

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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Minutes of the 643rd Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 25.08.2022

The meeting of 643rd State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 25.08.2022 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. **Stone (Sand stone) Mining at Arazi No. - 428 Village- Dhuriya, Tehsil-Chunar, District-Mirzapur., Shri Manish Singh, M/S Baghel Infra Projects Pvt. Ltd., Area- 2.828 Ha. File No. 7092/Proposal No. SIA/UP/MIN/76270/2022(DoR: 03/08/2022)**

SEIAA noted that the above project was taken in its 625th meeting in which SEIAA observed that Point no. 28 of salient features of the project mentions:-

"There are numbers of areas occupied by sensitive man made land uses within 15 km of radius only schools, small hospital and temples are present." Hence SEIAA opined that PP/consultant should clarify their statement and submit a letter from District Administration whether mining can be carried out with the presence of these sensitive man-made structures or not?"

The project proponent has submitted his reply vide letter dated 03.08.2022 stating that it was a typographical error and there are no area occupied by sensitive man made land uses. This project was appraised by SEAC-2 in its 663rd meeting dated 16.06.2022, thus SEIAA opined to refer the reply to SEAC-2 for their deliberation/recommendation.

2. **In continuation of order dated 06-05-2022 In O.A. No. 140/2021 Raj Kumar Vs. State of U.P. and ors. with O.A. No. 141/2021 Ramkumar Karn Vs. State of U.P. and Ors.**

SEIAA gone through the mail of Ms. Priyanka Swami, Advocate NGT regarding the above and noted that the above case has already been taken in SEIAA 605th meeting. Hence SEIAA opined to send the MoM of the above meeting to Priyanka Swami.

3. **Representation seeking to restrain the 2 member committee (Chairman, SEAC-1) & Member (UPSPCB) constituted in the 574th minutes of Meeting dated 16.03.2022 of the SEIAA, UP to take coersive steps against M/s Shanti Enterprises.**

SEIAA gone the mail dated 27-07-2022 of Dhanpal Singh M/s Shanti Enterprises regarding the above subject and in reference to Order dated 11.03.2022 passed by



Hon'ble NGT in appeal no. 23/2021 and Order dated 11.07.2022 passed by Hon'ble Supreme Court in civil appeal no. 4024 of 2022. SEIAA opined to refer the letter to DGM for comments.

4. Sand Mining from private land from Garra River Bed, Village- Daniyapur, Tehsil- Sadar, Dist. Shahjahanpur (U.P) Area- 1.541 Ha. File No. 6741/Proposal No. SIA/UP/MIN/244041/202

SEIAA noted that the above project was taken in its 621st meeting in which SEIAA opined that the project proponent shall submit land ownership documents. In case the owner of the land is other than the PP then MOU/ agreement to this effect should be submitted jointly by the PP and land owner. The project proponent has submitted his reply vide letter dated 08-08-2022. SEIAA reviewed the reply submitted by PP / consultant.

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 but EC will be issued only after submission of notarized copy of MoU between the project proponent and land owner along with all the general and specific conditions as suggested by SEAC-1 but 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. In the absence of replenishment study, 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, initially EC will be operational till 31.12.2022. Permissible quantity and area shall be strictly limited to quantity and area mentioned in Lol or mining plan, whichever is lesser, and maximum mineable depth will be limited to as approved in the mining plan.
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. 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.



6. 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 should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
7. 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 10 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.
8. 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.
9. 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.
5. Sand/morram Mining at Gata No.- 195/1, Village- Bahadurpur Syodha, Tehsil- & District- Banda., Shri Omprakash Bharadwaj Area 14.3850 ha., File No. 6871/Proposal No. SIA/UP/MIN/71095/2022
SEIAA gone through the undated letter of project proponent regarding correction in issued ToR. SEIAA opined that the project proponent must apply online for amendment in ToR.
6. MoEF&CC Letter No. VII/Env/SCL-UP/2284/195 dated 05-08-2022 regarding Group Housing Complex " Panchsheel Primerose" at NH-24 village- Harsao, Ghaziabad M/s Panchsheel Buildtech Pvt. Ltd. File no. 390
SEIAA opined that copy of certified compliance report received from MoEFCC, Gol, Lucknow be sent to PP for submitting compliance report on issues of non-compliance to IRO, MoEFCC, Gol, Lucknow. Further, send copy of certified compliance report received from MoEFCC, Gol, Lucknow to MS, SPCB for taking action on the issues of violation / non-compliance of EC conditions. Also send copy of certified compliance report received from MoEFCC, Gol, Lucknow along with MoM of this meeting to SEAC-1 & SEAC-2 for taking cognizance of this report when the project comes for deliberation.
7. MoEF&CC Letter No. VII/Env/SCL-UP/2338/108 dated 21-07-2022 regarding EC of proposed Amrapali Silicon City at ;lot no. 1 sector-76, Noida, Gauram Budhha Nagar, Uttar Pradesh. File no. -430

SEIAA opined that copy of certified compliance report received from MoEFCC, Gol, Lucknow be sent to PP for submitting compliance report on issues of non-compliance to IRO, MoEFCC, Gol, Lucknow. Further, send copy of certified compliance report received from MoEFCC, Gol, Lucknow to MS, SPCB for taking action on the issues of violation / non-compliance of EC conditions. Also send copy of certified compliance report received from



MoEFCC, Gol, Lucknow along with MoM of this meeting to SEAC-1 & SEAC-2 for taking cognizance of this report when the project comes for deliberation.

8. Common Integrated Hazardous & Electronic waste treatment, storage, and disposal facility at Khata No.- 446, Gata No.- 552 K, 555 K, 594 K, 555, 706 G, 694, 695, 696, Village- Kumbhi, Tehsil- Akbarpur, District- Kanpur Dehat, U.P., M/s Bharat Oil & Waste Management Ltd. File No. 6298 Proposal No. SIA/UP/MIS/ 63227/2021

SEIAA noted that the above project was taken in its 622nd meeting in which conditions related to incinerator and forest has been imposed. SEIAA gone through the letter of the project proponent letter no. BOWML/K/19/21/150 dated 17-08-2022 requesting to remove conditions imposed regarding incinerator and forest. SEIAA gone through file and documents and agreed with the request to delete condition no. 2, 5 and 7.

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