

# State Level Environment Impact Assessment Authority, Uttar Pradesh

## Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow - 226 010

Phone : 91-522-2300 541, Fax : 91-522-2300 543

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

### **Minutes of the 631<sup>st</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 19.07.2022**

The meeting of 631<sup>st</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 19.07.2022 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

#### **General Discussion:-**

SEIAA noted that unsigned MoM of both the SEACs are being uploaded on the website of SEIAA UP and in good faith unsigned MoM of SEACs were considered by SEIAA. Recently it came to light that MoM of SEAC-1 meeting no. 667<sup>th</sup> which was held on 22.06.2022 was initially uploaded after lapse of 20 days and within few hours of uploading it was withdrawn. Now revised/same MoM of the said meeting has been uploaded in the evening of 16.07.2022. This is not a fair practice and raises doubt. Hence forth SEIAA decided/directed as follows:-

1. Before uploading of MoMs of SEAC-1 and SEAC-2, MoMs should be signed at least either by MS or Chairman of respective SEAC.
2. After uploading the MoM it should not be withdrawn from the website unless duly authorized by the competent authority and reason recorded in writing

This should be communicated to Chairman and MS of both the SEACs.

#### **Agenda A- Replies**

1. **MoEF&CC letter No. VII/env/SCL-UP/287/35 dated 23-05-2022- regarding group housing project "R.G. residency" at GH-02, Ssect-120, Noida.**

SEIAA gone through the letter of Additional Director, IRO, MoEFCC dated 30-06-2022 regarding CCR of the above project. SEIAA opined to refer the letter to SEAC-1 for information and MS UPPCB for necessary action. The project proponent shall submit reply / corrective action taken report to MoEFCC.



2. Letter of Mrs. Shahida Khatoon dated 30-06-2022- regarding representation against accepting any proceedings for transfer of EC of Gata no. 1 situate in village Noraspur, Tehsil-Loni, Dist- Ghaziabad admeasuring 1.81 ha.

SEIAA gone through the letter of Mrs. Shahida Khatoon dated 30-06-2022 regarding the above subject. SEIAA opined that the above letter should be sent to DGM and DM, Ghaziabad and it will be considered in SEIAA meeting when any transfer application for the above lease is received.

3. Letter of Mr. Jitendra Singh dated 04-07-2022 – regarding urgent request for disposal of DM factual report for river Bed Sand Mining at Gata No.-28, 67, 73, 76, Khand No.-02, Village-Nawada, Tehsil-Mauranipur, Jhansi., Shri Jitendra Singh, Area: 14.0 ha. File No. 6527/6572/ Proposal No. SIA/UP/MIN/ 67050/2020

SEIAA gone through the undated letter of Mr. Jitendra Singh regarding the above subject. SEIAA noted that in its 545<sup>th</sup> meeting SEIAA noted the comments of SEAC-2 that the Secretariat sent a letter to District Magistrate, Jhansi to provide a factual report regarding issues raised in e-mail dated 08/12/2021 of Mr. P.K. Sahi, Advocate, Paryavaran Shakti Foundation, Deen Dayal Upadhyay Marg, New Delhi. Further, a letter shall be send to DM, Jhansi to ensure that no mining activity is started until valid EC is obtained. Hence SEIAA opined to refer the letter to SEAC-2 for review/comments.

4. Objection and comments on ZLD implementation for establishment of New Tannery Unit Of Capacity 1750 hides per day (Raw Hide to finished Leather) at Gata No-1698, 1726, 1729, 1735, 1736 & 1739, Vill-Banthar, District-Unnao, U.P., M/s Model Exims (India) Pvt Ltd. File No. 5127/ 3479/Proposal No. SIA/UP/ IND/44735/2019

SEIAA noted that the above project was taken in its 608th meeting in which the above issue has already been referred to MS, UPPCB and their reply is awaited. Hence SEIAA opined that a reminder should be send to MS, UPPCB.

5. Stone (Sand Stone)Mining at Arazi No.-597Jha & 597 Tra, Village– Khamhwajamati, Tehsil-Chunar, Mirzapur, Shri Lal Bihari Yadav., M/s Adarsh Construction & Suppliers Area 2.545 ha. File No. 6896/Proposal No. SIA/UP/MIN/253767/2022

SEIAA noted that the above project was taken in its 621<sup>st</sup> meeting in which SEIAA opined that the project proponent shall submit land ownership documents. In case the owner of the land is other than the PP then MOU/ agreement to this effect should be submitted jointly by the PP and land owner. The project proponent has submitted his reply vide letter dated 04.07.2022. SEIAA agreed with the recommendations of the 659<sup>th</sup> SEAC meeting to grant prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by SEAC **but EC will be issued only after submission of notarized copy of MoU**. 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

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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 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. 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 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.
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 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.
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

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- 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. Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then EC will be cancelled and legal actions will be initiated against them. Further, mining should not commence without obtaining certificate from DM, Mirzapur that area doesn't attract CPA and a copy of the same should be submitted to SEIAA.
  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.
6. **Submission of no mining certificate of proposed project stone (Khandas, Gitti & Boulder) Mining at Gata No.42 & 44, Khand No.05, Vill.-Baruwasyodha, Naraini, Banda., Smt. Nidhi, Area-1.46 ha. File No. 4938/Proposal No. SIA/UP/MIN/ 39559/2019**

SEIAA noted that the above project was taken in its 621st meeting in which on examination of file it became evident that previous EIA-EMP report was prepared by Environmental Research Analysis (ERA) who have not mentioned anything about environment sensitivity surrounding the mining site. Further these issues were not raised in public hearing. It is also not evident that after the issuance of EC whether mining has been carried out or not. Thus SEIAA opined that PP/consultant shall submit a certificate from DGM that no mining has been done in this area after the issuance of EC on 03/09/2020. The project proponent has submitted mining certificate vide letter no. 1336/khanij-30 Banda dated 31.05.2022. SEIAA agreed with the recommendation of 659th SEAC meeting to amend the EC conditions. Rest all the other contents mentioned in Environmental Clearance letter no. 289/Parya/SEIAA/4938/2019, dated 03/09/2020 shall remain the same.



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

SEIAA gone through the undated letter of M/S Shiva Corporation regarding the above subject. SEIAA noted that the above project was taken in its 582<sup>nd</sup> meeting in which SEIAA noted that the above project was taken in its 573<sup>rd</sup> meeting in which SEIAA opined that PP/consultant has not given complete information as required in Form-7. The project proponent has submitted his reply vide letter dated 14.03.2022. SEIAA observed that except LOI issued at district level, there is no document from the Department of Geology and mining for reducing the quantity. Hence SEIAA opined that the project proponent should submit either the result of replenishment study or a certificate from DGM regarding the reduction of quantity in river bed mining. Hence SEIAA opined that the project proponent shall submit the required documents.

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

SEIAA gone through the letter of M/S Master Genie Services Pvt. Ltd. dated 02.07.2022 regarding the above subject. SEIAA noted that the above project was taken in its 609<sup>th</sup> meeting in which SEIAA opined that PP to give details of court cases pending/decided (in last 5 years) with respect to this area/project either by Hon'ble NGT or Hon'ble High Court/ Hon'ble Supreme Court, current status of these cases, judgments, if any, passed by Hon'ble Courts and status of compliance on these judgment. The project proponent has given details about cases pending in NGT but no details regarding cases in Hon'ble High Court and Hon'ble Supreme Court has been submitted by PP. Hence SEIAA opined that complete information should be submitted by the project proponent. The project proponent has submitted that required facts are being collected and will be furnished at the earliest. SEIAA opined that the project proponent shall submit the complete information.

9. MoEF&CC letter No. VII/env/SCL-UP/841/125 dated 05-07-2022 regarding monitoring of project Group Housing Project "MRJV Palm resort" at Khasra no. 1042, 1045, 1046, 1047, 1067, 1068, NH-58, Noornagar, Ghaziabad, U.P. M/s MRJV Construction Company" file no. 1680.

SEIAA gone through the CCR of the above project submitted by Deputy Director, IRO, MoEF&CC Lucknow. SEIAA opined that the CCR be send to SEAC-2 (file no. 1680) and MS, UPPCB for necessary action.

10. Letter of Mr. Anil kumar dated 07-07-2022 – regarding false/incorrect information given in EC letter for IT/ITES project Max Digital Infotech Pvt Ltd .at Plot no-2 Sector - 140A, Noida, District- Gautam Budha Nagar, U.P,M/s Max Digi Infotech Pvt. Ltd. File no-4467

SEIAA gone through the letter of Shri Anil kumar dated 07-07-2022 of Infrastructure Watchdog and opined to refer the letter to SEAC-1 for evaluation.

- 11. Letter of M/s Manali Vintrade Private Ltd dated 06-07-2022 – regarding transfer of EC of Sand/ Morrum Mining from river bed of Yamuna, at Zone No./Gata No./ Khand No.- 11/15 and 11/16 at Village- Diya Uparhar, Tehsil- Manjhanpur, District- Kaushambi, U.P. (L. Area-24.28 Ha) M/s Rishab Herbal Pvt Ltd. File No. 4045/Proposal No. SIA/UP/MIN/ 72559/ 2018)**

SEIAA gone through the letter of M/s Manali Vintrade Private Ltd dated 06-07-2022 and opined to refer the letter to DM, Kaushambi and DGM for necessary action.

- 12. Withdrawal of Expansion Manufacturing of Formaldehyde & Resin under synthetic organic chemicals at Plot No.- R-3 & 4, Parsa khera Industrial Area,(UPSIDC), District- Bareilly., M/s Manglam Chemicals Pvt. Ltd. File No. 6439/Proposal No. SIA/UP/IND3 /64509/2021**

SEIAA gone through the letter dated 07.07.2022 of Shri Shushil Agrawal regarding the above subject. In which it is mentioned that due to typographical error the case is being withdrawn. SEIAA opined to refer the letter to SEAC-1 to review the case and MS, UPPCB to check if the project is operating / has operated without valid EC.

- 13. Non-Agro Warehouse (Industrial Shed) and logistic facility at Khasra No.- 8477, 74, 64, 66, 67, 73, 72, 70, 71, 76, 69, 68, 65 situated in Village-Bani and Khasra No.-313, 314, situated in Village-Sarai Shehzadi, Post-Bijnor, Tehsil-Sarojini Nagar, Lucknow., M/s BG Link Infrastructure LLP File No. 6413/ Proposal No. SIA/UP/MIS/214363/2021**

SEIAA noted that the above project was taken in its 598th and 617th meeting in which SEIAA opined that the project proponent shall submit complete and satisfactory reply. The project proponent has submitted his reply vide undated letter. After reviewing the reply SEIAA found that the reply is still incomplete and unsatisfactory. Hence SEIAA opined that the project proponent shall submit the same. A show-cause notice be issued to the consultant to this project with copy to QCI / NABET.

- 14. Stone (Khanda, Boulder, Gitti) Mining at Gata No. 339, Khand No. 3, Village Dahrra, Mahoba, Shri Rakesh Kumar Mishra., Area 1.214 Ha. File No. 7032/6462/Proposal No. SIA/UP/MIN/ 74702/2021**

SEIAA noted that the above project was taken in its 611<sup>th</sup> meeting in which opined that the project proponent shall submit legible copy of certified Geo-coordinates. The project proponent has submitted his reply vide undated letter. Hence In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of 653<sup>rd</sup> SEAC meeting and grant EC to the said project along with all the general and specific conditions as suggested by SEAC-1 adding following specific condition:-

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.



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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. 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



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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.

**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**