

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**(PRINCIPAL BENCH, NEW DELHI)****ORIGINAL APPLICATION NO. 614 OF 2025****IN THE MATTER OF:****ASHISH SAGAR DIXIT****APPLICANT****VERSUS****STATE OF UTTAR PRADESH & ORS.****RESPONDENTS****INDEX**

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Date:-13/07/2026**THROUGH****Place: New Delhi****Priyanka swami
Advocate****Standing Counsel For SEIAA, U.P
F-13, Jangpura, New Delhi 110014**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**(PRINCIPAL BENCH, NEW DELHI)****ORIGINAL APPLICATION NO. 614 OF 2025****IN THE MATTER OF:****ASHISH SAGAR DIXIT****APPLICANT****VERSUS****STATE OF UTTAR PRADESH & ORS.****RESPONDENTS****REPLY ON BEHALF OF SEIAA, UTTAR PRADESH WITH AFFIDAVIT****MOST RESPECTFULLY SHOWETH:**

- 1.** That the present Reply is being filed on behalf of Respondent No. 2 – Uttar Pradesh State Environment Impact Assessment Authority (SEIAA), through its Member Secretary, in compliance with the proceedings pending before this Hon'ble Tribunal in the above-captioned matter. The contents of the Original Application, save and except what is specifically admitted herein, are denied.
- 2.** That SEIAA is a statutory authority constituted under Section 3(3) of the Environment (Protection) Act, 1986 read with the EIA Notification, 2006 and is entrusted with the responsibility of appraisal and grant of Environmental Clearance (EC) in accordance with law.

SEIAA considers proposals based on recommendations of the State Expert Appraisal Committee (SEAC) and accords clearance subject to specific and standard conditions to safeguard environmental interests.

- 3.** That in the present matter, Environmental Clearance bearing Ref. No. EC24B0107UP5242320N dated 08.10.2024 was granted in favour of Shri Himanshu Meena, M/s New Eureka Mines & Minerals Pvt. Ltd., for "Sand/Morrum Mining" at Gata No. 73/1, 73/2, 77/1, 77/7, 89, 101/1, 102/1, Village Sandi Khadar, Tehsil Pailani, District Banda, U.P., over a lease area of 27.0 Ha.
- 4.** That the said Environmental Clearance dated 08.10.2024 was issued after due appraisal by SEAC in its meeting held on 16.08.2024 and subsequent examination by SEIAA in its meeting held on 11.09.2024, strictly in accordance with the provisions of the EIA Notification, 2006 and amendments thereto. The EC itself records:

"The SEAC, in its meeting held on 16-08-2024 based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and

public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as given in Annexure (1)."

It further records:

"The SEIAA in its meeting held on 11-09-2024 has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEIAA hereby accords Environment Clearance... subject to compliance of the Specific conditions as given in Annexure (1)."

That a true copy of the Environmental Clearance bearing Ref. No. EC24B0107UP5242320N dated 08.10.2024 issued by SEIAA, Uttar Pradesh is attached herewith and marked as ANNEXURE P/1.

- 5.** That the Environmental Clearance contains explicit safeguards including prohibition of in-stream mining, restriction on use of heavy

machinery such as excavators and scoopers, restriction of mining strictly as per approved mining plan and depth, and mandatory plantation at the rate of 1,000 plants per hectare, i.e., minimum 27,000 plants with five years maintenance. The EC specifically stipulates that no mining activity shall be carried out in-stream channel as per SSMMG, 2016 and that heavy machines such as excavator, scooper etc. shall not be employed for mining purposes.

6. That the allegations raised in the Original Application pertain to alleged use of heavy machinery, mining beyond approved depth, in-stream mining, non-compliance of plantation conditions and transportation within forest area. It is respectfully submitted that SEIAA is a clearance granting authority and does not undertake day-to-day field enforcement.
7. That this Hon'ble Tribunal, in the present matter, has passed an order dated 03.12.2025 constituting a Joint Committee. The relevant portion of the order reads as under:

"Para 8. Having regard to the seriousness of issue involved in the matter, we also deem it proper to form a joint Committee comprising of a representative of the Member Secretary, CPCB, RO,

MoEF&CC, Lucknow, a representative of the Member Secretary, UP PCB and District Magistrate Banda. The District Magistrate Banda will act as nodal agency in this joint Committee. The joint Committee will visit the site, ascertain the extent of illegal mining which has been done by the Respondent No. 5, extent of illegal mining, if any, done by the Respondents No. 5 on the field of the Applicant and Gram Sabha land, the truthfulness of the allegations made by the Applicant in the OA and the preventive and remedial measures, if any, taken by the local Authorities against such illegal mining. The joint Committee will also ascertain the extent of environmental damage caused and the environmental compensation which is required to be levied to compensate the said damage. The joint Committee will carry out this exercise within a period of six weeks and submit the report within eight weeks."

8. That the Environmental Clearance itself provides that concealing factual data or submission of false or fabricated data may result in revocation of the environmental clearance and attract action under the provisions of the Environment (Protection) Act, 1986. It further

reserves the right of SEIAA to revoke the clearance if conditions stipulated are not implemented to its satisfaction.

9. That SEIAA undertakes to abide by any direction that may be issued by this Hon'ble Tribunal upon receipt of the Joint Committee findings and shall proceed strictly in accordance with statutory mandate.
10. In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to take the present Reply on record and pass such further orders as it may deem fit and proper in the interest of justice and environmental protection.

**THROUGH
RESPONDENT NO-2 SEIAA, U.P.**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 614 OF 2024**

IN THE MATTER OF:

ASHISH SAGAR DIXIT

APPELLANT

VERSUS

**STATE OF UTTAR PRADESH &
ORS.**

RESPONDENT(S)

AFFIDAVIT

I, Vidhyotma Bharti, aged about 49 years W/o Dr. G.L. Nigam is presently posted as Assistant Director, Regional Office, Noida, Directorate of Environment & Climate Change, U.P., having an office at E-12/1, Noida, U.P., presently at New Delhi, do hereby solemnly affirm and declare as under: -

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on behalf of Member Secretary, SEIAA before this Tribunal.
2. That the accompanying reply has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying reply are true and correct, and the knowledge has been derived from official records and nothing material has been concealed therefrom.
4. That the Deponent will continue to extend her full cooperation and shall abide by any further directions that the Hon'ble Tribunal may issue.



V. Ghosh

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this **13 JUL 2026** day of
2026, that the contents of the foregoing affidavit are true and correct to the best
of my knowledge and no part of it is false and nothing material has been
concealed therefrom

D14476/10
I identified the deponent who
has signed in my presence



V. Ghosh

DEPONENT

ATTESTED

NOTARY PUBLIC
(INDIA)

13 JUL 2026



सत्यमेव जयते

File No.: 8958-8081

Government of India

Ministry of Environment, Forest and Climate Change

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

UTTAR PRADESH)



Dated 08/10/2024



To,

Shri Himanshu Meena
M/s NEW EUREKA MINES AND MINERALS PRIVATE LIMITED
HIG-1, PEPTECH Town, Chhatarpur, Madhya Pradesh, JAIPUR, RAJASTHAN, 471001
eurekanew1001@gmail.com

Subject: Grant of prior Environmental Clearance (EC) to the proposed Mining Project under the provisions of EIA Notification 2006-regarding Sand/Morrum Mining” at Gata No.-73/1, 73/2, 77/1, 77/7, 89, 101/1, 102/1 Village – Sandi Khadar, Tehsil- Pailani District – Banda, U.P., (Leased Area- 27.0 Ha), M/s New Eureka Mines & Minerals Pvt. Ltd.

Sir/Madam,

This is in reference to your application submitted to SEIAA vide proposal number SIA/UP/MIN/470819/2024 dated 27/04/2024 for grant of prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24B0107UP5242320N
(ii) File No.	8958-8081
(iii) Clearance Type	Fresh EC
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	SANDI KHADAR SAND/MORRUM MINE
(ix) Location of Project (District, State)	BANDA, UTTAR PRADESH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	No

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

4. The above-mentioned proposal has been considered by SEAC in its meeting held on 16-8-2024. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed from the PARIVESH portal by scanning the QR Code above.

5. Details of the minerals to be mined along with production capacity and the brief on the salient features of the project as

- submitted by the project proponent in Form 1 (Part A and B) in the reports and as presented during SEAC meeting are annexed to this EC as Annexure (2).
6. The SEAC, in its meeting held on 16-08-2024 based on information submitted viz: Form 1 (Part A, B and C), EIA/EMP report etc & clarifications provided by the project proponent and after detailed deliberations on all technical aspects and public hearing issues and compliance thereto furnished by the Project Proponent, recommended the proposal for grant of Environment Clearance under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of Specific and Standard EC conditions as given in Annexure (1).
7. The SEIAA in its meeting held on 11-09-2024 has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the SEIAA hereby accords Environment Clearance for the instant proposal to Shri Himanshu Meena under the provisions of EIA Notification, 2006 and as amended thereof subject to compliance of the Specific conditions as given in Annexure (1)
8. The SEIAA reserves the right to stipulate additional conditions, if found necessary.
9. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.
10. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.
11. General Instructions:
- The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of SEIAA website where it is displayed.
 - The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.
 - The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.
 - Action plan for implementing EMP and environmental conditions along with responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Six monthly progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.
 - Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
 - The project proponent shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.
 - Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
 - The SEIAA reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.
12. This issues with the approval of the Competent Authority.

Annexure 1

Specific EC Conditions for (Mining Of Minerals)

1. Environmental Attributes

S. No	EC Conditions
1.1	1. Project Proponent and District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study, a report verified by DM and DGM shall be submitted to SEIAA and suitable amendment if needed, shall be done in EC. <i>If after replenishment study, mineable quantity assessed is more than the quantity mentioned in EC then mining shall be restricted to the one mentioned in EC and if mineable quantity assessed is less than the quantity mentioned in EC then mining will be restricted to quantity assessed in replenishment study till EC is amended.</i> Under no circumstances mining shall be more than the quantity mentioned in EC or assessed as per replenish study. 2. Directions/suggestions given during public hearing and commitment made by the project proponent one these should be strictly complied with. 3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route for mineral transportation. If forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhiniyam,2023 and submit before the start of work. 4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted. 5. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate legally valid water sources and permission from the competent authority shall be obtained to use it. 6. Stream will not be diverted to form inactive channel for mining. 7. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 27,000 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. 8. Also, the coordinates of area earmarked for plantation should be clearly spelt out and polygon should be attached and submitted within a month. Plantation of saplings shall be carried out in earmarked area as part of tree plantation campaign “Ek Ped Ma Ke Naam” and the details of the same shall be uploaded in the Meri LiFE Portal (https://merilife.nic.in) as per OM no. F.No.IA3-22/3/2024-IA.III (E-241594) dated 24.07.2024. 9. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition. 10. The project proponent shall ensure that water bodies do not get polluted due to mining activity. 11. Department of Geology and Mines, Government of Uttar Pradesh and/or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation. 12. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow. 13. The project proponent shall install rooftop solar plant in one school in the vicinity of project area and construct toilets especially in girls’ school as part of CER activity. 14. Since large number of mining projects are ongoing as well as new mining leases are coming up in the district CAAQMS shall be installed where ever needed, in consultation with UPPCB. 15. 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. 16. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed

S. No	EC Conditions
	standards. 17. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC 18. Next year the project proponent shall submit online replenishment study report along with 06 monthly compliance report.
1.2	1. The environmental clearance will be co-terminus with the validity of the lease period mentioned in the LoI or co-terminus with the validity of current mine plan whichever is earlier, after this period the EC will automatically become null and void. 2. The quantity mentioned in LoI or quantity mentioned in replenishment study, whichever is less, would be maximum quantity which project proponent may extract. It will be ensured by District Administration and Geology and Mining Department. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. 3. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity. 4. No mining activity should be carried out in-stream channel as per SSMMG, 2016. 5. The mining work will be open-cast and manual/semi mechanized (subject to orders). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage. 6. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA. 7. Project Proponent should submit working plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or District plantation committee, for planting at least (as per the project) plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provisions for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition. 8. The project proponent shall install solar lights in their project area to minimise the consumption of electricity. 9. During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report. 10. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer Expert Agency in this field 11. Link Road from the quarry site to the main road shall be constructed as an all-weather road with blacktopping and maintained by the project proponent. 12. Vehicular emissions should be kept under control and regularly monitored. Suitable measures shall be taken for proper maintenance of vehicles used in a quarry operation and transportation. 13. The project proponent should explore the possibilities of rainwater harvesting in the premises of project area 14. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road. 15. Latest technology (water sprinklers/ tankers) to be adopted for mitigating dust at source points in lease area and haulage road during operational activity/vehicular movement. 16. As per the proposed plan, plantation with area specific plant species, number of plants to be planted and report of green belt development to be submitted to the concerning department. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to

S. No	EC Conditions
	time. 17. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted. 18. Submit the Hydrological study report of lease area that the quantity given in LoI will be mined without affecting the geo-hydrology of the River. 19. Environment management in according to environmental status and impact of the project. 20. During the school opening and closing time transportation of minerals will be restricted. 21. Pakkamotorable haul road to be maintained by the project proponent. 22. A separate Environmental Management Cell with suitable qualified personnel shall be setup under the control of a Senior Executive, who will report directly to the Head of the Organization. 23. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government. 24. Provision for two toilets and hand pumps should be made at mining site. 25. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016. 26. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate. 27. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked. 28. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection. 29. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank. 30. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

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

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

2. Air Quality Monitoring And Mitigation Measure

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

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

3. Water Quality Monitoring And Mitigation Measures

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

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

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

4. Noise And Vibration Monitoring And Prevention

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

5. Mining Plan

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

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

6. Land Recalculation

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

7. Public Hearing And Human Health Issues

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

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

8. Corporate Environment Responsibility

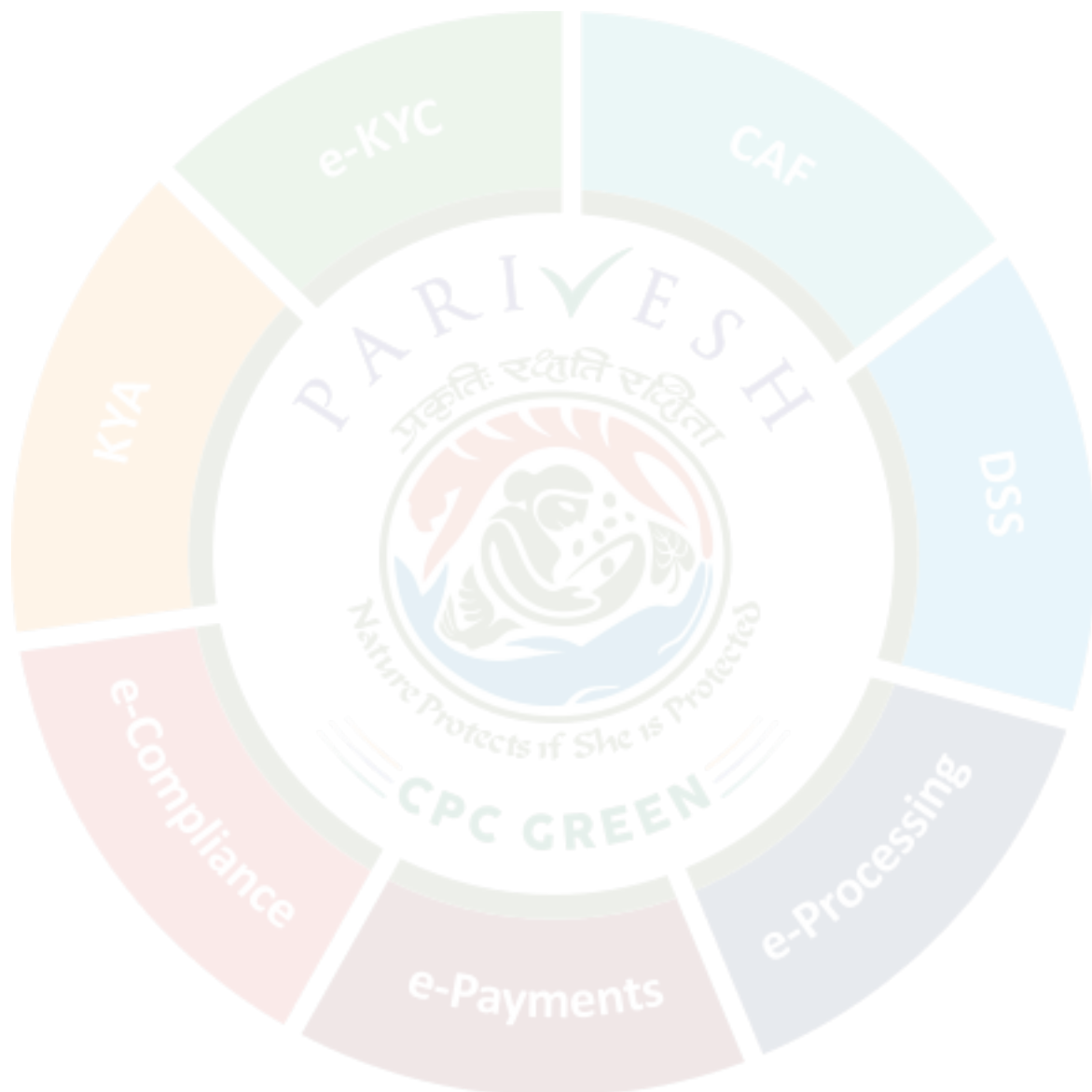
S. No	EC Conditions
8.1	The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of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

9. Miscellaneous

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

S. No	EC Conditions
9.5	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
9.6	The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
9.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
9.8	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
9.9	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
9.10	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
9.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
9.13	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
9.14	The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
9.15	The proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during presentation to the EAC. All the commitments made on the issues raised during public hearing shall also be implemented in letter and spirit.
9.16	Compensation of the land acquired for the project shall be settled as per the R&R Policy. Adequate facility of drinking water, plantation and other social amenities should be provided to established R&R villages.
9.17	Persons of nearby villages shall be given training on livelihood and skill development to make them employable with its proper records.
9.18	The illumination and sound at night at project sites disturb the villages in respect of both human and

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



Annexure- 2

A presentation was made by the project proponent along with their consultant M/s Environmental Research and Analysis to SEAC on 16-08-2024.

Project Details Informed by the Project Proponent and their Consultant

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

1. The environmental clearance is sought for “Sand/Morrum Mining” at Gata No.-73/1, 73/2, 77/1, 77/7, 89, 101/1, 102/1 Village – Sandi Khadar, Tehsil- Pailani District – Banda, U.P., (Leased Area- 27.0 Ha), M/s New Eureka Mines & Minerals Pvt. Ltd.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 257/Parya/SEIAA/8081/2023, dated 18/10/2023.
3. The Public Hearing was organized on 06/04/2024. Final EIA report submitted by the project proponent on 27/04/2024.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/470819/2024		
2. File No. allotted by SEIAA, U.P	8959/8081		
3. Name of Proponent	M/S New Eureka Mines & Minerals Pvt.Ltd. Director Shri Himanshu Meena S/O Shri R.L. Meena		
4. Full correspondence address of proponent	Address- H.I.G. -01, Peptech Town, Chhatarpur (M.P.) & R/o Needad, Harmada Jaipur (Rajasthan)		
5. Name of Project	Sand/ Morrum Mining Project		
6. Project location (Plot/Khasra/Gata No.)	Gata No. 73/1, 73/2, 77/1, 77/7, 89, 101/1, 102/1		
7. Name of Village	Sandi Khadar		
8. Tehsil	Pailani		
9. District	Banda		
10. Name of Minor Mineral	Sand/ Morrum		
11. Sanctioned Lease Area (in Ha.)	26.62 Ha.		
12. Max. & Min mrl within lease area	Maximum & Minimum mRL 113 mRL & 110 mRL respectively		
13. Pillar Coordinates (Verified by DMO)	GPS Coordinate of Lease Area – 26.62 Ha.		
	Pillar	Latitude(N)	Longitude(E)
	A	25°42'6.78"N	80°18'44.29"E
	B	25°42'41.34"N	80°19'27.78"E
	C	25°42'32.10"N	80°19'28.50"E
	D	25°42'32.10"N	80°19'32.07"E
	E	25°42'4.50"N	80°18'47.00"E
14. Total Geological Reserves	6,65,000 m ³		
15. Total Mineable Reserves	4,13,685 m ³		
16. Total Proposed Production (in five year)	19,16,335 m ³ for 5 year		
17. Proposed Production/year	3,83,267 m ³ per year		
18. Sanctioned Period of Mine lease	5 years		
19. No. Of workers	Approximately 68 workers		
20. Type of Land	Government Land		
21. Ultimate Depth of Mining	2.2 m as per approved mining plan		
22. Nearest metalled road from site	SH 332 is 12.0 Km away in SE direction.		
23. Water Requirement	PURPOSE	REQUIREMENT (KLD)	
	Drinking water	0.78 KLD	
	Dust suppression	2.43 KLD	

	Plantation	0.135 KLD
	Others (if any)	-
	Total	3.345 KLD
24. Name of QCI Accredited Consultant with QCI No And period of validity.	Environmental Research and Analysis, Lucknow (U.P) Certificate No. NABET/ EIA/24-27/RA 0341 and valid upto January 21, 2027	
25. Any litigation pending against the project or land in any court	No	
26. Details of 500 m Cluster Map & certificate issued by Mining Officer	Letter No. 2056/ Khanij - 30, Banda Issued on 27/06/2023	
27. Details of Lease Area in approved DSR	Letter No 414/Parya/Samanya/2023 dated 07/08/2024 Details of lease given on S.No. 74, Page No. 484	
28. Proposed EMP cost	₹ 7,65,370/-	
29. Length and breadth of Haul Road	270 m length and 6 m width	
30. No. of Trees to be Planted	135	
31. Monitoring Period	1/10/2023 to 31/12/2023 (Post monsoon Season)	

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

S. N.	Particulars	Estimated Cost	Numbers/ Quantity	Total Cost(Rs)
1	Installation of Solar light on haul road of the village Sandi Khadar, Tehsil Pailani, District Banda, U.P.	Rs. 25,000 per Solar light	Rs. 25,000 × 4 Solar light	1,00,000
2	Health Check-up camps for the local villagers of village Sandi Khadar, Tehsil Pailani, District- anda, U.P.	-	Six monthly	50,000
3	Haul Road Maintenance			40,000
Total				1,90,000/-

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

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

- Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)**
- Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)**
- Deputy Director General of Forests (C), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)**
- District Magistrate, Banda.**
- Member Secretary, Uttar Pradesh Pollution Control Board, Indira Park, Jor Bagh, Lucknow, 226010 (email – ms@uppcb.in)**
- Copy for Guard File.**

Signature Not Verified
 Digitally Signed by: Member Secretary UP
 Member Secretary, SEIAA
 (Ajay Kumar Sharma)
 Date: 08/10/2024
 Member Secretary, SEIAA