

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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Minutes of the 507th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 01.11.2021

The meeting of 507th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 01.11.2021 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: -Complaints/letters –

Agenda-B: -Replies–Nil

Agenda-C: Minutes of 569th SEAC-1 Meeting Dated 09/09/2021

Chairman SEIAA directed that all the project taken up by SEAC should be taken by SEIAA. No project which has been evaluated by committee should remain unattended at the level of SEIAA. SEAC should be made aware of Government of UP priority for taking up certain projects. Project taken by SEAC and not considered by SEIAA is not a good practice.

1. Stone Mining at Gata No.-2/4, Khand No.-01, Village-Jujhar, Tehsil-Sadar, District-Mahoba., ShriSeerajDhawaj Singh, Area-4.048 ha. File No. 6415 Proposal No. SIA/UP/MIN/61245/2021

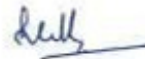
The SEIAA agreed with the recommendation of the SEAC to issue the additional ToRs to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR;-

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 2- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be



conducted as per the lease area its address and production per annum mentioned in DSR and Lol.

- 3- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 4- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
 - (i) If the earlier and present lease holders are same then compliance report of previous EC should be submitted.
 - (ii) If the earlier and present lease holders are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
 - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 5,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.



2. Stone Mining at Gata No.-989, Khand No.-07, Village-Makarbai, Tehsil-Sadar, District-Mahoba, U.P. Smt. Sunaina, M/s Kanhaiya Enterprises, Area-0.809ha. File No. 6417/Proposal No. SIA/UP/MIN/61833/2021

SEIAA noted that SEAC has recommended to issue ToR to the above project. SEIAA gone through a file and documents and found that there is a difference in production capacity at point number 19 & 20 of the table given in the minutes. SEIAA agreed with the recommendation of the SEAC to issue the additional ToRs to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR;-

- 1- Production capacity will be according to the mine plan and the difference shall be clarified at the time of EIA-EMP Presentation.
- 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 3- 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.
- 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 5- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
- 6- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 7- KML file for the area and mining lease area should be provided.
- 8- Status of leases granted/to be granted in various mining khand along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 9- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 10- 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.
- 11- 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 -
 - (iii) If the earlier and present lease holders are same then compliance report of previous EC should be submitted.
 - (iv) If the earlier and present lease holders are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 12- In case of expansion / renewal of earlier EC, following information should be submitted

- a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any.
- 13- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 14- 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 below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
3. Stone Mining at Gata No.-669, Khand No.-12, Village-Khailar, Tehsil-Sadar, District-Jhansi., ShriSahab Singh., Area-3.0 ha. File No. 6418/Proposal No. SIA/UP/MIN/ 64291/ 2021
- SEIAA noted that SEAC has recommended to issue ToR to the above project. SEIAA gone through a file and documents and found that in title there is a typographical error in the name of the district it should be Jhansi instead of Mahoba. SEIAA agreed with the recommendation of the SEAC to issue the additional ToRs to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR:-
- 1- At the time of EIA Presentation Khand number should be included in the DSR.
 - 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
 - 3- 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.
 - 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
 - 5- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
 - 6- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
 - 7- KML file for the area and mining lease area should be provided.
 - 8- Status of leases granted/to be granted in various mining khand along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
 - 9- In case project proponent intends to temporarily store mined out material or any tools, equipments or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated



Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.

- 10- 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.
 - 11- 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 -
 - (v) If the earlier and present lease holders are same then compliance report of previous EC should be submitted.
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4. Stone Mining at Gata No.-669, Khand No.-07, at Village-Khailar, Tehsil-Sadar, District-Mahoba., ShriSiddharthYadav, Area-2.530 ha. File No. 6420/Proposal No. SIA/UP/MIN/64125/2021
- SEIAA noted that the above project proposal has already been taken on 25/10/2021. Hence, no action is required.
5. Stone Mining at Gata No.-856, Khand No.04, Village-PaliPahari, Tehsil-Sadar, District-Jhansi., Shri Deepak Wadhi., Area-0.728 ha. File No. 6421/Proposal No. SIA/UP/MIN/197551/2021
- SEIAA agreed with the recommendation of SEAC to defer the matter as per the request made by the project proponent. SEIAA opined to delist the matter.

6. Stone Mining at Gata No.745/2, Village-Makarbai, Tehsil-Sadar, District- Mahoba., Shri Suraj Prasad Gupta., Area-1.182 ha. File No. 6422/Proposal No. SIA/UP/MIN/217555/2021

SEIAA noted that SEAC has recommended to issue EC to the above project. SEIAA gone through a file and documents and found that in title there is a typographical error in the name of the district it should be Mahoba instead of Jhansi. SEIAA also noted that number of projects have been granted EC in the same village, hence SEIAA opined that the project should be referred to SEAC to firm up the recommendation for the project with due diligence i.e. whether it is B1 or B2 category project.

7. Flatted Factory Complex (White Goods Manufacturing) at Plot No- D-10, d-11, d-12, d-13, d-59, d-60 & 61, Industrial Area, UPSIDA, found, District- Agra., Shri Yash Pal Singh, M/s Uttar Pradesh Small Industries Corporation (UPSIC). File No. 6424/Proposal No. SIA/UP/MIS/217593/2021

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:-

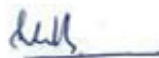
- 1- The project proponent shall submit NOC from TTZ authority regarding the project within the next three months.
- 2- The project proponent shall submit within the next 3 months the details of solar power plant and solar electrification details within the project.
- 3- The project proponent shall ensure to plant broad leaf trees and their maintenance. The CPCB guidelines in this regard shall be followed.
- 4- 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.
- 5- 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.
- 6- The project proponent shall submit within the next 3 months the details of segregation plan of MSW.
- 7- 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.
- 8- Under any circumstances untreated sewage shall not be discharged to municipal sewer line.
- 9- 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.

- 10- 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.
 - 11- 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.
 - 12- 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.
 - 13- 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.
 - 14- Directions / decisions given by Honourable Courts in respect to TTZ and OMs / guidelines issued by MoEFCC, GOI should be adhered to.
8. **Stone Mining at Gata No.-188/1, Village-Lahaura, Tehsil- Chunar, District- Mirzapur., ShriBahadur Singh, Area -1.616 ha. File No. 6426/Proposal No. SIA/UP/MIN/60055/2021**
- SEIAA agreed with the recommendation of the SEAC to issue the additional ToRs to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR:-
- 1- At the time of EIA Presentation Khand number should be included in the DSR.
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9. Stone Mining at Gata No.-484, Village-DevriKalan, Tehsil- Chunar, District- Mirzapur, Shri Jagadish Chandra Dwivedi., Area -2.02 ha. File No. 6427/Proposal No. SIA/UP/MIN/64351/2021
- SEIAA agreed with the recommendation of SEAC that the matter shall be discussed after submission of online information on prescribed portal and hence the project is delisted.
10. Stone Mining at Gata No.-339, Khand No.01 New (Old- 14), Village-Daharra, Tehsil-Sadar, District- Mahoba, U.P., Smt. Farhat., Area-0.809 ha. File No. 6430/Proposal No. SIA/UP/MIN/63367/2021
- Project area is not clearly identifiable in DSR, a letter issued either by the competent authority or under his / her approval related to above clarification should be submitted by Project Proponent.



With the permission of chairman:-

1. Barahmauri Morrum Mining at Aarji No.-385, Khand No.-A, at Village -Barahmauri, Tehsil- Robertsganj, District- Sonbhadra, U.P., Shri Praveen Kumar, Area-12.146 Ha. File No. 4042/Proposal No. SIA/UP/MIN/ 72472/2018

SEIAA noted that the aforesaid project was granted EC vide letter no. 241/Parya/SEAC/4042/2018 dated 16.03.2018. SEIAA also observed that the case was heard in NGT and an order dated 05.08.2021 was passed-*"...In view of the above, we are satisfied that recommended action is required to be taken forthwith by cancelling EC issued by the SEIAA for mining to the above violators and stopping the illegal activities of M/s Maihar Stone, M/s Jai Maa Bhandari Stone, M/s Jyoti Stone, M/s Vaishona Stone and M/s Guru Kripa Associates in District Sonbhadra. It is also necessary that the damage to the environment is restored by preparing an appropriate action plan. On 'Polluter Pays' principle, compensation needs to be assessed and recovered which needs to be planned..."*

Accordingly in compliance of NGT order dated 05.08.2019 above EC was revoked by SEIAA UP vide letter no. 472/Parya/SEAC/4042/2018 dated 17.12.2019.

In the meantime the above lease was cancelled by DM Sonbhadra, vide letter no. 1892/Khanij/2019 dated 01.11.2019 later the lease was transferred by DM, Sonbhadra from M/s Praveen Kumar to M/s Master Genie Services Pvt. Ltd. Vide letter no. 920/Khanij/2021 dated 18.03.2021.

The new project proponent M/s Master Genie Services Pvt. Ltd. made an online request to transfer the environmental clearance certificate and accordingly the EC was transferred to M/s Master Genie Services Pvt. Ltd. Vide letter no. 148/Parya/SEIAA/4042/2020 dated 12.06.2021.

SEIAA observed that the reference has been made to this authority that an EC which has been cancelled by NGT and in compliance of NGT Order, suitable order to this effect i.e. cancellation of EC has been issued by SEIAA cannot be transferred.

In light of above mentioned facts the EC transferred vide letter no. 148/Parya/SEIAA/4042/2020 dated 12.06.2021 is hereby cancelled.

A reference be made to Department of Geology and Mines, GoUP and District Magistrate, Sonabhadra to ensure that no mining should take place in the above mentioned area.



(Ajay Kumar Sharma)
Member-Secretary
SEIAA



(Paras Nath)
Member
SEIAA

(Dr. Rajiv Kumar Garg)
Chairman
SEIAA