

Minutes of the 613th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 31.05.2022

The meeting of 613th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 31.05.2022 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- Transfer

1. **Transfer of EC for River Sand/Morrum Mining at Khand No./Gata No.-1129, Village-Dikauli, Tehsil- Garautha, District- Jhansi, U.P., (Leased Area-12.140 Ha) File No. 4127/Proposal No. (SIA/UP/ MIN /73466/2018)**

SEIAA gone through the undated letter of Shri Ram Singh regarding the above project. SEIAA noted that this application is for second transfer and there is huge variation in production capacity. The EC was granted for 1,83,000 m3 per annum whereas new LOI is for 18,000 m3 for six months. Hence SEIAA opined to reject the application for transfer and the project proponent may apply for new EC along with duly approved mining plan.

2. **Transfer of EC Proposed River Bed Sand/Morrum Mining from Belwa River for M/s Chaudhary Traders at Khand No.- 23/8 , Village-Bhedi Kharaka, Tehsil- Sarila, District- Hamirpur.,U.P. Sanctioned Lease Area- 24.291 ha, Effective Area- 21.401 haFile No. 4074/Proposal No. (SIA/UP/MIN /72934/2018)**

SEIAA gone through the application dated 15.04.2022 regarding the above subject. SEIAA noted that the application is made for 1,94,304 m3 for six months. SEIAA opined that the project proponent/consultant shall submit replenishment report or a certificate from DGM that the above quantity is available for mining.



3. Transfer of EC for Sand Mine on Betwa River at Gata No. 01, 319, Village - Tharro, Garautha, JHANSI., M/s A.D. Agro Foods Pvt. Lt, (Leased Area-20.234 Ha) File No. 4002/Proposal No. SIA/UP/MIN/269490/2022

SEIAA gone through the letter of M/S Riddhi Siddhi Housing Pvt. Ltd. dated 12.04.2022 regarding the above project. SEIAA noted that there is huge variation in production capacity. The EC was granted for 3,04,000 m3 per annum whereas new LOI is for 30,500 m3 for six months. Hence SEIAA opined to reject the application for transfer and the project proponent may apply for new EC along with duly approved mining plan.

4. Transfer of the EC for the Short Term Lease of Sand/morrum mining project at Bagen River, Gata no. 218/1, 234, village- Mamsi Bujurg, Tehsil- rajapur, District- Chitrakoot. Area- 1.959 ha. File No. 92/Proposal No. SIA/UP/MIN/272075/2022.

SEIAA gone through the letter of project proponent dated 10.05.2022 regarding the above project. SEIAA opined that the project proponent shall submit NOC, in the form of an affidavit, from the transferor.

Agenda B-Replies

1. Granite Gitti, Khanda, Boulders & Pahari Red Morrum Mining at Khasra No./Plot No.- 2131/3, Village- RauliKalyanpur, Tehsil- Karwi, District- Chitrakoot., Shri Arvind Kumar Mishra, Area -2.6313 ha., File No. 5624/Proposal No. SIA/UP/MIN/40307/2019

SEIAA noted that the above project was taken in its 591st meeting in which SEIAA opined that the project proponent shall submit a letter from competent authority or under his approval. The project proponent has submitted his reply vide undated letter. Hence SEIAA 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 condition as follows:-

1. Validity period of this EC is 5 year from the date of issue as the Lol has been issued for a period of 5 year 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.



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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. 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.
13. 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.
14. 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.
15. 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.



2. Building Stone (Khanda, Boulder, Bailast (Gitti) & Pahadi Red Morram) at Gata No. - 841 Mi (Khand No.- 03), Village-Paswara, Tehsil-Mahoba, District-Mahoba, Shri Anil Kumar Singh, M/s APCO Infratech Pvt. Ltd., Area:4.0 File No. 6789/Proposal No. SIA/UP/MIN/70431/2021

SEIAA gone through the letter dated 13.05.2022 of the project proponent requesting to amend the address in the issued LOI. SEIAA gone through the file and documents and agreed with the request to amend the issued ToR as below:-

Corresponding address as mentioned in issued ToR	Corresponding address as per the submitted documents
Shri Rashmeet Singh Malhotra, Village-tomda, Tehsil- Sikheda, Distt.- Narsinghpur, M.P.	Director- Shri Anil Kumar Singh S/O Late Krishan Prasad Singh, Add.- N-9 vibhuti Khand, Gomati Nagar, Lucknow

3. Building Stone (Khanda, Gitty, Boulder) & Red Morrum Mining, Village -Saipur, Tehsil-karwi, Chitrakoot., M/s Rakesh Kumar Mishra Contractor and Supplier Area- 1.2145 hectares. File No. 6739/Proposal No. SIA/UP/MIN/194138/2021

SEIAA noted that the above project was taken in its 601st meeting in which SEIAA opined that the project proponent shall submit the document regarding the inclusion of this area in DSR, either under the signature of competent authority or issued with the approval of competent authority. The project proponent has submitted his reply vide undated letter. 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 5 year from the date of issue as the Lol has been issued for a period of 5 year 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. 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.
5. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.



14. 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.

4. म० राष्ट्रीय हरित प्राधिकरण में दायर OA no. 249/2021 व 251/2021 दलजीत सिंह बनाम उ०प्र० सरकार के आदेश दिनांक 11.05.2022 के पालन के बारे में।

SEIAA gone through the letter of Shri Daljeet Singh dated 13.05.2022 regarding the above subject. SEIAA opined to refer the letter to DM, Saharanpur and Director Geology mining for necessary action.

5. Building Stone (Khanda, Gitti& Boulder) Mine at Gata No.-1073, (Khanda No.-04), at Village-Jarar, Tehsil-Naraini, Banda., M/s Malhotra Brothers, Area -2.0 ha. File No. 5498/4835/Proposal No. SIA/UP/MIN/50598/2019

SEIAA gone through the letter of the project proponent dated 22.05.2022 regarding factual report received from DM, Banda. SEIAA noted that there is reduction in lease area and change of geo-coordinates. Hence SEIAA opined to refer the letter to Director, Geology & mining for necessary action.

6. Soil Mining at Khasra No. 205, 176, 197, Village- Dhanaikheda, Tehsil & District- Sitapur, Shri Arjit Shukla Ramraj, Area – 3.035 ha. File No. 6970/Proposal No. SIA/UP/MIN/260295/2022

SEIAA noted that the above project was taken in its 602nd meeting in which SEIAA opined that the project proponent shall submit notarized agreement between the owner and the project proponent, certified lease map and details of alternative site, since Soil is proposed for agriculture land. The project proponent has submitted his reply vide undated letter. SEIAA noted that the reply submitted is not complete. Duly certified lease map and the details of alternative site has not been submitted. Hence SEIAA opined that the project proponent shall submit the same.

7. Expansion of Multiplex and Commercial Complex Building [Fun Republic] at Khasra No- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt- Ltd- File No- 6414/Proposal No- SIA/ UP/ MIS/217388/2021 के सम्बन्ध में।

SEIAA noted that SEAC-2 in its 554th meeting dated 30.07.2021 recommended grant of environmental clearance on the proposal. SEIAA in its 487th meeting dated 03.09.2021 opined that the project proponent must submit CTE/CTO granted at the time of establishment. Further SEIAA in its 497th meeting dated 04.10.2021 noted that Integrated Regional Office, MoEFCC, Lucknow vide letter F.No. II/Env/comp/UP/14/90/166 dated 22.09.2021 has brought forward certain irregularities being committed by PP. Hence, SEIAA opined that the secretariat shall refer the matter to Department of Environment, UP to initiate the prosecution proceedings against the project proponent under Environment

(Protection) Act 1986. In 561st SEIAA meeting dated 07.02.2022 letter received from Dr. Preeti Tripathi, Scientist-C, IRO, MoEFCC Lucknow dated 07.01.2022 regarding the above project. SEIAA noted that para 13(ii) of SoP dated 07.07.2021 for identification and handling of violation cases issued by MoEFCC states that- "The Central Pollution Control Board, all State Pollution Control Board and All Union Territory Pollution Control Committee shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard."

In light of SoP dated 07.07.2021, SEIAA opined to constitute a committee comprising of 1-Representative of UPPCB nominated by MS, UPPCB, 2- Representative of District Administration nominated by DM, Lucknow and 3- Representative of SEAC-2 nominated by Chairman SEAC-2 to submit a factual report. Chairman SEAC-2 vide e-mail dated 16.03.2022 informed that the matter of expansion of commercial complex was placed in 554th meeting of SEAC-2 dated 30.07.2021 and the committee unanimously recommended for grant of EC. During the presentation PP has submitted affidavit that no new construction has taken place. Therefor there is no need to nominate SEAC-2 member for site inspection. Hence Member Secretary SEIAA nominated a representative of Vice Chairman, LDA vide letter no. 1128/parya/SEIAA/6414 /2021 dated 31.03.2022.

Committee constituted for inspection of M/S E-City entertainment comprised of ACM-2 Lucknow nominated by DM, Superintending Engineer Civil nominated by LDA and regional officer, UPPCB Lucknow nominated by Member Secretary UPPCB. The inspection report was submitted by regional Officer UPPCB to MS SEIAA vide letter no. 98/G.F-258/22 dated 16.04.2022 which is as below:-

".....दिनांक 16/02/2019 के निर्माण के लिए लखनऊ विकास प्राधिकरण लखनऊ, परमिट द्वारा विस्तार के लिए नई अनुमोदित योजनाओं से संबंधित कोई निर्माण नहीं था। श्री वि कल्प सक्सेना c/o ई-सिटी एंटरटेनमेंट दिनांक 30 जुलाई 2021 द्वारा इसी के लिए दिए गए हलफनामे के अनुसार कोई नव निर्माण नहीं किया गया है केवल पूर्व में स्थित निर्माणों यथा पार्किंग एस0टी0पी0 व अण्डरग्राउण्ड टैंक को तोड़ा गया है तथा एक्सकेवेशन किया गया है। पुराने पार्किंग क्षेत्र में से ध्वस्त किये गये अण्डरग्राउण्ड पानी के टैंक व एस0टी0पी0 के स्थान पर रिडिमेड वाटर टैंक पुराने बेसमेन्ट में तथा आधुनिक एस0टी0पी0 रिडिमेड प्लान्ट अन्य खुले क्षेत्र में संचालित पाया गया। परियोजना के नये विस्तार क्षेत्र को लखनऊ विकास प्राधिकरण लखनऊ द्वारा 4 बेसमेंट, 1 लोवर ग्राउण्ड फ्लोर, 1 अपर ग्राउण्ड फ्लोर व 4 लेवल अप के साथ स्वीकृत और अनुमोदित किया गया है। नई एस0टी0पी0/ पानी की टंकियों का निर्माण दिनांक 04/11/2021 के विस्तार के लिए सी0टी0ई0 की शर्तों के अनुसार किया गया है और मौजूदा मॉल परिसर में संचालित पाया गया। शापिंग माल द्वारा सक्षम प्राधिकारियों से सी0टी0ई0 एवं खनन अनुमति प्राप्त की गई थी। परियोजना प्रस्तावक द्वारा 29

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जून 2021 को EC हेतु आवेदन किया गया था। संदर्भित किए जा रहे उल्लंघन के लिए पर्यावरण, वन एवं जलवायु परितर्वन मंत्रालय भारत सरकार द्वारा एसओपीओ 7 जुलाई 2021 को जारी किया गया था जो कि परियोजना प्रस्तावक के EC आवेदन दाखिल करने के बाद का है। पर्यावरण मंत्रालय का संशोधित आदेश (F-No-IA3-22/19/2021-1A-iiiCE164361) दिनांक 20 सितंबर 2021 निर्दिष्ट करता है कि ऐसे मामलों में, जहां एक पार्टी को CTE दिया गया है और EC प्राप्त नहीं किया गया है ऐसे मामलों में परियोजना प्रस्तावक द्वारा आवेदन कर सकता है और कम्पीटेन्ट अथॉरिटी द्वारा परियोजना की ईओसीओ प्राप्त करने के उपरान्त ही CTO पर विचार/नवीनीकरण किया जायेगा।”

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 SIP 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



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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- 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.
- 12- 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**