

Minutes of the 609th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 24.05.2022

The meeting of 609th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 24.05.2022 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- Discussion

1. **Expansion in Existing Formaldehyde Manufacturing of (30 TPD to 250 TPD) at Plot No. K-1, Phase 1, UPSIDC, Industrial Area Sandila, Hardoi, U.P., M/s Focus Merchant Ltd., File No. 6923/Proposal No. SIA/UP/IND3/70632/2021**

This project was taken up in SEIAA meeting no. 589 where SEIAA took note of SEAC-2 comments that standard terms of reference for the above project proposal has already been issued through online Parivesh Portal on 11/02/2022. Hence, no action is required in the matter.

This project was applied under the violation category. SEIAA opined that in light of MoEFCC, GoI OM no. 22-21/2020-IA.III dated 07.07.2021 (SoP for identification and handling of violation cases under EIA Notification 2006) following actions need to be taken –

- 1) Without prejudice to any other consequences, action to be initiated u/s 15 read with section-19 of EPA, 1986 against the PP and Project to be closed until EC is granted
- 2) PP / consultant to submit point-wise compliance, in a tabular form, of MoEFCC, GoI OM no. 22-21/2020-IA.III dated 07.07.2021 (SoP for identification and handling of violation cases under EIA Notification 2006)
- 3) PP / consultant to submit compliance report of earlier CtE and CtO through UPSPCB.



Agenda B- Replies/Letters

2. **Sand/Morrum Mining from Son River bed at Arazi No.-385, (Khand-3f), Village- Barhmori, Tehsil- Obra, District- Sonbhadra., Shri Vijay Sen, M/s Master Genie Services Pvt. Ltd. Area: 12.146 Ha., File No. 6938/Proposal No. SIA/UP/MIN/71659/2022**

SEIAA noted that the above project was taken in its 588th meeting in which 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. The project proponent has given details about cases pending in NGT but no details regarding cases in Hon'ble High Court and Hon'ble Supreme Court has been submitted by PP. Hence SEIAA opined that complete information should be submitted by the project proponent.

3. **Complaint letter of Mr. Ashish Kumar Diwedi Dated 04-05-2022 जनपद हमीरपुर उ०प्र० में बालू/मोरंग के जिला प्रशासन एवं पट्टा धारकों के मिलीभगत से गलत एवं अवैध खनन के कारण पर्यावरण एवं प्रकृति संतुलन की क्षति के संबंध में।**

SEIAA gone through the letter of Mr. Ashish Kumar Diwedi Dated 04-05-2022 regarding the above subject. SEIAA opined to refer the complaint to DM, Hamirpur.

4. **Request letter to provide official and approved replenishment study for RBM project located at Gata no. 378/2 & 379/2, village- Sherpur Pelo, Tehsil-Behat, District- Saharanpur Uttar Pradesh. Area-7.00 ha.**

SEIAA gone through the letter of Adesh Pandey dated 11-04-2022 regarding the above subject. SEIAA opined to inform the complainant to contact DM of respective Districts or DGM.

5. **Request letter to provide official and approved replenishment study for Sand morrum mining project of M/s Shakumbari Mines in Yamuna River bed at Gata no. 228, vill- Bidauli, Tehsil- Unn, Shamli area- 20.469 ha.**

SEIAA gone through the letter of Vinod dhawan dated 05-05-2022 regarding the above subject. SEIAA opined to inform the complainant to contact DM of respective Districts or DGM.

6. **Khanda- Boulder/ Gitty-Ballast Mining at Gata No.310, Khand No.-4, Village- Dagariyarund, Tehsil-Sadar, District-Jhansi., Area 2.0 Ha. File No. 6837/6105/ Proposal No. SIA/UP/MIN/69139/2021**

SEIAA noted that the above project was taken in its 569th meeting in which SEIAA noted that as per the MoM, validity period of consultant expired on 03.02.2022 while the project was deliberated upon before SEAC-1 on 08.02.2022. The consultant has submitted his reply vide letter dated 08.04.2022. 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 the 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. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
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 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.
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 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.
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.

7. Devri Sand Mine on Dhasan River located at Gata No 381/10, 332/1, Village - Devri, Tehsil- Garautha, Distt.- JHANSI , U.P., M/s R.S.I. Stone World Pvt. Ltd., (Leased Area- 21.044 Ha) File no- 3999 MoEF&CC Proposal No. SIA/UP/MIN/ 256067/2022

SEIAA noted that the above project was taken in its 569th meeting in which SEIAA observed that except LOI issued at district level, there is no document from the Department of Geology and mining for reducing the quantity. Hence SEIAA opined that the project proponent should submit either the result of replenishment study or a certificate from DGM regarding the reduction of quantity in river bed mining. The project proponent as submitted his reply by letter dated 20-05-2022. SEIAA opined that query by SEIAA has not been answered by PP satisfactorily. Hence, PP/Consultant shall submit document as desired by SEIAA.

8. Stone, khanda, Gitty, boulder Mining. at Gata No.1127, Khand No.-2, Village-Chaukari, Tehsil-Garautha,Jhansi., Shri Sushil Parecha., Area 1.214 Ha. File No. 6836/6110/ Proposal No. SIA/UP/MIN/69165/2021

SEIAA noted that the above project was taken in its 569th meeting in which SEIAA noted that as per the MoM, validity period of consultant expired on 03.02.2022 while the project was deliberated upon before SEAC-1 on 08.02.2022. The consultant has submitted his reply vide letter dated 08-04-2022. 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 the 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. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.



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 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.
 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 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.
 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.
9. Soil Excavation at Gata No. 1139 Mi, Village-Siras Kheda, Tehsil- Moradabad, District- Moradabad, Shri Ayush Bhedda, Area 0.9710 Ha., File No. 6893/Proposal No. SIA/UP/MIN/250913/2022

SEIAA noted that the above project was taken in its 584th meeting in which SEIAA found that the purpose of soil mining has not been mentioned. The project proponent has submitted his reply vide letter dated 07-05-2022. SEIAA agreed with recommendation of 635th SEAC meeting 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 3 months from the date of issue as the Lol has been issued for a period of 3 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 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.
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 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.
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.

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10. Proposed Group Housing at Plot No 3, SP-03, Sector-3, Siddharth Vihar, Ghaziabad, U.P., M/s T and T Infra Developers Pvt. Ltd. File No. 6640/Proposal No. SIA/UP/MIS/232844/ 2021

SEIAA noted that the above project was taken in its 571th meeting in which SEIAA opined that project proponent has not submitted satisfactory reply for documents related to STP water treatment from GDA/tank supplier/land documents. The project proponent has submitted his reply vide letter dated 10-01-2022. After reviewing the reply 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. In addition to the conditions imposed by SEAC the 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. (in NCR)

- 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.

**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