

# State Level Environment Impact Assessment Authority, Uttar Pradesh

## Directorate of Environment, U.P.

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### Minutes of the 504<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 22.10.2021

The meeting of 504<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 22.10.2021 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

Agenda-A: -Complaints/letters –Nil

Agenda-B: -Replies–Nil

Agenda-C: Minutes of 568<sup>th</sup> SEAC-1 Meeting Dated 08/09/2021

1. Stone Mining at Gata No.-4949 Kha, Khand No.-05,Village- Billimarkundi, Tehsil-Obra, District-Sonbhadra, M/s ShriMahadev Enterprise Area-5.880 ha. File No. 6399/Proposal No. SIA/UP/MIN/64123/2021

SEIAA noted that SEAC has commented that the project proponent/Consultant informed the committee that this area is within 5 km of the CPA boundary in the district of Sonbhadra. The project proponent/Consultant also informed the committee that this area is in SPA as per the EPI score defined by the CPCB assessment of 2018. The NGT order dated 02/8/2021 in the matter of Appeal No. 54/2020 Anil Kumar Yadav Versus State Environment Impact Assessment Authority, Uttar Pradesh & Ors. with Review Application No. 07/2021 in Appeal No. 04/2020 Abhinav Gramodyog & Seva Sansthan Versus State Environment Impact Assessment Authority, Uttar Pradesh & Ors. Mentions that... "Accordingly, the joint Committee of MoEF&CC, CPCB and State PCB may, with the help of the District Magistrate, Sonbhadra, finalise the exercise and clarify the factual position of the outer boundary of the CPA and distance of the projects in question from said area. The State PCB will be the nodal agency for coordination and compliance. The Joint Committee may also give a report whether the projects in question fall within the prohibited distance from the protected area under the Wild Life (Protection) Act, 1972 and the inter-State boundary."...Because of the above order, the committee requests SEIAA to get clarification on whether this case can be taken as category B1 or not.

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SEIAA opined that a clarification from SPCB shall be sought wheather the above area is within 5 km of the CPA boundary in the district of Sonbhadra or not. Meanwhile the project shall be delisted and the project proponent is at liberty to apply in MOEFCC as category A project.

2. Stone Mining at Gata No.-7407Ka, Village-Billimarkundi, The.-Obra, District-Sonbhadra., M/s Mahakal Enterprises, Area-1.5300 ha. File No. 6400/Proposal No. SIA/UP/MIN/64121/2021

The project proponent/Consultant informed the committee that this area is within 5 km of the CPA boundary in the district of Sonbhadra. The project proponent/Consultant also informed the committee that this area is in SPA as per the EPI score defined bythe CPCB assessment of 2018. The NGT order dated 02/8/2021 in the matter of Appeal No. 54/2020Anil Kumar Yadav Versus State Environment Impact Assessment Authority, Uttar Pradesh &Ors. with Review Application No. 07/2021 in Appeal No. 04/2020 Abhinav Gramodyog & Seva Sansthan Versus State Environment Impact Assessment Authority, Uttar Pradesh & Ors. mentions that... *"Accordingly, the joint Committee of MoEF&CC, CPCB and State PCB may, with the help of the District Magistrate, Sonbhadra, finalise the exercise and clarify the factual position of the outer boundary of the CPA and distance of the projects in question from said area. The State PCB will be the nodal agency for coordination and compliance. The Joint Committee may also give a report whether the projects in question fall within the prohibited distance from the protected area under the Wild Life (Protection) Act, 1972 and the inter-State boundary."*...Because of the above order, the committee requests SEIAA to get clarification on whether this case can be taken as category B1 or not.

SEIAA opined that a clarification from SPCB shall be sought wheather the above area is within 5 km of the CPA boundary in the district of Sonbhadra or not. Meanwhile the project shall be delisted and the project proponent is at liberty to apply in MOEFCC as category A project.

3. Stone Mining at Gata No.-323, Khand No.-03, at Village-Mochipura, Tehsil-Sadar, District-Mahoba, Shri Narayan Singh, Area-1.214 ha. File No. 6401/Proposal No. SIA/UP/MIN/64131/2021

SEIAA agreed with the recommendation of SEAC that the case shall be considered after the receipt of the factual report in this regard.

4. Stone Mining at Arazi No.-339, Khand No.-12, Village-Daharra, Tehsil-Sadar, District-Mahoba. M/s Sandeep Construction & Suppliers., Area-0.809 ha. File No. 6403/Proposal No. SIA/UP/MIN/64139/2021

The 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

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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, 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.
- 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.

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5. Ordinary Earth Mining at Gata No.-1063, Village- Mahnaura, Tehsil- Hasnganj, District- Unnao. ShriJitendra Kumar, Area-0.6900 ha. File No. 6405/Proposal No. SIA/UP/MIN/216243/2021

SEIAA noted that SEAC has recommended to grant environmental clearance for the project. SEIAA gone through file and documents and found that certified lease map has not been submitted. Hence SEIAA opined that the project shall be refered back to SEAC and the project proponent shall submit certified or notarized true copy of lease map.

6. Stone Mining at Gata No.-634, Khand No.-02, Village-Daharra, Tehsil-Naraini, District-Banda, U.P., ShriRohitAgarwal Area-2.25 ha. File No. 6407/Proposal No. SIA/UP/MIN/64235/2021

The 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- 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 -
  - (iii) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.

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- (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.

11- In case of expansion / renewal of earlier EC, following information should be submitted

- Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
- Copy of CTE and CTO issued by SPCB.
- Status of submission of six-monthly compliance report to EC granted earlier
- 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.

7. Stone Mining at Gata No.-669, Khand No.-37, Village-Khailar, Tehsil-Sadar, District-Jhansi, U.P., Shri Suresh Kumar Saravagi, Area-2.023 ha. File No. 6409/Proposal No. SIA/UP/MIN/64263/2021

SEIAA noted that SEAC has recommended to grant ToR to the project. SEIAA gone through file and documents and found that Khand No.-37 of Gata No.-669 is not present in the DSR. Hence SEIAA opined to refer back the project to SEAC and the project proponent shall submit letter of competent authority for amendment to SEAC.

8. Stone Mining at Arazi No.-614, 615 & 616, Village-Lavan, Tehsil-Lalganj, District-Mirzapur, Smt. Arun Devi, Area-1.58 ha. File No. 6411/Proposal No. SIA/UP/MIN/217159/2021

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 adding following specific condition as follows:-

- This EC is co-terminus with validity of current mine plan or current lease period whichever is earlier.
- Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
- 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.

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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. 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 concerned RO, UPSPCB that area doesn't attract CPA and a copy of the same should be submitted to SEIAA.
9. 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-SaraiShehzadi, Post-Bijnor, Tehsil-Sarojini Nagar, Lucknow., Smt. Shweta Sharma, M/s BG Link Infrastructure LLP. File No. 6413/Proposal No. SIA/UP/MIS/214363/2021

SEIAA agreed with the recommendation of SEAC that the case will be discussed after the submission of online information on the prescribed portal.

10. Common Bio-medical Waste Treatment Facility at Khasra No.-1006, Village- Paharpur, Post-Gotha Rasoolpur, District-Deoria, U.P., ShriAmaresh Kumar Rai, M/s JKN Purvanchal CBWTF Works. File No. 5790/Proposal No. SIA/UP/MIS/55933/2020

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11. Stone Mining at Gata No.-669, Khand No.-07, at Village-Khailar, Tehsil-Sadar, District-Mahoba., ShriSiddharthYadav, Area-2.530 ha. File No. 6420/Proposal No. SIA/UP/MIN/64125/2021

12. Building Stone (Khanda, Boulder, Bailast&Gitti )Mine at Gata No.-2/4, Khand No.- 05, at Village- Jujhar, Tehsil & District- Mahoba, U.P., ShriYashrajJadon, M/s Royal Natural Stones Pvt. Ltd. Lease area-1.619 ha.,File No. /Proposal No. 6302/ SIA/UP/MIN/ 63437/2021

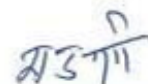
Due to paucity of time SEIAA decided to take the above projects in the next meetings.



(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA



(Paras Nath)  
Member  
SEIAA



(Dr. Rajiv Kumar Garg)  
Chairman  
SEIAA