

**BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO. 99 of 2025**

**IN THE MATTER OF:**

Sovran Singh

... Applicant

Versus

State of Uttar Pradesh & Ors.

... Respondents

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New Delhi

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ORIGINAL APPLICATION NO. 99 of 2025**

**IN THE MATTER OF:**

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**AFFIDAVIT ON BEHALF OF APPLICANT IN  
FURTHERANCE OF ORDER DATED 06.03.2025**

I, Sovran Singh, Aged about 35 years, S/o Gyan Singh R/o Targuwan, Lalitpur, Uttar Pradesh – 284126, do hereby solemnly affirm and states as under:

1. That the deponent is applicant in the above-mentioned matter and as such he is well conversant with the facts and circumstances of the present case.
2. That when the aforesaid OA came up for hearing on 06.03.2025, this Hon'ble Tribunal was pleased to adjourn the matter to advance argument on the issue of jurisdiction of this Hon'ble Tribunal for the relief sought in the present case.
1. That in the previous OA bearing No. 742 of 2024 titled as Madan Sen Vs. State of Uttar Pradesh & Ors., all the facts placed before this Hon'ble Tribunal for consideration which showed serious environmental threat, could not be adjudicated on merits in view of the order dated 12.08.2024 passed by DM, Jhansi cancelling the mining lease of respondent No.7 under Rule 61 of Uttar Pradesh Mineral (Prevention of Illegal Mining) Rules, 2021 and

*Sovran Singh*



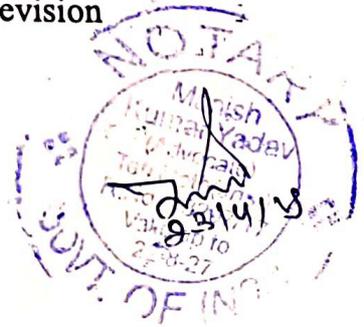
based on said order, the said OA was disposed by this Hon'ble Tribunal vide order dated 23.09.2024.

However, later on, the respondent No.7 filed an appeal under Rule 79 of Uttar Pradesh Mineral (Prevention of Illegal Mining) Rules, 2021 before Commissioner, Jhansi Division, which was disposed of vide order dated 24.10.2024, thereby, order of DM, Jhansi dated 12.08.2024 (on the basis of which previous OA was disposed of), was set aside and the matter was remanded back to DM, Jhansi for fresh adjudication. A copy of the order dated 24.10.2024 passed by Commissioner, Jhansi Division is annexed as ANNEXURE: A/16.

Thereafter, pursuant to order dated 24.10.2024, the respondent No.7 submitted a representation dated 14.11.2024, before DM Jhansi, which was rejected by DM, Jhansi vide order dated 12.12.2024 and the previous order dated 12.08.2024 passed by DM, Jhansi, cancelling mining lease of respondent No.7 (based on which previous OA was disposed of), was again restored and made effective against the respondent No.7. A copy of the order dated 12.12.2024 passed by DM, Jhansi is annexed as ANNEXURE: A/17.

Thereafter, against order dated 12.12.2024, the respondent No.7 filed a revision under Rule 80 of Uttar Pradesh Mineral (Prevention of Illegal Mining) Rules, 2021 before the Respondent No.1. Vide order dated 27.01.2025, the respondent No.1 allowed the revision

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without discussion of the serious environmental violations merely on the ground of loss of revenue of the Government due to cancellation of mining lease vide order dated 12.12.2024. A copy of the said order of Respondent No.1 setting aside order dated 12.12.2024 of DM, Jhansi restoring his earlier order dated 12.08.2024 cancelling mining lease, has already been annexed as Annexure A/3 @Pg.45 of the OA paperbook.

2. That after passing of the said order dated 27.01.2025 by respondent No.1, the Respondent No.7 has started mining operation without having any valid EC in their favour, which fact will be evident from the following documents;
  - a. The copies of Ravanna dated 27.02.2025 and 17.04.2025 showing mining operation of Respondent No.7 are annexed as ANNEXURE: A/18 (Colly).
  - b. A copy of Minutes of 884<sup>th</sup> Meeting of UP SEIAA dated 02.04.2025, showing that @Pg.17 of the said minutes, UP SEIAA had clarified, giving reference of order dated 23.09.2024 passed in OA No. 742 of 2024 (previous OA) that EC previously given to respondent No.7 shall remain null and void w.e.f. 12.08.2024 i.e. the date when mining lease of Respondent No.7 was cancelled.

Thus, it is clear that the Respondent No.7 is conducting mining operations without having any mining lease deed in his favour. A copy of Minutes of

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884<sup>th</sup> Meeting of UP SEIAA dated 02.04.2025 is annexed as ANNEXURE: A/19.

3. Therefore, it is humbly submitted that the present OA is not only filed against order dated 27.01.2025, but there are other relief which are sought in OA in prayer Nos. 2 to 8, thereby, seeking indulgence of this Hon'ble Tribunal to restore the cancellation of the mining lease of Respondent No.7 and fix the responsibility of officers who have failed to ensure compliance of statutory rules, whereby, allowing the respondent No.7 to operate without having any valid EC in their favor which is evident from very recent Minutes of 224<sup>th</sup> Meeting of UP SEIAA dated 02.04.2024.
4. That even otherwise, the present OA deserves to be taken as continuation of previous OA No. 742 of 2024, which was disposed of previously without any adjudication of allegations raised in the said OA, on their own merits, believing that it was not required to do so by this Hon'ble Tribunal at that stage in view of the cancellation of mining lease deed of respondent No.7 by DM, Jhansi vide order dated 12.08.2024/ 12.12.2024.
5. That since, the earlier OA was not decided on merits on Environmental impact but was closed relying upon order passed by DM, Jhansi dated 12.08.2024/ 12.12.2024, therefore, subsequent order setting aside the previous administrative order based on which OA was disposed of, warrants judicial scrutiny u/s 14(1) of NGT Act.

*Manish Kumar Yadav*



6. That a perusal of the serious environmental concern raised in the previous OA shows that revival of mining lease of Respondent No.7, poses serious environmental concern of Water, Air and Bio Diversity which is qualifying u/s 14 of the Act, which has already been agitated in previous OA No.742 of 2024 which has already been annexed as annexure: A/11 @Pg.84 of OA paper-book.
7. That the original applicant herein is not relitigating a closed issue but responding to a new legal development with environmental implications in as much as the respondent NO.7 is conducting mining operation without having any valid EC, ignoring all previous findings of DM, Jhansi in his order dated 12.08.2024/ 12.12.2024 passed against respondent No.7 mentioning grievous environmental violations.
8. That in Goa Foundation Vs UOI (2014) 6 SCC 590, Hon'ble Supreme Court while dealing with illegal mining has upheld that environmental harm constitutes a continuing wrong, therefore, since this issue against respondent No.7 was pre-existing and raised in the previous OA, the present OA may be treated in continuity of the said OA, when the issues raised therein, are yet to be finally adjudicated by this Hon'ble Tribunal.
9. That in the case of Vimal Bhai Vs UOI, NGT appeal No. 9 of 2011, this Hon'ble Tribunal reiterated that NGT can entertain matters even if administrative orders are reversed

रवि ०२१ अक्टू



or altered after initial disposal, if fresh or continuing cause arises.

10. That at the time of filing of present OA the applicant was not having the annexures annexed with the present affidavit, however, after passing of order dated 06.03.2025, by this Hon'ble Tribunal, the applicant has been able to get the aforesaid documents. A perusal of minutes of 884<sup>th</sup> meeting of UP SEIAA dated 02.04.2025, clearly show that Respondent No.7 is operating without EC in their favour thus, the said contention may kindly be also read as part and parcel of the stay application bearing L.A. No. 149 of 2025 and the operation of respondent No.7 deserves to be stayed on this ground alone, which is prayed accordingly.
11. That in the present case, resumption of mining lease by another administrative order has serious environmental implications at the hands of respondent No. 7 who has a checkered history of violations of environmental conditions and still operating without having any valid EC in its favour.
12. That the contents of the present affidavit are true and correct to the best of my knowledge as the same has been read over to me in vernacular and nothing material has been concealed there from. That the annexures annexed to the present affidavit are true copy of their respective original.

DEPONENT

साधु ११/६/२५



VERIFICATION

I, the deponent above named do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge derived from the records and nothing relevant has been concealed therefrom. Verified at \_\_\_\_\_ on this \_\_\_\_\_ day of 23 April, 2025.

DEPONENT

सोपाना रिट



Serial No. 2213 231417  
I verified that the foregoing statement  
deposited before me this day at Mathura  
by Shri/Smt./Kumar/Sarpanch/S. Chandra Singh  
whom the contents of this affidavit have  
been read over and explained and who is  
identified by Shri. \_\_\_\_\_  
received Fees Rs. \_\_\_\_\_

Manish Kumar Yadav  
Advocate  
of Mathura Mathura

R. Jagan Mohan Lalitpur  
VP



## आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :

वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C2024Q6000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा:- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021

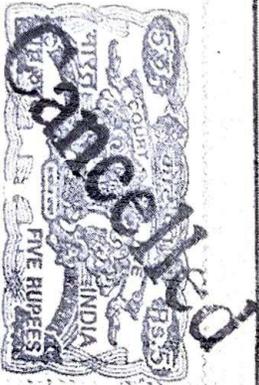


आदेश 15/1470-4

यह अपील, कार्यालय जिलाधिकारी, झांसी (खनिज अनुभाग) के आदेश पत्रक संख्या-512/30एम०एम०सी०/2024-25 दिनांक 12-8-2024 के विरुद्ध प्रस्तुत की गयी है जिसके अन्तर्गत अपीलकर्ता श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह का आराजी संख्या-314 (खण्ड-1) रकबा 4.750 हे० स्थित ग्राम मनिकपुरा का खनन पट्टा निरस्त किया गया है तथा अपीलकर्ता पर नोटिस दिनांक 03-7-2024 में अधिरोपित धनराशि रु. 11,77,400/- से प्रतिभूति की धनराशि 9,85,625/-के समायोजन के उपरान्त बकाया धनराशि रु. 3,91,775/- व डी०एम०एफ० मद में ब्याज सहित 11,77,584/- रु. अग्रिम विलम्ब पर देय तिथि से 15 प्रतिशत वार्षिक ब्याज सहित व टी०सी०एस० धनराशि रु. 1,13,545/- वसूल किये जाने एवं अपीलकर्ता को ब्लैक लिस्ट किये जाने का आदेश पारित किया गया है।

2- मैंने उभय पक्षों के विद्वान अधिवक्तागण की बहस को सुना गया तथा पत्रावली पर उपलब्ध अभिलेखों का अध्ययन किया गया।

3- अपीलकर्ता के विद्वान अधिवक्ता द्वारा यह तर्क प्रस्तुत किये गये कि जिलाधिकारी झांसी द्वारा पारित विवादित आदेश दिनांक 12-8-2024 अपीलकर्ता को सुनवाई का अवसर प्रदान किये बिना एकपक्षीय रूप से पारित किया गया है, जो विधिक दृष्टि से त्रुटिपूर्ण होने के कारण निरस्त किये जाने योग्य है। कथित जांच आख्या दिनांक 27.6.2024 अपीलार्थी को कभी उपलब्ध ही नहीं करायी गयी और यह जांच आख्या बिना किसी टोस एवं पुष्टिकारक सबूत (जी०पी०एस० कैमरे के फोटोग्राफ्स एवं जियोकोर्डिनेट्स सहित) एवं स्वतंत्र साक्षियों के अभाव में साक्ष्य में ग्राह्य नहीं है। एक पक्षीय जांच आख्या दिनांक 27-6-2024 खनन कार्य बन्द होने के उपरान्त की गयी है। मौके पर जो लिफ्टर मशीन पाया जाना बताया गया है उससे अपीलार्थी के किसी व्यक्ति को नहीं पकड़ा गया है। इस प्रकार अपीलकर्ता को संदेह के आधार पर आरोपी बनाया गया है। अपीलकर्ता ने खनन क्षेत्र के बाहर उत्खनन किया और बालू/मौरम को निकाला, हालांकि अपीलकर्ता के विरुद्ध जांच करते समय कोई पुष्टिकारक सामग्री नहीं जुटाई गयी। निरीक्षण किस समय किया गया और निरीक्षण के समय कौन कौन मौजूद था उल्लेख नहीं है। यह भी उल्लेख नहीं है कि खनन क्षेत्र की पहचान के लिए जी.पी.एस. कोर्डिनेट्स का प्रयोग किया है अथवा नहीं।



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## आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :  
वाद संख्या : -1076/2024  
कंप्यूटरीकृत वाद संख्या : -C202406000001076  
चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा:- 79, अधिनियम :- उ० प्र० उपखनिज परिहार नियमावली, 2021



(2)

क्योंकि खनन क्षेत्र को जियोकोर्डिनेट्स द्वारा आसानी से पहचाना जा सकता अपीलकर्ता का खनन पट्टा दिनांक 17-5-2023 को निष्पादित हुआ था और पट्टे का प्रथम वर्ष माह मई 2023 से शुरू होकर अप्रैल 2024 तक होता है तथा बालू/मौरम की स्वीकृत वार्षिक मात्रा माह अप्रैल में समाप्त हो जाती है और माह मई 2024 से पट्टे का द्वितीय वर्ष प्रारम्भ होता है। अपीलार्थी ने नोटिस दिनांक 03.7.2024 का स्पष्टीकरण दिनांक 20.7.2024 को जिलाधिकारी, झांसी को प्रस्तुत किया था जिसके प्रस्तर-10 में अंकित है कि कथित शिकायती प्रार्थना पत्र की प्रति, मौके पर उपस्थित लोगों के बयानों की प्रति, एवं जांच आख्या दिनांक 27.6.2024 की प्रति उपलब्ध कराने की अपेक्षा की गयी थी। किन्तु प्रतिवादीगण द्वारा अन्तिम आदेश पारित करने के पूर्व अपीलार्थी द्वारा मांगे गये साक्ष्य उपलब्ध नहीं कराए गये हैं तथा एक पक्षीय रूप से विवादित आदेश दिनांक 12-8-2024 पारित कर दिया गया है। जो नैसर्गिक न्याय के प्रतिपादित सिद्धान्तों के विपरीत है। कथित जांच आख्या दिनांक 27-6-2024 में अंकित है कि मौके पर 336 घनमीटर बालू/मौरम का ढेर लगा पाया गया और मौके पर खनन कार्य बन्द मिला। इस बरामद शुदा 336 घनमीटर बालू/मौरम को किसके सुपुर्द किया गया और कहाँ गयी, इसका कोई उल्लेख विवादित आदेश दिनांक 12-8-2024 में कहीं नहीं है। जिससे स्पष्ट होता है कि मौके पर कोई बालू/मौरम बरामद ही नहीं हुई। मा० एन०जी०टी० नई दिल्ली में योजित ओ.ए. की जानकारी विभाग को सुनवाई से पूर्व हो चुकी थी और इसी कारण एण्टी टाइम जांच आख्या दर्शाकर आदेश अपलोस होने की तिथि से पूर्व आनन-फानन में कार्यवाही की गयी है। मात्र संभावनाओं के आधार पर अपीलकर्ता का पट्टा निरस्त करते हुए शास्ति आरोपित नहीं की जा सकती है। अपीलकर्ता को प्रेषित नोटिस दिनांक 03-7-2024 में अपीलकर्ता को यह निर्देश दिये गये कि नोटिस प्राप्त से 15 कार्य दिवस के अन्दर शास्ति के रूप में अधिरोपित धनराशि रू०-13,77,400/- खनिज मद में जमा कर दें तथा अपना स्पष्टीकरण प्रस्तुत करें वर्यो उ० प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-61(1) के अंतर्गत आपके पक्ष में स्वीकृत खनन पट्टा के निरस्तीकरण की कार्यवाही की जाय। इस सम्बन्ध में अपीलकर्ता द्वारा नोटिस का जबाव दिनांक 20.7.2024 को प्रस्तुत किया था जिसे निरस्त करते हुए विवादित आदेश दिनांक 12-8-2024



## आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :  
वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076  
चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा:- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021



(3)

नोटिस की सीमा से बाहर जाकर पारित किया गया और दो वर्षों के लिए प्रार्थी को काली सूची में डाल दिया गया है। जबकि उ०प्र० उपखनिज (परिहार) नियामावली-2021 के नियम-61(1) में काली सूची में डाले जाने का प्रावधान ही नहीं है। विवादित आदेश दिनांक 12-8-2024 नैसर्गिक न्याय के सिद्धान्तों के विपरीत है और निरस्त होने योग्य है। इसी प्रकार के एक प्रकरण में मा० उच्च न्यायालय इलाहाबाद द्वारा अभिमत व्यक्ति किया गया कि कारण बताओ नोटिस के परिणामस्वरूप पारित कोई भी आदेश कारण बताओ नोटिस में कथित आरोपों से आगे नहीं बढ़ सकता है। यह विधि व्यवस्था मा० उच्च न्यायालय इलाहाबाद द्वारा सिविल याचिका सी-31059/2023 रामलला बनाम उ०प्र० राज्य एवं 04 अन्य आदि में पारित आदेश दिनांक 21-11-2023 में दी है। अपीलकर्ता पर आरोप है कि उसने अपने स्वीकृत खनन क्षेत्र के बाहर जाकर 336 घनमीटर बालू/मौरम का अवैध खनन किया है जिसका ढेर लगा हुआ पाया गया। नोटिस दिनांक 03-7-2024 एवं आदेश दिनांक 12.8.2024 में कहीं अंकित नहीं है कि कथित बरामद उपखनिज किसकी सुपुर्दगी में दिया गया। अतः बरामदगी संदिग्ध है, क्योंकि अपीलकर्ता ने खनन क्षेत्र में अपनी खनन संक्रियायें दिनांक 24-6-2024 को ही बन्द कर दी थी। अपीलकर्ता को खनन पट्टा क्षेत्र में दिनांक 27-6-2024 को की गयी एक पक्षीय जांच की जांच आख्या की प्रति उपलब्ध नहीं करायी गयी है, इस संबंध में मा० उच्च न्यायालय की लेखनऊ खण्डपीठ द्वारा सिविल मिस० याचिका सी-2478/2022 मेसर्स राधिका कन्स्ट्रक्शन बनाम उ०प्र० राज्य आदि में पारित निर्णय में अवैध खनन संबंधी नोटिस एवं जांच आख्या उपलब्ध न कराये जाने के संबंध में निर्णय दिया है। अपीलकर्ता के खनन क्षेत्र का निरीक्षण करते समय जांच अधिकारियों को तकनीक के आधार पर जी०पी०एस० कैमरा के फोटोग्राफ्स एवं जियोकोर्डिनेट्स के साथ आरोपित खनन क्षेत्र की रिपोर्ट तैयार करनी चाहिए थी। आरोपों की पुष्टि के लिए विश्वसनीय साक्ष्य होना अति आवश्यक है और इसको साबित करने का भार आरोपी पर नहीं, बल्कि राज्य का होता है। इस संबंध में मा० उच्च न्यायालय द्वारा Ranveer Singh Vs. State of U.P. and others, 2017.

(1) ADJ 240 में विधि व्यवस्था प्रतिपादित की गयी है। अपीलकर्ता के खनन क्षेत्र की सारी प्रक्रिया ऑनलाइन है, इस प्रकार विभाग को जानकारी रही रहती है कि किस खनन क्षेत्र में खनन कार्य



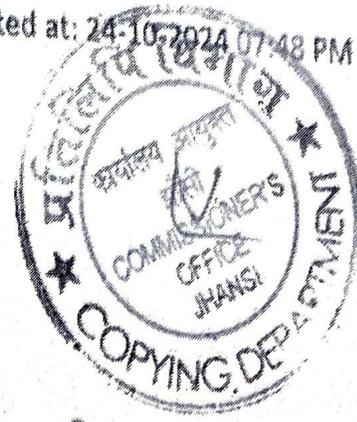
### आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :

वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

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(4)

प्रारम्भ है और किसी क्षेत्र में खनन कार्य बन्द है। इसके बावजूद भी अपीलकर्ता को मीके पर उपस्थित होने के लिए सूचित नहीं किया गया है। इसलिए कथित जांच आख्या संदिग्ध है। इस संबंध में मा० उच्च न्यायालय इलाहाबाद की लखनऊ खण्ड पीठ में योजित सिविल रिट याचिका संख्या-19984/2020 प्रभात कुमार गुप्ता बनाम उ०प्र० राज्य एवं अन्य में पारित आदेश दिनांक 12.5.2023 विधि व्यवस्था दी है। अपीलकर्ता द्वारा उ०प्र० उपखनिज (परिहार) नियमावली 2021 के नियम-3, 35, 36(1), 42 (ज) (1), का किसी प्रकार से कोई उल्लंघन नहीं किया गया है, बल्कि तत्परतापूर्वक पालन किया गया है। अपीलकर्ता का खनन पट्टा उ०प्र० उप खनिज (परिहार) नियमावली 2021 के नियम-36(2) के प्राविधानों के अन्तर्गत आता है और सी०सी०टी०बी० कैमरे लगाये जोन हेतु बाध्य नहीं है। फिर भी अपीलार्थी द्वारा नियमानुसार सी०सी०टी०बी० कैमरे लगाये गये थे। मा० एन०जी०टी० नई दिल्ली द्वारा ओ०ए० संख्या-742/2024 मदन सेन बनाम उ०प्र० राज्य सरकार एवं आदि में पारित आदेश दिनांक 01-7-2024 में न तो खनन पट्टा निरस्त किया है और न ही स्थगन आदेश दिया है। जिलाधिकारी झांसी द्वारा अपीलकर्ता को निर्गत नोटिस दिनांक 03-7-2024 बैकडेट में तैयार किया गया दस्तावेज है। अवर न्यायालय का प्रश्नगत आदेश दिनांक 12-8-2024 को निरस्त कर खनन पट्टा की अवशेष अवधि (दिनांक 16-5-2028) तक अपीलकर्ता के पक्ष में खनन पट्टा बहाल किया जाए। अवर न्यायालय में विद्वान अधिवक्ता द्वारा प्रश्नगत आदेश निरस्त कर अपील स्वीकार किये जाने पर बल दिया गया।

4- विपक्षी की ओर से विद्वान जिला शासकीय अधिवक्ता (राजस्व) झांसी द्वारा यह तर्क प्रस्तुत किये गये कि अपीलकर्ता/पट्टाधारक द्वारा खनन पट्टा की शर्तों का उल्लंघन किया गया है। खनन पट्टा क्षेत्र में प्रतिबन्धित मशीन (लिफ्टर) जांच के समय पायी गयी है, जो पर्यावरणीय शर्तों का उल्लंघन है। अपीलकर्ता द्वारा खनन क्षेत्र के बाहर बालू/मोरम का खनन किया गया है तथा जांच के समय 336 घनमीटर बालू भूण्डारित पायी गयी। अपीलकर्ता द्वारा खनन पट्टा क्षेत्र में पी०टी०जैड० कैमरा नहीं लगाया गया जो उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियमों के विपरीत है। अपीलकर्ता द्वारा मा० राष्ट्रीय हरित अधिकरण के आदेशों का उल्लंघन किया गया है, इसलिए अवर न्यायालय द्वारा पारित आदेश दिनांक 12-8-2024 सही है जो यथावत रखने योग्य है तथा अपीलकर्ता की अपील निरस्त होने योग्य है।

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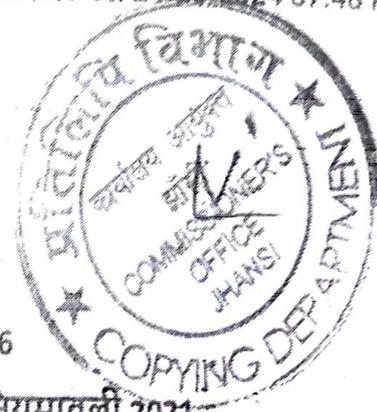
न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :

वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा :- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021



(5)

5- अवर न्यायालय की पत्रावली पर उपलब्ध अभिलेखों से यह विदित होता है कि अपीलकर्ता श्री चन्द्रपाल सिंह को ग्राम मनिकपुरा की आराजी संख्या 314 (खण्ड संख्या-1) रकबा 4.750 हे० का बालू/मौरम का पट्टा दिनांक 17-5-2023 से दिनांक 16-5-2028 तक, को अवधि के लिए दिया गया था। कतिपय शिकायतों के आधार पर अपीलकर्ता के खनन पट्टा के सम्बंध में दिनांक 27-6-2024 को खान निरीक्षक, झांसी व तहसीलदार, मोंट द्वारा स्थलीय जांच की गयी। जांच आख्या दिनांक 27-6-2024 के आधार पर अपीलकर्ता श्री चन्द्रपाल सिंह को जिलाधिकारी, झांसी द्वारा नोटिस संख्या 342(1) दिनांक 03-7-2024 को निर्गत किया गया, जिसमें यह उल्लिखित किया गया कि जांच में प्रश्नगत खनन पट्टा क्षेत्र में पी०टी०जेड० कैमरा लगा हुआ नहीं पाया गया तथा पट्टा क्षेत्र में एक प्रतिबन्धित मशीन(लिफ्टर) पाया गया जो पर्यावरणीय शर्तों का उल्लंघन है तथा पट्टा क्षेत्र के बाहर पट्टाधारक द्वारा खनन कर बालू/मौरम 360 घनमीटर भण्डारित किया जाना उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-3, 35, 36(1), व 42ज(1) का उल्लंघन मानते हुए पट्टाधारक पर कुल धनराशि 13,77,400/- रुपये अधिरोपित की गयी। इसके अतिरिक्त मा० राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० संख्या-742/2024 मदन सेन बनाम स्टेट ऑफ उ०प्र० में मा० अधिकरण द्वारा पारित आदेश दिनांक 01-7-2024 के बिन्दु-6 में अपीलकर्ता के खनन पट्टा के बावत निम्न आदेश पारित किया गया :-

The District Magistrate, Jhansi, Respondent No.2 is directed to immediately seize the CCTV footage maintained by the project proponents and file copy thereof along with their response before the Tribunal.

मा० राष्ट्रीय हरित अधिकरण के उक्त आदेश के अनुपालन में खान निरीक्षक, झांसी व उपजिलाधिकारी मोंट द्वारा दिनांक 04-7-2024 को संयुक्त स्थलीय जांच आख्या प्रस्तुत की गयी। जिलाधिकारी झांसी द्वारा उक्त जांच आख्या दिनांक 04-7-2024 व मा० अधिकरण के आदेश दिनांक 01-7-2024 के आधार पर पट्टाधारक श्री चन्द्रपाल सिंह को नोटिस संख्या-344 दिनांक 06-7-2024 को निर्गत किया गया जिसमें उ०प्र० उपखनिज (परिहार) नियमावली-2021



## आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :  
वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा :- 79, अधिनियम :- 30 प्रो उपखनिज परिहार नियमावली, 2021



(6)

के नियम 36(2) एवं नियम 67 में उल्लिखित प्रावधानों के आलोक में सी0सी0टी0वी0 कमरे और आर0एफ0आई0डी0 स्कैनर द्वारा की गयी समस्त रिकार्डिंग को उपलब्ध कराये। नोटिस दिनांक 06-7-2024 का जबाव पट्टाधारक द्वारा दिनांक 20-7-2024 को प्रस्तुत किया गया जो पेपर संख्या-177 पर अवस्थित है। जिलाधिकारी, झांसी द्वारा पट्टा धारक को एक अन्तिम नोटिस संख्या-477 दिनांक 02-8-2024 को इस आशय से निर्गत किया गया कि मतिउत्तर दिनांक 20-7-2024 के साथ संलग्न पेनड्राइव में रिकार्डिंग वीडियो दिनांक 01-6-2024 से दिनांक 30-6-2024 तक कोई लगातार वीडियो क्लिप उपलब्ध नहीं है, जबकि पेनड्राइव में उपलब्ध वीडियो क्लिप कई भागों में विभाजित है, जिसमें दिनांक, टाइम व लोकेशन अंकित नहीं है। जिससे मा0 राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 01-7-2024 का अनुपालन एवं किसी भी निष्कर्ष पर पहुंचना सम्भव नहीं है। तदोपरान्त जिलाधिकारी झांसी द्वारा दिनांक 12-8-2024 को खनन पट्टा के सम्बंध में आदेश पारित किया गया है, जिसके विरुद्ध यह अपील प्रस्तुत की गयी है।

6- प्रश्नगत प्रकरण के परीक्षण से स्पष्ट है कि पेपर संख्या-164 पर अवस्थित जांच आख्या दिनांक 27-6-2024 के आधार पर नोटिस संख्या 342(1) दिनांक 03-7-2024 जो अपीलकर्ता/पट्टाधारक को रजिस्टर्ड डाक से दिनांक 08-7-2024 (Time 16:04) को प्रेषित किया गया है। रजिस्टर्ड डाक की रसीद पत्रावली पर रक्षित है। इसी प्रकार मा0 राष्ट्रीय हरित अधिकरण के आदेश दिनांक 01-7-2024 (बेवसाइट पर अपलोड दिनांक 03-7-2024) के अनुपालन में की गयी स्थलीय जांच आख्या दिनांक 04-7-2024 के आधार पर पट्टाधारक/ अपीलकर्ता को नोटिस संख्या 344 दिनांक 06-7-2024, जो रजिस्टर्ड डाक दिनांक 08-7-2024 (Time 16:04) को निर्गत किया गया है। अतः अपीलकर्ता को जांच आख्या दिनांक 27-6-2024 के आधार पर नोटिस संख्या 342(1) दिनांक 03-7-2024 एवं जांच आख्या दिनांक 04-7-2024 के आधार पर नोटिस संख्या 344 दिनांक 06-7-2024 दोनों नोटिसों की डाक रजिस्ट्री एक ही तिथि 08-7-2024 को की गयी है। पट्टाधारक द्वारा नोटिस संख्या 342(1) दिनांक 03-7-2024 का स्पष्टीकरण दिनांक 18-7-2024 को एवं नोटिस संख्या 344 दिनांक 06-7-2024 का



## आदेश पत्रक

न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :  
वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा :- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021



(7)

स्पष्टीकरण दिनांक 20-7-2024 को प्रस्तुत किया गया है। परन्तु अपीलकर्ता को निर्गत अन्तिम नोटिस संख्या 474 दिनांक 02-8-2024 का स्पष्टीकरण प्रस्तुत किये जाने हेतु पर्याप्त समय प्रदान नहीं किया गया है तथा दिनांक 12-8-2024 को प्रश्नगत आदेश पारित कर दिया गया है। अपीलकर्ता/पट्टाधार को जांच आख्या 27-6-2024 के आधार पर निर्गत नोटिस संख्या 342(1) दिनांक 03-7-2024 (डाक रजिस्ट्री दिनांक 08-7-2024) में अपीलकर्ता पर धनराशि रु. 13,77,400/- अधिरोपित करते हुए 15 दिवस में जमा किये जाने के निर्देश दिये गये हैं। 30 प्र० उपखनिज(परिहार) नियमावली 2021 के नियम-59(1) व नियम-61(1) के प्रावधान निम्नवत् हैं।

नियम-59(1) The state Government or any officer authorised by it in this behalf may terminate the mining lease after serving a notice on the lessee to pay within thirty days of the receipt of the notice any amount due or dead rent under the lease including the royalty due to the state Government if it was not paid within fifteen days next after the date fixed for such payment. This right shall be in addition to and without prejudice to the right of the state government to realise such dues from the lessee as arrears of land revenue.

नियम-61(1) In case of any breach or contravention by a lessee of any of these rules or conditions and covenants contained or deemed to contained in the lease except those relating to payment of royalty, rent or other sums due to the State Government, the State Government may, after giving the lessee a reasonable opportunity to state his case terminate the lease.

अतः स्पष्ट है कि पट्टाधारक पर अधिरोपित धनराशि को जमा किये जाने हेतु नोटिस तामीला के पश्चात् 30 दिन का समय दिया जायेगा और यदि निश्चित दिनांक से 15 दिवस के अन्दर धनराशि जमा नहीं करता है तो अर्थात् 45 दिवस उपरान्त खनन पट्टा निरस्त किया जा सकता है। परन्तु प्रश्नगत प्रकरण में नोटिस संख्या 342(1) दिनांक 03-7-2024 (डाक रजिस्ट्री दिनांक 08-7-2024) में धनराशि जमा किये जाने हेतु मात्र 15 दिवस का समय दिया गया तथा नोटिस निर्गत तिथि 08-7-2024 से मात्र 35 दिवस के उपरान्त दिनांक 12-8-2024 को पट्टा निरस्त किया गया है, जो उक्त नियमों के प्रावधान के प्रतिकूल है।



## आदेश पत्रक

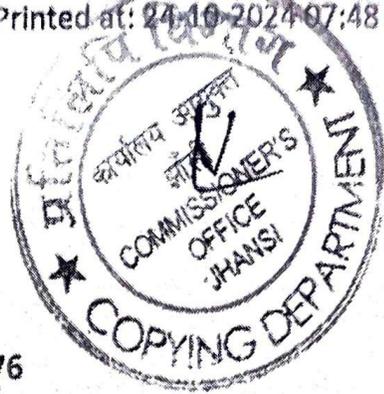
न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :

वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा :- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021



(8)

7- जिलाधिकारी झांसी के विवादित आदेश दिनांक 21-9-2024 में पट्टाधारक द्वारा नियमावली के नियम 36(1) का उल्लंघन माना है। नियम 36(1) के प्रावधान निम्नवत् हैं।

नियम 36(1)-At the time of the survey and demarcation of the area granted under the lease the coordinates will be marked on the demarcating map of the concerned mining lease area and earlier to the execution of lease deed, lessee at his own expense, erect and at all times maintain and keep in good repair boundary marks and pillars necessary to indicate the demarcation shown in the plan annexed to the lease deed.

इस नियम के तहत खनन पट्टा क्षेत्र के सीमांकन मानचित्र पर कोर्डिनेट्स चिह्नंकित किये जायेंगे। जांच आख्या दिनांक 27-6-2024 में खनन पट्टा क्षेत्र में सीमा स्तम्भ अंग्रेजी जी०पी०एस० बाउण्ड्री कोर्डिनेट पर लगा होना अंकित किया गया है। जांच आख्या के अनुसार खनन पट्टा क्षेत्र में एवं साईट ऑफिस/वे-ब्रिज के आसपास कोई भी रिकॉर्डिंग कैमरा/पी०टी०वी०/सी०सी०टी० कैमरा लगा हुआ नहीं पाया गया। इस सम्बंध में 30प्र० उपखनिज(परिहार) नियमावली 2021 के नियम-36(2) में प्रावधान है। यदि नियम-36 का उल्लंघन किया जाता है तो नियम-60(3) के प्रावधान के अनुसार प्रत्येक चूक के लिए प्रतिदिन पच्चीस हजार रुपये की दर से शास्ति, जिला मजिस्ट्रेट द्वारा उद्गृहीत की जायेगी। इसी प्रकार नियम-42(ज)(1) में खनन क्षेत्र, जल धारा में सक्शन मशीन, लिफ्टर आदि से खनन को प्रतिबंधित किया गया तथा इस नियम के उल्लंघन में नियम-60(4) के अनुसार प्रत्येक अवसर पर पाँच लाख रुपये की दर से शास्ति अधिरोपित किये जाने का प्रावधान है। उक्त नियम-36 व नियम-42(ज)(1) के उल्लंघन पर पट्टा निरस्त किये जाने का प्रावधान नहीं है।

8- पट्टाधार को काली सूची में डाल दिये जाने का प्रश्न है। इस सम्बंध में 30प्र० उपखनिज(परिहार) नियमावली 2021 के नियम-61(2) में यह प्रावधान है कि यदि नियम-61(1) अथवा नियम-59 के अधीन पट्टा निरस्त कर दिया जाता है तो पट्टेदार का नाम जिला अधिकारी द्वारा दो वर्ष से अनधिक ऐसी अवधि के लिए जैसा कि वह उचित समझे, काली सूची में डाल सकता है। स्पष्ट है कि अपीलकर्ता को नोटिस दिनांक 03-7-2024 शास्ति के रूप में अधिरोपित धनराशि रु. 13,77,400/- खनिज मद में जमा किये जाने हेतु दिया गया है तथा



## आदेश पत्रक

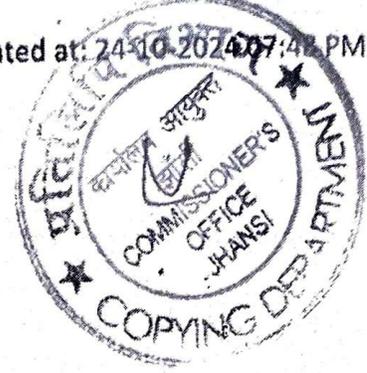
न्यायालय : आयुक्त  
मण्डल : झांसी, जनपद : तहसील :

वाद संख्या :- 1076/2024

कंप्यूटरीकृत वाद संख्या :- C202406000001076

चन्द्रपाल सिंह बनाम उत्तर प्रदेश सरकार

अंतर्गत धारा :- 79, अधिनियम :- 30 प्र० उपखनिज परिहार नियमावली, 2021



(9)

नोटिस दिनांक 06-7-2024 व नोटिस दिनांक 02-8-2024 सी०सी०टी०वी० कैमरे और आर०एफ०आईडी० स्कैनर द्वारा की गयी समस्त रिकॉर्डिंग उपलब्ध कराये जाने हेतु दिया गया है। जबकि जिलाधिकारी, झांसी द्वारा आदेश दिनांक 12-8-2024 के अन्तर्गत पट्टाधारक को काली सूची (black listed) भी किया गया है। इस सम्बंध में मा० उच्च न्यायालय, इलाहाबाद द्वारा रिट-सी संख्या 31059/2023 रामलला बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 21-11-2023 में निर्णय दिया है कि कारण बताओ नोटिस में उल्लिखित तथ्यों से अनधिकृत आधारों पर आदेश पारित नहीं किया जायेगा। प्रश्नगत प्रकरण में भी अपीलकर्ता को black listed किये जाने बावत कोई नोटिस नहीं दिया गया है। प्रश्नगत प्रकरण में पट्टाधार/अपीलकर्ता को जो नोटिस दिनांक 03-7-2024, 06-7-2024 (डाक रजिस्ट्री दिनांक 08-7-2024) एवं दिनांक 02-8-2024 को दिये गये हैं, उनके सम्बंध में अपीलकर्ता को स्पष्टीकरण प्रस्तुत किये जाने व धनराशि जमा किये जाने हेतु उ०प्र० उपखनिज(परिहार) नियमावली 2021 के प्रावधानों के अनुरूप युक्तियुक्त अवसर/समय प्रदान नहीं किया गया है, उस स्थिति में नियम-61 के अन्तर्गत खनन पट्टा निरस्त नहीं किया जा सकता है। पट्टा निरस्त नहीं होने की स्थिति में नियम-61(2) के अन्तर्गत पट्टाधारक को काली सूची में डाला जाना विधिसंगत नहीं है। अतः उ०प्र० उपखनिज(परिहार) नियमावली 2021 के उक्त प्रावधानों के आलोक में अवर न्यायालय के आदेश दिनांक 12-8-2024 में हस्तक्षेप किये जाने का औचित्य प्रतीत होता है तथा यह अपील स्वीकार किये जाने योग्य है।

उपरोक्त विवेचना के आधार पर अपील स्वीकार की जाती है। जिलाधिकारी, झांसी द्वारा पारित आदेश दिनांक 12-8-2024 निरस्त करते हुए प्रकरण जिलाधिकारी, झांसी को इस निर्देश के साथ प्रतिप्रेषित किया जाता है कि अपीलकर्ता/पट्टाधारक को युक्तियुक्त अवसर प्रदान करते हुए उ०प्र० उपखनिज(परिहार) नियमावली 2021 के नियमों के आलोक में गुण-दोष पर आदेश पारित करना सुनिश्चित करें।

प्रतिप्रेषितकर्ता.....  
भिलावकर्ता.....  
अनुवाचित शब्द.....

भावेदन की तिथि 226/2410/20  
सूचना पट पर लगाने की तिथि 2470-24  
प्रतिलिपि दिये जाने की तिथि 2470-24  
प्रतिलिपिकार के हस्ताक्षर.....

TRUE COPY

Superintendent  
Commissioner's Court, Jhansi

(विमल कुमार दुबे) 24/10/24  
आयुक्त,  
झांसी मण्डल, झांसी

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# कार्यालय जिलाधिकारी, झाँसी।

(खनिज अनुभाग)

पत्रांक: 963 / 30एम0एम0सी0 / 2024-25

दिनांक: 12/12 / 2024

## आदेश

जनपद-झाँसी में नदी तल स्थित बालू/मौरम के रिक्त क्षेत्रों को उत्तर प्रदेश उप खनिज (परिहार) नियमावली-1963 (यथा संशोधित) के अध्याय-चार के नियम-23 के उप नियम (1) के प्राविधानों के अन्तर्गत रिक्त घोषित कर, शासनादेश संख्या-1875/86-2017-57 (सामान्य)/2017 टी0सी0-1 दिनांक: 14.08.2017 सहपठित शासनादेश संख्या-2168/86-2019-57 (सा0मा0)/2017 दिनांक:09.10.2019 में उल्लिखित शर्तों के अधीन इस कार्यालय के पत्र सं0-1517/30एम0एम0सी0/विज्ञप्ति-बालू/मौरम/2020-21 दिनांक:23.11.2023 के द्वारा विज्ञापित क्षेत्रों के लिये ई-निविदा सह ई-नीलामी के माध्यम से ई-निविदा एवं ई-नीलामी आमंत्रित की गयी, जिसमें जनपद-झाँसी के तहसील-मोंठ स्थित ग्राम-मनिकपुरा के आराजी संख्या-314 (खण्ड-01) में 4.750 हेक्टेयर क्षेत्र से प्रतिवर्ष 23,750.00 घनमीटर में ई-निविदा सह ई-नीलामी की नियमानुसार समापन के उपरान्त एम0एस0टी0सी0 एवं ई-निविदा समिति की आख्या के अनुसार श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह निवासी-कुष्णा नगर कॉलोनी, खेरा, गढ़ियागांव, तहसील व जनपद-झाँसी द्वारा सर्वोच्च बोली रू0 166.00 प्रति घनमीटर दी गयी। उक्त के क्रम में सर्वोच्च बोलीदाता श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह को इस कार्यालय के पत्र संख्या-1941/30एम0एम0सी0/2020-21 दिनांक: 19.01.2021 द्वारा सहमति पत्र (Letter of Intent) में उल्लिखित शर्तों का अनुपालन किये जाने हेतु निर्गत किया गया।

पट्टाधारक श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह के पक्ष में स्वीकृत खनन पट्टा के सम्बन्ध में कतिपय शिकायतों के आधार पर दिनांक: 27.06.2024 को राजस्व विभाग एवं खनन विभाग के संयुक्त दल द्वारा जनपद-झाँसी के तहसील-मोंठ स्थित ग्राम-मनिकपुरा के आराजी संख्या-314 (खण्ड-01) में 4.750 हेक्टेयर क्षेत्र का निरीक्षण किया गया। निरीक्षण आख्या के अनुसार पट्टाधारक द्वारा किया गया उक्त कृत्य यथा खनन पट्टा क्षेत्र में पी0टी0जेड0 कैमरा लगा हुआ नहीं पाया जाना स्वीकृत क्षेत्र से बाहर प्रतिबन्धित मशीन लिफ्टर के माध्यम से अवैध खनन कर 390.00 घनमीटर भण्डारित किये जाने का कृत्य उपखनिज (परिहार) नियमावली-2021 के नियम-3,35,36(1) व 42ज(1) का स्पष्ट उल्लंघन है। जिसमें सक्शन मशीन लिफ्टर के माध्यम से क्षेत्र के बाहर अवैध खनन किये जाने के कारण नियम-60(4) (प्रति अवसर पाँच लाख रुपये की धनराशि) के अन्तर्गत कुल रू0 5,00,000.00 की धनराशि, पर्यावरण शर्तों के उल्लंघन के कारण नियम-60(2) के अन्तर्गत रू0 5,00,000.00 धनराशि पट्टा क्षेत्र में पी0टी0जेड0 कैमरा लगा हुआ नहीं पाये के कारण नियम-60(3) (प्रति अवसर पच्चीस हजार रुपये की धनराशि) के अन्तर्गत नियमानुसार रू0 25,000.00 की शास्ति शुल्क के रूप में एवं क्षेत्र के बाहर अवैध खनन कर भण्डारित 336.00 घनमीटर बालू/मौरम पर नियमानुसार शास्ति शुल्क की कुल धनराशि रू0 13,77,400.00 को अधिरोपित करते हुए इस कार्यालय के नोटिस संख्या-342/30एम0एम0सी0/2024-25 दिनांक: 03.07.2024 एवं कार्यालय के नोटिस संख्या-344/30एम0एम0सी0/2024-25 दिनांक: 06.07.2024 द्वारा निर्गत किया गया। उक्त नोटिस दिनांक: 03.07.2024 के क्रम में श्री चन्द्रपाल पुत्र श्री भोपाल सिंह द्वारा अधिरोपित धनराशि को जमा न करते हुए अपना स्पष्टीकरण दिनांक: 18.07.2024 को प्रस्तुत किया गया जिसमें उल्लेख किया गया है कि प्रार्थी द्वारा नोटिस में अंकित सभी आरोपों का जबाव दिया जा चुका है एवं नोटिस दिनांक: 06.07.2024 के क्रम में प्रस्तुत स्पष्टीकरण दिनांक: 20.07.2024 में सन्तोषजनक उत्तर प्रस्तुत नहीं किया गया।

जिसके क्रम में जिलाधिकारी महोदय के आदेश संख्या-512/30एम0एम0सी0/2024-25 दिनांक: 12.08.2024 द्वारा प्रस्तुत स्पष्टीकरण को निरस्त करते हुए उ0प्र0 उपखनिज (परिहार) नियमावली-2021 के नियम-61 में उल्लिखित प्राविधानों के अन्तर्गत श्री चन्द्रपाल सिंह के पक्ष में स्वीकृत बालू/मौरम के उक्त नीलामी खनन पट्टा को एतद् द्वारा निरस्त कर दिया गया।

उपरोक्त निरस्तीकरण आदेश दिनांक: 12.08.2024 के विरुद्ध श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह द्वारा मा0 न्यायालय आयुक्त, झाँसी मण्डल, झाँसी के समक्ष अपील संख्या-1076/2024 चन्द्रपाल सिंह बनाम जिलाधिकारी बनाम उत्तर प्रदेश सरकार योजित की गयी थी जिसमें मा0 न्यायालय आयुक्त महोदय, झाँसी मण्डल, झाँसी द्वारा निर्णय दिनांक: 24.10.2024 को पारित किया गया जिसमें जिलाधिकारी झाँसी पारित आदेश दिनांक: 12.08.2024 निरस्त करते हुए प्रकरण जिलाधिकारी झाँसी को इस निर्देश के साथ प्रतिप्रेषित किया जाता है कि अपीलकर्ता/पट्टाधारक को युक्तियुक्त अवसर प्रदान करते हुए उ0प्र0 उपखनिज (परिहार) नियमावली-2021 के नियमों के आलोक में गुण-दोष पर आदेश पारित करना सुनिश्चित करें।

मा0 न्यायालय आयुक्त महोदय, झाँसी मण्डल, झाँसी द्वारा पारित आदेश दिनांक: 24.10.2024 के क्रम में इस कार्यालय के पत्र संख्या-805/30एम0एम0सी0/2024-25 दिनांक: 12.11.2024 द्वारा अन्तिम अवसर प्रदान करते हुए श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह को अन्तिम नोटिस निर्गत किया गया है, जिसके क्रम

( 2 )

में श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह द्वारा प्रस्तुत स्पष्टीकरण दिनांक: 14.11.2024 में मुख्य रूप से उल्लेख किया गया है कि एक पक्षीय जाँच आख्या दिनांक: 27.06.2024 गुप्त रूप से तैयार की गयी है जो आज तक अपीलार्थी को अप्राप्त है और यह दस्तावेज प्रकरण का महत्वपूर्ण दस्तावेज है जिसके आधार पर जिलाधिकारी महोदय द्वारा अन्तिम आदेश पारित किया गया है। उक्त दस्तावेज को अपीलार्थी को प्रदान न किए जाने के कारण यह अपीलार्थी पर प्रभावी नहीं माना जा सकता है।

उपरोक्त यहाँ यह भी उल्लेखनीय है कि कार्यालय के नोटिस संख्या-342(i)/30एम0एम0सी0/2024-25 दिनांक: 03.07.2024 द्वारा प्रेषित किया गया जिसमें जाँच आख्या दिनांक: 27.06.2024 को पूर्ण अंकित कर पट्टाधारक को अवगत कराया गया है। इसी क्रम में कार्यालय पत्र संख्या-829/30एम0एम0सी0/2024-25 दिनांक: 20.11.2024 द्वारा पत्र प्रेषित करते हुए श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह को जाँच आख्या दिनांक: 27.06.2024 की छायाप्रति प्रेषित करते हुए भलीभाँति अवलोकन करने के उपरान्त मा0 न्यायालय आयुक्त, झाँसी मण्डल, झाँसी द्वारा पारित आदेश दिनांक: 24.10.2024 के क्रम में प्रश्नगत प्रकरण में अपना लिखित रूप से स्पष्टीकरण प्रस्तुत करने के निर्देश दिये गये, जिसके क्रम में श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह द्वारा प्रस्तुत स्पष्टीकरण दिनांक: 24.11.2024 में उल्लेख किया गया है कि मा0 उच्चतम न्यायालय द्वारा उपरोक्त आदेश में प्रतिपादित सिद्धान्तों के आलोक में प्रार्थी के प्रश्नगत प्रकरण में अपीलीय न्यायालय द्वारा गुण-दोष के आधार पर निर्णीत हो चुके प्रकरण में अब कोई नया साक्ष्य एवं नया वाद बिन्दु निर्धारित नहीं किया जा सकता है। अपीलीय न्यायालय द्वारा दिए गये निर्णय के आधार पर प्रकरण का निस्तारण किया जाना उचित होगा और इसी निर्णय के आधार पर श्रीमान जिलाधिकारी झाँसी द्वारा प्रेषित नोटिस दिनांक: 20.11.2024 वापिस लेते हुए पूर्व में दिए गये प्रत्यावेदन दिनांक: 14.11.2024 के आधारों पर न्यायसंगत आदेश पारित किया जाना न्यायहित में आवश्यक है।

उपरोक्त अपीलार्थी द्वारा प्रस्तुत प्रतिउत्तर में पट्टा विलेख की शर्तों मा0 राष्ट्रीय हरित अधिकरण के आदेशों का उल्लंघन तथा उ0प्र0 उपखनिज (परिहार) नियमावली-2021 के नियम-3,35,36(1),42(ज)(1) का भी बार-बार उल्लंघन पट्टाधारक द्वारा नहीं किये जाने के सम्बन्ध में कोई साक्ष्य प्रस्तुत नहीं किया गया, जबकि अपीलार्थी प्रश्नगत पट्टा क्षेत्र में 04 बार निरीक्षण दिनांक: 05.01.2024, 22.04.2024, 01.05.2024 व 27.06.2024 में उल्लिखित तथ्यों से स्वतः स्पष्ट है कि पट्टाधारक द्वारा उक्त उल्लेखित नियमों व शर्तों का बार-बार उल्लंघन किया गया। उक्त समस्त तथ्यों के आलोक में पट्टाधारक द्वारा प्रस्तुत प्रत्यावेदन/प्रत्युत्तर दिनांक: 14.11.2024 एवं दिनांक: 24.11.2024 आधारहीन, साक्ष्यविहीन, तथ्यों के परे होने एवं सन्तोषजनक उत्तर न प्रस्तुत किये जाने तथा निष्पादित पट्टाविलेख की शर्तों व उपबन्धों का उल्लंघन मा0 राष्ट्रीय हरित अधिकरण के आदेशों के उल्लंघन तथा उ0प्र0 उपखनिज (परिहार) नियमावली-2021 के नियम-3,35,36(1),42 (ज)(1) का भी उल्लंघन किये जाने के दृष्टिगत प्रस्तुत प्रत्यावेदन/प्रत्युत्तर दिनांक: 14.11.2024 एवं दिनांक: 24.11.2024 को निरस्त किये जाने योग्य है।

अतः उपरोक्त के दृष्टिगत श्री चन्द्रपाल सिंह पुत्र श्री भोपाल सिंह द्वारा प्रस्तुत प्रत्यावेदन दिनांक: 14.11.2024 एवं दिनांक: 24.11.2024 को निरस्त करते हुए श्री चन्द्रपाल सिंह के पक्ष में स्वीकृत खनन पट्टा क्षेत्र में पूर्व में पारित निस्ततीकरण आदेश दिनांक: 12.08.2024 को यथावत रखा जाता है। उक्त क्षेत्र को नये सिरे से खनन परिहार पर नियंत्रित किये जाने की कार्यवाही की जाय।

*K. K. K.*

जिलाधिकारी,  
झाँसी।

TRUE COPY

## ANNEXURE: A/18 (COLLY)

17/04/2025 07:31

UP Mining

भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश AALGG 024285

DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH

प्रथम प्रति (पट्टा धारक हेतु)

313924070948

3. Name Of Lessee / Permit Holder: CHANDRAPAL SINGH

4. Mobile Number Of Lessee: 7394877898

5. Lease Details [Address, Village, (Gata/Khand), Area]: KRISHNA NAGAR COLONY KHERA GADHIYAGAON JHANSI, MANIKPURA, (314 Khand 01), 11.73 acre

6. Tehsil Of Lease: MOTH

7. District Of Lease: JHANSI

8. QTY Transported in (Cubic Meter/ Ton for Silica sand/ Diaspore/ Pyrophyllite): 7.00

9. Name Of Mineral: MORRUM

10. Loading From: JHANSI

11. Destination (Delivery Address): JHANSI CIRCAL

12. Distance (Approx in 99 K.M. K.M.): 1

13. eMM11 Generated On: 17-04-2025 07:31:37

14. eMM11 Valid Upto: 17-04-2025-02:06:37 PM

15. Transporting Duration: 7 Hr (Approx)

16. Destination District: JHANSI

17. Destination State: UTTAR PRADESH

19. Serial Number: AALGG024285

1. Registration Number: UP93T5816

2. Type Of Vehicle: 6 TYRE TRUCK

3. Name Of Driver: BRAJKISHOR

4. Mobile Number Of Driver: 9651128718

5. DL Number Of Driver:

16. Pits Worth Value (Rs/m<sup>3</sup> & Rs/Ton for Silica sand): 0

10/02/2025, 10:48

UP Mining

**भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश**

**DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH**

AALGG 024242

प्रथम प्रति (पट्टा धारक हेतु)

3. Name Of Lessee / Permit Holder: CHANDRAPAL SINGH

6. Tehsil Of Lease: MOTH

9. Name Of Mineral: MORRUM

12. Distance (Approx in 280 K.M. K.M.): 18 Hr (Approx)

15. Traveling Duration: 18 Hr (Approx)

18. Pits Mouth Value (Rs/m<sup>3</sup> & Rs/Ton for Silica sand): 0

1. Registration Number: RJ27GD9897

4. Mobile Number Of Driver: 6376219151

1. eMMII.: 31392407094800427

4. Mobile Number Of Lessee: 7394877808

7. District Of Lease: JHANSI

10. Loading From: JHANSI

13. eMMII Generated On: 27-02-2025 10:40:42 AM

16. Destination District: BARAN

19. Serial Number: AALGG024242

2. Lessee Id: 313924070948

5. Lease Details [Address, Village, (Gata/Khand), Area]: KRISHNA NAGAR COLONY KHERA GADHIYAGAON JHANSI, MANIKPURA, (314 Khand 01), 11.73 acre

8. QTY Transported in (Cubic Meter/ Ton for Silica sand/ Diaspore/ Pyrophyllite): 25.00

11. Destination (Delivery Address): BARAN JILA RAJSTHAN

14. eMMII Valid Upto: 28-02-2025 04:54:42 AM

17. Destination State: RAJASTHAN

Details Of Registered Vehicle

2. Type Of Vehicle: 18 TYRE TRUCK

3. Name Of Driver: KALU LAL

5. DL Number Of Driver:

*Kalulal*

**TRUE COPY**

## State Level Environment Impact Assessment Authority, Uttar Pradesh

### Directorate of Environment, U.P.

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

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

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### Minutes of the 884<sup>th</sup> Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 02-04-2025

The meeting of 884<sup>th</sup> State Level Environment Impact Assessment Authority, UP (SEIAA) was held online on 02.04.2025 the Directorate of Environment. The following were present in the meeting: -

- |                             |                              |
|-----------------------------|------------------------------|
| 1. Smt. Mamta Sanjeev Dubey | Chairman, SEIAA, U.P         |
| 2. Shri Paras Nath          | Member, SEIAA, U.P           |
| 3. Shri Ajay Kumar Sharma   | Member Secretary, SEIAA, U.P |

### Agenda-A- Reply (Parivesh-2.0) online

1. Commercial Building at Plot No.- C-02, Sector- Alpha-II (Commercial Belt) Greater Noida, District- Gautam Budha Nagar, Uttar Pradesh., 9558/SIA/UP/INFRA2/516374/2024.

SEIAA noted that the above project was taken in its 877<sup>th</sup> meeting in which SEIAA observed the presence of certain structures or constructions within the proposed site, visible in the KML file. The project proponent was directed to provide a detailed explanation regarding these structures or constructions. In light of the above observations, SEIAA directs the project proponent to furnish the required clarifications to SEIAA in the upcoming meeting virtually. The project proponent submitted online reply on 11.03.2025 and presented their case virtually.

He explained that since the land was free from any barricading at the time of possession, temporary hutments for the labors were made by neighboring developers for their projects, storage for construction materials and stone cutting works were being done at the site. At present the hutments has been removed and the land is lying vacant. He also submitted the mail dated 03.04.2025 and submitted recent photographs.

SEIAA noted that as per para 8(ii) of EIA notification 2006 -The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- Plantation of saplings shall be carried out in green belt area earmarked as per relevant building bye-laws and as a part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
- 2- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. The CER

activities should be related to mitigation of Environmental Pollution and creating awareness for the need for same for example creation of water harvesting pits and carbon sequestration parks etc. At least one school in the vicinity of project area should be provided with rooftop solar plant, toilets should be constructed in public place or in school of nearby villages and if there is a girl's school then girls toilet properly equipped with overhead water tank should be constructed. Name of the school adopted for installation of roof top solar plant should be displayed on the website of project proponent and should also be submitted with periodic compliance report.

- 3- The project proponent shall ensure that waste water is properly treated in STP and treated water should be reused for gardening flushing system, washing etc. For reuse of water, irrigation sprinkler and drip irrigation system shall be installed and maintained for proper functioning. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge and shall be done with necessary permissions from concerned authorities.
- 4- Under any circumstances untreated sewage shall not be discharged to municipal sewer line or any nearby water body.
- 5- The project proponent shall install organic bio converter.
- 6- The effluent from STP after tertiary treatment shall be subjected to ozonation to avoid foul smell.
- 7- A certificate signed by an officer not below the rank of ACF shall be submitted along with the EIA that the project does not lie with-in any protected area, National Park, Wild-Life Sanctuary and/or ESZ so declared as per the provisions of Wild-Life Protection Act 1972.
- 8- **The project proponent shall submit permission of CGWA for using ground water and display it on their website or proposal for obtaining water from alternative legal source of fresh water should be submitted to SEIAA within a month.**
- 9- Provision for charging of electric vehicles as per the guidelines of GoI/GoUP should be submitted within the next 3 months.
- 10- The project proponent shall explore the possibility of solar electrification beyond 10% and if it is possible, shall submit the details of solar power plans within the next 3 months.
- 11- PP should display EC granted to them on their website.
- 12- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
- 13- 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.
- 14- DG sets shall be gas based and Guidelines issued by CAAQMS for NCR region regarding the use of DG sets during construction and operational phase should be followed.
- 15- **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
- 16- In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

2. Group Housing Project at Khasra No- 1069 M, village Noornagar, Rajnagar Extension Ghaziabad, Uttar Pradesh by M/s Baba Construction Pvt Ltd, 9681/SIA/UP/INFRA2/519976/2025.

SEIAA noted that the above project was taken in its 880<sup>th</sup> meeting in which SEIAA observed that, a water body is seen within the proposed project area, along with a visible structure. Accordingly, SEIAA directed the project proponent to provide a clarification on observations by joining in the upcoming SEIAA meeting virtually. The project proponent has submitted online reply on 21.03.2025 and presented the case virtually. He explained that the site has relatively lower elevation than the surroundings and the site is vacant. Site videography shows that no water body exists at the site. The structures observed in the image are the temporary labour hut made by the adjacent project. The project proponent also showed the latest drone video.

SEIAA noted that as per para 8(ii) of EIA notification 2006 -The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- Plantation of saplings shall be carried out in green belt area earmarked as per relevant building bye-laws and as a part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
- 2- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. The CER activities should be related to mitigation of Environmental Pollution and creating awareness for the need for same for example creation of water harvesting pits and carbon sequestration parks etc. At least one school in the vicinity of project area should be provided with rooftop solar plant, toilets should be constructed in public place or in school of nearby villages and if there is a girl's school then girls toilet properly equipped with overhead water tank should be constructed. Name of the school adopted for installation of roof top solar plant should be displayed on the website of project proponent and should also be submitted with periodic compliance report.
- 3- The project proponent shall ensure that waste water is properly treated in STP and treated water should be reused for gardening flushing system, washing etc. For reuse of water, irrigation sprinkler and drip irrigation system shall be installed and maintained for proper functioning. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge and shall be done with necessary permissions from concerned authorities.
- 4- Under any circumstances untreated sewage shall not be discharged to municipal sewer line or any nearby water body.
- 5- The project proponent shall install organic bio converter.
- 6- The effluent from STP after tertiary treatment shall be subjected to ozonation to avoid foul smell.
- 7- A certificate signed by an officer not below the rank of ACF shall be submitted along with the EIA that the project does not lie with-in any protected area, National Park,

Wild-Life Sanctuary and/or ESZ so declared as per the provisions of Wild-Life Protection Act 1972.

- 8- **The project proponent shall submit permission of CGWA for using ground water and display it on their website or proposal for obtaining water from alternative legal source of fresh water should be submitted to SEIAA within a month.**
  - 9- Provision for charging of electric vehicles as per the guidelines of GoI/GoUP should be submitted within the next 3 months.
  - 10- The project proponent shall explore the possibility of solar electrification beyond 10% and if it is possible, shall submit the details of solar power plans within the next 3 months.
  - 11- PP should display EC granted to them on their website.
  - 12- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
  - 13- 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.
  - 14- DG sets shall be gas based and Guidelines issued by CAAQMS for NCR region regarding the use of DG sets during construction and operational phase should be followed.
  - 15- **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
  - 16- In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.
3. **Building (Khanda, Boulder (Dolostone) Mining Project at Arazi No.- 7405 Ka, 7406 Ka, Village: Billi Markundi Tehsil- Obra, District: Sonbhadra State: - Uttar Pradesh, Area: 1.383 Ha., 8928/8431/SIA/UP/MIN/469481/2024.**

SEIAA noted that the above project was taken in its 875<sup>th</sup> meeting in which SEIAA observed that the geo-coordinates mentioned in the Minutes of Meeting (MoM) of SEAC differ from those recorded in the District Survey Report (DSR). The project proponent has submitted his reply vide letter dated 13.03.2025 along with senior mines officer letter no. 2304/khanij/2025 dated 15.01.2025. SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022 regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing, adding following specific conditions:-

1. Validity period of this EC is 5 years as the Lol has been issued for a period of 5 years and co-terminus with the validity of current mine plan or current lease period whichever is earlier After this period the EC will become null and void.
2. Directions/suggestions given during public hearing and commitment made by the project proponent on these should be strictly complied with.
3. Approved explosives and proper technique should only be used for blasting, to avoid loud sound and cracks in nearby buildings.
4. A certificate from Forest Department (not below the rank of ACF) shall be obtained that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and

permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.

5. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the project does not lie with-in any Protected area, National park, Sanctuary and ESZ.
6. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
7. 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.
8. Mine reclamation plan should be prepared for using the mine void for productive use in consultation with local administration and gram-panchayat.
9. 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 legally valid water sources and permission from the competent authority shall be obtained to use it.
10. 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 district plantation committee, 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 and will make provision for maintenance for 5 years.
11. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LiFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
12. 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.
13. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
14. Department of Geology and Mines, Government of Uttar Pradesh and/or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
15. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.
16. The project proponent shall install rooftop solar plant in one school in the vicinity of project area and construct toilets especially in girls' school as part of CER activity.
17. Since large number of mining projects are ongoing as well as new mining leases are coming up in the district, CAAQMS shall be installed in consultation with UPPCB.

18. **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
  19. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.
  20. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC
  21. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.
4. **Soil Mining Project at Gata No.- 225, 227, Village Kheri Naubaramad, Tehsil - Kalinagar, District- Pilibhit, U.P. (Area- 2.1290ha), 9497/SIA/UP/MIN/511638/2024.**

SEIAA noted that the above project was taken in its 874<sup>th</sup> meeting in which SEIAA noted the presence of a structure in the KML file of the proposed area, the Project Proponent is directed to provide clarification regarding the nature of the structure and how will he ensure that the structure remains unaffected during mining activity. The project proponent has submitted online reply on 13.03.2025.

SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022 regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing, adding following specific conditions:-

1. 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.
2. Validity period of this EC is 3 months as the Lol has been issued for a period of 3 months and co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
3. A certificate from Forest Department (not below the rank of ACF) shall be obtained, that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam,2023 and submit before the start of work.
4. The project proponent shall obtain permission from competent authority for felling of trees if required.
5. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
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 legally valid water sources 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 district plantation committee, 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 and will make provision for maintenance for 5 years.

8. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
  9. 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.
  10. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
  11. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
  12. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.
  13. **Project Proponent shall submit the Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
  14. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
  15. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.
5. **Group Housing-02 at Udyan-2, Sector -IV, Raksha Khand, Sharda Nagar, District-Lucknow, Uttar Pradesh, 9423/SIA/UP/INFRA2/505607/2024.**

SEIAA noted that the above project was taken in its 879<sup>th</sup> meeting in which SEIAA opined that project proponent shall submit revised water requirement in accordance with the existing standards and guidelines prescribed by the Government of India and the Government of Uttar Pradesh. The project proponent has submitted online reply on 20.03.2025 and justified the water requirement projected. SEIAA noted that as per para 8(ii) of EIA notification 2006 -The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- Plantation of saplings shall be carried out in green belt area earmarked as per relevant building bye-laws and as a part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LiFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated

24.07.2024.

- 2- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. The CER activities should be related to mitigation of Environmental Pollution and creating awareness for the need for same for example creation of water harvesting pits and carbon sequestration parks etc. At least one school in the vicinity of project area should be provided with rooftop solar plant, toilets should be constructed in public place or in school of nearby villages and if there is a girl's school then girls toilet properly equipped with overhead water tank should be constructed. Name of the school adopted for installation of roof top solar plant should be displayed on the website of project proponent and should also be submitted with periodic compliance report.
- 3- The project proponent shall ensure that waste water is properly treated in STP and treated water should be reused for gardening flushing system, washing etc. For reuse of water, irrigation sprinkler and drip irrigation system shall be installed and maintained for proper functioning. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge and shall be done with necessary permissions from concerned authorities.
- 4- Under any circumstances untreated sewage shall not be discharged to municipal sewer line or any nearby water body.
- 5- The project proponent shall submit permission from competent authority to discharge treated water in municipal sewer.
- 6- The project proponent shall install organic bio converter.
- 7- The effluent from STP after tertiary treatment shall be subjected to ozonation to avoid foul smell.
- 8- A certificate signed by an officer not below the rank of ACF shall be submitted along with the EIA that the project does not lie with-in any protected area, National Park, Wild-Life Sanctuary and/or ESZ so declared as per the provisions of Wild-Life Protection Act 1972.
- 9- **The project proponent shall submit permission of CGWA for using ground water and display it on their website or proposal for obtaining water from alternative legal source of fresh water should be submitted to SEIAA within a month.**
- 10- Provision for charging of electric vehicles as per the guidelines of GoI/GoUP should be submitted within the next 3 months.
- 11- The project proponent shall explore the possibility of solar electrification beyond 10% and if it is possible, shall submit the details of solar power plans within the next 3 months.
- 12- PP should display EC granted to them on their website.
- 13- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
- 14- **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
- 15- In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

6. "Ordinary Soil Mining Project" at Gata No.- 336 Mi, Village- Musawali (Mustahkam), Tehsil- Etawah, District- Etawah, Uttar Pradesh. (Lease Area: 3.2038Ha.), 9562/SIA/UP/MIN/516507/2024.

SEIAA noted that the above project was taken in its 879<sup>th</sup> meeting in which SEIAA observed that the KML uploaded on the Parivesh portal by the project proponent indicates that the concerned area appears to be already mined out. In light of this, SEIAA directed the project proponent to submit a clarification from the District Magistrate, Etawah, confirming whether the area in question has already been mined out or not and whether soil is available up to a depth of 3 meters. The project proponent has submitted his reply on 22.03.2025 but without letter no. or date. Hence SEIAA opined that the project proponent shall submit the required information.

7. Billi Markundi Gitti, / Boulder, Dolo Stone Mining Project at Arazi/Gata No.- 4920mi, 4921mi, 4922mi, 4923, 4934, 4937mi, 4924mi near Village- Billi Markundi, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh, (Area 1.13 Ha), 9574/8600/SIA/UP/MIN/513938/2024.

SEIAA noted that the above project was taken in its 880<sup>th</sup> meeting in which SEIAA observed that the KML indicates the presence of a green area/trees within the lease area. The Project Proponent (PP) is directed to submit drone videography to verify whether the identified area indeed consists of trees and if trees are present within the lease area, the PP must provide an explanation regarding the measures proposed to carry out mining activities without causing damage to the green area/trees. The project proponent has submitted online reply on 24.03.2025 and also explained by joining the meeting on 02.04.2025. He explained that the plantation is outside the mining area and will not get damaged due to mining. He also showed the video footage of the plantation area and the mine. SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022 regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing, adding following specific conditions: -

1. Validity period of this EC is 5 years as the Lol has been issued for a period of 5 years and co-terminus with the validity of current mine plan or current lease period whichever is earlier after this period the EC will become null and void.
2. Directions/suggestions given during public hearing and commitment made by the project proponent on these should be strictly complied with.
3. Approved explosives and proper technique should only be used for blasting, to avoid loud sound and cracks in nearby buildings.
4. A certificate from Forest Department (not below the rank of ACF) shall be obtained, no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.
5. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the project does not lie with-in any Protected area, National park, Sanctuary and ESZ.
6. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.

7. 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.
8. Mine reclamation plan should be prepared for using the mine void for productive use in consultation with local administration and gram-panchayat.
9. 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 legally valid water sources and permission from the competent authority shall be obtained to use it.
10. 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 district plantation committee, 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 and will make provision for maintenance for 5 years.
11. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
12. 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.
13. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
14. Department of Geology and Mines, Government of Uttar Pradesh and/or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
15. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, Gol, Lucknow.
16. The project proponent shall install rooftop solar plant in one school in the vicinity of project area and construct toilets especially in girls' school as part of CER activity.
17. Since large number of mining projects are ongoing as well as new mining leases are coming up in the district, CAAQMS shall be installed in consultation with UPPCB.
18. **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
19. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.
20. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC
21. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

8. Expansion of Warehouse Project 25, Kanpur- Lucknow Expressway, Village- Rasulpur, Tehsil Hasanganj, District- Unnao, U.P., M/S KMRA Associates LLP. 9291/SIA/UP/INFRA2/498675/2024.

SEIAA noted that the above project was taken in its 871<sup>th</sup> meeting in which SEIAA opined that project proponent shall submit complete and satisfactory reply to the issues raised by SEIAA i.e. as per Ground Water NoC maximum allowable rate of withdrawal is 5 m<sup>3</sup>/hr, maximum allowable running hours per day is 8 and maximum allowable annual extraction of ground water is 14600 m<sup>3</sup> but one-time freshwater demand for the project is stated as 242 KLD. The project proponent has submitted his reply vide letter dated 24.03.2025 stating that one time fresh water requirement for the existing project is 78 KLD & total water requirement (existing + expansion) for the project is 242 KLD for which necessary permission for groundwater extraction has been obtained. The permission has been obtained in four parts, namely 40 KLD, 55 KLD, 45 KLD, and 102 KLD respectively. The Groundwater NOC for 40 KLD of water vide certificate no. NOC040268 valid till 03.03.2029 (with maximum allowable rate of withdrawal = 5m<sup>3</sup>/hr and maximum allowable running hours per day = 8 hr) is attached as. The Groundwater NOC for 55 KLD of water vide certificate no. NOC029706 valid till 14.04.2029 (with maximum allowable rate of withdrawal = 5m<sup>3</sup>/hr and maximum allowable running hours per day = 11 hr). The reply is satisfactory and SEIAA opined to grant EC to the said project SEIAA noted that as per para 8(ii) of EIA notification 2006 -The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- Plantation of saplings shall be carried out in green belt area earmarked as per relevant building bye-laws and as a part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
- 2- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. The CER activities should be related to mitigation of Environmental Pollution and creating awareness for the need for same for example creation of water harvesting pits and carbon sequestration parks etc. At least one school in the vicinity of project area should be provided with rooftop solar plant, toilets should be constructed in public place or in school of nearby villages and if there is a girl's school then girls toilet properly equipped with overhead water tank should be constructed. Name of the school adopted for installation of roof top solar plant should be displayed on the website of project proponent and should also be submitted with periodic compliance report.
- 3- The project proponent shall ensure that waste water is properly treated in STP and treated water should be reused for gardening flushing system, washing etc. For reuse of water, irrigation sprinkler and drip irrigation system shall be installed and maintained for proper functioning. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge and shall be done with necessary permissions from concerned authorities.
- 4- Under any circumstances untreated sewage shall not be discharged to municipal

sewer line or any nearby water body.

- 5- The project proponent shall install organic bio converter.
  - 6- The effluent from STP after tertiary treatment shall be subjected to ozonation to avoid foul smell.
  - 7- A certificate signed by an officer not below the rank of ACF shall be submitted along with the EIA that the project does not lie with-in any protected area, National Park, Wild-Life Sanctuary and/or ESZ so declared as per the provisions of Wild-Life Protection Act 1972.
  - 8- **The project proponent shall submit permission of CGWA for using ground water and display it on their website or proposal for obtaining water from alternative legal source of fresh water should be submitted to SEIAA within a month.**
  - 9- Provision for charging of electric vehicles as per the guidelines of GoI/GoUP should be submitted within the next 3 months.
  - 10- The project proponent shall explore the possibility of solar electrification beyond 10% and if it is possible, shall submit the details of solar power plans within the next 3 months.
  - 11- PP should display EC granted to them on their website.
  - 12- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
  - 13- **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
  - 14- In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.
9. **"Ordinary Earth Mining Project" at Gata No.- 736 Village: Kushahari, Tehsil: Hasanganj, District- Unnao, Uttar Pradesh, Area 2.428 Ha., 9570/SIA/UP/MIN/515484/2025.**

SEIAA noted that the above project was taken in its 879<sup>th</sup> meeting in which SEIAA observed that the land agreement between the project proponent and the landowner includes two Gatas, i.e., 727 and 736. However, the mine plan approval order and the EC application pertain only to Gata 736. The project proponent has submitted online reply on 25.03.2025 along with Mining Plan approval letter no. 2091/khanij vibhag/2024-25 dated 11.12.2024 in which only one gata no.736 is mentioned.

SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022 regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing, adding following specific conditions:-

1. 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.

2. Validity period of this EC is 3 months as the Lol has been issued for a period of 3 months or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
3. A certificate from Forest Department (not below the rank of ACF) shall be obtained, that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.
4. The project proponent shall obtain permission from competent authority for felling of trees if required.
5. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
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 legally valid water sources 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 district plantation committee, 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 and will make provision for maintenance for 5 years.
8. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.
9. 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.
10. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
11. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
12. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.
13. **Project Proponent shall submit the Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
14. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
15. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

**10. Construction of Integrated Court Complex at District- Shamli, Uttar Pradesh by District and Session Judge, Shamli, Law Department, Government of Uttar Pradesh., 9544/SIA/UP/INFRA2/515293/2024.**

SEIAA noted that the above project was taken in its 877<sup>th</sup> meeting in which SEIAA opined that project proponent shall submit clarification regarding the specific mechanism for utilizing the treated water in firefighting, including details on its storage and availability for such use. The project proponent has submitted his reply vide letter dated 12.03.2025 but the reply is ambiguous hence SEIAA opined that the project proponent shall present the case virtually in the next SEIAA meeting.

**11. Expansion of Data Centre at Plot No. 07, Knowledge Park-V, Greater Noida, Uttar Pradesh, District-Gautam Buddha Nagar, U.P., M/s NIDP Developers Private Limited, 9451/9267/SIA/UP/INFRA2/504814/2024**

SEIAA noted that the above project was taken in its 879<sup>th</sup> meeting in which SEIAA reviewed the Certified Compliance Report (CCR) dated 13-12-2024 and observed that point 12 of the additional condition's states: "PP should display EC granted to them on their website. 6-monthly compliance report should be displayed on their website and to be given every six months to residents / occupants of the building." The report indicates that this condition "is not complied

Additionally, point 15 of the additional conditions, states: "DG sets shall be gas based and Guidelines issued by CAAQMS for NCR region regarding the use of DG sets during construction and operational phase should be followed." The report mentions that this condition is "partially complied" as mentioned: "As per the submitted information, 27 nos of DG sets of 2250 KVA capacity each and 01 no. of DG sets of 750 KVA have been installed based on HSD within the project premises. It is required to install the gas-based DG sets at the earliest as per the court direction for the NCR region." SEIAA noted that as per the Guidelines issued by CAAQMS for NCR region, gas-based generators should be used in NCR regions.

Additionally, SEIAA directs that a letter be sent to the Member Secretary, UPPCB, along with a copy of the Certified Compliance Report, for the examination of the CCR and seek an explanation for the lack of action by the concerned Regional Office of UPPCB. The project proponent has submitted online reply on 21.03.2025 and explained the situation stating that they have installed RECD in 750 KVA DG sets as per CAQM guidelines and are complying with CAQM direction no. 76 dated 29.09.2023 regarding DG sets having capacity more than 800 KW. But letter from UPPCB is awaited. Hence SEIAA opined that a reminder shall be sent to UPPCB. SEIAA also opined that EC be granted for expansion SEIAA noted that as per para 8(ii) of EIA notification 2006 -The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC. In addition to the conditions imposed by SEAC, SEIAA added following additional specific conditions:-

- 1- EC is subject to report of UPPCB if any non-compliance/suggestion is received project proponent shall comply.
- 2- Plantation of saplings shall be carried out in green belt area earmarked as per relevant building bye-laws and as a part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LIFE Portal (<https://merilife.nic.in>) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.

- 3- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. The CER activities should be related to mitigation of Environmental Pollution and creating awareness for the need for same for example creation of water harvesting pits and carbon sequestration parks etc. At least one school in the vicinity of project area should be provided with rooftop solar plant, toilets should be constructed in public place or in school of nearby villages and if there is a girl's school then girls toilet properly equipped with overhead water tank should be constructed. Name of the school adopted for installation of roof top solar plant should be displayed on the website of project proponent and should also be submitted with periodic compliance report.
- 4- The project proponent shall ensure that waste water is properly treated in STP and treated water should be reused for gardening flushing system, washing etc. For reuse of water, irrigation sprinkler and drip irrigation system shall be installed and maintained for proper functioning. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge and shall be done with necessary permissions from concerned authorities.
- 5- Under any circumstances untreated sewage shall not be discharged to municipal sewer line or any nearby water body.
- 6- The project proponent shall install organic bio converter.
- 7- The effluent from STP after tertiary treatment shall be subjected to ozonation to avoid foul smell.
- 8- A certificate signed by an officer not below the rank of ACF shall be submitted along with the EIA that the project does not lie with-in any protected area, National Park, Wild-Life Sanctuary and/or ESZ so declared as per the provisions of Wild-Life Protection Act 1972.
- 9- **The project proponent shall submit permission of CGWA for using ground water and display it on their website or proposal for obtaining water from alternative legal source of fresh water should be submitted to SEIAA within a month.**
- 10- Provision for charging of electric vehicles as per the guidelines of Gol/GoUP should be submitted within the next 3 months.
- 11- The project proponent shall explore the possibility of solar electrification beyond 10% and if it is possible, shall submit the details of solar power plans within the next 3 months.
- 12- PP should display EC granted to them on their website.
- 13- EC is granted with the condition that EC is valid only for the building plan which has been submitted by PP for seeking EC. In case approved building plan is different from the one submitted for seeking EC then this EC will stand null and void.
- 14- 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.
- 15- DG sets shall be gas based and Guidelines issued by CAAQMS for NCR region regarding the use of DG sets during construction and operational phase should be followed.
- 16- **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
- 17- In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

**Agenda-B****1. "Morrum Mining" on the riverbed of Sone River at Arazi No.- 15 च , Khand No. 02, Village- Bhagwa, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh, Area 12.146 ha., 8280/7891/SIA/UP/MIN/445239/2023.**

SEIAA noted that during appraisal of DSR of Sonebhadra SEAC 1 & 2 in its joint meeting dated 03.12.2024 examined the Joint Committee reports submitted in Original Application No. 109 of 2024. The Joint Committee report dated 05/03/2024, which included representative from SEIAA (Prof. Jaswant Singh Member, SEAC) and Regional Officer, Sonebhadra, Uttar Pradesh. SEAC-1 & 2 observed that the Joint Committee report dated 05/03/2024 explicitly states that there are no mineral deposits in Arazi No. 15, Cha, Khand No. 02 located in Village Bhagwa, Tehsil- Obra, District Sonbhadra, Uttar Pradesh. The area consists of soil and plain land situated at the outer reach of the rear end of the riverbank, with a low likelihood of mineral occurrences. Similarly, the other Joint Committee report dated 05/07/2024 has also not provided the exact amount of Mineable Mineral at Arazi No. 15, Cha, Khand No. 02, located in Village Bhagwa, Tehsil-Obra, District Sonbhadra, Uttar Pradesh.

Observing the above reports as well as the Sand Management Guidelines – 2016 & Enforcement and Management Guidelines for Sand Mining – 2020 which provide a framework for sustainable sand and gravel mining, the committee recommended to approve rest 26 leases mentioned in the proposed DSR except the lease mentioned in Serial No. 20 (Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil- Obra, District- Sonebhadra) of the District Survey Report (DSR) of District-Sonebhadra.

The above case was taken in its 864<sup>th</sup> SEIAA meeting dated 17.12.2024 and 872<sup>nd</sup> meeting dated 28.02.2025 in which:

SEIAA reviewed the letter from the District Magistrate, Sonbhadra (Letter No. 2508/Khanij/DSR-Morum/2024-25) dated 15-02-2025 regarding Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil- Obra, District- Sonbhadra.

SEIAA also referred to the deliberations of its 864<sup>th</sup> meeting held on 17-12-2024, wherein it was observed:

"... SEIAA noticed that the reports dated 15.03.2024, 05.07.2024 and 27.09.2024 do not address the question of mineral availability at the site. Hence SEIAA agreed to refer the matter to DM, Sonebhadra to get it examined by a committee of- Mining Officer Sonebhadra, a representative of DM, Sonebhadra, not below the rank of ADM, and a soil scientist belonging to a reputed agriculture university of State or the Center. The Committee was tasked with examining the area based on ocular as well as soil profile examination and photographs and videos were to be attached with the report. The report was to be submitted within three weeks.

SEIAA noted that, in response to this directive, the District Magistrate, Sonbhadra, via Letter No. 2301/Khanij/2025 dated 13-01-2025, constituted a committee comprising:

1. A nominated Soil Scientist from the Registrar, BHU Varanasi,
2. ADM (F/R), Sonbhadra, and
3. Senior Mining Officers, Sonbhadra.

SEIAA has reviewed the report of the committee and observed that the geo-coordinates of the lease area inspected have not been mentioned in the report. In light of the above, SEIAA opined that a letter should be sent to the District Magistrate, Sonebhadra, directing to ensure that the geo-coordinates of the lease area are clearly mentioned in the report of the committee constituted vide its order dated 13.01.2025.

DM Sonbhadra vide letter no. 2818/khanij/2025 dated 26.03.2025 has submitted the report of joint committee. Hence SEIAA opined that to refer the report to SEAC for examination and recommendation.

**1. OA no. 742 of 2024 Madan Sen S/o Late Jagdish Prasad Vs State of UP & Ors. order dated 23.09.2024**

SEIAA gone through the order dated 23.09.2024 passed in OA no. 742 of 2024 Madan Sen S/o Late Jagdish Prasad Vs State of UP & Ors. Operative part of which is as follows:

...“8. The aforesaid chart indicates that Respondent No. 5 had carried out instream mining and had also committed illegality in respect of 336 cubic meters of sand. Respondent No. 5 had failed to supply the proper video recording of the concerned period, therefore, the District Magistrate, Jhansi vide order dated 12.08.2024 has cancelled the lease deed of the mining area. The reply further reflects that Respondent No. 5 has also been blacklisted for two years and the penalty has been imposed vide orders dated 10.01.2024, 25.04.2024 and 04.05.2024. In view of this, UPPCB has kept in abeyance the CTO issued to the project proponent till the further orders.

13. It is also noticed that SEIAA, UP has not initiated any action against Respondent No. 5 for violation of the EC conditions. Hence, the SEIAA, UP will also examine the issue of violation of EC conditions by Respondent No. 5 and take appropriate expeditious action in accordance with the law.”...

Since District Magistrate, Jhansi has cancelled the lease deed of the mine vide order no. 512/30MMC/2024-25 dated 12.08.2024. Hence EC is also null and void in view of cancelled lease deed and is cancelled effective 12/08/2024.

  
Nodal Officer  
SEIAA, UP

MoM prepared by Secretariat in consultation with  
Chairman & Members on the basis of decisions  
taken by SEIAA during the meeting.

(Smt. Mamta Sanjeev Dubey)  
Chairman  
SEIAA

(Ajay Kumar Sharma)  
Member-Secretary  
SEIAA

(Paras Nath)  
Member  
SEIAA

  
**TRUE COPY**