

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, AT NEW DELHI****Original Application No. 1190 /2024****IA No. 475 of 2024****Ajayveer Singh****...Applicant****Versus****State of UP & Ors.****...Respondents****INDEX**

S.NO	PARTICULARS	PAGE NO.
1.	COUNTER AFFIDAVIT ON BEHALF OF SEIAA, STATE OF UP. IN COMPLIANCE WITH THE ORDER DATED 30.09.2024	1 - 11
2.	<u>ANNEXURE-1</u> A true copy of the Concerned letter dated 16.11.2023 is being annexed herewith as Annexure 1.	12
3.	<u>ANNEXURE-2</u> A true Copy of the Concerned MoEFCC, GoI letter dated 04.12.2023 is being annexed herewith as Annexure 2.	14
4.	<u>ANNEXURE-3</u> A true Copy of the Concerned Minutes of the Meeting dated 02.02.2024 is being annexed herewith as Annexure 3.	15

5.	<u>ANNEXURE-4</u> A true Concerned copy of minutes, dated: 07.08.2024 is being annexed herewith as Annexure 4.	38
6.	<u>ANNEXURE-5</u> A true Concerned copy of the letter dated: 02.09.2024 is being annexed herewith as Annexure 5.	42

Through

Date:28/11/2024

Place: New Delhi


PRIYANKA SWAMI

ADVOCATE

Counsel for SEIAA, U.P.

F-13, JANGPURA, NEW DELHI 110014

E-mail:advpriyankaswami@gmail.com

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, AT NEW DELHI****Original Application No. 1190 /2024****IA No. 475 of 2024****Ajayveer Singh****...Applicant****Versus****State of UP & Ors.****...Respondents****COUNTER AFFIDAVIT ON BEHALF OF SEIAA, STATE OF UP. IN
COMPLIANCE WITH THE ORDER DATED 30.09.2024**

That the answering Respondents deny each and every statement, contention, submission, allegation, and/or averment made by the Appellant in the complaint, which is contrary to or inconsistent with the present reply or the records of the case. It is categorically stated that all such statements, submissions, or averments made by the Appellant that are inconsistent with what is submitted in this reply are denied in totality, except those which are specifically and expressly admitted hereinafter. Furthermore, it is submitted that any omission to deny any of the averments made by the Appellant should not be construed as an admission on the part of the answering Respondents, and no adverse inference should be drawn from such omissions.

MOST RESPECTFULLY SHOWETH:

1. That it is in compliance with the order dated 30.09.2024, passed by the Honøble Tribunal, certain directions were directed by the court:-

“2. Issue notice to the respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal. The Applicant is directed to serve the respondents and file the affidavit of service at least one week before the next date of hearing.

3. List alongwith OA No. 756/2023 on 10.12.2024.”

2. That it is respectfully submitted that Respondent No. 3, the State Level Environment Impact Assessment Authority (SEIAA), functions under the provisions of the **EIA Notification, 2006** (as amended), and its actions are strictly in compliance with the laws, rules, and guidelines laid down by the Ministry of Environment, Forest, and Climate Change (MoEFCC), Government of India.
3. That the Petitioner has filed this application seeking directions related to the preparation of a fresh District Survey Report (DSR), conducting a replenishment study, and challenging the e-auction process of mining leases in the Chhaprauli Khadar area, among other reliefs.
4. That it is respectfully submitted that the reliefs sought by the Petitioner primarily pertain to the functioning of the State Mining Authorities (Respondent No. 1) and the District Magistrate, Baghpat (Respondent No. 4), who are directly responsible for preparing and implementing the DSR under the Sustainable Sand Management Guidelines, 2016, and Sand Mining Guidelines, 2020.
5. That it is pertinent to mention here that the Respondent No. 3 is tasked only with the approval of the DSR following its evaluation by the State Expert Appraisal

Committee (SEAC), as mandated by the Honøble Supreme Court in **State of Bihar vs. Pawan Kumar** (Civil Appeal Nos. 3661-3662 of 2020) and subsequent MoEFCC notifications.

6. That it is pertinent to mention here that the Ministry of Environment and Forest, Govt. of India through its notification dated 14/09/2006 (as amended) has made it mandatory to obtain Prior Environmental Clearance prior to the establishment or expansion of any such project or activity which is listed in the schedule of notification.

Environmental clearance shall be required for:

- a) All new projects or activities are listed in the Schedule to this notification.
 - b) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with the addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
 - c) Any change in product mix in an existing manufacturing unit included in the Schedule beyond the specified range.
 - d) The objective of this process is to impose certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts.
7. That The environmental clearance shall be taken from the Central Government in the Ministry of Environment and Forests for matters falling under Category -Aø in the Schedule and at the State level, the State Environment Impact

Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity. The State Environment Impact Assessment Authority (SEIAA) shall base its decision on the recommendations of a State level Expert Appraisal Committee (SEAC).

8. That The SEIAA and SEAC, Uttar Pradesh have been constituted by the Ministry of Environment and Forest & CC, Govt. of India vide notification bearing no. S.O 3338(E) dt. 16.10.2017 and subsequently reconstituted through notification bearing no. S.O. 2276(E) dated 11/06/2021
9. That it is pertinent to mention here that the Directorate of Environment, Govt. of U.P. has been declared to function as Secretariat to these statutory bodies i.e. SEIAA and SEAC by the State Government.
10. That all such project proposals received by the SEIAA, UP for Prior Environmental Clearance are dealt with according to the EIA Notification, 2006 (as amended).
11. That It is submitted that EIA notification, 2006 did not incorporate a provision for approval of DSR by SEIAA.
12. That as per para 4.1.1(a) of Enforcement and Monitoring Guidelines for sand mining 2020:- "DSR for sand mining shall be prepared before auction/e-auction/grant of mining lease/LoI by Mining department".

13. That it is mentioned here that a clarification was sought from MoEFCC, GoI vide letter dated 16.11.2023 in this regard. A true copy of the Concerned letter dated 16.11.2023 is being annexed herewith as **Annexure 1**.

14. That the MoEFCC, GoI has clarified vide letter dated 04.12.2023 and mentioned that:-

The matter has been examined in the Ministry. In this context, it is informed that, as per the Ministry's notification dated 25/07/2018, the DSR is prepared by the District Authorities and it should be in sync with Sustainable Sand Management Guidelines 2016 & enforcement and Monitoring Guidelines for Sand Mining 2020.

Further, the Hon'ble NGT vide its order dated 29/09/2022 in OA No. 34 of 2022 titled Subhash Bhai Ishwar Bhai Parmar Vs. State of Gujarat & Ors. observed that they would like to follow the principle laid down by the Hon'ble Supreme Court in the order dated 10/11/2021 in Civil Appeal Nos. 3661-3662 of 2020 titled State of Bihar V/s Pawan Kumar. The above-referred order of Hon'ble SC mandates the submission of DSR to the State Expert Appraisal Committee (SEAC) for examination and evaluation and the State Environment Impact Assessment Authority (SEIAA) for approval.

A true Copy of the Concerned MoEFCC, GoI letter dated 04.12.2023 is being annexed herewith as **Annexure 2**.

15. Further, it is submitted that a Joint Meeting of State Environment Impact Assessment Authority (SEIAA) & State Expert Appraisal Committees (SEAC-1 & SEAC-2) was held on 02.02.2024. Wherein, the SEIAA and SEAC jointly

discussed the matter and formulated detailed Standard Operating Procedure (SOP) regarding preparation and modification of DSR. A true Copy of the Concerned Minutes of the Meeting dated 02.02.2024 is being annexed herewith as **Annexure 3**.

16. That the DSR of District Bagpat was considered in the Joint Meeting of the State Expert Appraisal Committee (SEAC-1 & 2) on 07.08.2024 wherein the Joint committee discussed the matter and recommended to approve the DSR. A true Concerned copy of minutes, dated: 07.08.2024 is being annexed herewith as **Annexure 4**.

17. That it is respectfully submitted after that the DSR was considered in 832th SEIAA Meeting 21.08.2024 wherein, SEIAA agreed with the recommendations of the SEAC to approve the DSR of District Bagpat.

18. Further, MS. SEIAA, vide letter no. 506/Parya/Samany/2023 dated: 02.09.2024 sent a letter to the Director, Directorate of Geology and Mining, UP regarding the approval of the DSR of District Bagpat. A true Concerned copy of the letter dated: 02.09.2024 is being annexed herewith as **Annexure 5**.

The answering Respondent denies the allegations made by the Petitioner regarding violations of environmental norms in the e-auction process. It is submitted that the approval of the DSR and related processes have been conducted in compliance with all applicable laws and guidelines. The claims of environmental harm or unauthorized activities are speculative and unsubstantiated.

Prayer:

In light of the above submissions, it is most respectfully prayed that this Honøble Tribunal may be pleased to:

- a) Dismiss the Original Application filed by the Petitioner for lack of merit;
- b) Hold that the actions of Respondent No. 3 have been in accordance with the law and do not warrant any adverse directions;
- c) Pass any other order(s) as may be deemed fit and proper in the interest of justice and environmental compliance.

Through

Date:28/11/2024

Place: New Delhi



PRIYANKA SWAMI

ADVOCATE

Counsel for SEIAA, U.P.

F-13, JANGPURA, NEW DELHI 110014

E-mail:advpriyankaswami@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
Original Application No. 1190 /2024
IA No. 475 of 2024**

Ajayveer Singh

...Applicant

Versus

State of UP & Ors.

...Respondents

AFFIDAVIT

Affidavit of sh. ANURAG KUMAR YADAV, aged about 46 years s/o sh. P.N.SINGH, presently posted as Deputy Director, DIRECTORATE OF ENVIRONMENT, UP, having an office at E - 12/1, NOIDA, Uttar Pradesh.

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct and the knowledge has been derived from official records and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this _____ day of November 2024, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

DEPONENT

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
Original Application No. 1190 /2024
IA No. 475 of 2024**

Ajayveer Singh

...Applicant

Versus

State of UP & Ors.

...Respondents

AFFIDAVIT

Affidavit of sh. ANURAG KUMAR YADAV, aged about 48 years s/o sh. P.N.SINGH, presently posted as Deputy Director, DIRECTORATE OF ENVIRONMENT, UP, having an office at E - 12/1, NOIDA, Uttar Pradesh.

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on behalf of Member Secretary, SEIAA,UP before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct and the knowledge has been derived from official records and nothing material has been concealed therefrom.

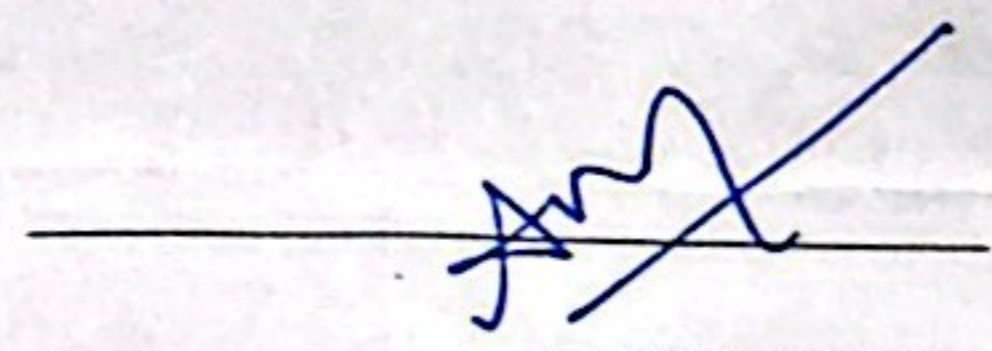


Shivam
D/6004/2022
I identified the deponent who
has signed in my presence



DEPONENT

VERIFICATION
Verified on solemn affirmation at New Delhi on this 29 NOV 2024 day of November 2024,
that the contents of the foregoing affidavit are true and correct to the best of my
knowledge and no part of it is false and nothing material has been concealed
therefrom.



DEPONENT



ATTESTED
NOTARY PUBLIC
(INDIA)

29 NOV 2024

प्रेषक,

निदेशक / सदस्य-सचिव,
राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति, उ०प्र०,
पर्यावरण निदेशालय, उ०प्र०,
विनीत खण्ड-1, गोमती नगर, लखनऊ।

सेवा में,

संयुक्त सचिव,
आई०ए० डिवीजन,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
भारत सरकार, नई दिल्ली।

पत्रांक: 656 / सिविल अपील सं०-6463 / 2021

दिनांक: 16 नवम्बर, 2023

विषय: District Survey Report (DSR) के अनुमोदन के सम्बन्ध में।

महोदय,

कृपया पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार की अधिसूचना सं०-2276 दिनांक 11-06-2021 द्वारा राज्य स्तरीय पर्यावरण प्रभाव ऑकलन प्राधिकरण, उ०प्र० एवं राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति, उ०प्र० (1 व 2) का गठन किया गया है। पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार से निर्गत ई०आई०ए० अधिसूचना 2006 (यथा संशोधित) में एस०ई०ए०सी०/ए०ई०आई०ए०ए० के कार्य-दायित्वों में जिला सर्वेक्षण रिपोर्ट (DSR) का अप्रैजल/अनुमोदन किये जाने का कोई प्राविधान नहीं है।

2- पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार से निर्गत ई०आई०ए० अधिसूचना संख्या- S.O. 141(E) दिनांक 15 जनवरी, 2016 में जिला सर्वेक्षण रिपोर्ट के सम्बन्ध में निम्नवत् उल्लेख किया गया है:-

"The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA." उल्लेखनीय है कि वर्तमान में डी०आई०ए०ए० अस्तित्व में नहीं है।

Original Application No. 403/2022 (I.A. No.133/2022) Daljeet Singh Applicant Versus State of Uttar Pradesh & Ors. में मा० एन०जी०टी० नई दिल्ली द्वारा दिनांक 30-05-2022 (संलग्न) आदेश पारित किया गया जिसके सुसंगत अंश निम्नवत् है :-

"8. In the meanwhile no lease shall be granted and also no mining shall be commenced in any of the mining sites in District Saharanpur, Uttar Pradesh before completion of replenishment study, updation of DSR and grant of environmental clearance/CTE/CTO on the basis thereof in accordance with SSMG, 2016 and EMGSM, 2020."

3- उक्त के क्रम में अवगत कराना है कि मा० उच्चतम न्यायालय, नई दिल्ली द्वारा सिविल अपील No 3661-3662 of 2022, The State of Bihar and others Vs. Pawan Kumar and Others & Ors. में District Survey Report (DSR) के सम्बन्ध में दिनांक 10-11-2021 को बिहार स्टेट के संबंध में निम्नवत् आदेश पारित किया गया है:-

The directions issued by the Tribunal vide judgment and order dated 14th October 2020, are substituted as follows:

(i) The exercise of preparation of DSR for the purpose of mining in the State of Bihar in all the districts shall be undertaken afresh. The draft DSRs shall be prepared by the sub-divisional

committees consisting of the Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or mining officer. The same shall be prepared by undertaking site visits and also by using modern technology. The said draft DSRs shall be prepared within a period of 3 6 weeks from the date of this order. After the draft DSRs are prepared, the District Magistrate of the concerned District shall forward the same for examination and evaluation by the SEAC. The same shall be examined by the SEAC within a period of 6 weeks and its report shall be forwarded to the SEIAA within the aforesaid period of 6 weeks from the receipt of it. The SEIAA will thereafter consider the grant of approval to such DSRs within a period of 6 weeks from the receipt thereon;

(ii) Needless to state that while preparing DSRs and the appraisal thereof by SEAC and SEIAA, it should be ensured that a strict adherence to the procedure and parameters laid down in the policy of January 2020 should be followed;

4- पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार नई दिल्ली द्वारा निर्गत दिशा-निर्देश "Enforcement and Monitoring Guidelines for Sand Mining" 2020 के पैरा 4.1.1 (a) में निम्नवत् उल्लेखित हैं:-

"District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent (Loi) by Mining department or department dealing the mining activity in respective states."

5- उपरोक्त से स्पष्ट है कि "Enforcement and Monitoring Guidelines for Sand Mining" 2020 के प्राविधानों के अनुसार जिला सर्वेक्षण रिपोर्ट (DSR) खनन विभाग द्वारा तैयार की जायेगी, परन्तु उसके अनुमोदन हेतु सक्षम स्तर के संबंध में ई0आई0ए0 अधिसूचना में कोई प्राविधान न होने के कारण उक्त मा0 न्यायालय/मा0 एन0जी0टी0 के आदेशों के दृष्टिगत संशय की स्थिति उत्पन्न हो गयी है।

अतः अनुरोध है कि जिला सर्वेक्षण रिपोर्ट (DSR) खनन विभाग द्वारा ही तैयार की जायेगी, की पुष्टि करने का कष्ट करें तथा मा0 उच्चतम न्यायालय, नई दिल्ली द्वारा बिहार स्टेट के संदर्भ में पारित आदेश दिनांक 10-11-2021 एवं पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा निर्गत ई0आई0ए0 अधिसूचना, 2006 के प्राविधानों को दृष्टिगत रखते हुए जिला सर्वेक्षण रिपोर्ट (DSR) के अनुमोदन के सक्षम स्तर के संबंध में मार्गदर्शन प्रदान करने का कष्ट करें।

भवदीय,

संलग्न-यथोक्त।

(आशीष तिवारी)

निदेशक/ सदस्य-सचिव

पत्रांक: /सिविल अपील सं0-6463/2021, तददिनांक

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यावही हेतु प्रेषित है।

1. अपर मुख्य सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7, उ0प्र0 शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0 लखनऊ

(आशीष तिवारी)

निदेशक/ सदस्य-सचिव

IA-L-11011/13/2021-IA-II(M)

9011/2023

F.No. L-11011/13/2021-IA-II (M)
 Government of India
 Ministry of Environment, Forest and Climate Change
 Impact Assessment Division

2nd Floor, Prithvi Wing,
 Indira Paryavaran Bhawan,
 Jorbagh Road, Aliganj,
 New Delhi-110 003
 Dated: 4th December, 2023

To,
 The Member Secretary
 State Level Environment Impact Assessment Authority
 Directorate of Environment
 Vineet Khand 1, Gomti Nagar,
 Lucknow, Uttar Pradesh 226010
 Email: doeuplko@yahoo.com

Sub: Clarification regarding District Survey Report-reg.

Sir,

This is with reference to the letter no. 656/Civil Appeal no. 6463/2021 dated 16.11.2023 regarding seeking clarification on District Survey Report (DSR).

2. The matter has been examined in the Ministry. In this context, it is informed that, as per Ministry's notification dated 25.07.2018, the DSR is prepared by the District Authorities and it should be in sync with Sustainable Sand Management Guidelines 2016 & Enforcement and monitoring Guidelines for sand mining 2020.

3. Further, the Hon'ble NGT vide its order dated 29/9/2022 in OA No. 34 of 2022 titled Subhash Bhai Ishwar Bhai Parmar vs State of Gujarat & Ors. observed that they would like to follow the principle laid down by the Hon'ble Supreme Court in order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 titled State of Bihar v/s Pawan Kumar. The above-referred order of Hon'ble SC mandates submission of DSR to State Expert Appraisal Committee (SEAC) for examination and evaluation and State Environment Impact Assessment Authority (SEIAA) for approval.

4. This is issued with the approval of the Competent Authority.

Yours faithfully,



(Dr. Saurabh Upadhyay)
 Scientist C

E-mail: saurabh.upadhyay85@gov.in

Dr. Saurabh Upadhyay
 Scientist C
 4/12/2023

Copy to:

- Scientist E(PV)/ Guard File

Minutes of the Joint meeting of SEIAA and SEAC, U.P. held on 02.02.2024

The Joint Meeting of State Environment Impact Assessment Authority (SEIAA) & State Expert Appraisal Committee (SEAC-1&2) was held in Directorate of Environment, U.P. on 02.02.2024, following members were present in the meeting:

1. Smt. Mamta Sanjeev Dubey	Chairman, SEIAA, U.P
2. Shri Rajive Kumar	Chairman, SEAC-1
3. Dr. Harikesh Bahadur Singh	Chairman, SEAC-2
4. Shri Ashish Tiwari	Member Secretary, SEAC-1&2
5. Shri Sanjeev Kumar Singh	Member Secretary, SEIAA, U.P
6. Shri Paras Nath	Member, SEIAA, U.P
7. Dr. Brij Bihari Awasthi	Member, SEAC-1
8. Shri Umesh Chandra Sharma	Member, SEAC-1
9. Dr. Ratan Kar	Member, SEAC-1
10. Shri Om Prakash Srivastava	Member, SEAC-1
11. Dr. Amrit Lal Halder	Member, SEAC-2
12. Dr. Dineshwar Prasad Singh	Member, SEAC-2
13. Shri Tansar Ullah Khan	Member, SEAC-2
14. Prof. Jaswant Singh	Member, SEAC-2
15. Dr. Shiv Om Singh	Member, SEAC-2
16. Shri Amit Kaushik	Joint Director, Mining Directorate, UP
17. Dr. Ajai Mishra	MEMBER SEAC-1

In the joint committee following agenda were discussed and resolved:-

Agenda-1 - Regarding procedure for approval of D.S.R. (District Survey Report)

1. The detailed Standard Operating Procedure (S.O.P.) regarding preparation and modification of D.S.R. for Sand Mining or R.B.M. and for in-situ rocks were discussed and formulated.
2. It was resolved that the Secretariat shall forward the approved SOP for preparation and modification of D.S.R. for Sand Mining or R.B.M. and for in-situ rocks to Director – Geology & Mining for its effective implementation by respective Districts. (SOP attached as Annexure1 &2)
3. It was further resolved that all DSR received by SEIAA/SEAC shall be forwarded to D.G.M. by Member Secretary/Nodal officer SEAC for comments and suggestions.

Agenda-2 - Regarding grant of Standard-TOR as per MoEF&CC O.M. dated 6-May-2022

1. It was deliberated that Standard-TOR issued by MoEF&CC can be issued by MS-SEAC adding some additional conditions approved by SEIAA/SEAC, on the basis of experience gained in past 1 to 2 years.
2. In case of Mining of Minor Mineral Projects, the Standard-TOR can be granted on case to case basis, as per MoEFCC circular F. No. IA3-22/15/2022-IA-3 dated 06.05.2022 Mining Department, UP will certify whether the case under consideration is a green field project or a brown field project. If the case under consideration is a brown field project then details of previous E.C. should also be submitted by Mining Department.



**(Shri Sanjeev Kumar Singh)
Member Secretary, SEIAA**



**(Shri Ashish Tiwari)
Member Secretary, SEAC-1&2**

STANDARD OPERATING PROCEDURE

Preparation/Modification of D.S.R. for in-situ rocks by

District Level Sub-Divisional Committee and

its Appraisal/Approval by SEAC/SEIAA, U.P.

Issued by – Joint Committee of SEAC, SEIAA and DGM, U.P.

Background:-

- The SOP for in-situ rocks has been prepared as per MoEF&CC, GoI, Notification No. S.O. 3611 (E), dated 25-July-2018 regarding DSR.
- As per Schedule-II of the Appendix—X of the MoEF&CC, GoI, Notification No. S.O. 3611 (E), dated 25-July-2018 the District Survey Report shall be prepared for each minor mineral in the district separately.
- The Schedule-II provides format for preparation of DSR for minor minerals other than sand mining or river bed mining.

Short Titles:-

Detailed Title	Short Title to be read hereafter
District Level Sub-Divisional Committee	SDC
Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.	Pawan Kumar
State Level Expert Appraisal Committee	SEAC
State Level Environment Impact Assessment Authority	SEIAA
District Survey Report	DSR

• Procedure for Preparation of DSR by respective District of Uttar Pradesh

Sl. No / Step	Details	Action Required
1	<p>Formation of Sub-Divisional Committee (SDC) in the district by District Magistrate comprising Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer.</p> <p><i>Reference – Para 14(i) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.</i></p>	<ul style="list-style-type: none"> • D.M. shall issue an Office Memorandum regarding nomination and formation of Sub-Divisional committee in the district.
2	<p>Preparation of DSR – DSR which is a technical document shall be prepared in line with the Schedule-II of the MoEF&CC Notification dated dated 25-July-2018. The contents of DRAFT DSR shall be as under:-</p> <ul style="list-style-type: none"> • Contents of Report <ol style="list-style-type: none"> 1. Introduction 2. Overview of Mining Activity in the District (brief history of old working, pre-existing and proposed mining activities). 3. General Profile of the District 4. Geology of the District 5. Drainage of Irrigation pattern. 6. Land Utilisation Pattern in the District: Forest, Agricultural, Horticultural, Mining etc. 7. Surface Water and Ground Water scenario of the district 	<ul style="list-style-type: none"> • The sub-divisional committee (SDC) will prepare the draft DSR. If required the SDC may take help/assistance of QCI/NABET Consultants, DGM Approved Exploration Agencies as per Government Order ref. no 1659/86-2023 dated 17-May-2023 issued by Secretary Geology & Mining. • Additionally, the SDC may also take help/assistance of renowned academic institutions/ Universities

	<p>8. Rainfall of the district and climatic condition</p> <p>9. details of the mining leases in the District as per the following format:-</p> <ol style="list-style-type: none"> a) Sl. No. b) Name of the Mineral c) Name of the Lessee d) Address & Contact No. of Lessee e) Mining lease Grant Order No. & date f) Area of Mining lease (ha) g) Period of Mining lease (Initial) – [From till To] h) Period of Mining lease (1st /2nd ...renewal) - [From till To] i) Date of commencement of Mining Operation j) Status (Working/Non-Working/Temp. Working for dispatch etc.) k) Captive/Non-Captive l) Obtained Environmental Clearance (Yes/No), If Yes Letter No with date of grant of EC. m) Location of the Mining lease (Latitude & Longitude) n) Method of Mining (Opencast/Underground) <p>10. Details of Royalty or Revenue received in last three years</p> <p>11. Details of Production of Minor Mineral in last three years</p> <p>12. Mineral Map of the District</p>	<p>having domain expertise in Environment/ Geology and Mining.</p> <ul style="list-style-type: none"> • It will be the responsibility of SDC/hired agency to collect primary and secondary data, DSR drafting with Annexure-I to Annexure-VII and conduct presentation before SEAC/SEIAA and DGM. • Whenever a new lease is identified for adding in the DSR, the SDC/hired agency will follow the entire procedure every time on the basis of existing DSR. The validity of amended or modified DSR will be upto the validity of the original DSR. • The SDC/hired agency will update the data in the revised DSR with reference to the primary DSR. Special focus on collection of latest data will be done w.r.t. land use pattern.
--	--	---

<p>13. list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format :-</p> <p>14. Total Mineral Reserve available in the District.</p> <ol style="list-style-type: none"> a) Sl. No. b) Name of the Mineral c) Name of the Lessee d) Address & Contact No. of Letter of Intent Holder e) Letter of Intent Grant Order No.& date f) Area of Mining lease to be allotted g) Validity of LoI h) Use (Captive/Non-Captive) i) Location of the Mining lease (Latitude & Longitude) <p>15. Quality /Grade of Mineral available in the District</p> <p>16. Use of Mineral</p> <p>17. Demand and Supply of the Mineral in the last three years</p> <p>18. Mining leases marked on the map of the district</p> <p>19. Details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude)</p> <p>20. Details of Eco-Sensitive Area, if any, in the District</p> <p>21. Impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity</p>	<p>rainfall, IMD data, river geometry, updated geology (if any), water table, population data etc. as such parameters generally change in every 5 years.</p> <ul style="list-style-type: none"> • The source of secondary data used in DSR should have proper citation reference and in case primary data has been collected, then the name and details of experts involved in collection and synthesis and interpretation of data will be mentioned in the DSR. • It should be specifically ensured that DSR is the district specific environmental document in which all the environmental and safety parameters as per the guidelines and notifications should be covered and reflected in the DSR document. • For this a district specific mineral resource map shall be prepared in
---	---

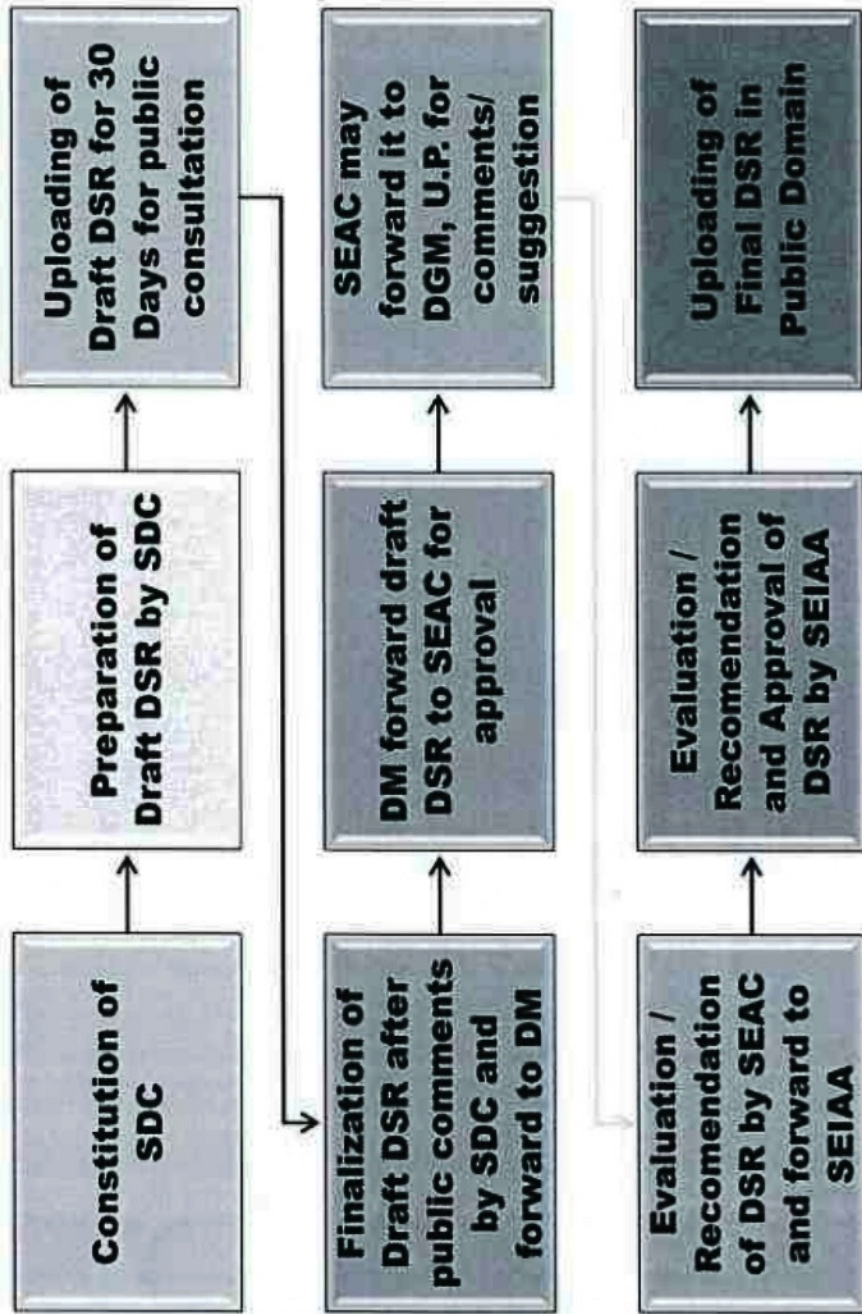
	<p>22. Remedial Measures to mitigate the impact of mining on the Environment</p> <p>23. Reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan)</p> <p>24. R& Disaster Management Plan</p> <p>25. Details of the Occupational Health issues in the District. (Last five-year data of number of patients of Silicosis & Tuberculosis is also needs to be submitted)</p> <p>26. Plantation and Green Belt development in respect of leases already granted in the District</p> <p>27. Any other information</p> <ul style="list-style-type: none"> • After this Annexure-I to Annexure-IV shall also be prepared as per the format provided in Enforcement & Monitoring Guidelines for Sand Mining-2020, which will be enclosed as annexure to the Draft DSR (<i>Reference – Page- 64 to 67 of EMGSM-2020</i>) • Lease wise NOC will be taken from Irrigation and Forest Department and Deposit Verification/Estimation reports shall also be prepared by SDC. • The proposed lease should clearly identify and mark the mineable deposit on satellite image/drone image. • The mineable resource is to be calculated based on field investigation, 	<p>which the drainage patterns of rivers along with explored mineral resources shall be reflected.</p>
--	--	--

	<p>geology of the area, site conditions locations, depth of mineral availability and other geomorphic features.</p>	
3	<p>Once the Draft DSR and Annexure I to IV is prepared, then all the SDC members evaluate and approve it, which will be uploaded in the District Website for 30 days for public comments/objections as well as DM/ADM/MO office. <i>For this the notification should be issued by District Authority about draft DSR for suggestions/comments /objections from public in minimum two newspapers having wide circulation. Date of uploading and last date of receiving suggestions/comments/objections should be clearly mentioned in the notification.</i> <i>(Reference - EMGSM-2020, Section 4.1.1 (clause – o & p; Page-19)</i></p>	<p>For this a letter to the District Information Office will be issued for uploading the draft DSR in District Website for 30 days.</p>
4	<p>The Draft DSR shall be withdrawn from District Website after 30 days and SDC Members shall conduct a joint meeting to mitigate/resolve the public comments/objections received, if any. <i>(Reference - EMGSM-2020, Section 4.1.1 (clause – p; Page-19)</i> <i>In case no objection/comments are received then Mining Officer will issue a Certificate that no comments/objections have been received in the period of uploading.</i></p>	<p>For this a joint meeting of SDC Members is required for final draft DSR examination/evaluation.</p>
5	<p>Thereafter, the draft DSR shall be finalized including Annexure-I to Annexure-VII which will be signed by all SDC Members and then forwarded to D.M. for perusal and approval.</p>	<p>For this a recommendation of SDC Members is required who will finalize the draft DSR and forward it to the D.M.</p>
6	<ul style="list-style-type: none"> The DM shall forward the proposed DSR to SEAC 	<ul style="list-style-type: none"> The DM of respective district

	<p>for examination and approval.</p> <ul style="list-style-type: none"> • The Member Secretary/Nodal Officer will forward it to DGM, U.P. for comments and suggestions. The SEAC will evaluate after getting the comments and suggestions of DGM, U.P. • The SEAC may invite a representative of DGM, U.P. to assist SEAC in appraisal of the draft DSR. • The SEAC will evaluate and recommend for approval of the draft DSR on the basis of SDC recommendations as well as DGM, U.P. comments/suggestions. • The SEIAA may approve the draft DSR on the basis of recommendations of SEAC. <p><i>Reference – (Para 14(i) & ii) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar and Others Etc.)</i></p>	<p>shall send the draft DSR, along with following documents <u>Following shall be the Annexures of the DM letter:-</u></p> <ol style="list-style-type: none"> 1. Primary DSR which requires addition/modification. 2. Draft Modified/ Revised DSR Document. 3. Annexure-1 to VII. 4. Lease wise NOC from Irrigation and Forest Department. 5. Revenue report and resource evaluation/ reserve estimation. 6. Notification regarding the constitution of the SDC. 7. Minutes of the SDC about draft DSR. 8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification. 9. Minutes of the SDC recommending draft DSR.
--	---	---

7	<ul style="list-style-type: none"> • The SEAC shall examine the draft DSR within a period of 6 weeks and its report shall be forwarded to SEIAA. • The SEIAA on receipt of SEAC recommendation report shall consider the grant of approval of DSR within a period of 6 weeks. <p><i>Reference – (Section 14(i) & ii) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.)</i></p>	<p>The DSR being a public document after approval shall be signed with seal (<i>in each page of DSR</i>) by the competent authority of SEIAA and will be uploaded in the respective district portal within a week.</p>
---	---	--

Process Flow Chart



Checklist for examination / approval of DSR by SEAC/SEIAA of Uttar Pradesh

Sl. No	Checklist/ Examination Details	Yes / No
1	Office Order of DM/ADM regarding formation of Sub-Divisional Committee in District	
2	DSR technical document signed by all the Sub-Divisional Members having following annexure: 1. Primary DSR which requires addition/modification. 2. Draft Modified/ Revised DSR Document. 3. Annexure-1 to VII. 4. Lease wise NOC from Irrigation and Forest Department. 5. Revenue report and resource evaluation/ reserve estimation. 6. Notification regarding the constitution of the SDC. 7. Minutes of the SDC about draft DSR. 8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification. 9. Minutes of the SDC recommending draft DSR.	
4	Office Order of DM/ADM/Competent Authority regarding uploading of Draft DSR in District Website for 30 days for public comments/objections.	
5	Period/Dates of DSR uploaded in District Website.	
6	Minutes of joint meeting of Sub-Divisional Members to mitigate/resolve the public comments/objections received, if any. After 30 days.	
7	Lease wise NOC from Irrigation and Forest Department.	
8	Deposit verification/estimation Report, Revenue report	

STANDARD OPERATING PROCEDURE

Preparation/Modification of D.S.R. for Sand Mining or R.B.M. by

**District Level Sub-Divisional Committee and
its Appraisal/Approval by SEAC/SEIAA, U.P.**

Issued by – Joint Committee of SEAC, SEIAA and DGM, U.P.

Background and Scope of Work: - The SOP has been prepared as per MoEF&CC, GoI, Notification No. S.O. 141(E), dated 15-Jan-2016, S.O. 3611 (E), dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining 2020 & Hon'ble Supreme Court Judgement passed in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and MoEF&CC, GoI letter dated 04/12/2023 regarding DSR.

Short Titles:-

Detailed Title	Short Title to be read hereafter
Sustainable Sand Mining Management Guidelines 2016	SSMMG-2016
Enforcement & Monitoring Guidelines for Sand Mining -2020	EMGSM-2020
District Level Sub-Divisional Committee	SDC
Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.	Pawan Kumar
State Level Expert Appraisal Committee	SEAC
State Level Environment Impact Assessment Authority	SEIAA
District Survey Report	DSR

• Procedure for Preparation of DSR by respective District of Uttar Pradesh

Sl. No / Step	Details	Action Required
1	<p>Formation of Sub-Divisional Committee (SDC) in the district by District Magistrate comprising Sub-Divisional Magistrate, Officers from Irrigation Department, State Pollution Control Board or Committee, Forest Department, Geological or Mining Officer.</p> <p><i>Reference – Para 14(i) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.</i></p>	<ul style="list-style-type: none"> • D.M. shall issue an Office Memorandum regarding nomination and formation of Sub-Divisional committee in the district.
2	<p>Preparation of DSR – DSR which is a technical document shall be prepared in line with the MoEF&CC Notification, dated 15/01/20216, dated 25-July-2018 and ESMMG 2020. The contents of DRAFT DSR shall be as under:-</p> <ul style="list-style-type: none"> • Contents of Report <ol style="list-style-type: none"> 1. Introduction 2. Overview of Mining Activity in the District (brief history of old working, pre-existing and proposed mining activities). 3. List of Mining Leases in the District with location, area and period of validity. 4. Details of Royalty or Revenue received in last three years. 5. Detail of Production of Sand/Morrum/RBM or other minor mineral in last three years. 	<ul style="list-style-type: none"> • The sub-divisional committee (SDC) will prepare the draft DSR. If required the SDC may take help/assistance of QCI/NABET Consultants, DGM Approved Exploration Agencies as per Government Order ref. no 1659/86-2023 dated 17-May-2023 issued by Secretary Geology & Mining. • Additionally, the SDC may also take help/assistance of renowned academic institutions/ Universities

	<p>having domain expertise in Environment/ Geology and Mining.</p> <ul style="list-style-type: none"> • It will be the responsibility of SDC/hired agency to collect primary and secondary data, DSR drafting with Annexure-I to Annexure-VII and conduct presentation before SEAC/SEIAA and DGM. • Whenever a new lease is identified for adding in the DSR, the SDC/hired agency will follow the entire procedure every time on the basis of existing DSR. The validity of amended or modified DSR will be upto the validity of the original DSR. • The SDC/hired agency will update the data in the revised DSR with reference to the primary DSR. Special focus on collection of latest data will be done w.r.t. landuse pattern.
<p>6. Process of deposition of sediments in the Rivers of the District (River Geometry).</p> <p>7. General Profile of the District.</p> <p>8. Land utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.</p> <p>9. Physiography of the District.</p> <p>10. Rainfall: month-wise.</p> <p>11. Geology and Mineral Wealth.</p> <p>12. The report shall also contain:-</p> <p>a) District wise detail of river or stream and other sand source;</p> <p>b) District wise availability of sand or gravel or aggregate resources;</p> <p>c) District wise detail of existing mining leases of sand and aggregates.</p> <p>13. Drainage system with description of main rivers</p> <p>a) Name of the river.</p> <p>b) Area drained (sq. km)</p> <p>c) Percentage area drained in the District.</p> <p>14. Salient Features of Important Rivers and Streams:-</p> <p>a) Name of the river or stream.</p> <p>b) Total length in the district.(in Km.)</p> <p>c) Place of origin.</p> <p>d) Altitude at origin.</p> <p>e) Portion of the river or stream recommended for mineral concession.</p>	

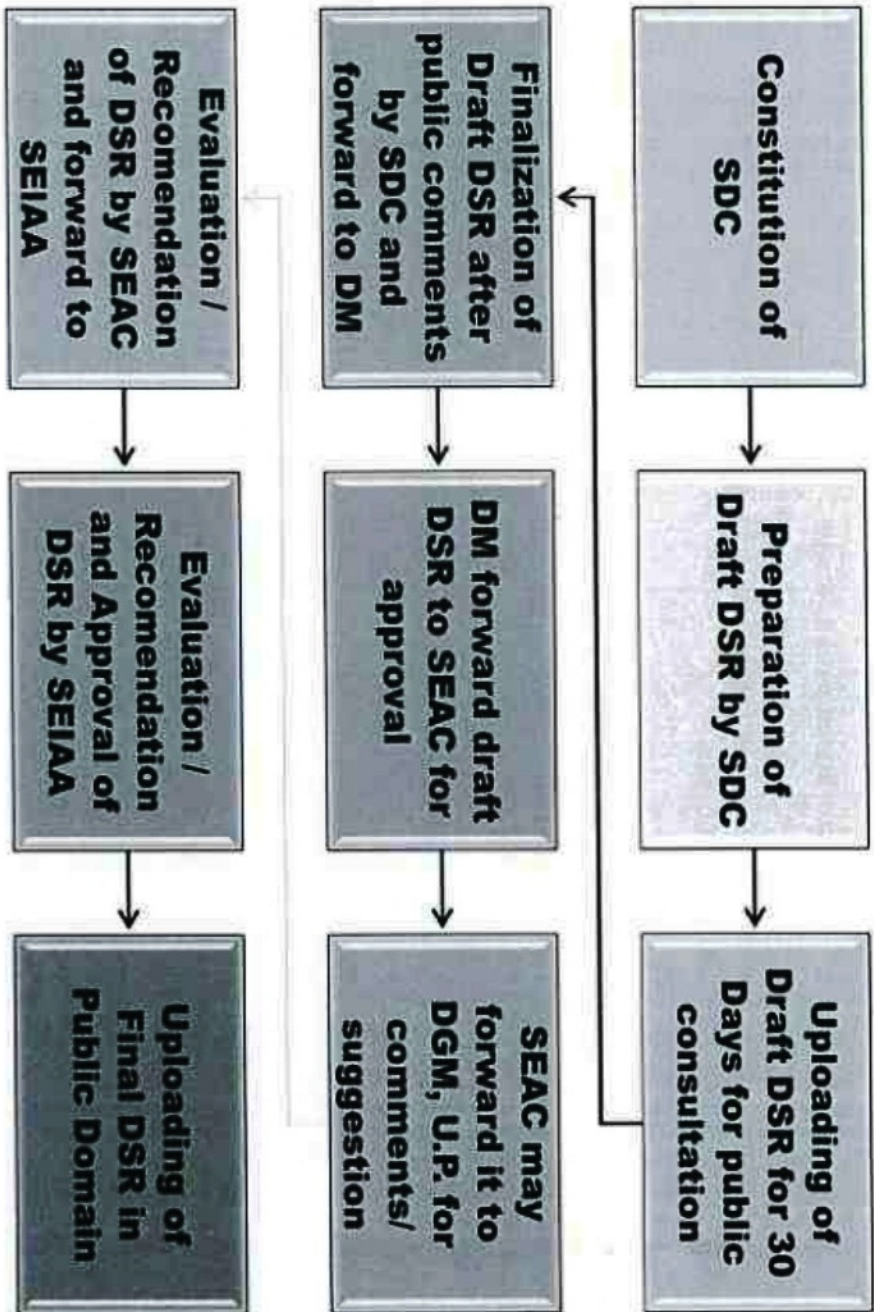
<p>f) Length of area recommended for mineral concession.(in Kms)</p> <p>g) Average width of area recommended for mineral concession (in meters)</p> <p>h) Area recommended for mineral concession (in square meter)</p> <p>i) Mineable mineral potential (in metric tonne) (60% of total mineral potential)</p> <p>15. Mineral Potential:-</p> <p>a) Boulder (MT)</p> <p>b) Bajari (MT)</p> <p>c) Sand (MT)</p> <p>d) Total Mineable Mineral Potential (MT)</p> <p>16. Annual Deposition:-</p> <p>a) River or Stream.</p> <p>b) Portion of the river or stream recommended for mineral concession.</p> <p>c) Length of area recommended for mineral concession.(in Kms)</p> <p>d) Average width of area recommended for mineral concession (in meters)</p> <p>e) Area recommended for mineral concession (in square meter)</p> <p>f) Mineable mineral potential (in metric tonne) (60% of total mineral potential)</p> <p>g) Total for the District</p> <ul style="list-style-type: none"> • After this Annexure-I to Annexure-IV shall also be prepared as per the format provided in Enforcement & Monitoring Guidelines for Sand Mining-2020, which will be enclosed as annexure to the Draft DSR 	<p>rainfall, IMD data, river geometry, updated geology (if any), water table, population data etc. as such parameters generally change in every 5 years.</p> <ul style="list-style-type: none"> • The source of secondary data used in DSR should have proper citation reference and in case primary data has been collected, then the name and details of experts involved in collection and synthesis and interpretation of data will be mentioned in the DSR. • It should be specifically ensured that DSR is the district specific environmental document in which all the environmental and safety parameters as per the guidelines and notifications should be covered and reflected in the DSR document. • For this a district specific mineral resource map shall be prepared in
--	---

	<p><i>(Reference – Page- 64 to 67 of EMGSM-2020)</i></p> <ul style="list-style-type: none"> • Lease wise NOC will be taken from Irrigation and Forest Department and Deposit Verification/Estimation reports shall also be prepared by SDC. • The proposed lease should clearly identify and mark the mineable deposit on satellite image/drone image. • The mineable resource is to be calculated based on field investigation, geology of the catchment area, site conditions locations, depth of mineral availability and other geomorphic features. The mineable resource should be 50 to 60 % of the total resource available. 	<p>which the drainage patterns of rivers along with explored mineral resources shall be reflected.</p>
<p>3</p>	<p>Once the Draft DSR and Annexure 1 to IV is prepared, then all the SDC members evaluate and approve it, which will be uploaded in the District Website for 30 days for public comments/objections as well as DM/ADM/MO office.</p> <p><i>For this the notification should be issued by District Authority about draft DSR for suggestions/comments /objections from public in minimum two newspapers having wide circulation. Date of uploading and last date of receiving suggestions/comments/objections should be clearly mentioned in the notification.</i></p> <p><i>(Reference - EMGSM- -2020, Para 4.1.1 (clause – O & P; Page-19)</i></p>	<p>For this a letter to the District Information Office will be issued for uploading the draft DSR in District Website for 30 days.</p>
<p>4</p>	<p>The Draft DSR shall be withdrawn from District Website after 30 days and SDC Members shall conduct a joint meeting to mitigate/resolve the public comments/objections received, if any. <i>(Reference - EMGSM- -2020, Para 4.1.1 (clause – p; Page-19)</i></p>	<p>For this a joint meeting of SDC Members is required for final draft DSR examination/evaluation.</p>

	<i>In case no objection/comments are received then Mining Officer will issue a Certificate that no comments/objections have been received in the period of uploading.</i>	
5	Thereafter, the draft DSR shall be finalized including Annexure-I to Annexure-VII which will be signed by all SDC Members and then forwarded to D.M. for perusal and approval.	For this a recommendation of SDC Members is required who will finalize the draft DSR and forward it to the D.M.
6	<ul style="list-style-type: none"> • The DM shall forward the proposed DSR to SEAC for examination and approval. • The Member Secretary/Nodal Officer will forward it to DGM, U.P. for comments and suggestions. The SEAC will evaluate after getting the comments and suggestions of DGM, U.P. • The SEAC may invite a representative of DGM, U.P. to assist SEAC in appraisal of the draft DSR. • The SEAC will evaluate and recommend for approval of the draft DSR on the basis of SDC recommendations as well as DGM, U.P. comments/suggestions. • The SEIAA may approve the draft DSR on the basis of recommendations of SEAC. <p><i>Reference – (Para 14(i) & ii) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vs. Pawan Kumar and Others Etc.)</i></p>	<ul style="list-style-type: none"> • The DM of respective district shall send the draft DSR, along with following documents <u>Following shall be the Annexures of the DM letter:-</u> 1. Primary DSR which requires addition/modification. 2. Draft Modified/ Revised DSR Document. 3. Annexure-1 to VII. 4. Lease wise NOC from Irrigation and Forest Department. 5. Revenue report and resource evaluation/ reserve estimation. 6. Notification regarding the constitution of the SDC. 7. Minutes of the SDC about draft

		<p>DSR.</p> <p>8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification.</p> <p>9. Minutes of the SDC recommending draft DSR.</p>
7	<ul style="list-style-type: none"> • The SEAC shall examine the draft DSR within a period of 6 weeks and its report shall be forwarded to SEIAA. • The SEIAA on receipt of SEAC recommendation report shall consider the grant of approval of DSR within a period of 6 weeks. <p><i>Reference – (Para 14(i & ii) of the Hon'ble Supreme Court Judgement delivered in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar and Others Etc.)</i></p>	<p>The DSR being a public document after approval shall be signed with seal (<i>in each page of DSR</i>) by the competent authority of SEIAA and will be uploaded in the respective district portal within a week.</p>

Process Flow Chart



Checklist for examination / approval of DSR by SEAC/SEIAA of Uttar Pradesh

Sl. No	Checklist/ Examination Details	Yes / No
1	Office Order of DM/ADM regarding formation of Sub-Divisional Committee in District	
2	<p>DSR technical document signed by all the Sub-Divisional Members having following annexure:</p> <ol style="list-style-type: none"> 1. Primary DSR which requires addition/modification. 2. Draft Modified/ Revised DSR Document. 3. Annexure-1 to VII. 4. Lease wise NOC from Irrigation and Forest Department. 5. Revenue report and resource evaluation/ reserve estimation. 6. Notification regarding the constitution of the SDC. 7. Minutes of the SDC about draft DSR. 8. Office order for uploading the draft DSR in the district website for a period of 30 days along with newspaper notification. 9. Minutes of the SDC recommending draft DSR. 	
4	Office Order of DM/ADM/Competent Authority regarding uploading of Draft DSR in District Website for 30 days for public comments/objections.	
5	Period/Dates of DSR uploaded in District Website.	
6	Minutes of joint meeting of Sub-Divisional Members to mitigate/resolve the public comments/objections received, if any. After 30 days.	
7	Lease wise NOC from Irrigation and Forest Department.	
8	Deposit verification/estimation Report, Revenue report	

Minutes of the Joint Meeting of SEAC -1 and SEAC-2, U.P. held on 07/08/2024

The Joint Meeting of State Expert Appraisal Committee (SEAC – 1 & 2) was held in Directorate of Environment, U.P. on 07/08/2024, following members were in the meeting:

1. Shri Rajive Kumar,	Chairman, SEAC-1
2. Dr. Harikesh Bahadur Singh,	Chairman, SEAC-2
3. Shri Ashish Tiwari,	Member-Secretary, SEAC - 1 & 2
4. Dr. Ajai Mishra,	Member, SEAC-1
5. Shri Om Prakash Srivastava,	Member, SEAC-1
6. Shri Umesh Chand Sharma,	Member, SEAC-1
7. Dr. Ratan Kar,	Member, SEAC-1
8. Dr. Brij Bihari Awasthi,	Member, SEAC-1
9. Dr. Amrit Lal Haldar,	Member, SEAC-2
10. Shri Tanzar Ullah Khan,	Member, SEAC-2
11. Prof. Jaswant Singh,	Member, SEAC-2
12. Dr. Shiv Om Singh,	Member, SEAC-2
13. Shri Naveen Das,	Add. Director, DGM, Lucknow
14. Shri Ashish Chaudhary	Geologist, DGM, Lucknow
15. Ms. Kamini Singh,	Astt. Geologist, DGM, Lucknow
16. Shri Anuj	Mining Inspector, Baghpat

The Nodal Officers welcomed the Chairman's, Members and Officers of Mining Department in the meeting which was conducted via dual-mode (virtually/physically).

In the Joint committee meeting of SEAC-1 and SEAC-2 following agenda were discussed and resolved:-

Agenda: - Evaluation/Appraisal of District Survey Report (DSR) of District-Baghpat.

Background:

In the joint meeting of SEIAA, SEAC-1 & SEAC-2 the detailed Standard Operating Procedure was formulated for the preparation and modification of D.S.R. for Sand Mining or R.B.M., as well as in-situ rocks, which was sent to Director, Geology and Mining by SEIAA. This SoP was prepared in accordance with various guidelines such as MoEF&CC, GoI, Notification No. S.O. 141(E) dated 15-Jan-2016, S.O. 3611 (E) dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016, Enforcement & Monitoring Guidelines for Sand Mining 2020, and the Hon'ble Supreme Court Judgement passed in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar, along with MoEF&CC, GoI letter dated 04/12/2023.

The District Magistrate, Baghpat submitted the draft DSR vide its letter no. 351/ख०अनु०/2024-2025, dated 09/07/2024 for evaluation /appraisal/approval before SEIAA/SEAC. The draft DSR was forwarded to the Director – Geology & Mining by Secretariat for comments and suggestions. The Director, Geology & Mining have provided their comments and suggestions vide letter no. 1012/डी०एस०आर०, dated 30 /07/2024 and mentioned as follows:

“....उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद बागपत द्वारा प्रस्तुत ड्राफ्ट डी०एस०आर० का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु



परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-4-2018 Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 07/08/2024. During the meeting a presentation was given by Shri Anuj, Mining Inspector along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 07/08/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 07/08/2024 for evaluation/appraisal of DSR of District-Baghpat. Based on the documents submitted, a presentation on DSR Baghpat for minor mineral River Bed Material - RBM (Sand/Bajri/Boulder) / Sand Mining-2024 was made by Shri Anuj, Mining Inspector- Baghpat along with Senior Officials of D.G.M. –UP.

Para wise response and compliance as per the “Standard Operating Procedure” formulated by the Joint committee of SEAC/SEIAA was presented before the SEAC-1&2. On the basis of documents and presentation the following facts have emerged:-

1. The initial District Survey Report of District-Baghpat was prepared in Year- 2017 in line with the MoEF Notification dated 15-Jan-2016, it comprised 06 leases.
2. Thereafter the updated DSR of District-Baghpat was prepared by Sub-Divisional Committee of District-Baghpat in Year-2024 and total 06 lease areas have been proposed.
3. It was also informed that out of 06 leased areas in the updated DSR, lease period of 01 mining lease (Gata No. 620, 634, Village-Sankraudh Khadar, Tehsil-Khekra, Baghpat was expired on 19/06/2024. Hence, except Gata No. 620, 634, Village-Sankraudh Khadar, Tehsil-Khekra, Baghpat, total 05 mining lease areas have been proposed for approval.
4. Lease wise area, gata/khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
5. Individual leases are analysed for environmental sensitivity, transportation routes through topo-sheet, cadastral map and Google map.
6. As per the information provided vide District Magistrate, Baghpat that no complaints have been made during the period of 30 days, when DSR was uploaded on district portal.
7. The Final Draft DSR of District-Baghpat has been also examined by the Director, Directorate of Geology & Mining, U.P.
8. Lease wise NOC from Forest and Irrigation Department for 05 areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Baghpat informed that the DSR of district Baghpat was prepared in year-2017. Lease wise replenishment studies were conducted in year – 2022 & 2023 which depicts that the rate of replenishment is good in the area. The maximum leases are fresh for which LoI has been issued to project proponents who are in the process of securing E.C.

[Handwritten signatures and initials]

2. SEAC asked about the status of utilization of DMF Funds?

- District Mining Officer Baghpat informed that funds amounting to Rs 3.69 Crores approx. have been collected and phase wise utilized since 2017 from DMF funds which were used as per the objectives of DMF Rules.

3. SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.

- District Mining Officer Baghpat informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.

4. SEAC suggested that composite digital mapping of all the leases should be done and displayed in the district website.

- District Mining Officer Baghpat informed that mapping of lease has been done on Survey of India toposheets, Google satellite images and cadastral revenue maps. It was informed that the concept of uploading composite digital mapping of all the leases is being implemented and cluster and contiguous clusters are included in DSR.

5. SEAC asked on the method adopted for verification of mineral deposits which are recommended in DSR?

- District Mining Officer Baghpat informed that pre and post monsoon replenishment studies were conducted by Sub-Divisional committee as well as by the authorized person prior preparing DSR. The studies included physical survey, DGPS survey and Drone based survey in pre and post monsoon periods. Accordingly lease wise recommendation reports were made as compliances.

6. SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?

- District Mining Officer Baghpat informed that as per the Rule of UPMPCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone is presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.

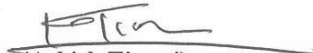
7. SEAC asked about the further mineral development in District Baghpat?

- District Mining Officer Baghpat informed that 05 new areas have been identified in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.

The joint committee after detailed deliberation recommended approving the District Survey Report (DSR) of District-Baghpat along with following conditions:

1. The period of validity of Revised DSR Baghpat shall be for the period of 05 years from the date of its approval.
2. It was informed that there are 05 mining lease areas have been proposed in the DSR.
3. If any new lease is identified, its validity will be co-terminous with the validity period of current DSR and Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the development and maintenance of haulage road.
7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

The meeting ended with a vote of thanks of Chairman.


(Ashish Tiwari)


Member Secretary, SEAC-1 & 2


(Dr. Ajai Mishra)
Member, SEAC-1

(Dr. Brij Bihari Awasthi)
Member, SEAC-1


(Dr. Ratan Kar)
Member, SEAC-1

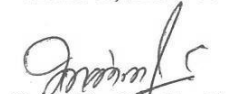
(Umesh Chandra Sharma)
Member, SEAC-1

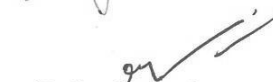

(Om Prakash Srivastava)
Member, SEAC-1



(Dr. Amrit Lal Haldar)
Member, SEAC-2


(Tanzar Ullah Khan)
Member, SEAC-2

Prof. Jaswant Singh)
Member, SEAC-2


(Dr. Shiv Om Singh)
Member, SEAC-2


(Rajive Kumar)
Chairman, SEAC-1


(Dr. Harikesh Bahadur Singh)
Chairman, SEAC-2

Nodal, SEAC-1 & Nodal, SEAC-2

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

प्रेषक,

सदस्य सचिव,
एस0ई0आई0ए0ए0,
गोमती नगर, लखनऊ।

सेवा में,

निदेशक,
भूतत्व एवं खनिकर्म विभाग, उ0प्र0,
लखनऊ।

पत्रांक : 506 / पर्या./ सामान्य / 2023

दिनांक 02/09
अगस्त, 2024

विषय:- District Survey Report (DSR) of District- Baghpat के सम्बन्ध में।

महोदया,

कृपया अवगत कराना है कि आपके पत्र संख्या 1012/डी0एस0आर0 दिनांक 30.07.2024 द्वारा प्रेषित ड्राफ्ट डी0एस0आर0-जनपद बागपत को राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति की बैठक दिनांक 07.08.2024 तथा राज्य स्तरीय पर्यावरण प्रभाव निर्धारण प्राधिकरण, उ0प्र0 की बैठक दिनांक 21.08.2024 में 05 पट्टों हेतु निम्न शर्तों के साथ अनुमोदन प्रदान किया गया :-

1. Condition no. - 1. of SEAC minutes shall be substituted as- The DSR shall be updated once in five years as mentioned in S.O. 141(E) notification dated 15.01.2016, as per laid down procedure under intimation to SEIAA.
2. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
3. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
4. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
5. The period of validity of Revised DSR Baghpat shall be for the period of 05 years from the date of its approval.
6. It was informed that there are 05 mining lease areas have been proposed in the DSR.

7. If any new lease is identified, its validity will be co-terminous with the validity period of current DSR and Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
8. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
9. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
10. DMF fund should also be utilized for the development and maintenance of haulage road.
11. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.


समिति/प्राधिकरण की बैठक में लिये गये निर्णय के आलोक में सम्बन्धित कार्यवृत्त की प्रति इस अनुरोध के साथ प्रेषित है कि उक्त के सम्बन्ध में आवश्यक कार्यवाही करवाने का कष्ट करें।

संलग्नक- यथोक्त।

भवदीय,


(संजीव कुमार सिंह)
सदस्य सचिव,
एस0ई0आई0ए0ए0

प्रतिलिपि- जिलाधिकारी, बागपत को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।


(संजीव कुमार सिंह)
सदस्य सचिव,
एस0ई0आई0ए0ए0