

# 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 497<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 04.09.2021

04.10.2021

The meeting of 497<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 04.09.2021 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

1. Proposed of " Building Stone (Khanda, Gitti, Boulder )Mining" Project at Gata No.-442 Ga, Khand No.- 02, at Village- Dongri, Tehsil-Sadar, District -Jhansi, U.P. Lease area-1.618 ha. File no- 5984 dated 02-09-2021 & 24-09-2021

SEIAA noted the above project was taken in its meeting dated 12.08.2021 in which SEIAA opined to grant EC after receiving clarification from Director, Department of Geology and Mining, UP. The project proponent has submitted his reply vide letter dated 02.09.2021 along with letter of DGM letter no. 255/66-2021-01(sa)/2020 dated 09.02.2021. SEIAA agreed with the recommendation of SEAC dated 08.07.2021 to grant the prior Environmental Clearance to the proposed project for 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.
  4. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
  5. 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.
  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 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.
2. Proposed of "Building Stone (Khanda, Boulder & (Gitti) Bailast) Mining" Project at Gata No.- 291, (Khand No.-02 New), Village- Majhol, Tehsil- CharKhari, District- Mahoba, U.P., Leased Area -0.809 ha File no6284 dated 03-09-2021 Reply

SEIAA noted the above project was taken in its meeting dated 23.08.2021 in which SEIAA noted that amendment in DSR should be signed by competent authority. SEIAA also found that two mining plan approval letter has been submitted by project proponent bearing the same letter no. but the dates are different and in one letter minable quantity per annum is mentioned and in another quantity is not mentioned. Hence SEIAA opined that the project proponent shall clarify the same. The project proponent has submitted his reply vide letter dated 03.09.2021 along with letter no. 154/MMC-30-khanij(2021-22) dated 12.05.2021 of DM, Mahoba and has stated that ambiguity was because DGM has recently developed the Mine Mitra Portal. Hence SEIAA agreed with the recommendation of SEAC dated 22.07.2021 to grant the prior Environmental Clearance to the proposed project for 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

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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.
4. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
5. 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.
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 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. Proposed River Bed "Hardauli Sand/ Morrum Mining Project" from Yamuna River located at Khasra/Gata No.- 1152, 1087, 1155, 1153, 1156, 1157, 1158, 1159, 1160, 1154, 1171, 1163 & 1164, Village- Hardauli, Tehsil-Ghatampur, District-Kanpur Nagar, U.P., M/s SarangInfratech, Lease Area: 14.0 ha File no- 6300

SEIAA noted that the above project was taken in its meeting dated 23.08.2021 in which SEIAA opined to refer back the project to SEAC to confirm the geo-coordinates of the area and to ascertain if data can be collected before LOI is issued.

4. Letter regarding ToR amendment Proposed of "Building Stone (Khanda, Gitti& Boulder) Mine" Project for Capacity Expansion at Gata No.- 967, Khand No.- 02, at Village- Kabrai, Tehsil -Mahoba, District- Banda, U.P., M/s C.P.S.K. Ventures Pvt. Lt, Leased Area -3.036 ha File no- 5183

SEIAA noted that the above matter was taken in its meeting dated 26.08.2021 in which SEIAA opined to refer the letter to SEAC-1 for review/comments.

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5. Expansion of Multiplex and Commercial Complex Building (Fun Republic ) at Khasra No.- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199(Part), Bhikhamnagar, Gomti Nagar, Lucknow., Shri VikasKatoch, M/s E-City Entertainment (India) Pvt. Ltd. File No. 6414/Proposal No. SIA/UP/MIS/217388/2021

SEIAA noted that Integrated Regional Office, MoEFCC, Lucknow vide letter F.No. II/Env/comp/UP/14/90/166 dated 22.09.2021 has brought forward irregularities being committed by PP. Hence, SEIAA opined that the secretariat shall refer the matter to Department of Environment, UP to initiate the prosecution proceedings against the project proponent under Environment (Protection) Act 1986 .

6. Expansion of Cement Production Capacity from 1.0 MTPA to 1.25 MTPA of Existing stand-alone clinker Grinding Unit at Plot No.- 19 & 20, UPSIDC Industrial Area, Sikandrabad, Bulandshahar., Shri K.V. Reddy, M/s Ultra Tech Cement Ltd. File No. 5928/Proposal No. SIA/UP/MIN/176615/2020

SEIAA noted that the above project was taken in its meeting dated 05.08.2021 in which SEIAA opined that since the project was granted EC previously the project proponent should submitted certified compliance report from MOEF &CC along with details, in tabular form, of queries raised during public hearing and how they were addressed by the Project Proponent. The project has replied vide letter dated 31.08.2021 Along with certified compliance report of previous EC and has stated that public hearing was not conducted at the time of earlier EC as the project falls in UPSIDC industrial area, Sikandrabad and public hearing is exempted in notified industrial area as per stage-3 para no. (i)b of EIA notification 2006. SEIAA opined as cement plant is an air polluting industry and as the cement plant is going for capacity expansion thus PP needs to carry out Public Hearing, as decide earlier in SEIAA meeting. SEIAA also observed that PP has not submitted reply to all the queries raised by SEIAA. PP should immediately submit reply to earlier letter sent to them.

7. Mahavir Nagar Yojna Phase-I, Phase-II Under Prime Minister AwasiyaYojna at Mahavir Nagar (Extension), District- Kanpur, U.P. File No. 4422/Proposal No. SIA/UP/NCP/75971/2018.

SEIAA noted that the above project was taken in its meeting dated 25.03.2021 in which SEIAA opined that an affidavit shall be submitted by KDA to own form-I and all other documents submitted from time to time. The project proponent/consultant has submitted his reply vide letter dated 02.08.2021. SEIAA gone through the reply which was foundunsatisfactory. Hence SEIAA opined that a letter shall be referred to VC KDA informing him desired documents are not being submitted to SEIAA and hence the file is being delisted.

8. Proposed Multistory Residential Buildings under Pradhan MantriAwasYojna Phase- I, Phase- I (Urban)at Gata No.- 167 Village- Mahavir Nagar, District- Kanpur Nagar, U.P. File no- 4421

SEIAA noted that the above project was taken in its meeting dated 15.03.2021in which SEIAA opined that an affidavit shall be submitted by KDA to own form-I and all other



documents submitted from time to time. The project proponent/consultant has submitted his reply vide letter dated 04.08.2021. SEIAA gone through the reply which was found unsatisfactory. SEIAA opined that a letter shall be referred to VC KDA informing him desired documents are not being submitted to SEIAA and hence the file is being delisted.

9. Rajkiya Medical College Shahjahanpur at Gata No.- 82 mi, Gram-Dharnidharpur&Gata No.- 12 mi, Gram- AjiipurJignera, Pargana- Jamaur, Tehsil- Sadar, District- Shahjahanpur. File No. 4423/ Proposal No. SIA/UP/NCP/75978/2018

SEIAA noted that the above project was taken in its meeting dated 24.10.2018 in which SEIAA found that the project proponent through his letter dated 5-10-2018 has requested to grant exemption from E.C. whereas Committee has recommended to grant E.C. for the proposed project along with general and specific conditions. Hence the matter is referred back to SEAC for comments. Hence no further action is required at SEIAA.

10. Multistory Building, Row Houses & Commercial Space at Village- Aurangabad Khalsa, Lucknow. Nagar Nigam Lucknow. File No. 3930/Proposal No. SIA/UP/NCP/ 71737/2017

SEIAA noted that SEAC has recommended to grant EC to the above project. The project requires a detailed scrutiny which is not possible through video conferencing. Hence SEIAA opined that this project shall be taken when the meeting is held in person at Directorate of Environment, Lucknow.

11. Proposed Multistory Residential Buildings under Pradhan MantriAwasYojna (Urban) at Gata No.- 1672, 1684, 1686, 1689, 1691, 1696, 1766, 1767, 1770, 1771, 1772, Village- Para, District- Lucknow, U.P. File no- 4415

The project requires a detailed scrutiny which is not possible through video conferencing. Hence SEIAA opined that this project shall be taken when the meeting is held in person at Directorate of Environment, Lucknow.

12. Soil Mining at Gata No.-70Mi, 85, 67, 32, 110, Village-Vangawan, TehsilPuwanja, Shahjahanpur., ShriKuldeep Singh, Area -3.337 ha File No. /Proposal No. 6227/SIA/UP/MIN/ 201749/2021

SEIAA gone through the letter of Shri Pramod Kumar and Arvind Kumar Shahjahapur dated 30.07.2021 and Smt. Shakuntla Devi Shahjahapur dated 30.07.2021 regarding the above project. SEIAA opined to refer the letter to SEAC for review/comments.

13. Commercial Project "Lulu Mall" at Plot No. T4A, T-5, IBB-2, Sushant Golf City, Shaheed Path, Village-Hariharpur, Tehsil-Sarojininagar, Lucknow., M/s Lulu India Shopping Mall Pvt. Ltd. File No. 6467/Proposal No. SIA/UP/MIS/66094/2021

SEIAA noted that SEAC has recommended ToR to the above project in its meeting dated 24.08.2021. During the discussion on this project there was difference of opinion amongst Chairman, SEIAA and Member-Secretary, SEIAA. Member, SEIAA didn't express his opinion. Summary of the viewpoint / opinion of Member-Secretary and Chairman is as follows –

Member-Secretary, SEIAA opined that ToR should be granted to this project. Chairman, SEIAA opined this is a real estate project which has operated without seeking

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environmental clearance. MoEFCC vide OM dated 07.07.2021 has issued standard operation procedure (SOP) for identification and handling of violation cases under EIA Notification, 2006. This OM was issued in light of Honorable NGT's judgments dated 03.06.2021 and 24.05.2021. Honorable Supreme Court vide their judgment dated 30.07.2021 has granted stay on the application of Honorable NGT order dated 03.06.2021. MoEFCC has taken a view that projects operating in violation cannot be considered under their OM dated 07.07.2021. MoEFCC has submitted affidavit, to this effect, on 17.09.2021 in Honorable Supreme Court in Civil Appeal No. 281 of 2021. All violation projects can be taken up only after OM dated 07.07.2021 (SOP) becomes effective.

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(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA

(Paras Nath)  
Member  
SEIAA

*21.10.21*  
(Dr. Rajiv Kumar Garg)  
Chairman  
SEIAA

*For item NO. 13 parallel minutes were prepared  
which are annexed alongwith my comments*

*Shilp*  
26.10.2021



# 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 497<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 04.10.2021

The meeting of 497<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held via hybrid mode on 04.10.2021 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

1. (13) Commercial Project "Lulu Mall" at Plot No. T4A, T-5, IBB-2, Sushant Golf City, Shaheed Path, Village-Hariharpur, Tehsil-Sarojininagar, Lucknow., M/s Lulu India Shopping Mall Pvt. Ltd. File No. 6467/Proposal No. SIA/UP/MIS/66094/2021

SEIAA noted that the above project was taken in SEAC meeting dated 24.08.2021 wherein the committee noted that an application dated 28/07/2021 (Proposal No. SIA/UP/MIS/66094/2021) was made by the project proponent M/s Lulu India Shopping Mall Pvt. Ltd. for environmental clearance of Commercial Project "Lulu Mall" at Plot No. T4A, T-5, IBB-2, Sushant Golf City, Shaheed Path, Village-Hariharpur, Tehsil-Sarojininagar, Lucknow under violation category as per procedure laid down in MoEF&CC, Govt. of India Office Memorandum dated 7<sup>th</sup> July, 2021 regarding standard operating procedure (SoP) for identification and handling of violation cases under EIA Notification, 2006.

The committee also noted that approximately 85% of construction work has already been completed by the project proponent without obtaining prior environmental clearance and it is quite surprising that huge construction work is going on from the last several years in which already Rs. 921.72 Crore has been invested as the Chartered Accountant Certificate submitted by the project proponent.

The committee observed that as per clause 12 a (i) of OM No. F.N. 22-21/2020-IA.III dated 07/07/2021 under Penalty provisions for violation cases and applications: For New Projects: Where operation has not commenced: 1% of the total Project Cost incurred upto the date of filing of application along with EIA/EPM Report has to be imposed on the project proponent. However as per clause 12.2 of OM Dated 07/07/2021 the percentage rates, as above, shall be halved if the PP suo-moto reports the such violation without such violations coming to the knowledge of the Government either on inquiry or complaint. The project proponent has online applied for EC on 28/07/2021 vide proposal no. SIA/UP/MIS/66094/2021 to the Secretariat of SEIAA/SEAC, UP has informed that no complaint has been received in the Directorate of Environment UP till date against the said project regarding starting of construction work at site without obtaining prior environmental clearance. The Project proponent has

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submitted Mall Project Cost Certificate issued by Chartered Accountants, JDNT & Associates, Kochi dated 26/07/2021 stating total project cost incurred is Rs. 921.72 Crores. In view of the above, Committee imposed a penalty of Rs. 460.86 Lakhs (0.5% of total project cost incurred up to 26/07/2021) on project proponent which has to be deposited with UPPCB before filling of EIA Report. In case any complaint is received from any person/institution/departments/organization prior to suo-moto declaration of the project proponent then penalty will be increased to 1% as per SoP/OM dated 7<sup>th</sup> July, 2021.

The committee also directed the project proponent to stop the construction work at the site with immediate effect until the Environment Clearance is granted.

A presentation was made by the project proponent along with their consultant M/s Environmental & Technical Research Centre. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. The terms of reference is sought for Commercial Project "Lulu Mall" at Plot No. T4A, T-5, IBB-2, Sushant Golf City, Shaheed Path, Village-Hariharapur, Tehsil-Sarojini Nagar, Lucknow., M/s Lulu India Shopping Mall Pvt. Ltd.
2. Consent to Establish issued by the UP Pollution Control Board, Lucknow vide letter no. 133669/UPPCB/Lucknow(UPPCBRO)/CTE/LUCKNOW/2021, dated 13/08/2021 for the period of 13/08/2021 to 31/12/2026.
3. Salient features of the project:

Item	Details
Name and Location of the Project	Proposed commercial project "Lulu Mall" at IBB-2, Plot No.: T4A & T-5, Sushant Golf City ( Hi Tech Township), Shaheed Path, Village - Hariharapur, Tehsil - Sarojini Nagar, District: Lucknow, Uttar Pradesh
Developers of the project	M/s Lulu India Shopping Mall Pvt Ltd
Total Plot Area	45284.96 sq. m. (4.528496 Hectares approx)
Built-up Area	179842.76 sq. m
Total Water Requirement	995 KLD
Power Requirement	9964 KVA( From : UPCL)
Power Backup	DG sets of total capacity 6x2000 KVA + 2x1010 KVA
Total Parking Proposed	Parking Proposed - 1799 ECS
Solid Waste to be Generated	5.95 T / Day - Municipal waste & 0.14 kg/day -Horticulture waste will be generated
Total Project Cost	921.73 Crores
Solar Lights	200 KW

4. Area details of the project:

S. No.	Particulars	Area (Sqm)
1	Total Plot Area	45284.96
2	Permissible Ground Coverage	43135.27
3	Proposed Ground Coverage	39951.87
4	Open Area	5333.09
5	Permissible Basic FAR (Including Green Building + basic FAR )	113253.0

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6	Proposed FAR	109838.7
7	Proposed Non FAR	70004.06
8	Proposed total Built Up Area (FAR + Non FAR + 15% prescribed FAR)	179842.76
9	Required Green area (5%)	2191.75
10	Proposed Green Area	2848.90
11	Maximum height of the building (in mtrs)	36 m
12	Required number of tree	36
13	Proposed no. of tree to be planted	40
14	Rain water harvesting pit Required	02
15	Rain water harvesting pit proposed	02
16	Parking required	1646
17	Parking proposed (if proposed kindly provide calculation)	1799
18	Total Expected Population	37490 Nos + Staff (1000 nos) Total – 38490 Nos

**5. Land use details:**

Sr No	Particulars	Area	% of Total Plot
01	Covered Area	39951.87	88.22 %
02	Road, Paved and Open Area	2484.19	5.48%
03	Landscape Area	2848.90	6.3 %
Total Land Area		45284.96	100 %

6. The total quantity of water requirement for the proposed commercial project "Shopping Mall" building will be 995 KLD out of which the Fresh Water requirement of 757 KLD would be met from the Bore wells. 843.6 KLD waste water will be generated from the project which shall be treated in a Sewage Treatment Plant of capacity 1100 KLD. Recycled water as received from STP after tertiary treatment i.e. 238 KLD water for flushing, 250 KLD for Cooling and 5 KLD water for the horticulture uses.

7. Operation Phase: The waste water generated from proposed shopping mall 843.6 (i.e. 844 KLD) would be treated in the STP capacity 1100 KLD. Recycled water shall be used after tertiary treatment i.e. 238 KLD water for flushing, 250 KLD for cooling water & 5 KLD for Horticulture. Excess treated water will be discharge into sewer.

**8. Solid waste generation details:**

Sr. No.	Particular	Proposed Occupancy	Area (in acres)	Waste Generated per kg/day	Waste Generation (kg)
1	Total population	37490	-	0.15	5623.5
	Staff population	1000	-	0.25	250.0
2	Landscape Area		2848.90	0.2 kg/acre/day	0.14
<b>Total</b>					<b>5873.6</b>
Total Solid Waste Generation = 5958 Kg/day (5873.6 + 84.36 kg/day STP sludge)					

**9. Rain water harvesting details:**

S N	Particular	Area (m <sup>2</sup> )	Run-off co-	Peak Rainfall Intensity	Run-off
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			efficient	(m/hr)	(m <sup>3</sup> /hr)
1	Roof Area	39951.87	0.85	0.03	1018.77
2	Green Area	2848.90	0.2	0.03	17.09
Total Run-off in m <sup>3</sup> /hr					1035.86
4	Considering the retention time of 15 min.; the run off to be harvested, will be				258.96
5	Effective Volume (considering single Two bores in the recharge pit) = 3 m x 3 m x 4.5 m				130.5
7	Total capacity of a pit				130.5
8	No. of rain water harvesting pits required				258.96 /130.5 = 1.98
	No. rainwater harvesting pits required				~ 2

10. The project proposal falls under category-8(b) of EIA Notification, 2006 (as amended on 08/03/2018 and 07/07/2021 for the violation project).

The committee discussed the matter in view of MoEF&CC Violation SoP/Office Memorandum dated 07/07/2021 and recommended to issue the terms of reference (TOR) for the preparation of Environment Impact Assessment Report.

**SEIAA in its meeting dated 07.09.2021** noted that SEAC discussed the matter in view of MoEF&CC Violation SoP/Office Memorandum dated 07/07/2021 which states that- "without prejudice to any other consequences, action has to be initiated under section 15 read with section 19" and recommended to issue the terms of reference (TOR). SEIAA gone through file and documents and found that-The committee observed that as per clause 12 a (i) of OM No. F.N. 22-21/2020-IA.III dated 07/07/2021 under Penalty provisions for violation cases and applications: For New Projects: Where operation has not commenced: 1% of the total Project Cost incurred upto the date of filing of application along with EIA/EPM Report has to be imposed on the project proponent. However as per clause 12.2 of OM Dated 07/07/2021 the percentage rates, as above, shall be halved if the PP suo-moto reports the such violation without such violations coming to the knowledge of the Government either on inquiry or complaint. The project proponent has online applied for EC on 28/07/2021 vide proposal no. SIA/UP/MIS/66094/2021 to the Secretariat of SEIAA/SEAC, UP has informed that no complaint has been received in the Directorate of Environment UP till date against the said project regarding starting of construction work at site without obtaining prior environmental clearance.

SEIAA opined that a letter shall be sent to Nagar Nigam, Lucknow, UPPCB, LDA and District Administration to confirm if any letter was issued to the above project.

SEIAA also noted that in the details of the project at point no. 8 landscape area is mentioned as 2848.90 acres and Waste Generated per kg/day is mentioned as 0.2 kg/acre/day. The total cost of the project is mentioned as Rs. 921.72 Crore and total cost invested till date as per CA certificate is also mentioned as Rs. 921.72 Crore whereas only 85% of construction has been mentioned in the application. Hence SEIAA opined that the project proponent shall clarify/review the above. In light of above once the information is available, concerned SEAC should re-evaluate the proposal.

**SEAC in its meeting dated 04.10.2021** noted that the matter was earlier discussed in 561st SEAC meeting dated 24/08/2021 and the committee after due diligence recommended to issue the terms of reference for the preparation of Environment Impact Assessment Report in view of Violation

*[Signature]*

*[Signature]*

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SoP/Office Memorandum dated 07/07/2021 issued by Ministry of Environment, Forests and Climate Change, Govt. of India. After the recommendation of SEAC, the case was taken up by the SEIAA in its 488<sup>th</sup> meeting dated 07/09/2021.

The project proponent submitted their clarification vide letter dated 01/10/2021 on the issues raised by the SEIAA in its meeting dated 07/09/2021. The clarification submitted by project proponent on 01/10/2021 is as follows:-

Sr No	Query	Reply
1.	Details of project at point no – 08 landscape area is mentioned as 2848.90 Acres and waste generated per kg/day is mentioned as 0.2 kg/acre/day	In presentation, unit mentioned for landscape area is Acre instead of square meter. It is a typographical error. Landscape area of project is 2848.90 Sqm (0.704 Acre) and Solid waste generation rate will be 0.2 kg/acre/day. Total solid waste generation from landscape area will be 0.14 kg/day.
2.	Total cost of the project is mentioned as Rs 921.72 Crores and total cost invested till date as per CA certificate is also mentioned as Rs 921.72 Crores whereas only 85% of Construction has been mentioned in the application.	It is typographical error; total estimated cost of project is Rs 1054.38 Crores. Total incurred cost of the project is 921.72 Crores which is mentioned in CA certificate dated 26/07/2021.

The committee discussed the matter and found that it is the case of typographical error which has been clarified by the project proponent and there is no need of re-evaluation of the project. The committee also observed that regarding SEIAA's own decision of raising the query directly to Nagar Nigam, Lucknow, UPPCB and District Administration, SEIAA may take appropriate decision based upon the reply submitted by these agencies.

SEIAA in its meeting dated 04.10.2021 noted The committee in its meeting dated 04.10.2021 reviewed the case and found that " it is the case of typographical error which has been clarified by the project proponent and there is no need of re-evaluation of the project. The committee also observed that regarding SEIAA's own decision of raising the query directly to Nagar Nigam, Lucknow, UPPCB and District Administration, SEIAA may take appropriate decision based upon the reply submitted by these agencies."

SEIAA gone through the letters received from Nagar Nigam Lucknow, DM, Lucknow UPPCB and LDA, Lucknow. SEIAA noted that UPPCB vide letter no. H66577/C5/1/Jal-354/2021 dated 01.10.2021 and DM Office vide letter no. 403/ADM-purvi/2021 dated 04.10.2021 informed that no complaint has been received. LDA Lucknow vide letter no. 2468/ secretary/ EE/HNG/2021 dated 30.09.2021 informed that under UP Government Hi-tech Township Policy, M/S Ansal Properties and Infrastructure Limited had got their project sanctioned/approved. For which EC has been obtained vide letter no. 21-549/2006/1A, III dated 06.06.2007 of MoEF&CC and letter no. 1323/Parya/SEAC/621/2011TA(A) dated 09.06.2011. Nagar Nigam Lucknow, vide letter no. 128/AMC(AP)/21 dated 23.09.2021 informed that the above project has not applied for any environment permission nor Nagar Nigam, Lucknow has granted any permission.

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Minutes of the 497<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 04.10.2021

SEIAA examined the proposal in light of MoEF&CC, Govt. of India Office Memorandum dated 7<sup>th</sup> July, 2021.

SEIAA agreed with the recommendation of the SEAC dated 24.08.2021 and 04.10.2021 to issue the additional ToR;s to the title proposal for conducting EIA studies. The SEIAA also added the following points to TOR;-

- 1- The project proponent shall submit an affidavit stating that – "Any executive/Judicial Order passed in this regard will be binding on project and its proponent."
- 2- If any complaint from any Government Department comes in the knowledge of SEIAA/SEAC ToR will be deemed to be null and void and action will be taken in accordance with act and rules.
- 3- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 4- Copy of all the analysis reports duly 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.
- 5- MOU signed between the project proponent and the consultant should be submitted.
- 6- 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 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.
- 7- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.

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(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA



(Paras Nath)  
Member  
SEIAA



(Dr. Rajiv Kumar Garg)  
Chairman  
SEIAA