

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 56 OF 2021****IN THE MATTER OF:****PARTH MISHRA****...APPLICANT****VERSUS****MoEFF CC & ORS****...RESPONDENTS****INDEX**

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THROUGH**Date:08/04/2026****THROUGH****Place: New Delhi**

Priyanka Swami
Advocate
Standing Counsel For State of U.P
F-13, Jangpura, New Delhi
110014

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 56 OF 2021****IN THE MATTER OF:****PARTH MISHRA****...APPLICANT****VERSUS****MoEFF CC & ORS****...RESPONDENTS****REPLY ON BEHALF OF RESPONDENT NO. 2, MEMBER
SECRETARY, SEIAA, UP ALONGWITH SUPPORTING AFFIDAVIT****MOST RESPECTFULLY SHOWETH:**

1. It is respectfully submitted that the answering Respondent denies each and every statement, contention, submission, allegation, and/or averment made by the Appellant in the complaint, which is contrary to or inconsistent with the present reply and/or the records of the case. It is categorically stated that all such statements, submissions or averments made by the Appellant, which are inconsistent with the contents of this reply, are specifically and unequivocally denied, except those which are expressly and specifically admitted herein. It is further submitted that any inadvertent omission to deal with or deny any particular averment made by the Appellant shall not be construed as an

admission on the part of the answering Respondent, and no adverse inference shall be drawn therefrom.

- 2.** It is submitted that the Ministry of Environment, Forest and Climate Change (MoEF&CC), vide Notification dated 14.09.2006 (as amended from time to time), has mandated the requirement of obtaining prior Environmental Clearance (EC) for new projects, as well as for the expansion or modernisation of existing projects that are likely to have an impact on the environment. The purpose of this regulatory mechanism is to evaluate such projects based on their potential environmental implications and to ensure that appropriate conditions are prescribed to mitigate any adverse environmental impact.
- 3.** That the State Environment Impact Assessment Authority (SEIAA), Uttar Pradesh, is a statutory authority constituted under the provisions of the EIA Notification, 2006, for the purpose of considering and granting Environmental Clearances for projects falling under Category 'B' of the Schedule appended to the said Notification. SEIAA, Uttar Pradesh, takes decisions based on the recommendations of the State Expert Appraisal Committee (SEAC) and functions strictly within the jurisdiction and procedural framework prescribed by the MoEF&CC.

4. That SEIAA and SEAC, Uttar Pradesh, were reconstituted vide MoEF&CC Notification bearing S.O. 3921(E) dated 26.08.2025. The Directorate of Environment, Government of Uttar Pradesh, acts as the Secretariat for SEIAA and SEAC and ensures adherence to statutory procedures during the appraisal and clearance process.
5. That SEIAA, Uttar Pradesh, is vested with the statutory responsibility of evaluating and granting Environmental Clearances strictly at the pre-clearance stage based on an assessment of the project's environmental impact. The Office Memorandum dated 29.06.2010 issued by the MoEF&CC unequivocally clarifies that the post-clearance monitoring, compliance enforcement and regulatory inspection functions fall within the domain of the Regional Offices of the MoEF&CC. SEIAA, Uttar Pradesh, within its limited jurisdiction, provides necessary inputs to the regulatory authorities as and when requisitioned. **A copy of the Office Memorandum dated 29.06.2010 issued by the MoEF&CC is annexed herewith and marked as Annexure R/1.**
6. It is further submitted that SEIAA, Uttar Pradesh, has neither been vested with nor does it possess any institutional mechanism for post-clearance monitoring or enforcement of compliance after the grant of EC. The statutory authority entrusted with monitoring and enforcement of environmental compliance post clearance is the

MoEF&CC through its Regional Offices. However, SEIAA, Uttar Pradesh, remains willing to extend its cooperation and assistance to the competent monitoring authorities wherever required.

7. It is also pertinent to mention that SEIAA, Uttar Pradesh, has, within its limited competence, issued show-cause notices to project proponents upon receiving credible reports of non-compliance and has duly referred such matters to the appropriate regulatory authorities for necessary action. SEIAA, Uttar Pradesh, reiterates its commitment to upholding the principles of environmental governance and assures this Hon'ble Tribunal of its continued adherence to the rule of law in matters concerning environmental protection.

REPLY ON MERITS

1. That without prejudice to the foregoing submissions, it is submitted that in the present matter, SEIAA, Uttar Pradesh, granted Environmental Clearance for the Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village Chikasi, Tehsil Sarila, District Hamirpur, Uttar Pradesh, over a leased area admeasuring 36.437 hectares, in favour of M/s Disha Enterprises, through its project proponent Shri Mohammed Ashfaque, vide Environmental Clearance Letter bearing No.

528/Parya/SEAC/4528-4439/2018 dated 24.11.2018. **A true copy of the said Environmental Clearance dated 24.11.2018 is annexed herewith as Annexure R/2.**

2. That it is submitted furthermore, that EC dated 24.11.2018 is co-terminus with the mining lease period (specific condition No.27 of EC). Lease Deed execution was issued vide letter dated 06.12.2018 and the sanctioned period of mine lease was of 5 years.
3. That the answering Respondent respectfully submits that it remains at the disposal of this Hon'ble Tribunal and undertakes to abide by and ensure strict compliance with any further directions or orders that may be passed by this Hon'ble Tribunal in the present proceedings.

Date:08/04/2026

THROUGH

Place: New Delhi



**Priyanka Swami
Advocate
Standing Counsel For State of U.P
F-13, Jangpura, New Delhi
110014**

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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 of Member Secretary.
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. Shashi
DEPONENT

VERIFICATION

Verified on solemn affirmatin at **New Delhi**..... on this **08 APR 2026** 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

Riyanka Swami
D/4476/10.
I identified the deponent who
has signed in my presence



V. Shashi
DEPONENT

ATTESTED
[Signature]
NOTARY PUBLIC
(INDIA)

08 APR 2026

By Speed Post

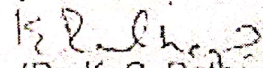
J-11013/5/2009-IA,II
Govt. of India
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 003.
29th June 2010

Office Memorandum

1. The Regional offices of Ministry of Environment and Forests have been entrusted with the responsibility of monitoring compliance status of the conditions stipulated while according environment clearance to various developmental projects under the EIA and CRZ Notifications. For the purpose, the officers from the Regional offices have been undertaking visits to the projects and based on the observations made during the visit, the monitoring reports are submitted to the Ministry of Environment and Forests.
2. It has been observed that the monitoring reports are often submitted very late, even in cases of serious violations, thereby, prejudicing effective action against the units found non compliant to the environment clearance conditions and defeating the very purpose of monitoring.
3. In view of the above, it has been decided that the Regional offices will, henceforth, send the monitoring reports to monitoring cell of IA division within one month of monitoring of project/ unit in respect of these projects which have been found in gross violation of environment clearance conditions. However, in all other cases, a simple statement indicating name of units monitored along with summary statement of observations made during monitoring may be sent every month for all other projects monitored in the previous month.

This issues with the approval of the Competent Authority.


(Dr. K. C. Rathore)
Scientist "F"

To

1. The Chief Conservator of Forests, Ministry of Env & Forests, Regional Office (East), A/3, Chandrasekharpur, Bhubaneswar 751023 Orissa.
2. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (South), Kendriya Sadan, 4th floor, E & F wings, 17th Main Road, Koramangala "B" Bangalore-560034
3. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (WZ), Kendriya Paryavaran Bhawan, E-5, Arera Colony, Link Road-3, Ravishankar Nagar, Bhopal 462016, M.P.
4. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (NEZ) Uplands Road, Laitumkhrak, Shillong 793003, Meghalaya
5. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (CZ), Kendriya Bhawan, 5th floor, Sector "H", Aliganj, Lucknow 226020 U.P.
6. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (NZ), Bays No. 24-25, Sector 31A, Dakshin Marg, Chandigarh 160002

Registered

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.in

To,

Shri Mohammed Ashfaque,
Owner,
H.No- 28/46, 2nd Floor, Katija Bai building,
Tank St(V.K. Marg) Choti Masjid,
Nagpada, Mumbai central,
District- Mumbai, Maharashtra.

Ref. No. 528/Parya/SEAC/4528-4439/2018Date: 24 November, 2018

Sub: Environmental Clearance for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikasi, Tehsil-Sarila, District-Hamirpur, Uttar Pradesh, (Leased Area - 36.437 ha), M/s Disha Enterprises.

Dear Sir,

Please refer to your application/letter dated 04-08-2018, 13-08-2018, 12-10-2018, 31-10-2018 & 01-11-2018 addressed to the Secretary, SEAC, Directorate of Environment, U.P., Lucknow on the subject as above. The State Level Expert Appraisal Committee considered the matter in its meetings held on dated 14/11/2018.

A presentation was made by the project proponent along with their consultant M/s ENV DAS (I) Pvt. Ltd. The proponent, through the documents submitted and the presentation made, informed the committee that :-

- 1- The environmental clearance is sought for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikasi, Tehsil-Sarila, District-Hamirpur, Uttar Pradesh, (Leased Area - 36.437 ha), M/s Disha Enterprises.
- 2- Public hearing was organized on 05/10/2018.
- 3- Salient features of the project as submitted by the project proponent:

| | |
|--|---|
| 1. On-line proposal No. | SIA/UP/MIN/28574/2018 |
| 2. File No. allotted by SEIAA, UP | 4439 |
| 3. Name of Proponent | M/s Disha Enterprises Authorized Signatory- Mohammed Ashfaque Mohammed Munshi |
| 4. Full correspondence address of proponent and mobile no. | M/s Disha Enterprises Proprietor- Mohammed Ashfaque Mohammed Munshi Khan S/o Village - Mathauli, P.O. - Bharwalia District- Basti, U.P. |
| 5. Name of Project | Sand/Morrum Mining |
| 6. Project location (Plot/Khasra/Gata No.) | Khand No. 24/14 |
| 7. Name of River | Betwa |
| 8. Name of Village | Chikasi |
| 9. Tehsil | Sarila |
| 10. District | Hamirpur |
| 11. Name of Minor Mineral | Sand/Morrum |
| 12. Sanctioned Lease Area (in ha) | 36.437 ha |
| 13. Mineable Area (in ha) | 32.497 ha |
| 14. Zero level mRL | 109 mRL |
| 15. Max. & Min mrl within lease area | 117 mRL and 113 mRL |
| 16. Pillar Coordinates (Verified by DMO) | Sanctioned Area |
| | Points Latitude Longitude |

E.C. for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikasi, Tehsil-Sarila, District-Hamirpur, Uttar Pradesh, (Leased Area - 36,437 ha), M/s Disha Enterprises.

| | | | |
|---|--|-------------------|---------------|
| | A | 25°50'7.46"N | 79°28'7.83"E |
| | B | 25°50'16.56"N | 79°28'17.05"E |
| | C | 25°50'23.14"N | 79°28'28.44"E |
| | D | 25°50'13.44"N | 79°28'38.82"E |
| | E | 25°49'55.99"N | 79°28'22.34"E |
| | Workable Area | | |
| | F | 25°50'5.94"N | 79°28'9.84"E |
| | C | 25°50'23.14"N | 79°28'28.44"E |
| | D | 25°50'13.44"N | 79°28'38.82"E |
| | E | 25°49'55.99"N | 79°28'22.34"E |
| | Non Workable Area | | |
| | A | 25°50'7.46"N | 79°28'7.83"E |
| | B | 25°50'16.56"N | 79°28'17.05"E |
| | C | 25°50'23.14"N | 79°28'28.44"E |
| | F | 25°50'5.94"N | 79°28'9.84"E |
| 17. Total Geological Reserves | 18,21,250 m ³ | | |
| 18. Total Mineable Reserves in LOI | 7,28,640 m ³ /year | | |
| 19. Total Proposed Production | 7,28,640 m ³ /year (36,43,200 m ³ in 05 years) | | |
| 20. Proposed Production/year | 7,28,640 m ³ | | |
| 21. Sanctioned Period of Mine lease | 5 years | | |
| 22. Production of mine/day | 2650 m ³ /day | | |
| 23. Method of Mining | Opencast Semi-mechanized | | |
| 24. No. of working days | 275 days | | |
| 25. Working hours/day | 12 hours | | |
| 26. No. Of workers | Approximately 75 labours | | |
| 27. No. Of vehicles movement/day | 177 units | | |
| 28. Type of Land | Non - Agricultural, Government Waste Land (Revenue land) | | |
| 29. Ultimate Depth of Mining | 3 m | | |
| 30. Nearest metalled road from site | SH 21 (Rath- Orai Road) : 2.54 km* (SW) | | |
| 31. Water Requirement | PURPOSE | REQUIREMENT (KLD) | |
| | Drinking | 2.03 | |
| | Suppression of dust | 9.10 | |
| | Plantation | 0.091 | |
| | Others (Stored Water) | 0.10 | |
| | Total | 11.32 KLD | |
| 32. Name of QCI Accredited Consultant with QCI No and period of validity. | EPIV Development Assistance Systems (I) Pvt. Ltd. NABET/EIA/1720/RA 0078 and Valid till 02/04/2020. | | |
| 33. Any litigation pending against the project or land in any court | None | | |
| 34. Details of 500 m Cluster Map & certificate verified by Mining Officer | Cluster certificate issued by DMO Hamirpur Letter No. 813/khanij-M-M-C Tees- Vividh (2018-19) dated 11/09/2018 | | |
| 35. Details of Lease Area in approved DSR | Page No 64; Table No.20 | | |
| 36. Proposed CER cost | 2% of total project cost i.e. Rs.47,22,000/- | | |
| 37. Proposed EMP cost/ Total Project Cost | Rs 30,11,736/- & 23,61,15,000/- | | |
| 38. Length and Width of Haul Road | c | | |
| 39. No. of Trees to be Planted | 273 | | |

- 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.

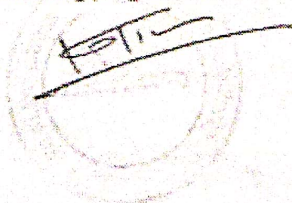
E.C. for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikasi, Tehsil-Sarila, District-Namirpur, Uttar Pradesh, (Leased Area - 36.437 ha), M/s Disha Enterprises,

- 6- 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.
- 7- There is no litigation pending in any court regarding this project.
- 8- The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee (meeting held on 14/11/2018) on the above said project, the State Level Environment Impact Assessment Authority (meetings held on dated 24/11/2018) has decided to grant the Environmental Clearance to the title project for collection of 7,28,640 m³/year is proposed from mining lease area 36.437 ha subject to effective implementation of the following General Conditions and specific conditions:

General Conditions:-

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



E.C. for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikasi, Tehsil-Sarila, District-Hamirpur, Uttar Pradesh, (Leased Area - 36.437 ha), M/s Disha Enterprises.

19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions, the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, ZilaParisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Corporate Environmental Responsibility (CER) shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018. Work to be executed with installation of five hand pumps for drinking water, solar light in villages of streets, construction of two numbers of toilets at the primary school with name displayed and address and details of beneficiary and gram pradhan along with phone number, photographs should be submitted to Directorate as well as to the District magistrate / Chief Development officers.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards, the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.

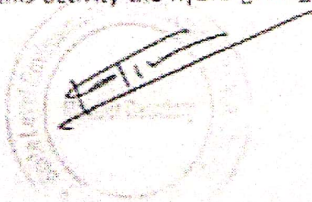
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation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

Specific Conditions:

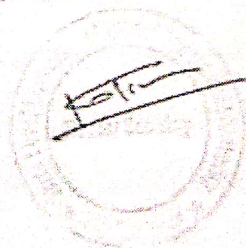
1. Directions/suggestions given during public hearing and Commitment made by the project proponent should be strictly complied.
2. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
3. Pakka motorable haul road to be maintained by the project proponent.
4. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
5. Permission from the competent authority regarding evacuation route should be taken.
6. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
7. Site Pit photographs should be submitted with date, time and point-coordinate within 15 days.
8. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
9. Provision for cylinder to workers should be made for cooking.
10. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
11. Provide suitable mask to the workers.
12. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road.
13. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
14. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
15. Provision for two toilets and hand pumps should be made at mining site.

E.C. for Riverbed Sand/Morrum Mining Project from Betwa River at Khand No. 24/14, Village-Chikast, Tehsil-Sarifa, District-Hamirpur, Uttar Pradesh, (Leased Area - 36.437 ha), M/s Disha Enterprises.

16. Drinking water for workers would be provided by tankers.
17. 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.
18. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
19. Corporate Environmental Responsibility (CER) plan with minimum Rs. 47,22,000/- shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018. Work to be executed with installation of five hand pumps for drinking water, solar light in villages of streets, construction of two numbers of toilets at the primary school with name displayed and address and details of beneficiary and gram pradhan along with phone number, photographs should be submitted to Directorate as well as to the District magistrate / Chief Development officers, Hamirpur, U.P.
20. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
21. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
22. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
23. Width of the haul road shall be more than 6 meter.
24. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
25. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
26. If in future this lease area becomes part of cluster of equal to or more than 25 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. The Environmental clearance will be co-terminus with the mining lease period.
28. Project falling within in 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
29. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
30. Geo coordinates should be verified by Director, DGM/District Magistrate/Regional Mining Officer/NHAI and should be submitted to SEIAA/SEAC, Secretariat as earliest.
31. 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 25ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 25ha, the E.C issued will stand revoked.
32. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
33. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
34. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
35. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.



36. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
37. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
38. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
39. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)).
40. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
41. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
42. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
43. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
44. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
45. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
46. Solid waste material viz., gutkha pouches, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
47. Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchyat.
48. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
49. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.
50. A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.
51. State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.
52. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.
53. The MoEF/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
54. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.



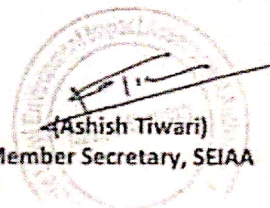
55. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
56. Waste water from potable use be collected and reused for sprinkling.
57. During the school opening and closing time vehicle movement will be restricted.
58. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

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

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

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

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


(Ashish Tiwari)
Member Secretary, SEIAA

Ref. No...../Parya/SEAC/4528-4439/2018 Dated: As above

Copy for Information and necessary action to:

1. The Principal Secretary, Environment, U.P. Govt., Lucknow.
2. Advisor, IA Division, Ministry of Environment, Forests & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi.
3. Additional Director, Regional Office, Ministry of Environment & Forests, (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
4. The Member Secretary, U.P. Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.
5. District Magistrate, Hamirpur, U.P.
6. Director, Department of Geology & Mining, U.P. Lucknow.
7. Copy for Web Master/Guard file.

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(Ashish Tiwari)
Member Secretary, SEIAA