

IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

IA NO. 56 - 57 OF 2024

IN

ORIGINAL APPLICATION NO. 120 OF 2024

IN THE MATTER OF:-

MOHIT SINGH

...APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT FORESTS

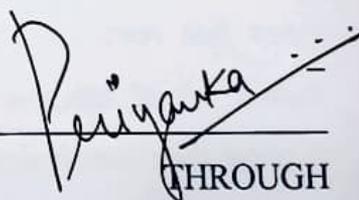
& CLIMATE CHANGE & ORS

....RESPONDENTS

INDEX

S. No.	Particulars	Page No.
1.	Reply on behalf of State Level Environment Impact Assessment Authority, Uttar Pradesh	1-6
2.	Annexure no.01: Copy of minutes of 739 th meeting dated 28.03.2023.	9-11
3.	Annexure no.02: Copy of minutes of 726 th SEIAA meeting held on 06.05.2023.	12-13

4.	Annexure no.03: Copy of Environmental Clearance letter dated 07.05.2023.	14-24
5.	Annexure no.04: Copy of Concerned letter dated 16.11.2023.	25-26
6.	Annexure no.05: Copy of Concerned MoEFCC, GoI letter dated 04.12.2023.	27
7.	Annexure no.06: Copy of Concerned Minutes of Meeting dated 02.02.2024	28-51
8.	Duly signed affidavit	



THROUGH
PRIYANKA SWAMI
 Advocate
 Counsel for SEIAA, U.P.
 F- 13, Ground Floor,
 Jangpura Extension,
 New Delhi- 110014

Date: 1.04.2024

IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
IA NO. 56 - 57 OF 2024
IN
ORIGINAL APPLICATION NO. 120 OF 2024

IN THE MATTER OF:-

MOHIT SINGH

...APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT FORESTS
& CLIMATE CHANGE & ORS

...RESPONDENTS

**Reply on behalf of respondent No. 03 i.e. State Level Environment
Impact Assessment Authority, U.P. ("SEIAA")**

MOST RESPECTFULLY SHOWETH: -

PRELIMINARY SUBMISSIONS:

- I. At the outset, the answering respondent denies each and every allegation, contention and/or insinuation contained in the instant Application, which is contrary to and/or inconsistent with what is stated hereinafter. In any event, nothing contained in the Application which is not specifically admitted herein, be deemed to have been admitted, for want of denials or otherwise.
- II. 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 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 modernisation 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 that cross the threshold limits given in the Schedule, after expansion or modernisation;
 - 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.
- III. The environmental clearance shall be taken from the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' 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).
- IV. 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

- V. 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.
- VI. All such project proposals received by the SEIAA, UP for Prior Environmental Clearance are dealt with according to the EIA Notification, 2006 (as amended).

Reply on Merits:

1. It is submitted that an online application was made on 06.03.2023 for environment clearance of "Riverbed Ordinary Sand mine, Village-KhadkuiyaNankar (Gata/Araji No.- 979 Ja, lease area- 3.160 ha.), Tehsil- Shohratgarh, District- Siddharthnagar, U.P.under 1(a) category of EIA notification 2006(as amended).
2. The case was considered by SEAC in its 739th meeting dated 28.03.2023. During the meeting, the project proponent along with his consultant made the presentation. The committee discussed the matter and recommended a grant of Environmental Clearance for the project proposal along with general and specific conditions. Copy of minutes of 739th meeting dated 28.03.2023 is being filed herewith and marked as **Annexure no.01.**
3. Subsequently, the case was considered in the 726th SEIAA meeting dt.06.05.2023 wherein the State Level Environment Impact Assessment Authority agreed with the recommendation of SEAC to grant Environmental Clearance to the project. Copy of minutes of

726thSEIAA meeting held on 06.05.2023 is being filed herewith and marked as **Annexure no.02**.

4. Further, SEIAA issued Environmental Clearance for the proposed project to effective implementation of general and specific conditions imposed vide EC Identification no EC23B001UP144597 dated: 07.05.2023. Copy of Environmental Clearance letter dated 07.05.2023 is being filed herewith and marked as **Annexure no.03**.
5. It is submitted that EIA notification, 2006 (as amended) did not incorporate a provision for approval of DSR by SEIAA.
6. District Level Environment Impact Assessment Authority (DEIAA) was constituted vide EIA notification dated 15.01.2016 and procedure for preparation of DSR for each minor mineral was given, which was to be finalized by DEIAA. DSR was to be updated once every five years by DEIAA.
7. As per MoEFCC O.M. dated 12.12.2018, the grant of EC by DEIAA for areas less than 5ha was discontinued. Instead, Evaluation and Approval of ECs by SEAC and SEIAA was provided. No mention of DSR approval was made in the O.M. dated 12.12.2018.
8. Hon'ble NGT Order dated 30.05.2022 in O.A. No. 403/2022 states that:-
 - a. ...*(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..."*

9. 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”.

10. So, a clarification was sought from MoEFCC by SEAC on 16.11.2023 in this regard. A copy of the Concerned letter dated 16.11.2023 is being filed herewith and marked as **Annexure no.04.**

11. 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 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 SubhashBhaiIshwarBhaiParmar 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...”

Copy of Concerned MoEFCC, GoI letter dated 04.12.2023 is being filed herewith and marked as **Annexure No.05.**

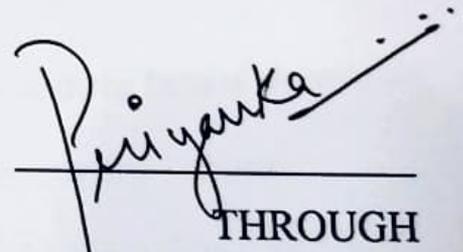
12. Further, a Joint Meeting of the State Environment Impact Assessment Authority (SEIAA) & State Expert Appraisal Committees (SEAC-1

&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. Copy of Concerned Minutes of Meeting dated 02.02.2024 is being filed herewith and marked as **Annexure No.06**.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- i. Dismiss the present Interlocutory application with Exemplary cost Or
- ii. Pass any such other order as may deem fit.



THROUGH
PRIYANKA SWAMI
Advocate
Counsel for SEIAA, U.P.
F- 13, Ground Floor,
Jangpura Extension,
New Delhi- 110014

Date: 01.04.2024

186 7 7
IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 120 of 2024
IA No. 56-57 of 2024

IN THE MATTER OF:

MOHIT SINGH

... Applicant

Versus

Ministry of Environment Forests

and Climate Change & Ors

... Respondent(s)

AFFIDAVIT

Affidavit of Shri Anurag Kumar Yadav aged about 48 years s/o Shri P.N. Singh, presently posted as Deputy Director having office at E 12/1, NOIDA, Regional Office, Directorate of Environment, U.P. **Presently at New Delhi**

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 report 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 there from.

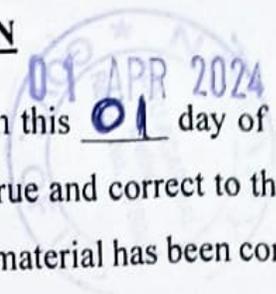


A handwritten signature in blue ink, consisting of a stylized name with a horizontal line underneath.

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this 01 day of April 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 there
from.



[Handwritten signature]

DEPONENT

I identified the deponent who
has signed in my presence

Presently at New Delhi

ATTESTED
NOTARY PUBLIC
(INDIA)

01 APR 2024

6. Proposed for Sand mine in Banganga river bed at Gata No.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, M/s Aanjaney Ventures, Shri Anjani Kumar, Area- 3.160 ha., File No. 7693/ Proposal No. SIA/UP/MIN/420951/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and development. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Ordinary Sand Mining at Araji/Gata no.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh, M/s Aanjaney Ventures (Shri Anjani Kumar), (Leased Area- 3.160 ha.).
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/420951/2023		
2.	File No. allotted by SEIAA, UP	7693		
3.	Name of Proponent	Shri Anjani Kumar for M/s Aanjaney Ventures		
4.	Full correspondence address of proponent and mobile no.	Shri Anjani Kumar R/o- Flat No. 701 Block- R, Rohtas Plumeria Homes, Vibhuti Khand, Gomti Nagar, District- Lucknow (U.P.) E-mail Id: aanjaneyventures5418@gmail.com		
5.	Name of Project	Ordinary Sand Mining Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh		
6.	Project Location (Plot.Khasra/Gata No.)	Gata No. 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh		
7.	Name of River	Banganga River		
8.	Name of Village	Khadkuiya Nankar		
9.	Tehsil	Shohratgarh		
10.	District	Siddharthnagar		
11.	Name of Minor Mineral	Ordinary sand		
12.	Sanctioned Lease Area (in Ha.)	3.160 ha.		
13.	Max. & Min mRL within lease area	Highest-89.0 mRL & Lowest-87.1 mRL		
14.	Pillar Coordinates (Verified by DMO)	Pillars	Latitude	Longitude
		A	27.426007°	82.925572°
		B	27.425474°	82.926033°
		C	27.423464°	82.923699°
		D	27.423489°	82.922118°
15.	Total Geological Reserves	1,26,400 m ³		
16.	Total Mineable Reserve (as per Approved Mine Plan)	63,200 m ³		
17.	Total Proposed Production	316000 m ³ (in 5 years)		
18.	Proposed Production	63200 m ³ /year		
19.	Sanctioned Period of Mine lease	5 years		
20.	Method of Mining	Opencast, Semi-Mechanized		
21.	Working hours/day	8		
22.	No. of worker	52		
23.	No. of vehicles movement/day	25		
24.	Type of Land	Govt land		
25.	Ultimate of Depth of Mining	2.70 m		

26.	Nearest metalled road from site	50 m
27.	Water Requirement	PURPOSE
		Drinking
		Suppression of dust
		Plantation
		REQUIREMENT (KLD)
		0.52 KLD
		1.20 KLD
		0.50 KLD
		2.22 KLD
28.	Name of QCI Accredited Consultant with QCI No and period of validity.	M/s AWS Envirotech (OPC) Pvt. Ltd 2 nd floor Devpuri plaza, Neelgiri crossing, Faizabad road, Indranagar, Lucknow-226016, U.P. Certificate no. NABET/EIA/2225/IA 0097 (Rev.01) Valid Till July 14,2025
29.	Any litigation pending against the project or land in any court	No
30.	Details of 500 m Cluster Certificate verified by Mining Officer	vide letter no.- 200/Khanan Sahayak/2022-23 Dated- 13.09.2023
31.	Details of Lease Area in approved DSR	3.160 ha., Details given on Page No. 11 of DSR
32.	Proposed CER cost	Rs. 5.58 Lakhs per Annum
33.	Proposed EMP cost	Total project cost- Rs. 1.35 Crore as Capital cost & 1.44 Crore as Recurring cost; EMP cost of project is 8.0 lakhs as capital cost and 5.5 lakhs as recurring cost
34.	Length of Haul Road	50 m
35.	No. of Trees to be Planted	250

3. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
4. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
5. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
6. There is no litigation pending in any court regarding this project.
7. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

The consultant (EIA Coordinator) also submitted an affidavit dated 04/03/2023 mentioning is as follows:

1. I, Sandeep Kumar, S/o Shri R.K. Verma is EIA Coordinator of M/s AWS Envirotech (OPC) Pvt. Ltd.
2. I have prepared the EC application report for the proposal Ordinary Sand Mining at Araji/Gata no.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh, M/s Aanjaney Ventures (Shri Anjani Kumar), (Leased Area- 3.160 ha.) with my team.
3. I have personally visited the proposed site along with team and certify that no mining activity has been undertaken on the project site for the present proposal.
4. I am satisfied with that all the necessary data/information submitted along with EC are true and correct.
5. I certify that this project has been uploaded for the first time on Parivesh Portal.
6. I certify that there is no mismatch between information/data provided on online application and hard copy/presentation submitted.
7. The Form 1, PFR and EMP for the Proposal is prepared by my team as per guidelines laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 06

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-3 to these minutes. The committee also stipulated the following specific conditions:

1. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. Based on replenishment study letter of intent (LoI) must be revised (if required) by Directorate of Geology and Mining.
2. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
3. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
4. The project proponent shall install solar light in their site office.
5. During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report.
6. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
7. Link Road from the quarry site to the main road shall be constructed as an all-weather road with blacktopping and maintained by the project proponent.
8. Vehicular emissions should be kept under control and regularly monitored. Suitable measures shall be taken for proper maintenance of vehicles used in a quarry operation and transportation.
9. The project proponent should explore the possibilities of rainwater harvesting.
10. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
11. Latest technology (water sprinklers/ tankers) to be adopted for mitigating dust at source points in lease area and haulage road during operational activity/vehicular movement.
12. As per the proposed plan, plantation with area specific plant species, number of plants to be planted and report of green belt development to be submitted to the concerning department
13. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
14. Submit the Hydrological study report of lease area that the quantity given in LoI will be mined without affecting the geo-hydrology of the River.

7. Commercial Building at Plot no.-1, Sector-94, Noida, District- Gautam Buddha Nagar, Shri Sandeep Sharma, M/s Lavish Buildmart Pvt. Ltd., File No. 7695/7660/ Proposal No. SIA/UP/INFRA2/420853/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Ind Tech House Consult. The committee discussed the matter and directed the project proponent to submit following information:

1. Revised CER.
2. Layout plan with details.
3. Details of power backup.
4. Quantity of hazardous material with disposal plan.
5. Status of map approval from competent authority.
6. Separate plan for hard and soft green area.
7. Proposal for ETP.
8. Detailed traffic study with traffic management plan.
9. Point wise TOR presentation.

The matter will be discussed after submission of online information on prescribed portal.

Minutes of the 726th Meeting of the SEIAA held on 06.05.2023

8. 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.
 9. *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.*
8. **Proposed for Sand mine in Banganga river bed at Gata No.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, M/s Aanjaney Ventures, Shri Anjani Kumar, Area- 3.160 ha., File No. 7693/ Proposal No. SIA/UP/MIN/420951/2023**

SEIAA noted that the above project was taken in its 723 SEIAA meeting in which SEIAA noted that SEAC has recommended to grant EC to the above project. SEIAA noted that name of consultant mentioned is different in different places. Hence SEIAA opined to refer back the project to SEAC. SEIAA gone through the file and documents found that the correct consultant name M/s AWS Envirotech (OPC) Pvt.LTd. 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 but SEIAA replaces the specific condition regarding cluster certificate as "If in future during the progressive mining this lease area becomes part of cluster i.e. area equal to or more than 5 ha., limited to B-1 category, then additional conditions based on the EIA conducted by the concerned lease holders shall be imposed and joint EMP shall be implemented. The lease holder shall mandatorily follow all the imposed conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per the law shall be initiated against the authority issuing the cluster certificate" and adding following conditions:-

1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years 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.
2. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.

**AJAY KUMAR
SHARMA**

Digitally signed by AJAY
KUMAR SHARMA

Date: 2023.05.07 14:43:50
+05'30'

Minutes of the 726th Meeting of the SEIAA held on 06.05.2023

5. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 4,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
 6. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 20 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
 7. 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.
 8. 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.
 9. 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.
9. **“Sand Stone” Project at Gata No.- 4448 / 01, Village- Bhaunri, Tehsil- Manikpur, District- Chitrakoot, Shri Kaluwa M/s Kaluwa Mines Contractor, Area : 1.214 ha., File No. 7673/ Proposal No. SIA/UP/MIN/420013/2023**

SEIAA noted that the above project was taken in its 722 meeting in which SEIAA noted that in MoM of SEAC somewhere the matter related to sand mining has been mentioned relates to sand mining. Hence SEIAA opined to refer back the project to SEAC for review.

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC; however SEAC should be more careful while preparing MOM. SEIAA agreed to grant EC to the said project along with all the general and specific conditions as suggested by SEAC adding following specific conditions:-

1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years 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.

AJAY KUMAR SHARMA Digitally signed by AJAY KUMAR SHARMA
Date: 2023.05.07 14:44:08 +05'30'

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), UTTAR PRADESH)

To,

The -1

ANJANI KUMAR

Flat No. 701, Block-R, Rohtas Plumeria Homes, Vibhuti Khand, Gomti
Nagar, Lucknow, Uttar Pradesh -226010

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/UP/MIN/420951/2023 dated 06 Mar 2023. The particulars of the environmental
clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC23B001UP144597 |
| 2. File No. | 7693 |
| 3. Project Type | New |
| 4. Category | B |
| 5. Project/Activity including
Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | Riverbed Ordinary Sand mine, Village-
Khadkuiya Nankar (Gata/Araji No.- 979
Ja, lease area- 3.160 ha.), Tehsil-
Shohratgarh, District- Siddharthnagar,
U.P. |
| 7. Name of Company/Organization | ANJANI KUMAR |
| 8. Location of Project | UTTAR PRADESH |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 07/05/2023

(e-signed)
 Member Secretary
 Member Secretary
 SEIAA - (UTTAR PRADESH)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

This is a computer generated cover page.

PARIVESH

*(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)*



**Directorate of Environment, U.P.**

Vineet Khand-1, Gomti Nagar, Lucknow- 226010

E-Mail- doeuplko@yahoo.com, seiaaup@yahoo.com

Phone no- 0522-2300541

Reference- MoEFCC Proposal no- SIA/UP/MIN/420951/2023 & SEIAA, U.P File no-7693**Sub: Environmental Clearance for Proposed Ordinary Sand Mining at Araj/Gata no.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh, (Leased Area- 3.160 ha.).**

Dear Sir,

This is with reference to your application / letter dated 06-03-2023 & 25-03-2023 above mentioned subject. The matter was considered by 739nd SEAC in meeting held on 28-03-2023 and 726th SEIAA in meeting held on 06-05-2023.

A presentation was made by the project proponent along with their consultant M/s AWS Envirotech (OPC) Pvt.Ltd. to SEAC on 28-03-2023.

Project Details Informed by the Project Proponent and their Consultant

The project proponent, through the documents and presentation gave following details about their project –

1. The environmental clearance is sought for Ordinary Sand Mining at Araj/Gata no.- 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh, M/s Aanjaney Ventures (Shri Anjani Kumar), (Leased Area- 3.160 ha.).
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/420951/2023		
2.	File No. allotted by SEIAA, UP	7693		
3.	Name of Proponent	Shri Anjani Kumar for M/s Aanjaney Ventures		
4.	Full correspondence address of proponent and mobile no.	Shri Anjani Kumar R/o- Flat No. 701 Block- R, Rohtas Plumeria Homes, Vibhuti Khand, Gomti Nagar, District- Lucknow (U.P.)		
		E-mail Id: aanjaneyventures5418@gmail.com		
5.	Name of Project	Ordinary Sand Mining Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh		
6.	Project Location (Plot.Khasra/Gata No.)	Gata No. 979 Ja, Village- Khadkuiya Nankar, Tehsil- Shohratgarh, District- Siddharthnagar, Uttar Pradesh		
7.	Name of River	Banganga River		
8.	Name of Village	Khadkuiya Nankar		
9.	Tehsil	Shohratgarh		
10.	District	Siddharthnagar		
11.	Name of Minor Mineral	Ordinary sand		
12.	Sanctioned Lease Area (in Ha.)	3.160 ha.		
13.	Max. & Min mRL within lease area	Highest-89.0 mRL & Lowest-87.1 mRL		
14.	Pillar Coordinates (Verified by DMO)	Pillars	Latitude	Longitude
		A	27.426007°	82.925572°
		B	27.425474°	82.926033°

		C	27.423464°	82.923699°
		D	27.423489°	82.922118°
15.	Total Geological Reserves	1,26,400 m ³		
16.	Total Mineable Reserve (as per Approved Mine Plan)	63,200 m ³		
17.	Total Proposed Production	316000 m ³ (in 5 years)		
18.	Proposed Production	63200 m ³ /year		
19.	Sanctioned Period of Mine lease	5 years		
20.	Method of Mining	Opencast, Semi-Mechanized		
21.	Working hours/day	8		
22.	No. of worker	52		
23.	No. of vehicles movement/day	25		
24.	Type of Land	Govt land		
25.	Ultimate of Depth of Mining	2.70 m		
26.	Nearest metalled road from site	50 m		
27.	Water Requirement	PURPOSE	REQUIREMENT (KLD)	
		Drinking	0.52 KLD	
		Suppression of dust	1.20 KLD	
		Plantation	0.50 KLD	
		Total	2.22 KLD	
28.	Name of QCI Accredited Consultant with QCI No and period of validity.	M/s AWS Envirotech (OPC) Pvt. Ltd 2 nd floor Devpuri plaza, Neelgiri crossing, Faizabad road, Indranagar, Lucknow-226016, U.P. Certificate no. NABET/EIA/2225/IA 0097 (Rev.01) Valid Till July 14,2025		
29.	Any litigation pending against the project or land in any court	No		
30.	Details of 500 m Cluster Certificate verified by Mining Officer	vide letter no.- 200/Khanan Sahayak/2022-23 Dated- 13.09.2023		
31.	Details of Lease Area in approved DSR	3.160 ha., Details given on Page No. 11 of DSR		
32.	Proposed CER cost	Rs. 5.58 Lakhs per Annum		
33.	Proposed EMP cost	Total project cost- Rs. 1.35 Crore as Capital cost & 1.44 Crore as Recurring cost; EMP cost of project is 8.0 lakhs as capital cost and 5.5 lakhs as recurring cost		
34.	Length of Haul Road	50 m		
35.	No. of Trees to be Planted	250		

3. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
4. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
5. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
6. There is no litigation pending in any court regarding this project.
7. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee Meeting (SEAC) held on 28-03-2023 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting held 26-05-2023 and decided to grant the Environmental Clearance to the title project for collection of 63200 m³/year for lease area of 3.160 ha subject to effective implementation of the following General Conditions and specific conditions:-

General condition:

1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended).
4. Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.
5. Mining and loading shall be done only within day hours' time.
6. No mining shall be carried out in the safety zone of any bridge and/or embankment.
7. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
8. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.
9. Parking of vehicles should not be made on public places.
10. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
11. No wildlife habitat will be infringed.
12. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.
13. It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.
14. It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.
15. Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.
16. Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.
17. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.
18. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational

- training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
 20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
 21. Dispensary facilities for first-aid shall be provided at site.
 22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
 23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
 24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
 25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
 26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
 27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
 28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
 29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
 30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
 31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
 32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
 33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
 34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
 35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
 36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created

- amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
 38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
 39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
 40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
 41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
 42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
 43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, Gol, Lucknow by e-mail.
 45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
 46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
 47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
 48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

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 5 years from the date of issue as the Lol has been issued for a period of 5 years 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 shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
5. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 4,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
7. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 20 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
8. 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.
9. 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.
10. 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.
11. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. Based on replenishment study letter of intent (Lol) must be revised (if required) by Directorate of Geology and Mining.
12. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
13. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
14. The project proponent shall install solar light in their site office.
15. During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report.

16. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
17. Link Road from the quarry site to the main road shall be constructed as an all-weather road with blacktopping and maintained by the project proponent.
18. Vehicular emissions should be kept under control and regularly monitored. Suitable measures shall be taken for proper maintenance of vehicles used in a quarry operation and transportation.
19. The project proponent should explore the possibilities of rainwater harvesting.
20. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
21. Latest technology (water sprinklers/ tankers) to be adopted for mitigating dust at source points in lease area and haulage road during operational activity/vehicular movement.
22. As per the proposed plan, plantation with area specific plant species, number of plants to be planted and report of green belt development to be submitted to the concerning department
23. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
24. Submit the Hydrological study report of lease area that the quantity given in Lol will be mined without affecting the geo-hydrology of the River.
25. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
26. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
27. Environment management in according to environmental status and impact of the project.
28. During the school opening and closing time transportation of minerals will be restricted.
29. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
30. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
31. Pakkamotorable haul road to be maintained by the project proponent.
32. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
33. Permission from the competent authority regarding evacuation route should be taken.
34. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
35. Provision for cylinder to workers should be made for cooking.
36. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
37. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
38. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
39. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
40. Provision for two toilets and hand pumps should be made at mining site.
41. Drinking water for workers would be provided by tankers.
42. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
43. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
44. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.

45. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
46. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
47. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
48. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
49. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
50. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster 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 law shall be initiated against the authority issuing the cluster certificate.
51. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
52. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
53. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.
54. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
55. The mining work will be open-cast and manual/semi mechanized (subject to orders). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
56. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
57. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
58. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
59. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
60. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the

purpose, schedule of health examination of the workers should be drawn and followed accordingly.

61. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)].
62. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
63. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
64. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
65. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
66. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
67. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
68. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
69. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
70. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, Gol, Lucknow, SEIAA, U.P. and UPPCB.
71. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, Gol, Lucknow, CPCB, State PCB.
72. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
73. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
74. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
75. Waste water from potable use be collected and reused for sprinkling.
76. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

The above stipulated conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon'ble Courts of Law relating to the subject matter.

The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.

This is to request you to take further necessary action in matter as per provisions of Gazette Notification No. S.O. 1533(E) dated 14/09/2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.

Copy, through email, for information and necessary action to –

1. **Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)**
2. **Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)**
3. **Deputy Director General of Forests (C), Integ rated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector “H”, Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)**
4. **District Magistrate, Siddhartnagar.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**
6. **Copy to Web Master for uploading on PARIVESH Portal.**
7. **Copy for Guard File.**

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Signature Not Verified

Digitally signed by Member
Secretary
Member Secretary
Date: 5/7/2023 6:22:04 PM
Page 11 of 11

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 आँकलन 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:-

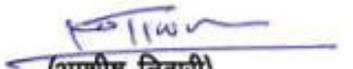
"District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent (Loi) by Mining department or department dealing the mining activity in respective states."

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

Handwritten notes:
Dr. Saurabh Upadhyay
29/12/2022

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 Halдар	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 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) <ol style="list-style-type: none"> 15. Quality /Grade of Mineral available in the District 16. Use of Mineral 17. Demand and Supply of the Mineral in the last three years 18. Mining leases marked on the map of the district 19. Details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude) 20. Details of Eco-Sensitive Area, if any, in the District 21. Impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity 	<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
--	---

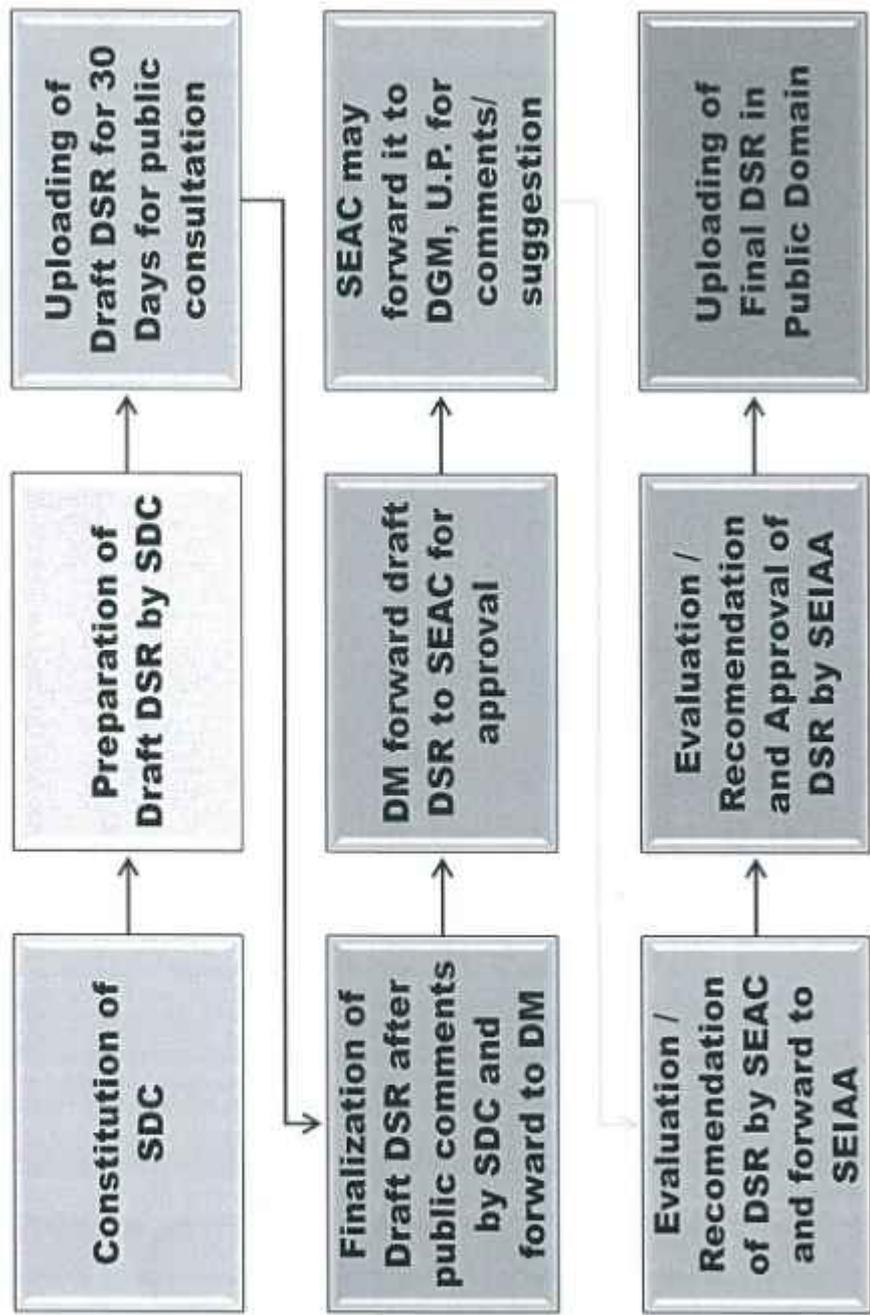
	<p>22. Remedial Measures to mitigate the impact of mining on the Environment</p> <p>23. Reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan)</p> <p>24. R& Disaster Management Plan</p> <p>25. Details of the 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>	<p>which the drainage patterns of rivers along with explored mineral resources shall be reflected.</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. 	

	geology of the area, site conditions locations, depth of mineral availability and other geomorphic features.	
3	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>	For this a letter to the District Information Office will be issued for uploading the draft DSR in District Website for 30 days.
4	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>	For this a joint meeting of SDC Members is required for final draft DSR examination/evaluation.
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	• The DM shall forward the proposed DSR to SEAC	• 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 Following shall be the Annexures of the DM letter:-</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 Vrs. 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	SMMMG-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>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>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,
--	--

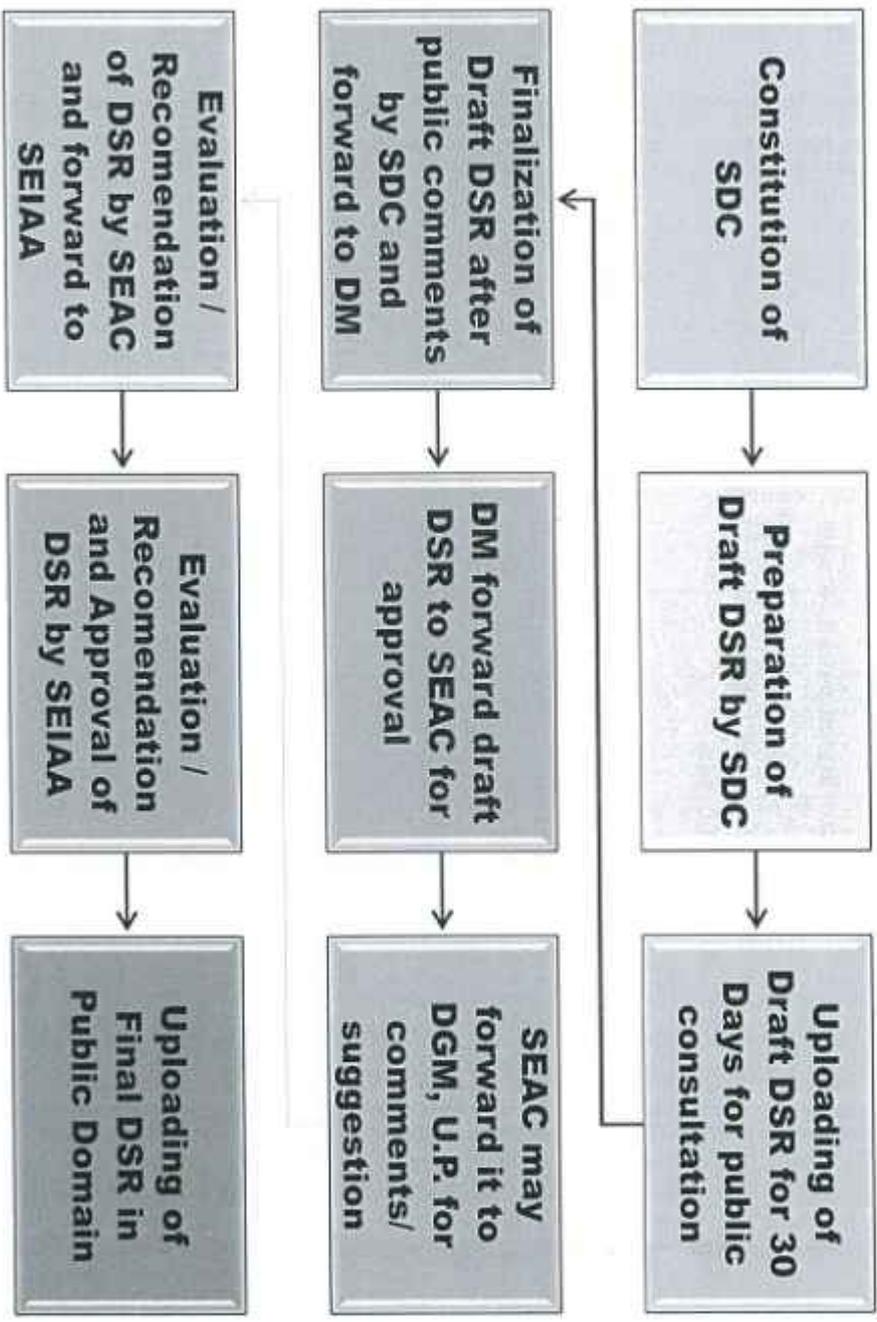
<p>f) Length of area recommended for mineral concession.(in Kms)</p> <p>g) Average width of area recommended for mineral concession (in meters)</p> <p>h) Area recommended for mineral concession (in square meter)</p> <p>i) Mineable mineral potential (in metric tonne) (60% of total mineral potential)</p> <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>
3	<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>
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, 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>

<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></p>	
<p>5</p> <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>
<p>6</p> <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 Vrs. 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 <p><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

		<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	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	