

Minutes of the 605th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 18.05.2022

The meeting of 605th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 18.05.2022 at 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

1. Hon'ble NGT order dated 06.05.2022 in OA no. 140/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others

SEIAA noted that Hon'ble NGT in its Order dated 06.05.2022 in OA no. 140/2021 RAJ KUMAR VS STATE OF UTTAR PRADESH has stated that:-

11. *Accordingly, the ACS, Mining, UP has fairly stated that replenishment study will be conducted prior to auctions in future and with regard to the current leases, ongoing replenishment study will be expedited. In the light thereof, the leases will be renewed, if necessary. Such studies for all Districts in UP will be completed by December 31, 2022 and for Banda by June 30, 2022. She has further stated that the allegation of instream mining will be verified and if found true, the same will be discontinued.*
12. *In view of above, let the Replenishment studies be completed by credible institutions, following due procedure, in accordance with para 5 of EMSG, 2020. Further, no mining be permitted till replenishment studies are completed beyond the schedule laid down above. The State may ensure that the Regulatory authorities are adequately equipped and capable to assess quantities of mined material. With regard to instream mining, it may be ensured that the machineries permitted or used otherwise comply with "Semi mechanised" mining operations in true sense. In all mining potential districts, environmental damage assessment be carried out and annual assessment reports placed in public domain on the websites of the Mining*

Department as well as the PCB. Compliance of SSMG, 2016 and EMGSM, 2020 and earlier directions of this Tribunal may be ensured by an effective monitoring mechanism.

SEIAA opined as follows –

1. In future, in all the river bed material mining projects, order given by Honourable NGT be quoted and time line for carrying out mining without replenishment study be limited as per the order.
2. Copy of Honourable NGT order be sent to Director, Directorate of Geology and Mining, GoUP and to all the district magistrates of Uttar Pradesh.
3. Copy of Honourable NGT order be sent to SEAC-1 & SEAC-2 with the direction that this order be discussed in their SEACs and brought to the notice of all the members and in future while examining the proposals, directions given by Honourable NGT should be followed.

Agenda A- Replies

1. Pradhan Mantri Awas Yojna Sector – 1", Jawaharpuram, Kanpur Nagar, U.P. at Arazi No. 386, 341M, 388B, 396B, 397B, 409M, 424, 406, 408M, 411M, 394M at Village- Barasirohi, District- Kanpur Nagar, U.P. Shri Manoj Kumar Upadhyay, Executive Engineer, Kanpur Development Authority, Kanpur, U.P., File No. 6858/Proposal No. SIA/UP/MIS/250636/2022

This was taken up in SEIAA meeting no. 575 dated 22.03.2022. Queries raised by SEIAA have not been replied by the PP / consultant in totality. Query related to STP has not been replied at all. Issue show cause notice to consultant. Further SEIAA opined that consultant has adopted casual approach in replying to the quires raised. Thus a show cause notice be issued to the consultant along with copy to QCI / NABET.

2. Soil Excavation from Gata No.- 1679, 1683, 1684 Village- Aata, Tehsil & District- Unnao., Shri Sudheerurf Anuj Sharma, Area – 0.853 ha. File No. 6795/Proposal No. SIA/UP/MIN/243903/2021

SEIAA noted that the above project was taken in its 571st meeting in which SEIAA found that gata no. for which application is made is different from gata no. for which geo-coordinates are given. The project proponent has submitted his reply vide letter dated 08.04.2022 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 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, Gol, Lucknow.
3. Group Housing at Plot No.- A-99, Sector- 51, Noida, District GautamBudha Nagar, U.P., Shri S.K. Sharma, M/s Uflex Ltd. File No. 6285 Proposal No. SIA/UP/MIS/ 208731/2021
- SEIAA noted that the above project was taken in its 484th meeting in which SEIAA opined that the project proponent shall submit building plans approved by competent authority. The project proponent has submitted his reply vide letter dated 31.03.2022 stating that

application to Development authority for seeking building plan approval has been submitted and is in progress. SEIAA opined that queries have not been replied satisfactorily. Hence the project proponent should submit complete and satisfactory reply.

4. Cement Grinding Unit of 1200 TPD at Plot No. B-10, Ramnagar Industrial Area-I, Village: Patana, Tehsil: Mughal Sarai, Chandauli., M/s Chunar Churk Cement Ltd. File No. 5740/Proposal No. SIA/UP/IND/55067/2020

SEIAA noted that the above project was taken in its 566th meeting in which SEIAA opined that project needs a detailed scrutiny as the area statement and production capacity don't match. The project proponent has submitted his reply vide letter dated 28.04.2022. After reviewing the reply in light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 620th meeting and grant EC to the said project.

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.

5. Complaint regarding- जनपद हमीरपुर में बालू/मौरंग के गलत एवं अवैध खनन के कारण पर्यावरण की क्षति के सम्बन्ध में।

SEIAA gone through the letter of Shri Ashish Kumar Dwivedi dated 13.04.2022 regarding the above subject. SEIAA opined to refer the complaint to DM Hamirpur.

6. Modify /Expansion of Residential Complex "Shri Radha Sky Garden" at Plot No.- GH-05, Sector-16B, Greater Noida, District-Gautam Buddha Nagar, M/s S.J.P. Infracon Ltd. File No. 5640/4351/Proposal No. SIA/UP/MIS/52753/2019

SEIAA gone through the letter no. VII/Env/SCL-UP/2044/07 dated 11.04.2022 of IRO, MoEFCC Lucknow, regarding submission of compliance report. SEIAA opined to refer the letter to the project proponent regarding action taken report and UPPCB for appropriate action.

7. Group housing project "Supertech Czar Suits" plot no. GH-02, Omicron I, Greater Noida, UP File no.- 68.

SEIAA gone through the letter no. VII/Env/SCL-UP/30/08 dated 11.04.2022 of IRO, MoEFCC Lucknow, regarding submission of compliance report. SEIAA opined to refer the letter to the project proponent regarding action taken report and UPPCB for appropriate action.

8. Commercial Project- "Galaxy Blue Sapphire Plaza" at Plot No. C-03, Sector -04, G.Noida, District-G.B.Nagar, U.P. File no.3651/ Proposal no. SIA/UP/NCP/28611/2018

SEIAA gone through the letter no. VII/Env/SCL-UP/2151/09 dated 11.04.2022 of IRO, MoEFCC Lucknow, regarding submission of compliance report. SEIAA opined to refer the letter to the project proponent regarding action taken report and UPPCB for appropriate action.

9. Revision and Expansion of Group Housing Project "Devika Gold Homz" at Plot No.- GH-06C, Sector-01, Greater Noida (West), District-Gautam Budha Nagar, U.P., M/s Devika Gold Homz Pvt. Ltd. File No. 5617/Proposal No. SIA/UP/MIS/ 52465/2019

SEIAA gone through the letter no. VII/Env/SCL-UP/2043/10 dated 12.04.2022 of IRO, MoEFCC Lucknow, regarding submission of compliance report. SEIAA opined to refer the letter to the project proponent regarding action taken report and UPPCB for appropriate action.

10. Soil Mining from Gata No.-98/1,100,60,22,24,59 Village Maholiya Veeran, Tehsil Puwanya, Shahjahanpur, U.P., Shri Harsh Raj Tiwari, Area- 4.7337 ha.File No. 6792/Proposal No. SIA/UP/MIN/ 247071/2021

SEIAA noted that the above project was taken in is 571st meeting in which SEIAA opined that the project proponent shall submit the above along with lease map having certified geo-coordinates. The project proponent has submitted his reply vide undated letter received in the office on 20.04.2022. After reviewing the reply SEIAA agreed with the recommendations of the SEAC 624th 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 one year from the date of issue as the Lol has been issued for a period of one 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. 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 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 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 20 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.

11. Group Housing Project at Plot No.-3/SP07, Sector-3, Siddharth Vihar, Ghaziabad. Shri Nikhil Sisodiya, M/s T AND T Infra Builders Pvt. Ltd., File No. 6912/Proposal No. SIA/UP/MIS/254473/2022

SEIAA noted that the above project was taken in is 586th meeting in which SEIAA opined that opined that the project proponent should submit land related documents and Evaporator has been shown in water flow charge chart thus details to be provided. The project proponent has submitted his reply vide letter dated 04.05.2022. After reviewing the reply SEIAA agreed with the recommendations of the SEAC 537th meeting 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.
 - 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**