

Minutes of the 682nd Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 07.12.2022

The meeting of 682nd State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 07.12.2022 the Directorate of Environment. The following were present in the meeting:-

1. Dr. Rajiv Kumar Garg	Chairman, SEIAA, U.P
2. Shri Paras Nath	Member, SEIAA, U.P
3. Shri Ajay Kumar Sharma	Member Secretary, SEIAA, U.P

Agenda A- EC Transfer

1. **EC Transfer Proposal No. SIA/UP/MIN/294443/2022 regarding Sand/Morrum Mining from Betwa River Bed at Gata No.-1396 G, Khand No.- 02, Village-Bhedikhurd, Tehsil- Kalpi, District-Jalaun,**

SEIAA gone through the letter of Shri Arpit Gupta dated 24/11/2022 regarding the above and found that online application is not complete. Hence SEIAA opined that PP shall submit complete and correct online information.

2. **EC Transfer Proposal No. SIA/UP/MIN/294559/2022 regarding Sand/Morrum Mining from Betwa River Bed at Khand No.- 240, Khand No.-04, Village-Himanpura, Tehsil-Kalpi, Jalaun.,**

SEIAA gone through the letter of Shri Jaydeep Rai regarding the above and found that online application is not complete. Hence SEIAA opined that PP shall submit complete and correct online information.

3. **EC Transfer Proposal No. SIA/UP/MIN/294561/2022 regarding Sand/Morrum Mining along Betwa River Bed in Gata No.- 01, 218 Ka, Village- Kudri, Tehsil-Garautha, District- Jhansi (Area 14 Ha) File No. 5905-5541**

EC in question was issued vide letter no. 445/Parya/ SEIAA/5905-5541/2020 dated 15.10.2020 for an annual production of 80,000 cum. Now the request for transfer of EC is for a production of 40,000 cum for a period of 6 months. First the extraction quantity mentioned in the said EC to be reduced from 80,000 cum to 40,000 cum and then the EC be transferred for a period of 6 months. After this transfer, original EC and transfer order both will become null and void.

SEIAA opined that Environmental Clearance will be transferred only after submission of an affidavit by project proponent and consultant that:-

- a) No legal case is pending in any Court of Law against the above area / EC proposed to be transferred.
- b) EC proposed to be transferred has not been cancelled by any Court of Law/MoEFCC/SEIAA/DEIAA.
- c) EC proposed to be transferred is valid on the date of consideration.
- d) Mine plan has been transferred in the favour of present project proponent.

Further, before issuing EC transfer letter, authorized signatory from SEIAA, UP will ensure that affidavit given by PP and consultant is correct and in case affidavit given by PP and consultant is found to be false, legal action should be initiated against them and transfer order should not be issued and in case it has been issued then it will become null and void. All EC transfer orders will be issued through online portal.

SEIAA noted that the previous lease issued to Shri Tarun Gupta R/O 1346 Naya 712 Gwalior Road, Jhansi was cancelled vide DM, Jhansi order no. 1021/30 MMC/2022-23 dated 01/10/2022 and another LOI was issued to Smt Deepti Gupta W/o Shri Kapil reja, R/o Sarv Nagar Colony, C.P. Mission Compound, Cipri Bazar, Tehsil & Disst-Jhansi-UP. for a period of 6 months and 40,000 m³ vide letter no. 1201/30 MMC/2022 -23 dated 11.11.2022.

Hence SEIAA opined to transfer Environmental Clearance issued vide letter no. 445/Parya/ SEIAA/5905-5541/2020 dated 15.10.2020 from Shri Tarun Gupta R/O 1346 Naya 712 Gwalior Road, Jhansi to Smt Deepti Gupta W/o Shri Kapil reja, R/o Sarv Nagar Colony, C.P. Mission Compound, Cipri Bazar, Tehsil & Disst-Jhansi for 40,000 m³ production capacity for six months. SEIAA added following conditions:-

1. Transfer of EC is granted for a period of 6 months from the date of issue or validity of current mine plan or current lease period whichever is earlier and after this the EC will become null and void.
2. In the absence of replenishment study, in compliance of Hon'ble NGT Order dated 06.05.2022 initially the 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. For remaining period, Project Proponent shall submit replenishment study to SEIAA, UP for amendment in EC for mineable quantity and maximum permissible depth for mining based on scientific findings of replenishment study. Such study shall be placed before SEAC for appraisal to assess rate of deposition and accordingly, mineable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the SEAC.
4. 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.
5. 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.
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,

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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 14,000 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 70 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. 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.

Rest all the content of Environmental Clearance letter no. 445/Parya/ SEIAA/5905-5541/2020 dated 15.10.2020 shall remain same.

Area mentioned in the previous EC is being transferred only. If there is a change in geo-coordinates of the area then EC will be null and void

Agenda B- Replies

1. **Letter of CPCB letter No. CP/2/2022-Tech-RD-lucknow-RD-lucknow/1095 dated 15-11-2022 regarding CBWF operators association application.**

SEIAA noted that letter of Shri Suresh Chandra Yadav attached with CPCB letter dated 15.11.2022 has already been taken in its 672 meeting in which SEIAA opined to refer the letter to SEAC-2 for necessary action as this project is being evaluated by them.

2. **MoEF&CC Letter No. VII/Env/SCL-UP/1572/208 dated 10-11-2022-Regarding Group Housing project "CASA GREEN-1", at plot no. 04A, Sector-16, Greater Noida, G.B. Nagar, U.P. hy Radhey Krishna Techno Build (P) Ltd.**

SEIAA gone through the above letter and opined that the above letter be send to UPPCB; DM, Gautam Budhha Nagar; and CEO, Greater Noida Development Authority for necessary action.

3. MoEF&CC Letter No. VII/Env/SCL-UP/1879/363 dated 28-11-2022 and MoEF&CC Letter No. VII/Env/SCL-UP/1879/364 dated 28-11-2022- Regarding Group Housing Project at Plot No. 3/SP-03, Sector-03, Siddharth Vihar, Ghaziabad, U.P. M/s T&T Infrazone Pvt. Ltd.

SEIAA gone through the above letter and opined that the above letter be send to UPPCB; DM, Ghaziabad; and VC, Ghaziabad Development Authority for necessary action.

4. MoEF&CC Letter No. VII/Env/SCL-UP/929/365 dated 28-11-2022- regarding Proposed affordable Group Housing "Delhi 99" at khasra no. 2115M, 2049, 2054M, 2108, 2119M, 2117M, 2055M, 2056M, 2109M, 2114Nm 2110M & 2107M Village- Baheta, Hajipur, Pargana-Loni, district-Ghaziabad, U.P." Non-compliance regarding. And MoEF&CC Letter No. VII/Env/SCL-UP/929/366 dated 28-11-2022

SEIAA gone through the above letter and opined that the above letter be send to UPPCB; DM, Ghaziabad; and VC ,Ghaziabad Development Authority for necessary action.

5. 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 gone through the letter of UPEIDA letter number 5940/2113/ UPEIDA/parya dated 11/11/2022 regarding amendment in EC condition regarding CAAQMS. SEIAA opined to amend the condition as:-

"UPEIDA in consultation with UPSPCB will establish required number of ambient air quality stations as per protocol of MoEFCC / CPCB."

6. MoEF&CC Letter No. VII/Env/SCL-UP/2062/220 dated 11-11-2022 regarding Proposed Expansion of Group Housing at Plot No.- SC-02-G, Sector-150, Noida., U.P., Shri Ajay Kumar, M/s ACE Infracity Developers Pvt. Ltd. File No. 6115/5909/Proposal No. SIA/UP/MIS/59703/2020

SEIAA gone through the letter of MoEFCC dated 11/11/2022 noted that the above matter was taken in its 647 meeting in which SEIAA opined that application for seeking EC for expansion of this project is not tenable till the time applicant becomes holder of earlier EC. Thus the file be closed. A letter shall be send to DM, Gautam Budh Nagar; CEO, Noida Development Authority; and MS, UPPCB to ensure that no construction is carried out without valid EC and in case construction has been carried out without EC then it should be stopped and legal action should be initiated against the PP.

7. MoEF&CC Letter No. VII/Env/SCL-UP/2202/221 dated 15-11-2022 regarding Data Centre at Plot No.07, Knowledge Park-V, Greater Noida, U.P./M/s NIDP Developers Pvt. Ltd.

SEIAA opined that the above letter be placed in the next SEIAA meeting for consideration.



Agenda C- Mining Replies

1. **"Building Stone Sand Stone (Khanda, Boulder Gitti) Mining Project" located at Araj No. 1Mi, Khand K/1, Village- Kevalpur, Tehsil- Meja & District- Prayagraj, Shri Rajeev Kumar Singh S/o Shri Surendra Bahadur Singh, Area 1.214 Ha. File No. 6827/Proposal No. SIA/UP/MIN/70697/2021.**

SEIAA noted that the above project was taken in its 664th meeting in which SEIAA opined that project proponent shall submit corrected geo coordinates upto second level. The project proponent has submitted a letter Issued by DM office Prayagraj letter no. 1673/khanan/2022-23 dated 27/09/2022. 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 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 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, GoI, 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.
2. **Building Stone (Sand Stone) Mining Project at Araji No - 399, Village: Jigna, Tehsil-Chunar, Mirzapur, Shri Om Prakash Singh. Area- 0.606 Ha. File No. 6722/Proposal No. SIA/UP/MIN/69695/2021.**
- SEIAA noted that the above project was taken in its 645th meeting in which SEIAA opined that PP shall submit documents related to DSR issued either by the competent authority or issued under approval from competent authority. The PP has submitted a letter of DM office dated 28/06/2022 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- 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 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.
- 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, 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.
- 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 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.
- 14- In consultation with District Environment Authority or an authority nominated by concerned DM, Project Proponent will prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 5 ha. Funds for the same will be kept in a separate bank account and six-monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 15- 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.
- 16- 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.

- 17- 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.
- 18- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.

3. Building Stone, Khanda, Boulder, Ballast (Gitty) Mining at Araj No. 967, khand-04 New, Village-Kabrai, Tehsil-Sadar, Mahoba, Area 2.834 Ha. File No. 6745/Proposal No. SIA/UP/MIN/69971/2021.

SEIAA noted that the above project was taken in its 555th meeting in which SEIAA found that verified Khasra map with geo-coordinates has not been submitted. The PP has submitted the same. 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- 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 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.
- 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, 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.
- 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 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 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 prepare a conservation and management plan for the rejuvenation and management of water bodies having a total surface area of not less than 15 ha. Funds for the same will be kept in a separate bank account and six-monthly implementation status will be presented by the Project Proponent before the nominated authority in the district.
- 15- 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.
- 16- 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.
- 17- 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.
- 18- Project Proponent in consultation with UPSPCB will establish required number of CAAQMS within a period of one year and submit geo-referenced map of these stations along with data on six-monthly basis.



4. "Building Stone -Khanda, Boulder, Blastt (Gitti), [Granite] & Red Morrum Mine" located at Gata No.- 199 (Khand - 04), Village- Naigawan, Tehsil- Sadar & District - Mahoba, Shri Rasmeet Singh Malhotra & Shri Ravindra Singh Jaiwar, M/s Reva Sugar Industries Pvt. Ltd.,Area 4.0 Ha. File No. 6799/Proposal No. SIA/UP/MIN/70499/2021.

SEIAA noted that the above project was taken in its 670th meeting in which SEIAA opined that PP / consultant shall submit some detail. The project proponent vide letter dated 24/11/2022 has submitted some information but complete reply has not been submitted. Hence SEIAA opined that the Project proponent shall submit complete information.

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