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**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 08 of 2025
(I.A. Nos. 263/2025, 262/2025 & 75/2025)**

IN THE MATTER OF:

VIPIN KUMAR SAXENA

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENT

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THROUGH



Date: 14.05.2025

Place: New Delhi

PRIYANKA SWAMI

ADVOCATE

Standing Counsel for STATE, Uttar Pradesh

F-13, JANGPURA, NEW DELHI 110014

E-mail: advpriyankaswami@gmail.com

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REPLY ON BEHALF OF MEMBER SECRETARY, SEIAA, UTTAR PRADESH. ALONG WITH SUPPORTING AFFIDAVIT.

MOST RESPECTFULLY SHOWETH:

1. That the answering Respondents respectfully deny each and every statement, contention, submission, allegation, and/or averment made by the Appellant in the complaint which is contrary to or inconsistent with the present reply or the records of the case. It is most humbly submitted that all such statements, submissions, or averments made by the Appellant that are inconsistent with what is stated in this reply are denied in totality, save and except those which are specifically and expressly admitted herein below. Furthermore, it is submitted with utmost respect that any omission to specifically deny any of the averments made by the Appellant shall not be construed as an admission on the part of the answering Respondents, and no adverse inference ought to be drawn from such omissions.
2. That the Hon'ble National Green Tribunal has passed an Order dated 21.01.2025 in the matter of Original Application No. 8/2025 Vipin Kumar Saxena versus State Of Uttar Pradesh & Ors. The Executive part of the order is as follows-

...“

1. *In this original application, applicant is seeking a direction especially to SEIAA, UP to consider and decide the application for restoration of Environmental Clearance (EC) dated 18.11.2022.*

2. *The plea of the applicant is that the EC was granted for mining of stones/morrum from Dhasan riverbed at Gata No. 1419, Kha Khand No. 01, in Village Dhamnaud, Tehsil Garautha, District Jhansi, Uttar Pradesh and in OA No. 440/2023 before the NGT, the grievance was raised about illegal mining on the said location and in that matter SEIAA, UP had submitted the action taken report dated 22.11.2024 disclosing that EC was kept in abeyance. Subsequently, by order dated 12.12.2024, the EC was cancelled and the applicant filed the application for restoration of EC on 19.12.2024 and subsequent application on 07.01.2025. The plea of the applicant is that these restoration applications are still pending.*

3. *In pursuance to the order dated 21.01.2025 passed in this OA, the applicant has filed the affidavit dated 29.01.2025 stating that the applicant has not received the order dated 12.12.2024, cancelling the EC nor the said order has been served upon the address of the applicant.*

4. *Issue notice to the respondents. Applicant is directed to serve the respondents and file the affidavit of service at least one week before the next hearing date.*

5. *I.A. No. 75/2025 has been filed by one Naveen Kumar seeking impleadment. Learned counsel for the applicant seeks 2 weeks' time to file reply to the I.A.*

6. *List on 08.04.2025.*

PRELIMINARY SUBMISSIONS

1. That Ministry of Environment and Forest, Govt. of India through its notification **dated 14/09/2006** (as amended) has been pleased to make it mandatory to obtain Prior Environmental Clearance prior to establishment or expansion of any such project or activity which is listed in the schedule of notification. Environmental clearance shall be required for:
 - a) All new projects or activities listed in the Schedule to this notification.
 - b) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
 - c) Any change in product-mix in an existing manufacturing unit included in Schedule beyond the specified range.
 - d) Objective of this process is to impose certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts.
2. That the environmental clearance shall be taken from Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level, the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or

activity. The State Environment Impact Assessment Authority (SEIAA) shall base its decision on the recommendations of a State level Expert Appraisal Committee (SEAC).

3. That the SEIAA and SEAC, Uttar Pradesh have been constituted by Ministry of Environment and Forest & CC, Govt. of India vide notification bearing no. S.O 3338(E) dt. 16.10.2017 and subsequently reconstituted through notification bearing no. S.O. 2276(E) dated 11/06/2021
4. That Directorate of Environment, Govt. of U.P. has been declared to function as Secretariat to these statutory bodies i.e. SEIAA and SEAC by State Government. All such project proposals received to the SEIAA, UP for Prior Environmental Clearance are dealt according to the EIA Notification, 2006 (as amended).

Reply on Merits:

5. That it is respectfully submitted that, in pursuance of the decision taken in the 851st meeting, the State Environment Impact Assessment Authority (SEIAA), Uttar Pradesh, was pleased to issue a letter bearing No. 72/Parya/SEIAA/5860/5578/2020 dated 21.11.2024 to the Project Proponent, thereby formally keeping the Environmental Clearance in abeyance. A copy of the said letter dated 21.11.2024 is annexed herewith and marked as **ANNEXURE-1.**
6. That it is respectfully submitted that the copy of the letter dated 21.11.2024 was duly communicated to the address of the Project Proponent, Shri Vipin Kumar Saxena, S/o Shri Om Prakash Saxena, R/o MIG-A/135, Aashiyana Pratham, Tehsil and District Moradabad, U.P., in connection with the abeyance of Environmental Clearance for the proposed Sand/Morrum Mining

project from the Dhasan Riverbed at Gata No. 1419, Khanda No.-01, Village Dhamnaud, Tehsil Garautha, District Jhansi, U.P. (MoEF&CC Proposal No. SIA/UP/MIN/56882/2020; File No. 5860/5578; Leased Area – 24.00 Ha). The said letter was sent via Registered Post on 22.11.2024 to the address as provided by the Project Proponent on the prescribed Parivesh Portal. However, the registered letter was returned undelivered with the remark “Left” inscribed on the envelope. It is further submitted that the letter dated 21.11.2024 was also sent via e-mail on 22.11.2024 to the e-mail address [saxenavipin82@gmail.com], as furnished by the Project Proponent on the said portal. A copy of the e-mail dispatch report dated 22.11.2024 is annexed herewith and marked as **ANNEXURE-2.**

7. That further, it is pertinent to mention that, following the issuance of the letter dated 21.11.2024, the answering respondent, i.e., SEIAA, U.P., in the interest of justice further 7 days SEIAA shall wait, thereafter, the answering respondent will proceed in accordance with the process established under law for cancellation of the Environmental Clearance (EC).

8. That it is respectfully submitted that the matter was placed for consideration before the 861st meeting of SEIAA held on 12.12.2024, wherein it was noted that the matter had earlier been discussed in the 855th meeting. In the said 855th meeting, it was observed that the matter had initially been deliberated upon in the 851st meeting, wherein it was decided to keep the Environmental Clearance, issued vide letter No. EC22B001UP110182 dated 18.11.2022, in abeyance in light of the joint committee report submitted by the representative of the Member Secretary, CPCB and the Regional Office, MoEF&CC, Lucknow, dated 08.08.2024. SEIAA further noted that a show-cause notice had been issued to the Project Proponent vide letter No. 221/Parya/SEIAA/5860-5578/2019 dated 27.06.2024. As the Project Proponent had not submitted any response thereto, SEIAA, in the interest of

justice, resolved to allow a further period of seven (07) days, failing which proceedings for cancellation of the Environmental Clearance would be initiated. It is submitted that, as of the date of the 861st meeting, no response had been received from the Project Proponent. Accordingly, SEIAA was of the considered opinion that the Environmental Clearance issued vide letter No. EC22B001UP110182 dated 18.11.2022 be cancelled in view of the said joint committee report dated 08.08.2024. A copy of the minutes of the meeting dated 12.12.2024, which was duly uploaded on the prescribed public domain, is filed herewith and marked as **ANNEXURE-3**.

9. That it is pertinent to mention that, in pursuance of the decision taken in the 861st Meeting, SEIAA, U.P., issued a letter (No. 87/Parya/SEAC//5860-5578/2018, dated 22.12.2024) to the project proponent, stating that the EC issued vide letter No EC22B001UP110182 dated 18/11/2022 is hereby cancelled and no more stands valid. A copy of this letter dated 18/11/2022 is annexed herewith as **ANNEXURE-4**.

10. That it is respectfully submitted that the copy of the letter dated 22.12.2024, pertaining to the cancellation of Environmental Clearance for the proposed Sand/Morrum Mining project from the Dhasan Riverbed at Gata No. 1419, Khanda No.-01, Village Dhamnaud, Tehsil Garautha, District Jhansi, U.P. (MoEF&CC Proposal No. SIA/UP/MIN/56882/2020; File No. 5860/5578; Leased Area – 24.00 Ha), was duly communicated to Shri Vipin Kumar Saxena, S/o Shri Om Prakash Saxena, R/o MIG-A/135, Aashiyana Pratham, Tehsil and District Moradabad, U.P., through Registered Post on 22.12.2024, at the address furnished by the Project Proponent on the prescribed Parivesh Portal. However, the said registered communication was returned undelivered with the remark “Left/28.12.2024” noted on the envelope. It is further submitted that the letter dated 22.12.2024 was also sent via e-mail on 24.12.2024 to the e-mail address [saxenavipin82@gmail.com], as provided by

the Project Proponent on the said portal. A copy of the e-mail dispatch report dated 24.12.2024 is annexed herewith and marked as **ANNEXURE-5**.

11. That it is pertinent to mention that, procedurally SEIAA minutes are uploaded on the prescribed public domain. It is utter disappointing with the attitude of the project proponent to say that the applicant has not received the order date 12.12.2024, cancelling the EC nor the said order has been served upon the address of the applicant while SEIAA minutes dated 12.12.2024 was procedurally uploaded on the prescribed public domain.

12. That it is pertinent to mention that, application of restoration was considered in 888th SEIAA meeting dated 15.04.2025 wherein, SEIAA gone through file and documents and noted that:-
 - a. Before cancellation of EC, in light of Natural Justice, show cause notice was issued to the project proponent vide letter no. 221/Parya/ SEIAA /5860-5578/2019 dated 27.06.2024 and was sent by registered post on the address submitted by the proponent in application form for EC but it was not received and returned back. Hence show cause notice was communicated to the project proponent vide email dated 10.07.2024 and 11.07.2024. He never replied to the show cause notice.

 - b. Subsequently, the said EC was kept in Abeyance in light of joint committee report of representatives of MS, CPCB and RO, MoEFCCLucknow filed on 08.08.2024, vide letter no. 72/Parya/SEIAA/5860-5578/2020 dated 21.11.2024 and this order was sent by registered post on the address submitted by the proponent in application form for EC, but it was not received and returned back. Hence Abeyance letter was communicated to the project proponent along with DM, Jhansi, MS, UPPCB along with others vide email dated 22.11.2024.

c. Thereafter said EC was cancelled and letter no. 87/Parya/SEAC/5860-5578/2018 dated 22.12.2024 with Subject- Cancellation of Environmental Clearance for proposed Sand/Morrum Mining Project at Dhasan River, Gata No.- 1419 Kh, Khand No.- 1, Village: Dhamnaud, Tehsil Garautha& District: Jhansi was sent by registered post on the address submitted by the proponent in application form for EC, it was also communicated to the project proponent along with DM, Jhansi, MS, UPPCB along with others vide email dated 24.12.2024 on the email address submitted by project proponent in application form. Registered post was not received and was returned back. The consultant was also intimated vide email dated 06.01.2025. So it is not correct to say that ...“said order has not been served upon the address of the applicant”.

d. It is clear that he was in receipt of show cause notices but chose not to reply to the SEIAA on the show cause notices, order keeping the EC in abeyance as well as cancellation of EC order. Otherwise, how did he file restoration application? He is misrepresenting the facts in this matter. Order dated 13.12.2024 in Original Application No. 440/2023 (IA No 607/2024, IA No 535/2024, IA No 383/2024) Naveen Kumar Applicant versus State of Uttar Pradesh &Ors. filed in Hon’ble NGT in the same case states that:

...“5. The Tribunal after considering the report of the joint Committee in the order dated 28.08.2024 had noted that out of 76 “Specific” conditions of EC and 48 “General” conditions, 38 were found to be ‘not complied’, 17 were found to be ‘partially complied’ and 48 were found to be ‘being 3 complied’. Hence, the Tribunal had found gross non-compliance with the majority of the EC conditions. After noting the said non-compliance, the Tribunal directed the SEIAA, UP and UPPCB to take action in accordance with the law against the Project Proponent by duly complying with the principles of natural justice.”...

Hence SEIAA opined to reject the restoration application, as EC was cancelled based on non-compliance of EC conditions as reported by joint committee and submitted to Hon'ble NGT and ample opportunity was given to him to explain himself.

13. That further, the Member Secretary, SEIAA, vide letter no. 11/Parya/SEIAA/5860-5578/2020 dated 15.05.2025, was pleased to issue a registered communication to Shri Vipin Kumar Saxena, S/o Shri Om Prakash Saxena, R/o MIG-A/135, Aashiyana Pratham, Tehsil and District Moradabad, U.P., and also through e-mail at saxenavipin82@gmail.com, conveying the rejection of the application for restoration of Environmental Clearance in respect of the proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419, Khanda No.-01, Village Dhamnaud, Tehsil Garautha, District Jhansi, U.P. (Leased Area – 24.00 Ha). A copy of the said letter dated 15.05.2025 is annexed herewith and marked as **ANNEXURE-6**.

THROUGH



Date: 14.05.2025

Place: New Delhi

PRIYANKA SWAMI

ADVOCATE

Standing Counsel for STATE, Uttar Pradesh

F-13, JANGPURA, NEW DELHI 110014

E-mail: advpriyankaswami@gmail.com

IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 08 of 2025
(I.A. Nos. 263/2025, 262/2025 & 75/2025)

IN THE MATTER OF:

VIPIN KUMAR SAXENA

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENT

AFFIDAVIT

I, ANURAG YADAV, aged about 48 years s/o Sh. P.N. SINGH is presently posted as DEPUTY DIRECTOR, REGIONAL OFFICE, NOIDA, DIRECTORATE OF ENVIRONMENTAL, UP. having an office at E-12/1, NOIDA, UTTAR PARDESH.

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



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



[Signature]
DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this ____ day of _____ 2025,
that the contents of the foregoing affidavit are true and correct to the best of my
knowledge and no part of it is false and nothing material has been concealed
therefrom.

[Signature]
ATTESTED
NOTARY PUBLIC
(INDIA)

16 MAY 2025

[Signature]
DEPONENT

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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

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

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

To,

Sri Vipin Kumar Saxena
S/o Sri Om Prakash Saxena
R/o- MIG -A/135, Aashiyana Pratham,
Tehsil and District Moradabad U.P.

Ref. No 72 /Parya/SEIAA/ 5860/5578 /2020

Date: 21, November, 2024

MoEFCC Proposal no- SIA/UP/MIN/56882/2020 & SEIAA, U.P File no- 5860/5578

Sub: Abeyance of Environmental Clearance for Proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P., (Leased Area – 24.00 Ha).

Dear Sir,

SEIAA in its 851st meeting dated 07-11-2024, discussed the above matter in light of order dated 22.05.2024 and 16.08.2024 in Hon'ble NGT O.A. No. 440/2023 Naveen Kumar versus State Of Uttar Pradesh & Ors and noted that the above matter was discussed in its 819th meeting in which it was decided that:

...A show cause notice be issued to project proponent regarding non-compliance of Environmental Clearance conditions as submitted by the petitioner. Project proponent is required to clarify the following within 15 days- As to why EC issued vide letter no. EC22B001UP110182 dated 18.11.2022 should not be cancelled...

In the Minutes of 851st SEIAA meeting it is mentioned that:-

...“a show cause notice was issued to the project proponent vide letter No. 221/PARYA/SEIAA/5860-5578/2019 dated 27/06/2024 but it was received back, hence the show cause notice was e-mailed on the address given in the application form. The project proponent has not submitted any reply yet. Hence SEIAA opined to keep the EC issued vide letter No EC22B001UP110182 dated 18/11/2022 in abeyance, in light of joint committee report of representative of Member Secretary, CPCB and RO, MoEF&CC, Lucknow filed on 08/08/2024...”

Hence as per the decision of the SEIAA EC No EC22B001UP110182 dated 18/11/2022 is kept in abeyance.

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.

This is for your information and necessary action in accordance with provision of EIA notification 2006 (as amended).



(Ajay Kumar Sharma)
Member Secretary, SEIAA

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), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector “H”, Aliganj, Lucknow – 226020 (email – roc.lko-mef@nic.in)
4. District Magistrate, Jhansi.
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.

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Abeyance of Environmental Clearance for Proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P., (Leased Area – 24.00 Ha).

From: Directorate of Environment, UP (doeuplko@yahoo.com)

To: saxenavipin82@gmail.com; chauhan.ithc@gmail.com

Date: Friday 22 November, 2024 at 11:52 am IST

Directorate of Environment, U.P.,
Dr. Bhim Rao Ambedkar Paryawaran Parisar,
Vineet Khand-1, Gomti Nagar,
Lucknow-226010.
web site- <http://upenv.upsdc.gov.in>



5860 abency.pdf

173.4kB

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

SEIAA noted that the above project was taken in its 856th meeting in which SEIAA found that CTO was issued vide letter no. 205100/UPPCB/Unnao(UPPCBRO)/CTO /both/UNNAO/2024 dated 03.05.2024, hence project proponent shall submit compliance report of CTO. Project proponent has submitted his reply online vide letter dated 06.12.2024. SEIAA noted that as per Ground Water NoC maximum allowable rate of withdrawal is 5 m³/hr, maximum allowable running hours per day is 8 and maximum allowable annual extraction of ground water is 14600 m³ but one-time freshwater demand for the project is stated as 242 KLD. Hence SEIAA opined that project proponent shall clarify the above.

Agenda-C

1. Hon'ble NGT O.A. No. 440/2023 Naveen Kumar versus State Of Uttar Pradesh & Ors.

SEIAA noted that the above matter was discussed in its 855th meeting in which it was observed- *"that the above matter was discussed in its 851st meeting in which it was decided to keep the EC issued vide letter No EC22B001UP110182 dated 18/11/2022 in abeyance, in light of joint committee report of representative of Member Secretary, CPCB and RO, MoEF&CC, Lucknow filed on 08/08/2024. SEIAA noted that show-cause notice has been issued to the project proponent vide letter no. 221/parya/SEIAA/5860-5578/2019 dated 27.06.2024. The project proponent has not responded yet hence in the interest of the justice SEIAA shall wait for 07 days further thereafter will proceed for cancellation of Environmental Clearance."*

The project proponent has yet not responded hence SEIAA opined to cancel the EC issued vide letter No EC22B001UP110182 dated 18/11/2022, in light of joint committee report of representative of Member Secretary, CPCB and RO, MoEF&CC, Lucknow filed on 08/08/2024.



**Nodal Officer
SEIAA, UP**

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



**(Smt. Mamta Sanjeev Dubey)
Chairman
SEIAA**

**(Ajay Kumar Sharma)
Member-Secretary
SEIAA**

**(Paras Nath)
Member
SEIAA**

ENVIRONMENTAL
CLEARANCE

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

To,

The Owner
VIPIN KUMAR SAXENA
R/o-MIG-A/135 Aashiyana Prtham Teh Distt Moradabad UP -244001

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/UP/MIN/56882/2020 dated 22 Sep 2020. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|---|
| 1. EC Identification No. | EC22B001UP110182 |
| 2. File No. | 5860/5578 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | Area 24.00 Ha On Dhasan River for Sand/Morrum Mining Project at Gata No.- 1419 Kha Khand No.01 Village- Dhamnaud, Tehsil-Garautha, District- Jhansi, U.P. |
| 7. Name of Company/Organization | VIPIN KUMAR SAXENA |
| 8. Location of Project | Uttar Pradesh |
| 9. TOR Date | 08 Jun 2020 |

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

Date: 18/11/2022

(e-signed)
Member Secretary
Member Secretary
SEIAA - (Uttar Pradesh)

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

This is a computer generated cover page.

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and Virtuous Environmental Single-Window Hub)





State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow- 226010

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

Phone no- 0522-2300541

Reference- MoEFCC Proposal no- SIA/UP/MIN/56882/2020 & SEIAA, U.P File no-5860-5578

Sub: Environmental Clearance for Proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P., (Leased Area – 24.00 Ha).

Dear Sir,

This is with reference to your application / letter dated 04-03-2020, 20-05-2020, 22-09-2020, 28-09-2020, 09-10-2020, 05-10-2020, 13-10-2020, 11-08-2021 on above mentioned subject. The matter was considered by 678th SEAC in meeting held on 08-08-2022, 693th SEAC in meeting held on 12-10-2022 and 668th SEIAA in meeting held on 10-11-2022.

A presentation was made by the project proponent along with their consultant M/s Paramarsh (Servicing Environment and Development), Lucknow, UP to SEAC on 08-08-2022 & 12-10-2022.

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 Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01 Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P., (Leased Area – 24.00 Ha).
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 110/Parya/SEAC/5578/2019 dated 08/06/2020.
3. The fresh public hearing was organized on 06/05/2022 in the Meeting Hall Tehsil- Garautha District – Jhansi. U.P.
4. Salient features of the project as submitted by the project proponent:

1.	On Line Proposal No.	SIA/UP/MIN/56882/2020		
2.	File No. allotted by SEIAA, UP	5860/5578		
3.	Name of Proponent	Sri Vipin Kumar Saxena S/o Sri Om Prakash Saxena		
4.	Full correspondence address of proponent and mobile no.	R/o- MIG –A/135 , Aashiyana Pratham , Tehsil and District Moradabad U.P		
5.	Name of Project	Sand Morrum Mining		
6.	Project Location(Plot.Khsra/Gata No.)	Khand No.- 01Gata No. 1419 Kh		
7.	Name of River	Dhasan River		
8.	Name of Village	Dhamnaud		
9.	Tehsil	Garautha		
10.	District	Jhansi		
11.	Name of Minor Mineral	Sand/Morrum		
12.	Sanctioned Lease Area (in Ha.)	24.0 Ha.		
13.	Max. & Min mRL within lease area	121.0 mRL & 128.5 mRL		
14.	Pillar Coordinates (Verified by DMO)	POINT	LATTITUDE	LONGITUDE
		A	25°40'42.00"N	79°23'03.70"E
		B	25°40'51.10"N	79°23'04.40"E

		C	25°40'59.60"N	79°23'06.10"E
		D	25°41'04.40"N	79°23'04.10"E
		E	25°41'08.80"N	79°23'01.50"E
		F	25°41'11.80"N	79°22'58.40"E
		G	25°41'15.60"N	79°22'52.10"E
		H	25°41'22.17"N	79°22'37.78"E
		I	25°41'25.13"N	79°22'38.44"E
		J	25°41'20.80"N	79°22'54.50"E
		K	25°41'16.30"N	79°23'03.60"E
		L	25°41'07.90"N	79°23'10.00"E
		M	25°40'57.30"N	79°23'11.60"E
		N	25°40'54.80"N	79°23'10.90"E
		O	25°40'48.30"N	79°23'08.40"E
		P	25°40'40.31"N	79°23'03.62"E
15.	Total Geological Reserves	7,20,000m ³ /Annum		
16.	Total Mineable Reserve	2,55,767m ³ /Annum		
17.	Proposed Production/ Year	2,50,000 m ³		
18.	Sanctioned Period of Mine lease	5 Years		
19.	Method of Mining	Open cast Manual / Semi Mechanized Mining Method/Bar Scalping or skim mining (as per IBM rules & SSMMG, 2016)		
20.	No. of working days	225 Days		
21.	Working hours/day	8 Hours		
22.	No. of workers	90 Worker		
23.	No. of vehicles movement/day	123Trucks / Day		
24.	Type of Land	River Bed (Govt. Land)		
25.	Ultimate of Depth of Mining	1.3 m		
26.	Nearest metalled road from site	1.0 Km		
27.	Water Requirement	PURPOSE	REQUIREMENT (KLD)	
		Drinking	0.9	
		Suppression of dust	12.0	
		Plantation	3.17	
		Others (if any)	-	
Total	16.07 KLD			
28.	Name of QCI Accredited Consultant with QCI No and period of validity.	Ind Tech House Consult Certificate No- NABET/EIA/1821/RA0098 Period of Validity- 24-10-2022		
29.	Any litigation pending against the project or land in any court	No		
30.	Details of 500 m Cluster Map & Certificate verified by Mining Officer	Letter No1630/30 M.M.C /{(2019-20) Date-03.02.2020		
31.	Details of Lease Area in approved DSR	Yes (Page No: 52, Table No:13 & Sr, No: 01)		
32.	Proposed EMP cost	23.01 Lac		
33.	Proposed total Project cost	1.08 Crore		
34.	Length and breadth of Haul Road	1000 mtr Length & 6m width haulage road		
35.	No. of Trees to be Planted	792 Trees		
36.	Monitoring Period	October 2020 – December 2020		

5. 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.

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

Based on the recommendations of the State Level Expert Appraisal Committee Meeting (SEAC) held on 08-08-2022 & 12-10-2022 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting held 10-11-2022 and decided to grant the Environmental Clearance to the title project for collection of 2,50,000 m³ /Annum lease area of 24 ha subject to effective implementation of the following General Conditions and specific conditions:-

General condition:

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

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

34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, GoI, Lucknow by e-mail.
45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions:

1. Validity period of this EC is 5 years from the date of issue as the LoI has been issued for a period of 5 years or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
2. In the absence of replenishment study, in compliance of Hon'ble NGT Order dated 06.05.2022 initially the EC will be operational till 31.12.2022. Permissible quantity and area shall be strictly limited to quantity and area mentioned in LoI or mining plan, whichever is lesser, and maximum mineable depth will be limited to as approved in the mining plan.
3. For subsequent years, Project Proponent shall submit fresh annual replenishment study to SEIAA, UP for amendment in EC for mineable quantity and maximum permissible depth for mining based on scientific findings of replenishment study. Such study shall be placed before SEAC for appraisal for next three years to assess rate of deposition and accordingly, mineable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the SEAC. The placing of the study report SEAC is mandatory for initial three years.
4. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
5. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
6. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
7. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
8. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 24,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
9. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 120 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
10. 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.
11. 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.
12. 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.
13. In compliance of Hon'ble NGT Order dated 06.05.2022, for subsequent years, Project Proponent shall submit fresh annual replenishment study to SEIAA, UP for amendment in EC for mineable quantity and maximum permissible depth for mining based on scientific findings of replenishment study. Such

study shall be placed before SEAC for appraisal for next three years to assess rate of deposition and accordingly, mineable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the SEAC. The placing of the study report SEAC is mandatory for initial three years.

14. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
15. The project proponent shall install solar light in their site office.
16. 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.
17. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
18. 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.
19. 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.
20. The project proponent should explore the possibilities of rainwater harvesting.
21. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
22. 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.
23. As per the proposed plan, plantation with area specific plant species, number of plants to be planted.
24. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
25. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
26. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
27. Environment management in according to environmental status and impact of the project.
28. During the school opening and closing time transportation of minerals will be restricted.
29. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
30. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
31. Pakkamotorable haul road to be maintained by the project proponent.
32. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
33. Permission from the competent authority regarding evacuation route should be taken.
34. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
35. Provision for cylinder to workers should be made for cooking.
36. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
37. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
38. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
39. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
40. Provision for two toilets and hand pumps should be made at mining site.
41. Drinking water for workers would be provided by tankers.

42. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
43. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
44. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
45. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
46. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
47. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
48. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
49. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
50. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
51. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
52. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
53. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.
54. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
55. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
56. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width whichever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
57. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
58. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
59. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.

60. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
61. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS))].
62. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
63. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
64. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
65. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
66. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
67. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
68. Solid waste material viz., gutkha pouches, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management rules.
69. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
70. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P. and UPPCB.
71. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, CPCB, State PCB.
72. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
73. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
74. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
75. Waste water from potable use be collected and reused for sprinkling.
76. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank. You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem

to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

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

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

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

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

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

1. **The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.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), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)**
4. **District Magistrate Jhansi.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**
6. **Copy to Web Master for uploading on PARIVESH Portal.**
7. **Copy for Guard File.**

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Signature Not Verified

Digitally signed by Member
Secretary
Member Secretary
Date: 11/18/2022 5:09:19 PM

...Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P.,File no.-5860/5578 (Leased Area – 24.00 Ha).

From: Directorate of Environment, UP (doeuplko@yahoo.com)

To: saxenavipin82@gmail.com

Date: Tuesday 24 December, 2024 at 05:17 pm IST

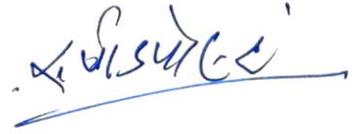
Dear Sir,

Please find enclosed as herewith Cancellation of Environment Clearance for Proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P.,File no.-5860/5578 (Leased Area – 24.00 Ha).

Directorate of Environment, U.P.,
Dr. Bhim Rao Ambedkar Paryawaran Parisar,
Vineet Khand-1, Gomti Nagar,
Lucknow-226010.
web site- <http://upenv.upsdc.gov.in>



00000001.PDF
33.5kB



To,

Sri Vipin Kumar Saxena
S/o Sri Om Prakash Saxena
R/o- MIG –A/135 , Aashiyana Pratham ,
Tehsil and District Moradabad U.P.

Ref. No.....11...../Parya/SEIAA/ 5860-5578 /2020Date: 15 May, 2025

MoEFCC Proposal no- SIA/UP/MIN/56882/2020 & SEIAA, U.P File no- 5860/5578

Sub: Rejection of restoration application of Environmental Clearance for Proposed Sand/Morrum Mining from Dhasan Riverbed at Gata No. 1419 Kh Khand No.- 01, Village- Dhamnaud, Tehsil- Garautha ,District- Jhansi U.P., (Leased Area – 24.00 Ha).

Dear Sir,

SEIAA in its 888th meeting dated 15-4-2025, discussed the above matter SEIAA noted that Hon'ble NGT in its order dated 03.02.2025 in OA No. 08/2025 states that:-

...“Subsequently, by order dated 12.12.2024, the EC was cancelled and the applicant filed the application for restoration of EC on 19.12.2024 and subsequent application on 07.01.2025. The plea of the applicant is that these restoration applications are still pending.

In pursuance to the order dated 21.01.2025 passed in this OA, the applicant has filed the affidavit dated 29.01.2025 stating that the applicant has not received the order dated 12.12.2024, cancelling the EC nor the said order has been served upon the address of the applicant...”

SEIAA gone through file and documents and noted that:-

- Before cancellation of EC, in light of Natural Justice, show cause notice was issued to the project proponent vide letter no. 221/Parya/ SEIAA /5860-5578/2019 dated 27.06.2024 and was sent by registered post on the address submitted by the proponent in application form for EC but it was not received and returned back. Hence show cause notice was communicated to the project proponent vide email dated 10.07.2024 and 11.07.2024. He never replied to the show cause notice.
- Subsequently, the said EC was kept in Abeyance in light of joint committee report of representatives of MS, CPCB and RO, MoEFCC Lucknow filed on 08.08.2024, vide letter no. 72/Parya/SEIAA/5860-5578/2020 dated 21.11.2024 and this order was sent by registered post on the address submitted by the proponent in application form for EC, but it was not received and returned back. Hence Abeyance letter was communicated to the project proponent along with DM, Jhansi, MS, UPPCB along with others vide email dated 22.11.2024.
- Thereafter said EC was cancelled and letter no. 87/Parya/SEAC/5860-5578/2018 dated 22.12.2024 with Subject- Cancellation of Environmental Clearance for proposed Sand/Morrum Mining Project at Dhasan River, Gata No.- 1419 Kh, Khand No.- 1, Village: Dhamnaud, Tehsil Garautha & District: Jhansi was sent by registered post on the address submitted by the proponent in application form for EC, it was also communicated to the project proponent along with DM, Jhansi, MS, UPPCB along with others vide email dated 24.12.2024 on the email address submitted by project proponent in application form. Registered post was not received and was returned back. The consultant was also

intimated vide email dated 06.01.2025. So it is not correct to say that ...*"said order has not been served upon the address of the applicant"*.

- It is clear that he was in receipt of show cause notices but chose not to reply to the SEIAA on the show cause notices, order keeping the EC in abeyance as well as cancellation of EC order. Otherwise, how did he file restoration application? He is misrepresenting the facts in this matter.

Order dated 13.12.2024 in Original Application No. 440/2023 (IA No 607/2024, IA No 535/2024, IA No 383/2024) Naveen Kumar Applicant versus State of Uttar Pradesh & Ors. filed in Hon'ble NGT in the same case states that:

... "5. The Tribunal after considering the report of the joint Committee in the order dated 28.08.2024 had noted that out of 76 "Specific" conditions of EC and 48 "General" conditions, 38 were found to be 'not complied', 17 were found to be 'partially complied' and 48 were found to be 'being 3 complied'. Hence, the Tribunal had found gross non-compliance with the majority of the EC conditions. After noting the said non-compliance, the Tribunal directed the SEIAA, UP and UPPCB to take action in accordance with the law against the Project Proponent by duly complying with the principles of natural justice."...

Hence SEIAA opined to reject the restoration application, as EC was cancelled based on non-compliance of EC conditions as reported by joint committee and submitted to Hon'ble NGT and ample opportunity was given to him to explain himself.

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.

This is for your information and necessary action in accordance with provision of EIA notification 2006 (as amended).



(Ajay Kumar Sharma)
Member Secretary, SEIAA

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

1. Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)
2. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)
3. Deputy Director General of Forests (C), Integ rated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)
4. District Magistrate, Jhansi.
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.



(Ajay Kumar Sharma)
Member Secretary, SEIAA