

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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

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Minutes of the 388th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 28/07/2020

The meeting of 388th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on 28/07/2020 at the Directorate of Environment. The following were present in the meeting:-

1. Prof. Rana Pratap Singh

Chairman, SEIAA, U.P

2. Dr. (Smt.) Madhu Bhardwaj

Member, SEIAA, U.P

3. Sri Ashish Tiwari

Member Secretary, SEIAA, U.P

Agenda-A: -Complaints/letters-

1. Complaint of undersigned against illegal extraction of groundwater by M/s. Prateek Realtors India Private Ltd. For its group housing project by the name of Prateek Grand City, Plot Nos 4/BS-01 & 4/BS-05, Siddharth Vihar, Ghaziabad in violation of the environmental Clearance issued on 11 November 2014 Reference Number 1178/Parya/SEAC/2280/2014/AD(VB).

SEIAA gone through the letter of Shri Rajpal Singh Kandari, New Delhi, regarding the above subject. SEIAA opined that the letter shall be sent to DM Ghaziabad and UPPCB for necessary action.

2. Sand Mining Project from Ghaghra River at Gata No. 1150 Mi, Village-Narainpur, Tehsil-Dhanghata, District- Sant Kabir Nagar, U.P. M/s Rai Construction, (Lease Area 25 Ha) File No. 3922 & 4139/Proposal No. (SIA/UP/ MIN/22499/2018)

SEIAA gone through the application of Shri Subedar Yadav, Gorakhpur dated 23.07.2020 regarding transfer of Environmental Clearance to the above project issued vide letter no. 299/Parya/SEAC/3922&4139/2018 date 31/03/2018. SEIAA gone through file and documents and found that the above Environmental Clearance was issued to Shri Ashok Rai S/o Shri Devmani Rai, Village- Bargo, Sant Kabir Nagar. SEIAA noted that the previous lease issued to Shri Ashok Rai, was cancelled vide DM, Sant Kabir Nagar letter dated 30.03.2019 and another LOI was issued to Shri Subedar yadav S/o Shri Pitambar yadav, Pandeypar, Thana- Gola, Gorakhpur vide DM, Sant Kabir Nagar letter no. 121(1)/Khanan Anubhag/E-tender/Sehmati patra dated 20/05/2020. Hence SEIAA opined to transfer Environmental Clearance issued vide letter no. 299/Parya/SEAC/3922&4139/2018 date 31/03/2018 from Shri Ashok Rai S/o Shri Devmani Rai, Village- Bargo, Sant Kabir Nagar to Shri Ashok Rai S/o Shri Devmani Rai, Village- Bargo, Sant Kabir Nagar. Rest all the content of Environmental Clearance letter shall remain same.

Handwritten signatures and date:
RPS, ph
10/08/20

3. ग्राम-सिन्धोरा, तहसील-सदर, जनपद-मीरजापुर के आसपास 997 मि० के क्षेत्रफल 1.00 हेक्टेयर अर्थात् 4.00 बीघा में किये गये वृक्षारोपण की भूमि पर मे० विन्ध्य स्टोन प्रोडक्ट्स प्रो० संजय कुमार दूबे के पक्ष में ई-टेण्डरिंग के माध्यम से 3.03 हे० भूमि पर पत्थर का खनन गूट्टा देने के सम्बन्ध में SEIAA में Environmental Clearance के लिए B-1 श्रेणी में चल रही कार्यवाही के सम्बन्ध में।

SEIAA gone through the letter of Shri Surendra Singh, Mirzapur, regarding the above subject. SEIAA opined that the letter shall be sent to SEAC for comments.

4. Sand Mining from Ghaghra River Bed at Khand No.-2509Mi, Village-Tulsipur, Tehsil-Tarabganj, Gonda., M/s Nandini Infrastructur Pvt. Ltd., Area: 38.44 Ha. File No. 4142/Proposal No. SIA/UP/MIN/22491/2019

SEIAA gone through the letter of Shri Karan Bhushan Sharan Singh, Gonda, regarding the above subject. SEIAA opined that the letter shall be sent to SEAC for comments/review.

5. Reg. surrender of E.C. in view of SEAC Minutes dated 17-06-2020 E.C. Ref. No. - 141/Parya/SEIAA/4919/2019

SEIAA gone through the letter of Shri Manish Kumar Gupta, Banda, regarding the above subject. SEIAA opined that the letter shall be sent to SEAC for comments/review.

6. जिला सहारनपुर के नदी तल में बालू, बजरी, पत्थर के चान के लिस दिये गये ई०आई०ए० प्रार्थना पत्रों को निरस्त करने के सम्बन्ध में।

SEIAA gone through the letter of Shri Sukhoir Singh dated 11.06.2020 regarding the above subject. SEIAA opined that the letter shall be sent to SEAC for for comments/review.

7. Proposed River Bed Morrum Mining Project from Yamuna River for M/s R. A. And Sons located at Khand No. 14/3, 14/4, Village - Dedhawal, Tehsil - Manjhanpur, Kaushambi, UP., Sanctioned Lease Area - 24.28 ha, File No. 4305/Proposal No. (SIA/UP/MIN /74853/2018)

SEIAA gone through the letter of DM Kaushambi letter no. 275/Khanan Sahayak/Kau dated 02.06.2020 regarding the above subject. SEIAA noted that letter regarding cancellation of earlier LOI dated 29.01.2020 and revised LOI dated 12.06.2020 are not annexed along with letter dated 19.06.2020. Hence SEIAA opined that a letter shall be sent to DM and project proponent for the same.

9. पर्यावरण स्वच्छता प्रमाण पत्र के हस्तान्तरण के सम्बन्ध में-

Proposed "River Bed Sand/Morrum at River Dhasan" Project at Gata No.-434 , Village-Kharwanch, Tehsil- Garautha, Distt. - Jhansi, U.P.,(Leased Area-24.281 Ha) M/s Vikram Construction Company, File No. 4011/Proposal No. (SIA/UP/MIN/72447/2018)

SEIAA gone through the letter of Shri Saurabh Gupta, Jhansi dated 29.06.2020 regarding the above subject. SEIAA noted that revised LOI has been issued by DM Jhansi vide letter no. 377/30MMC/2020-21 dated 18.06.2020 but cancellation order for previous LOI has not been submitted. Hence SEIAA opined that project proponent shall submit the same.

10- पर्यावरण स्वच्छता प्रमाण पत्र के हस्तान्तरण के सम्बन्ध में-

Sand/Morrum Mining from betawa river for M/s Suresh Chandra Gupta at Gata No. 596 Khand No. 1, Village- Basrehi, Tehsil- Kalpi, District- Jalaun, U.P. (Area 16.194ha) File no- 4089/Proposal No. (SIA/UP/MIN /72828/2018)

SEIAA gone through the letter of Shri Saurabh Gupta, Jhansi dated 29.06.2020 regarding the above subject. SEIAA noted that revised LOI has been issued by DM Jhansi vide letter no. 1250/Khanij/MMC30/2020-21 dated 17.06.2020 but cancellation order for previous LOI has not been submitted. Hence SEIAA opined that project proponent shall submit the same.

11- पर्यावरण मा0 राष्ट्रीय हरित अधिकरण के अपील नं0 258/2018 आदेश दिनांक 29.03.2019 व मा0 सर्वोच्च न्यायालयों के आदेशों की अवहेलना कर दी गई खनन अनुमति व पर्यावरण सहमति को निरस्त कर खनन रोकने के सम्बन्ध में।

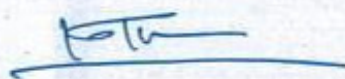
SEIAA gone through the letter of Shri Sunil Kumar, Baghpat dated 24.06.2020 addressed to Chairman NGT New Delhi regarding above subject. SEIAA opined that the letter shall be sent to SEAC for comments.

Agenda-B:-Replies-

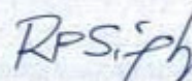
1. Sand/Morrum Mining on Sharda River Bed, Gata No.-504, Village- Atariya, Tehsil- Paliya, Kheri., M/s Raj Contractor and Supplier, Area: 0.603 ha File No. 5681/Proposal No. SIA/UP/MIN/154589/2020

SEIAA noted that the above project was taken in its meeting dated 26.06.2020 in which SEIAA found that cluster certificate is not submitted. The project proponent has submitted the above document vide letter dated 08.07.2020. Hence, the SEIAA agreed with the recommendations of the SEAC dated 15.06.2020 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 conditions no-2 of annexure-2 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. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.
2. 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.







2. Building Stone (Sand Stone) mine at Gata No./Araji No.-141 at Village- Chiraiya, Tehsil- Chunar, District-Mirzapur, M/s Sriram Infrastructure, Leased Area -0.607 ha File No. 4765/Proposal No. SIA/UP/MIN/35152/2019

SEIAA noted that the above project was taken in its meeting dated 19.03.2020 in which SEIAA noted that the reply has not been received from DGM Office. Reply from DGM office has been received vide letter no. 358/M28/2012(Parya Swi)/2019 dated 12.06.2020 along with attested copies of the letters dated 14.09.2018. SEIAA noted that SEAC has recommended to issue ToR but no mention has been made regarding CPA/SPA. Hence SEIAA opined that the project proponent and the consultant should submit an affidavit along with Google map regarding the distance of the project site from CPA/SPA, Chunar, Mirzapur.

3. Expansion of existing sugar mill cane crushing capacity from 4600 TCD to 5500 TCD at Village- Agwanpur, Tehsil & District-Moradabad, U.P, M/s Dewan Sugar Ltd. File No. 5010/Proposal No. SIA/UP/IND2/38918/2019

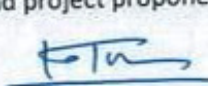
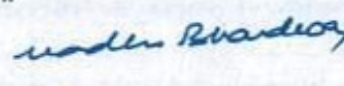
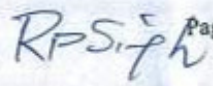
SEIAA noted that above project was taken in its meeting dated 27.05.2020 in which SEIAA noted that reports for whether the project is inside or within 05 km of CPA/SPA has not been received. Hence SEIAA opined to send a reminder to Regional Officer UPPCB with a copy to MS. The project proponent has submitted his reply vide letter dated 10.07.2020 along with Google map showing the distance of the CPA/SPA area from project site as 12.58 Km. Hence SEIAA agreed with the recommendation of the SEAC dated 11.10.2019 to issued ToR to the above project adding 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. Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
3. MOU signed between the project proponent and the consultant should be submitted.
4. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.
5. Public hearing shall be conducted as per EIA notification, 2006 (as amended).

4. Building Stone (Sand Stone) Mine at Gata No./Araji No./Plot No.-703 at Village- Bhagauti Dei, Tehsil- Chunar, District-Mirzapur., Shri Chandra Bali Yadav, Leased Area- 0.809 ha. File No. 5121/Proposal No. SIA/UP/MIN/ 44654/2019

SEIAA noted that the above project was taken in its meeting dated 27.05.2020 in which SEIAA opined to send a reminder to Regional Officer UPPCB with a copy to MS. The project proponent has submitted his reply dated 11.06.2020. After reviewing the reply SEIAA agreed with the recommendation of the SEAC meeting dated 20.11.2019 to grant ToR to the above project. SEIAA agreed with the recommendation of the SEAC to issue the additional ToR;s 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.

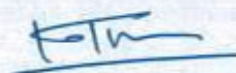
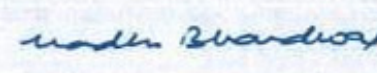
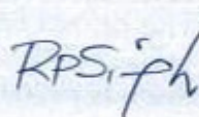
   Page 4 of 8

- 2- Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
- 3- MOU signed between the project proponent and the consultant should be submitted.
- 4- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.
- 5- 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.
- 6- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 7- Since the proposed project is under Red/Orange category of Industrial sector and falls in Critically Polluted Areas (CPAs), Severely Polluted Areas (SPAs) the provision of the mechanism framed regarding compliance of Hon'ble NGT order in OA 1038/2018 dated 19-08-2019 by MoEF& CC, Govt. Of India vide letter dated 31-10-2019 shall be followed in letter and spirit.
- 8- All the additional condition for grant of Consent to Establish (CTE)/Consent to Operate (CTO) related to Pollution mitigation measures as prescribed in the office memorandum of MoEF&CC, Gol dated 31.10.2019 and as deemed fit by UP Pollution Control Board in the consent orders shall be followed by Project Proponent.
- 9- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.

5. Building Stone (Sand Stone) Mine at Gata No./Araji No./Plot No.-428 at Village-Dhuria, Tehsil-Chunar, District-Mirzapur, U.P., (Leased Area-0.909 ha.), Shri Chhatrabali Singh File No. 5137/Proposal No. SIA/UP/MIN/ 45091/2019

SEIAA noted that the above project was taken in its meeting dated 27.05.2020 in which SEIAA opined to send a reminder to Regional Officer UPPCB with a copy to MS. The project proponent has submitted his reply dated 11.06.2020. After reviewing the reply SEIAA agreed with the recommendation of the SEAC meeting dated 20.11.2019 to grant ToR to the above project. SEIAA agreed with the recommendation of the SEAC to issue the additional ToR;s 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- Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
- 3- MOU signed between the project proponent and the consultant should be submitted.
- 4- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.

- 5- 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.
 - 6- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
 - 7- Since the proposed project is under Red/Orange category of Industrial sector and falls in Critically Polluted Areas (CPAs), Severely Polluted Areas (SPAs) the provision of the mechanism framed regarding compliance of Hon'ble NGT order in OA 1038/2018 dated 19-08-2019 by MoEF& CC, Govt. Of India vide letter dated 31-10-2019 shall be followed in letter and spirit.
 - 8- All the additional condition for grant of Consent to Establish (CTE)/Consent to Operate (CTO) related to Pollution mitigation measures as prescribed in the office memorandum of MoEF&CC, Gol dated 31.10.2019 and as deemed fit by UP Pollution Control Board in the consent orders shall be followed by Project Proponent.
 - 9- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
6. Building Stone (Sand Stone) Mining at Gata No.- 588, Village- Jigana, Tehsil- Chunar, District- Mirzapur, U.P., (Leased Area-2.02 ha). File No. 5364/Proposal No. SIA/UP/MIN/47746/2019

SEIAA noted that the above project was taken in its meeting dated 03.03.2020 in which SEIAA opined to refer back the project to SEAC to appraise the case in the light of OM no- 22-23/2018-IA.III dated 30/12/2019 and send the clear recommendation regarding its compliance. The project proponent has submitted his reply dated 16.07.2020 stating that affidavit regarding the CEPI distance from the site has already been submitted on 09.01.2020. After reviewing the reply SEIAA agreed with the recommendation of the SEAC meeting dated 29.01.2020 to grant ToR to the above project. SEIAA agreed with the recommendation of the SEAC to issue the additional ToR;s 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- Copy of all the analysis reports signed by analyst approved by NABL or MoEF&CC shall be annexed with the EIA report and original analysis reports should be presented at the time of presentation.
- 3- MOU signed between the project proponent and the consultant should be submitted.
- 4- The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 and submit along with EIA.
- 5- 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.
- 6- Public hearing shall be conducted as per EIA notification, 2006 (as amended).

K. Tr. Prasad Bhardwaj *RPS. ph* Page 6 of 8

- 7- Since the proposed project is under Red/Orange category of Industrial sector and falls in Critically Polluted Areas (CPAs), Severely Polluted Areas (SPAs) the provision of the mechanism framed regarding compliance of Hon'ble NGT order in OA 1038/2018 dated 19-08-2019 by MoEF& CC, Govt. Of India vide letter dated 31-10-2019 shall be followed in letter and spirit.
- 8- All the additional condition for grant of Consent to Establish (CTE)/Consent to Operate (CTO) related to Pollution mitigation measures as prescribed in the office memorandum of MoEF&CC, GoI dated 31.10.2019 and as deemed fit by UP Pollution Control Board in the consent orders shall be followed by Project Proponent.
- 9- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.

7. Pradhan Mantri Awas Yojna at 332, 367, 368, 371, 372, 374, 375, 376, 377, 379, 380, 381, 386, 387, 733, 734, Sector-N, Vasant Kunj, Village- Bari-Kala, Tehsil- Sadar, District- Lucknow, U.P. File No. 4951/Proposal No. SIA/UP/MIS/112220/2019

SEIAA noted that the above project was taken in its meeting dated 30.01.2020 in which SEIAA opined that appropriate arrangement shall be proposed for the disposal of surplus treated waste water. The project proponent has submitted his reply dated 22.06.2020 in which it is mentioned that surplus treated water will be discharged to Gomti River via a drain. SEIAA opined that the project proponent shall clarify whether the surplus treated water will be discharged in the upstream or downstream of Lucknow city in Gomti River. The permission from competent authority for discharge of this water in Gomti River shall also be submitted by the project proponent.

With the permission of the Chairman:-



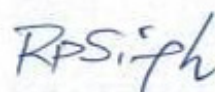
1. Sand/Morrum Mining on Betwa River Bed at Gata No.-1191/2, Khand No.-04, Vill.- Sikarivyas, Oraï, Jalaun, U.P., M/s Gauri Traders, (Leased Area: 20.242 ha). File No. 5416/Proposal No. SIA/UP/MIN/49995/2020

SEIAA noted that a note in file has been submitted by SEAC instead of minutes of the meeting regarding correction in issued ToR. SEIAA gone through the file and documents and found that ToR was issued to the project proponent on the recommendation of SEAC for which the project proponent has requested to change his name from Shri Sudhir Singh to Shri Sudhir Kumar. SEIAA agreed to change the name from Shri Sudhir Singh to Shri Sudhir Kumar. Rest all the content shall remain unchanged. SEIAA also opined that, in future, SEAC shall not send any recommendation in the individual file and all the recommendations shall be sent in the form of the minutes only.

2. Expansion of IT Park Project at B-6, Sector-132, Noida, District-Gautam Buddha Nagar., M/s Espirit Techno Consultants Pvt. Ltd. File No. 5700/Proposal No. SIA/UP/MIS/157809/2020

SEIAA noted that the above project was taken in its meeting dated 07.07.2020 in which SEIAA agreed to grant EC to the above project. SEIAA reviewed the case and added the following conditions:-

1. Since the proposed project falls in Critically Polluted Areas (CPAs), Severely Polluted Areas (SPAs) the provision of the mechanism framed regarding compliance of

Minutes of the 388th Meeting of the SEIAA, UP held on 28/07/2020

Hon'ble NGT order in OA 1038/2018 dated 19-08-2019 by MoEF& CC, Govt. Of India vide letter dated 31-10-2019 shall be followed in letter and spirit.

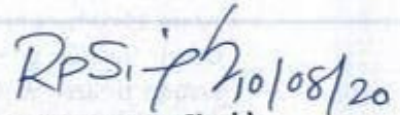
2. All the additional condition for grant of Consent to Establish (CTE)/Consent to Operate (CTO) related to Pollution mitigation measures as prescribed in the office memorandum of MoEF&CC, Gol. dated 31.10.2019 and as deemed fit by UP Pollution Control Board in the consent orders shall be followed by Project Proponent.
3. 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.



(Shri Ashish Tiwari, IFS)
Member-Secretary
SEIAA



(Dr. (Smt.) Madhu Bhardwaj)
Member
SEIAA



(Prof. Rana Pratap Singh)
Chairman
SEIAA