that PP has requested to defer the project. SEIAA opined to delist the file and open only after submission of online request on prescribed online portal. A letter shall be send to DM, Hamirpur 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.
8. Riverbed Sand Mining at Gata No.-593, Village Khaira Khas, Tehsil- Belthara Road, District- Ballia, Shri Krishn Nagar Yadav., M/s Shiva Enterprises, Area – 11.9 ha., File No. 6949/Proposal No. SIA/UP/MIN/72407/2022

SEIAA agreed with the recommendations of the 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, Ballia 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. Riverbed Sand Mining at Gata No.-659/11, Village-Leelapur, Tehsil- Sadar, District-Ghazipur, Shri Krishn Nagar Yadav, M/s Shiva Enterprises, Area – 5.115 ha., File No. 6950/Proposal No. SIA/UP/MIN/72405/2022

SEIAA agreed with the recommendations of the 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, Ghazipur 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. Building Stone (Sand stone) Mining at Araji No-37, Village-Dakahi, Tehsil-Chunar, District-Mirzapur., Shri Ramakant Chaubey., Area- 1.818 Ha., File No. 6952/Proposal No. SIA/UP/MIN/72605/2022

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR 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- 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 2,000 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 10 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.

**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
27.04.2022**