

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 84 OF 2025**

IN THE MATTER OF:

Akhilesh Kumar

...Applicant

VERSUS

Union of India & Ors.

... Respondents

AND

**OBJECTION ON BEHALF OF THE RESPONDENT NO. 10 (M/S
RUDRA MINING AND COMPANY) IN THE O.A. NO. 84 OF 2025**

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ADVOCATE FOR THE RESPONDENT NO. 10: AYUSH MISHRA

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1102 OF 2024

IN THE MATTER OF:

Akhilesh Kumar

...Applicant

VERSUS

Union of India & Ors.

... Respondents

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Through:



[AYUSH MISHRA]
COUNSEL FOR THE RESPONDENT NO. 10

Date: 09.04.2026

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
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IN THE MATTER OF:

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**OBJECTION ON BEHALF OF THE RESPONDENT NO. 10 (M/S
RUDRA MINING AND COMPANY) IN THE O.A. NO. 84 OF 2025**

TO,

THE HON'BLE CHAIRMAN AND HIS OTHER COMPANION MEMBERS OF THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

A HUMBLE REPLY TO THE LETTER PETITION (REGISTERED & TREATED AS ORIGINAL APPLICATION) SUBMITTED BY THE RESPONDENT ABOVE-NAMED:

MOST RESPECTFULLY SHOWETH:

1. That M/s Rudra Mining and Company i.e. Respondent No. 10 in the present matter, (hereinafter referred to as the **“Present Respondent”/“Project Proponent”**) has been issued Letter of Intent dated 16/02/2023 by the District Magistrate, Sonbhadra for

excavation of mineable minerals (Sand extraction) at Arazi No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil Obra, District Sonbhadra, Uttar Pradesh (hereinafter referred to as“ **Subject Mine**”).

2. That before addressing the matter on its merits, the Project Proponent seeks the liberty of Hon’ble Tribunal to place on record the factual history of the dispute so that the entire picture may become clear.
3. That on 15.11.2022, the tender advertisement for inviting bids for the mining of the area in question (i.e. Arazi No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil Obra, District Sonbhadra, Uttar Pradesh) was issued by the District Magistrate Sonebhadra.
4. That notably, multiple bids were submitted to the District Administration and ultimately the tender of the present project Proponent was accepted after following the due process of law. Additionally, there was even a public hearing process involved in awarding the tender for mining and notably no objection regarding the non-existence of morrum was raised therein by anyone.
5. That a Letter of Intent dated 16/02/2023 was issued by the District Magistrate, Sonbhadra in favour of the Project Proponent for

excavation of mineable minerals (Sand extraction) at Arazi No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil Obra, District Sonbhadra, Uttar Pradesh. **A True Copy of the Letter of Intent dated 16.02.2023 issued in favour of the Present Respondent by the District Magistrate, Sonbhadra is annexed herewith and marked as ANNEXURE -1 to this objection.**

6. The Project Proponent applied for securing Environmental Clearance to begin the Mining in the subject mine.
7. That a Complaint dated 11.10.20203 was filed by one Akash Dubey and the process of grant of EC was unlawfully jeopardized by him.
8. On the complaint, SEIAA formed a three-member committee to give a report on the availability of morrum since it was the allegation of the Akash Dubey that there is no morrum available in the land in question.
9. Subsequently, the OA No. 109/2024 was filed by Akash Dubey with the similar intent of hampering the process of grant of EC.
10. That the Joint Committee which was formed submitted its report. Notably, the Mining Officer of District Sonebhadra who was a member of the 3-member joint committee submitted its report dated

02.03.2024 stating that the land in question belongs to the State Government and that the area in question is situated on the right side of the downstream of the Sone River on which the morrum brought by the river as a result of hill erosion is deposited in abundance. Thus, there it is submitted that there is the presence of minable mineral in the subject area for mining and the allegation of the Applicant that there is no morrum in the area is unfounded and misconceived. **A True Copy of the Report dated 02.03.2024 of the Mining Officer of District Sonebhadra is annexed herewith and marked as ANNEXURE-2 to this Objections.**

11. That the other two members i.e. one Professor and one Officer of the Pollution Control Board have submitted an undated report submitting that there is low possibility of occurrence of mineral deposit in the said area. The Report submitted by the other two members are neither factually correct nor based on scientific temperament and empirical/technological methodology that is a pre-requisite for an inspection report. That since the question involved is of mining, it is only the finding of the Mining officer who has the relevant expertise and competence to return a finding on this query. Thus, the finding of the Mining Officer of Sonebhadra should be relied upon rather than the findings of the other two members. Further, the finding returned

by the two members is absolutely baseless as the same has been based on merely visual inspection whereas the delicate nature of the matter required a technical and geological evaluation from a scientific standpoint to ascertain whether there is presence of minable mineral. The two members have not conducted any laboratory test to conclude that there is no mineable mineral in the subject site but have based their entire reasoning on a visual inspection, which is not proper in law.

12. The Hon'ble NGT also directed for furnishing Joint Committee Report in the matter which was filed and which was in favour of the fact that morrum is available. The Joint Committee Report dated 05.07.2024 is also being brought on record. Notably, the report dated 05.07.2024 clearly stipulated that the land in question is not agricultural land and that the geological reserve in the area is 364380 cubic meters and mineable reserve is 218628 cubic meters in the lease area of 12.146 ha. Notably, the report itself also annexed the DSR amendment letter dt. 01.04.2021 as its annexure-7. **A True Copy of the report dt. 05.07.2024 is annexed as ANNEXURE-3 to this Objections.**

13. That on 25.11.2024, the Hon'ble NGT Disposed of the OA No. 109/24 directing the Applicant therein to place its material before SEIAA and SEIAA may consider that during grant of EC. **A True copy of Order dated 25.11.2024 passed by Hon'ble NGT is annexed as ANNEXURE –4 to this Objection.**
14. That subsequently SEAC in its Meeting dated 03.12.2024 had removed the land in question from the DSR only on the basis that the Joint Committee Report (*called by Hon'ble NGT in OA No. 109/24 i.e. Akash Dubey vs Union of India*) dated 05.03.2024 says that there is no mineral deposit in the area and that Joint Committee Report dated 05.07.2024 has not provided exact amount of mineable mineral in the area. Thus, only on these two grounds, the name of the land in question was removed from the DSR.
15. Notably, before the removal of the land in question from DSR, the final order in the matter of Akash Dubey had already been delivered and yet the land in question was wrongly excluded from DSR based on the disputed report of the two members. Instead the SEAC should have considered the latest replenishment study and give its findings based on the replenishment study but SEAC wrongly relied upon old disputed joint committee report to exclude the land in question from DSR.

REPLY ON MERITS

16. At the very outset, it is submitted that the Applicant, i.e. one Mr. Akhilesh Kumar is proxy applicant being used for filing frivolous repetitive petitions against the Project Proponent (i.e. M/s Rudra Mining and Company). Notably, the land in question is situated in Sonebhadra but the address of Akhilesh Kumar as reflected in the Affidavit is of Mirzapur. Moreover, in OA No. 1102/2024 his Affidavit is notarized in Lucknow and whereas in OA No. 84/2025, his Affidavit has been notarized in Varanasi. Lastly, in OA No. 547 of 2025, his Affidavit has been notarized in Mirzapur. It is submitted that the Applicant has no concern with Sonebhadra and is not a genuine Bona fide litigant and is only filing the repetitive petitions to harass the Project Proponent and to derail the process of grant of EC to the Project Proponent. Also, in para three of the memo in OA 1102/24 the Applicant says he is interest in the protection of environment. It may be relevant to submit that he has not brought on record anything that he has done for the environment. He has solely engaged in motivated litigation against the project proponent for the vested purpose of benefitting the adjacent patta holders.

17. That it is submitted that the Applicant has filed 3 OAs against the Project Proponent i.e. OA No. 1102/2024, OA No. 84/2025 and OA No. 547 of 2025 and that all averments in all the three OAs are interrelated and intertwined and thus it becomes imperative for the present Respondent to answer the averments on this OA in light of all the allegations against the Respondent and not in a vacuum. Further, since all the three OAs have been filed by the same Applicant and are being contested by the same set of counsels as well, no prejudice would be caused to any party if a holistic reply is given before this Hon'ble Tribunal encompassing all the related aspects of all the 3 OAs.
18. At the very first instance it is submitted that that the prayer made by the Applicant in OA No. 84/2025 has become infructuous in as much as the prayer made is with respect to the quashing the letter dt. 17.12.2024 whereby the a committee was constituted of soil scientist for evaluation of mineral availability. The prayer is rendered infructuous as pursuant to the impugned letter, the committee has been constituted and in fact the committee has already given its report. Further, prayer no. (b) of the applicant is extremely general and not pertaining to the project proponent and the prayer no. (c) has also been rendered infructuous and the soil scientist from BHU has already

evaluated the site. Notably, the site cannot be evaluated by a person of choice of the Applicant. Such demands are nothing short of harassment techniques being employed by the Applicant to torment the project proponent.

19. Further, the entire reasoning of the OA filed by the Applicant is based on the unsinged report, in which mining officer (who was the only competent person) had not signed the report.
20. That the report given by the soil scientist committee remains unchallenged. Further, the applicant himself admits in its OA 84/25 that there is no mechanism in law defined to be adopted when there is a different between the SEAC report and the SEIAA report. Thus, the route that has been taken by SEIAA in the present matter cannot be faulted with at law. Also, when this Hon'ble Tribunal disposed off the OA No. 109/24, which had been filed by the same proxy petitioner through the same counsel, he did not approach the SEIAA with its grievance but rather violated the order and filed 3 new OAs.
21. That all the relevant minutes of the meetings have already been annexed in the Reply filed by SEIAA and thus the present report is not reproducing them again. Also, the EC which has now been granted to the project proponent has also been annexed by SEIAA.

22. The entire case of the Applicant (Mr. Akhilesh Kumar) in OA No. 457/2025 before the Hon'ble NGT is that SEIAA has wrongly taken the decision to include the land in question (i.e. Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil Obra, District Sonbhadra) since this inclusion is only based on the Recommendation of SEAC dt. 19.05.2025 and that according to the Applicant, SEAC never made any such recommendation. The second allegation is that the minutes of the meeting dated 31.05.2025 has only been signed by the Member Secretary and thus the minutes are bad in law since the Chairman and Member has not signed it.
23. With respect to the first allegation, it is humbly submitted that SEAC in its Meeting dated 03.12.2024 had removed the land in question from the DSR only on the basis that the Joint Committee Report (*called by Hon'ble NGT in OA No. 109/24 i.e. Akash Dubey vs Union of India*) dated 05.03.2024 says that there is no mineral deposit in the area and that Joint Committee Report dated 05.07.2024 has not provided exact amount of mineable mineral in the area. Thus, only on these two grounds, the name of the land in question was removed from the DSR. **A True Copy of Minutes of Meeting dated 03.12.2024 of SEAC is annexed as ANNEXURE -5 to this Objection.**

24. On the above two issues, SEIAA in its meeting dated 17.12.2024 took cognizance of the Letter of Rudra Mining Company dated 12.12.2024 wherein the Project Proponent also brought on record the final order dated 25.11.2024 passed in OA No. 109/2024 *i.e. Akash Dubey vs Union of India* by means of which the Hon'ble NGT Disposed the matter by directing Akash Dubey to raise his objections before SEIAA. In this context, SEIAA said that since the previous reports did not disclose the amount of morrum available, SEIAA now directed the District Magistrate to constitute a Committee comprising of (1) the Mining Officer, Sonebhdra, (2) Addl. District Magistrate and (3) Soil Scientist of State/Central University to examine the soil profile and give its report regarding morrum available. **A True copy of Minutes of Meeting dated 17.12.2024 of SEIAA is annexed as ANNEXURE –6 to this Objection.**
25. The said Committee was formed with Prof. Janardhan Yadav, Soil Scientist from Banaras Hindu University (BHU) and it conducted its inspection on 13.01.2025 and submitted its Report dated 05.02.2025 which clarified that there is 95.72% morrum present in the area in question and that this area is thus not fit for agriculture. Thus, the only allegation that was against the Project Proponent that the land in question does not have minable mineral got removed by the report of

the Committee which clarified after scientific examination that there is 95.72% morrum present in the area. **A True copy of Committee Report of Soil Scientist, ADM and Mining Officer is annexed as ANNEXURE –7 to this Objection.**

26. Further, SEIAA in its Minutes of Meeting dated 28.02.2025 took cognizance of the Report of the Committee and directed the DM to make sure that the Geo-coordinates of the area are mentioned in the Report, which was earlier not mentioned. **A True copy of Minutes of Meeting dated 28.02.2025 of SEIAA is annexed as ANNEXURE – 8 to this Objection.**
27. On the above Direction of SEIAA, a report with the Geo-Coordinates was filed, which was then sent by SEIAA to SEAC on 02.04.2025 for the recommendation of SEAC.
28. The above recommendation of SEAC came to be incorporated in its Minutes of Meeting dated 19.05.2025. SEAC, on 19.05.2025, recommended that the matter may be referred to the Directorate of Geology and Mining and then further directed that the matter should be sent to SEIAA for information and doing the needful. **It should be noted here that SEAC is merely a recommending body and not the final authority, since it is the role and duty of SEIAA under**

law to take the final decision. Notably, SEAC did forward and recommend the matter to SEIAA for its final decision. Had SEAC not been convinced with the report of the Joint Committee and the inclusion of the land in question in the DSR, it would not have forwarded the matter to SEIAA and SEAC could very well have recommended that the land in question may not be included in the DSR. However, this was not the case. Further, SEAC did not point out any procedural, substantive or financial infirmity in the inclusion of the land in question in the DSR and did not flag any objection to its inclusion in any manner whatsoever. The only thing recommended by SEAC was that for additional clarity, the matter may be referred to Directorate of Geology and Mining as well. However, even SEAC, in its Minutes of Meeting dated 19.05.2025 finally forwarded the matter to SEIAA and left the final decision of the needful to be taken by SEIAA.

29. Thus, the matter finally reached SEIAA which, in its meeting dated 31.05.2025 took the decision to include the name of the land in question in the DSR. **What is noteworthy in this process is that SEIAA has not mechanically come to this conclusion and that this conclusion is based on adequate application of mind which is revealed by a bare reading of the Minutes itself. The minutes**

dated 31.05.2025 first note that SEAC has said that the matter must be sent to Directorate of Geology and Mining. However, after this noting, SEIAA takes conscious cognizance of the letter of the District Magistrate dated 15.02.2025 by means of which the report of the committee of Mining Officer, ADM and Soil Scientist was filed. SEIAA quotes from the report which concludes that there is 95.72% morrum available. Thus, since the only question in all of the litigation was regarding the percentage of morrum being available and since that question has now been answered by the Committee Report of the Soil Scientist, there remains no need to refer the matter against to Directorate of Geology and Mining for the same purpose. Thus, SEIAA concludes that the name of the land in question may now be included in the DSR in light of the Committee Report of the Soil Scientist, Mining Officer and ADM.

30. Notably, two things may be noted here, *First*, that this Committee Report that was send along with letter of DM dated 15.02.2025 has never been challenged before any court of law and that this has attained finality and its correctness cannot be disputed. *Second*, even if the matter is referred to Directorate of Geology and Mining, the report will be filed by the Mining Officer,

Sonbhadra only since it is the Mining Officer who is the representative of the Directorate of Geology and Mining. Since, in the present case, the committee whose report was filed already had the Mining Officer, Sonbhadra as its member, there remained no additional need to again repeat the same process.

A True copy of Minutes of Meeting dated 31.05.2025 of SEIAA is annexed as ANNEXURE –9 to this Objection.

31. Thus, in the above backdrop, SEIAA agreed to include the land in question into the DSR of Sonebhadra. The issue here being artificially created by the Applicant of OA No. 547/2025 is that SEIAA has noted that SEAC has recommended for inclusion of this area in the DSR but according to the Applicant SEAC never made such recommendation. However, it is submitted that this is a patently false reading of the minutes and is only being said to hurl allegation upon SEIAA. When SEIAA says that SEAC has recommended its inclusion, it is referring to the fact that SEAC did forward and recommend the matter to SEIAA for its final decision and had SEAC not been convinced with the report of the Joint Committee and the inclusion of the land in question in the DSR, it would not have forwarded the matter to SEIAA and SEAC could very well have recommended that the land in question may not be included in the DSR. However, this was not

the case as SEAC did not point out any procedural, substantive or financial infirmity in the inclusion of the land in question in the DSR and did not flag any objection to its inclusion in any manner whatsoever.

32. That the only thing recommended by SEAC was that for additional clarity, the matter may be referred to Directorate of Geology and Mining as well. However, even SEAC, in its Minutes of Meeting dated 19.05.2025 finally forwarded the matter to SEIAA and left the final decision of the needful to be taken by SEIAA. Lastly, in line with established principle of law and EIA Notification, 2006, it is clear that SEAC is only recommendatory body and SEIAA is free to take its decision by application of own mind, which has happened in the present case as SEIAA has relied upon the Committee report of Soil Scientist, Mining Officer and ADM and then come to the final conclusion, unlike what the Applicant alleges in the OA. Had there been no discussion of the Committee report and letter of DM in the minutes dated 31.05.2025, then it could have been said that SEIAA has mechanically allowed the inclusion, but in the present case the decision of SEIAA is completely based on material on record and no other consideration.

33. Further, the attempt of the Applicant to mislead the Hon'ble NGT and SEIAA is also evident from the fact that in the OA 547/25, the Applicant does not mention a word about the existence of the Report of Soil Scientist, Mining Officer and ADM and does not bring the said report on record even though the report is of May 2025 and the said OA has been filed in November. The same Applicant has filed two other OAs as well for the same purpose and in those OAs (OA. No. 1102/24 and OA No. 84/2025) where this report has been brought on record by Respondents but still the Applicant deliberately misleads the court and SEIAA by not filing the same.
34. Lastly, it is noteworthy to submit that the submission of the Applicant is the SEAC never wanted the land in question to be included in the DSR. However, if this would have been correct, SEAC would surely have recommended to reject the inclusion of the land rather than forward the matter to SEIAA. If SEAC does not reject the inclusion and forwards the matter to SEIAA, it only means that SEAC has recommended and forwarded it and the final decision is to be taken by SEIAA.
35. Also, in the minutes of Meeting dated 29.09.2025, the same SEAC has recommended the grant of Environment Clearance to the Project Proponent. Notably, for an entity to get EC on a piece of land, that

Piece of land has to be included in the DSR and if the SEAC was against the inclusion of the land in question into the DSR, then it would not have recommended grant of EC to the Project Proponent which is a step ahead of the inclusion in DSR. Thus, the recommendation for EC by SEAC speaks in favour of the fact that the SEAC recommended in favour of inclusion of the land in question into the DSR. **A True copy of Minutes of Meeting dated 29.09.2025 of SEAC is annexed as ANNEXURE –10 to this Objection.**

36. **With respect to the second allegation in the OA that only member secretary has signed the Minutes of Meeting dated 31.05.2025, it is submitted that this allegation by the Applicant stems from a lack of understanding of the proceedings of SEIAA, since it is known fact as per the EIA Notification and all the documentation of SEIAA available uploaded in public domain that it is the Member-Secretary only who is the signing Authority and all the minutes and other documents of SEIAA are always published under the signature of the Member-Secretary itself. There is no abnormality in the present case. The Applicant has not shown that the Chairman always signs on Minutes and that this is the only case where the Chairman has not signed. In fact, as per data available on SEIAA portal, it is the known practice that all**

documents are under the signature of the Member-Secretary, which would obviously be uploaded only after the Chairman and the Member has internally granted their approval. It is trite law that no minutes are uploaded without the approval of all the concerned and only because it is under the signature of the Member-Secretary, it does not make the minutes invalid as the Applicant has not been able to point out any discrepancy as compared to any other case.

37. In view of the above irrefutable factual matrix and legal position, it is evident that the present Applicant has approached the Hon'ble NGT with mala fide intent, indulging in vexatious, repetitive and proxy litigation with the sole objective of stalling a lawful mining project duly sanctioned through transparent procedure. The Project Proponent has complied with every statutory requirement, including a scientifically conducted soil and mineral assessment by a duly constituted Committee comprising the Soil Scientist of BHU, the Mining Officer and the ADM, which conclusively establishes 95.72% morrum presence in the subject mine area. This report stands unchallenged and has attained finality in law.

38. The Hon'ble SEIAA has exercised its jurisdiction strictly in accordance with law, upon a thorough and conscious appreciation of all materials placed before it, and has rightly directed inclusion of the land in question into the DSR. On the contrary, the Applicant has deliberately suppressed material facts, twisted the record of proceedings, and attempted to mislead the Hon'ble NGT and SEIAA by withholding crucial documents including the Joint Committee Report which is fatal to his case.
39. The attempt of the Applicant to reopen settled issues by raising baseless, non-existent and hyper-technical objections is nothing short of abuse of process of law, aimed purely at obstructing industrial development and the State's revenue-generating mining operations. The continuation of such intimidation through frivolous litigation must be curbed with a firm and exemplary response, lest it becomes a tool to derail lawful commercial activities.
40. In crux, it is submitted that the entire decision-making process culminating in the SEIAA's Resolution dated 31.05.2025 is unimpeachable, transparently lawful, and firmly rooted in expert findings: SEAC, being only a recommendatory body, clearly found no procedural or substantive flaw in the Joint Committee Report nor in the proposed inclusion of the land in the DSR, and having merely

sought additional clarity, still forwarded the matter to SEIAA for final determination—an act wholly inconsistent with any alleged objection or disagreement; SEIAA thereafter consciously applied its mind to the Committee’s scientific determination of **95.72% morrum availability**, a report that stands unchallenged and has attained finality, and correctly appreciated that any further reference to the Directorate of Geology and Mining would be a redundant duplication since the Mining Officer—who represents that Directorate—was already a signatory to the Committee Report; Finally, the allegation regarding the Member-Secretary’s signature on the Minutes is wholly misconceived, for SEIAA’s consistent and publicly-documented administrative practice, in line with the EIA framework, is that its Minutes are routinely authenticated under the signature of the Member-Secretary after approval by the Authority, and therefore no illegality or irregularity can be imputed to the valid and considered approval granted by SEIAA to include the subject land in the DSR.

41. It is, therefore, humbly but firmly submitted that the present objections of Mr. Akhilesh Kumar deserve to be rejected in limine, and the decision of SEIAA to include the subject land in the DSR deserves to be upheld.

42. That in compliance of the order dated 3.11.25 of this Hon'ble Court in OA 547/25, SEIAA had called the present respondent as well as the applicant and heard both of them in detail and subsequently EC was granted to the project proponent. Notably, CTO has also been granted which has been brought on record in the reply of the UPPCB.
43. That in OA 1102/24, the Applicant concealed the disposal order passed in OA No. 109/24 and deliberately filed the OA without making the Project proponent a party , when the answering respondent is the most affected party.
44. That the whole dispute raised by the applicant is regarding availability of mineral reserve which has been now adjudicated by a report of the committee comprising a soil scientist from BHU. Thus, the entire controversy is pit to rest and nothing survives in this OA. Further, if the petitioner is aggrieved by the report, the remedy is to challenge the report. Further, the name of the project proponent has been added after following due procedure and on the valid reports which remain unchallenged. Thus, there remains no occasion for the DSR to be challenged only for the propuse of creating artificial hurled for the Project proponent.

45. The Project Proponent has received its EC and CTO and has made a huge sum of investment and by creating such hurdles, the applicant is causing grave loss to the project proponent and the state exchequer.
46. In view of the foregoing factual and legal position, it is most respectfully submitted that the present proceedings are vitiated by gross abuse of the process of law. The Hon'ble Tribunal has consistently deprecated the invocation of its jurisdiction for oblique purposes or through proxy litigants seeking to settle collateral or commercial scores under the guise of environmental concern. The conduct of the Applicant, marked by repetitive filings, suppression of material facts, and calculated omission of binding and determinative reports, clearly disentitles him from any equitable or discretionary relief. It is settled law that a litigant who approaches a judicial forum must do so with clean hands, candour, and bona fides; failure thereof renders the proceedings liable to be dismissed at the very threshold. The present case squarely falls within the category of vexatious and motivated litigation which warrants not only dismissal but also imposition of exemplary costs in order to preserve the sanctity of environmental adjudication.
47. It is further submitted that the decision-making process culminating in the inclusion of the subject land in the District Survey Report and

the subsequent grant of Environmental Clearance is fully compliant with the statutory framework under the EIA Notification, 2006 and the principles of administrative law. The distinction between the recommendatory role of SEAC and the determinative authority of SEIAA is well entrenched, and it is trite that the final authority is vested with the power to independently assess the material on record and take a reasoned decision. In the present case, SEIAA has demonstrably exercised its jurisdiction upon due application of mind, relying upon a scientifically robust and multidisciplinary committee report, which includes domain experts and remains unchallenged. The allegation of procedural impropriety is thus wholly misconceived and contrary to settled principles governing environmental decision-making.

48. The challenge raised by the Applicant on the issue of mineral availability stands conclusively answered by the expert committee report, which establishes the presence of 95.72% morrum through scientific assessment. In environmental jurisprudence, expert opinion—particularly when based on empirical analysis and technical methodology—commands primacy unless shown to be perverse or arbitrary, which is not even remotely the case herein. The Applicant, having failed to assail the said report before an appropriate forum,

cannot be permitted to indirectly reopen concluded findings through collateral proceedings. Such an attempt would be contrary to the doctrine of finality and would introduce uncertainty and instability in regulatory processes, thereby undermining both environmental governance and investor confidence.

49. It is also pertinent to submit that the balance of convenience and the doctrine of sustainable development weigh heavily in favour of the Project Proponent. The project in question is not only backed by due statutory approvals but also contributes to regulated mining, which is essential for infrastructure development and economic growth. At the same time, it is subject to stringent environmental safeguards under the granted EC and CTO. The unwarranted obstruction of such a project, particularly on the basis of unsubstantiated allegations, results in significant financial prejudice to the Project Proponent and loss to the public exchequer, while serving no environmental purpose. The jurisprudence of this Hon'ble Tribunal mandates a balanced approach, ensuring that environmental protection does not become a pretext for stifling lawful and regulated development.

50. In light of the above, it is respectfully submitted that no cause of action survives in the present Original Application, the foundational issue having been conclusively settled by competent expert

determination and due regulatory scrutiny. The impugned actions of the authorities are legal, reasoned, and within jurisdiction, and do not warrant any interference by this Hon'ble Tribunal in exercise of its appellate or supervisory powers. The present proceedings, being devoid of merit and tainted by mala fides, deserve to be dismissed in limine with appropriate costs, and the validity of the inclusion of the subject land in the District Survey Report deserves to be upheld in the interest of justice, certainty in regulatory administration, and the larger public good.

51. That the facts stated above are true and correct to the best of my knowledge and belief as based on records of the present case.
52. That the Present Respondent further craves leave of this Hon'ble Tribunal to file additional documents or add/amend/substitute its submissions and averments as and when it is directed by this Hon'ble Tribunal or it is necessary for proper adjudication of the matter.

PRAYER

In view of the foregoing facts, circumstances and subsequent developments, it is most respectfully prayed that this Hon'ble Tribunal may be graciously pleased to:

- (a) Pass appropriate order(s) and/or direction(s) to Dismiss the O.A. filed by the Applicant with costs;
- (b) Pass appropriate order(s) and/or direction(s) to the Applicant not to create any hindrance or obstruction in the operations of the present Respondent.
- (c) And pass any other appropriate order(s)/direction(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

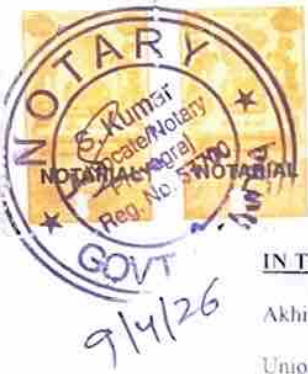
**AND FOR THIS ACT OF KINDNESS, THE PRESENT RESPONDENT AS
IN DUTY BOUND SHALL FOREVER PRAY.**

Through:



[AYUSH MISHRA]
COUNSEL FOR THE RESPONDENT NO. 10
Contact: 9515339706
Email: office.ayushmishra@gmail.com

DATE: 09.04.2026



BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPLE BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 84 of 2025

IN THE MATTER OF:

Akhilesh Kumar ... Applicant
 Versus
 Union of India & Ors. ... Respondents

AFFIDAVIT

I, Dharendra Kumar Singh, S/o Shri C.P. Singh, aged about 42 years, R/o Ward No. 20, Shastrinagar Robertsganj, Sonbhadra, Uttar Pradesh - 231216, do hereby solemnly affirm and state as under:



1. That I am a Partner in the Respondent No. 10 Partnership firm (i.e. M/s Rudra Mining and Company (Respondent No. 10) in the O.A. No. 84 of 2025) in the aforesaid matter and as such am well conversant with the facts and circumstances of the case and competent to swear this Affidavit.

That I have read and understood the contents of the accompanying Reply to the Original Application and affirm that the same are true and correct to the best of my knowledge and belief, and that no part of it is false and nothing material has been concealed therefrom.

3. That the Annexures 1 to 10, annexed to the Reply are True Copies of their respective originals.

Dharendra Kumar Singh
 DEPONENT

VERIFICATION

Verified at Prayagraj on this 9th April that the contents of the abovementioned affidavit are true and correct to the best of my knowledge, belief and ability, and no part of it is false and that nothing material has been concerned therefrom.

Dharendra Kumar Singh
 DEPONENT

Sri... Dharendra Kumar Singh
 Identified by... Sanjay Kumar Adv
 has sworn before me on... 9.4.26
 who has accepted the contents of
 this affidavit to be true.

Sanjay Kumar Adv
 Sanjay Kumar
 Advocate/Notary Prayagraj
 Govt. of India
 9/4/26

IDENTIFIED BY

ADVOCATE/PRAYAGRAJ

कार्यालय जिलाधिकारी, सोनभद्र।

(खनिज अनुभाग)

पत्रांक 4026/खनिज/2023

दिनांक 16/02/2023

मे० रुद्र माइनिंग एण्ड कम्पनी
पता ग्राम-देवगढ़ पोस्ट-शिवद्वार, घोरावल,
द्वारा-श्री भूपेन्द्र प्रताप सिंह पुत्र राम प्रताप सिंह
निवासी देवगढ़, शिवद्वार, पोस्ट-घोरावल,
जनपद-सोनभद्र।
मोबाइल नं०-9839626500
ई०मेल आई०डी० rudraminingsbr@gmail.com

आशय-पत्र(Letter of Intent)

उ०प्र० उप खनिज (परिहार) नियमावली, 2021 के नियम-23(1) के प्राविधानों के अधीन ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से खनन पट्टा स्वीकृत किये जाने हेतु इस कार्यालय के पत्र संख्या-2588/खनिज/विज्ञप्ति-मोरम/2022 दिनांक 05.11.2022 के द्वारा रिक्त घोषित करते हुये इच्छुक एवं अर्ह व्यक्तियों से निविदा सह बोली आमंत्रित की गयी थी। 2- उक्त क्रम में जनपद-सोनभद्र की तहसील-ओबरा के ग्राम-भगवां की आराजी संख्या-15च में स्थित क्षेत्र रकबा-12.146 हेक्टेयर (खण्ड-2) में उपलब्ध वार्षिक आंकलित मात्रा 2,18,628 घन मीटर मौरम के लिये सेवा प्रदाता एजेन्सी (एम०एस०टी०सी०) के माध्यम से आपने रु० 510/- (रुपये पांच सौ दस मात्र) प्रति घन मीटर की बोली विज्ञप्ति दिनांक 05.11.2022 में उल्लिखित शर्तों के अधीन दी है।

3- अतः आपके द्वारा दी गयी बोली सर्वोच्च एवं सन्तोषजनक पाये जाने पर निम्न शर्तों के अधीन एतद्वारा औपबन्धिक रूप से उसे स्वीकार की जाती है:-

शर्तें:-

1. विषयगत क्षेत्र में उपलब्ध वार्षिक आंकलित मात्रा 2,18,628 घन मीटर मौरम के लिये रु० 510/- (रुपये पांच सौ दस) मात्र प्रति घन मीटर की दर के अनुसार प्रथम वर्ष के लिये वार्षिक पट्टा धनराशि रु० 11,15,00,280/- (रुपये ग्यारह करोड़ पन्द्रह लाख दो सौ अस्सी) मात्र आगणित होती है, अतएव उक्त धनराशि की 25 प्रतिशत धनराशि रु० 2,78,75,070/- (रुपये दो करोड़ अठ्ठतर लाख पचहत्तर हजार सत्तर) मात्र प्रतिभूति के मद में एवं 20 प्रतिशत धनराशि रु० 2,23,00,056/- (रुपये दो करोड़ तेइस लाख छप्पन) मात्र प्रथम किश्त के मद में आपको इस आशय-पत्र के निर्गमन के दिनांक से, दो कार्य दिवसों के अन्दर जमा करने होंगे। बयाने के रूप में जमा धनराशि (अर्नेस्टमनी) प्रतिभूति के मद में जमा होने वाली धनराशि में समायोजित होगी। आशय-पत्र जारी करने के दो कार्य दिवसों के अन्दर नियत धनराशि इस कार्यालय में जमा करना अनिवार्य है अन्यथा यदि आप धनराशि जमा करने में विफल रहते हैं, तब आपके द्वारा अर्नेस्टमनी के मद में जमा की गयी धनराशि राज्य सरकार के पक्ष में जब्त कर ली जायेगी तथा इस सम्बन्ध में आप द्वारा कोई शिकायत अथवा प्रत्यावेदन प्रस्तुत किया जाता है, तब वे विचारणीय नहीं होंगे।

2. मौरम का खनन पट्टा पाँच वर्ष की अवधि के लिये स्वीकृत किया जायेगा। प्रथम वर्ष हेतु देय धनराशि रु0 11,15,00,280/- (रुपये ग्यारह करोड़ पन्द्रह लाख दो सौ अस्सी) मात्र पर अनुवर्ती वर्षों में वार्षिक पट्टा धनराशि 10 प्रतिशत की उत्तोल्लर वृद्धि सहित देय होगी।
3. प्रथम वर्ष के लिये अवशेष पट्टा धनराशि एवं आगामी वर्षों के लिए निर्धारित पट्टा धनराशि उ0प्र0 उप खनिज (परिहार) नियमावली, 2021 में नियत समयानुसार राज्य सरकार को निर्धारित प्रक्रिया के अनुसार भुगतान की जायेगी। देय किश्त की धनराशि जमा न करने की दशा मे नियमावली, 2021 के नियम-59 के अनुसार देय धनराशि, नियमानुसार ब्याज सहित वसूल की जायेगी।
4. आशय-पत्र (Letter of Intent) निर्गत होने के एक माह के अन्दर, निदेशक, भूतत्व एवं खनिकर्म, उ0प्र0, लखनऊ के समक्ष खनन योजना, खान बन्दी योजना सहित अनुमोदनार्थ प्रस्तुत किया जाना अनिवार्य होगा तथा अनुमोदित खनन योजना प्राप्त होने के एक माह के अन्दर सक्षम प्राधिकारी के समक्ष पर्यावरण स्वच्छता प्रमाण-पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा, अन्यथा नियमावली, 2021 के नियम 60(1) के प्राविधानों के अर्न्तगत रु0 10,000/- प्रति दिन की दर से शास्ति देय होगी।
5. उ0प्र0 उप खनिज (परिहार) नियमावली, 2021 के नियम-17 के प्राविधानों के अनुसार पट्टेदार क्षेत्र का सीमांकन करायेगा तथा नियम-36 के अनुसार सीमा स्तम्भ लगायेगा एवं उनका अनुरक्षण करने हेतु सदैव उत्तरदायी होगा।
6. पर्यावरण अनापत्ति प्रमाण-पत्र प्राप्ति से एक माह के भीतर पट्टा विलेख का निष्पादन कराकर खनन संक्रिया तत्काल आरम्भ की जायेगी।
7. नियमावली, 2021 के नियम 35(4) के अर्न्तगत पर्यावरण की स्वीकृति की प्रक्रिया के दौरान अपेक्षित समयावधि मे, सक्षम प्राधिकारी द्वारा लगायी गयी आपत्तियों का परियोजना प्रस्तावक द्वारा समाधान किया जाना अनिवार्य होगा। नियम 35(4) के उल्लंघन की दशा में जिलाधिकारी नियमावली, 2021 के नियम 60(7) के अर्न्तगत जारी आशय-पत्र (Letter of Intent) निरस्त कर सकेंगे।
8. नियमावली, 2021 के नियम-35 के अनुसार क्षेत्र मे भूमि उद्धार एवं पुर्नवासन उपाय हेतु वित्तीय आश्वासन की धनराशि निर्धारित रीति से जमा कराये जाने हेतु पट्टेदार उत्तरदायी होगा।
9. राज्य सरकार अथवा केन्द्र सरकार द्वारा समय पर निर्धारित कर व शुल्क यथा आयकर रायल्टी का 2.00% टी0सी0एस0(वर्तमान दर) एवं जिला खनिज फाउण्डेशन न्यास, सोनभद्र में उपादान के रूप मे रायल्टी की 10% धनराशि तथा शक्तिनगर विशेष प्राधिकरण, सोनभद्र (साडा) सम्बन्धित उपकर आदि नियमानुसार पट्टेदार जमा करायेंगे।
10. पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कॉर्डिनेट्स पट्टेदार अंकित करायेगा तथा पट्टा विलेख निष्पादन करने के पूर्व में अपने स्वयं के व्यय पर पट्टेदार ऐसे सीमा चिन्ह के खम्भे लगायेगा, जो पट्टा विलेख से संलग्न मानचित्र मे दर्शाये गये सीमांकन को इंगित करने हेतु आवश्यक होंगे।

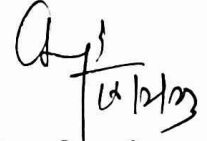


11. पट्टा विलेख के निष्पादन के दिनांक से यथाशीघ्र खनन संक्रियायें पट्टेदार आरम्भ करेंगे और तत्पश्चात जान-बूझकर कोई रथगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण शैली से कुशल कारीगर की भाँति करेंगे।
12. पट्टेदार नियम-36 के अनुसार वाहनों के प्रवेश व उनकी निगरानी के लिए स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकॉर्डिंग के योग्य चार आई0वी0आर0 सी0सी0टी0वी0 कैमरे लगवाये जाने सहित चैक पोस्ट/गेट का निर्माण करेंगे। पट्टेदार उक्त चैक पोस्ट/गेट पर आर0एम0 आइ0डी0 स्कैनर भी रखेगा, जिससे सम्यन्धित खनन पट्टा क्षेत्र से उप खनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई0-प्रपत्र एम0एम0-11 पर अंकित क्यू0आर0 कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख-रखाव करेगा एवं सदैव उसे चालू रूप से अनुरक्षित रखेगा। पट्टेदार उक्त सी0सी0टी0वी0 कैमरे और आर0एम0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकॉर्डिंग को कम से कम तीस दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकॉर्डिंग मांगे जाने पर रिकॉर्ड को उन्हें उपलब्ध करायेगा।
13. पट्टेदार प्रत्येक वाहन को ई0-एम0एम0-11 सही विवरण सहित जारी करेंगे। प्रत्येक वाहन को निर्गत ई0-एम0एम0-11 जनित क्यू0आर0कोड को चैक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिए पट्टेदार आर0एम0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली, 2021 के नियम-60 के अन्तर्गत वह शास्ति के लिए उत्तरदायी होगा।
14. माननीय राष्ट्रीय हरित अधिकरण के आदेश दिनांक: 05.09.2018 के अनुपालन में पट्टेदार द्वारा खदान के निकासी स्थल पर तौल मशीन लगवा कर निदेशालय में स्थापित कमाण्ड सेन्टर में प्रयुक्त आर्टिफिशियल इन्टेलीजेन्स युक्त सॉफ्टवेयर में इन्टीग्रेट कराया जायेगा। इन्टीग्रेट में स्थित तौल मशीन में निम्न Features का होना आवश्यक है:-
 - (1) The Weight bridge device should use the MQTT protocol to transmit data.
 - (2) The Weight bridge device should transmit data over the internet to IOT infrastructure in cloud.
15. खनन क्षेत्र में तीन मीटर की गहराई अथवा जल स्तर, में से जो कम हो, से अधिक गहराई में खनन संक्रियायें पट्टेदार द्वारा नहीं की जायेगी।
16. जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन कार्य पट्टेदार द्वारा नहीं किया जायेगा।
17. नदी की जल धारा में संक्शन लिफ्टर मशीन द्वारा खनन कार्य नहीं किया जायेगा।
18. स्वीकृत क्षेत्र के अन्दर जहाँ अभिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य पट्टेदार द्वारा प्रदर्शित किया जायेगा।
19. यदि पट्टेदार द्वारा नियमों व खनन पट्टा के पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है, तो पट्टेदार को अपना पक्ष रखने की युक्तियुक्त अवसर प्रदान करने के पश्चात जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।



20. उ०प्र० उप खनिज (परिहार) नियमावली, 2021 के नियम-68 के अधीन भूमि के स्वामियों को प्रतिकर पाने का अधिकार होगा, जो भू-स्वामियों एवं पट्टेधारक के मध्य तय होगा।
21. नियमों एवं शर्तों के उल्लंघन के परिणाम स्वरूप यदि कोई वाद अथवा आपराधिक प्रक्रिया योजित होती है, तो इसकी सम्पूर्ण जिम्मेदारी पट्टाधारक की होगी एवं यदि इस सम्बन्ध में कोई व्यय होता है तो उसका वहन पट्टाधारक द्वारा किया जायेगा।
22. राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है, तो वह पट्टेदार को मान्य होगा।
23. माननीय सर्वोच्च न्यायालय, मा० राष्ट्रीय हरित अधिकरण अथवा माननीय उच्च न्यायालय द्वारा पारित आदेशों के अनुपालन हेतु विधितः बाध्य होगा।

अतः आपसे अपेक्षा है कि उपरोक्तानुसार कार्यवाही सुनिश्चित करते हुए निदेशक, भूतत्व एवं खनिकर्म, उ०प्र०, खनिज भवन, लखनऊ से अनुमोदित खनन योजना एवं सक्षम प्राधिकारी से निर्गत पर्यावरणीय अनापत्ति प्राप्त कर इस कार्यालय में प्रस्तुत करें, जिससे खनन पट्टे की स्वीकृति एवं खनन पट्टाविलेख के निष्पादन की कार्यवाही पूर्ण हो सके।



जिलाधिकारी,
सोनभद्र

पत्रांक व तददिनांक

प्रतिलिपि:— निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, उत्तर प्रदेश शासन, भूतत्व एवं खनिकर्म विभाग, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म उ०प्र०, खनिज भवन, लखनऊ।
3. प्रभागीय वनाधिकारी, ओबरा वन प्रभाग, ओबरा, सोनभद्र।
4. पुलिस अधीक्षक, सोनभद्र।
5. क्षेत्रीय अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ०प्र०, क्षेत्रीय कार्यालय, सोनभद्र।
6. उप जिलाधिकारी, ओबरा, सोनभद्र।
7. शाखा प्रबन्धक, एम०एस०टी०सी० लिमिटेड, लखनऊ।



जिलाधिकारी,
सोनभद्र

प्रेषक,

ज्येष्ठ खान अधिकारी,
सोनभद्र।

सेवा में,

सदस्य सचिव,
राज्य स्तरीय पर्यावरण समाघात
निर्धारण प्राधिकरण,
लखनऊ

पत्रांक- 2955/खनिज/2023-24

दिनांक 02/03/2024

विषय-

SEIAA की बैठक के मिनट्स संख्या-774 दिनांक 07.11.2023 के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषय के सम्बन्ध में अवगत कराना है कि SEIAA की बैठक के मिनट्स संख्या-774 दिनांक 07.11.2023 के बिन्दु संख्या-9 में उल्लिखित क्षेत्र जनपद-सोनभद्र की तहसील ओबरा अन्तर्गत ग्राम-भगवां के आराजी संख्या-15च रकबा-12.146 हे0 के सम्बन्ध में तथ्यात्मक आख्या उपलब्ध कराने की अपेक्षा की गयी है।

उक्त के सम्बन्ध में अवगत कराना है कि जनपद-सोनभद्र के तहसील-ओबरा स्थित ग्राम-भगवां के आराजी संख्या-15च (खण्ड-2) रकबा-12.146 हे0 क्षेत्र पर मोरम का खनन पट्टा हेतु मे0 रुद्र माइनिंग एण्ड कम्पनी पता ग्राम-देवगढ़ पोस्ट-शिवद्वार, घोरावल, द्वारा-श्री भूपेन्द्र प्रताप सिंह पुत्र राम प्रताप सिंह निवासी देवगढ़, शिवद्वार, पोस्ट-घोरावल, जनपद-सोनभद्र के पक्ष में कार्यालय के पत्र संख्या-4026/खनिज/2023 दिनांक 16.02.2023 द्वारा आशय पत्र निर्गत किया गया है। प्रश्नगत क्षेत्र का निरीक्षण दिनांक 02.03.2024 को संयुक्त रूप से किया गया, जिसमें पाया गया कि:-

1. उक्त क्षेत्र राजस्व अभिलेखों में नदी के नाम दर्ज, राज्य सरकार की भूमि है।
2. उक्त क्षेत्र सोन नदी की डाउन स्ट्रीम के दांयी ओर स्थित है, जिस पर वर्षा काल में नदी द्वारा पहाड़ी क्षरण के फलस्वरूप बहाकर लायी गयी मोरम प्रचुर मात्रा में निक्षेपित है।
3. उक्त स्थल का निरीक्षण करने पर मौके पर जियो-कोआर्डिनेट दिनांक युक्त फोटो ग्राफ लिये गये, जो आख्या के साथ संलग्नक 01 व 02 है।

आख्या अग्रिम कार्यवाही हेतु सादर प्रेषित है।

संलग्नक:- यथोपरि।

भवदीय



(शैलेन्द्र सिंह)

ज्येष्ठ खान अधिकारी,
सोनभद्र।

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 109 of 2024**

In the matter of:

Akash Dubey

...Applicant

Versus

Union of India & Ors.

...Respondent(s)

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Sr. No.	Particulars	Page No.
1.	Report of the Joint Committee in Original Application No. 109/2024 titled as Akash Dubey Vs. Union of India & Ors in compliance to Hon'ble NGT order dated 01.04.2024 .	
2.	Annexure -1 A copy of Mines and Minerals (Development and Regulation) Act, 1957.	
3.	Annexure -2 A copy of Environment Impact Assessment (EIA) Notification 2006 and its subsequent amendments issued by the Ministry of Environment, Forest and Climate Change.	
4.	Annexure -3 A copy of Sustainable Sand Management Guidelines (SSMG), 2016 issued by the Ministry of Environment, Forest and Climate Change.	
5.	Annexure -4 A copy of Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 issued by the Ministry of Environment, Forest and Climate Change.	
6.	Annexure -5 A copy BHULEKH of Govt. of Uttar Pradesh record.	
7.	Annexure -6 A copy of Letter of Intent (LOI) dated 16.02.2023	
8.	Annexure-7 A copy of amendment in District Survey Report (DSR) dated 01.04.2021.	
9.	Annexure-8 A copy of Hon'ble NGT order dated 01.04.2024.	



(Nazimuddin)
Scientist 'F'

Central Pollution Control Board

Date: 05.07.2024

Place: Delhi

REPORT OF THE JOINT COMMITTEE CONSTITUTED BY HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH IN ORIGINAL APPLICATION NO. 109/2024 IN THE MATTER OF AKASH DUBEY VS. UNION OF INDIA & ORS

1. Introduction:

In the present application, petitioner stated that the Respondent No. 10 i.e., M/s Rudra Mining and Company has committed act of forgery in filing its Form- I for Environmental Clearance (EC) for extraction of “Morrum Mining” on the river bed of Sone River at Arazi No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil-Obra, District Sonbhadra, Uttar Pradesh whereas there is no morrum in that area.

Hon'ble NGT vide its order, dated 01.04.2024 in this matter of Original Application No. 109/2024 in the matter of Akash Dubey Vs. Union of India & Ors constituted a Joint Committee comprising of representative of Member Secretary, CPCB and Advisor/JS in-charge of EIA Mining (Non-Coal) MoEF&CC. Hon'ble NGT in its order, dated 01.04.2024 observed that:

“3. the Joint Committee constituted by SEAC has found as under:

“1. At the time of site visit it was observed that the mining lease is plain/soil land with flora in which, agriculture was being done by local farmers. (Photographs of the farming attached).

2. The lease is located in the outer reach of the rear end of river bank, due to which there is very low possibility of the occurrence of mineral

deposit during floods in future and makes it unsustainable from mining point of view.

3. There are water bodies in the lease area at the time of inspection, hence no mineral can be excavated from the water bodies/submerged area. No mineable mineral (morrum) was observed in the lease area at the time of physical inspection.

4. Joint Committee report discloses a shocking fact that the mining lease is for the area which is an agricultural land area and in which there is no possibility of occurrence of mineral deposit during floods and which is unsustainable for mining point of view.

5. Stand of the Applicant is that on the basis of such mining lease in fact the mining operation is being done by lease holders in other areas where the mineral exists.

6. Having regard to the above position, we deem it proper at this stage to constitute a Joint Committee comprising of representative of Member Secretary, CPCB and Advisor/JS in-charge of EIA Mining (Non-Coal) MoEF&CC.

7. Representative of Member Secretary, CPCB will act as a nodal agency.

“8. Joint Committee will visit the site and ascertain the correct position on the spot and also the truthfulness of the allegations of modus operandi adopted by State officials/Project Proponent to carry out illegal mining on the basis of lease in respect of the area where no mineral exists...”

2. Policies / Rules / Guidelines with regard to River Sand Mining:

2.1 Mines and Minerals (Development and Regulation) (MMDR) Act, 1957

The Sand mining is regulated in terms of the Mines and Minerals (Development and Regulation) Act, 1957 [MMDR Act] and the Mineral Concession Rules (MCR) framed by the concerned State Governments. The Section 15 of the MMDR Act 1957 empowers the State Government to formulate rules for minor minerals. The State Government is empowered to formulate the rules for preventing illegal mining, transportation and storage of minerals by exercising the powers conferred by section 23(C) of the MMDR Act.

A copy of Mines and Minerals (Development and Regulation) (MMDR) Act, 1957 is marked and annexed herein as **ANNEXURE-1**.

2.2 Applicability of Environment Impact Assessment (EIA) Notification 2006 and its subsequent amendments with regard to Sand/RBM Mining

A prior Environmental Clearance (EC) is mandatory for mining of Sand/RBM in accordance with EIA Notification 2006 and its subsequent amendments. The Ministry vide amendment notification S.O. 1886 (E), dated 20.04.2022, has delegated the power to State Level Environment Impact Assessment Authority (SEIAA) to issue EC for all minor minerals irrespective of mine lease area.

A copy of the Environment Impact Assessment (EIA) Notification 2006 and Notification S.O. No. 1886 (E), dated 20.04.2022 is marked and annexed herein as **ANNEXURE-2**.

2.3 Sustainable Sand Management Guidelines (SSMG), 2016 and “Enforcement & Monitoring Guidelines for Sand Mining” (EMGSM), 2020

Ministry of Environment, Forest and Climate Change (MoEF&CC) has issued “Enforcement & Monitoring Guidelines for Sand Mining” (EMGSM), 2020 supplemental to the existing guidelines, i.e., Sustainable Sand Management Guidelines (SSMG), 2016, which focuses on the effective monitoring of the sand mining, from the identification of sand mineral sources to its dispatch and end-use by consumers and the general public. These guidelines also highlight the essential infrastructural requirements necessary for effective monitoring for Sustainable Sand Mining and to control illegal sand mining through the use of IT, night surveillance through Unmanned Aerial Vehicle (UAV)/Drone, etc.

A copy of the Sustainable Sand Management Guidelines (SSMG), 2016 is marked and annexed herein as **ANNEXURE-3** and A copy of the “Enforcement & Monitoring Guidelines for Sand Mining” (EMGSM), 2020 is marked and annexed herein as **ANNEXURE-4**

2.4 Uttar Pradesh State Policy for mining of minor minerals

The Uttar Pradesh Minor Minerals (Concession) Rules, 2021 apply to the entire state of Uttar Pradesh. These rules cover mining operations for minor minerals such as ordinary sand, morrum, gravel, building stones, and ordinary clay.

- a) Mining leases are granted by the District Magistrate of the concerned district, except for limestone marble and dimensional granite.

- b) Mining leases for sand, morrum, *bajri*, or boulder found in the river bed are granted for a maximum period of five years.
- c) Mining leases for other minor minerals are granted for a period not less than five years and not more than ten.
- d) The State Government may grant a mining lease for any period longer than 10 years, but not exceeding 15 years.

2.5 Monitoring Mechanism in the State of Uttar Pradesh

(i) Status of CCTV Cameras installation at mining points verify the amount of sand extracted and materials transported.

(a) Rule-36(2) of Uttar Pradesh Minor Mineral Regulations, 1963 provides that the mining lease holder whose mining lease area is more than 5 hectares, shall construct check-post / gate and install 4 CCTV cameras capable of recording at 360° visibilities at his own expense for monitoring under the supervision of the D.M.

(b) The same is also controlled by Central Command Surveillance Centre located at Headquarters, Lucknow.

(ii) Status of regular patrolling by the Task force inspect mining operations

For effective control over illegal mining and transportation of minerals, local task force comprising of District Revenue Department, District Mining Department and Police level officers act as task force which constantly monitor the activities.

(iii) Setting up of dedicated institutional mechanism for monitoring of conditions of Environmental Clearance as granted under ELA Notification, 2006 in respect of sand and gravel mining under the supervision of the DMs. The PCBs and departmental officers adhere to the compliance of the Environmental Clearance Certificate.

(iv) Control of Mines and Transportation using latest technology such as:

(a) The Department has established a Command Centre at the Directorate of Geology and Mines at Lucknow from where they operate the Integrated Mines Surveillance System for the entire State.

(b) Artificial Intelligence based software and taking the help of Drones and Cloud Services for monitoring mining activity in the State are used for controlling illegal acts by violators.

(c) Drone videography /coverage are done in sensitive districts.

(d) CCTV Cameras and check-gates and Radio Frequency Identification (RFID) tags are used to monitor the movement of vehicles.

(v) Punishment is imposed for illegal Acts are as follow:

(a) State has made a provision in the Rules to blacklist a person for up to 2 years if found guilty of illegal mining/illegal transportation.

(b) The Rules have been amended to allow storage of minerals only beyond 5 km radius from the river bed in order to prevent illegal mining from river bed under the excuse/name of storage.

(c) Vehicle Tracking System to check the misuse of Transport Pass and Overloading has been introduced and under full scale implementation.

(d) Any new areas identified are based on survey conducted according to Sustainable Mining Guidelines, Mineral Exploration and then included in the District Survey Report (DSR).

(e) Instead of Physical Mineral Dispatch Permits, electronic permits (called MM11) with security features have been introduced which are controlled by OTP validation from online servers.

(f) For control of illegal mining and transportation, District Task Force has been constituted comprising District Magistrate, SSP, DFO, SDM, C.O., RTO and Mines Officers.

3. Joint Committee as per Hon'ble NGT order dated 01.04.2024:

In compliance to the Hon'ble NGT order dated 01.04.2024, (Para 6), a Joint Committee was constituted comprising of the following Officers:

1. Joint Committee Member:

- i. Shri Nazimuddin, Scientist 'F', Divisional Head IPC-II, Central Pollution Control Board, HO, Delhi
- ii. Shri Pankaj Verma, Scientist 'E', MoEF&CC, Impact Assessment Division and Member Secretary, Expert Appraisal Committee (non-coal mining), New Delhi

2. Assisting Team Member:

- i. Dr. (Ms) Satya, Scientist 'E', MoEF&CC, Regional Office- Lucknow
- ii. Shri Kamal Kumar, Scientist 'E', CPCB Regional Directorate, Lucknow
- iii. Shri Subham, JRF, UPPCB, Sonbhadra
- iv. Shri Yogesh Shukla, Surveyor, Mining Department, Sonbhadra

4. Site Visit by the Joint Committee:

The Joint Committee undertook a site visit to site in Village- Bhagwa Tehsil- Obra, District- Sonbhadra , Uttar Pradesh on 21.05.2024 followed by the meeting with State Officials of Uttar Pradesh. The photographs of the site visit are as follows;



Fig.1. Location of Pillar No. A



Fig.2. Location of Pillar No. B



Fig.3. location of Pillar No. C



Fig.4. Location of Pillar No. D



Fig.5. Mining site of M/s Rudra Mining



Fig.6. Mining site of M/s Rudra Mining



Fig.7. Mining site & Plot side cut



Fig.8. Mining Site Area 1



Fig.9. Mining Site Area



Fig.10. Mining Site Area



Fig. 11 Water Pond in Mining Site Area

Figures: Site Reconnaissance photographs



Figure: Site Image

8. Observations and Recommendations of the Joint Committee:

The mining lease area is located at Arazi No. 15 च)Khand 02), Village- Bhagwa Tehsil- Obra, District- Sonbhadra, Uttar Pradesh. LoI for the mine lease was issued by DM, Sonbhadra on 16.02.2023 on the basis of e-tendering in favour of M/s Rudra Mining and Company, Prop. Shri Bhupendra Pratap Singh S/o -Shri Ram Pratap Singh for excavation of morrum from Riverbed of Son River located at Arazi No. 15 च , Khand No. 02, Village- Bhagwa, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh. ToR was issued by SEIAA on the EC application for the mining lease/project on 01.07.2023. Subsequently, in reference to a complaint dated 11.10.2023 and in compliance of the decision of SEAC in meeting held on 13.10.2023, a joint committee formed by SEAC visited the site on 15.10.2023 and submitted its report by letter dated 05.03.2024, with observations as quoted in Para 3 of order dated 01.04.2024 in the present O.A.

The land use of the mine lease area as per revenue records is non-agricultural government land. The coordinates of each pillar of the mining lease area have been demarcated with the help of GPS as per khasra map and subsequently shown in Khasra map. The GPS reading of all corner pillars are given below:

Co-ordinates of Mine Lease Area

Pillar No.	Latitude	Longitude
A	24°31'56.51"N	82°59'15.58"E
B	24°32'2.93"N	82°59'27.23"E
C	24°31'53.16"N	82°59'34.37"E
D	24°31'48.53"N	82°59'23.81"E

The Son River flows through the Sonbhadra district from west to east direction, which forms the main drainage system of the area. The lease area along Son river has mild slope towards south-east. The proposed lease area lies on right bank of Son River, which flows from west to east direction in the area, and it is in the upstream of the confluence point of Rihand River with Son River.

1. As per revenue records of Govt. of Uttar Pradesh, the land in question is not agricultural land. The lease area is non-agricultural government land. A copy BHULEKH record account no. 00017 of Govt. of Uttar Pradesh record is enclosed at **Annexure-5**.
2. No agriculture/crops were observed in lease area during the site visit.
3. As per District Survey Report (DSR) amendment letter dated 01.04.2021 and Letter of Intent (LOI) dated 16.02.2023 provided by state department official, mineral is available in the lease area. As per these document, the geological reserve is 364380 cubic meters, and the minable reserve is 218628 cubic meters in the lease area of 12.146 ha. A copy of Letter of Intent (LOI) dated 16.02.2023 and District Survey Report (DSR) amendment letter dated 1.04.2021 are enclosed at **Annexure- 6 & 7** respectively.
4. It was observed that there is a water pond near the river which is formed by mining carried out illegally in the past. A part of this water body overlaps a small part of the lease area.
5. It was observed that the mining lease area is plain land on right bank of Son River. The exposed cross sections at the edges of water pond indicated that

sand/morrum is available in the lease area below a layer of earth of variable thickness.

The joint committee recommends that a grid-based survey of the lease area regarding sand/morrum reserve in the lease area may be carried out by Project Proponent through a reputed expert institute and reviewed by SEIAA, Uttar Pradesh, to provide grid wise details about layers of earth and sand/morrum. The red line level i.e. the level below which mining not to be carried out may also be fixed by the survey to enable proper estimation of annual replenishment and permissible mining in subsequent years.

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(Nazimuddin)

Scientist-F &

Divisional Head IPC-II,

CPCB



(Pankaj Verma)

Scientist-E &

MS, EAC(Non-coal),

MoEF & CC &

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Original Application No. 109/2024
(I.A. No.481/2024)

Akash Dubey

Applicant

Versus

UOI & Ors.

Respondent(s)

Date of hearing: 25.11.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Gaurav Kumar Bansal, Ms. Nandita Bansal & Ms. Komal Sharma, Advs.

Respondents: Mr. Somesh Chandra Jha & Ms. Saumya Dwivedi, Advs. for MoEF & CC
Mr. Saurabh Balwani, Adv. for CPCB (Through VC)
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UP PCB (Through VC)
Ms. Priyanka Swami, Adv. for SEIAA, UP (Through VC)
Mr. Harish Pandey, Mr. Vinayak Mishra & Mr. Ayush Mishra, Advs.
for R – 10**ORDER**

1. In this Original Application, the Applicant has made a complaint that Respondent No. 10-Project Proponent had committed act of forgery in filing Form I for Environmental Clearance (EC) for extraction of Moruum from the river bed of Sone River at Arazi No. 15, Cha, Khand No. 02, Village Bhagwa, Tehsil-Obra, District Sonbhadra, Uttar Pradesh whereas there is no morrum in that area.

2. The Tribunal by order dated 29.01.2024, while issuing notice, had taken note of the fact that the Joint Committee was constituted by SEAC and had directed for submission of the report of the said Joint Committee before the Tribunal. Accordingly, the report dated 15.03.2024 was filed. The Tribunal by order dated 01.04.2024, had constituted a Joint Committee which has submitted the report dated 05.07.2024 and had submitted the additional report dated 27.09.2024.

3. The prayer made by the Applicant in the OA is as under:-

- a. *Direct Respondents and in particular SEIAA, UP to decide the complaint of the applicant within time as issued by this Hon'ble Court.*
- b. *Direct the Respondents and in particular SEIAA-UP to finalize the issue regarding grant of Environmental Clearance to project proponent only after deciding the complaint raised by the applicant.*
- c. *Direct Respondents to frame Regulatory mechanism for timely disposal of the complaints/representation highlighting issues regarding non implementation Green Laws of the Land.*
- d. *Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case."*

4. It has been pointed out that the issue relating to grant of EC is still pending before the SEIAA, UP and the application for the grant of EC made by Respondent No. 10 has not been allowed till now. Therefore, undisputedly, the issue which the applicant is raising and the material on which he is relying can be looked into by the SEIAA, UP at the stage of grant of EC.

5. Hence, we dispose of the OA permitting the applicant to place before the SEIAA, UP the reports of the Joint Committee on which he is placing reliance. The SEIAA, UP will duly consider the said reports at the before issuance of EC.

6. We make it clear that we have not examined the report of the Joint Committee. Hence, the SIEAA, UP will consider the report independently in accordance with the law while taking the decision.

7. All Pending IAs also stand disposed of.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 25, 2024
Original Application No. 109/2024
(I.A. No.481/2024)
A..

Minutes of the Joint Meeting of SEAC -1 and SEAC-2, U.P. held on 03/12/2024

The Joint Meeting of State Expert Appraisal Committee (SEAC – 1 & 2) was held in Directorate of Environment, U.P. on 03/12/2024, following members were in the meeting:

1. Shri Rajive Kumar,	Chairman, SEAC-1
2. Dr. Harikesh Bahadur Singh,	Chairman, SEAC-2
3. Dr. Chandra Bhushan, IAS	Member-Secretary, SEAC - 1 & 2
4. Shri Om Prakash Srivastava,	Member, SEAC-1
5. Dr. Brij Bihari Awasthi,	Member, SEAC-1
6. Dr. Ratan Kar,	Member, SEAC-1
7. Dr. Amrit Lal Haldar,	Member, SEAC-2
8. Dr. Dineshwar Prasad Singh,	Member, SEAC-2
9. Shri Tanzar Ullah Khan,	Member, SEAC-2
10. Prof. Jaswant Singh,	Member, SEAC-2
11. Dr. Shiv Om Singh,	Member, SEAC-2
12. Shri S. N. Patel,	Geologist, DGM, Lucknow
13. Dr. Anju Verma,	Asstt. Geologist, DGM, Lucknow
14. Shri Saurabh Chaturvedi,	Mining Officer, Ghaziabad
15. Shri Brij Mohan,	District Mining Officer, Bulandsahar
16. Shri Shailendra Singh,	Senior Mining Officer, Sonebhadra
17. Shri Sudhakar Singh,	Mining Officer, Chitrakoot
18. Shri Arjun Kumar,	Mining Officer, Banda
19. Shri Rajeev Ranjan,	Mining Inspector, Kannauj
20. Shri Sunny Kaushal,	District Mining Officer, Kanpur Nagar
21. Shri Subhash Singh,	Mining Inspector, Pilibhit

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

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

Agenda (1): Evaluation/Appraisal of District Survey Report (DSR) of District- Ghaziabad**Background:**

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

The District Magistrate, Ghaziabad submitted the drafts DSR vide its letter no. 2143/खग०अनु०-गजि०/2024-25, dated 22/10/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1703/DSR, dated 28/10/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद गाजियाबाद द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018 Enforcement and Monitoring Guidelines for Sand Mining - 2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Saurabh Chaturvedi, Mining Officer, Ghaziabad along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened 03/12/2024 for evaluation/appraisal of DSR of District- Ghaziabad. Based on the documents submitted, a presentation on DSR Ghaziabad for minor mineral River Bed Material - RBM (Sand/Bajri/Boulder) / Sand Mining-2024 was made by Shri Saurabh Chaturvedi, Mining Officer, Ghaziabad along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Ghaziabad was prepared in Year- 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 04 mining lease areas.
2. Thereafter, the updated DSR of District- Ghaziabad was prepared by Sub-Divisional Committee of District- Ghaziabad in Year-2024 and total 04 (existing) mining lease areas have been proposed in new DSR.
3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Ghaziabad vide its letter no. 2143/खा0अनु0-गाजि0/2024-25, dated 22/10/2024, the DSR was uploaded in public domain for the period of 30 days and no complaints/suggestions has been received during this period.
6. The Final Draft DSR of District- Ghaziabad has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 04 areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Ghaziabad informed that the DSR of district Ghaziabad was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.

2. **SEAC asked about the status of utilization of DMF Funds?**
 - District Mining Officer, Ghaziabad informed that funds amounting to Rs. 2,82,58,204.40/- approx. have been allotted and phase wise utilized Amount of Rs. 1,57,64,982.50/- since 2017 from DMF funds and Rs. 1,24,93,221.90/- as Balance Amount which will be use as per the objectives of DMF Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**
 - District Mining Officer, Ghaziabad informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
 - District Mining Officer, Ghaziabad informed that as per the Rule of UPMPCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
5. **SEAC asked about the further mineral development in District Ghaziabad?**
 - District Mining Officer, Ghaziabad informed that at present there is 04 existing mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
 - District Mining Officer, Ghaziabad agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
 - District Mining Officer, Ghaziabad informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.
8. **SEAC asked any leases dropped in proposed DSR which were mentioned in Previous DSR.**

- District Mining Officer, Ghaziabad informed that 04 mining lease areas were included in the previous DSR and the entire earlier mining lease areas are proposed in the new DSR.

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

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 04 mining lease areas are approved in the final District Survey Report.
3. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.
7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (2): Evaluation/Appraisal of District Survey Report (DSR) of District- Bulandshahar Background:

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

The District Magistrate, Bulandsahar submitted the drafts DSR vide its letter no. 1196/खनिज अनुभाग /2024, dated 12/11/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1904/DSR/2024, dated 22/11/2024 and mentioned as follows:

“....उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद बुलन्दशहर द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018, Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Brij Mohan, District Mining Officer, Bulandsahar along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/12/2024 for evaluation/appraisal of DSR of District- Bulandsahar. Based on the documents submitted, a presentation on DSR Bulandsahar for minor mineral River Bed Mineral (Sand) 2024 was made by Shri Brij Mohan, District Mining Officer, Bulandsahar along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Bulandsahar was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 05 mining lease areas.
2. Thereafter the updated DSR of District- Bulandsahar was prepared by Sub-Divisional Committee of District- Bulandsahar in Year-2024 and total 02 (Existing) mining lease areas have been proposed in proposed new DSR.
3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Bulandsahar vide its letter no. 1196/खनिज अनुभाग/2024, dated 12/11/2024, the DSR was uploaded in public domain for the period of 30 days and no complaints/suggestions has been received during this period.
6. The Final Draft DSR of District- Bulandsahar has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 02 areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Bulandsahar informed that the DSR of District Bulandsahar was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.
2. **SEAC asked about the status of utilization of DMF Funds?**
 - District Mining Officer, Bulandsahar informed that funds amounting to Rs 67,65,843/- approx. have been allotted from the year 2017 from DMF funds which were used as per the objectives of DMF Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**

- District Mining Officer, Bulandsahar informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
- District Mining Officer, Bulandsahar informed that as per the Rule of UPMMCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
5. **SEAC asked about the further mineral development in District Bulandsahar?**
- District Mining Officer, Bulandsahar informed that at present there is 02 mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
- District Mining Officer, Bulandsahar agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
- District Mining Officer, Bulandsahar informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.
8. **SEAC asked any leases dropped in proposed DSR which were mentioned in Previous DSR.**
- District Mining Officer, Bulandsahar informed the joint committee that 05 mining lease areas were included in the previous DSR, out of which 01 mining lease area is submerged in active water channel and 02 mining lease areas are dropped due to agricultural land which was handover to the farmers and remaining 02 existing mining lease areas are proposed in new DSR.

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

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 02 mining lease areas are approved in the final District Survey Report.
3. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.
7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (3): Evaluation/Appraisal of District Survey Report (DSR) of District- Sonbhadra (Sand/Morrum Mining)

Background:

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

The District Magistrate, Sonbhadra submitted the draft DSR vide its letter no. 1839/खनिज / डी0एस0आर0-मौरम / 2024-25 अनुभाग / 2024, dated 06/11/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1903/DSR/2024, dated 22/11/2024 and mentioned as follows:

“....उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद सोनभद्र द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018, Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Shailendra Singh, Senior Mining Officer, Sonbhadra along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/12/2024 for evaluation/appraisal of DSR of District- Sonebhadra. Based on the documents submitted, a presentation on DSR Sonebhadra for minor mineral River Bed Mineral (Sand/Morrum)-2024 was made by Shri Shailendra Singh, Senior Mining Officer, Sonebhadra along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Sonebhadra was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 29 mining lease areas.
2. Thereafter, the updated DSR of District- Sonebhadra was prepared by Sub-Divisional Committee of District- Sonebhadra in Year-2024 and total 27 (23 Existing Govt. land + 04 Patta land [Niji Bhoomi]) mining lease areas have been proposed in new DSR.
3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Sonebhadra vide its letter no. 1839/खनिज /डी0एस0आर0-मौरम/2024-25 अनुभाग/2024, dated 06/11/2024, the DSR was uploaded in public domain for the period of 30 days and 05 complaint was received in this period and issues raised in complaint has been put up in Sub-Divisional Committee of District- Sonebhadra meeting dated 23/10/2024 and Sub-Divisional Committee disposed the complaint accordingly and informed the complainant through registered letter/post.
6. The Final Draft DSR of District- Sonebhadra has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 27 mining lease areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - Senior Mining Officer, Sonebhadra informed that the DSR of District Sonebhadra was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.
2. **SEAC asked about the status of utilization of DMF Funds?**
 - Senior Mining Officer, Sonebhadra informed that funds amounting to Rs 839.10 Crores approx. have been approved in phase till July 2024 from DMF funds which were used as per the objectives of DMF & Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY) Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**

- Senior Mining Officer, Sonbhadra informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
- Senior Mining Officer, Sonbhadra informed that as per the Rule of UPMMCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
5. **SEAC asked about the further mineral development in District Sonbhadra?**
- Senior Mining Officer, Sonbhadra informed that at present there is 27 mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
- Senior Mining Officer, Sonbhadra agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
- Senior Mining Officer, Sonbhadra informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.

SEAC also discussed the matter with Senior Mining Officer, Sonbhadra related to National Green Tribunal (NGT) O.A. No. 109/2024 (I.A. No. 481/2024) Akash Dubey Vs Union of India & Ors and legal notices/complaints received regarding the DSR.

The SEAC-1 & 2 examined the Joint Committee reports submitted in Original Application No. 109 of 2024. The Joint Committee report dated 05/03/2024, which includes representatives from SEIAA and Regional Officer, Sonbhadra, Uttar Pradesh. SEAC-1 & 2 observed that the Joint Committee report dated 05/03/2024 explicitly states that there are no mineral deposits in Arazi No. 15, Cha, Khand No. 02 located in Village Bhagwa, Tehsil-Obra, District Sonbhadra, Uttar Pradesh. The area consists of soil and plain land situated at the outer reach of the rear end of the riverbank, with a low likelihood of mineral occurrences. Similarly, the other Joint Committee report dated

05/07/2024 has also not provided the exact amount of Mineable Mineral at Arazi No. 15, Cha, Khand No. 02, located in Village Bhagwa, Tehsil-Obra, District Sonbhadra, Uttar Pradesh.

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

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 26 mining lease areas are approved in the final District Survey Report.
3. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.
7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (4): Evaluation/Appraisal of District Survey Report (DSR) of District- Sonebhadra (Stone Mining)

Background:

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

The District Magistrate, Sonebhadra submitted the draft DSR vide its letter no. 1840/खनिज / डी0एस0आर0-पत्थर / 2024-25 अनुभाग / 2024, dated 06/11/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1903/DSR/2024, dated 22/11/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद सोनभद्र द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण

वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018, Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Shailendra Singh, Senior Mining Officer, Sonebhadra along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/12/2024 for evaluation/appraisal of DSR of District- Sonebhadra. Based on the documents submitted, a presentation on DSR Sonebhadra for minor mineral In-Situ Rock -2024 was made by Shri Shailendra Singh, District Senior Mining Officer- Sonebhadra along with Senior Officials of D.G.M.–UP.

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

1. The initial District Survey Report of District- Sonebhadra was prepared in Year- 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 86 mining lease areas.
2. Thereafter, the updated DSR of District- Sonebhadra was prepared by Sub-Divisional Committee of District- Sonebhadra in Year-2024 and total 101 (78 Existing + 23 New) mining lease areas have been proposed in proposed new DSR.
3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Sonebhadra vide its letter no. 1840/खनिज/डीएसआर-पत्थर/2024-25 अनुभाग/2024, dated 06/11/2024, the DSR was uploaded in public domain for the period of 30 days and 23 complaint was received in this period and issues raised in complaint has been put up in Sub-Divisional Committee of District- Sonebhadra meeting dated 23/10/2024 and Sub-Divisional Committee disposed the complaint accordingly and informed the complainant through registered letter/post.
6. The Final Draft DSR of District- Sonebhadra has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 101 mining lease areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Senior Mining Officer, Sonebhadra informed that the DSR of district Sonebhadra was prepared in year-2018. The revised DSR has been prepared in year 2024 for 101 leases (this includes 78 existing leases and 23 new proposed leases).
2. **SEAC asked about the status of utilization of DMF Funds?**

- District Mining Officer Sonebhadra informed that funds amounting to Rs. 839.10 Crores approx. have have been allotted and phase wise utilized till July 2024 as per the objectives of DMF Rules and PMKKKY. The expenditure has been broadly incurred under activities like supplying of fluoride and iron removal kits in 145 villages affected by fluoride and 135 villages affected by iron, provision of safe drinking water, medical equipments in CHCs and PHCs, Oxygen plants and gas pipeline in Govt. run hospitals, provision of dual desk benches and smartboard with laptop in schools, increasing the ground water table, purchase of 04 water sprinkler mounted machine, construction of 222 anganwadi centres, construction of night shelter, in skill development works like, dragon fruit cultivation, mushroom production, items made of bamboo and goat milk soap, construction of check dams, check gate for digital monitoring of mineral transportation, installation of solar power plants and high masts.
 - SEAC advised that the DMF fund should also be utilized for Air Quality Monitoring.
3. **SEAC suggested that composite digital mapping of all the leases should be done and displayed in the district website.**
- District Mining Officer, Sonebhadra informed that mapping of lease has been done on Satellite Imaginary. It was informed that the concept of uploading composite digital mapping of all the leases is being implemented.
4. **SEAC asked on the method adopted for verification of mineral deposits which are recommended in DSR?**
- District Mining Officer, Sonebhadra informed that site visits of Rock sites were done by Sub-Divisional committee and Mining Department officials and physical survey reports were prepared for each lease in which geological and mineable reserves were recommended.
5. **SEAC asked about the further mineral development in District Sonebhadra?**
- Senior Mining Officer, Sonebhadra informed that at present there is 101 mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
- Senior Mining Officer, Sonebhadra agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.

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

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 101 mining lease areas are approved in the final District Survey Report.

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

Agenda (5): Evaluation/Appraisal of District Survey Report (DSR) of District- Chitrakoot

Background:

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

The District Magistrate, Chitrakoot submitted the draft DSR vide its letter no. 733/Khanij/2024-25 dated 23/09/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1702/D.S.R., dated 28/10/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद चित्रकूट द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018, Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया....”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Sudhakar Singh, Mining Officer, Chitrakoot along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/12/2024 for evaluation/appraisal of DSR of District- Chitrakoot. Based on the documents submitted, a presentation on DSR Chitrakoot for minor mineral River Bed Mineral (Sand/Morrum)-2024 was made by Shri Sudhakar Singh, Mining Officer, Chitrakoot along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Chitrakoot was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 33 mining lease areas.
2. Thereafter, the updated DSR of District-Chitrakoot was prepared by Sub-Divisional Committee of District- Chitrakoot in Year-2024 and total 27 (Existing) mining lease areas have been proposed in new DSR.
3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Chitrakoot vide its letter no. 733/Khanij/2024-25 dated 23/09/2024, the DSR was uploaded in public domain for the period of 30 days and 05 complaint was received in this period and issues raised in complaint has been put up in Sub-Divisional Committee of District- Chitrakoot meeting dated 03/09/2024 and Sub-Divisional Committee disposed the complaint accordingly and informed the complainant through registered letter/post.
6. The Final Draft DSR of District- Chitrakoot has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 27 mining lease areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Chitrakoot informed that the DSR of District Chitrakoot was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.
2. **SEAC asked about the status of utilization of DMF Funds?**
 - District Mining Officer, Chitrakoot informed that funds amounting to Rs 21.50 Crores approx. have been approved and phase wise utilized since 2018 from DMF funds which were used as per the objectives of DMF Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**
 - District Mining Officer, Chitrakoot informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.

4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
 - District Mining Officer, Chitrakoot informed that as per the Rule of UPMMCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
5. **SEAC asked about the further mineral development in District Chitrakoot?**
 - District Mining Officer, Chitrakoot informed that at present there is 27 mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
 - District Mining Officer, Chitrakoot agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
 - District Mining Officer, Chitrakoot informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.

The joint committee noted that complaint letter of Shri Rajesh Kumar dated 10/10/2024 on lease proposed for Gata No. 391/1 of village Barua Aithmali, area 17.71 ha in which it is mentioned that as per Annexure-II of the EMSGM-2020 guidelines, geological reserves upto maximum depth of 3 meters can be considered, as per which, the maximum geological reserve of the lease can be 5,31,300 cum and minable reserve of 60% as per SOP can be 3,18,780 cum. The minable reserve proposed in DSR for this lease is 4,95,580 cum which is more than 60% in contra to SSMG-2016, EMGSM-2020 and SOP guidelines issued by SEAC/SEIAA.

The committee discussed the matter and opined the complaint letter dated 10/10/2024 shared with DGM and Mining Officer for recalculation of the minable reserves as per the guidelines and SOP. Hence, the committee after detailed deliberation recommends to approved rest 26 mining lease areas mentioned in the DSR except the lease mentioned in Serial No. 11 of Annexure-II (Gata No. 392/1, Village-Baruwa Ahatmali, Tehsil-Rajapur, District-Chitrakoot) of District- Chitrakoot along with following conditions:

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 26 mining lease areas are approved in the final District Survey Report.

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

Agenda (6): - Evaluation/Appraisal of Supplementary District Survey Report (DSR) of District Banda.

Background:

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

The District Magistrate, Banda submitted the draft Supplementary DSR vide its letter no. 2820/Khanij-30, Banda, dated 17/08/2024 for evaluation /appraisal/approval before SEIAA/SEAC. The draft Supplementary DSR was forwarded to the Director – Geology & Mining by Secretariat for comments and suggestions. The Director, Geology & Mining have provided their comments and suggestions vide letter no. 1369/DSR, dated 10/09/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद बाँदा द्वारा प्रस्तुत ड्राफ्ट सप्लीमेंट्री डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-4-2018 Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया...”

The Secretariat put up this Supplementary DSR in joint meeting of SEAC-1 & SEAC-2 on dated 10/09/2024. During the meeting a presentation was given by Shri Arjun Kumar, Mining Officer, Banda along with other senior officers of DGM. The joint committee evaluate the DSR and following decision was taken:

“During the appraisal of DSR the joint committee opined that both DSRs (DSR approved by SEIAA & Proposed Supplementary DSR) should be combined and bound in one document for the ease of consideration and taking reference. The SEAC suggested that the document be put up at the earliest to reconsider.”

In compliance of above decision, District Magistrate, Banda vide its letter no. 3680/Khanij-30, Banda, dated 06/11/2024 submitted the combined District Survey Report (DSR approved by SEIAA & Proposed Supplementary DSR).

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Arjun Kumar, Mining Officer, Banda along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 03/12/2024 for evaluation/appraisal of updated DSR of District-Banda. Based on the documents submitted, a presentation on DSR Banda for minor mineral River Bed Sand Mining-2024 was made by Shri Arjun Kumar, District Mining Officer-Banda along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District-Banda was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 136 mining lease areas.
2. Thereafter, the updated DSR of District- Banda was prepared by Sub-Divisional Committee of District- Banda in Year-2024 and total 110 (109 leases + 01 Patta land) areas have been proposed in new DSR. Out of 110 (109 leases + 01 Patta land) areas in the DSR, 08 lease are withheld because document verification is in process and other 02 leases are held in abeyance and will be approved after resolution of complaints. Therefore, 100 mining lease areas were approved by SEIAA vide its letter no. 414/Parya/Samanya/2023, dated 07/08/2024.
3. The supplementary updated DSR of District-Banda was prepared by Sub-Divisional Committee of District-Banda in Year-2024 and total 113 (112 leases + 01 Patta land) areas have been proposed. Out of which 100 mining lease areas has already approved by SEIAA and supplementary DSR contains 13 mining lease areas (05 existing + 08 new) i.e. total 113 mining lease areas have been proposed in final updated DSR.
4. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
5. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
6. As per the information provided by District Magistrate, Banda vide its letter no. 2820/Khanij-30, Banda, dated 17/08/2024, the DSR was uploaded in public domain for the period of 30 days and no complaints/suggestions has been received during this period.
7. The Final Draft DSR of District- Banda has been also examined by the Director, Directorate of Geology & Mining, U.P.
8. Lease wise NOC from Forest and Irrigation Department for all the 113 mining lease areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Banda informed that the DSR of district Banda was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in

year – 2022 & 2023 and lease wise resource estimation in 2023-24 which depicts that the rate of replenishment is good in the area.

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

- District Mining Officer Banda informed that funds amounting to Rs. 13.75 Crores approx. have been allotted and phase wise utilized since 2017 from DMF funds which were used as per the objectives of DMF Rules.

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

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

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

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

5. SEAC asked about the further mineral development in District Banda?

- District Mining Officer Banda informed that 10 new areas have been identified in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.

6. SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.

- District Mining Officer Banda agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.

7. SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.

- District Mining Officer, Banda informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.

8. **SEAC asked about the status of Original Application No. 1220/2024 (Yadram Singh Vs. SEIAA, U.P. & Ors.) pending before Hon'ble National Green Tribunal, New Delhi.**

- District Mining Officer, Banda informed that Hon'ble National Green Tribunal, New Delhi passed an order dated 14/10/2024 in original application No. 1220/2024 (Yadram Singh Vs. SEIAA, U.P. & Ors.). The relevant part of the order is as follows:

“...

2. Submission of Counsel for the applicant is that DSR for Districts Banda, Basti and Shamli have been approved without conducting any replenishment study. Learned Counsel for the applicant in this regard has referred to MoEF&CC notification dated 25.07.2018 (Annexure A-5) which states the objective of preparation of DSR to ensure identification of the areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area. Referring to the same, he has submitted that in terms of this notification, a prior replenishment study before the preparation DSR is necessary.”

In this regard the joint committee observed that in earlier joint meeting dated 18/07/2024 regarding District Survey Report of Banda, District Mining Officer, Banda has already submitted that:

“...DSR of district Banda was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 & 2023 which depicts that the rate of replenishment is good in the area. The maximum leases are fresh for which Lol has been issued to project proponents who are in the process of securing E.C.”

In view of above, the joint committee after detailed deliberation recommended to approved the updated District Survey Report (DSR) of District-Banda along with following conditions:

1. The District Survey Report of District-Banda is subject to final decision of Original Application No. 1220/2024 (Yadram Singh Vs. SEIAA, U.P. & Ors.) pending before Hon'ble National Green Tribunal, New Delhi and the final decision of Hon'ble NGT will be applicable on the District Survey Report-2024.
2. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
3. 113 mining lease areas are approved in the updated final District Survey Report.
4. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
5. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
6. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
7. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.

8. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (7): Evaluation/Appraisal of District Survey Report (DSR) of District- Kannauj

Background:

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

The District Magistrate, Kannauj submitted the drafts DSR vide its letter no. 5124/Khanij Lipik-D.S.R./2024-25, dated 30/10/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1782/DSR/2024, dated 08/11/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद कन्नौज द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018 Enforcement and Monitoring Guidelines for Sand Mining -2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया...”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Rajeev Ranjan, Mining Inspector, Kannauj along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened 03/12/2024 for evaluation/appraisal of DSR of District- Kannauj. Based on the documents submitted, a presentation on DSR Kannauj for minor mineral River Bed Sand Mining-2024 was made by Shri Rajeev Ranjan, Mining Inspector, Kannauj along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Kannauj was prepared in Year– 2017 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 09 mining lease areas.
2. Thereafter, the updated DSR of District- Kannauj was prepared by Sub-Divisional Committee of District- Kannauj in Year-2024 and total 02 (existing) lease areas have been proposed in new DSR.

3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Kannauj vide its letter no. 5124/Khanij Lipik-D.S.R./2024-25, dated 30/10/2024, the DSR was uploaded in public domain for the period of 30 days and no complaints/suggestions has been received during this period.
6. The Final Draft DSR of District- Kannauj has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 02 areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - Mining Inspector, Kannauj informed that the DSR of district Kannauj was prepared in year-2017 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.
2. **SEAC asked about the status of utilization of DMF Funds?**
 - District Mining Inspector, Kannauj informed that funds amounting to Rs. 1, 63, 47,489/- approx. have been allotted and phase wise utilized Amount of Rs. 16,55,000/- since 2017 from DMF funds and Rs. 1,46,92,489.60/- as Balance Amount which will be use as per the objectives of DMF Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**
 - District Mining Inspector, Kannauj informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
 - District Mining Inspector, Kannauj informed that as per the Rule of UPMMCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.

5. **SEAC asked about the further mineral development in District Kannauj?**
 - District Mining Inspector, Kannauj informed that at present there is 02 existing mining lease areas has been proposed in the district which has mineral potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.
6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
 - District Mining Inspector, Kannauj agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
 - District Mining Inspector, Kannauj informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.
8. **SEAC asked any leases dropped in proposed DSR which were mentioned in Previous DSR.**
 - District Mining Inspector, Kannauj informed that there were total 09 mining lease areas in the previous DSR of Year 2017. Out of this 07 mining lease areas were not found suitable due to submerged and non availability of sand as per joint inspection report office order no. 4053/खनिज लिपिक-डी0एस0आर0 समिति/2024-25, dated 29/05/2024. Therefore, only 02 existing mining lease areas were found suitable for mining activity and the same is proposed in new DSR-2024.

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

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 02 mining lease areas are approved in the final District Survey Report.
3. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.

7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (8): Evaluation/Appraisal of District Survey Report (DSR) of District- Kanpur Nagar

Background:

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

The District Magistrate, Kanpur Nagar submitted the drafts DSR vide its letter no. 520/30-Upkhanij/D.S.R./2024, dated 21/10/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1760/DSR, dated 06/11/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद कानपुर नगर द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018 Enforcement and Monitoring Guidelines for Sand Mining - 2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया...”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 03/12/2024. During the meeting a presentation was given by Shri Sunny Kaushal, District Mining Officer, Kanpur Nagar along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened 03/12/2024 for evaluation/appraisal of DSR of District- Kanpur Nagar. Based on the documents submitted, a presentation on DSR Kanpur Nagar for minor mineral River Bed Sand Mining-2024 was made by Shri Sunny Kaushal, District Mining Officer, Kanpur Nagar along with Senior Officials of D.G.M. –UP.

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

1. The initial District Survey Report of District- Kanpur Nagar was prepared in Year– 2018 in line with the MoEF Notification dated 15-Jan-2016, which was subsequently amended from time to time and finally there were total 08 mining lease areas.
2. Thereafter, the updated DSR of District- Kanpur Nagar was prepared by Sub-Divisional Committee of District-Kanpur Nagar in Year-2024 and total 07 (03 existing + 04 new) lease areas have been proposed in new DSR.

3. Lease wise area, gata/ khand no., proposed minable quantity, geo-coordinates, transportation route are proposed and cluster analysis and contiguous cluster analysis is done in Annexure-1 to Annexure-7 of proposed DSR.
4. Individual leases are analysed for environmental sensitivity, transportation routes through cadastral map and Google map.
5. As per the information provided by District Magistrate, Kanpur Nagar vide its letter no. 520/30-Upkhanij/D.S.R./2024, dated 21/10/2024, the DSR was uploaded in public domain for the period of 30 days and no complaints/suggestions has been received during this period.
6. The Final Draft DSR of District- Kanpur Nagar has been also examined by the Director, Directorate of Geology & Mining, U.P.
7. Lease wise NOC from Forest and Irrigation Department for all the 07 areas of Final Draft DSR has been obtained.

SEAC Deliberation:

1. **SEAC asked about the current scenario/status of the leases as Final Draft DSR?**
 - District Mining Officer, Kanpur Nagar informed that the DSR of district Kanpur Nagar was prepared in year-2018 and updated time to time. Lease wise replenishment studies were conducted in year – 2022 which depicts that the rate of replenishment is good in the area.
2. **SEAC asked about the status of utilization of DMF Funds?**
 - District Mining Officer, Kanpur Nagar informed that funds amounting to Rs. 1,89,97,541/- approx. have been allotted and phase wise utilized since 2021 from DMF funds and will be use as per the objectives of DMF Rules.
3. **SEAC while evaluating presentation suggested that lease should be demarcated after each monsoon period.**
 - District Mining Officer, Kanpur Nagar informed that as a matter of practice the lease holders are directed to get demarcation of lease after each monsoon period and erect pillars (in case damaged in monsoon) under the supervision of Mining and Revenue officials. A demarcation report in this aspect is prepared and issued to lease holder.
4. **SEAC suggested that demarcation report of the lease only includes corner pillar coordinates and should also mention details of non-working/restricted zone in case active water channel is observed in the lease while conducting demarcation?**
 - District Mining Officer, Kanpur Nagar informed that as per the Rule of UPMMCR-2021, geo-coordinates of the lease area are published in e-tender and initial demarcation report of corner pillar coordinates is issued to project proponent along with LoI and Lease Map. The RQP/Consultant prepares the surface and geological maps in mine plan in which the features of non-working/restricted zone are presented. The DGM-Lucknow after satisfaction approves such mine plans and such zones are shown in EIA and salient features of E.C. under workable / non-workable area category.
5. **SEAC asked about the further mineral development in District Kanpur Nagar?**
 - District Mining Officer, Kanpur Nagar informed that at present there is 07 (03 existing and 04 new) mining lease areas has been proposed in the district which has mineral

potential. The SEAC informed that Sub-Divisional Committee has to follow the entire procedure every time, in case any new lease is identified, as per SOP issued by SEIAA/SEAC.

6. **SEAC suggested that District Mineral Fund should be used for mitigating environmental concerns related to air and water pollution.**
 - District Mining Officer, Kanpur Nagar agreed to the point and ensured the SEAC that the suggestion will be incorporated by District Administration.
7. **SEAC raised concern about safety of bridges and other structures by maintaining the standard distance from all the leases of the district.**
 - District Mining Officer, Kanpur Nagar informed that as per Uttar Pradesh Minor Mineral Concession Rule 2021 (UPMMCR 2021) and Sustainable Sand Mining Management Guidelines 2016 (SSMG 2016) all leases are individually analyzed for Environmental Sensitivity.
8. **SEAC asked any leases dropped in proposed DSR which were mentioned in Previous DSR.**
 - District Mining Officer, Kanpur Nagar informed that 01 lease was dropped i.e., Gata no.-12, Area- 12.0 Ha, Village Katri Durgapur, Tehsil Bilhaur, District Kanpur Nagar, U.P. in the new DSR due to non availability of Forest NOC. Therefore, this area has not been included in the joint inspection report of the new DSR by the SDC Committee.

The joint committee after detailed deliberation recommended to approved the District Survey Report (DSR) of District- Kanpur Nagar along with following conditions:

1. The District Survey Report (DSR) shall be updated once in five years as mentioned in MoEF&CC, Govt. of India Notification No. S.O. 141(E), dated 15/01/2016, as per laid down procedure, under intimation to SEIAA.
2. 07 mining lease areas are approved in the final District Survey Report.
3. If any new lease is identified, Sub-Divisional Committee will follow the entire procedure every time on the basis of existing DSR.
4. After approval of DSR from SEIAA, the District Administration shall upload the DSR in public domain along with Lease Wise Digital Maps showing the status of deposits and pillar wise coordinates of existing and proposed areas.
5. The District Administration shall utilize the District Mineral Foundation Funds as per notification no. 866/86-2017-132/2016 dated 15/05/2017 issued by Department of Geology and Mining, Government of U.P. or any modification in it by competent authority.
6. DMF fund should also be utilized for the environmental protection, development and maintenance of haulage road.
7. The lease shall periodically conduct audits of operative mine leases and take corrective measures as per the directions of District Administration in case of adverse observations and, a yearly report on this shall be sent to SEIAA as compliance.

Agenda (9): - Evaluation/Appraisal of District Survey Report (DSR) of District-Pilibhit

Background:

In the joint meeting of SEIAA, SEAC-1 & SEAC-2 the detailed Standard Operating Procedure was formulated for the preparation and modification of D.S.R. for Sand Mining or R.B.M., as well as in-situ rocks, which was sent to Director, Geology and Mining by SEIAA. This SoP was prepared in accordance with various guidelines such as MoEF&CC, GoI, Notification No. S.O. 141(E) dated 15-Jan-2016, S.O. 3611 (E) dated 25-July-2018, Sustainable Sand Mining Management Guidelines 2016, Enforcement & Monitoring Guidelines for Sand Mining 2020, and the Hon'ble

Supreme Court Judgement passed in Civil Appeal – 3661-3662 of 2020 in the matter of State of Bihar and Others Vrs. Pawan Kumar, along with MoEF&CC, GoI letter dated 04/12/2023.

The District Magistrate, Pilibhit submitted the draft DSR vide its letter no. 677/Khanan Anubhag-2024, dated 19/09/2024 to the Geology and Mining Department, U.P. for further necessary action. The Director, Geology & Mining Department have provided their comments and suggestions on draft DSR vide letter no. 1720/DSR, dated 29/10/2024 and mentioned as follows:

“...उत्तर प्रदेश शासन द्वारा गठित तकनीकी समिति एवं निदेशालय स्तर पर गठित समिति द्वारा जनपद, पीलीभीत द्वारा प्रस्तुत ड्राफ्ट डी0एस0आर0 का परीक्षण किया गया। परीक्षण में प्रस्ताव Sustainable Sand Mining Management Guideline-2016, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय की अधिसूचना दिनांक 15-01-2016 एवं दिनांक 25-07-2018 Enforcement and Monitoring Guidelines for Sand Mining-2020 एवं SEIAA/SEAC द्वारा जारी SOP के अनुरूप पाया गया...”

The Secretariat put up this DSR in joint meeting of SEAC-1 & SEAC-2 on dated 24/09/2024. During the meeting a presentation was given by Shri Subhash Singh, Mining Inspector, Pilibhit along with other senior officers of DGM.

Evaluation/Appraisal in Joint Meeting of SEAC-1 & SEAC-2 on 03/12/2024

Joint meeting of SEAC-1 & SEAC-2 was convened on 24/09/2024 for evaluation/appraisal of DSR of District- Pilibhit. Based on the documents submitted, a presentation on DSR Pilibhit for minor mineral River Bed Sand/Morrum-2024 was made by Shri Subhash Singh, Mining Inspector, Pilibhit along with Senior Officials of D.G.M. –UP.

During the appraisal of DSR the Secretariat informed the joint committee that a compliant letter dated 25/09/2024 & 02/12/2024 of Shri Munendra Pal Singh, S/o Shri Mulayam Singh, Village & Post-Matkul, Tehsil & District-Pilibhit, U.P. has been received in Secretariat against the District Survey Report of Pilibhit. The committee has gone through the compliant letter and opined that the above compliant letter should be shared with Mining Department to submit factual report on the points raised in compliant letter dated 25/09/2024 & 02/12/2024. The matter will be discussed after receipt of above information.

The meeting ended with a vote of thanks of Chairman.

(Dr. Ratan Kar)
Member, SEAC-1

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

(Om Prakash Srivastava)
Member, SEAC-1

(Prof. Jaswant Singh)
Member, SEAC-2

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

(Dr. Dineshwar Prasad Singh)
Member, SEAC-2

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

(Tanzar Ullah Khan)
Member, SEAC-2

(Dr. Chandra Bhushan)
Member Secretary, SEAC-1 & 2

(Rajive Kumar)
Chairman, SEAC-1

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

Nodal, SEAC-1 & 2

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

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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

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Minutes of the 864th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 17-12-2024

The meeting of 864th State Level Environment Impact Assessment Authority, UP (SEIAA) was held online on 17.12.2024 the Directorate of Environment. The following were present in the meeting:-

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

Agenda-A- Minutes of the Joint Meeting of SEAC -1 and SEAC-2, U.P. held on 03/12/2024

1. District Survey Report, Ghaziabad.

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Ghaziabad along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie within any protected area, National Park, sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases in clusters as depicted in Ghaziabad. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of LoI that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

2. District Survey Report, Bulandshahar.

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Bulandshahar along with following conditions:-

Minutes of the 864th Meeting of the SEIAA, UP held on 17.12.2024

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases depicted in clusters in the DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

3. **District Survey Report, Sonebhadra (Sand/Morrum Mining).**

In light of O.A. No. 109/2024 (I.A. No. 481/2024) Akash Dubey Vs Union of India & Ors in National Green Tribunal (NGT) and joint committee report submitted on 05.03.2024 and 05.07.2024. SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Sonebhadra (Sand/Morrum) for 26 leases mentioned in the proposed DSR except the lease mentioned at Serial No. 20 (Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil- Obra, District- Sonebhadra) of the District Survey Report (DSR) with following conditions:

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, Wild-life Sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases forming clusters and so mentioned in DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.

4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

SEIAA gone through the letter of Rudra Mining and Company dated 12.12.2024 regarding (Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil- Obra, District- Sonebhadra. SEIAA noted that regarding the above lease following order dated 25.11.2024 has been passed by Hon'ble National Green Tribunal (NGT) O.A. No. 109/2024 (I.A. No. 481/2024) Akash Dubey Vs Union of India & Ors:-

... "The Tribunal by order dated 29.01.2024, while issuing notice, had taken note of the fact that the Joint Committee was constituted by SEAC and had directed for submission of the report of the said Joint Committee before the Tribunal. Accordingly, the report dated 15.03.2024 was filed before Hon'ble Tribunal. The Tribunal by order dated 01.04.2024, had again constituted a Joint Committee which submitted the report dated 05.07.2024 and had submitted an additional report dated 27.09.2024."...

The Hon'ble Tribunal after taking cognizance of this report has passed order dated 25.11.2024 stating as follows: -

... "Hence, we dispose of the OA permitting the applicant to place before the SEIAA, UP the reports of the Joint Committee on which he is placing reliance. The SEIAA, UP will duly consider the said reports at the before issuance of EC."...

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

Baes on CPCB report suitable action should be taken to stop illegal mining in the area and the people involved in illegal mining should be prosecuted as per the relevant laws,

Apart from the above complaint SEIAA also gone through the letter of Shri Pawan Kumar dated 11.12.2024 regarding Gata no. 21 Mi (Khand-1), Tehsil Obra, Gata no. 1, Tehsil Duddhi, and Gata no. 871 and 518Ga, Tehsil Duddhi, and opined to send all the 03 complaint to DM, Sonebhadra and DGM for factual report.

4. District Survey Report, Sonebhadra (Stone Mining).

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Sonebhadra (Stone Mining) along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence,

a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.

2. Cluster EIA shall be conducted for the leases falling in cluster as submitted in DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.

SEIAA gone through the letter of Shri Bablu dated 29.10.2024 regarding Gata no. 5471, 5472ka, 5424, 5425, 5426, 5427ka, 5429 Village Billi Markundi, post Aguri Tehsil Obra, Shri Purwashi S/o Raghunath regarding Gata no. 5211kha, 5216, 5217, 5223ka, 5233, 5235, 5238ka, 5219, 5222, 5226, 5227, 5228, 5229, 5234 village Billi Markundi, post Aguri tehsil Obra and Shri Shiv Sankar S/o late Ram Lochan regarding Arajai no. 4805 village Billi Markundi, post Aguri tehsil obra and opined to send it to DM, Sonebhadra and DGM for factual report.

5. District Survey Report, Chitrakoot.

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Chitrakoot along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases falling in the cluster as depicted in the DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

6. Supplementary District Survey Report, Banda.

SEIAA agreed with the recommendation of SEAC to approve the Supplementary District Survey Report (DSR) of District- Banda along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance

of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.

2. Cluster EIA shall be conducted for the leases forming a cluster as per the DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

7. District Survey Report, Kannauj.

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Kannauj along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases falling in cluster as per the DSR. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. Institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.

6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

8. District Survey Report, Kanpur Nagar.

SEIAA agreed with the recommendation of SEAC to approve the District Survey Report (DSR) of District- Kanpur Nagar along with following conditions:-

1. During DSR formulation a sub-committee is formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area (as per Wildlife Protection act 1972) from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted with-in 15 days that the leases do not lie with-in any protected area, National Park, sanctuary and ESZ.
2. Cluster EIA shall be conducted for the leases falling in cluster. District Magistrate and DGM are advised to inform the lease holders, at the time of issuance of Lol that cluster EIA should be conducted.
3. Replenishment study on the basis of which the mineral availability is assessed should be uploaded on websites of District and Mining Department Uttar Pradesh and submitted to SEIAA along with methodology adopted for study and details like geo-coordinates etc. of study points.
4. The District shall prepare a schedule for conducting replenishment study annually. This study should be done by a reputed Central or State Govt. institute and should be uploaded on the websites of district, Geology and Mining Department and submitted to SEIAA on its website. Quantity mined and auctioned shall be strictly based on replenishment study. District administration as well as Mining Department will follow all norms and procedure to ensure no illegal mining takes place.
5. Mining Department shall be responsible for demarcating the leases where-ever needed after the monsoon.
6. Details of social and environmental preservation work done like name of the villages, health care facility, School etc. under DMF should be uploaded on district website and submitted to SEIAA.

9. District Survey Report, Pilibhit.

SEIAA noted the comments of SEAC.

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

प्रेषक,

जिलाधिकारी,
सोनभद्र।

सेवा में,

सदस्य सचिव,
एस0ई0आई0ए0ए0,
गोमती नगर, लखनऊ।

पत्रांक- 2508/खनिज/डी0एस0आर0-मोरम/2024-25 दिनांक 15/02/2025
विषय :- District Survey Report, Sonbhadra (Sand/Morrum Mining) के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक अपने पत्र संख्या-864/पर्या0/सामान्य/2023 दिनांक 27.12.2024 का संदर्भ ग्रहण करने का कष्ट करें, जिसके साथ संलग्न SEIAA के मीटिंग सं0- 864 दिनांक 17.12.2024 के बिन्दु सं0-3. District Survey Report, Sonbhadra (Sand/Morrum Mining) के उप बिन्दु-6, जिसमें उल्लिखित है कि:-

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

उक्त के क्रम में इस कार्यालय के आदेश संख्या-2301/खनिज/2025 दिनांक 13.01.2025 द्वारा जनपद-सोनभद्र के तहसील-ओबरा स्थित ग्राम-भगवां के आराजी संख्या-15च (खण्ड-2) रकबा-12.146 हे0 क्षेत्र को जिला सर्वेक्षण रिपोर्ट (डी0एस0आर0) में सम्मिलित किये जाने के सम्बन्ध में जाँच हेतु (1)- रजिस्टार, बनारस हिन्दू विश्वविद्यालय, वाराणसी द्वारा नामित, मृदा वैज्ञानिक (soil scientist), (2)- अपर जिलाधिकारी (वि0/रा0), सोनभद्र, (3)- ज्येष्ठ खान अधिकारी, सोनभद्र की संयुक्त समिति का गठन किया गया, तत्क्रम में कुल सचिव, काशी हिन्दू विश्व विद्यालय, वाराणसी के पत्र संख्या-कु.का./2024-25/398 दिनांक 27.01.2025 द्वारा प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग को जाँच हेतु नामित किया गया है। गठित समिति द्वारा दिनांक 03.02.2025 को क्षेत्र की संयुक्त जाँच की गयी।

प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग के पत्र सं0- Agrichem./2024-25/L/ दिनांक 05.02.2025 द्वारा प्रेषित आख्या में उल्लिखित है कि “जनपद के तहसील-ओबरा में स्थित ग्राम-भगवां के आराजी सं0- 15च (खण्ड-2) रकबा-12.146 हे0 में बालू/मोरम का सर्वेक्षण दिनांक 03.02.2025 को किया गया। पूरे रकबे में लगभग 3 से 4 मीटर गहराई के 5 गद्दे खोदवा कर बालू/मोरम का सेम्पल किया गया तथा इन सेम्पल का परीक्षण मृदा विज्ञान एवं कृषि रसायन विभाग में हाइड्रोमीटर विधि (हिन्गा

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एट0आल0 1980) से बालू, सिल्ट और क्ले की प्रतिशत मात्रा ज्ञात किया गया। पांचो सैम्पल में बालू/मोरम 95.70 से 95.74 प्रतिशत पाया गया तथा औसत रूप से बालू/मोरम 95.72 प्रतिशत तथा सिल्ट+क्ले 4.28 प्रतिशत था। इस डाटा से यह साबित होता है कि उक्त रकबा कृषि के लिये अनुपयुक्त है, क्योंकि इसमें बालू की मात्रा बहुत अधिक है।”

समिति द्वारा प्रेषित आख्या दिनांक 11.02.2025, जिसमें उल्लिखित है कि “उक्त भूमि राजस्व अभिलेखों में नदी के नाम दर्ज, राज्य सरकार की भूमि है, जो कि सोन नदी के डाउन स्ट्रीम के दायीं ओर स्थित है, जिस पर वर्षाकाल में नदी द्वारा पहाड़ी क्षरण के फलस्वरूप बहाकर लायीं गयी मोरम निक्षेपित है।”

अतः समिति की जाँच आख्या व प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग के उक्त पत्र दिनांक 05.02.2025 मूल रूप में इस पत्र के साथ संलग्न कर आवश्यक कार्यवाही हेतु सादर प्रेषित है।

संलग्नक :- यथोक्त।

भवदीय



(बद्री नाथ सिंह)
जिलाधिकारी,
सोनभद्र।

पत्रांक व दिनांक उपरोक्त।

प्रतिलिपि :- निम्नलिखित को सादर सूचनार्थ प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म अनुभाग, उ0प्र0 शासन को उनके पत्र दिनांक 16.01.2025 के क्रम में सादर प्रेषित।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0 खनिज भवन लखनऊ को उनके पत्र दिनांक 28.01.2025 के क्रम में सादर प्रेषित।



जिलाधिकारी,
सोनभद्र।

संयुक्त जाँच आख्या

जिलाधिकारी महोदय

कृपया अवगत कराना है कि सदस्य सचिव, एस0ई0आई0ए0ए0, गोमती नगर, लखनऊ के पत्र संख्या-864/पर्या0/सामान्य/2023 दिनांक 27.12.2024 के साथ संलग्न SEIAA के मीटिंग सं0- 864 दिनांक 17.12.2024 के बिन्दु सं0-3. District Survey Report, Sonbhadra (Sand/Morrum Mining) के उप बिन्दु-6 में उल्लिखित है कि:-

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

उक्त के क्रम में इस कार्यालय के आदेश संख्या-2301/खनिज/2025 दिनांक 13.01.2025 द्वारा जनपद-सोनभद्र के तहसील-ओबरा स्थित ग्राम-भगवां के आराजी संख्या-15च (खण्ड-2) रकबा-12.146 हे0 क्षेत्र को जिला सर्वेक्षण रिपोर्ट (डी0एस0आर0) में सम्मिलित किये जाने के सम्बन्ध में जाँच हेतु समिति का गठन करते हुए रजिस्टार, बनारस हिन्दू विश्वविद्यालय, वाराणसी को मृदा वैज्ञानिक(soil scientist) नामित करने का अनुरोध किया गया :-

1. रजिस्टार, बनारस हिन्दू विश्वविद्यालय, वाराणसी द्वारा नामित, मृदा वैज्ञानिक (soil scientist)
2. अपर जिलाधिकारी(वि0/रा0), सोनभद्र।
3. ज्येष्ठ खान अधिकारी, सोनभद्र।

तत्क्रम में कुल सचिव, काशी हिन्दू विश्व विद्यालय, वाराणसी के पत्र संख्या-कु.का./2024-25/398 दिनांक 27.01.2025 द्वारा अवगत कराया गया कि प्रो0 सतीश कुमार सिंह ने "Conflict of interest" का सन्दर्भ देते हुए समिति के सदस्य के रूप में कार्य करने में असमर्थता व्यक्त की गयी है, जिसके उपरान्त निदेशक, कृषि विज्ञान संस्थान द्वारा प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग को नामित किया गया है। कुल सचिव, काशी हिन्दू विश्व विद्यालय, वाराणसी के पत्र दिनांक 27.01.2025 के क्रम में इस कार्यालय के पत्र संख्या-2440/खनिज/2025 दिनांक 01.02.2025 द्वारा उपरोक्त क्षेत्र की जाँच हेतु दिनांक 03.02.2025 की तिथि नियत की गयी। नियत तिथि दिनांक 03.02.2025 को (1)- प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग, (2)- अपर जिलाधिकारी (वि0/रा0) सोनभद्र, (3)- ज्येष्ठ खान अधिकारी सोनभद्र व (4) सर्वेक्षक खनिज विभाग सोनभद्र द्वारा संयुक्त रूप से क्षेत्र की जाँच की गयी। जॉचोपरान्त प्रो0 जनार्दन यादव, मृदा एवं कृषि रसायन विभाग द्वारा अपने पत्र सं0-Agrichem./2024-25/L/ दिनांक 05.02.2025 (प्रति संलग्न) द्वारा उपरोक्त क्षेत्र जनपद-सोनभद्र

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8.4

की तहसील-ओबरा स्थित ग्राम-भगवां के आराजी संख्या-15च (खण्ड-2) रकबा-12.146 हे० हेतु लिये गये सेम्पल का वैज्ञानिक परीक्षण कर आख्या प्रस्तुत की गयी है, जिसमें उल्लिखित है कि "जनपद के तहसील-ओबरा में स्थित ग्राम-भगवां के आराजी सं०- 15च (खण्ड-2) रकबा-12.146 हे० में बालू/मोरम का सर्वेक्षण दिनांक 03.02.2025 को किया गया। पूरे रकबे में लगभग 3 से 4 मीटर गहराई के 5 गढ़दे खोदवा कर बालू/मोरम का सेम्पल किया गया तथा इन सेम्पल का परीक्षण मृदा विज्ञान एवं कृषि रसायन विभाग में हाइड्रोमीटर विधि (हिन्ना एट०आल० 1980) से बालू, सिल्ट और क्ले की प्रतिशत मात्रा ज्ञात किया गया। पांचो सेम्पल में बालू/मोरम 95.70 से 95.74 प्रतिशत पाया गया तथा औसत रूप से बालू/मोरम 95.72 प्रतिशत तथा सिल्ट+क्ले 4.28 प्रतिशत था। इस डाटा से यह साबित होता है कि उक्त रकबा कृषि के लिये अनुपयुक्त है, क्योंकि इसमें बालू की मात्रा बहुत अधिक है।"

उक्त भूमि राजस्व अभिलेखों में नदी के नाम दर्ज, राज्य सरकार की भूमि है, जो कि सोन नदी के डाउन स्ट्रीम के दायीं ओर स्थित है, जिस पर वर्षाकाल में नदी द्वारा पहाड़ी क्षरण के फलस्वरूप बहाकर लायीं गयी मोरम निक्षेपित है।

अतः SEIAA के पत्र दिनांक 27.12.2024 के क्रम में संयुक्त जाँच आख्या आवश्यक कार्यवाही हेतु सेवा में सादर प्रेषित है।

संलग्नक :- यथोक्त।



(योगेश शुक्ला)
सर्वेक्षक, खनिज विभाग,
सोनभद्र।



(शैलेन्द्र सिंह)
ज्येष्ठ खान अधिकारी,
सोनभद्र।



(सहदेव मिश्र)
अपड जिलाधिकारी (वि०/रा०)
सोनभद्र।

काशी हिन्दू
विश्वविद्यालय



BANARAS HINDU
UNIVERSITY

AN INSTITUTION OF NATIONAL IMPORTANCE ESTABLISHED BY AN ACT OF PARLIAMENT

Institute of Agricultural Sciences
Department of Soil Science &
Agricultural Chemistry
कृषि विज्ञान संस्थान,
मृदा विज्ञान एवं कृषि रसायन विभाग

Prof. Janardan Yadav
Head

Ref: Agrichem./2024-25/L/

Dated: 5.2.2025

सेवा में,

श्रीमान जिलाधिकारी
शार्वटसगंज (लोदी) सोनभद्र
उत्तर प्रदेश, पिन: 231216

संदर्भ : अपर जिलाधिकारी का पत्रांक 2440/खनिज/2025
दिनांक 01/02/2025 तथा जिलाधिकारी महोदय,
सोनभद्र का आदेश संख्या 2301/खनिज/2025 दि.13.1.25

बिषय : ग्राम भगवा के अराजी सं. 15-च (खण्ड-2) रकबा 12.146 हे.
के बालू/मोरम का सर्वेक्षण।

महोदय,

उपरोक्त संदर्भ को दृष्टिगत रखते हुए आप द्वारा गठित "जांच समिति" के सदस्यों कमशा: अपर जिलाधिकारी (वि.रा.), ज्येष्ठ खान अधिकारी, सोनभद्र तथा डा० जनार्दन मादव जेफ्रेसर एवं विभागाध्यक्ष, मृदा विज्ञान एवं कृषि रसायन विभाग, काशी हिन्दू विश्वविद्यालय वाराणसी द्वारा जनपद के तहसील ओकरा में स्थित ग्राम भगवा के अराजी संख्या 15-च (खण्ड-2) रकबा 12.146 हे. में बालू/मोरम का सर्वेक्षण दिनांक 3.2.25 को किया गया। पूरे रकबों में लगभग 3 से 4 मीटर गहराई के 5 गड्ढे खोद्वा कर बालू/मोरम का सैम्पल लिया गया तथा इन सैम्पल्स का परीक्षण मृदा विज्ञान एवं कृषि रसायन विभाग में हाइड्रोमीटर विधि (हिगा स्ट.आर.1980) से बालू, सिल्ट और क्ले की प्रतिशत मात्रा ज्ञात किया गया। पान्ची सैम्पल में बालू/मोरम 95.70 से 95.74% पाया गया तथा औसत रूप से बालू/मोरम 95.72% तथा सिल्ट + क्ले 4.28% था। इस डेटा से यह साबित होता है कि उक्त रकबा कृषि के लिए अनुपयुक्त है क्योंकि इसमें बालू का मात्रा बहुत अधिक है।



BHU

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जनार्दन यादव
HEAD

मृदा विज्ञान एवं कृषि रसायन विभाग
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Varanasi, 221005, UP, INDIA

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F: 91-542-6701381

E: hodssac@gmail.com

नोट : विस्तृत रिपोर्ट संलग्न है।

काशी हिन्दू
विश्वविद्यालय



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Prof. Janardan Yadav
Head

विस्तृत रिपोर्ट

Ref: Agrichem./2024-25/1/

Dated: 5.2.2025

तहसील ओबरा, सोन मण्ड के ग्राम भगवां के अराजीसंघा 15-च(खण्ड-2) रकबा 12.146 हे. मृदा सैम्पल नं० कले, सिल्ट तथा बालू की प्रतिशत मात्रा

मृदा सैम्पल नम्बर	कले (%) (a)	सिल्ट (%) b	बालू (%) (100-(a+b))
1-	4.05	0.22%	95.72
2-	4.04	0.22	95.74
3-	4.07	0.21	95.72
4-	4.08	0.22	95.70
5-	4.05	0.234	95.71
औसत	4.05	0.22	95.72

विस्तृत रिपोर्ट की आख्या आग्रिम का प्रवाही हेतु प्रेषित है।

Janardan Yadav

विभागाध्यक्ष
HEAD

मृदा विज्ञान एवं कृषि रसायन विभाग
Dept. of Soil. Sc. & Agril. Chemistry
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BANARAS HINDU
UNIVERSITY
Varanasi, 221005, UP, INDIA

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F: 91-542-6701381

E: hodssac@gmail.com

(Silt + clay)

$R_1 = 1.000$

$T_1 = 22.6^\circ\text{C}$
(72.68°F)

$C.F.T_1 = (72.68 - 67) \times 0.2$
 $= 1.136$

$C.Freading = (1 + 1.136)$
 $= 2.136$

$\% \text{ clay} = \frac{2.025}{50} \times 100 = 4.05\%$

$\text{Silt}\% = \left(\frac{2.136 - 2.025}{50} \right) \times 100$
 $= 0.22\%$

$\text{Sand}\% = (100 - 4.272)$
 $= 95.72\%$

clay.

$R_2 = 0.997$

$T_2 = 22.3^\circ\text{C}$
(72.14°F)

$C.F.T_2 = (72.14 - 67) \times 0.2$
 $= 1.028$

$= (0.997 + 1.028)$
 $= 2.025$

where
 $S_{og} = \text{wt. of soil taken}$

(Silt + clay.)

Clay

② $R_1 = 1.002$

$T_1 = 22.6^\circ\text{C}$

$c.f. = 2.138$

$R_2 = 0.998$

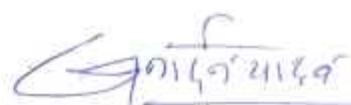
$T_2 = 22.3$

$cf = 2.026$

$\text{Clay}\% = \frac{2.026}{50} \times 100 = 4.04\%$

$\text{Silt} = \left(\frac{2.138 - 2.026}{50} \right) \times 100 = 0.22\%$

$\text{Sand}\% = 100 - (4.04 + 0.22)$
 $= 95.74\%$

| $\approx 4\% \text{ clay}$ | \approx 

विभागाध्यक्ष 5/2125

HEAD

मुख्य विज्ञान एवं कृषि रसायन विभाग

Department of Soil. Sc. & Agril. Chemistry

राज्य विज्ञान संस्थान, पटना-201

Date: 10/10/2022

845

May

$$R_1 = 1.008$$

$$T_1 = 22.6 / 72.68^\circ\text{F}$$

$$\text{CFT}_1 = (72.68 - 67) \times 0.2 \\ = 1.136$$

$$\text{CF}_1 = 1.136 + 1.008 \\ = 2.144$$

$$R_2 = 0.998$$

$$T_2 = 22.3^\circ\text{C} / 72.14^\circ\text{F}$$


$$\text{CFT}_2 = (72.14 - 67) \times 0.2 \\ = 1.028$$

$$\text{CF}_2 = 1.028 + 0.998 \\ = 2.026$$

$$\ast \text{Clay \%} = \frac{2.026}{50} \times 100 = 4.05\%$$

$$\ast \text{Silica \%} = \left(\frac{2.144 - 2.026}{50} \right) \times 100 = 0.236\%$$

$$\ast \text{Sand \%} = (100 - 4.28) \\ = 95.71\%$$


5/21/25

विभागाध्यक्ष

HEAD

मृदा विज्ञान एवं कृषि रसायन विभाग
Dept. of Soil. Sc. & Agril. Chemistry
कृषि विज्ञान संस्थान, काठमाडौं

③

$$R_1 = 1.015$$

$$T_1 = 22.6^\circ\text{C} / 72.68^\circ\text{F}$$

$$CF_{T_1} = 72.68^\circ\text{F}$$

$$(72.68 - 67) \times 0.2$$

$$= 1.136$$

$$CF_1 = 1.136 + 1.015$$

$$= 2.141$$

$$R_2 = 1.008$$

$$T_2 = 22.3^\circ\text{C} / 74.14^\circ\text{F}$$

$$CF_{T_2} = (74.14 - 67) \times 0.2$$

$$= 1.028$$

$$CF_2 = 1.028 + 1.008$$

$$= 2.036$$

$$\text{Clay \%} = \frac{2.036}{50} \times 100 = 4.07\%$$

$$\text{Silt \%} = \frac{(2.141 - 2.036)}{50} \times 100 = 0.21\%$$

$$\text{Sand \%} = (100 - 4.28)$$

$$= \underline{95.72\%}$$

④

$$R_1 = 1.020$$

$$T_1 = 22.6^\circ\text{C}$$

$$CF = 1.020 + 1.136$$

$$= 2.156$$

$$R_2 = 1.015$$

$$T_2 = 22.3^\circ\text{C} / 74.14^\circ\text{F}$$

$$CF_2 = 1.015 + 1.028$$

$$= 2.043$$

$$\text{Clay \%} = \frac{2.043}{50} \times 100 = 4.08\%$$

$$\text{Silt \%} = 0.22\%$$

$$\text{Sand \%} = (100 - 4.30)$$

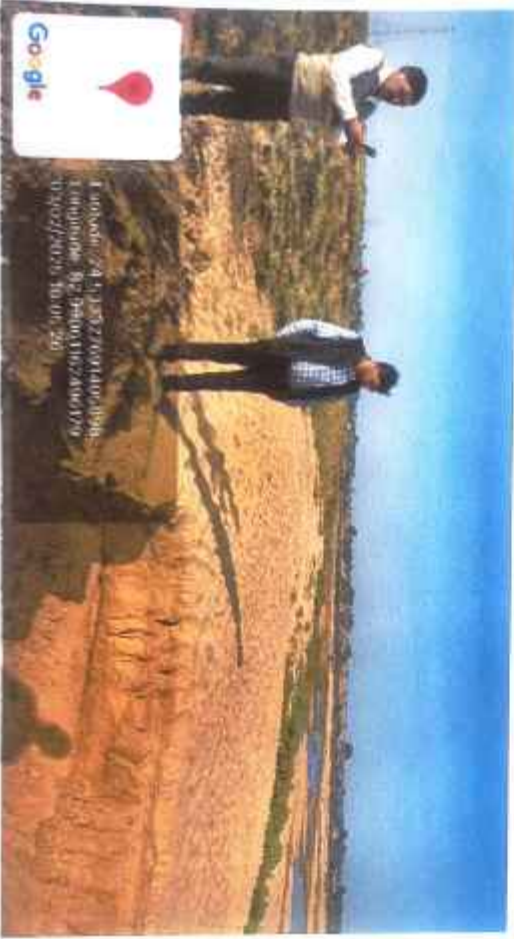
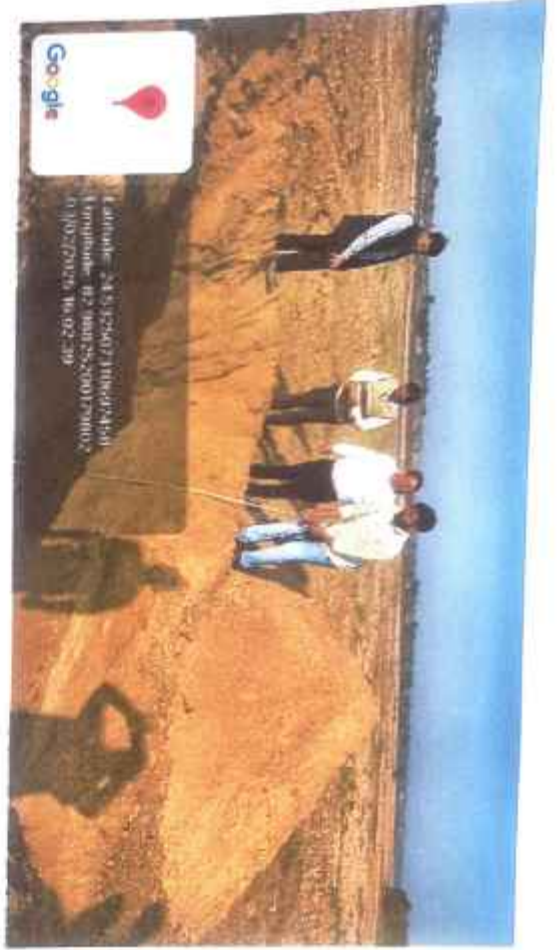
$$= \underline{95.7\%}$$

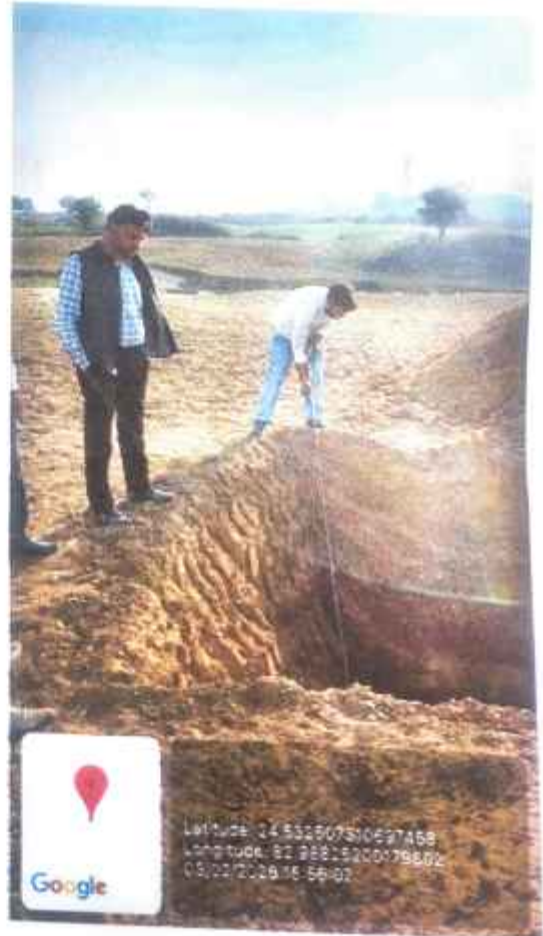
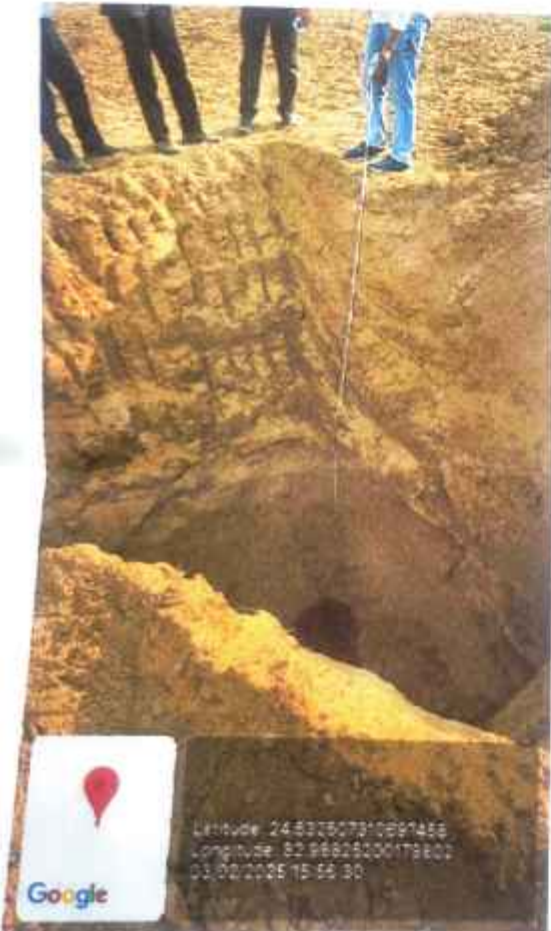
G. S. Kulkarni
512125

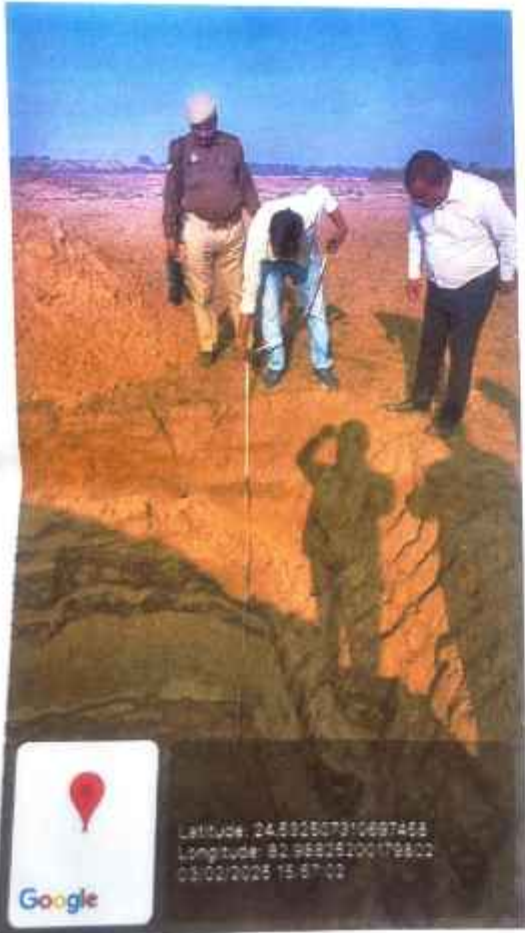
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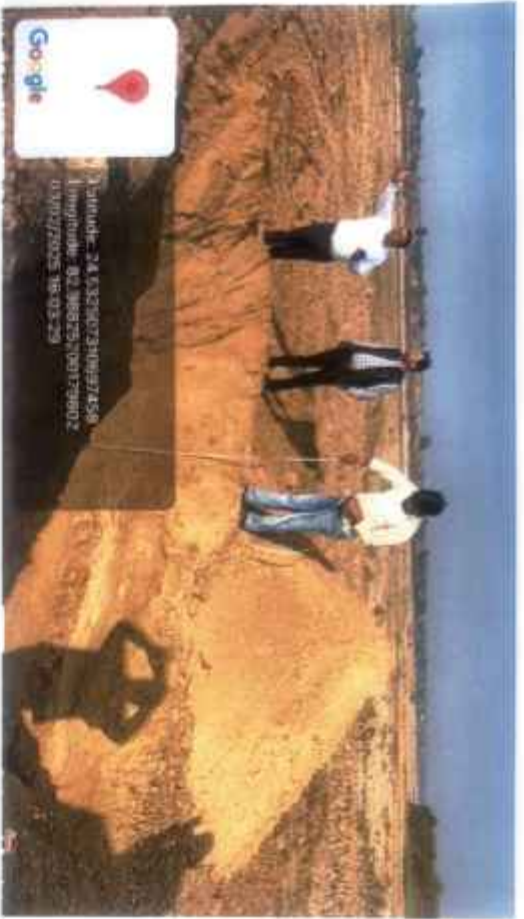
मृदा विज्ञान एवं कृषि रसायन विभाग
Dept. of Soil. Sc. & Agril. Chemistry
राष्ट्रीय कृषि विज्ञान संस्थान, काशी (उ.प्र.)











852

101









856

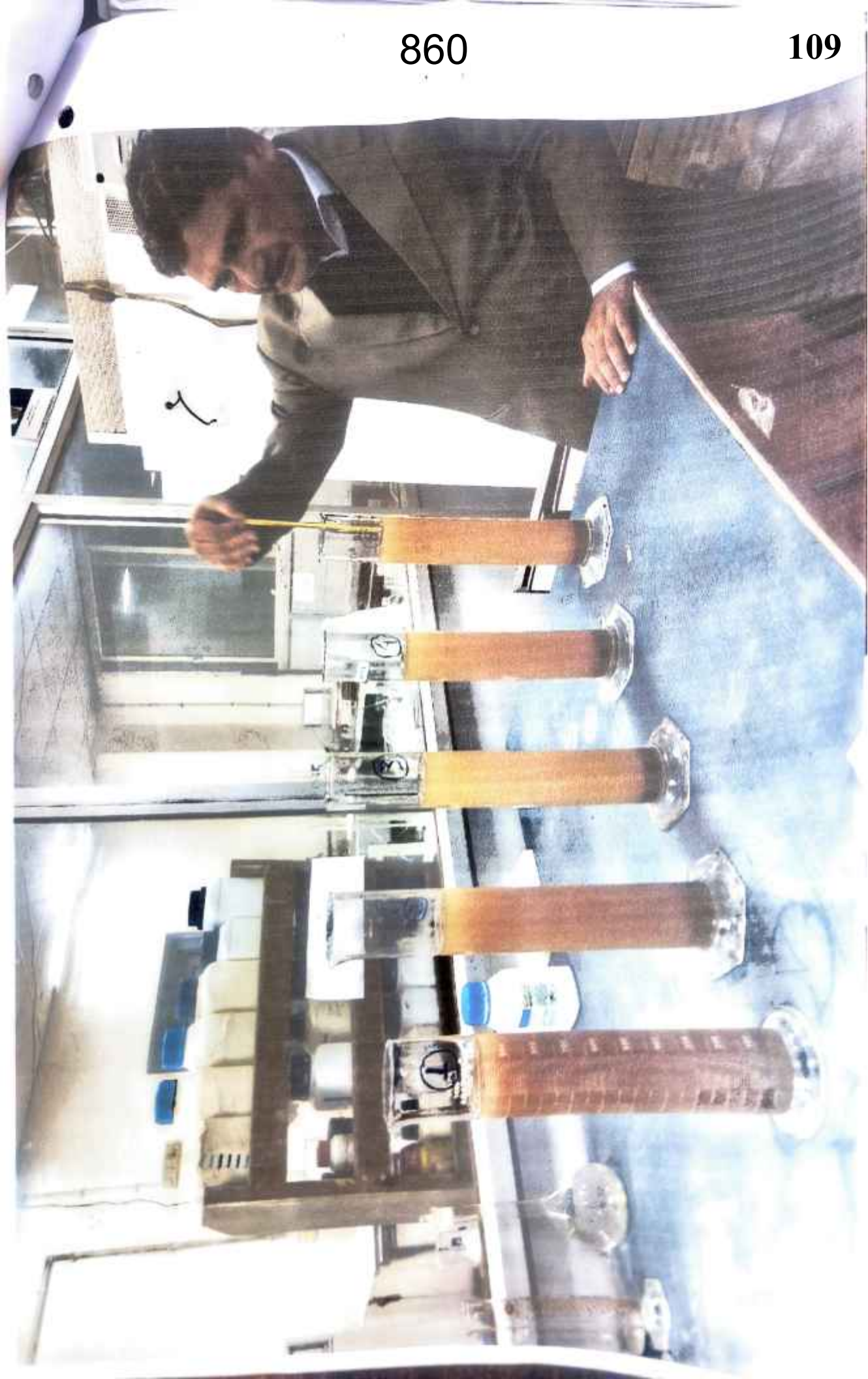
105

















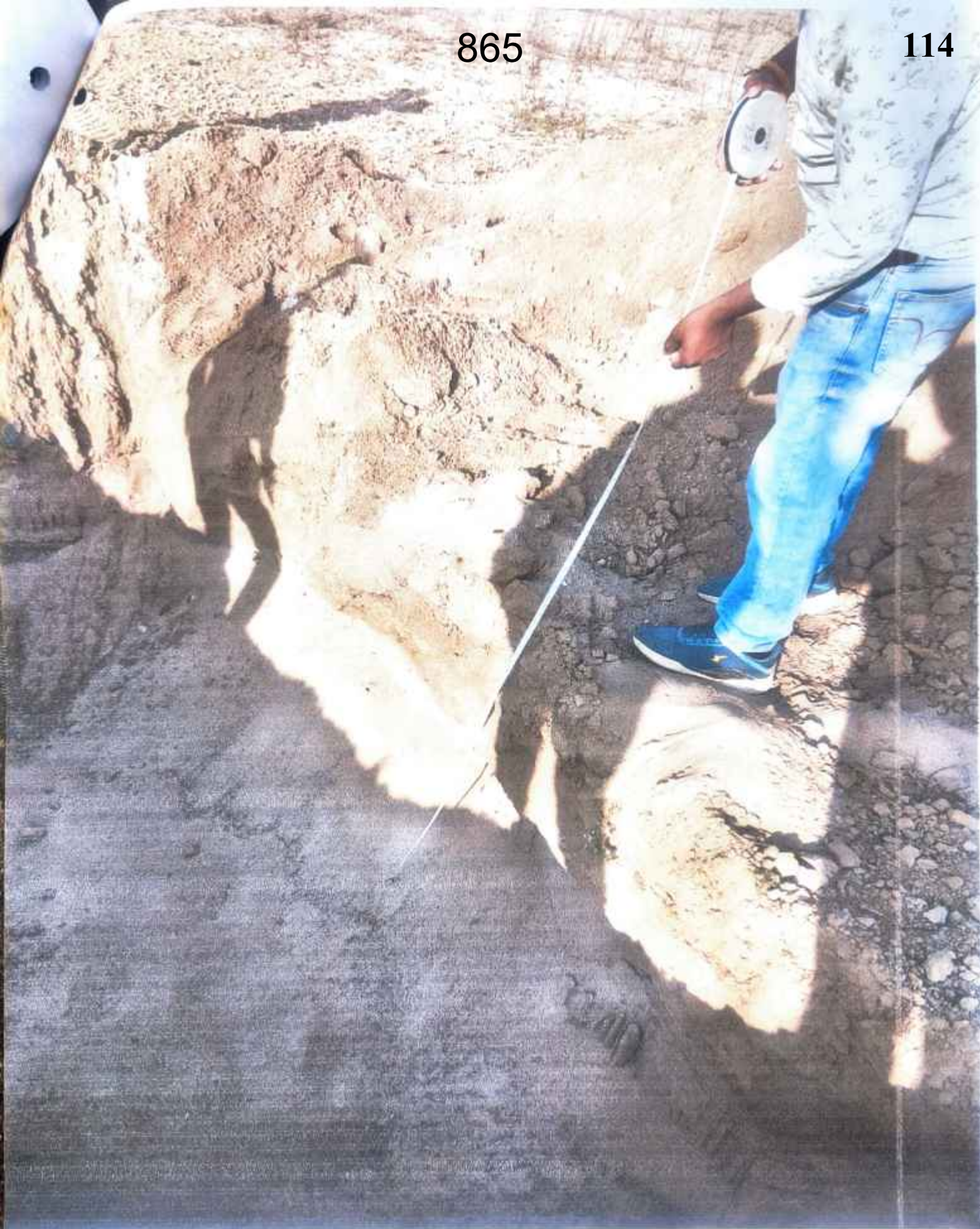
864

113



865

114





Minutes of the 872th Meeting of the SEIAA, UP held on 28.02.2025

9. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
 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. **Project Proponent shall submit the Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
 13. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
 14. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.
18. **"UPSRTC Bus Port cum Commercial Complex" at 69/35, Mahatma Gandhi Marg, Civil Lines, Prayagraj, Uttar Pradesh by M/s Omaxe Be Together Prayagraj Busport Private Limited., 9467/SIA/UP/INFRA2/507528/2024**
SEIAA noted the project was already considered in 870th SEIAA meeting dated 29.01.2025.

Agenda-C- Letter/Reply

1. **District Magistrate, Sonbhadra letter No. 2508/Khanij/DSR-Morum/2024-25 Dated 15-02-2025 regarding Gata No. 15 Cha, Khand No. 02, Village Bhagwa, Tehsil- Obra, District- Sonebhadra.**

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

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

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

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

1. A nominated Soil Scientist from the Registrar, BHU Varanasi,

2. ADM (F/R), Sonbhadra, and
3. Senior Mining Officers, Sonbhadra.

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



Acting 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

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

Minutes of the 904th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 31-05-2025 Part-A

The meeting of 904th State Level Environment Impact Assessment Authority, UP (SEIAA) was held online on 31.05.2025 Part-A the Directorate of Environment. The following were present in the meeting: -

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

Agenda-A- General Decision

1. Sand/Morrum Mining Project at bank of Yamuna River, Gata No-299,300,305, 306, 325mi, 326mi, 327 mi, Village- Adhawal, Tehsil- Fatehpur, District- Fatehpur, State-UP By M/s Anantadrishti Multiventures L.L.P, Area- 15 ha., 9363/5252/SIA/UP/MIN/479766/2024.

SEIAA noted that the above project was taken in its 892nd meeting in which SEIAA opined to get clarification from Mining Department and project proponent regarding current status of mining plan and its validity and the situation of part or whole of lease being under water. DMO, Fatehpur vide letter no. 524/khanij-Adhawal A-1/2025-26 dated 17.05.2025 has informed that:-

अनन्तादृष्टि मल्टीवेंचर्स एल०एल०पी०, पता-सॉप नं०-3 राधे गोविन्द काम्पलेक्स, धरमशाला, रोड भीलवाड़ा राजस्थान, स्थान, श्रीमती उषा तोमर पत्नी श्री नरेंद्र सिंह तोमर, आई०-2 आई०-26 बापूनगर भीलवाला राजस्थान के पक्ष में जनपद फतेहपुर की तहसील सदर स्थित ग्राम अढ़ावल के बालू/मोरम खण्ड सं०-ए-1 की गाटा संख्या-299, 300, 305, 306, 325 मि०, 326मि, 327 मि० रकबा 15.00 हे० में दिनांक 02.11.2020 से 01.11.2025 तक 05 वर्ष की अवधि हेतु स्वीकृत/निष्पादित है।

“उक्त खनन पट्टे के सम्बन्ध में परियोजना प्रस्तावक द्वारा प्रस्तुत अनुमोदित खनन योजना सं०-1396/मा० प्लान/2017 दिनांक 02.12.2019, SEIAA द्वारा पुनः पर्यावरण स्वच्छता प्रमाण पत्र निर्गत होने के दिनांक से खनन पट्टा समाप्ति के दिनांक 01.11.2025 तक वैध रहेगा। उक्त खनन पट्टा क्षेत्र वर्तमान में रिक्त है एवं खनन पट्टा का सम्पूर्ण क्षेत्रफल रकबा 15.00हे० सूखा है। स्वीकृत क्षेत्र में नदी की जलधारा अथवा स्वीकृत क्षेत्र Water Locked नहीं है।”

SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022

regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing and 703th SEIAA meeting regarding replenishment study, adding following specific conditions:-

1. Validity period of this EC is 01.11.2025.
2. Directions/suggestions given during public hearing and commitment made by the project proponent on these should be strictly complied with.
3. DSR formulation is done by a sub-committee formed at District level and representative of Forest Department is a member in this sub-committee, so it is expected that they examine the issue of distance of forest area from the mining lease as well as distance of protected area from the mining lease. Hence, a certificate signed by an officer not below the rank of ACF shall be submitted before signing lease deed that no forest land is involved in mining or as a route for mineral transportation and does not lie with-in any Protected area, National Park, Sanctuary and ESZ. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.
4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
5. Stream will not be diverted to form inactive channel for mining.
6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 15,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area and will make provision for maintenance for 5 years.
7. 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.
8. 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. The project proponent shall ensure that water bodies do not get polluted due to mining activity.
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, Gol, Lucknow.

12. 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.
13. Since large number of mining projects are ongoing as well as new mining leases are coming up in the district, CAAQMS shall be installed in consultation with UPPCB.
14. **Project Proponent shall submit the Six-monthly Compliance on the Environment Clearance condition prescribed in the Prior Environment Clearance letter as per MoEF&CC OM F.no- IAS-22/01/2022-IA-III (E-172624) Dated 14-06-2022.**
15. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
16. In case of violation of any EC conditions, this EC is liable to be cancelled based on report/recommendation of DM/IRO/UPPCB.

2. **Discussion of District Magistrate, Sonbhadra letter dated 26.03.2025 regarding Riverbed "Morrum Mining" on the riverbed of Sone River at Arazi No.- 15 च , Khand No. 02, Village- Bhagwa, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh, Area 12.146 ha., 8280/7891/SIA/UP/MIN/445239/2023**

SEIAA noted that the above project was taken in its 884th meeting in which SEIAA opined that letter no. 2818/khanij/2025 dated 26.03.2025 of DM Sonbhadra shall be referred to SEAC for examination and recommendation. SEAC in its joint meeting dated 19.05.2025 discussed the matter in depth and opined that the report of the committee constituted by the State Environment Impact Assessment Authority must be sent to the Directorate of Geology and Mining, Lucknow for comments in light of Supreme Court order dated 10.11.2021 passed in Civil Appeal no. 3661-3662 of 2020 the state of Bihar and others Vs. Pawan Kumar and others.

SEIAA noted that DM, Sonbhadra vide letter no. 2508//khanij/DSR-Morrums/2024-25 dated 15.02.2025 has submitted the report done by Surveyor, Mining Department, Sonbhadra, Senior Mining Officers, Sonbhadra. The report states that:

नियत तिथि दिनांक 03.02.2025 को (1)- प्रो० जनार्दन यादव, मृदा एवं कृषि रसायन विभाग, बी०एच०यू०, वाराणसी (2)- अपर जिलाधिकारी (वि०/रा०) सोनभद्र, (3)- ज्येष्ठ खान अधिकारी सोनभद्र व (4) सर्वेक्षक खनिज विभाग सोनभद्र द्वारा संयुक्त रूप से क्षेत्र की जाँच की गयी। जाँचोपरान्त प्रो० जनार्दन, मृदा एवं कृषि रसायन विभाग द्वारा अपने पत्र सं०- Agrichem./2024-25/L/ दिनांक 05.02.2025 द्वारा उपरोक्त क्षेत्र जनपद-सोनभद्र की तहसील-ओबरा स्थित ग्राम-भगवा के आराजी संख्या- 15च (खण्ड-2) रकबा- 12.146 हे० हेतु लिये गये सेम्पल का वैज्ञानिक परीक्षण कर आख्या प्रस्तुत की गयी है, जिसमें उल्लिखित है कि जनपद के तहसील-ओबरा में स्थित ग्राम-भगवा के आराजी सं०-15च (खण्ड-2) रकबा- 12.146 हे० में बालू/मोरम का सर्वेक्षण दिनांक 03.02.2025 को किया गया। पूरे रकबे में लगभग 3 से 4 मीटर गहराई के 5 गढ़वे खोदवा कर बालू/मोरम का सेम्पल किया गया तथा इन सेम्पल का परीक्षण मृदा विज्ञान एवं कृषि रसायन विभाग में हाइड्रोमीटर विधि (हिन्ना एट०आल० 1980) से बालू, सिल्ट और क्ले की प्रतिशत मात्रा ज्ञात किया गया। पाँचों सेम्पल में बालू/मोरम 95.70 से 95.74 प्रतिशत पाया गया तथा औसत रूप से बालू/मोरम 95.72 प्रतिशत तथा सिल्ट+क्ले 4.28 प्रतिशत था। इस डाटा से यह साबित होता है कि उक्त रकबा कृषि के लिये अनुपयुक्त है, क्योंकि इसमें बालू की मात्रा बहुत अधिक है।

According to above report 95.72% of sand/morrum is present and land is not fit for agriculture. Hence SEIAA opined that this report which is based on soil profile study as well as chemical analysis clearly shows that there is mineable mineral available in the mine under consideration. SEAC has recommended for inclusion of this area in DSR. Hence SEIAA agreed to include this area in the DSR of Sonebhadra.

3. Application for stoping illegal mining by (M/s Veera construction proprietor Shri Rameshwar Pratap) in Sonbhadra as per the order of the Hon'ble NGT dated 23.04.2025. Regarding Sand/Morrum Mining along Sone River bed in Gata No./Arazi No.-21 mi, Khand No.- 01, Village-Bhagwa, Tehsil-Obra, Sonbhadra., Shri Rameshwar Pratap, M/s Veera Construction, Area-14.98 Ha. File No. 6262/Proposal No. SIA/UP/MIN/61527/2021.

SEIAA gone through the letter no. 246/khanij/2025 dated 14.05.2025 of DM, Sonbhadra regarding the above subject. SEIAA opined that information like quantity available as per replenishment study for the year 2023-2024, 2024-2025, quantity mined during these years along with page no. in DSR shall be sought from Directorate of Geology and Mining Department for all the leases covered in SEIAA minutes dated 31.12.2022.

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

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

The project proponent has made an online application vide proposal no. SIA/UP/MIN/445239/2023, dated 21/09/2023 along with copy of Form-1 and EIA/EMP report seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at Item No. 1(a) under Category “B” of the schedule of the EIA Notification, 2006.

A presentation was made by the authorized representative of project proponent Shri Bhupendra Pratap Singh along with their consultant Mr. Ankur Sharma, EIA Coordinator, M/s Aegis Environment Research Pvt. Ltd. The project proponent/consultant presented the following chronology of the said project to the SEAC:

- The joint committee during the evaluation/appraisal of District Survey Report (DSR) of District-Sonebhadra on 03/12/2024 the joint committee decided as follows:

“...

SEAC also discussed the matter with Senior Mining Officer, Sonbhadra related to National Green Tribunal (NGT) O.A. No. 109/2024 (I.A. No. 481/2024) Akash Dubey Vs Union of India & Ors and legal notices/complaints received regarding the DSR.

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

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

- Further, the matter was listed in 884th SEIAA meeting dated 02/04/2025 and deliberated as follows:

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

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

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

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

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

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

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

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

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

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

- Subsequently, the matter was discussed in joint meeting of SEAC-1 & 2 dated 19/05/2025 and decided as follows:

“Hon’ble National Green Tribunal, New Delhi passed an order dated 03/03/2025 in Original Application No. 84/2025 (I.A. No. 142/2025) Akhilesh Kumar Vs. State of U.P. & Ors. The operative part of the order as follows:

“ ...

6. He submits that in terms of the judgment of the Hon’ble Supreme Court in the matter of The State of Bihar & Ors. v. Pawan Kumar & Ors. dated 10.11.2021 the SEAC ought to have directed for use of modern technology. Referring to the clause 8(2) of the EIA Notification dated 2006, he has submitted if there was a conflict in the views of the SEAC and SEIAA then SEIAA instead of forming a Joint Committee ought to have referred the matter back to the SEAC with due reasons. He submits that though no mineable mineral exists in the said lease area yet the SEIAA is in the process of issuing the lease for that area.

7. Issue notice to the Respondents for filing their reply by way of affidavit.

8. The Applicant is directed to serve the Respondents and file affidavit of service at least one week before next date of hearing.

9. List on 30.05.2025.”

The joint committee discussed the matter in depth and opined that the report of the committee constituted by the State Environment Impact Assessment Authority must be sent to the Directorate of Geology and Mining, Lucknow for comments in light of Supreme Court order dated 10/11/2021 passed in Civil Appeal No. 3661-3662 of 2022 The State of Bihar and others Vs. Pawan Kumar and others & Ors. The committee directed that the matter should be sent to SEIAA for information and doing needful.

- Subsequently, the matter was listed in 904th SEIAA meeting dated 31/05/2025 Part-A wherein:

“SEIAA noted that the above project was taken in its 884th meeting in which SEIAA opined that letter no. 2818/khanij/2025 dated 26.03.2025 of DM Sonebhadra shall be referred to SEAC for examination and recommendation. SEAC in its joint meeting dated 19.05.2025 discussed the matter in depth and opined that the report of the committee constituted by the State Environment Impact Assessment Authority must be sent to the Directorate of Geology and Mining, Lucknow for comments in light of Supreme Court order dated 10.11.2021 passed in Civil Appeal no. 3661-3662 of 2020 the state of Bihar and others Vs. Pawan Kumar and others.

SEIAA noted that DM, Sonbhadra vide letter no. 2508//khanij/DSR-Morrum/2024-25 dated 15.02.2025 has submitted the report done by Surveyor, Mining Department, Sonbhadra, Senior Mining Officers, Sonbhadra. The report states that:

नियत तिथि दिनांक 03.02.2025 को (1)– प्रो० जनार्दन यादव, मृदा एवं कृषि रसायन विभाग, बी०एच०यू०, वाराणसी (2)– अपर जिलाधिकारी (वि०/रा०) सोनभद्र, (3)– ज्येष्ठ खान अधिकारी सोनभद्र व (4) सर्वेक्षक खनिज विभाग सोनभद्र द्वारा संयुक्त रूप से क्षेत्र की जाँच की गयी। जाँचोपरान्त प्रो० जनार्दन, मृदा एवं कृषि रसायन विभाग द्वारा अपने पत्र सं०– Agrichem./2024-25/L/ दिनांक 05.02.2025 द्वारा उपरोक्त क्षेत्र जनपद–सोनभद्र की तहसील–ओबरा स्थित ग्राम–भगवा

के आराजी संख्या- 15च (खण्ड-2) रकबा- 12.146 हे हेतु लिये गये सेम्पल का वैज्ञानिक परीक्षण कर आख्या प्रस्तुत की गयी है, जिसमें उल्लिखित है कि "जनपद के तहसील-ओबरा में स्थित ग्राम-भगवां के आराजी सं-15च (खण्ड-2) रकबा- 12.146 हे में बालू/मोरम का सर्वेक्षण दिनांक 03.02.2025 को किया गया। पूरे रकबे में लगभग 3 से 4 मीटर गहराई के 5 गढ़वे खोदवा कर बालू/मोरम का सेम्पल किया गया तथा इन सेम्पल का परीक्षण मृदा विज्ञान एवं कृषि रसायन विभाग में हाइड्रोमीटर विधि (हिन्गा एट0आल0 1980) से बालू, सिल्ट और क्ले की प्रतिशत मात्रा ज्ञात किया गया। पांचो सेम्पल में बालू/मोरम 95.70 से 95.74 प्रतिशत पाया गया तथा औसत रूप से बालू/मोरम 95.72 प्रतिशत तथा सिल्ट+क्ले 4.28 प्रतिशत था। इस डाटा से यह साबित होता है कि उक्त रकबा कृषि के लिये अनुपयुक्त है, क्योंकि इसमें बालू की मात्रा बहुत अधिक है।

According to above report 95.72% of sand/morrum is present and land is not fit for agriculture. Hence SEIAA opined that this report which is based on soil profile study as well as chemical analysis clearly shows that there is mineable mineral available in the mine under consideration. SEAC has recommended for inclusion of this area in DSR. Hence SEIAA agreed to include this area in the DSR of Sonebhadra."

The project proponent/consultant informed the committee about the project details as follows:

1. The environmental clearance is sought for Morrum Mining Project on Sone River at Arazi No.- 15 च , Khand No.- 02, Village- Bhagwa, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh of M/s Rudra Mining And Company, Prop. Shri Bhupendra Pratap Singh., (Area- 12.146 ha)
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 146/Parya/SEIAA/7891/2023 dated 01 July, 2023.
3. The Public Hearing was organized on 05/09/2023. Final EIA report submitted by the project proponent on 21/09/2023.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/445239/2023		
2.	File No. allotted by SEIAA, UP	8280/7891		
3.	Date of Letter of Intent (LoI) issued by DGM	4026/खनिज/2023. Date: 16.02.2023		
4.	Date of approval of Mining Plan	Letter No. 197968 Date: 18.04.2023		
5.	Name of Proponent	M/s Rudra Mining And Company, Prop. Shri Bhupendra Pratap Singh		
6.	Full correspondence address of proponent	R/o- R/o Village- Devgarh, Post- Shivdwar, Ghorawal, District- Sonbhadra, Uttar Pradesh		
7.		Mobile No-		
8.		Email-		
7.	Name of Project	BhagwaMorrum Mining Project on Sone River		
8.	Project location (Plot/Khasra/Gata No.)	Arazi No. 15 च , Khand No. 02		
9.	Name of Village	Bhagwa		
10.	Tehsil	Obra		
11.	District	Sonbhadra		
12.	Name of Minor Mineral	Morrum		
13.	Sanctioned Lease Area (in Ha.)	12.146 Ha		
14.	Max & Min mRL within lease area	Max- 173.0 mRL and Min- 171mRL		
15.	Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area		
16.		Pillar No.	Latitude	Longitude
17.		A	24°31'56.51"N	82°59'15.58"E
		B	24°32'2.93"N	82°59'27.23"E
		C	24°31'53.16"N	82°59'34.37"E
	D	24°31'48.53"N	82°59'23.81"E	
16.	Total Geological Reserves	3,34,377Cum		
17.	Total Mineable Reserves	2,18,628 Cum		

18.	Total Proposed Production (in 5 years)	10,93,140 Cum	
19.	Proposed Production/year	2,18,628 Cum/year	
20.	Sanctioned Period of Mine lease	5 years	
21.	No. of workers	55	
22.	Type of Land	Government waste land	
23.	Ultimate Depth of Mining	2.0 m	
24.	Nearest metalled road from site	SH 5A Approx. 2.70 km towards E direction.	
25.	Water Requirement	Purpose	Requirement (KLD)
		Drinking	0.55
		Suppression of dust	7.46
		Plantation	12.14
		Toilet	0.55
Total		20.7	
26.	Name of QCI Accredited Consultant with QCI No and period of validity.	Aegis Environment Research Pvt. Ltd. Certificate No. NABET/EIA/25-28/IA 0153, Validity- 29/01/2028	
27.	Any litigation pending against the project or land in any court	Yes	
28.	Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified Letter No. 4129/खनिज/2023 dated: 25/02/2023	
29.	Details (Page no.) of mining lease area, Geo coordinates & Mineable quantity mentioned in approved DSR	Yes, mining lease area & Mineable quantity mentioned in approved DSR at Annexure No. II Page No. 79, Sl. No. 19 & Geo coordinates given in the DSR at Annexure No. A Page No. 92 Sl. No. 20.	
30.	Proposed EMP cost	EMP Recurring Cost- 31,00,000/- including CER	
31.	Length and breadth of Haul Road	Length: 622 m, width: 6 m	
32.	No. of Trees to be Planted	12146	
33.	Monitoring Period	1 st March to 31 st May 2023	

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

Sr. No.	Activity	Capital Cost (in Rs.)	Quantity
1.	Installation of solar street lights at Village- Bhagwa	10,00,000	10
2.	Installation of computers in Primary School, Bhagwa Village	5,00,000	10
3.	Skill Development Program for local people of Village- Bhagwa	5,00,000	For 50 Person
Total		20,00,000	

- 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).

The consultant (EIA Coordinator) also submitted an affidavit dated 26/09/2025 mentioning is as follows:

- I, Ankur Sharma, S/o Sri Lalit Mohan Sharma am EIA Coordinator of Aegis Environment Research Pvt. Ltd.
- I have prepared EIA report for EC in the name of Bhagwa riverbed Morrum Mining Project on Sone River at Arazi No.- 15 च , Khand No.- 02, Village- Bhagwa, Tehsil- Obra, District- Sonbhadra, Uttar Pradesh of M/s Rudra Mining And Company, Prop. Shri Bhupendra Pratap Singh., (Area- 12.146 ha) with my team.
- I have personally visited the site of proposal and certify that no Mining activity has been undertaken on the project site for the present proposal.

4. I am satisfied with that all the necessary data/information submitted along with EIA are true and correct.
5. I certify that this project proposal has been uploaded for the first time on Parivash Portal.
6. I certify that there is no mismatch between information/data provided on the online application submitted on Parivash Portal and hard copy which will be submitted after acceptance of application.
7. I state that all the TOR Points have been complied and all the issues raised during Public Hearing have been properly addressed in EIA report.
8. The EIA report for the Proposal is prepared by my team as per guideline laid down by QCI/NABET

The committee discussed the matter and recommended grant of environmental clearance for the proposal as above alongwith standard environmental clearance conditions prescribed by MoEF&CC, Govt. of India. The committee also stipulated following specific conditions:

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. 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 (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.
3. The project proponent shall install solar lights in their project area to minimise the consumption of electricity.
4. 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.
5. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer/Expert Agency in this field.
6. The maximum height of the bench should be 06 meters and the width of the bench should be at least twice the height of the bench as per the mine plan approval letter by DGM, U.P
7. In case the blasting is proposed during a mining operation, the project proponent needs to assess its impact on the displacement of human beings/wild animals/birds/other species, and the suitable measures proposed and taken for their rehabilitation and resettlement need to be clearly described in first 6 monthly compliance report.
8. The project proponent shall submit a final mine closure plan/Exit protocol for rehabilitation of mined-out land to match its surrounding land use 3 years before the closure of the mine to SEIAA, UP and Department of Mines and Geology, UP for approval. The project proponent shall ensure the implementation of the approved plan under the supervision of the Dept. of Mines and Geology.
9. The project proponent shall plan and implement collection drain and siltation basins of adequate size to arrest the silt and sediment flow from the quarry area. The surface runoff rainwater harvesting and other water conservation measures on a long-term basis are to be taken in consultation with the Central/State Groundwater Board. The water so collected should be utilized for watering the haulage area, roads, and green belt development, etc.
10. The project proponent shall take all suitable measures to prevent pollution of groundwater and nearby water bodies in consultation with the State Pollution Control Board and consent to operate

(if applicable) should be obtained from the State Pollution Control Board before the start of production from the mine.

11. Project proponent is directed to invest the CER amount as per the proposal and submit the compliance report regularly to the concerned authority/Directorate of environment.
12. 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.
13. 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.
14. The project proponent should explore the possibilities of rainwater harvesting.
15. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
16. 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.
17. 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 Forest Department, UPPCB and Directorate of Environment, UP.
18. 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 the area is less than 05 ha, but factually the distance is less than 500 mt, and the mine is located in the cluster of area equal to or more than 05 ha, the E.C issued will stand revoked.
19. Explosive cannot be stored on the site. The Project proponent shall take approval from Chief Controller of Explosive, if applicable for use or storage of explosive or any such materials.
20. Blast vibrations study shall be conducted and an observation report submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and UPPCB within six months. The report shall also include measures for the prevention of blasting associated impact on nearby houses and agricultural fields.
21. Controlled blasting techniques with sequential blasting shall be adopted. The blasting shall be carried out in the daytime only. The project proponent shall ensure prevention of displacement of human beings/wild animals/birds etc. and in case any such displacement is caused due to blasting/mining operation by any chance the project proponent shall take suitable measures for their rehabilitation and resettlement.
22. Maintenance of village roads used for transportation of minerals is to be done by the company regularly at its own expenses. The link roads from mining area to main road shall be constructed as all-weather road with black topping and maintained by the project proponent.
23. The self-environmental audit shall be conducted annually. Every three years third-party environmental audit shall be carried out.
24. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geotextile matting or other suitable material, and thick plantations of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
25. Ground and surface water, if any in and near the core zone (within 5.0 km of the lease) shall be regularly monitored for contamination and depletion due to mining activity and records maintained. The monitoring data shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly. Further, monitoring points shall be located between the mine, and drainage in the direction of flow of groundwater shall be set up and records maintained.
26. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located

- nearest to sources of dust generation as applicable) and records submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly.
27. Overburden (OB) shall be stacked at the earmarked dump site(s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 20 m, each stage shall preferably be of a maximum of 10 m and the overall slope of the dump shall not exceed 35°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface runoff.
 28. The slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by the Indian Bureau of Mines.
 29. Prior permission from the Competent Authority shall be obtained for the extraction of groundwater if any.
 30. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
 31. The blasting will be done only after getting permission from the Mining Department/competent authority.