

# State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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## Minutes of the 498<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 05.10.2021

The meeting of 498<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 05.10.2021 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 |

Agenda-A: -Complaints/letters -Nil

Agenda-B: -Replies-Nil

Agenda-C:- Minutes of 560<sup>th</sup> SEAC-1 Meeting Dated 17/08/2021

1. Sand Stone Mining at Arazi No.-02, Village-Saria, Tehsil-Chunar, Mirzapur, U.P., M/s Vindhywashini Enterprises Area -1.21 ha File No. 5045 Proposal No. SIA/UP/MIN/42805/2019

SEIAA noted that SEAC has recommended to grant the prior Environmental Clearance. SEIAA gone through file and documents and noted that validity of consultant has expired on 30.12.2020, Hence SEIAA opined to refer back the project to SEAC for comments.

2. Soil Excavation at Gata No.-33, 575, 576, 585, 586, VillageDaniyalganj, Tehsil-Sadar, District-Hardoi., Shri Ashish Kumar Pandey, Area-0.853 Ha File No6337Proposal No. SIA/UP/MIN/ 209153/2021

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC 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. 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.
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.
3. 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. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
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.

3. Stone Mining at Gata No.-87, Khand No.02, Village-Dasna, Moth, Jhansi., Shri AkhilPratap Singh, Area-0.809 ha., File No. 6340 ProposalNo SIA/UP/MIN/ 206207/2021

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC 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. 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

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- 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.
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.
  3. 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.
  4. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
  5. 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.
  6. 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.
4. Sand/ Morrum Mining from Betwa River Bed at Gata No.- 314, Khand No.-01, Village- Manikpura, Tehsil-Moth, Jhansi., Shri Chandra Pal Singh, Area: 4.75 ha File No. 6342 Proposal No. SIA/UP/MIN/ 62303/2021

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

- 1- 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- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 5- KML file for the area and mining lease area should be provided.
- 6- 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.

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- 7- 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.
  - 8- 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.
  - 9- 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.
  - 10- In case of expansion / renewal of earlier EC, following information should be submitted
    - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
    - b. Copy of CTE and CTO issued by SPCB.
    - c. Status of submission of six-monthly compliance report to EC granted earlier
    - d. Court cases, if any.
  - 11- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
  - 12- Replenishment study, duly approved by the competent authority for approving DSR for the district should be submitted.
  - 13- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 5,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
5. Stone Mining at Arazi No.-1939, Khand No.-03 New, Village- Pahra, Tehsil-Sadar, Mahoba, U.P., Smt. RajniPaliwal., Area-1.012 ha., File No. 6343 Proposal No. SIA/UP/MIN/63807/2021

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

- 1- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.

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- 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- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 5- KML file for the area and mining lease area should be provided.
- 6- 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.
- 7- 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.
- 8- 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.
- 9- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (iii) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
  - (iv) 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.
- 10- In case of expansion / renewal of earlier EC, following information should be submitted
  - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.
  - c. Status of submission of six-monthly compliance report to EC granted earlier
  - d. Court cases, if any.
- 11- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 12- 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

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for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.

**6. Stone Mining at Gata No.-989, Khand No.-01, Village- Makarbai, Tehsil-Sadar, Mahoba, U.P., Shri Narayan Singh., Area-1.619 ha., File No. 6344 1Proposal No. SIA/UP/MIN/63817/2021**

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

- 1- 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- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 5- KML file for the area and mining lease area should be provided.
- 6- 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.
- 7- 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.
- 8- 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.
- 9- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
  - (v) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
  - (vi) 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.
- 10- In case of expansion / renewal of earlier EC, following information should be submitted
  - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
  - b. Copy of CTE and CTO issued by SPCB.

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- c. Status of submission of six-monthly compliance report to EC granted earlier
- d. Court cases, if any.

- 11- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 12- 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 below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 13- In the mining plan, condition related to river bed material has been imposed, mining plan needs to be revised / amended to this extent and should be submitted along with EIA-EMP report.

**7. Stone Mining at Gata No.-715, Khand No.-23, Village-Gonda, TehKarwi, Chitrakoot. Smt. Kamla Devi, Area-2.024 ha., File No. 6347 Proposal No. SIA/UP/MIN/ 63377/2021**

SEIAA gone through the recommendation of the SEAC and opined that the said project is not included in DSR of the concerned district. Project Proponent to submit document, if any, issued by competent authority related inclusion of the said project in the DSR of the concerned district.

**8. Sand Stone Mining at Gata No.-112Mi. & 121Mi, Village-Matikhana, Lalganj, Mirzapur., Shri Rana Ranjan Singh, Area-0.707 ha., File No. 6349 Proposal No. SIA/UP/MIN/ 214777/2021**

SEIAA noted that SEAC has recommended to grant the prior Environmental Clearance. SEIAA gone through file and documents and noted that conditions mentioned in mining plan approval letter is of sand mining. Hence SEIAA opined that project proponent shall get it corrected and also submit correction in DSR signed by competent authority.

Further, SEIAA opined that a reference should be sent to both SEAC-1 and SEAC-2 that unless a project is included in DSR of the concerned district, it should not be considered and PP should be asked to submit relevant document, duly issued / approved by competent authority.

**9. Group Housing "Grand Forte Apartments" at Plot NO.-76, Sigma-IV, Greater Noida, Shri Vishnu Lalwani, M/s SatililaSahkariAwasSamitiFile No. 6350/ 6155 Proposal No. SIA/UP/ MIS/ 215063/2021**

SEIAA noted that SEAC has recommended that the matter shall be finally decided after receipt of the communication regarding initiation of credible legal action against the project proponent for violation of the E.P. Act and submission of a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation to the SPCB.

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SEIAA reviewed the case and opined that in light of MoEFCC OM F.No. 22-21/2020-IA:III dated 07.07.2021 violation cases cannot be taken up in light of litigation pending in Honourable Supreme Court and affidavit filed by MoEFCC in this regard. Further, SEIAA opined that a letter shall be send to MS UPPCB regarding stopping of any construction work being done by PP, if the same has not been done till date, for operating in violation and necessary legal action should be initiated against PP.

**10. Stone Mining at Khasra No./Plot No./Gata No.-3114,3115, Khand No.- 18, Village-Koshnakalan, Tehsil-Meja, Prayagraj., M/s MaaSavitri Stones, Area-2.024 ha., File No. 6352 Proposal No. SIA/UP/MIN/ 215315/2021**

SEIAA agreed with the recommendation of the SEAC that the Complainant letter received in this regard along with all its annexure should be sent immediately to District Magistrate, Prayagraj to provide the factual report. The committee further directed that a copy of the same letter should also be made to the complainant.



(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA



(Paras Nath)  
Member  
SEIAA



(Dr. Rajiv Kumar Garg)  
Chairman  
SEIAA