

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI
ORIGINAL APPLICATION NO. 248 OF 2026**

IN THE MATTER OF:

Manoj Kumar Prajapati

Applicant

Versus

Ministry of Environment, Forests and
Climate Change and Ors.

Respondents

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 9

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

Filed By



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Lakshay Saini

(D/1973/2020, D/6517/2020)

Advocates for the Respondent No. 9

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Place: New Delhi

Date: 19.05.2026

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INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	Reply Affidavit on behalf of Respondent No. 9	
2.	ANNEXURE R-1 A true copy of Order dated 30.05.2022 passed by the Hon'ble Supreme Court in Civil Appeal Nos. 3661-3662 of 2020 (<i>State of Bihar v. Pawan Kumar</i>)	
3.	ANNEXURE R-2 A true copy of EC No. EC24B0107UP5184016N	
4.	ANNEXURE R-3 A true copy of Letter of Intent dated 11.07.2023	
5.	ANNEXURE R-4 A true copy of the communication/report submitted by the District Magistrate, Banda before the Hon'ble National Green Tribunal along with the replenishment	

	study/report dated 30.12.2022 prepared by CMPDI concerning mining areas in District Banda, including Marauli Khadar Block No. 04, well prior to execution of the lease deed	
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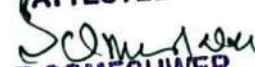
Respondents

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 9

I, Mallampati Muraly, S/o. Late. Mallampati Rangaih, aged. 76 years, Director of M/s. Agastya Agro Limited (Respondent No. 9) Office at Sy.No. 47, Main Road, Muraharipally, Medchal-Malkajgiri, Telangana – 500 014, I am duly authorised by the Respondent No.9 to swear and file the present affidavit, do hereby solemnly affirm and state as under:

1. That I am the Director of the Respondent No. 9 and is well conversant with the facts and circumstances of the present case and hence competent to swear the present Reply Affidavit
2. That the present Reply is being filed on behalf of Respondent No. 9, namely Agastya Agro Ltd., in opposition to the Original Application filed by the Applicant under Sections 14 and 15 of



ATTESTED

T. SOMESHWER
 ADVOCATE & NOTARY
 Appointed by the Govt. of T.S.
 GOMs No. 747/11
 # 16-2-741/B/47, ASMAN GADH.
 MALAKPET, HYDERABAD - 500 033

For Agastya Agro Limited


 Director

the National Green Tribunal Act, 2010 as well as the interim application seeking restrain stay of mining operations.

3. That at the outset, the answering Respondent respectfully seeks leave of this Hon'ble Tribunal to file the present comprehensive reply without traversing each and every averment of the Original Application paragraph-wise, as the issues involved are substantially legal in nature and the present response adequately addresses the material allegations and reliefs sought by the Applicant. However, the answering Respondent craves leave of this Hon'ble Tribunal to file a detailed para-wise reply, if so directed or considered necessary at any subsequent stage.

4. That the Respondent No. 9 however specifically denies each and every allegation, assertion, statement, and ground contained in the OA that is contrary to the submissions herein, save those that are expressly admitted. The Applicant's OA is a misconceived, factually incomplete, and ill-motivated petition seeking to derail fully compliant, legitimate sand mining operations of Respondent No. 9 conducted under a duly executed, registered, and legally valid Mining Lease Deed,

For Agastya Agro Limited


Director

backed by a complete and unbroken chain of statutory approvals.

5. That Respondent No. 9, M/s Agastya Agro Limited, is a company duly incorporated under the Companies Act, engaged in sand and morrum mining. It holds a valid Mining Lease for Sand/Morrum in Village Marauli Khadar, Tehsil and District Banda, Uttar Pradesh, on the Ken River (Gata Nos. 333/7 Part, 412, 413 & 414, Khand No. 04, Area 23.00 Ha.), for a period of 5 years commencing 11.02.2026 and ending 09.02.2031. This lease was granted through a transparent, competitive E-Tender cum E-Auction process conducted by the Government of Uttar Pradesh and is backed by a valid District Survey Report, Letter of Intent, Environmental Clearance from SEIAA U.P., and a duly executed and registered Mining Lease Deed.
6. It is submitted that the entire edifice of the present Original Application proceeds on an erroneous assumption that if the initial advertisement/e-auction process had commenced prior to approval of the District Survey Report ("DSR"), every subsequent action automatically becomes void irrespective of later compliance. Such contention is contrary to settled

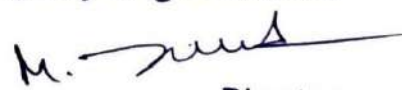
For **Agastya Agro Limited**


Director

principles of law and contrary even to the factual matrix of the present case.

7. That before adverting to the merits of the present Original Application, the answering Respondent respectfully raises a preliminary objection with regard to the locus standi, maintainability and bona fides of the Applicant in invoking the jurisdiction of this Hon'ble Tribunal. The Applicant, namely Manoj Kumar Prajapati, has himself disclosed in the cause title and affidavit that he is a resident of District Chitrakoot, Uttar Pradesh – 210202, whereas the mining lease granted in favour of the answering Respondent pertains to Khand No. 4, Village Marauli Khadar, District Banda, Uttar Pradesh, situated on the Ken River. It is pertinent to submit that District Chitrakoot and District Banda are separate and distinct districts and the Applicant has failed to disclose any direct, personal, legal or environmental nexus whatsoever with the lease area in question
8. That the entire Original Application is conspicuously silent as to how the Applicant claims to be an aggrieved person within the meaning and scheme of the National Green Tribunal Act, 2010. No material particulars have been disclosed to establish:
 - (i) any residence, occupation, agricultural activity or livelihood

For Agastya Agro Limited



Director

dependence of the Applicant in or around the lease area;

(ii) any riparian, ecological or proprietary connection with the Ken River stretch where mining activities are being undertaken;

(iii) any personal injury, legal injury or environmental prejudice allegedly suffered by the Applicant; or

(iv) any scientific study, inspection report or expert material demonstrating that the operations of the answering Respondent have caused environmental degradation affecting the Applicant in any manner whatsoever.

9. That the pleadings in the Original Application are entirely vague, omnibus and generalized in nature and merely reproduce extracts from various proceedings and judgments without disclosing any independent cause of action available to the Applicant against the answering Respondent. The Applicant has not even pleaded as to when, how, and under what circumstances he allegedly came to know of the mining operations being carried out by the answering Respondent in District Banda. The absence of foundational facts itself demonstrates that the present proceedings are not founded upon

For Agastya Agro Limited

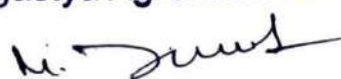

Director

any genuine environmental concern but are instead speculative and motivated in nature.

10. That it is a settled principle of law that while environmental jurisprudence permits a liberal approach in matters concerning ecological protection, the extraordinary jurisdiction of this Hon'ble Tribunal cannot be permitted to be invoked by persons acting for oblique purposes, collateral considerations or with the sole intent of obstructing lawful commercial activities undertaken pursuant to statutory approvals. Public Interest Litigation and environmental proceedings cannot be converted into instruments of private vendetta, proxy litigation or generalized opposition to all mining activity irrespective of compliance with law. At the same time such jurisdiction must necessarily be exercised on the basis of cogent environmental material and nor merely speculative assumptions.

11. That the conduct of the Applicant clearly reveals that the present Original Application has been instituted with a predetermined objective of somehow securing cancellation of the mining lease granted in favour of the answering Respondent, despite the fact that the lease deed was executed

For **Agastya Agro Limited**



Director

only after approval of the District Survey Report and no mining activity whatsoever was undertaken prior thereto. The Applicant has deliberately ignored these material facts and has selectively presented the record in an attempt to mislead this Hon'ble Tribunal without factual foundation.

12. That the answering Respondent respectfully submits that the present Original Application is therefore liable to be dismissed on account of lack of bona fides, absence of a real and subsisting cause of action, suppression of material facts and misuse of the environmental jurisdiction of this Hon'ble Tribunal.
13. It is submitted that the primary legal requirement under the mining framework and the judgments relied upon by the Applicant is that a valid DSR must exist before grant/execution of mining lease and commencement of mining operations. In the present case, such requirement stood duly satisfied. The 9th Respondent fully satisfies the aforesaid requirement.
14. That the Applicant has sought to place reliance upon the judgment of the Hon'ble Supreme Court in *State of Bihar v.*


For **Agastya Agro Limited**


Director

Pawan Kumar, reported in (2022) 2 SCC 348, in support of the contention that the mining lease granted in favour of Respondent No. 9 is liable to be cancelled for alleged absence of a valid District Survey Report (“DSR”). It is respectfully submitted that the Applicant has selectively and erroneously relied upon the said judgment without appreciating its true ratio, context and subsequent orders passed therein. A complete and meaningful reading of the said judgment, in fact, supports the case of the answering Respondent and demonstrates that the mining operations undertaken pursuant to the lease granted in favour of Respondent No. 9 are fully consistent with the framework recognised by the Hon’ble Supreme Court.

15. That the principal issue before the Hon’ble Supreme Court in *State of Bihar v. Pawan Kumar* (supra) pertained to the procedure adopted by the State of Bihar for preparation of District Survey Reports through private consultants, contrary to the statutory and regulatory framework contemplated under the Sustainable Sand Mining Management Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020. The Hon’ble Supreme Court observed that DSRs ought to be prepared through the Sub-Divisional Committees comprising

For Agastya Agro Limited


Director

officials of various departments including Revenue, Irrigation, State Pollution Control Board, Forest Department and Geology & Mining Department, who are institutionally equipped to undertake field inspections and prepare draft DSRs in accordance with law. The directions issued by the Hon'ble Supreme Court were thus aimed at correcting the procedural irregularities prevalent in the State of Bihar and ensuring adherence to the prescribed environmental framework. That significantly, the judgment nowhere lays down any blanket or universal proposition of law that mining activities across the country are to remain perpetually suspended until fresh DSRs are prepared, irrespective of subsequent compliance or approval. The Applicant has attempted to read into the judgment a prohibition which does not exist either expressly or impliedly.

16. That on the contrary, the Hon'ble Supreme Court itself, while balancing environmental considerations with practical realities relating to mining administration and public revenue, expressly recognised that an absolute embargo on mining operations would neither be desirable nor in public interest. In this regard, Para 16.3 of the judgment in *State of Bihar v. Pawan*

For **Agastya Agro Limited**



Director

Kumar (2022) 2 SCC 348 assumes considerable significance, wherein the Hon'ble Supreme Court permitted the State Government to continue mining activities through the Bihar State Mining Corporation even during the period when DSRs were under finalisation, subject to compliance with environmental safeguards and regulatory oversight.

17. That the aforesaid direction clearly demonstrates that the Hon'ble Supreme Court itself did not contemplate an inflexible or absolute prohibition on all mining activity pending finalisation of DSRs. Rather, the judgment recognises that a complete stoppage of lawful mining operations would adversely affect public revenue and simultaneously encourage illegal and unregulated mining activities. Consequently, the interpretation now sought to be advanced by the Applicant is directly contrary to the very spirit and reasoning of the judgment relied upon by him.

18. That it is further pertinent to submit that the Hon'ble Supreme Court, in its subsequent order dated 30.05.2022 passed in Civil Appeal Nos. 3661-3662 of 2020 (*State of Bihar v. Pawan Kumar*), after taking note of the fact that the DSRs had received

For Agastya Agro Limited


Director

approval from the SEAC and SEIAA, specifically observed and directed that there should be “no impediment” for the State Government to proceed further with issuance of tenders/e-auctions in accordance with the approved DSRs. The Hon’ble Supreme Court never directed retrospective cancelation or invalidation of previously issued tenders or letters on intent. A true copy of Order dated 30.05.2022 passed by the Hon’ble Supreme Court in Civil Appeal Nos. 3661–3662 of 2020 (*State of Bihar v. Pawan Kumar*) is annexed hereto and marked as **ANNEXURE R-1**

19. That the answering Respondent’s case squarely falls within the aforesaid framework recognised and approved by the Hon’ble Supreme Court. In the present case, the District Survey Report for District Banda stood approved by the competent authority/SEIAA on 17.12.2024 and only thereafter was the Mining Lease Deed executed in favour of Respondent No. 9 on 11.02.2026. Further, no mining activity whatsoever was undertaken by Respondent No. 9 prior to approval of the DSR and execution of the lease deed. That in such circumstances, the reliance placed by the Applicant upon *State of Bihar v. Pawan Kumar* (supra) is wholly misconceived and, in fact, the

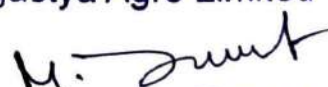
For Agastya Agro Limited


Director

said judgment, properly read in its factual and legal context, does not support the case sought to be advanced by the Applicant and, in fact, supports the position adopted by the answering Respondent. Thus, at the time of execution of lease deed and commencement of mining operations, all statutory and environmental requirements stood fully complied with.

20. That the foundational allegation advanced by the Applicant, namely that there existed no valid District Survey Report (“DSR”) at the time of issuance of the E-Tender dated 17.05.2023, the Letter of Intent dated 11.07.2023 and the subsequent execution of the Mining Lease Deed dated 11.02.2026, is wholly incorrect, misleading and contrary to the documentary record. The said contention proceeds upon a selective and incomplete presentation of facts while suppressing the continuous and unbroken statutory and administrative history of the DSR pertaining to District Banda and, more particularly, Marauli Khadar Block No. 04 situated on the Ken River.
21. That the District Survey Report for District Banda was originally prepared and approved by the competent authorities

For Agastya Agro Limited


Director

on 23.11.2017 and was duly uploaded on the official district portal. The said DSR specifically identified various mining areas within District Banda, including the Marauli Khadar area on the Ken River, for sand and gravel mining purposes. The said DSR constituted the foundational DSR governing mining activities in District Banda within the district. That thereafter, on 13.07.2019, the District Magistrate, Banda (Mining Department) issued a formal Corrigendum/Shuddhi Patra bearing Letter No. 1375/Khanij-30, whereby amendments and clarifications were incorporated into the existing 2017 DSR on a block-wise basis. By virtue of the said official amendment, Marauli Khadar Block No. 04, comprising Gata Nos. 333/7 Part, 412, 413 and 414 admeasuring 23.00 hectares with a mining quantity of 4,60,000 Cu.M. on the Ken River, was specifically identified and included as a mining area. The said Corrigendum/Shuddhi Patra was issued by the competent authority in continuation of and as an amendment to the existing DSR framework and therefore formed part of the existing DSR framework governing the district. That subsequently, the State Government, through the Secretary, Government of Uttar Pradesh, issued Government Order No. 870/B6-2021-01(Sa.0)/2020 dated 30.06.2021, directing

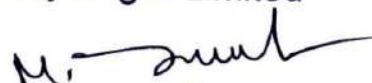
For Agastya Agro Limited


Director

inclusion of additional mining areas across Districts Jhansi, Banda and Mahoba on the basis of recommendations made by an Eight-Member Technical Expert Committee. The said Government Order further updated and reinforced the DSR framework applicable to District Banda and further supplemented and updated the existing DSR framework applicable to District Banda.

22. That most importantly, and in complete contradiction to the narrative sought to be projected in the Original Application, the fresh District Survey Report for District Banda (October, 2024 version) was duly approved by the SEIAA, Uttar Pradesh on 17.12.2024. The said approved DSR specifically and expressly includes Marauli Khadar Block No. 04 at Serial No. 33, Page 479, which is the precise mining area leased in favour of Respondent No. 9. Without prejudice to the aforesaid submissions regarding continuity of the DSR framework, even assuming fresh DSR approval became necessary, the same admittedly stood approved prior to execution of lease deed and prior to commencement of mining operations.

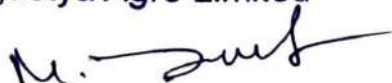
For Agastya Agro Limited


Director

23. That the inclusion of the answering Respondent's lease area within the approved DSR is further conclusively reflected and verified in the Environmental Clearance granted in favour of Respondent No. 9 bearing EC No. EC24B0107UP5184016N, wherein it has specifically been recorded that the lease area forms part of the approved DSR vide Letter No. 414/Parya/Samanya/2023 dated 07.08.2024 at Serial No. 33, Page 479. Thus, prior to grant of Environmental Clearance itself, the competent environmental authorities had duly verified and acknowledged the DSR status of the lease area. A true copy of EC No. EC24B0107UP5184016N is annexed hereto and marked as **ANNEXURE R-2**
- A true copy of Letter of Intent dated 11.07.2023 is annexed hereto and marked as **ANNEXURE R-3**

24. That despite the aforesaid undisputed documentary position, the Applicant has failed to disclose all material references, The Original Application therefore proceeds on an incomplete and misleading factual premise. The Applicant, having approached this Hon'ble Tribunal while suppressing material and relevant documents, is disentitled from claiming any equitable or discretionary relief under the environmental jurisdiction of this

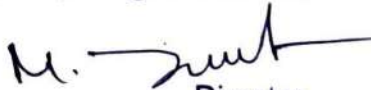
For Agastya Agro Limited


Director

Hon'ble Tribunal. The interim order therefore came to be passed by this Hon'ble Tribunal without consideration of these subsequent material developments.

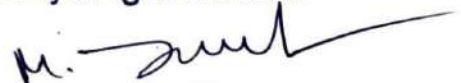
25. That the Applicant has sought to place extensive and misplaced reliance upon the order dated 09.05.2024 passed by this Hon'ble Tribunal in O.A. No. 747/2023 (*Raj Kumar vs. MoEFCC & Ors.*) to contend that the Mining Lease Deed executed in favour of Respondent No. 9 is in violation thereof. The said contention is wholly misconceived, factually incorrect and contrary to the record. The order dated 09.05.2024 came to be passed on the basis of a compliance report dated 27.04.2024 submitted by the District Magistrate, Banda, wherein it was stated that no fresh DSR approved by SEIAA had yet been prepared after the 2017 DSR and that a fresh DSR was under preparation. It was in this factual background that this Hon'ble Tribunal directed that till preparation and approval of the DSR by SEIAA, no Letter of Intent shall be issued, no auction shall be conducted and no lease deed shall be executed and the said order operated prospectively.

For Agastya Agro Limited


Director

26. That it is pertinent to submit that the compliance report dated 27.04.2024 submitted by the District Magistrate, Banda itself did not advert to or disclose the existence of the Corrigendum/Shuddhi Patra dated 13.07.2019 and the Government Order dated 30.06.2021, both of which constituted formal amendments and continuations of the operative DSR framework pertaining to District Banda. In any event, any omission or incomplete disclosure on the part of governmental authorities cannot be attributed to or operate to the prejudice of the answering Respondent, which is merely a bona fide private lessee acting on the basis of permissions, approvals and representations issued by the competent statutory authorities.
27. That without prejudice to the aforesaid, the material and undisputed fact remains that the fresh District Survey Report for District Banda (October, 2024 version) was duly prepared and formally approved by SEIAA, Uttar Pradesh on 17.12.2024. Consequently, the very condition contemplated in the order dated 09.05.2024, namely preparation and approval of the DSR by SEIAA prior to execution of lease deeds, stood fully satisfied. Thereafter, and only subsequent to such approval, was the Mining Lease Deed executed in favour of

For Agastya Agro Limited

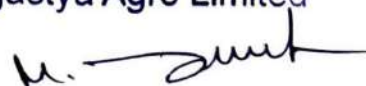


Director

Respondent No. 9 on 11.02.2026. Thus, at the time of execution of the lease deed, a valid and SEIAA-approved DSR was very much in existence and the lease area of Respondent No. 9 stood specifically included therein. Accordingly, there is neither any factual nor legal violation whatsoever of the order dated 09.05.2024 passed by this Hon'ble Tribunal and no mining activity whatsoever was undertaken prior thereto.

28. That the Applicant's attempt to contend that the earlier E-Tender dated 17.05.2023 and Letter of Intent dated 11.07.2023 automatically stood rendered void is equally misconceived. Firstly, as already stated hereinabove, the DSR framework governing District Banda continued through the 2019 Corrigendum/Shuddhi Patra and the Government Order dated 30.06.2021. Secondly, and more importantly, the order dated 09.05.2024 did not retrospectively annul or invalidate the earlier tendering process or the Letter of Intent already issued; rather, the direction operated prospectively by restraining execution of lease deeds till approval of the DSR by SEIAA. Since the Mining Lease Deed in favour of Respondent No. 9 was executed only after such approval had been duly obtained, the entire case sought to be set up by the Applicant alleging

For Agastya Agro Limited

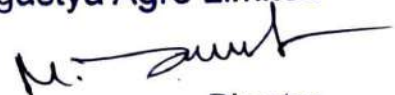


Director

violation of the order dated 09.05.2024 is devoid of merit and liable to be rejected. The direction dated 09.05.2024 was therefore fully worked out and satisfied prior to execution of the lease deed in favour of Respondent No. 9. The order dated 09.05.2024 never quashed, cancelled or invalidated the E-Tender Notification or the Letter of Intent already issue.

29. That the answering Respondent was granted Environmental Clearance bearing EC No. EC24B0107UP5184016N (File No. 9159-8288; Proposal No. SIA/UP/MIN/488560/2024) by SEIAA, Uttar Pradesh on 08.10.2024 after due compliance with the statutory procedure prescribed under the EIA Notification, 2006. The grant of Environmental Clearance was preceded by a detailed environmental appraisal process including preparation of Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) studies, consideration by the State Expert Appraisal Committee (SEAC) in its meeting dated 20.08.2024, conduct of public hearing proceedings and thereafter detailed consideration and approval by SEIAA in its meeting dated 13.09.2024. It is pertinent to note that the SEIAA, being the competent statutory expert authority under the environmental framework, expressly

For Agastya Agro Limited



Director

verified and recorded DSR compliance while granting Environmental Clearance to the answering Respondent. The Environmental Clearance itself specifically records that the lease area forms part of the approved DSR at Serial No. 33, Page 479 vide Letter No. 414/Parya/Samanya/2023 dated 07.08.2024.

30. That despite the aforesaid statutory determination by the competent environmental authority, the Applicant has admittedly never challenged the Environmental Clearance granted in favour of Respondent No. 9 under Section 16 of the National Green Tribunal Act, 2010 within the prescribed period of limitation. Consequently, the Environmental Clearance dated 08.10.2024 has attained finality and remains valid, binding and operative. Having failed to directly assail the Environmental Clearance in accordance with law, the Applicant cannot now be permitted to indirectly or collaterally challenge the very findings and satisfaction recorded therein regarding DSR compliance and environmental permissibility of the project. It is a settled principle of law that a statutory approval granted by a competent authority, once not challenged within limitation, cannot subsequently be impeached indirectly

For Agastya Agro Limited



Director

in collateral proceedings. The present attempt of the Applicant to contend that no valid DSR existed even at the stage of grant of Environmental Clearance is therefore contrary to the statutory findings already rendered by SEIAA after due expert appraisal, public consultation and regulatory scrutiny. That the Applicant admittedly never challenged the E-Tender Notification dated 17.05.2023, the subsequent E-Auction proceedings, the Letter of Intent dated 11.07.2023, the replenishment studies conducted by CMPDI, the fresh District Survey Report approved in 2024 or the Environmental Clearance dated 08.10.2024 before the competent forum at the relevant point of time, that despite all proceedings and approvals having remained in the public domain and despite completion of statutory procedures including public hearing proceedings, the Applicant remained completely silent and inactive throughout the entire process and that only after the answering Respondent altered its position irreversibly by investing enormous amounts, obtaining Environmental Clearance, executing the Mining Lease Deed and completing operational preparations, has the present Original Application been instituted and that the present proceedings are therefore

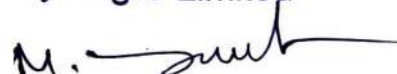
For Agastya Agro Limited


Director

barred by the principles of acquiescence, waiver, delay and laches and are liable to be rejected on this ground alone.

31. It is submitted that the answering Respondent participated in a transparent and competitive E-Tender-cum-E-Auction process conducted by the competent Government authorities and emerged as the successful bidder at the bid rate of Rs. 555/- per Cu.M. Pursuant thereto, the answering Respondent was issued a Letter of Intent by the competent authority and thereafter proceeded strictly in accordance with the statutory framework governing mining operations. The answering Respondent commissioned and submitted the requisite Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) studies, participated in the public hearing process, obtained Environmental Clearance from SEIAA, Uttar Pradesh after due appraisal and statutory scrutiny, deposited all requisite amounts including security deposit, instalments, stamp duty and registration charges, and only thereafter commenced operations pursuant to a duly executed and registered Mining Lease Deed. At every stage, the answering Respondent acted bona fide and in complete compliance with the requirements imposed by the competent statutory

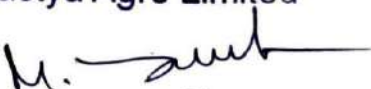
For Agastya Agro Limited


Director

authorities and including replenishment studies and environmental safeguards

32. That under the scheme of the U.P. Minor Minerals (Concession) Rules, 2021 and the applicable environmental framework, the responsibility for preparation, maintenance, approval and operationalisation of the District Survey Report vests exclusively with the concerned Government authorities including the State Government and the District Magistrate, Banda. The answering Respondent, being merely a private participant in a Government-conducted auction process, neither possessed the authority nor bore any statutory obligation to independently adjudicate upon or verify the procedural steps undertaken by the Government authorities prior to issuance of the E-Tender or Letter of Intent. The answering Respondent was legally entitled to proceed on the presumption that official acts performed by competent Government authorities had been regularly and validly undertaken in accordance with law. Therefore, even assuming, without admitting, that there existed any procedural irregularity at any earlier stage of the governmental process, the same cannot be attributed to or enforced against the answering Respondent, which acted

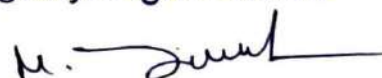
For Agastya Agro Limited


Director

throughout in good faith and altered its position substantially on the basis of official governmental representations and approvals.

33. That it is a settled principle of law that a bona fide third-party lessee, acting in reliance upon Government-issued tenders, statutory approvals and official representations, cannot be made to suffer for alleged lapses attributable to Government authorities, particularly after having made substantial and irreversible financial commitments. That the answering Respondent has already incurred and invested enormous sums pursuant to the Letter of Intent, Environmental Clearance and Mining Lease granted by the competent authorities and has substantially altered its position in reliance upon the validity and legality of the governmental process. The answering Respondent has paid a cumulative amount of approximately Rs. 15.42 Crores, including EMD, Security Deposit and Advance Royalty amounting to Rs. 6,54,27,507/- pursuant to the Letter of Intent dated 11.07.2023; Stamp Duty amounting to Rs. 1,77,52,960/-; Registration Charges/Nibandhan Shulk amounting to Rs. 88,76,480/- for execution and registration of the Lease Deed; royalty payments including DMFT and other

For Agastya Agro Limited

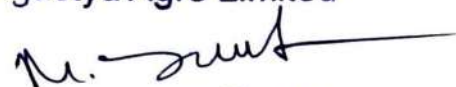


Director

statutory payments for the months of March and April amounting to Rs. 4,21,64,405/-; apart from substantial pre-operative and infrastructure development expenses of approximately Rs. 2,00,00,000/- incurred towards development of roads, weighbridge installation, site preparation and allied operational infrastructure. These expenditures are substantial, irreversible and largely non-refundable in nature. Consequently, continuation of the interim restraint order would cause severe and irreparable financial prejudice to the answering Respondent which cannot be adequately restituted or compensated at a later stage even if the answering Respondent ultimately succeeds in the present proceedings and these investments were made after the answering Respondent had legitimately acquired vested contractual and statutory rights.

34. That in these circumstances, any attempt to cancel, suspend or otherwise interfere with the Mining Lease granted in favour of the answering Respondent would result in manifest prejudice, grave financial consequences and irreparable injury to a bona fide lessee who has acted strictly in accordance with law and whose lease area admittedly forms part of the fresh SEIAA-

For Agastya Agro Limited



Director

approved District Survey Report dated 17.12.2024. The relief sought by the Applicant is therefore inequitable, legally unsustainable and liable to be rejected.

35. That the contention advanced by the Applicant that the District Survey Report prepared in the year 2017 automatically “expired” upon completion of five years in the year 2022 is wholly misconceived and unsupported by any statutory provision, rule, notification or binding guideline. Neither the EIA Notification, 2006, nor the Sustainable Sand Mining Management Guidelines, 2016, nor the Enforcement & Monitoring Guidelines for Sand Mining, 2020 prescribe any automatic lapse, invalidation or extinguishment of a District Survey Report merely upon passage of a fixed period of time. The Applicant has failed to place on record any statutory provision or binding legal instrument providing that a DSR ceases to operate automatically after five years. In absence of any such legal stipulation, the assertion of automatic expiry is entirely without basis and liable to be rejected.

36. That in any event, and without prejudice to the aforesaid submissions, the District Survey Report originally prepared in

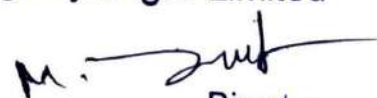
For Agastya Agro Limited


Director

2017 did not remain static or unaltered. The same was subsequently supplemented and updated through the Corrigendum/Shuddhi Patra dated 13.07.2019 issued by the District Magistrate, Banda and thereafter further updated pursuant to Government Order dated 30.06.2021 issued by the State Government on the recommendations of the Technical Expert Committee. These subsequent governmental actions formed part of the continuing DSR framework applicable to District Banda and specifically covered the lease area in question. Furthermore, and most importantly, a completely fresh District Survey Report for District Banda (October, 2024 version) was duly prepared and thereafter approved by SEIAA, Uttar Pradesh on 17.12.2024. Consequently, even otherwise, the entire argument sought to be raised by the Applicant regarding alleged expiry of the 2017 DSR stands rendered academic, misconceived and devoid of any legal consequence.

37. That the answering Respondent further submits that the record itself demonstrates continued governmental recognition, replenishment assessment and operational treatment of the mining areas in District Banda well beyond the year 2017. In this regard, reference is invited to the communication issued by

For Agastya Agro Limited


Director

the District Magistrate, Banda addressed to the Registrar, National Green Tribunal, Principal Bench, New Delhi in January, 2023 in compliance of the order dated 17.11.2022 passed in O.A. No. 410/2022 (*Avinash Kumar Ray vs. MoEF & CC & Ors.*), wherein it was specifically stated that CMPDI had conducted replenishment studies concerning the Ken, Yamuna and Baghein rivers in District Banda and had submitted its report dated 30.12.2022 before this Hon'ble Tribunal. A true copy of the communication/report submitted by the District Magistrate, Banda before the Hon'ble National Green Tribunal along with the replenishment study/report dated 30.12.2022 prepared by CMPDI concerning mining areas in District Banda, including Marauli Khadar Block No. 04, well prior to execution of the lease deed is annexed hereto and marked as ANNEXURE R-4.

38. That the annexed replenishment study/report itself contains detailed tabulated assessments of estimated sand quantities, replenished quantities and total available quantities relating to 135 mining leases/areas in District Banda for "Season Ending 2022". Significantly, the said report specifically includes Marauli (Ken) mining areas and records, inter alia, "part of

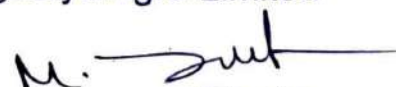
For Agastya Agro Limited


Director

333/7, 412, 413, 414 Khand No. 4", which corresponds to the lease area forming subject matter of the present proceedings. The aforesaid official record clearly establishes that the competent authorities continued to recognise, assess and regulate the relevant mining areas within an ongoing replenishment and DSR framework even subsequent to 2017. The said material further demolishes the Applicant's contention that the DSR framework had allegedly ceased to exist or automatically expired in the year 2022 and the said replenishment study formed part of the continuing environmental and regulatory oversight mechanism governing the mining areas.

39. That the balance of convenience overwhelmingly lies in favour of the answering Respondent and strongly militates against continuation of the ex parte interim order. It is submitted that sand and morrum mining operations on the Ken River in District Banda are season-sensitive in nature and are operationally feasible only for a limited duration each year. With the onset of monsoon during approximately June/July, the river remains flooded and the lease area becomes inaccessible and incapable of being operated for several months thereafter.

For Agastya Agro Limited


Director

The lease period granted in favour of the answering Respondent has already commenced from 11.02.2026 and, consequently, every day during which the interim order continues to operate results in substantial, irreversible and irrecoverable financial prejudice to the answering Respondent. The loss occasioned during the operative mining season cannot subsequently be restituted or adequately compensated even in the event the answering Respondent ultimately succeeds in the present proceedings and the operative mining season is rapidly expiring.

40. That the answering Respondent has made enormous financial commitments and investments pursuant to the lease granted by the competent authorities and is presently restrained despite holding a valid and subsisting Environmental Clearance granted by SEIAA, Uttar Pradesh after due environmental appraisal, EIA/EMP studies, public hearing and expert scrutiny. The continuation of the interim order, despite the existence of all statutory approvals, causes manifest injustice and grave prejudice to a bona fide lessee acting under authority of law, that the answering Respondent is also suffering substantial loss of expected commercial revenue and profits

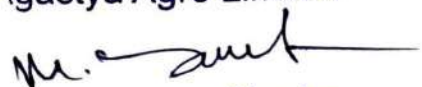
For Agastya Agro Limited


Director

during the limited operational mining season. With the onset of monsoon, mining activities on the Ken River become practically impossible for several months and continuation of the interim order would effectively result in loss of the entire mining season causing irreversible commercial prejudice.

41. That, on the contrary, the Applicant has neither demonstrated any direct nexus with the lease area nor produced any cogent material indicating any specific environmental degradation attributable to the operations of the answering Respondent. The allegations in the Original Application are generalized and speculative in nature and are unsupported by any inspection report, scientific study or environmental assessment establishing actual environmental harm. In these circumstances, no irreparable prejudice would be caused to the Applicant if the interim order is vacated and the answering Respondent is permitted to undertake mining operations strictly in accordance with the conditions of the Environmental Clearance and the Mining Lease Deed and That it is significant that the Applicant has neither alleged nor established about the any excess extraction, mining beyond lease boundaries, breach of Environmental Clearance conditions, illegal transportation,

For Agastya Agro Limited




Director

environmental pollution, river diversion, ecological damage or any violation of replenishment study recommendations by the answering Respondent.

42. That it is further submitted that lawful and regulated mining carried out under statutory supervision and environmental safeguards serves the broader public interest and environmental framework far more effectively than complete suspension of legitimate mining activity, which frequently results in proliferation of unregulated and illegal extraction activities. The vacation of the interim order would therefore restore the lawful position, protect the legitimate rights of a bona fide lessee operating under statutory approvals and ensure continuation of regulated mining activity subject to strict compliance with Environmental Clearance conditions, replenishment study recommendations and statutory safeguards and that continuation of the interim restraint order is not only causing severe prejudice to the answering Respondent but is also adversely affecting public revenue, royalty realization, DMFT contributions and regulated mineral supply under statutory supervision and the experience has repeatedly shown that suspension of regulated mining

For Agastya Agro Limited



Director

operations frequently results in proliferation of unregulated extraction activities beyond effective environmental supervision. At the highest, the issues raised by the Applicant pertain to an alleged procedural chronology in the governmental tender process and not to any demonstrated environmental illegality in the actual mining operations proposed by the answering Respondent


43. That the present Reply Affidavit may also kindly be treated and considered as the reply/objections on behalf of Respondent No. 9 to the interim application and prayer seeking stay/interim restraint against the mining operations of the answering Respondent, and the submissions made hereinabove may be read for the purposes of adjudication of the interim relief as well.

44. In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to dismiss the present Original Application as being devoid of merit and liable to be rejected.

For Agastya Agro Limited


DEPONENT Director



ATTESTED

T. SOMESHWER
ADVOCATE & NOTARY
Appointed by the Govt. of T.S.
GOMs No. 741/B/47, A.S. GADH.
M. MARKET, HYDERABAD - 500 036

VERIFICATION:

Verified at 19th on this Tuesday of May, 2026, that the contents of Reply Affidavit are true and correct to my knowledge and believed to be true and nothing material has been concealed therefrom.

For Agastya Agro Limited

[Signature]
Director
DEPONENT



ATTESTED
[Signature]
T. SOMESHWER
ADVOCATE & NOTARY
Appointed by the Govt. of T.S.
GOMs No. 747/11
16-2-741/8/47, ASMAN GADH.
MALAKPET, HYDERABAD - 500 036



ITEM NO.30

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Nos. 3661-3662/2020

THE STATE OF BIHAR & ORS.

Appellant(s)

VERSUS

PAWAN KUMAR & ORS.

Respondent(s)

(IA No. 1753/2022 - APPLICATION FOR PERMISSION
 IA No. 167322/2021 - APPLICATION FOR PERMISSION
 IA No. 152114/2021 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 47509/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 68075/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 46824/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 63521/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 43428/2022 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 159424/2021 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 156591/2021 - CLARIFICATION/DIRECTION
 IA No. 155246/2021 - CLARIFICATION/DIRECTION
 IA No. 154733/2021 - CLARIFICATION/DIRECTION
 IA No. 47768/2022 - CLARIFICATION/DIRECTION
 IA No. 163455/2021 - DISCHARGE OF ADVOCATE ON RECORD
 IA No. 160960/2021 - EARLY HEARING APPLICATION
 IA No. 115437/2020 - EX-PARTE AD-INTERIM RELIEF
 IA No. 163457/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 115442/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT

IA No. 156592/2021 - EXEMPTION FROM FILING O.T.
 IA No. 46828/2022 - EXEMPTION FROM FILING O.T.
 IA No. 115441/2020 - EXEMPTION FROM FILING O.T.
 IA No. 155249/2021 - EXEMPTION FROM FILING O.T.
 IA No. 17968/2021 - EXEMPTION FROM FILING O.T.
 IA No. 47771/2022 - EXEMPTION FROM FILING O.T.
 IA No. 43430/2022 - EXEMPTION FROM FILING O.T.
 IA No. 152115/2021 - EXEMPTION FROM FILING O.T.
 IA No. 3909/2022 - EXEMPTION FROM FILING O.T.
 IA No. 47510/2022 - EXEMPTION FROM FILING O.T.
 IA No. 130609/2020 - INTERVENTION APPLICATION
 IA No. 17966/2021 - INTERVENTION APPLICATION
 IA No. 14978/2021 - INTERVENTION APPLICATION
 IA No. 152111/2021 - INTERVENTION/IMPLEADMENT
 IA No. 3906/2022 - INTERVENTION/IMPLEADMENT
 IA No. 47506/2022 - INTERVENTION/IMPLEADMENT
 IA No. 156589/2021 - INTERVENTION/IMPLEADMENT
 IA No. 68074/2022 - INTERVENTION/IMPLEADMENT
 IA No. 26899/2021 - INTERVENTION/IMPLEADMENT

Validity: Not known
 Digitally signed by Rajni Malik
 Date: 2022.06.01
 17:51:07 IST
 Reason:

IA No. 46823/2022 - INTERVENTION/IMPLEADMENT
 IA No. 154731/2021 - INTERVENTION/IMPLEADMENT
 IA No. 47760/2022 - INTERVENTION/IMPLEADMENT
 IA No. 11770/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 31813/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 115436/2020 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 17469/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 3908/2022 - STAY APPLICATION)

Date : 30-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
 HON'BLE MS. JUSTICE HIMA KOHLI

For Parties

Mr. Atmaram N.S. Nadkarni, ASG
 Mr. Rishi K. Awasthi, Adv.
 Mr. Azmat Hayat Amanullah, AOR
 Mr. Piyush Vatsa, Adv.
 Mr. Prashant Kumar, Adv.
 Mr. Tirupati Gaurav S., Adv.

Mr. Rajiv Shankar Dvivedi, AOR

Mr. Vanshdeep Dalmia, AOR
 Suchakshu Jain, Adv.

Ms. Aishwarya Bhati, ASG
 Mr. Rajeev K.Ranjan, Adv
 Ms. Archana Pathak Dave, Adv
 Mr. Bimal Roy Jad, Adv
 Ms. Suhashini Sen, Adv.
 Mr. Gurmeet Singh Makker, AOR

Mr. Arvind Kumar, Adv.
 Mr. Aditya Singh, AOR
 Mr. Shubham Singh, Adv.

Mr. Dharmendra Kumar Sinha, AOR

Ms. Savita Singh, AOR

Mr. Rohit Kumar Singh, AOR

Mr. Rajat Mittal, AOR

Mr. Siddhant Buxy, AOR

Mr. Pinaki Misra, Sr. Adv.
Mr. Pankaj Bhagat, AOR
Mr. Kripa Shankar Prasad, Adv.
Ms. Ritu Rajkumari, Adv.

Mr. Aakash Sirohi, AOR

Mr. Ansar Ahmad Chaudhary, AOR
Mr. Sumit Kumar Sharma, Adv.
Ms. Shehla Chaudhary, Adv.
Md. Anas Chaudhary, Adv.

Ms. Rita Jha, AOR
Ms. Nishtha Kumar, AOR

Mr. Ankit Kumar Lal, AOR

Mr. Anand Varma, AOR

Mr. Santosh Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard Mr. Atmaram N.S. Nadkarni, learned Additional Solicitor General appearing for the appellant(s), Mr. Vanshdeep Dalmia, learned counsel appearing on behalf of respondent(s) and Mr. Pinaki Mishra, learned senior counsel appearing for intervenor.

Taking into consideration the mining issues in the State of Bihar, we had issued certain directions vide order dated 10th November, 2021 setting down time lines as to within how much period the draft DSRs will be prepared by the sub-divisional committees as directed by us. We had also fixed a time line for the SEAC as well as SEIAA within which period they will consider the said DSRs.

The matter again came up before this Bench to consider various interlocutory applications. A detailed order again came to be

passed on 18th January, 2022. Vide another order dated 31st March, 2022, we had extended the interim order for a further period of eight weeks.

Now, it is a common ground that DSRs have been granted final approval by SEAC as well as SEIAA.

Though it is contended by Shri Dalmia and Shri Mishra that the said DSRs are not free from flaws, we do not find necessary to go into the said issues at this stage. The parties are always at liberty to take recourse to such remedies as are available in law.

However, now since the DSRs have been finalised in pursuance to our order dated 10th November, 2021, there should be no impediment for the State of Bihar to proceed further for inviting tenders or auction of sand blocks in accordance with the DSRs which have already been approved.

With these observations, we post the matter for further orders on 11th August, 2022.

(NEETA SAPRA)
COURT MASTER (SH)

(RANJANA SHAILEY)
COURT MASTER (NSH)

ANNEXURE R-2

File No.: 9159-8288

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority (SEIAA),
UTTAR PRADESH)

Dated 08/10/2024



To,

Shri MURALY MALLAMPATI
Agastya Agro Limitid Add- SY no.- 47, Main Road, Muraharipally, Medchal-malkajgiri, Telangana,
MEDCHAL MALKAJGIRI, TELANGANA, 500014
agastyaagroltd01@gmail.com

Subject:

Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding Sand/Morrum Mine" at Gata No.- 333/7, 412, 413 & 414, Khand No.- 04, Village - Maraulikhader, Tehsil & District-Banda, U.P., (Leased Area-23.0 Ha.).

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/UP/MIN/488560/2024 dated 08/08/2024 for grant of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24B0107UP5184016N
(ii) File No.	9159-8288
(iii) Clearance Type	Fresh EC
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals SAND/MORRUM MINE IN VILLAGE – MARAULIKHADER , TEHSIL- BANDA, DISTRICT- BANDA (U.P.) LEASE AREA: 23.0 HECTARES PART OF GATA 333/7, 412, 413, 414 KHAND NO. 04 ON RIVER BED OF KEN RIVER
(vii) Name of Project	
(ix) Location of Project (District, State)	BANDA, UTTAR PRADESH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	No

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A, B and C)/ EIA & EMP Reports were submitted to the SEAC for appraisal under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by SEAC in its meeting held on 20-8-2024. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed from the PARIVESH portal by scanning the QR Code above.
5. Details of the minerals to be mined along with production capacity and the brief on the salient features of the project as submitted by the project proponent in Form 1 (Part A and B) in the reports and as presented during SEAC meeting are annexed to this EC as Annexure (2).
6. The SEAC, in its meeting held on 20-08-2024 based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as given in Annexure (1).
7. The SEIAA in its meeting held on 13-09-2024 has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEIAA hereby accords Environment Clearance for the instant proposal to Shri MURALY MALLAMPATI under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of the Specific conditions as given in Annexure (1)
8. The SEIAA reserves the right to stipulate additional conditions, if found necessary.
9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.
11. General Instructions:
- The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.
 - The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.
 - The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.
 - Action plan for implementing EMP and environmental conditions along with responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Six monthly progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.
 - Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - The project proponent 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 SEIAA reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.
12. This issues with the approval of the Competent Authority.

Annexure 1

Specific EC Conditions for (Mining Of Minerals)



1. Environmental Attributes

S. No	EC Conditions
1.1	<ol style="list-style-type: none"> 1. The environmental clearance will be co-terminus with the validity of the lease period mentioned in the LoI or co-terminus with the validity of current mine plan whichever is earlier, after this period the EC will automatically become null and void. 2. The quantity mentioned in LoI or quantity mentioned in replenishment study, whichever is less, would be maximum quantity which project proponent may extract. It will be ensured by District Administration and Geology and Mining Department. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. 3. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity. 4. No mining activity should be carried out in-stream channel as per SSMMG, 2016. 5. 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. 6. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA. 7. Project Proponent should submit working plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or District plantation committee, for planting at least (as per the project) plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provisions 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. 8. The project proponent shall install solar lights in their project area to minimise the consumption of electricity. 9. 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. 10. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer Expert Agency in this field 11. 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. 12. 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. 13. The project proponent should explore the possibilities of rainwater harvesting in the premises of project area 14. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road. 15. 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. 16. 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. 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. 17. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted. 18. 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. 19. Environment management in according to environmental status and impact of the project.

S. No	EC Conditions
	<p>20. During the school opening and closing time transportation of minerals will be restricted.</p> <p>21. Pakkamotorable haul road to be maintained by the project proponent.</p> <p>22. A separate Environmental Management Cell with suitable qualified personnel shall be setup under the control of a Senior Executive, who will report directly to the Head of the Organization.</p> <p>23. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.</p> <p>24. Provision for two toilets and hand pumps should be made at mining site.</p> <p>25. 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.</p> <p>26. 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.</p> <p>27. 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.</p> <p>28. 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.</p> <p>29. 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.</p> <p>30. 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.</p>
1.2	<p>1. Project Proponent and District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study, a report verified by DM and DGM shall be submitted to SEIAA and suitable amendment if needed, shall be done in EC. If after replenishment study, mineable quantity assessed is more than the quantity mentioned in EC then mining shall be restricted to the one mentioned in EC and if mineable quantity assessed is less than the quantity mentioned in EC then mining will be restricted to quantity assessed in replenishment study till EC is amended. Under no circumstances mining shall be more than the quantity mentioned in EC or more than the quantity assessed as per replenishment study.</p> <p>2. Directions/suggestions given during public hearing and commitment made by the project proponent on these should be strictly complied with.</p> <p>3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhiniyam,2023 and submit before the start of work.</p> <p>4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.</p> <p>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 legally valid water sources and permission from the competent authority shall be obtained to use it.</p> <p>6. Stream will not be diverted to form inactive channel for mining.</p> <p>7. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 23000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area and will make</p>

S. No	EC Conditions
	<p>provision for maintenance for 5 years.</p> <p>8. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LiFE Portal (https://merilife.nic.in) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.</p> <p>9. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.</p> <p>10. The project proponent shall ensure that water bodies do not get polluted due to mining activity.</p> <p>11. Department of Geology and Mines, Government of Uttar Pradesh and/or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.</p> <p>12. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.</p> <p>13. The project proponent shall install rooftop solar plant in one school in the vicinity of project area and construct toilets especially in girls' school as part of CER activity. And since large number of mining projects are ongoing as well as new mining leases are coming up in the district CAAQMS shall be installed where ever needed, in consultation with UPPCB.</p> <p>14. Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.</p> <p>15. 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.</p> <p>16. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC</p> <p>17. Next year the project proponent shall submit online replenishment study report along with 06 monthly compliance report.</p>

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project
1.2	The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
1.3	The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
1.4	The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. TThe implementation report shall be furnished along with the six-monthly

S. No	EC Conditions
	compliance report (in case of the presence of schedule-I species in the study area).
1.5	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
1.6	The project proponent shall obtain the necessary permission from the Central Ground Water Authority
1.7	Solid/hazardous waste generated in the mines needs to be addressed in accordance to the Solid Waste Management Rules, 2016/Hazardous & Other Waste Management Rules, 2016.
1.8	Permission of power supply to be taken from the concerned authority for meeting power demand of the project site.
1.9	The maximum production or peak production at any given time shall not exceed the limit as prescribed in the EC.
1.10	Validity of EC is as per life of the mine mentioned in EC letter or 30 years as per EIA Notification, 2006 and its amendments therein

2. Air Quality Monitoring And Mitigation Measure

S. No	EC Conditions
2.1	Adequate ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for monitoring of pollutants, namely particulates, SO ₂ and NO _x . Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive receptors in consultation with the State Pollution Control Board. Online ambient air quality monitoring station/stations may also be installed in addition to the regular air monitoring stations as per the requirement and/or in consultation with the SPCB
2.2	The Ambient Air Quality monitoring in the core zone shall be carried out to ensure the Coal Industry Standards notified vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board. Data on ambient air quality and heavy metals such as Hg, As, Ni, Cd, Cr and other monitoring data shall be regularly reported to the Ministry/Regional Office and to the CPCB/SPCB.
2.3	Transportation of coal, to the extent if permitted by road, shall be carried out by covered trucks/conveyors. Effective control measures such as regular water sprinkling/rain gun/ Fog cannon /mist sprinkling etc., shall be carried out in critical areas prone to air pollution with higher level of particulate matter all through the coal transport roads, loading/unloading and transfer points. Fugitive dust emissions from all sources shall be controlled regularly. It shall be ensured that the ambient air quality parameters conform to the norms prescribed by the Central/State Pollution Control Board.
2.4	Major approach roads shall be black topped and properly maintained.
2.5	PP to install solar lights along the road used for transportation of coal to avoid the accidents at night

S. No	EC Conditions
	and also seek its maintenance.
2.6	The transportation of coal shall be carried out as per the provisions and route proposed in the approved mining plan. Transportation of the coal through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed that the impact of sound, dust and accidents could be appropriately mitigated.
2.7	Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
2.8	Coal stock pile/crusher/feeder and breaker material transfer points shall invariably be provided with dust suppression system. Belt-conveyors shall be fully covered to avoid air borne dust. Side cladding all along the conveyor gantry should be made to avoid air borne dust. Drills shall be wet operated or fitted with dust extractors.
2.9	Coal handling plant shall be operated with effective control measures w.r.t. various environmental parameters. Environmental friendly sustainable technology should be implemented for mitigating such parameters.
2.10	Adequate number of Fog canon (mist sprayer) shall be installed to reduce the impact of air pollution at dust generating sources with time bound action plan.
2.11	PP should Install Wind breaker/shield arrangement along the railway siding for reducing the dust propagation in upwind direction.
2.12	Post environmental closure third party monitoring by reputed instituted in air quality, water, land & soil etc shall be carried out and analysed with EMP measures at regular interval. A suitable recommendation in this regard, shall be furnished to IRO, MoEF&CC for compliance. The data used for analysis shall be obtained from continuous AQMS, site specific water regime. Also third party shall analyses the implementation of river diversion, meeting to the requirement of project report.

3. Water Quality Monitoring And Mitigation Measures

S. No	EC Conditions
3.1	The effluent discharge (mine waste water, workshop effluent) shall be monitored in terms of the parameters notified under the Water Act, 1974 Coal Industry Standards vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board.
3.2	The monitoring data shall be uploaded on the company's website and displayed at the project site at a suitable location. The circular No.J-20012/1/2006-IA.11 (M) dated 27th May, 2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.
3.3	Regular monitoring of ground water level and quality shall be carried out in and around the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operations. The monitoring of ground water levels shall be carried out four times a year i.e.

S. No	EC Conditions
	pre-monsoon, monsoon, post-monsoon and winter. The ground water quality shall be monitored once a year, and the data thus collected shall be sent regularly to MOEFCC/RO.
3.4	Monitoring of water quality upstream and downstream of river including ponds, lakes, tanks shall be carried out once in six months and record of monitoring data shall be maintained and submitted to the Ministry of Environment, Forest and Climate Change/Regional Office.
3.5	Ground water, excluding mine water, shall not be used for mining operations. Rainwater harvesting shall be implemented for conservation and augmentation of ground water resources.
3.6	The project proponent shall not alter major water channels around the site. Appropriate embankment shall be provided along the side of the river/nallah flowing near or adjacent to the mine. The embankment constructed along the river/nallah boundary shall be of suitable dimensions and critical patches shall be strengthened by stone pitching on the river front side, stabilized with plantation so as to withstand the peak water pressure preventing any chance of mine inundation.
3.7	Garland drains (of suitable size, gradient and length) around the critical areas i.e. mine shaft and low lying areas, shall be designed keeping at least 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine sites. The sump capacity shall also provide adequate retention period to allow proper settling of silt material of the surface runoff
3.8	The water pumped out from the mine, after siltation, shall be utilized for industrial purpose viz. watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly
3.9	Industrial waste water from coal handling plant and mine water shall be properly collected and treated so as to conform to the standards prescribed under the Environment (Protection) Act, 1986 and the Rules made thereunder, and as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluent. Sewage treatment plant of adequate capacity shall be installed for treatment of domestic waste water.
3.10	Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) in case the village wells go dry due to dewatering of mine.
3.11	The surface drainage plan including surface water conservation plan for the area of influence affected by the said mining operations shall be prepared, considering the presence of any river/rivulet/pond/lake etc., with impact of mining activities on it, and implemented by the project proponent. The surface drainage plan and/or any diversion of natural water courses shall be as per the provisions of the approved Mining Plan/ EIA-EMP submitted to this Ministry and the same should be done with due approval of the concerned State/GoI Authority. The construction of embankment to prevent any danger against inrush of surface water into the mine should be as per the approved mining plan and as per the permission of DGMS.
3.12	The project proponent shall take all precautionary measures to ensure reverian/ riparian ecosystem in and around the coal mine upto a distance of 5 km. A revarian /riparian ecosystem conservation and management plan should be prepared and implemented in consultation with the irrigation / water resource department in the state government.

S. No	EC Conditions
3.13	Domestic water shall be providing to the residents/villages which are coming under the zone of influence of the project due to ground water extraction by installing a RO plant with proper supply line and Taps within 2 years
3.14	No obsolete technologies for sewage treatment shall be implemented. Construction of Sewage Treatment Plant with latest technology should be completed within 2 years and treated water shall be reused for plantation. CTE and CTO of STP shall be obtained as per the norms.

4. Noise And Vibration Monitoring And Prevention

S. No	EC Conditions
4.1	Adequate measures shall be taken for control of noise levels as per Noise Pollution Rules, 2016 in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with personal protective equipments (PPE) like ear plugs/muffs in conformity with the prescribed norms and guidelines in this regard. Adequate awareness programme for users to be conducted. Progress in usage of such accessories to be monitored.
4.2	The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

5. Mining Plan

S. No	EC Conditions
5.1	5- Star Rating is mandatory to obtaine certification as per guidelines of Mininstry of Coal
5.2	Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
5.3	No change in mining method i.e. UG to OC, calendar programme and scope of work shall be made without obtaining prior approval of the Ministry of Environment, Forests and Climate Change (MoEFCC).
5.4	Mining shall be carried out as per the approved mining plan (including Mine Closure Plan) abiding by mining laws related to coal mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
5.5	Underground work place environmental conditions shall be rendered ergonomic and air breathable with adequate illumination in conformance with DGMS standards.
5.6	No mining shall be carried out in forest land without obtaining Forestry Clearance as per Forest (Conservation) Act, 1980 and also adhering to The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 read with provisions of Indian Forest Act, 1927.
5.7	Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.

S. No	EC Conditions
5.8	Transportation by Railway Siding shall be developed to avoid transportation by Road

6. Land Recalvation

S. No	EC Conditions
6.1	Digital Survey of entire lease hold area/core zone using Satellite Remote Sensing survey shall be carried out at least once in three years for monitoring land use pattern and report in 1:50,000 scale or as notified by Ministry of Environment, Forest and Climate Change(MOEFCC) from time to time shall be submitted to MOEFCC/Regional Office (RO).
6.2	Post-mining land be rendered usable for agricultural/forestry purposes and shall be handed over to the respective State Government, as specified in the Guidelines for Preparation of Mine Closure Plan, issued by the Ministry of Coal dated 27th August, 2009 and subsequent amendments.
6.3	Regular monitoring of subsidence movement on the surface over and around the working areas and its impact on natural drainage pattern, water bodies, vegetation, structure, roads and surroundings shall be continued till movement ceases completely. In case of observation of any high rate of subsidence beyond the limit prescribed, appropriate effective mitigation measures shall be taken to avoid loss of life and materials. Cracks should be effectively plugged in with ballast and clay soil/suitable material.
6.4	Fly ash shall be used for external dump of overburden, backfilling or stowing of mine as per provisions contained in clause (i) and (ii) of subparagraph (8) of fly ash notification issued vide SO 2804 (E) dated 3rd November, 2009 as amended from time to time. Efforts shall be made to utilize gypsum generated from Flue Gas Desulfurization (FGD), if any, along with fly ash for external dump of overburden, backfilling of mines. Compliance report shall be submitted to Regional Office of MoEF&CC, CPCB and SPCB.
6.5	A separate team for subsidence monitoring and surface mitigation measures shall be constituted and continuous monitoring & implementation of mitigation measures be carried out.
6.6	Thorough inspection of the mine lease area for any cracks developed at the surface due to mining activities below ground shall be carried out to prevent inrush of water in the mine.
6.7	Native tree species shall be selected and planted over areas affected by subsidence.
6.8	The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.

7. Public Hearing And Human Health Issues

S. No	EC Conditions
7.1	Adequate illumination shall be ensured in all mine locations (as per DGMS standards) and monitored.

S. No	EC Conditions
7.2	The project proponent shall undertake occupational health survey for initial and periodical medical examination of the personnel engaged in the project and maintain records accordingly as per the provisions of the Mines Rules, 1955 and DGMS circulars. Besides regular periodic health check-up, 20% of the personnel identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, as amended time to time.
7.3	Personnel (including outsourced employees) working in core zone shall wear protective respiratory devices and shall also be provided with adequate training and information on safety and health aspects.
7.4	Skill training as per safety norms specified by DGMS shall be provided to all workmen including the outsourcing employees to ensure high safety standards in mines.
7.5	Effective arrangement shall be made to provide and maintain at suitable points conveniently situated, a sufficient supply of drinking water for all the persons employed.
7.6	Implementation of the time bound action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the time bound action plan submitted with budgetary provisions during the public hearing. Land oustees shall be compensated as per the norms laid down in the R&R policy of the company/State Government/Central Government, as applicable.
7.7	The project proponent shall follow the mitigation measures provided in this Ministry's OM No.Z-11013/5712014-IA.II (M) dated 29th October, 2014, titled 'Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area'.
7.8	PP to conduct need based assessment survey of the area to for in order to decide the activities to be carried under the CSR and to provide detail of the activity carried out with adequate budgetary provision and time bound action plan.
7.9	PP should conduct epidemiology study to (analysis of the distribution, patterns and determinants of health and disease conditions in defined populations).
7.10	Permanent Health care facilities of Hospital should be established within 5 km of project boundary for the local people.
7.11	PP must ensure an emergency action plan during pandemic in order to provide assistance to the nearby villages located within the 10 km radius buffer zone (If required)
7.12	PP is asked to also identify the rural areas for installation of solar light with its maintenance within the study area of 10 km radius buffer zone with time bound action plan
7.13	PP to take measure for installation of Renewable Energy sources in nearby area falling within 10 km radius

8. Corporate Environment Responsibility

S. No	EC Conditions
8.1	The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions. The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and/or shareholders/stake holders.
8.2	A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
8.3	Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
8.4	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
8.5	PP should establish in house (at project site) environment laboratory for measurement of environment parameter with respect to air quality and water (surface and ground). A dedicated team to oversee environment management shall be setup which should comprise of Environment Engineers, Laboratory chemist and staff for monitoring of air, water quality parameters on routine basis. Any non-compliance or infringement should be reported to the concerned authority

9. Miscellaneous

S. No	EC Conditions
9.1	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
9.2	The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
9.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
9.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.

S. No	EC Conditions
9.5	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
9.6	The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
9.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
9.8	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
9.9	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
9.10	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
9.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
9.13	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
9.14	The above conditions shall 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, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
9.15	The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during presentation to the EAC. All the commitments made on the issues raised during public hearing shall also be implemented in letter and spirit.
9.16	Compensation of the land acquired for the project shall be settled as per the R&R Policy. Adequate facility of drinking water, plantation and other social amenities should be provided to established R&R villages.
9.17	Persons of nearby villages shall be given training on livelihood and skill development to make them employable with its proper records.
9.18	The illumination and sound at night at project sites disturb the villages in respect of both human and

S. No	EC Conditions
	<p>animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours</p>



A presentation was made by the project proponent along with their consultant M/s Environmental Research and Analysis, Lucknow (U.P) to SEAC on 20-08-2024.

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 “Sand/Morrum Mine” at Gata No.- 333/7, 412, 413 & 414, Khand No.-04, Village - Maraulikhader, Tehsil & District-Banda, U.P., (Leased Area-23.0 Ha.).
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 321/Parya/SEIAA/8288/2023, dated 23/11/2023.
3. The Public Hearing was organized on 26/06/2024. Final EIA report submitted by the project proponent on 08/08/2024.
4. Salient features of the project as submitted by the project proponent:

On-line proposal No.	SIA/UP/MIN/488560/2024		
File No. allotted by SEIAA, U. P	9159/8288		
Name of Proponent	M/s Agastya Agro Limited Director Shri Mallampati Muraly C/o Late Shri Mallampati Rangaiah		
Full correspondence address of proponent	R/o – Plot no. 40, Green Park Avenue, Beside Chennai Shopping Mall, Suchitra Jeedimetla, Medchal-malkajgiri Telangana		
Name of Project	Sand/ Morrum Mining Project		
Project location (Plot/Khasra/Gata No.)	Part of Gata 333/7, 412,413 & 414 Khand No.04		
Name of Village	Marauli khader		
Tehsil	Banda		
District	Banda		
Name of Minor Mineral	Sand/ Morrum Mining Project		
Sanctioned Lease Area (in Ha.)	23.0 Ha.		
Max. & Min mrl within lease area	Maximum & Minimum mRL 125 mRL & 116 mRL respectively		
Pillar Coordinates (Verified by DMO)	Pillar	Latitude(N)	Longitude(E)
	A	25°33'54.57" N	80°17'50.00" E
	B	25°33'59.57" N	80°17'53.65" E
	C	25°33'50.17" N	80°18'18.28" E
	D	25°33'46.70" N	80°18'15.88" E
	E	25°33'41.09" N	80°18'21.63" E
	F	25°33'38.43" N	80°18'18.18" E
	G	25°33'37.65" N	80°18'19.17" E
	H	25°33'36.67" N	80°18'17.43" E
I	25°33'41.12" N	80°18'11.56" E	
Total Geological Reserves	7,45,088 m ³		
Total Mineable Reserves	4,47,053 m ³		
Total Proposed Production (in five year)	13,09,860 m ³ for 5 Years		
Proposed Production/year	2,61,972 m ³ /year		
Sanctioned Period of Mine lease	5 years		
No. Of workers	40 workers		
Type of Land	Government Land		
Ultimate Depth of Mining	2.555 m as per approved mining plan		
Nearest metalled road from site	Bundelkhand Expressway is 2.08 Km away in South direction		
Water Requirement	PURPOSE	REQUIREMENT (KLD)	
	Drinking water	0.50 KLD	
	Dust suppression	0.63 KLD	

	Plantation	0.15 KLD
	Others (if any)	-
	Total	1.28 KLD
Name of QCI Accredited Consultant with QCI No And period of validity.	Environmental Research and Analysis, Lucknow (U.P) Certificate No. NABET/ EIA/ 24-27/RA 0341 Valid up to 21 January, 2027	
Any litigation pending against the project or land in any court	No	
Details of 500 m Cluster certificate verified by Mining Officer	Letter No. 2392/Khanij-30- Banda Issued on 31/07/2023	
Details of Lease Area in approved DSR	Letter No. 414/Parya/Samanya/2023 dated 07/08/2024 Details of lease given on S.No. 33, Page No. 479.	
Proposed EMP cost	Rs. 6,78,700/-	
Length and breadth of Haul Road	70 m length and 6 m width	
No. of Trees to be Planted	115	
Monitoring Period	01/10/2023 to 31/12/2023 (Post Monsoon Season)	

5. Action Plan as per Ministry's O.M. dated 30/09/2020:

Sr. No.	Particulars	Estimated Cost	Numbers/ Quantity	Total Cost
1	Installation of one hand pump in primary school of village Maraulikhadar , Banda, U.P.	Rs 50,000/- @1	1	Rs 50,000/-
2	Installation of Solar light on village haul road connecting to the village Maraulikhadar, Banda, U.P.	Rs. 25,000 per Solar light	Rs. 25,000×3 Solar light	Rs 75,000/-
3	Health Check-up camps for the workers of village Marauli khadar, Banda, U.P.	Six monthly		Rs 50,000/-
4	Haul Road Maintenance			Rs 50,000/-
Total				Rs 2,00,000/-

- 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.
- This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
- 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.
- There is no litigation pending in any court regarding this project.
- The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

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

- Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)
- 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)
- 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)
- District Magistrate, Banda.
- Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.in)
- Copy for Guard File.

Validity unknown

(Ajay Kumar Shrivastava)
Digitally Signed by :
Member Secretary

Secretary UP

Date: 08/10/2024



सत्यमेव जयते

File No.: 9159-8288

Government of India

Ministry of Environment, Forest and Climate Change

(Issued by the State Environment Impact Assessment Authority (SEIAA),
UTTAR PRADESH)

Dated 08/10/2024



To,

Shri MURALY MALLAMPATI

Agastya Agro Limitid Add- SY no.- 47, Main Road, Muraharipally, Medchal-malkajgiri, Telangana,
MEDCHAL MALKAJGIRI, TELANGANA, 500014
agastyaagroltd01@gmail.com**Subject:**

Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding Sand/Morrum Mine" at Gata No.- 333/7, 412, 413 & 414, Khand No.- 04, Village - Maraulikhader, Tehsil & District-Banda, U.P., (Leased Area-23.0 Ha.).

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/UP/MIN/488560/2024 dated 08/08/2024 for grant of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24B0107UP5184016N
(ii) File No.	9159-8288
(iii) Clearance Type	Fresh EC
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals SAND/MORRUM MINE IN VILLAGE - MARAULIKHADER , TEHSIL- BANDA, DISTRICT- BANDA (U.P.) LEASE AREA: 23.0 HECTARES PART OF GATA 333/7, 412, 413, 414 KHAND NO. 04 ON RIVER BED OF KEN RIVER
(vii) Name of Project	
(ix) Location of Project (District, State)	BANDA, UTTAR PRADESH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	No

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A, B and C)/ EIA & EMP Reports were submitted to the SEAC for appraisal under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by SEAC in its meeting held on 20-8-2024. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed from the PARIVESH portal by scanning the QR Code above.
5. Details of the minerals to be mined along with production capacity and the brief on the salient features of the project as submitted by the project proponent in Form 1 (Part A and B) in the reports and as presented during SEAC meeting are annexed to this EC as Annexure (2).
6. The SEAC, in its meeting held on 20-08-2024 based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as given in Annexure (1).
7. The SEIAA in its meeting held on 13-09-2024 has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEIAA hereby accords Environment Clearance for the instant proposal to Shri MURALY MALLAMPATI under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of the Specific conditions as given in Annexure (1)
8. The SEIAA reserves the right to stipulate additional conditions, if found necessary.
9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.
11. General Instructions:
- The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.
 - The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.
 - The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.
 - Action plan for implementing EMP and environmental conditions along with responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Six monthly progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.
 - Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - The project proponent 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 SEIAA reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.
12. This issues with the approval of the Competent Authority.

Annexure 1

Specific EC Conditions for (Mining Of Minerals)

1. Environmental Attributes

S. No	EC Conditions
1.1	<ol style="list-style-type: none"> 1. The environmental clearance will be co-terminus with the validity of the lease period mentioned in the LoI or co-terminus with the validity of current mine plan whichever is earlier, after this period the EC will automatically become null and void. 2. The quantity mentioned in LoI or quantity mentioned in replenishment study, whichever is less, would be maximum quantity which project proponent may extract. It will be ensured by District Administration and Geology and Mining Department. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. 3. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity. 4. No mining activity should be carried out in-stream channel as per SSMMG, 2016. 5. 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. 6. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA. 7. Project Proponent should submit working plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or District plantation committee, for planting at least (as per the project) plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provisions 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. 8. The project proponent shall install solar lights in their project area to minimise the consumption of electricity. 9. 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. 10. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer Expert Agency in this field 11. 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. 12. 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. 13. The project proponent should explore the possibilities of rainwater harvesting in the premises of project area 14. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road. 15. 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. 16. 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. 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. 17. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted. 18. 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. 19. Environment management in according to environmental status and impact of the project.

S. No	EC Conditions
	<p>20. During the school opening and closing time transportation of minerals will be restricted.</p> <p>21. Pakkamotorable haul road to be maintained by the project proponent.</p> <p>22. A separate Environmental Management Cell with suitable qualified personnel shall be setup under the control of a Senior Executive, who will report directly to the Head of the Organization.</p> <p>23. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.</p> <p>24. Provision for two toilets and hand pumps should be made at mining site.</p> <p>25. 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.</p> <p>26. 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.</p> <p>27. 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.</p> <p>28. 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.</p> <p>29. 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.</p> <p>30. 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.</p>
1.2	<p>1. Project Proponent and District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study, a report verified by DM and DGM shall be submitted to SEIAA and suitable amendment if needed, shall be done in EC. If after replenishment study, mineable quantity assessed is more than the quantity mentioned in EC then mining shall be restricted to the one mentioned in EC and if mineable quantity assessed is less than the quantity mentioned in EC then mining will be restricted to quantity assessed in replenishment study till EC is amended. Under no circumstances mining shall be more than the quantity mentioned in EC or more than the quantity assessed as per replenishment study.</p> <p>2. Directions/suggestions given during public hearing and commitment made by the project proponent on these should be strictly complied with.</p> <p>3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam,2023 and submit before the start of work.</p> <p>4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.</p> <p>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 legally valid water sources and permission from the competent authority shall be obtained to use it.</p> <p>6. Stream will not be diverted to form inactive channel for mining.</p> <p>7. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 23000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area and will make</p>

S. No	EC Conditions
	<p>provision for maintenance for 5 years.</p> <p>8. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the Meri LiFE Portal (https://merilife.nic.in) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024.</p> <p>9. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.</p> <p>10. The project proponent shall ensure that water bodies do not get polluted due to mining activity.</p> <p>11. Department of Geology and Mines, Government of Uttar Pradesh and/or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.</p> <p>12. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.</p> <p>13. The project proponent shall install rooftop solar plant in one school in the vicinity of project area and construct toilets especially in girls' school as part of CER activity. And since large number of mining projects are ongoing as well as new mining leases are coming up in the district CAAQMS shall be installed where ever needed, in consultation with UPPCB.</p> <p>14. Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.</p> <p>15. 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.</p> <p>16. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC</p> <p>17. Next year the project proponent shall submit online replenishment study report along with 06 monthly compliance report.</p>

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project
1.2	The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
1.3	The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
1.4	The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. TThe implementation report shall be furnished along with the six-monthly

S. No	EC Conditions
	compliance report (in case of the presence of schedule-I species in the study area).
1.5	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
1.6	The project proponent shall obtain the necessary permission from the Central Ground Water Authority
1.7	Solid/hazardous waste generated in the mines needs to be addressed in accordance to the Solid Waste Management Rules, 2016/Hazardous & Other Waste Management Rules, 2016.
1.8	Permission of power supply to be taken from the concerned authority for meeting power demand of the project site.
1.9	The maximum production or peak production at any given time shall not exceed the limit as prescribed in the EC.
1.10	Validity of EC is as per life of the mine mentioned in EC letter or 30 years as per EIA Notification, 2006 and its amendments therein

2. Air Quality Monitoring And Mitigation Measure

S. No	EC Conditions
2.1	Adequate ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for monitoring of pollutants, namely particulates, SO ₂ and NO _x . Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive receptors in consultation with the State Pollution Control Board. Online ambient air quality monitoring station/stations may also be installed in addition to the regular air monitoring stations as per the requirement and/or in consultation with the SPCB
2.2	The Ambient Air Quality monitoring in the core zone shall be carried out to ensure the Coal Industry Standards notified vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board. Data on ambient air quality and heavy metals such as Hg, As, Ni, Cd, Cr and other monitoring data shall be regularly reported to the Ministry/Regional Office and to the CPCB/SPCB.
2.3	Transportation of coal, to the extent if permitted by road, shall be carried out by covered trucks/conveyors. Effective control measures such as regular water sprinkling/rain gun/ Fog cannon /mist sprinkling etc., shall be carried out in critical areas prone to air pollution with higher level of particulate matter all through the coal transport roads, loading/unloading and transfer points. Fugitive dust emissions from all sources shall be controlled regularly. It shall be ensured that the ambient air quality parameters conform to the norms prescribed by the Central/State Pollution Control Board.
2.4	Major approach roads shall be black topped and properly maintained.
2.5	PP to install solar lights along the road used for transportation of coal to avoid the accidents at night

S. No	EC Conditions
	and also seek its maintenance.
2.6	The transportation of coal shall be carried out as per the provisions and route proposed in the approved mining plan. Transportation of the coal through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed that the impact of sound, dust and accidents could be appropriately mitigated.
2.7	Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
2.8	Coal stock pile/crusher/feeder and breaker material transfer points shall invariably be provided with dust suppression system. Belt-conveyors shall be fully covered to avoid air borne dust. Side cladding all along the conveyor gantry should be made to avoid air borne dust. Drills shall be wet operated or fitted with dust extractors.
2.9	Coal handling plant shall be operated with effective control measures w.r.t. various environmental parameters. Environmental friendly sustainable technology should be implemented for mitigating such parameters.
2.10	Adequate number of Fog canon (mist sprayer) shall be installed to reduce the impact of air pollution at dust generating sources with time bound action plan.
2.11	PP should Install Wind breaker/shield arrangement along the railway siding for reducing the dust propagation in upwind direction.
2.12	Post environmental closure third party monitoring by reputed instituted in air quality, water, land & soil etc shall be carried out and analysed with EMP measures at regular interval. A suitable recommendation in this regard, shall be furnished to IRO, MoEF&CC for compliance. The data used for analysis shall be obtained from continuos AQMS, site specific water regime. Also third party shall analyses the implementation of river diversion, meeting to the requirement of project report.

3. Water Quality Monitoring And Mitigation Measures

S. No	EC Conditions
3.1	The effluent discharge (mine waste water, workshop effluent) shall be monitored in terms of the parameters notified under the Water Act, 1974 Coal Industry Standards vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board.
3.2	The monitoring data shall be uploaded on the company's website and displayed at the project site at a suitable location. The circular No.J-20012/1/2006-1A.11 (M) dated 27th May, 2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.
3.3	Regular monitoring of ground water level and quality shall be carried out in and around the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operations. The monitoring of ground water levels shall be carried out four times a year i.e.

S. No	EC Conditions
	pre-monsoon, monsoon, post-monsoon and winter. The ground water quality shall be monitored once a year, and the data thus collected shall be sent regularly to MOEFCC/RO.
3.4	Monitoring of water quality upstream and downstream of river including ponds, lakes, tanks shall be carried out once in six months and record of monitoring data shall be maintained and submitted to the Ministry of Environment, Forest and Climate Change/Regional Office.
3.5	Ground water, excluding mine water, shall not be used for mining operations. Rainwater harvesting shall be implemented for conservation and augmentation of ground water resources.
3.6	The project proponent shall not alter major water channels around the site. Appropriate embankment shall be provided along the side of the river/nallah flowing near or adjacent to the mine. The embankment constructed along the river/nallah boundary shall be of suitable dimensions and critical patches shall be strengthened by stone pitching on the river front side, stabilized with plantation so as to withstand the peak water pressure preventing any chance of mine inundation.
3.7	Garland drains (of suitable size, gradient and length) around the critical areas i.e. mine shaft and low lying areas, shall be designed keeping at least 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine sites. The sump capacity shall also provide adequate retention period to allow proper settling of silt material of the surface runoff
3.8	The water pumped out from the mine, after siltation, shall be utilized for industrial purpose viz. watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly
3.9	Industrial waste water from coal handling plant and mine water shall be properly collected and treated so as to conform to the standards prescribed under the Environment (Protection) Act, 1986 and the Rules made thereunder, and as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluent. Sewage treatment plant of adequate capacity shall be installed for treatment of domestic waste water.
3.10	Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) in case the village wells go dry due to dewatering of mine.
3.11	The surface drainage plan including surface water conservation plan for the area of influence affected by the said mining operations shall be prepared, considering the presence of any river/rivulet/pond/lake etc., with impact of mining activities on it, and implemented by the project proponent. The surface drainage plan and/or any diversion of natural water courses shall be as per the provisions of the approved Mining Plan/ EIA-EMP submitted to this Ministry and the same should be done with due approval of the concerned State/GoI Authority. The construction of embankment to prevent any danger against inrush of surface water into the mine should be as per the approved mining plan and as per the permission of DGMS.
3.12	The project proponent shall take all precautionary measures to ensure reverian/ riparian ecosystem in and around the coal mine upto a distance of 5 km. A reverian /riparian ecosystem conservation and management plan should be prepared and implemented in consultation with the irrigation / water resource department in the state government.

S. No	EC Conditions
3.13	Domestic water shall be providing to the residents/villages which are coming under the zone of influence of the project due to ground water extraction by installing a RO plant with proper supply line and Taps within 2 years
3.14	No obsolete technologies for sewage treatment shall be implemented. Construction of Sewage Treatment Plant with latest technology should be completed within 2 years and treated water shall be reused for plantation. CTE and CTO of STP shall be obtained as per the norms.

4. Noise And Vibration Monitoring And Prevention

S. No	EC Conditions
4.1	Adequate measures shall be taken for control of noise levels as per Noise Pollution Rules, 2016 in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with personal protective equipments (PPE) like ear plugs/muffs in conformity with the prescribed norms and guidelines in this regard. Adequate awareness programme for users to be conducted. Progress in usage of such accessories to be monitored.
4.2	The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

5. Mining Plan

S. No	EC Conditions
5.1	5- Star Rating is mandatory to obtaine certification as per guidelines of Mininstry of Coal
5.2	Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
5.3	No change in mining method i.e. UG to OC, calendar programme and scope of work shall be made without obtaining prior approval of the Ministry of Environment, Forests and Climate Change (MoEFCC).
5.4	Mining shall be carried out as per the approved mining plan (including Mine Closure Plan) abiding by mining laws related to coal mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
5.5	Underground work place environmental conditions shall be rendered ergonomic and air breathable with adequate illumination in conformance with DGMS standards.
5.6	No mining shall be carried out in forest land without obtaining Forestry Clearance as per Forest (Conservation) Act, 1980 and also adhering to The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 read with provisions of Indian Forest Act, 1927.
5.7	Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.

S. No	EC Conditions
5.8	Transportation by Railway Siding shall be developed to avoid transportation by Road

6. Land Recalvation

S. No	EC Conditions
6.1	Digital Survey of entire lease hold area/core zone using Satellite Remote Sensing survey shall be carried out at least once in three years for monitoring land use pattern and report in 1:50,000 scale or as notified by Ministry of Environment, Forest and Climate Change(MOEFCC) from time to time shall be submitted to MOEFCC/Regional Office (RO).
6.2	Post-mining land be rendered usable for agricultural/forestry purposes and shall be handed over to the respective State Government, as specified in the Guidelines for Preparation of Mine Closure Plan, issued by the Ministry of Coal dated 27th August, 2009 and subsequent amendments.
6.3	Regular monitoring of subsidence movement on the surface over and around the working areas and its impact on natural drainage pattern, water bodies, vegetation, structure, roads and surroundings shall be continued till movement ceases completely. In case of observation of any high rate of subsidence beyond the limit prescribed, appropriate effective mitigation measures shall be taken to avoid loss of life and materials. Cracks should be effectively plugged in with ballast and clay soil/suitable material.
6.4	Fly ash shall be used for external dump of overburden, backfilling or stowing of mine as per provisions contained in clause (i) and (ii) of subparagraph (8) of fly ash notification issued vide SO 2804 (E) dated 3rd November, 2009 as amended from time to time. Efforts shall be made to utilize gypsum generated from Flue Gas Desulfurization (FGD), if any, along with fly ash for external dump of overburden, backfilling of mines. Compliance report shall be submitted to Regional Office of MoEF&CC, CPCB and SPCB.
6.5	A separate team for subsidence monitoring and surface mitigation measures shall be constituted and continuous monitoring & implementation of mitigation measures be carried out.
6.6	Thorough inspection of the mine lease area for any cracks developed at the surface due to mining activities below ground shall be carried out to prevent inrush of water in the mine.
6.7	Native tree species shall be selected and planted over areas affected by subsidence.
6.8	The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.

7. Public Hearing And Human Health Issues

S. No	EC Conditions
7.1	Adequate illumination shall be ensured in all mine locations (as per DGMS standards) and monitored.

S. No	EC Conditions
7.2	The project proponent shall undertake occupational health survey for initial and periodical medical examination of the personnel engaged in the project and maintain records accordingly as per the provisions of the Mines Rules, 1955 and DGMS circulars. Besides regular periodic health check-up, 20% of the personnel identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, as amended time to time.
7.3	Personnel (including outsourced employees) working in core zone shall wear protective respiratory devices and shall also be provided with adequate training and information on safety and health aspects.
7.4	Skill training as per safety norms specified by DGMS shall be provided to all workmen including the outsourcing employees to ensure high safety standards in mines.
7.5	Effective arrangement shall be made to provide and maintain at suitable points conveniently situated, a sufficient supply of drinking water for all the persons employed.
7.6	Implementation of the time bound action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the time bound action plan submitted with budgetary provisions during the public hearing. Land oustees shall be compensated as per the norms laid down in the R&R policy of the company/State Government/Central Government, as applicable.
7.7	The project proponent shall follow the mitigation measures provided in this Ministry's OM No.Z-11013/5712014-IA.II (M) dated 29th October, 2014, titled 'Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area'.
7.8	PP to conduct need based assessment survey of the area to for in order to decide the activities to be carried under the CSR and to provide detail of the activity carried out with adequate budgetary provision and time bound action plan.
7.9	PP should conduct epidemiology study to (analysis of the distribution, patterns and determinants of health and disease conditions in defined populations).
7.10	Permanent Health care facilities of Hospital should be established within 5 km of project boundary for the local people.
7.11	PP must ensure an emergency action plan during pandemic in order to provide assistance to the nearby villages located within the 10 km radius buffer zone (If required)
7.12	PP is asked to also identify the rural areas for installation of solar light with its maintenance within the study area of 10 km radius buffer zone with time bound action plan
7.13	PP to take measure for installation of Renewable Energy sources in nearby area falling within 10 km radius

8. Corporate Environment Responsibility

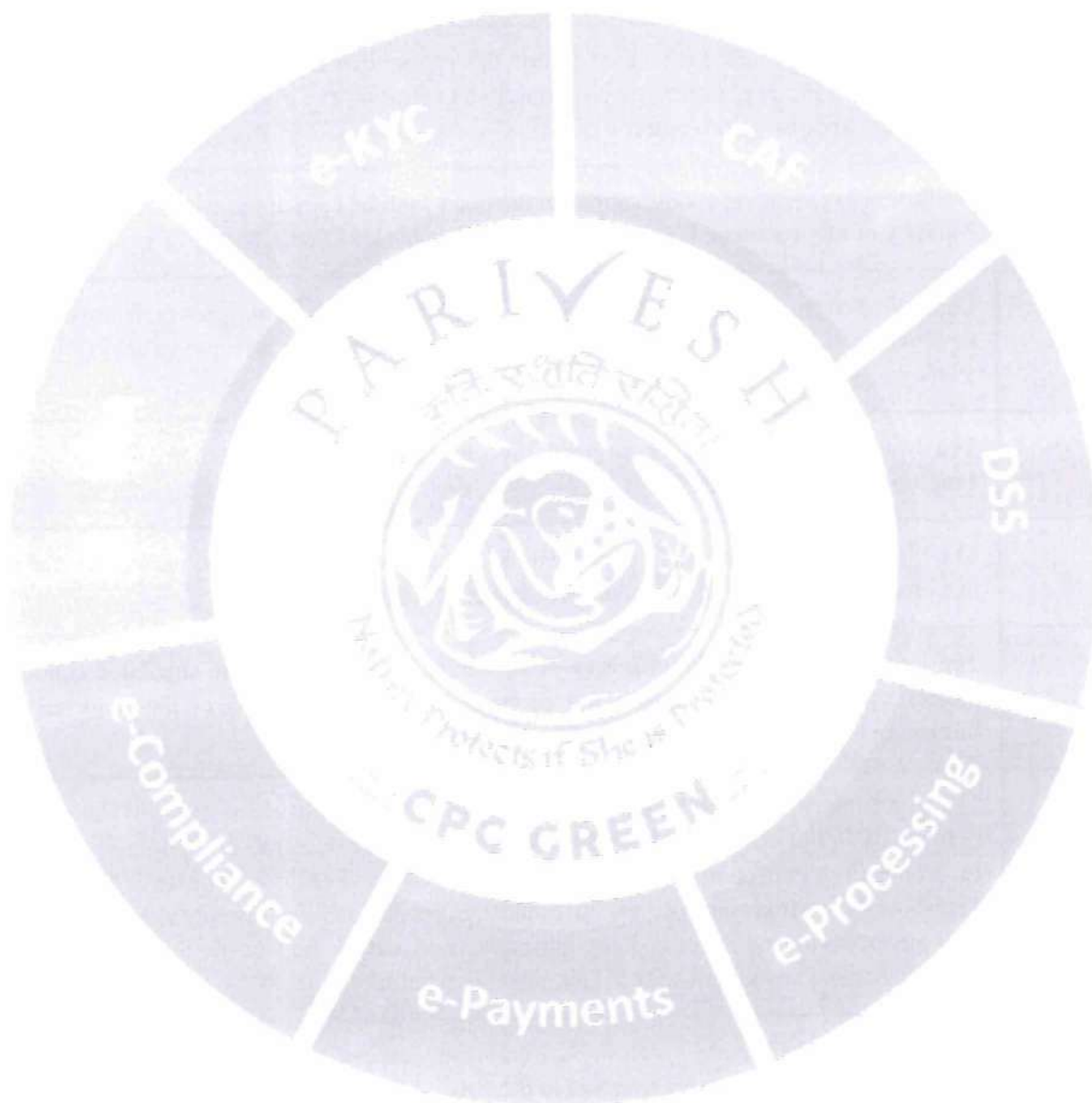
S. No	EC Conditions
8.1	The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions. The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and/or shareholders/stake holders.
8.2	A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
8.3	Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
8.4	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
8.5	PP should establish in house (at project site) environment laboratory for measurement of environment parameter with respect to air quality and water (surface and ground. A dedicated team to oversee environment management shall be setup which should comprise of Environment Engineers, Laboratory chemist and staff for monitoring of air, water quality parameters on routine basis. Any non-compliance or infringement should be reported to the concerned authority

9. Miscellaneous

S. No	EC Conditions
9.1	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
9.2	The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
9.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
9.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.

S. No	EC Conditions
9.5	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
9.6	The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
9.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
9.8	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
9.9	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
9.10	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
9.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
9.13	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
9.14	The above conditions shall 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, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
9.15	The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during presentation to the EAC. All the commitments made on the issues raised during public hearing shall also be implemented in letter and spirit.
9.16	Compensation of the land acquired for the project shall be settled as per the R&R Policy. Adequate facility of drinking water, plantation and other social amenities should be provided to established R&R villages.
9.17	Persons of nearby villages shall be given training on livelihood and skill development to make them employable with its proper records.
9.18	The illumination and sound at night at project sites disturb the villages in respect of both human and

S. No	EC Conditions
	<p>animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours</p>



A presentation was made by the project proponent along with their consultant M/s Environmental Research and Analysis, Lucknow (U.P) to SEAC on 20-08-2024.

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 "Sand/Morrum Mine" at Gata No.- 333/7, 412, 413 & 414, Khand No.-04, Village - Maraulikhader, Tehsil & District-Banda, U.P., (Leased Area-23.0 Ha.).
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 321/Parya/SEIAA/8288/2023, dated 23/11/2023.
3. The Public Hearing was organized on 26/06/2024. Final EIA report submitted by the project proponent on 08/08/2024.
4. Salient features of the project as submitted by the project proponent:

On-line proposal No.	SIA/UP/MIN/488560/2024		
File No. allotted by SEIAA, U. P	9159/8288		
Name of Proponent	M/s Agastya Agro Limited Director Shri Mallampati Muraly C/o Late Shri Mallampati Rangaiah		
Full correspondence address of proponent	R/o – Plot no. 40, Green Park Avenue, Beside Chennai Shopping Mall, Suchitra Jeedimetla, Medchal-malkajgiri Telangana		
Name of Project	Sand/ Morrum Mining Project		
Project location (Plot/Khasra/Gata No.)	Part of Gata 333/7, 412,413 & 414 Khand No.04		
Name of Village	Marauli khader		
Tehsil	Banda		
District	Banda		
Name of Minor Mineral	Sand/ Morrum Mining Project		
Sanctioned Lease Area (in Ha.)	23.0 Ha.		
Max. & Min mrl within lease area	Maximum & Minimum mRL 125 mRL & 116 mRL respectively		
Pillar Coordinates (Verified by DMO)	Pillar	Latitude(N)	Longitude(E)
	A	25°33'54.57" N	80°17'50.00" E
	B	25°33'59.57" N	80°17'53.65" E
	C	25°33'50.17" N	80°18'18.28" E
	D	25°33'46.70" N	80°18'15.88" E
	E	25°33'41.09" N	80°18'21.63" E
	F	25°33'38.43" N	80°18'18.18" E
	G	25°33'37.65" N	80°18'19.17" E
	H	25°33'36.67" N	80°18'17.43" E
I	25°33'41.12" N	80°18'11.56" E	
Total Geological Reserves	7,45,088 m ³		
Total Mineable Reserves	4,47,053 m ³		
Total Proposed Production (in five year)	13,09,860 m ³ for 5 Years		
Proposed Production/year	2,61,972 m ³ /year		
Sanctioned Period of Mine lease	5 years		
No. Of workers	40 workers		
Type of Land	Government Land		
Ultimate Depth of Mining	2.555 m as per approved mining plan		
Nearest metalled road from site	Bundelkhand Expressway is 2.08 Km away in South direction		
Water Requirement	PURPOSE	REQUIREMENT (KLD)	
	Drinking water	0.50 KLD	
	Dust suppression	0.63 KLD	

	Plantation	0.15 KLD
	Others (if any)	-
	Total	1.28 KLD
Name of QCI Accredited Consultant with QCI No And period of validity.	Environmental Research and Analysis, Lucknow (U.P) Certificate No. NABET/ EIA/ 24-27/RA 0341 Valid up to 21 January, 2027	
Any litigation pending against the project or land in any court	No	
Details of 500 m Cluster certificate verified by Mining Officer	Letter No. 2392/Khanij-30- Banda Issued on 31/07/2023	
Details of Lease Area in approved DSR	Letter No. 414/Parya/Samanya/2023 dated 07/08/2024 Details of lease given on S.No. 33, Page No. 479.	
Proposed EMP cost	Rs. 6,78,700/-	
Length and breadth of Haul Road	70 m length and 6 m width	
No. of Trees to be Planted	115	
Monitoring Period	01/10/2023 to 31/12/2023 (Post Monsoon Season)	

5. Action Plan as per Ministry's O.M. dated 30/09/2020:

Sr. No.	Particulars	Estimated Cost	Numbers/ Quantity	Total Cost
1	Installation of one hand pump in primary school of village Maraulikhadar , Banda, U.P.	Rs 50,000/- @1	1	Rs 50,000/-
2	Installation of Solar light on village haul road connecting to the village Maraulikhadar, Banda, U.P.	Rs. 25,000 per Solar light	Rs. 25,000×3 Solar light	Rs 75,000/-
3	Health Check-up camps for the workers of village Marauli khadar, Banda, U.P.	Six monthly		Rs 50,000/-
4	Haul Road Maintenance			Rs 50,000/-
Total				Rs 2,00,000/-

6. 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.
7. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
8. 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.
9. There is no litigation pending in any court regarding this project.
10. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

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 – roc.z.lko-mef@nic.in)
4. District Magistrate, Banda.
5. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.in)
6. Copy for Guard File.

Validity unknown

(Ajay Kumar Shrivastava)
Digitally Signed by : Member Secretary, Secretary UP

Date: 08/10/2024

ANNEXURE P-3**कार्यालय जिलाधिकारी, बाँदा।**

(खनिज अनुभाग)

पत्रांक : 2167 / खनिज-30, बाँदा

दिनांक : जुलाई 11, 2023

सहमति-पत्र (लेटर ऑफ इन्टेंट)

Agastya Agro Limited
 Add.- SY no. 47, Main Road, Muraharipally,
 Medchal-malkajgiri Telangana.
Director Mallampati Muraly
 C/o Late Mallampati Rangaiah
 Add.-Plot no. 40, Green Park Avenue,
 Beside Chennai Shopping Mall, Suchitra Jeedimetla,
 Medchal-malkajgiri Telangana
 Email id – agastyaagro@yahoo.com

उ0प्र0 उपखनिज (परिहार) नियमावली-2021 के अध्याय-4 के अन्तर्गत खनन पट्टा पर स्वीकृत किये जाने हेतु विज्ञप्ति सं0-1568/खनिज-30, बाँदा दिनांक 17.05.2023 जारी की गयी। उपरोक्त विज्ञप्ति के क्रम में आप द्वारा जनपद बाँदा की केन नदी क्षेत्र अन्तर्गत तहसील बाँदा स्थित ग्राम-मरौलीखादर के गाटा सं0-333/7 का भाग, 412, 413 व 414 (खण्ड सं0-04) कुल रकबा 23.00 हे0 में मात्रा 2,61,972 घनमीटर प्रतिवर्ष उपलब्ध उपखनिज बालू/मोरम हेतु रू0 555/- प्रति घनमीटर की दर से ई-निविदा सह ई-नीलामी में बोली दी गयी है, जो कि सर्वाधिक है। जिलाधिकारी बाँदा के आदेश दिनांक 11.07.2023 द्वारा उक्त खनन पट्टा स्वीकृत किये जाने की अनुमति प्रदान कर दी गयी है।

उ0प्र0 उपखनिज (परिहार) नियमावली-2021 एवं शासनादेश दिनांक 14.08.2017 के बिन्दु सं0-18(2) में किये गये संशोधन सम्बन्धी निर्गत शासनादेश दिनांक 09.10.2019 के बिन्दु सं0-06 के अनुसार "लेटर आफ इन्टेंट प्राप्त होने के उपरान्त 02 कार्य दिवस के अन्दर प्री-बिड अर्नेस्ट मनी को समायोजित करते हुये पट्टे के प्रथम वर्ष के लिये निर्धारित पट्टा धनराशि रू0 14,53,94,460/- (261972 X 555) का 45 प्रतिशत के समतुल्य धनराशि रू0 6,54,27,507/- (25 प्रतिशत प्रतिभूति रू0 3,63,48,615/- एवं 20 प्रतिशत प्रथम वर्ष की प्रथम किस्त के रूप में रू0 2,90,78,892/-) निर्धारित लेखा शीर्षक के अन्दर जमा किया जाना होगा। यदि सफल बोलीदाता/निविदादाता उक्त धनराशि जमा करने में असफल होता है तो उसके द्वारा जमा अर्नेस्ट मनी जब्त कर ली जायेगी और उसके द्वारा इस सम्बन्ध में कोई शिकायत अथवा प्रत्यावेदन विचार योग्य नहीं होगा।"

उ0प्र0 उपखनिज (परिहार) नियमावली-2021 में दी गयी शर्तें :-

- (1) प्रथम वर्ष के लिये देय नीलामी धनराशि की गणना पट्टा क्षेत्र के लिए विज्ञप्ति में आंकलित मात्रा घन मी0 को निविदा/नीलामी की दर रूपया घन प्रति मी0 से गुणा कर निकाली जायेगी। खनन पट्टा के अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि की जायेगी। तदनुसार प्रत्येक वर्ष निर्धारित नीलामी की धनराशि को नियमावली-2021 के पंचम अनुसूची के अनुसार मासिक किस्त अग्रिम रूप से जमा की जायेगी।
- (2) प्रस्तावक को नियम-17 के प्रावधानों के अनुसार रू0 11,500/- जमा कराकर क्षेत्र का सीमांकन कराएगा, जिसमें सीमा बिन्दुओं का जियो-कॉर्डिनेट्स भी इंगित किया जायेगा तथा नियम-36 के अनुसार सीमा स्तम्भ लगायेगा तथा इसका अनुरक्षण करेगा।

(2)

- (3) लेटर आफ इन्टेंट जारी होने के एक माह के अन्दर अनुमोदित हेतु देय प्रतिभूति एवं प्रथम किश्त की धनराशि जमा होने के प्रमाण सहित, खनन योजना निदेशक, भूतत्व एवं खनिकर्म के समक्ष प्रस्तुत किया जायेगा। अनुमोदित खनन योजना प्राप्त होने के एक माह के अन्दर सक्षम प्राधिकरण के समक्ष पर्यावरण अनापत्ति प्रमाण-पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।
- (4) The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 के तहत जल एवं वायु सम्बन्धी सहमति-पत्र प्रस्तुत किया जाना अनिवार्य होगा।
- (5) पर्यावरण अनापत्ति प्रमाण-पत्र प्राप्ति के एक माह के भीतर पट्टा विलेख का निष्पादन किया जाना होगा। पट्टा विलेख के निष्पादन के दिनांक से 03 माह के भीतर खनन संक्रियायें प्रारम्भ की जानी हैं।
- (6) प्रस्तावक द्वारा नियम-35 के अनुसार क्षेत्र के भूमि-उद्धार और पुर्नवासन उपाय हेतु वित्तीय आश्वासन की धनराशि रु० 8,52,500/- की बैंक गारण्टी एफ०डी०आर०, जो जिलाधिकारी बांदा के पक्ष में 05 वर्ष के लिये बंधक हो, को जमा करेगा।
- (7) प्रस्तावक को भारतीय स्टाम्प अधिनियम के प्राविधानों के तहत निर्धारित स्टाम्प पर पट्टा विलेख का निष्पादन कराने के पश्चात ही उपखनिजों के खनन एवं परिवहन की अनुमति होगी।
- (8) प्रस्तावक द्वारा उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियमों व विज्ञप्ति में दी गयी शर्तों का अनुपालन किया जाना अनिवार्य होगा।

अतः आपको निर्देशित किया जाता है कि सहमति पत्र (लेटर ऑफ इन्टेंट) प्राप्ति के दो कार्य दिवस के अन्दर प्रथम वर्ष हेतु निर्धारित पट्टा की सकल धनराशि का 45 प्रतिशत के समतुल्य धनराशि रु० 6,54,27,507/- में जमा अर्नेस्ट मनी रु० 98,23,950/- को समायोजित करते हुये अवशेष धनराशि रु० 5,56,03,557/- (रुपये पांच करोड़ छप्पन लाख तीन हजार पांच सौ संतावन मात्र) को जनपद के निर्धारित लेखा शीर्षक "0853-अलौह-खनन तथा धातुकर्म उद्योग-102 खनिज रियायत शुल्क किराया और स्वत्व शुल्क-01 खनिज रियायत शुल्क किराया और स्वत्व शुल्क" में जमा कर चालान की मूलप्रति खनिज कार्यालय, बांदा में उपलब्ध कराना सुनिश्चित करें। यदि विनिर्दिष्ट अवधि में उक्त धनराशि को जमा नहीं किया जाता है तो आपके पक्ष में निर्गत सहमति पत्र को निरस्त करते हुये आप द्वारा जमा अर्नेस्ट मनी की धनराशि को राज्य सरकार के पक्ष में जब्त कर लिया जायेगा, जिसके लिये आप स्वयं उत्तरदायी होंगे।

(उमाकान्त त्रिपाठी)
अपर जिलाधिकारी (वि०/रा०)
बांदा।

पत्रांक व दिनांक तदैव।

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, लखनऊ।
3. जिलाधिकारी, बांदा।
4. महा० प्रबन्धक (बी०ओ०), एम०एस०टी०सी० लिमिटेड, ग्राउण्ड फ्लोर, सी.डब्ल्यू.सी., क्षेत्रीय कार्यालय परिसर, विभूति खण्ड, गोमती नगर, लखनऊ-226010

अपर जिलाधिकारी (वि०/रा०)
बांदा।

ANNEXURE R-4

प्रेषक,

जिलाधिकारी,
बाँदा।

सेवा में,

मा0 रजिस्टार,
राष्ट्रीय हरित अधिकरण,
प्रिसिपल बेंच, नई दिल्ली।

पत्रांक : 368 / खनिज-30, बाँदा

दिनांक : जनवरी 17, 2023

विषय : मा0 राष्ट्रीय हरित न्यायाधिकरण नई दिल्ली में योजित ओ0ए0 नं0- 410/2022 (आई0ए0 नं0-138/2022 व आई0ए0 नं0-139/2022) अविनाश कुमार राय बनाम मिनीस्ट्री ऑफ इनवायरमेन्ट फारेस्ट एण्ड क्लाइमेट चेन्ज व अन्य में पारित आदेश दिनांक 17.11.2022 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उर्पयुक्त विषयक मा0 राष्ट्रीय हरित न्यायाधिकरण नई दिल्ली में योजित ओ0ए0 नं0-410/2022 (आई0ए0 नं0-138/2022 व आई0ए0 नं0-139/2022) अविनाश कुमार राय बनाम मिनीस्ट्री ऑफ इनवायरमेन्ट फारेस्ट एण्ड क्लाइमेट चेन्ज व अन्य में पारित आदेश दिनांक 17.11.2022 का मुख्य अंश निम्नवत है :-

“5. Status report as on 31.12.2022 be filed within two weeks therefrom by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF

6. Learned Counsel for the State of Uttar Pradesh has requested that similar matter bearing O.A No. 403/2022 titled as Daljeet Singh Vs. State of Uttar Pradesh and others is listed for hearing on 17.01.2023 and these two applications may be heard with the same.

7. The request is allowed and both these applications be listed with O.A No. 403/2022 titled as Daljeet Singh Vs. State of Uttar Pradesh and others for hearing on 17.01.2023.

8. Interim order dated 30.05.2022 shall continue to operate till further orders to the contrary.


9. A copy of this order be placed in the paper book of O.A No. 410/2022 titled as Avinash Kumar Ray Vs. MoEF & CC and others.”

उक्त के क्रम में अवगत कराना है कि CMPDI द्वारा जनपद बाँदा में स्थित केन, यमुना व बागे नदियों का replenishment study प्री-मानसून एवं पोस्ट-मानसून को सम्मिलित करते हुये अपनी अन्तिम रिपोर्ट दिनांक 30.12.2022 को ईमेल के माध्यम से प्रस्तुत की गयी। उक्त अन्तिम रिपोर्ट में जिला सर्वेक्षण रिपोर्ट में उपलब्ध समस्त 135 क्षेत्रों का season ending-2022 के सम्बन्ध में खनन पट्टा/क्षेत्रवार उपखनिज की मात्रा घनमीटर में अंकित कर विवरण उपलब्ध कराया गया है। CMPDI द्वारा उपलब्ध कराये गये रिपोर्ट में क्षेत्रवार अंकित मात्रा के अनुसार जनपद में स्वीकृत/संचालित/रिक्त खनन क्षेत्रों को संचालन/परिहार पर व्यवस्थित किये जाने की कार्यवाही प्रचलित है।

अतः उपरोक्तानुसार अनुपालन आख्या प्रेषित है।

संलग्नक : उपरोक्तानुसार।

भबदीय


जिलाधिकारी
बाँदा।

पत्रांक व दिनांक तदैव।

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म विभाग, उ0प्र0 शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।



जिलाधिकारी
बाँदा।

Table 4.2: Estimated Volume of sand in 135 leases of Banda district for season ending 2022:

Sl.No.	Ghat name	Name of Mine lease	Ghat Area(Ha)	Resource available at Pre-Monsoon (Cum.)	Quantity Replenished (Cum.)	Total Resource available (Cum.)		
1	Jauharpur (Yamuna)	Khand no.1	15	284520	143520	428040		
2		Khand no.2	15	284520	143520	428040		
3		Khand no.3	15	284520	143520	428040		
4		Khand no.4	15	284520	143520	428040		
5		Khand no.5	15	284520	143520	428040		
6		91/6, 92/7, 94	21	7	152139	71952	428040	
7				254925	120563	224091		
8		21/2	13	224334	106095	375488		
9		21/3	11	224334	106095	330429		
10		21/4	11	224334	106095	330429		
11		21/5	11	224334	106095	330429		
12		21/6	11	224334	106095	330429		
13		21/7	11	224334	106095	330429		
14		21/8	11	224334	106095	330429		
15		21/9	11	224334	106095	330429		
16		21/10	11	224334	106095	330429		
17		38,40, part of 41, part of 42(Khand no.7)	96ml	11	407880	192900	600780	
18				407880	192900	600780		
19		96ml	part of 96	20	407880	192900	600780	
20				407880	192900	600780		
21		2/4,2/23,2/24,2/28, Khand 1	part of 96	20	407880	192900	600780	
22				407880	192900	600780		
23				407880	192900	600780		
24				407880	192900	600780		
25		2/4,2/23,2/24,2/28, Khand 2	part of 168	21	458220	204141	662361	
26				458220	204141	662361		
27		2/4,2/23,2/24,2/28, Khand 3	part of 168	21	458220	204141	662361	
28				458220	204141	662361		
29		Benda Khadar (Yamuna)	3048,3049,3199ha	18	356895	168788	525683	
30				1528938	723086	2252024		
31	part of 50/2 ka, 52/1,53,55,part of 56,58,59,part of 60/1/3			7ha	4	86878	41088	127966
32					298976	141396	440372	
33					244728	115740	360468	
34					244728	115740	360468	
35					244728	115740	360468	
36					244728	115740	360468	
37					244728	115740	360468	
38					244728	115740	360468	
39					244728	115740	360468	
40					244728	115740	360468	
41		244728	115740		360468			
42		244728	115740		360468			
	part of 1141,1137,1136,1129/2,1125,1127,1131,1132	50/2, 50/2 kha, 51	10	120327	27306	224932		
			168ml	37	197626	27306	224932	
	part of 1141,1137,1136,1129/2,1125,1127,1131,1132	5065,5114/1,5115 to 5126,5128 to 5132,5134,5135,5136,5152	20	179521	18820	198341		
				20	179521	18820	198341	



Sl.No.	Ghat name	Name of Mine lease	Ghat Area (ha)	Resource available at Pre-Monsoon (Cum.)	Quantity Replenished (Cum.)	Total Resource available (Cum.)
43	Durendi (Ken)	5137, 5138, 5139, 5140, 5141	4	50444	4580	55024
44		678,680kha,681kha,682,677ka,683kha,676	24	302661	27480	330141
45		4881,4880,4834,4824kha	27	340494	30915	371409
46		5029,5030ka,5093ka,5094ka,5097	20	252218	22900	275118
47		1971/1	10	126109	11450	137559
48		3061 mi / 1	10	120327	23650	143977
49		3061 mi / 2	9	108294	21285	129579
50		4943, 4942, 4941, 4939GA, 4938, 4937, 4922KA, 4923KA, 4925KA, 4931, 4959GA, 4958, 4957, 4955, 4883	40	481308	94600	575908
51		851, 866, 867, 869, 872, 876	8	91370	12712	104082
52		195/1	14	164295	22858	187153
53	300mi, 316mi	7	83353	11597	94949	
54	492/13	24	274111	38136	312247	
55	4	20	228426	31780	260206	
56	721, 722, 723	20	228426	31780	260206	
57	429, 430	13	152611	21232	173843	
58	116 Ga	18	205583	28602	234185	
59	3	37	440517	86583	527099	
60	459, 462/4, 472/5	12	144392	28380	172772	
61	2, 8/4, 33/2, 40, 35, 42, 60, 51, 53, 54, 57, 62	28	336795	66196	402991	
62	2/1,2/2,2/4	6	70341	16634	86976	
63	part of 176,179,180,177,part of 147,part of 144,part of 141,143,145,142,122,121,part of 114,part of 117	46	553504	108790	662294	
64	4	13	156425	30745	187170	
65	60	18	216588	42570	259158	
66	73/1,73/2,77/1,77/7,89/101/1,102/1	27	320310	62956	383267	
67	455	23	278939	65964	344903	
68	Part of 356 khand no.1	16	194044	45888	239932	
69	Part of 356 khand no.2	16	194044	45888	239932	
70	part of 100 khand no.1	16	194044	45888	239932	
71	part of 100 khand no.2	16	194044	45888	239932	
72	part of 100 khand no.3	16	194044	45888	239932	
73	61/3	20	242556	57360	299916	
74	62,63/1	17	206172	48756	254928	
75	69/1, 91, 96, 98, 426/7, 468, 503, 507, 508, 509, 510	19	227177	44651	271828	
76	Part of 5,part of 9	15	299519	103713	403232	

No.	Ghat name	Name of Milno lease	Ghat Area(Ha)	Resource available at Pre-Monsoon (CuM.)	Quantity Replenished (CuM.)	Total Resource available (CuM.,)
77		part of 195/1	33	342368	13167	355535
78		part of 195/1, 191, 3	33	342368	13167	355535
79		Part of 5, part of 9	25	259370	9975	269345
80		1	12	144272	28356	172628
81		659, 724, 805	18	215385	42334	257719
82		part of 3/1/1 (खण्ड संख्या 1)	21	252686	49665	302351
83		part of 3/1/1 (खण्ड संख्या 2)	21	252686	49665	302351
84		504/1, 507, 545kha, 1397, 1399, 558, 671kha,	7	87357	17170	104527
85		420, 530/2, 532, 616, 617, 709, 716, 802	11	134285	26393	160678
86	Lahureta (Ken)	2, 3, 5kha, 99, 215, 218, 219, 290kha, 601, 651ga, 685	24	289868	56973	346840
87		13/1, 13/3, 30/2, 357/2, 400/2	4	53786	10572	64358
88		450, 472/2, 473, 475, 971, 1003, 1005, 1078, 1081, 1192	10	125742	24714	150456
89		585/1, 857, 859/1, 914, 954, 955/2, 1248/2, 1264, 1336/1, 1348, 1351, 1353/2,	9	107091	21049	128139
90		2/1, 21/2, 443mi, 473mi, 474, 498, 501, 511, 592, 635/1, 659, 1032, 1033, 1045	7	81822	16082	97904
91		269, 287, 313, 326, 329, 360, 366	3	35617	7000	42617
92		283, 285, 1461, 1442, 1444, 1621	6	77130	15160	92289
93		518, 519/1	4	50658	9957	60614
94		Part of 72/47, part of 74/1, Khand no.2	19	155365	61047	216412
95		Part of 72/47, part of 74/1, Khand no.3	19	155365	61047	216412
96		part of 28, 29(khand no.1)	27	220781	86751	307532
97		53, part of 337 (khand no.2)	24	196250	77112	273362
98		part of 337 (khand no.3)	24	196250	77112	273362
99		part of 337, part of 431 (khand no.4)	24	196250	77112	273362
100	Marauli (Ken)	part of 333/7 khand no.1	17	141302	55521	196823
101		part of 333/7 khand no.2	22	179896	70686	250582
102		part of 333/7 khand no.3	23	188073	73899	261972
103		part of 333/7, 412, 413, 414, khand no.4 ✓	23	188073	73899	261972
104		part of 333/7, khand no.5	23	188073	73899	261972
105		332/17, part of 333/7, 431/333/1, khand no.6	23	188073	73899	261972
106		part of 72/47, 73, part of 74/1, 75mi खण्ड संख्या 1	20	240654	47300	287954

Chat name	Name of Milno lease	Chat Area(Ha)	Resource available at Pre-Monsoon (CuM.)	Quantity Replenished (CuM.)	Total Resource available (CuM.)
107	176ml,172ga,187,187	25	166332	125186	291518
108	7,17,18,21,23,25,27,28,29,30,35,37,38,40,177,176ml	25	166332	125186	291518
109	165, 166, 174	14	168458	33110	201568
110	21/91,47/9,58/27,54/1,53/2,52/2	18	216588	42570	259158
111	99/3,99/22,100/7,101/5,103/10,104/2,104/5	18	219115	43067	262182
112	683/43,684/6,693/48,684/7,692/1,699/3	19	228621	44935	273556
113	41/6kha, 44, 200ka, 224/47	6	70271	13812	84083
114	Kanwara 1 (Ken) part of 1130(Khand no.1)	28	576849	36680	613529
115	Kanwara 2 (Ken) part of 1130(Khand no.2)	28	576849	36680	613529
116	part of 431 khand no.5	23	276752	54395	331147
117	4185cha,4388,4463,4470,4471,4472,4473	17	173938	34544	208482
118	1169,1858/3,1133/4,1161/3,1949	23	234714	46614	281328
119	876kha,886ka,1481,1482,1505,2031,2039,2047,2247,2270,2521,2522,2538,2541kha,2577,2599,2676	21	214865	42672	257537
120	1749kha,1766,2421	9	95564	18979	114543
121	6261, 6262, 6478, 6497, 6595, 6597, 6598	24	246685	48992	295677
122	2492	8	79807	15850	95657
123	8117	11	112958	22433	135391
124	1039	8	78681	15626	94308
125	3642/2, 3780/1, 3780/7, 3854, 3949/2, 607/1, 6082ga, 6387/2, 3948kha,	8	79295	15748	95043
126	134, 263/2	3	33048	6563	39612
127	6447/1, 6448/2, 6473/1, 6479/1, 6480, 6596	16	160944	31963	192907
128	8330, 8431/1, 8515	13	132398	26294	158692
129	819, 485, 486, 1557, 1486, 1560, 1722, 8623/1, 8623/2, 8634, 8635, 8614, 8623, 8623/2, 8634, 8635, 8614, 8623, 8632, 8633, 9349, 9340, 9244, 9294, 2412, 322, 9157 9317, 9302, 9305 9799, 9797, 9796, 9814, 9420, 9412, 9433, 9463, 9452	44	445077	88392	533469
130	2/2, 3	3	31820	6320	38140
131	144, 6910	1	6139	1219	7358
132	1283, 1295, 1300, 1371ga, 1407, 1515, 1784kha, 1867, 1870kha, 1873, 1935, 2014, 2111, 2127, 2477, 5493, 5494, 5606, 5607, 5609, 5637, 1359kha, 1372	27	322356	63358	385714
133	987, 1037, 1039, 1045, 1046, 1047, 1143, 1176, 2545	12	140542	27623	168165
134	58, 107, 108, 109, 110, 111, 114	7	84830	16673	101504
135	2/3, 3, 4, 5, 6/5, 7/4, 8/3, 10/4, 11/2, 12/3, 51, 52, 53, 54, 55, 57/2, 69/7, 82/2, 111/2, 111/3, 121/3, 123, 126/2, 130/6, 131, 132	14	166412	32708	199120