

## **Minutes of the 655<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 03.10.2022**

The meeting of 655<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 03.10.2022 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

### **Agenda A Replies**

1. **Establishment of Molasses/Cane Juice/ Grain based Multi-feed distillery having Capacity: 75 KLD ethanol along with 2.50 MW Cogeneration Power Plant and Cane Crushing Unit at Village-Vela, Post-Kodaura, Tehsil- Mahmoodabad, Sitapur, U.P., M/s Neel Shree Sugar Pvt. Ltd., M/s Neel Shree Sugar Pvt. Ltd. File No. 6484/Proposal No. SIA/UP/IND2/66183/2021**

SEIAA noted that the above project was taken in its 646<sup>th</sup> meeting in which SEIAA gone through file and documents and opined that, the project proponent shall submit details of air pollution control system, source of raw material, details of fuel for boiler, details of fly ash handling. The project proponent has submitted his reply vide letter. SEIAA opined to accept the recommendation of SEAC-1 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-1, SEIAA added following additional specific conditions:-

1. The project proponent shall ensure that the distillery shall be on ZLD with incineration of spent wash in slop boiler. As proposed treated waste water should be completely recycled /reused and ZLD should be achieved. Under no circumstances treated waste water and effluent shall not be discharged to any drain/sewer line/ inland surface water/Nala etc.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. Ash generated will be stored in dedicated areas with proper fencing.
4. The project proponent will install 3 CAQMS *in consultation with UPPCB.*

*in consultation with UPPCB.*



**Agenda B- As per direction of Hon'ble Minister DoEF&CC,UP**

1. **Soil Mining Project from Gata No.- 714 Mi, 753 , 741/1, 750 Mi, 714 Mi /11 VillageKhaleelpur Kadeem, Tehsil- Kanth, District- Moradabad, U.P., (Leased Area : 2.8475 Ha). File No. 7216/Proposal No. SIA/UP/MIN/289175/2022**

SEIAA agreed with the recommendations of SEAC-1 to grant prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by SEAC-1 but **EC will be issued after the submission of notarized MoU between project proponent and lease holder**. 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 Lol 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 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 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 15 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.
9. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.

**Agenda -C 684<sup>th</sup> SEAC-1 Meeting Dated 08/09/2022**

1. **Expansion of Group Housing Project "Express One" at Plot No. 14/COM-2, Vasundhara, Ghaziabad, M/s Express Builders & Promoters Pvt. Ltd. File No. 7091/Proposal No. SIA/UP/MIS/273643/2022**

SEIAA took note of comments recorded by SEAC-1. A letter shall be send to DM, Ghaziabad, VC, Ghaziabad Development Authority; UP Housing and Development Board and MS UPPCB to ensure that no expansion activity is started until valid EC is obtained and in case expansion has been carried out without valid EC then work should be stopped and legal action should be initiated against the PP.

2. **Group Housing Project at Khasra No. 303/2M, 303M/3, Village-Pehladgarhi Vais, Tehsil & District-Ghaziabad, U.P., M/s Sarena Private Limited. Shri Lokesh Singh. File No. 7140/Proposal No. SIA/UP/MIS/276849/2022**

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 and grant EC to the said project along with all the general and specific conditions as suggested by SEAC-1. In addition to conditions imposed by SEAC-1, 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.
3. Sand/Morrum Mining having lease area 24.28 ha (60 acre) along river Yamuna in Khand No. 16/18 to 16/19 at Village – Jamunapur, Tehsil- Manjhanpur, District- Kaushambi, U.P., Area 24.28 ha., M/s Agrawal Ventures & Project, File No. 7103/Proposal No. SIA/UP/MIN/77263/2022

SEIAA agreed with the recommendation of 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- SEIAA opined that the project proponent shall submit permission of CGWA 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, 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.
- 11- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 12- PP / consultant in compliance to Hon'ble NGT order dated 06.05.2022 in OA no. 141/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others and with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others, will submit replenishment study, duly approved by DGM, along with EIA-EMP report for seeking EC.
- 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 25,000 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 125 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- 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.
4. Sand/Morrum Mining along River Yamuna in Khand No.- D2, Gata No.- 93 min, Village- Devlan, Tehsil & District- Fatehpur, M/s Santosh Kumar and Sons. Area-18.21 Ha., File No. 5875/Proposal No. SIA/UP/MIN/56937/2019
- SEIAA noted the recommendation of SEAC-1 to grant EC to the above project. SEIAA gone through the file and documents and found that total mineable reserve has been shown as 2,69,125 cum while the production in the mine plan and Lol has been shown as 2,73,150 cum. This leads to unsustainable mining practice Hence SEIAA opined that the project be refer back to SEAC-1.
5. Building Stone (Gitti, Boulder, Khanda) Sand Stone mine at Araj No./Plot No./Gata No.- 1744 Khand No.-59, at Village – Bhatauti, Tehsil- Meja, District- Prayagraj, Shri Rajeshwar Mishra, Prayagraj, M/s Khushi Enterprises. Area 8.097 ha., File No. 6686/Proposal No. SIA/UP/MIN/69239/2021
- In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 and grant EC to the said project along with all the general and specific conditions as suggested by SEAC-1 adding following specific conditions:-
1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years 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. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
  3. 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.
  4. 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.
  5. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.
  6. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
  7. 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.
8. 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 9,000 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.
  9. 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 45 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
  10. 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.
  11. 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.
  12. 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 EC will be cancelled and legal actions will be initiated against them. Further, mining should not commence without obtaining certificate from DM, Mirzapur that area doesn't attract CPA and a copy of the same should be submitted to SEIAA.
  13. 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.
  14. 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.
  15. Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.
  16. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.



**6. Khailar Khanda Boulder/ Gitty- Ballast Mining Project at Gata No.- 669 (Khand No.-21), Village- Khailar, Tehsil- Sadar, District-Jhansi. Shri Jitendra Pratap Singh Yadav, Area- 2.023 Ha., File No. 7209/6442/Proposal No. SIA/UP/MIN/79325/2021**

SEIAA noted the recommendation of SEAC-1 to grant EC to the above project. SEIAA gone through the file and documents and found that SEAC-1 has not mentioned consultant's QCI / NABL validity period in their MoM. MS, SEIAA to issue a letter in this regard to SEAC-1 and SEAC-2 that they should clearly mention consultant's QCI / NABL validity period in their MoM. In future, any MoM without mentioning consultant's QCI / NABL validity period will be referred back to respective SEAC for mentioning the same in their MoM.

Further, SEIAA opined that mine plan approval letter has not been signed by competent authority rather the area meant for signing has been masked. There is a difference in geo-coordinates mentioned in mine plan and certified lease map.

Hence SEIAA opined to refer back the project to SEAC-1.

**7. Chaukari Khanda Boulder/ Gitty- Ballast Mining Project at Gata No.1127, Khand No.- 03, Village-Chaukari, Garautha, Jhansi, Smt. Shruti Dubey, Area- 0.8090 Ha., File No. 7210/6566/Proposal No. SIA/UP/MIN/79213/2021**

SEAC-1 has not mentioned consultant's QCI / NABL validity period in their MoM. MS, SEIAA to issue a letter in this regard to SEAC-1 and SEAC-2 that they should clearly mention consultant's QCI / NABL validity period in their MoM. In future, any MoM without mentioning consultant's QCI / NABL validity period will be referred back to respective SEAC for mentioning the same in their MoM.

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 and grant EC to the said project along with all the general and specific conditions as suggested by SEAC-1 adding following specific conditions:-

1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years 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. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. 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.
4. 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.
5. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.
6. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.





7. 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.
8. 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 should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
9. 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 5 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.
10. 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.
11. 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, Gol, Lucknow.
12. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.

**8. Khailar Khanda- Boulder/ Gitty- Ballast Mining Project at Gata No.-669 (Khand No.07), Village- Khailar, Tehsil- Sadar, District-Jhansi Shri Siddharth Yadav, Area- 2.530 Ha., File No. 7211/6420/Proposal No. SIA/UP/MIN/79173/2021**

SEAC-1 has not mentioned consultant's QCI / NABL validity period in their MoM. MS, SEIAA to issue a letter in this regard to SEAC-1 and SEAC-2 that they should clearly mention consultant's QCI / NABL validity period in their MoM. In future, any MoM without mentioning consultant's QCI / NABL validity period will be referred back to respective SEAC for mentioning the same in their MoM.

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 and grant EC to the said project. along with all the general and specific conditions as suggested by SEAC-1 adding following specific conditions:-

1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years or co-terminus with the validity of current mine





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plan or current lease period whichever is earlier. After this period the EC will become null and void.

2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. 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.
4. 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.
5. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.
6. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
7. 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.
8. 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 should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
9. 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 15 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.
10. 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.
11. 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.
12. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately.

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Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.

**9. UP Defence Industrial Corridor at Village– Sarh, Tehsil: Narwal; District-Kanpur Nagar, Shri Shrish Chandra Verma, R/o- Paryatan Bhawan, 2nd Floor, C-13, Vipin Khand Gomti Nagar, Lucknow, M/s Uttar Pradesh Expressways Industrial Development Authority (UPEIDA).File No. 6573/Proposal No. SIA/UP/NCP /66749/2022**

SEIAA agreed with the recommendation of SEAC-1 to grant environmental clearance to the proposal adding following conditions:

1. UPEIDA 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.
2. Qualified Environmental health and safety experts shall be appointed and the expert will report directly to the head of the organisation.
3. UPEIDA has proposed ZLD for the units to be installed in the defence corridor.
4. Management of hazardous waste will be carried out as per the existing rules / act.
5. Units coming up in this project will take EC for their project as per the existing regulatory framework.

**10. Expansion of Group Housing Project "The Vasundhara Grand" at Plot no. 15/Commercial-02, Vasundhara, District- Ghaziabad, Uttar Pradesh, M/s Nandini Build Home Consortium Pvt. Ltd, File No. 7207/Proposal No. SIA/UP/MIS/781413/2022**

SEIAA observed as follows –

SEAC-1 has made following recommendation for assessing total project cost incurred, beyond the sanctioned EC (if any) and total turnover (if any) during the period of violation up to the date of filing of application along with EIA-EMP report and associated percentage of penalty –

*"The committee was also informed that approximately 100% of construction work has already been completed by the project proponent without obtaining prior environmental clearance and total project cost incurred on the additionally (5293.92 sqm) area constructed i.e. Rs. 9,11,75,000/- (Rupees nine crore eleven lakhs seventy-five thousand only) as per project Cost Certificate issued by Chartered Accountants, Pawan Kumar Dhawan, dated 06/09/2022.*

*"The committee was informed by the Nodal Officer that as per records available with Directorate and written communication by all concerned in the directorate, no complaint has been received in the Directorate of Environment UP till this date of meeting against the said project regarding starting of construction work at site without obtaining prior environmental clearance.*

*In view of the above, the committee recommended to impose a penalty of Rs. 4,55,875/- (Rupees four lakhs fifty five thousands eight hundred seventy five only) (0.5% of total project cost incurred up to 06/09/2022) on project proponent which has to be deposited with UPPCB before filling of EIA Report. In case it comes to notice of SEIAA/ SEAC that any complaint is received from any*

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person/institution/departments/ organization prior to suo-moto declaration of the project proponent then penalty will be increased to 1% as per SoP/OM dated 7th July, 2021.

On examination of file, cost certificate submitted by the PP / consultant is as follows –



696

**Pawan Kumar Dhawan**  
Chartered Accountant

**CA CERTIFICATE**  
**TO WHOMSOEVER IT MAY CONCERN**

We have discussed and asked the management, the estimated cost incurred by "M/s. Nandini Buildhome Consortium Pvt. Ltd." having their registered office at 301, 3RD FLOOR, RG TRADE TOWER NETAJI SUBHASH PLACE, PITAMPURA DELHI New Delhi DL 110034 for their Group Housing Project "The Vasundhara Grand" located at Plot No. 15, Comm. G2, Vasundhara, Ghaziabad on 1.598 acres of land.

| Tower    | Actual Floors proposed                          | Floors / areas Constructed                      | Cost Incurred on the Additional Floors constructed       |
|----------|---|---|--|
| A        | 2B+5+25   | 2B+5+28   | Total additional cost incurred on the said floors (Area) |
| B        | 2B+5+24   | 2B+5+28   | 5293.97 Sq. Mtr. = Rs. 9.11.75,000                       |
| Basement | 2 Basements (Lower basement and upper basement) | 2 Basements (Lower basement and upper basement) |  |

We further clarify:

1. The details of "actual floors proposed" has been received from the project proponent.
2. The details of "additional floors/ areas constructed" has been received from the project proponent.
3. We have issued the estimated cost incurred on the additional areas/ floors constructed as per management letter of M/s. Nandini Buildhome Consortium Pvt. Ltd.

CA Pawan Kumar Dhawan

Membership No. 527824

UDIN: 22527824ASMWQZ4214

*Signature*  
16/09/22

Plot No. 2, Sector-2C, Vasundhara, Ghaziabad-201012 (U.P.)  
Mob. : +91-9999217488, E-Mail : pk.chartered@gmail.com

SEIAA opined as follows –

1. The said cost estimation issued by CA Firm is acceptable neither in financial & administrative / vigilance scrutiny nor in judicial review. Reason being it has neither been issued in light of MoEFCC, GoI OM dated 07.07.2021 nor CA Firm has certified that they are competent to analyse construction / production carried out in violation of EC. For real estate projects UP RERA; Local Development Authority (in

*Signature*



this case GDA) and UP Housing and Development Board are regulatory bodies. A cost estimation for construction carried out beyond EC, issued either by UP RERA or GDA or UP Housing and Development Board or any other competent Government body should be submitted by PP / consultant and this should become the basis for SEAC-1 recommendation.

2. The percentage rate has been halved from 1% to 0.5% on the basis of "information given by the Nodal Officer that as per records available with Directorate and written communication by all concerned in the directorate, no complaint has been received in the Directorate of Environment UP till this date of meeting against the said project regarding starting of construction work at site without obtaining prior environmental clearance." In this regard MoEFCC, Gol OM dated 07.07.2021 clearly states "The percentage rates shall be halved if the PP suo moto reports such violation without such violations coming to the knowledge of the Government either on inquiry or complaint." With regards to real estate, UP RERA, UP Housing and Development Board; District Administration, Local Development Authority, UPPCB, Local Municipal Corporation, etc. can give notices and they are under no compulsion to mark a copy to Directorate of Environment. It needs to be established that the construction / expansion work which was carried out without taking EC never came to the knowledge of any of the regulatory / Government bodies either through enquiry or complaint. The burden of proof should be on PP and once PP submits documents, same should be examined by SEAC-1 for making their recommendations.

In this case it has come to the knowledge of SEIAA that UPPCB has issued a notice to PP on 18.04.2022. MS, SEIAA / MS, UPPCB made a copy of the same available during the meeting which is as follows –



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क्षेत्रीय कार्यालय-उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, गाजियाबाद  
Regional Office, U.P. Pollution Control Board, Ghaziabad

संदर्भ संख्या : 121/ए/04/न/0-74/2022

दिनांक : 19/04/2022

Shri SUDHIR KUMAR RAI

M/s Nandini Build Home Consortium Pvt Ltd (Vasundhara Grand),

Plot No. -15/ Commercial-02, SECTOR-15, Vasundhara,

Ghaziabad

**विषय:-** जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के प्राविधानों के अनुपालन के सम्बन्ध में।

उपरोक्त विषयक इस कार्यालय के पत्रांक 123454/UPPCB/Ghaziabad/UPPCBRO/CTE/GHAZIABAD/2022 Dated : 26/03/2022 का संदर्भ ग्रहण करने का कष्ट करें। आप अवगत हैं कि परियोजना द्वारा अनेकित अनापत्ति प्रमाण पत्र को राज्य बोर्ड द्वारा दिनांक 26.03.2022 को अस्वीकृत किया गया है। जबकि परियोजना द्वारा निर्माण कार्य किया जा रहा है। आप द्वारा राज्य स्तरीय पर्यावरण प्रभाव आकलन प्राधिकरण द्वारा परियोजना को निर्गत पर्यावरणीय स्वीकृति दिनांक 23.03.2017 का अनुपालन नहीं किया जा रहा है। कार्यालय अभिलेखों के अनुसार पर्यावरणीय अधिनियमों, रीप एवं माओ राष्ट्रीय हरित अधिकरण, नित्सी द्वारा जारी आदेशों की अवहेलना के दृष्टिगत परियोजना के विरुद्ध रु० 6,00,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित की गयी है, जो वर्तमान तक आप द्वारा राज्य बोर्ड के खाते में जमा किये जाने का कोई साक्ष्य प्रेषित नहीं किया गया है। ज्ञातव्य है कि राज्य बोर्ड से अनापत्ति प्रमाण पत्र प्राप्त किये बिना परियोजना का निर्माण कार्य किया जाना अवैधानिक है।

उक्त को दृष्टिगत रखते हुये निर्देशित किया जाता है कि परियोजना का निर्माण कार्य तत्काल प्रमाण से बन्द कर अनुपालन आख्या इस कार्यालय को तत्काल प्रेषित करें। अन्यथा की स्थिति में परियोजना के विरुद्ध उपरोक्त अधिनियमों के प्राविधानों के अन्तर्गत कार्यवाही की जायेगी, जिसमें परियोजना के विरुद्ध अनियोजनात्मक एवं पर्यावरणीय क्षतिपूर्ति अधिरोपित किया जाना भी सम्मिलित है, का समस्त उत्तरदायित्व स्वयं परियोजना स्वामी का होगा।

(उत्सव शर्मा)  
क्षेत्रीय अधिकारी

प्रतिलिपि:-

- मुख्य पर्यावरण अधिकारी, वृत्त-1, उ०प्र प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचानार्थ प्रेषित।
- अधिकांशी अनियंता, उ०प्र० आवास विकास परिषद, सेक्टर-16, वसुन्धरा, गाजियाबाद को इस आशय से प्रेषित कि उक्त परियोजना के विरुद्ध नियमानुसार कार्यवाही किये जाने हेतु निर्देशित करने का कष्ट करें।



क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : आई०एन०एस०-2, सेक्टर-16, वसुन्धरा, गाजियाबाद-201012 फोन-0120-4160108

मुख्यालय : TC-12V, विपूति खण्ड, मोनरी नगर, लखनऊ 226010  
Website - www.uppcb.com, e-mail : roghaziabad@uppcb.com

- Penalty @1% to be imposed on PP unless PP submits, to SEAC-1 letter / certificate issued from concerned regulatory / Government bodies viz. UP RERA, UP Housing and Development Board; District Administration, Local Development Authority, PCB, Local Municipal Corporation, etc. that the violation never came to their notice either through enquiry or complaint. SEAC-1 to examine these documents and submit their recommendation to SEIAA.

In this case, penalty @1% (after the amount is finalized) is to be imposed on PP.

- Regarding penalty, SEAC-1 has recorded "In view of the above, the committee recommended to impose a penalty of Rs. 4,55,875/- (Rupees four lakhs fifty five thousands eight hundred seventy five only) (0.5% of total project cost incurred up to 06/09/2022) on project proponent which has to be deposited with UPPCB before filling of EIA Report." SEAC-1 should not direct PP to deposit any amount (s). Once the amount (s) to be deposited is / are finalized, SEIAA will issue necessary orders to PP in this regard.
- A copy of this MoM be sent to SEAC-1 and SEAC-2 with the direction that this should be brought to the notice of all the members of SEAC-1 and SEAC-2 and should be discussed and documented in their next meeting.



Further, SEIAA opined as follows –

- a) PP / consultant to submit compliance report through IRO, MoEFCC, Gol, Lucknow of existing EC, if any, granted to the project
- b) PP / consultant to submit compliance report through UPPCB of existing CtE and CtO.
- c) PP to submit details of expenditure made beyond the sanctioned EC, if any, issued / verified either by UP RERA or UP Housing and Development Board or GDA or any other competent Government body in light of MoEFCC, Gol OM OM dated 07.07.2022. SEAC-1 to examine the document and submit their recommendation to SEIAA.
- d) PP / consultant to submit point-wise compliance, in a tabular form, of MoEFCC, Gol OM no. 22-21/2020-IA.III dated 07.07.2021 (SoP for identification and handling of violation cases under EIA Notification 2006)
- e) A letter shall be send to DM, Ghaziabad; VC, Ghaziabad Development Authority; UP Housing and Development Board; and MS, UPPCB to ensure that no expansion is started until valid EC is obtained and in case expansion has been carried out without valid EC then work should be stopped and legal action should be initiated against the PP.
- f) Without prejudice to any other consequences, action to be initiated u/s 15 read with section-19 of EPA, 1986 against the PP
- g) Project to be closed until EC is granted.
- h) UPPCB neither to renew existing CtE / CtO nor to issue fresh CtE / CtO to the expansion of this project till EC is accorded.
- i) MS, SEIAA to send a copy of this MoM, pertaining to this agenda item, to UP RERA, UP Housing and Development Board; District Administration, Local Development Authority, PCB, and Local Municipal Corporation.

**11. Setting up of Common Bio-Medical Waste Treatment Facility using latest Plasma Pyrolysis technology at Khasra No.- 78,89,90,92 and 93, Village Naipura kalan, Dstrict-Varanasi, Uttar Pradesh by M/s Mahamana Pandit Madan Mohan Malaviya Cancer Centre (a unit of Tata Memorial Centre), File No. 7191/Proposal No. SIA/UP/MIS/80731/2022**

SEIAA agreed with the recommendation of the SEAC-1 to issue additional ToR to the title proposal for conducting EIA studies. SEIAA opined that ToR is granted for treating Bio medical Waste generated from project proponent's own centre and hospital. 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- 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

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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- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 7- PP / consultant should submit, in a tabular form, mechanism adopted by them and status of compliance of provisions of "Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2016" issued by CPCB
- 8- Detailed plan for proper segregation and disposal of biomedical waste in order not to contaminate groundwater sources, which in turn may infect humans and animals alike. Detailed plan to contain biomedical waste in order to keep it away from birds, rodents, and stray animals (as well as humans).
- 9- Detailed plan for ensuring non-release of hazardous gases and compounds, including hydrochloric acid, dioxins and furans, as well as the toxic metals lead, cadmium, and mercury to air / land / ground water.
- 10- A detailed plan for regular annual health check-up of workers and employees should be drawn for identifying and curing lung infections, parasitic infections, skin infections, spread of viral illnesses such as HIV, Hepatitis B and C, bacteremia, cholera and tuberculosis.
- 11- Every 3 year, environmental audit should be carried out through accredited environmental auditors and findings should be reported along with compliance of EC conditions.
- 12- 33% of land area should be brought under tree cover and any standing tree should be transplanted and survival be ensured. A scheme to this effect should be submitted along with EIA-EMP report.
- 13- Solar power shall be used for lighting to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the building or as per the requirement of the local building bye-laws, whichever is higher.

**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