

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1190/2024**

IN THE MATTER OF: -

Ajayveer Singh

...Applicant

-Versus-

State of Uttar Pradesh & Ors.

...Respondent(s)

INDEX

NDoH: 24.02.2025

S. No	Particulars	Page No.
1.	Reply on behalf of Royal Construction Company - Respondent No. 6 alongwith Affidavit	6-37
2.	<u>ANNEXURE R/1:</u> True Copy of the order dated 17.02.2025 of the Hon'ble Supreme Court passed in C.A. No. 2218-2219/2025 titled Royal Construction Company Vs State of Uttar Pradesh & Ors.	38-39
3.	<u>ANNEXURE R/2:</u> True Copy of the Minutes of the Meeting of DEIAA along with its English translation approving the DSR dated 18.11.2017 for Baghpat District	40-45
4.	<u>ANNEXURE R/3:</u> True Copy of the Office Memorandum dated 01.06.2020 alongwith its English Translation issued by Directorate of Geology and Mining, Uttar Pradesh constituting Technical Committee	46-50
5.	<u>ANNEXURE R/4:</u> True Copy of the letter dated 12.06.2020 alongwith its English translation issued by Secretary, State of Uttar Pradesh directing DMs to upload proposals for DSR on district website	51-55
6.	<u>ANNEXURE R/5:</u> True Copy of the letter dated 18.12.2020 along with its English translation issued by Directorate of Geology and Mining, to District Magistrates directing to survey and identify new vacant areas not included in DSR	56-59

7.	<u>ANNEXURE R/6:</u> True Copy of the Letter/Order dated 02.11.2021 along with its English translation issued by DM, Baghpat constituting a committee for field investigation for ordinary sand available	60-63
8.	<u>ANNEXURE R/7:</u> True Copy of the Joint Investigation Report dated 06.12.2021 alongwith its English translation (for Chhaprauli Khadar)	64-67
9.	<u>ANNEXURE R/8:</u> True Copy of the letter dated 25.04.2022 along with its English Translation of DM, Baghpat requesting Directorate of Geology and Mining to add Gata No. 1/2 Chhaprauli Khadar in the DSR	68-71
10.	<u>ANNEXURE R/9:</u> True Copy of the letter dated 01.06.2022 alongwith its English translation of Directorate of Geology and Mining adding/amending/combining additional areas (including Chhaprauli Khadar) in DSR	72-75
11.	<u>ANNEXURE R/10:</u> True Copy of the letter dated 02.06.2022 alongwith its English translation of Directorate of Geology and Mining informing that Government has granted approval for inclusion of Chhaprauli Khadar (Gata No. 1/2) in DSR	76-78
12.	<u>ANNEXURE R/11:</u> True Copy of the letter dated 04.06.2022 alongwith its English translation issued by DM, Baghpat to Directorate of Geology and Mining requesting to include Gata No. 706 in Kotana Khadar in DSR	79-82
13.	<u>ANNEXURE R/12:</u> True Copy of the letter dated 28.10.2022 alongwith its English translation of the Secretary, State of Uttar Pradesh granting approval to include areas (including one area in Kotana Khadar) in DSR	83-86
14.	<u>ANNEXURE R/13:</u> True Copy the letter dated 31.10.2022 alongwith its English translation issued by	87-89

	Directorate of Geology and Mining informing DM, for Amendment/ Combination in District Survey Report of Gata No. 706 in Kotana Khadar in the DSR	
15.	<u>ANNEXURE R/14:</u> True Copy True of the Notice Inviting Tender dated 09.11.2022 along with its English translation	90-112
16.	<u>ANNEXURE R/15:</u> True Copy of the Letter of Intent dated 31.12.2022 alongwith its English translation issued by District Magistrate (Chhaprauli Khadar)	113-123
17.	<u>ANNEXURE R/16:</u> True Copy of the Letter of Intent dated 01.02.2023 for Kotana Khadar along with the English translation	124-133
18.	<u>ANNEXURE R/17:</u> True Copy of Minutes of Meetings of 735th Meeting of SEAC dated 15.03.2023 (regarding Chhaprauli Khadar)	134-142
19.	<u>ANNEXURE R/18:</u> True Copy of Minutes of Meetings of 718th Meeting of SEIAA dated 07.04.2023 (regarding Chhaprauli Khadar)	143-146
20.	<u>ANNEXURE R/19:</u> True Copy of 777th Minutes of Meetings dated 23.08.2023 of SEAC-1 (regarding Chhaprauli Khadar)	147-168
21.	<u>ANNEXURE R/20:</u> True Copy of Minutes of Meetings of 758th Meeting of SEIAA dated 19.09.2023 (regarding Chhaprauli Khadar)	169-172
22.	<u>ANNEXURE R/21:</u> True Copy of EC dated 07.10.2023 issued by SEIAA for Chhaprauli Khadar sand mining project	173-183
23.	<u>ANNEXURE R/22:</u> True Copy of Minutes of Meetings dated 26.04.2023 of 743rd Meeting of SEAC1 (regarding Kotana Khadar)	184-195

24.	<u>ANNEXURE R/23:</u> True Copy of Minutes of Meetings dated 31.05.2023 of 735th Meeting of SEIAA (regarding Kotana Khadar)	196-199
25.	<u>ANNEXURE R/24:</u> True Copy of Minutes of Meetings dated 12.09.2023 of 784th Meeting of SEAC (regarding Kotana Khadar)	200-214
26.	<u>ANNEXURE R/25:</u> True Copy of Minutes of Meetings dated 18.11.2023 of 776th Meeting of SEIAA (regarding Kotana Khadar)	215-217
27.	<u>ANNEXURE R/26:</u> True Copy of EC dated 23.11.2023 granted by SEIAA to Appellant for Kotana Khadar project	218-228
28.	<u>ANNEXURE R/27:</u> True copy of Order dated 13.09.2018 passed by this Hon'ble Tribunal in Satendra Pandey vs Ministry of Environment, Forest and Climate Change (OA 186/2016)	229-245
29.	<u>ANNEXURE R/28:</u> True Copy of the Amendment to EIA notification dated 25.07.2018	246-252
30.	<u>ANNEXURE R/29:</u> True Copy of clarification issued by MoEF&CC to SEIAA vide letter dated 04.12.2023	253
31.	<u>ANNEXURE R/30:</u> True copy of the order dated 10.12.2024 passed by this Hon'ble Tribunal in the case titled <i>Sachin Tyagi & Ors. Vs Ritesh Sharma & Ors.</i> (O.A. 756/2023)	254-257
32.	<u>ANNEXURE R/31:</u> True Copy of CTE dated 10.05.2023 for Chhaprauli Khadar project	258-261
33.	<u>ANNEXURE R/32:</u> True Copy of the Lease deed dated 25.10.2023 for Chhaprauli Khadar alongwith its English translation	262-284
34.	<u>ANNEXURE R/33:</u> True Copy of CCA dated 29.11.2023 issued by the UPPCB for Chhaprauli Khadar	285-290

35.	<u>ANNEXURE R/34:</u> True Copy of CTE dated 14.12.2023 issued by UPPCB for Kotana Khadar project	291-295
36.	<u>ANNEXURE R/35:</u> True Copy of CCA dated 20.12.2023 issued by UPPCB for Kotana Khadar	296-301
37.	<u>ANNEXURE R/36:</u> True Copy of the Lease deed dated 12.01.2024 for Chhaprauli Khadar alongwith its English translation	302-325

38. PROOF OF SERVICE

326

DATE: 24.02.2025

PLACE: NEW DELHI

DRAWN & FILED BY:



Saumitra Jaiswal, Surya Gupta & Anukriti Bajpai
Advocates for the Respondent No. 6
29, LGF, Presidential Estate,
Nizamuddin East, New Delhi – 110012
Email: eldflegal@gmail.com; +91-7289850011

SETTLED BY:

Mr. Sanjay Upadhyay
(Senior Advocate)

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IN THE MATTER OF: -

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REPLY ON BEHALF OF ROYAL CONSTRUCTION COMPANY,

RESPONDENT NO. 6

MOST RESPECTFULLY SHOWETH: -

1. That this Hon'ble Tribunal is seized of the present Original Application wherein the Applicant has erroneously alleged that no fresh District Survey Report (hereinafter "**DSR**") was prepared in the District Baghat, Uttar Pradesh after the expiry of DSR dated 18.11.2017 (which expired on 18.11.2022) and several mining tenders that were issued in the district were based on draft DSR. Applicant has also alleged that Royal Construction Company (hereinafter "**answering Respondent**") has been carrying out its mining operations in violation of environmental norms.
2. That vide Order dated 30.09.2024, this Hon'ble Tribunal issued notice in the Original Application along and directed the Respondents to file their Replies.
3. That on 10.12.2024, this Hon'ble Tribunal directed the answering Respondent to file its Reply in the matter. Pertinently, this Hon'ble Tribunal also imposed stay on any further action in pursuance of the impugned auction notices in State of Baghat. It is significant to note that this stay was imposed based on the factually incomplete information that after the expiry of DSR dated 18.11.2017, no DSR existed for District Baghat until 21.08.2024.

4. That on 14.12.2024, the answering Respondent submitted IA No. 669 of 2024 for vacation of interim stay imposed vide Order dated 10.12.2024 wherein the answering Respondent brought on record factually correct position and submitted that the mining areas of answering Respondent were included in DSR by state authorities in compliance with Enforcement & Monitoring Guidelines for Sand Mining, January 2020 (hereinafter “**2020 Guidelines**”) and e-tender, letter of intent and lease deed were issued based on a valid DSR.
5. That the above IA was considered vide Order dated 19.12.2024 wherein this Hon’ble Tribunal took the prima facie view that the answering Respondent was allowed mining activities without any valid DSR and observed that order dated 10.12.2024 did not require any modification.
6. That the said interim order was also challenged by way of Civil Appeal No. in the Hon’ble Supreme Court wherein it was suggested orally that since the matter was coming up on 24.02.2025 and the fact that it is an interim order, the Hon’ble Court was of the view that we must pursue our remedies in this Hon’ble Tribunal. The Hon’ble supreme Court hence allowed us to withdraw the said Appeal. True Copy of the order dated 17.02.2025 of the Hon’ble Supreme Court passed in C.A. No. 2218-2219/2025 titled Royal Construction Company Vs State of Uttar Pradesh & Ors is annexed and marked as **ANNEXURE R/1**.
7. That at the outset, it is humbly submitted that, save as explicitly admitted herein, all the allegations and submissions contained in the Original Application are denied in toto and no allegation or submission would be considered to be admitted for want of a specific denial as if traversed seriatim.
8. That the answering Respondent seeks to place on record its Preliminary Objections and Submissions which are crucial for a holistic adjudication of

the present matter, before placing on record its Reply to the contents of the Application on merits.

PRELIMINARY SUBMISSIONS

I. APPLICANT IS NOT AN 'AGGRIEVED' PERSON UNDER SECTION 18 (2)(E) OF THE NATIONAL GREEN TRIBUNAL ACT, 2010

9. That at the outset, it is humbly submitted that the present OA is misconceived and not maintainable as there is no document, evidence or any other material brought on record to demonstrate as to how the Applicant is aggrieved within the meaning of Section 18 (2)(e) of the National Green Tribunal Act, 2010 (hereinafter "**NGT Act, 2010**").
10. That it is humbly submitted that while the Applicant has filed the present Application to ostensibly espouse the cause of environment, it is unclear as to how the Applicant, being a resident of the State of Haryana, is affected by the mining operations being undertaken in the State of Uttar Pradesh. No one from the alleged affected village or District or even the State has approached this Hon'ble Tribunal on the issues being raised by the Applicant. Therefore, a serious doubt is cast upon the bonafides of the Applicant.
11. That the Applicant has also suppressed crucial facts with respect to the DSR dated 18.11.2017. For instance, between the years 2020 – 2022, the State Government surveyed and incorporated almost 65 additional vacant mining areas (including the mining areas of the answering Respondent) in the DSR dated 18.11.2017 in accordance with the due procedure prescribed in the "**2020 Guidelines**" and the EIA Notification. however, the Applicant has chosen to target only the answering Respondent for reasons best known to him.

The above clearly shows that there is more than meets the eye and the Applicant is misusing the process of this Hon'ble Tribunal for his ulterior motives rather than any genuine concern for the environment and the Application deserves to be dismissed on this ground alone.

12. That further, the photographs annexed by the Applicant in the Original Application at Annexure A/4 (Colly.) - Page 116/137 have been taken from the Objection filed by the Applicant dated 08.06.2024 (as per the website of National Green Tribunal) in the case titled Sachin Tyagi & Ors. Vs Ritesh Sharma & Ors. (O.A. 756/2023) which is still pending which shows that all these persons are working in tandem with each other to target the answering Respondent for reasons best known to them.

13. That on the issue of credentials and bona fides of the original applicants, the Hon'ble Supreme Court has categorically held in the case of **State of Uttar Pradesh & Ors. vs Uday education and Welfare Trust & Anr. (2022 SCC OnLine SC 1469)** that: -

“We find that before a litigant is permitted to knock the doors of justice and seek orders which have far reaching effects of affecting the employment of thousands of persons, stopping investment in the State, prejudicing the interests of the farmers; the credentials and bonafides of the applicants must be tested.... We would, therefore, only request the learned NGT that, when credentials and bonafides of such litigants are seriously raised and when entertaining the grievance of such litigants, which is likely to adversely affect the rights of many, it should ensure the bonafides and credentials of such litigants.”

14. That this Hon'ble Tribunal in the case of **Anand Kumar Jha vs Union of India & Ors. (Appeal No. 05/2021/EZ)**, while relying upon the aforesaid judgement, has also observed that the Appellant could not be said to be a

‘person aggrieved’ within the meaning of Section 16 and 18 of the NGT Act, 2010 as the Appellant had failed to indicate as to why he was only concerned by the environmental impact of the mining activities of the Respondent, his source of funding to maintain the appeal or to take up such environmental issues, the source of obtaining the scientific and technical documents. This Hon’ble Tribunal also pertinently observed that not a single person who could be said to be a resident of any village affected by the mining operations was before the Tribunal.

15. That, in the present case the bona fide and credentials of the Applicant are seriously questionable, more so, since the Applicant has sought sweeping reliefs in the OA including preparation of fresh DSR and stay on ongoing as well as future processes initiated through the notices until the fresh DSR.

II. THE ORIGINAL APPLICATION IS HOPELESSLY BARRED BY LIMITATION UNDER SECTION 14(3) OF THE NGT ACT, 2010

16. That the present Application is hopelessly barred by limitation as it has been filed beyond the limitation period of six months from the date on which the cause of action first arose as required under Section 14 (3) of NGT Act, 2010.
17. That as per the Applicant, the cause of action first arose when the impugned auction notices for the sand mining leases were issued by the District Magistrate, Baghpat. That as per Applicant’s own submission, these notices were issued from June 2022 – January 2023 through e-tender cum e-auction system. This includes the e-tender cum e-auction dated 09.11.2022 regarding the mining leases of the answering Respondent.
18. That evidently, although the cause of action *first* arose on June 2022 as per Applicant’s own contention: the present OA was filed only on 20.09.2024 i.e., after a delay of more than 500 days. The Applicant has also failed to show the

“sufficient cause” which prevented him from filing the Application within limitation period as prescribed in the NGT Act, 2010, which is six months with a further condonable period of sixty days. Notably, even if the last date of tender i.e., January 2023 is taken for computing the limitation period, the Application is still barred by limitation. There are a catena of judgments where law is well established that the Tribunal does not have the power to condone beyond what is described in the statute. Not only this Hon’ble Tribunal has held as such but the same has also been confirmed by the Hon’ble Supreme Court. (See: Aradhana Bhargav & Ors. Vs MoEF & Ors. (Application no. 11/2013) Judgment dated 12.08.2013; Geeta Bhadrassen Vadhai Vs MoEF & Ors. Judgment dated 13.11.2014; Raza Ahmad Vs State of Chhatisgarh & Ors. (2022) 18 SCC 809); Raza Ahmad Vs State of Chhatisgarh & Ors. (2022 SCC OnLine NGT 3275); Consumer Federation Tamil Nadu v. Union of India & Others (2012 SCC OnLine NGT 57), Mehnatkash Mazdoor Kishan Ekta Sangathan v. Union of India & Others (2012 SCC OnLine NGT 76), Rana Sengupta v. UOI & Ors. (2013 SCC OnLine NGT 31), Green Tribunal in Souhardha Charitable Club v. SEIAA, Kerala and Others (2017 SCC Online NGT 1277); among others)

19. That therefore, it is humbly submitted that the present OA is hopelessly barred by time as prescribed in the NGT Act, 2010 and deserves to be dismissed on this ground alone.
20. It is equally significant to note that while the DSR of District Baghat was only valid till 18.11.2022, and arguendo if there were certain discrepancies, it was only in September 2024 i.e., after a delay of almost two years that the present OA was instituted by the Applicant, which is not condonable by the NGT Act, 2010.

APPLICANT HAS FILED AN APPEAL IN THE GARB OF FILING AN ORIGINAL APPLICATION TO CIRCUMVENT THE LIMITATION PERIOD SPECIFIED IN NATIONAL GREEN TRIBUNAL ACT, 2010

21. That it is humbly submitted even though the DSR has been issued and the EC has been granted by the SEAC/ SEIAA, the Applicant, instead of preferring an appeal against the said ECs under Section 16 of NGT Act, 2010 has filed the present OA in order to circumvent the statutory limitation period prescribed under Section 16 which is not permissible under established law.
22. That this Hon'ble Tribunal has held in a catena of judgments that once an Appeal does not lie before this Hon'ble Tribunal against a given order, it will not be appropriate for the Tribunal to exercise judicial jurisdiction under Section 14 or any other provisions of the NGT Act, 2010. [D.V. Girish & Anr. Vs. Department of Forest, Environment and Ecology & Ors. Original Application No. 154 of 2014 (SZ); Vimal Bhai Vs MoEF&CC & Ors - Appeal No. 5/2011); Satyabrata Sanjeev Kumar Mohanty vs MoEF&CC (OA No. 53/2023/EZ)].

III. THE MINING AREAS OF THE ANSWERING RESPONDENT HAVE BEEN VALIDLY INCORPORATED IN THE DSR DATED 18.11.2017 IN ACCORDANCE WITH LAW

23. That the principal contention of the Applicant is that, pursuant to the DSR dated 18.11.2017 (which expired on 18.11.2022), no fresh DSR was prepared for the District Baghpat, Uttar Pradesh until 21.08.2024 and consequently the advertisements and mining tenders issued between the said period, were issued without any valid DSR and hence unlawful. It is humbly submitted that the said contention is baseless, fanciful and based on suppression of crucial facts. It is submitted that before the expiry of DSR dated 18.11.2017 in

November 2022, the State Government initiated and followed a detailed and rigorous exercise of incorporating additional vacant mining areas in various districts, including district Baghpat, in the DSR through the Geology and Mining Section, State of Uttar Pradesh as early as 01.06.2020 and involving all stakeholder departments including SEIAA before granting the said EC to the answering Respondent. The said process that was followed for the two leases namely Chhaprauli and Kotana Khadar in the District Baghpat is described below: -

Common facts pertaining to Chhaprauli and Kotana Khadar of answering Respondent

24. That on 18.11.2017, the District Survey Report for District Baghpat, Uttar Pradesh was approved by the District Environment Impact Assessment Authority (hereinafter “**DEIAA**”) in its meeting held on 18.11.2017 in accordance with the EIA Notification 2006. True Copy of the Minutes of the Meeting of DEIAA along with its English translation approving the DSR dated 18.11.2017 for Baghpat District is annexed and marked as **ANNEXURE R/2**.
25. Significantly, Chhaprauli Khadar (Gata No. 1/2, Tehsil Baraut, District Baghpat, Uttar Pradesh) was also identified as one of the potential mining quarries in the District. The DSR further noted that the area of existing/proposed mining lease area in the District is 87.76 Ha and the rest of the area i.e., 872.24 ha needs to be explored. See DSR dated 18.11.2017 at Page 88 of the OA.
26. That on 01.06.2020, the Geology and Mining Section, State of Uttar Pradesh issued an Office Memorandum (O.M.) noting that as per Clause 4.1.1(a) of the **2020 Guidelines**, DSR has to be prepared before auction/e-auction/ grant

of mining lease/ Letter of Intent (LoI). Accordingly, a Technical Committee was constituted for examining pending proposals as well as new proposals for proposed Amendment/ Combination of area in the existing DSR. It is important to note that this procedure was adopted as there was no procedure prescribed by the MOEF&CC under the EIA Notification. In this regard, the said O.M. notes that until an Environmental Impact Assessment (EIA) Notification/ Order is issued by the Government of India, the Technical Committee is hereby constituted to examine the pending proposals and new proposals for the proposed amendment/combination of areas in the District Survey Reports received from districts. True Copy of the Office Memorandum dated 01.06.2020 alongwith its English Translation issued by Directorate of Geology and Mining, Uttar Pradesh is annexed and marked as **ANNEXURE R/3.**

27. That subsequently, a letter dated 12.06.2020 was issued by the Secretary, State of Uttar Pradesh to all District Magistrates informing about the Technical Committee and further directed them to identify area of sub-minerals on revenue land, village and private land for respective Districts and upload proposal for DSR on District website and provide related details to the Government and the Directorate of Geology and Mining for approval. True Copy of the letter dated 12.06.2020 alongwith its English translation issued by Secretary, State of Uttar Pradesh directing DMs is annexed and marked as **ANNEXURE R/4.**

28. That on 18.12.2020, the Directorate of Geology and Mining, Uttar Pradesh issued a letter to all District Magistrates highlighting the importance of surveying and identifying new areas which are not included in DSR so that no mining area remains vacant in the district and to stop illegal mining. It was further stated that survey/ identification of new vacant areas should be jointly

carried out by the Revenue Department and Mineral Department. Thereafter, formation of new areas should be carried out by a Committee comprising of concerned Sub-District Magistrate (Chairman), Divisional Forest Officer or nominated representative, Executive Engineer or nominated representative of Irrigation and Water Supply Department, Regional Officer, Uttar Pradesh Pollution Control Board and District Senior Mining Officer/ Mining Officer/ Mining (Member Secretary). It was accordingly directed to take necessary action to provide proposal/ amendment for inclusion of new vacant mining areas in DSR. It is important to submit that this is totally in conformity of the EIA Notification and the preparation/amendment of DSR. True Copy of the letter dated 18.12.2020 along with its English translation issued by Directorate of Geology and Mining, to District Magistrates is annexed and marked as **ANNEXURE R/5.**

29. That thereafter, on 02.11.2021, a committee comprising of Sub-Divisional Magistrate as its Chairman was constituted by District Magistrate, Baghpat in pursuance of letter dated 18.12.2020 to conduct field investigation regarding the mineral areas of ordinary sand available in the District and provide report with details of the new mineral area so that further action can be taken for including them in DSR. True Copy of the Letter/Order dated 02.11.2021 along with its English translation issued by DM, Baghpat is annexed and marked as **ANNEXURE R/6.**

Unique facts pertaining to incorporation of Chhaprauli Khadar, Gata No. 1/2, Tehsil Baraut, District Baghpat, Uttar Pradesh in DSR dated 18.11.2017

30. That on 06.12.2021, a Joint Investigation Report was prepared by the Committee constituted above and as per the Report, the total area of Gata No.

1/2 is 9.570 ha and estimated quantity of top surface sub-mineral is about 2,40,000 M³. Significantly, the report clearly notes that said area is suitable for ordinary sand mining. True Copy of the Joint Investigation Report dated 06.12.2021 alongwith its English translation (for Chhaprauli Khadar) is annexed and marked as **ANNEXURE R/7**.

31. That consequently, on 25.04.2022, District Magistrate, Baghpat sent the Joint Investigation Report dated 06.12.2021 to the Directorate of Geology and Mining with a request to add/amend Gata No. 1/2, measuring 9.570 Ha, Chhaprauli Khadar, District Baghpat in the District Survey Report. True Copy of the letter dated 25.04.2022 along with its English Translation of DM, Baghpat to Directorate of Geology and Mining for Gata No. 1/2 Chhaprauli Khadar is annexed and marked as **ANNEXURE R/8**.

32. That in response to the above letter, Secretary, State of Uttar Pradesh issued a letter dated 01.06.2022 to the Directorate of Geology and Mining informing that the proposal received from seven districts to include 42 areas (including Gata No. 1/2, Chhaprauli Khadar) was examined by the Technical Committee constituted vide letter dated 01.06.2020 and in view of its recommendations, the said areas have been decided to be included in the DSR by amending/ combining them.

True Copy of the letter dated 01.06.2022 alongwith its English translation of Directorate of Geology and Mining amending/ combining additional areas (including Chhaprauli Khadar) in DSR is annexed and marked as **ANNEXURE R/9**.

33. That on 02.06.2022, Directorate of Geology and Mining, in response to letter dated 25.04.2022, informed District Magistrate, Baghpat that the State Government has granted its consent for including Gata No. 1/2 in Village Chhaprauli in the DSR of Baghpat District based on the recommendations of

the State Level Technical Committee. True Copy of the letter dated 02.06.2022 alongwith its English translation of Directorate of Geology and Mining regarding inclusion of Chhaprauli Khadar (Gata No. 1/2) in DSR is annexed and marked as **ANNEXURE R/10**.

34. That therefore, it is evident that the Chhaprauli Khadar of the answering Respondent was combined/ incorporated in the DSR dated 18.11.2017 after ground inspection, examination by committees at various level with the involvement of multiple departments as envisaged in the “**2020 Guidelines**” and the decisions of the Hon’ble Supreme Court and this Hon’ble Tribunal. More importantly, the DSR dated 18.11.2017 was valid at the time of incorporation of Chhaprauli Khadar of answering Respondent in the DSR. Therefore, the submission of the Applicant is devoid of any merit.

Unique facts relating to Kotana Khadar, Gata No. 706, Tehsil Baraut, District Baghpat, Uttar Pradesh

35. That on 04.06.2022, the District Magistrate, Baghpat issued a letter to the Directorate of Geology and Mining informing that inspection of Gata No. 706, Kotana Khadar was jointly conducted by the teams of Mining Department/ Revenue Department wherein 275500 M³ of ordinary sand was reported and the land was found suitable for mining. It was accordingly requested that the said area be amended/ included in the existing DSR. True Copy of the letter dated 04.06.2022 alongwith its English translation issued by DM, Baghpat to Directorate of Geology and Mining requesting to include Gata No. 706 in Kotana Khadar in DSR is annexed and marked hereto as **ANNEXURE R/11**.

36. That pursuant thereto, on 28.10.2022, the Secretary, State of Uttar Pradesh issued a letter to the Directorate of Geology and Mining informing that

proposals were received from six districts to include a total of 23 areas from six districts in DSR (including one area in Kotana Khadar, District Baghpat) and the said proposals were examined by the State Level Technical Committee and in view of its recommendations, the said areas including Kotana Khadar has been decided to be included in DSR. True Copy of the letter dated 28.10.2022 alongwith its English translation of the Secretary, State of Uttar Pradesh granting approval to include areas (including one area in Kotana Khadar) in DSR is annexed and marked as **ANNEXURE R/12**.

37. That on 31.10.2022, Directorate of Geology and Mining informed District Magistrate, Baghpat, in response to letter dated 04.06.2022, that the Government had given its consent for including Gata No. 706 in Kotana Khadar in the DSR of Baghpat District.

True Copy the letter dated 31.10.2022 alongwith its English translation issued by Directorate of Geology and Mining to DM, for Amendment/ Combination in District Survey Report of Gata No. 706 in Kotana Khadar in the DSR is annexed and marked as **ANNEXURE R/13**.

38. That pursuant to the inclusion of Gata No. 1/2 in Chhaprauli Khadar and Gata No. 706 in Kotana Khadar through the aforementioned rigorous process of examination, Notice Inviting E-Tender Cum E-Auction of said mining leases were issued on 09.11.2022. Pertinently, the DSR was still valid during the issuance of the said Notice Inviting Tender.

True Copy True of the Notice Inviting Tender dated 09.11.2022 along with its English translation is annexed and marked as **ANNEXURE R/14**.

39. That therefore, the contention of the Applicant that the advertisement and auction of mining leases of answering Respondent were without a DSR is factually incorrect and misleading and Applicant is put to strict proof of same.

40. That it is also worth noting that in December 2022, Scientific Sand Replenishment Study for Baghpat District was also prepared by the Central Mine Planning and Design Institute Ltd. The study includes the study for the lease areas of Chhaprauli and Kotana Khadar of the answering Respondent and it pertinently notes that highest sand replenishment occurs in river Yamuna in Kotana Khadar mine with 194050 Cum. The said Report was submitted to the District Magistrate, Bagpat on 30.12.2022.

41. That pursuant to inclusion of mining areas of answering Respondent in the DSR and after completion of Scientific Sand Replenishment Study, the Letter of Intent was issued by District Magistrate Baghpat for Chhaprauli Khadar (Gata No. 1/2, 9.570 Ha) on 31.12.2022 and for Kotana Khadar (Gata No. 706, 12.245 Ha) on 01.02.2023 respectively.

Letter of Intent dated 31.12.2022 alongwith its English translation issued by District Magistrate for Chhaprauli Khadar is annexed and marked as **ANNEXURE R/15**

Letter of Intent dated 01.02.2023 alongwith its English translation issued by District Magistrate for Kotana Khadar is annexed and marked as **ANNEXURE R/16**.

42. That the aforesaid discussion leaves no doubt that the mining areas of the answering Respondent were validly incorporated within the DSR dated 18.11.2017, in accordance with the procedure prescribed under the EIA Notifications and the 2020 Guidelines as well as in accordance with the Uttar Pradesh Mineral Concession Rules, 2021. Further, the DSR was valid when the Notice Inviting E-Tender Cum E-Auction was issued on 09.11.2022 for both the mining areas allotted to the Answering Respondent. Therefore, the submission of the Applicant that the advertisements and auctions were issued without DSR is factually incorrect and baseless.

**THE AMENDMENTS TO THE DSR HAVE BEEN DULY APPRAISED
AND APPROVED BY SEAC AND SEIAA WHILE GRANTING
ENVIRONMENT CLEARANCE TO THE ANSWERING RESPONDENT**

43. That the Applicant has further alleged that the DSR for the State of Baghpat has not been approved by SEIAA and advertisements could not have been issued by District Magistrate prior to the preparation and approval of DSR by SEIAA. It is submitted that the said argument is also factually incorrect and devoid of any merit since the amendments to the DSR have, in fact, been appraised and approved by the SEAC and SEIAA while considering the application for prior Environmental Clearance of the answering Respondent. The facts related to the same are as follows: -

Chhaprauli Khadar, Gata No. 1/2, Tehsil Baraut, District Baghpat, Uttar Pradesh

44. That on 10.02.2023, answering Respondent submitted an application for obtaining Environment Clearance for the proposed ordinary sand mining project at Gata No. 1/2, Village - Chhaprauli Khadar, Tehsil Baraut, District Baghpat under the provisions of the EIA Notification, 2006. The said Application was accepted by SEIAA on 15.02.2023 and forwarded to SEAC for examination.

45. That on 15.03.2023, SEAC considered the application for EC in its 735th Meeting and recommended to issue Standard Terms of Reference (ToR) and additional ToR for the preparation of EIA Report. Significantly, the SEAC noted that the said lease area is given in the DSR. True Copy of Minutes of Meetings of 735th Meeting of SEAC dated 15.03.2023 (regarding Chhaprauli Khadar) is annexed and marked as **ANNEXURE R/17**.

46. That on 23.03.2023, SEIAA examined the proposal for Chhaprauli Khadar and recommended to issue Standard ToRs prescribed by MoEF&CC along with additional ToR for preparation of EIA. Pertinently, the ToR also notes that the Chhaprauli Khadar was given in the DSR. Subsequently, the final EIA Report was submitted by Appellant on 10.08.2023.
47. That SEIAA, in its 718th Meeting dated 07.04.2023, agreed with the recommendations of SEAC to issue ToR and incorporated some additional points in the ToR. True Copy of Minutes of Meetings of 718th Meeting of SEIAA dated 07.04.2023 (regarding Chhaprauli Khadar) is annexed and marked as **ANNEXURE R/18**.
48. That on 23.08.2023, SEAC-1 considered the application for EC for Chhaprauli Khadar in its 777th Meeting and recommended grant of Environment Clearance for the project. Pertinently, SEAC noted that the proposed mining lease area was covered in DSR. True Copy of 777th Minutes of Meetings dated 23.08.2023 of SEAC-1 (regarding Chhaprauli Khadar) is annexed and marked as **ANNEXURE R/19**.
49. That on 19.09.2023, SEIAA in its 758th Meeting accepted the recommendation of SEAC and opined to grant EC to the answering Respondent for its Chhaprauli Khadar sand mining project. True Copy of Minutes of Meetings of 758th Meeting of SEIAA dated 19.09.2023 (regarding Chhaprauli Khadar) is annexed and marked as **ANNEXURE R/20**.
50. That on 07.10.2023, SEIAA issued Environment Clearance in favour of answering Respondent for the ordinary sand mining project at Gata No. 1/2, Village Chhaprauli Khadar. Significantly, the EC notes that the said lease area for which EC has been granted was included in approved DSR dated 18.11.2017. The answering Respondent has been regularly submitting its Compliance Reports regarding compliance with the EC conditions to the

SEIAA with the latest compliance Report (April 2024-October 2024) submitted to SEIAA on 31.12.2024. True Copy of EC dated 07.10.2023 issued by SEIAA for Chhaprauli Khadar sand mining project is annexed and marked as **ANNEXURE R/21**.

Kotana Khadar, Gata No. 706, Tehsil Baraut, District Baghpat, Uttar Pradesh

51. That on 03.03.2023, the answering Respondent submitted application for obtaining EC for the proposed ordinary sand mining project in Village - Kotana Khadar, Tehsil Baraut, District Baghpat to the SEIAA, Uttar Pradesh under the provisions of the Environment Impact Notification, 2006.
52. That on 26.04.2023, SEAC-1 considered the proposal for prior EC for Kotana Khadar in its 743rd Meeting and recommended to issue standard ToR and additional ToR for the preparation of EIA Report. Pertinently, the SEAC noted that the proposed lease area was given in the DSR. True Copy of Minutes of Meetings dated 26.04.2023 of 743rd Meeting of SEAC1 (regarding Kotana Khadar) is annexed and marked as **ANNEXURE R/22**.
53. That on 31.05.2023, the EC application for Kotana Khadar was considered by SEIAA in its 735th Meeting (mentioned as 731st meeting in ToR dt. 06.06.2023) wherein SEIAA agreed with recommendations of SEAC to issue additional ToR and also added additional ToRs. One of the conditions was that the lease area, its address and production per annum should match DSR and LoI. True Copy of Minutes of Meetings dated 31.05.2023 of 735th Meeting of SEIAA (regarding Kotana Khadar) is annexed and marked as **ANNEXURE R/23**.
54. That on 06.06.2023, SEIAA recommended issuance of standard ToR prescribed by MoEF&CC along with additional ToR for Kotana Khadar and directed the

Appellant to submit the EIA-EMP Report. The final EIA Report was submitted by the Appellant on 24.08.2023.

55. That on 12.09.2023, the proposal for EC for Kotana Khadar was considered by SEAC in its 784th Meeting wherein SEAC recommended grant of EC for the project along with general and specific conditions under the EIA Notification, 2006. Pertinently, the SEAC noted that the proposed lease area in Kotana Khadar was given in the DSR. True Copy of Minutes of Meetings dated 12.09.2023 of 784th Meeting of SEAC (regarding Kotana Khadar) is annexed and marked as **ANNEXURE R/24**.
56. That thereafter, SEIAA in its 776th Meeting held on 18.11.2023 opined to inter alia accept the recommendations of SEAC and grant EC to the Kotana Khadar sand mining project. True Copy of Minutes of Meetings dated 18.11.2023 of 776th Meeting of SEIAA (regarding Kotana Khadar) is annexed and marked as **ANNEXURE R/25**.
57. That on 23.11.2023, SEIAA granted EC to the answering Respondent for the sand mining project at Kotana Khadar under the provision of the EIA Notification, 2006. Significantly, the EC notes that the said mining area is given in the DSR. True Copy of EC dated 23.11.2023 granted by SEIAA to Appellant for Kotana Khadar project is annexed and marked hereto as **ANNEXURE R/26**.
58. That therefore, it is evident that the amendments dated 02.06.2022 and 31.10.2022 to the DSR have already been duly appraised by SEAC and approved by SEIAA while granting environmental clearance to the answering Respondent. The contention of the Applicant that the DSR is not approved by SEIAA is therefore fanciful and factually incorrect.
59. That notwithstanding the above, it is crucial to note that the requirement of obtaining approval of SEIAA on the DSR in the State of Uttar Pradesh, arose

for the first time in 2023 when the MoEF&CC issued a letter dated 04.12.2023 to the SEIAA, Uttar Pradesh observing that the DSR should be submitted as per the principle laid down by the Hon'ble Supreme Court in the case titled *State of Bihar & Ors. vs Pawan Kumar & Ors. etc.* (Civil Appeal No. 3661-3662 of 2020) to the SEAC for examination and evaluation and SEIAA for approval. Thus, the requirement of submitting the DSR for appraisal and approval to SEAC and SEIAA only arose from 04.12.2023 by which time, the mining areas of the answering Respondent had already been appraised and approved by SEAC and SEIAA in accordance with the EIA Notification, 2006 as discussed below:-

IV. THE REQUIREMENT OF OBTAINING APPROVAL OF SEIAA DOES NOT ARISE IN CASE OF ANSWERING RESPONDENT AS THE MOEF&CC LETTER DATED 04.12.2023 CANNOT BE APPLIED RETROSPECTIVELY TO THE MINING AREAS OF THE ANSWERING RESPONDENT

60. That it is submitted that this Hon'ble Tribunal had *inter alia* held in Order dated 13.09.2018 in **Satendra Pandey vs Ministry of Environment, Forest and Climate Change (OA 186/2016)** that the EC for mining areas 0 - 5 Ha would be granted by SEAC/SEIAA and not DEAC/DEIAA. As a consequence, responsibility of examining EC applications and granting EC for mining areas 0 - 5 Ha was transferred to SEAC / SEIAA and this led to the DEAC/ DEIAAs becoming *partially defunct* with respect to their role of granting EC. Further, this Hon'ble Tribunal also directed the MoEF&CC to take appropriate steps to revise the procedure laid down in the EIA Amendment Notification dated 15.01.2016 to bring it in conformity with the law as laid down by the Hon'ble

Supreme Court. It is important to note that the said judgment nowhere directed that the statutory responsibility of the DEAC/DEIAA to prepare and approve DSR also stood transferred to SEAC/SEIAA as a result of it becoming partially defunct. Therefore, it is humbly submitted there was no change in the competence of the DEAC/ DEIAAs to deal with DSR by virtue of the Satendra Pandey judgment. True copy of Order dated 13.09.2018 passed by this Hon'ble Tribunal in Satendra Pandey vs Ministry of Environment, Forest and Climate Change (OA 186/2016) is annexed and marked as **ANNEXURE R/27**.

61. That pertinently, this Hon'ble Tribunal in its Order dated 19.12.2024 passed in the present matter has also taken the prima facie view that preparation of DSR and granting EC are independent issues. Since preparation of DSR and granting EC are independent processes, the judgment of Satendra Pandey cannot be interpreted to mean that power of DEIAA to approve DSR stood automatically transferred, as a result of the transfer of power to grant EC from DEIAA to SEIAA.
62. That it is humbly submitted that no clear cut directions were issued by the MoEF&CC as to the competence of the DEAC/ DEIAA to prepare/ modify the existing DSR as the dynamic nature of rivers keep on changing sand deposition.
63. That it is also pertinent to mention that under the amendment EIA Notification dated 15.06.2016, the provisions related to preparation of DSR were further substituted vide EIA Amendment notification dated 25.07.2018. The procedure laid down thereunder was never challenged and the same remains intact. That the same does not require any approval from SEAC/SEIAA. That the provision laid down thereunder has been followed by the State Government for amendment of DSR for the lease areas of the answering Respondent. That the

true copy of the Amendment to EIA notification dated 25.07.2018 is annexed as **ANNEXURE R/28**.

64. That subsequently, the Hon'ble Supreme Court, directed the State of Bihar in its Order dated 10.11.2021 in **State of Bihar & Ors. vs Pawan Kumar & Ors. etc. (Civil Appeal No. 3661-3662 of 2020)**, that the exercise of preparation of DSR for the purpose of mining in all the districts in the State of Bihar would be taken afresh by sub-divisional committees and same shall be forwarded by the District for examination and approval to SEAC and SEIAA. Pursuant to the said Order of the Hon'ble Supreme Court, the requirement of getting the DSR examined and approved by SEAC and SEIAA was taken for the case related to the State of Bihar. It is significant to note that these directions were limited to the State of Bihar in view of the peculiar facts and circumstances with respect to the DSRs of the state. *The said judgment also nowhere notes that the DSR for all the states would be examined and approved by SEAC/ SEIAA.*

65. That thereafter, on 04.12.2023, the MoEF&CC issued a clarification to the SEIAA, Uttar Pradesh clarifying *for the first time* that DSR is required to be submitted to SEAC for examination and evaluation and then to SEIAA for approval. Notably, the MoEF&CC in the said letter has noted that the approval of SEIAA is required in pursuance of the judgment of the Hon'ble Supreme Court in State of Bihar vs Pawan Kumar. True copy of MoEF&CC letter dated 04.12.2023 to SEIAA, Uttar Pradesh is annexed and marked as **ANNEXURE R/29**.

66. That it is humbly submitted based on the above submissions that there was no requirement for the amendments to the DSR to be approved by DSR until 04.12.2023 and the said letter dated 04.12.2023 if MoEF&CC cannot be

retrospectively applied in case of the answering Respondent. Further, SEIAA in its Reply dated 28.11.2024 has also submitted that EIA Notification, 2006 did not incorporate a provision for approval of DSR by SEIAA. Further, as already noted above, the aspect regarding inclusion of mining areas of answering Respondent in the DSR have already been considered by the SEIAA on numerous occasions while granting EC to the answering Respondent.

67. That it is also significant to note that the procedure adopted by the State Government, as referred in preliminary submission above, was adopted, as an interim measure, while anticipating some clarification by the Government of India in this regard. This is evident from the Office Memorandum dated 01.06.2020 (Annexure R/3) which notes that a technical committee has been constituted until an EIA Notification/ Order is issued by the Government of India.

68. That therefore it is humbly submitted that there is no requirement of obtaining a separate approval of SEIAA for the incorporation of mining areas of answering Respondent in the DSR.

V. **ALLEGATION OF ILLEGAL MINING ACTIVITIES ARE FALSE AND MALAFIDE**

69. That the allegations raised by the Application related to illegal mining activities being carried out by the answering Respondent is false, misleading and malafide. It is reiterated that the photos relied upon by the Applicant have been taken from the Applicant of the case *Sachin Tyagi & Ors. Vs Ritesh Sharma & Ors.* (O.A. 756/2023) and that the said photos are not related to any mining activities done by the answering Respondent. That the same is evident from the

fact that the said photos are of an area which falls towards the side of State of Haryana whereas the mining lease area of the answering Respondent is in the State of Uttar Pradesh. That in the said case, this Hon'ble Tribunal had directed the National Remote Sensing Centre (NRSC) to file its report along with remote sensing images of the concerned areas where the photos as per the geo-coordinates given has been taken. That in response, the NRSC has filed its report dated 03.12.2024 showing that out of nine photos provided, eight falls in the State of Haryana and only one falls in the State of Uttar Pradesh. That it has not been proved that the said one photo which falls under the State of Uttar Pradesh belongs to the answering Respondent. However, arguendo, the said photo does not show any illegal activity being undertaken. That even the Report of the District Magistrate, Panipat dated 21.03.2024 has revealed that it is carrying out the mining within the lease area without violating the norms. The UPPCB also filed its response dated 30.04.2024, enclosing therewith a copy of the EC, which was granted to the answering Respondent.

70. Further, this Hon'ble Tribunal is presently adjudicating the said matter which is pending and given the fact that the photographs relied upon by the Applicant therein (Mr. Sachin Tyagi) which have been reproduced by the Applicant herein (Mr. Ajayveer) cannot be shown to be attributed to the answering Respondent, this Hon'ble vide its last order dated 10.12.2024 has constituted a fresh Committee comprising of the representative of MoEF&CC, representative Member Secretary, CPCB and RO, MoEF&CC Chandigarh and Lucknow. The said committee has been directed to visit the site in question specifically the sites disclosed in the photographs by the Applicant and the area where the lease has been granted to the answering Respondent and to ascertain the extent of

illegal sand mining being done in that area and the persons responsible for the same and extent of illegal sand mining, if any, done by the answering Respondent and to submit a report. That therefore, re-agitation of the same under the present case by the Applicant is uncalled for and the same may be dismissed. That the true copy of the order dated 10.12.2024 passed by this Hon'ble Tribunal in the case titled *Sachin Tyagi & Ors. Vs Ritesh Sharma & Ors.* (O.A. 756/2023) is marked and annexed as **ANNEXURE A/30**

VI. ANSWERING RESPONDENT HAS DULY OBTAINED ALL THE STATUTORY PERMISSIONS AND CLEARANCES AND IS COMPLYING WITH ALL THE EXTANT LAWS

71. That it is humbly submitted that the answering Respondent is a compliant entity and has duly obtained all the statutory clearances and permissions, under the applicable laws, as submitted below: -

Clearances pertaining to Chhaprauli Khadar

72. That on 10.05.2023, the Consent to Establish was issued in favor of answering Respondent for the sand mining project at Chhaprauli Village by the Uttar Pradesh Pollution Control Board (hereinafter "**UPPCB**") under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter "**Water Act, 1974**") and the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter "**Air Act, 1981**"). True copy of CTE dated 10.05.2023 for sand mining lease at Chhaprauli Khadar is annexed and marked as **ANNEXURE R/31**.

73. That on 25.10.2023, lease deed was executed between the State Government and the answering Respondent for the Chhaprauli Khadar for a period from

25.10.2023 till 24.10.2028 (5 years). It is submitted, at the cost of reiteration, that the lease deed was executed pursuant to inclusion of the mining areas of answering Respondent in the DSR and after obtaining EC. True Copy of the Lease deed dated 25.10.2023 for Chhaprauli Khadar alongwith its English translation is annexed and marked as **ANNEXURE R/32**

74. That on 29.11.2023, Consolidated Consent to Operate and Authorization (hereinafter “CCA”) was issued by the UPPCB in favor of the answering Respondent for Chhaprauli Khadar under the provisions of the Water Act, 1974 and the Air Act, 1981. True Copy of CCA dated 29.11.2023 issued by the UPPCB for Chhaprauli Khadar is annexed and marked as **ANNEXURE R/33**.

Clearances pertaining to Kotana Khadar

75. That on 14.12.2023, CTE was issued by the UPPCB in favor of answering Respondent for Kotana Khadar under the provisions of the Water Act, 1974 and the Air Act, 1981. True Copy of CTE dated 14.12.2023 issued by UPPCB for Kotana Khadar project is annexed and marked as **ANNEXURE R/34**.
76. That on 20.12.2023, UPPCB issued CCA to the answering Respondent for Kotana Khadar under the provisions of the Water Act, 1974 and the Air Act, 1981. True Copy of CCA dated 20.12.2023 issued by UPPCB for Kotana Khadar is annexed and marked as **ANNEXURE R/35**.
77. That on 12.01.2024, lease deed for Kotana Khadar was executed between the State Government and the answering respondent after inclusion of the said area in DSR and pursuant to the grant of CTE, CCA, EC and other compliances. True Copy of the Lease deed dated 12.01.2024 for Chhaprauli Khadar is annexed and marked as **ANNEXURE R/36**.

PARA-WISE REPLY

1. That the contents of corresponding Para 1-2 are denied as false and it is reiterated that the mining operations has been conducted in view of amendments dated 02.06.2022 and 13.10.2022 to the valid DSR dated 18.11.2017 (valid till 18.11.2022) issued for the Chapprauli and Kotana Khadar which has been undertaken after a detailed process by the State as per the **“2020 Guidelines”** and notifications of MoEF&CC as detailed herein above. That further, the appraisal/approval of the DSR by SEAC/SEIAA gets satisfied by the appraisal of the same through the detailed process for grant of EC for the said lease areas. That in the absence of any legal framework at the time, the State Government has followed the process as per the Guidelines of 2016, 2020 and notifications of MoEF&CC and only thereafter has issued the amendment to DSR and the EC has been granted to the answering Respondent which has never been challenged by the Applicant or anyone else.
2. That the contents of corresponding Para 3 are denied as false and the contents of submissions made regarding the bonafides of the Applicant made herein above are reiterated. It is also reiterated that the activities in the mining leases of the answering Respondent have been undertaken only after following due process under law (as detailed herein above) and all environmental conditions and norms have been followed. Also, the fact that the present OA is not maintainable as appeal lies to the NGT for the existing granted environment clearances which has not been challenged either by the Applicant or anyone else.
3. That the contents of corresponding Para 4 are denied as false and it is reiterated that tender notices related to the mining lease areas of answering Respondents have been issued only after amendment of valid DSR done after following a

detailed due process of law and the mining activities have been undertaken in accordance with the same and only after the consideration of the existing revised DSR.

4. That the contents of corresponding Para 5-7 are denied as false and misleading and it is reiterated that no illegal mining has been undertaken by the answering respondent and photos and materials produced under the case of (O.A. No. 756/2023) Sachin Tyagi vs. Ritesh Sharma & Ors. being relied upon by the Applicant. That this truly reflects his malafide of targeting the answering Respondent. Further the said case is under adjudication and as per Reports and facts revealed in the said case, there is no evidence which shows that any illegal mining has been undertaken by the answering respondent. That a Joint Committee made by this Hon'ble Tribunal has been directed to file a report regarding illegal mining, if any, which has been undertaken in the area and the lease area of the answering respondent which is pending to be filed and adjudicated upon. Therefore, this submission should be rejected. That it is also denied that e-auction notices were issued without a valid DSR as the same were issued in the form of amendment to a valid DSR for the mining lease of the answering Respondent which has also been approved by the SEAC/SEIAA subsequently even though there was no provisions under law requiring the same to be undertaken.

5. That the contents of corresponding Para 8-11 are denied as false and misleading. That it is submitted that the letter dated 29.04.2024 relied upon by the Applicant is related to subsequent measures undertaken by the State for a new batch of sand mining leases/activities after the batch of leases in which leases of answering respondent falls. That the said letter has been issued in accordance with the letter dated 04.12.2023 issued by the MoEF&CC wherein

it has been clarified for the first time that, for preparation of DSR, the principle laid down under **Civil Appeal No. 3661-3662 of 2020 titled State of Bihar vs Pawan Kumar Kumar** by the Hon'ble Supreme Court have to be followed requiring prior approval of the DSR by SEIAA. That it was only after the said letter that SEIAA and SEAC - Uttar Pradesh held a joint meeting on 02.02.2024 and discussed the matter and formulated detailed Standard Operating Procedure (SOP) regarding preparation and modification of DSR (as submitted by the SEIAA under its Counter Affidavit dated 28.11.2024). That during the time period of processing the batch of lease areas prior to the said clarificatory letter of MoEF&CC dated 04.12.2023, no such requirement was there and accordingly in absence of the same, the State undertook all steps as per the 2020 Guidelines and MoEF&CC's notifications applicable and issued amendment to a valid DSR. That therefore the mining lease area has been allotted to the answering Respondent as per the process existing at the time and therefore the answering Respondent has taken all steps in his view to ensure that the mining activities under his lease areas are undertaken as per the process under law.

6. That the contents of corresponding Para 12 are denied as false. That it is submitted that the Replenishment study has been undertaken in the case of leases of the answering Respondent as submitted herein above and the 2020 Guidelines including Clause 4.1.1 of the same has been followed by the State Respondents as is evident from its reference made in its letters issued over time related to the process of amendment of DSR such as letter dated 01.06.2020, 12.06.2020 and 28.10.2022.
7. That in response to the content of corresponding para 13, it is submitted that the present case stands distinct from the said case titled Gaurav Kumar vs. State of Uttar Pradesh & Ors. (Original Application No. 188/2023) as in the present case

amendment to DSR were issued by the State after following due and detailed process under law as per the MoEF&CC's Guidelines and Notifications and the same stands approved by SEAC/SEIAA while granting EC for the mining lease areas of the answering Respondents. That in the said case, the EC were not issued to the mining leases in question and no DSR, whether final or its amendment (if any) were considered by the SEAC/SEIAA. Further, on the date of issuance of e-auction, there was no valid DSR in the said case, whereas in the present case, the e-auction notice was issued only after issuing amendment to valid DSR of 2017 after following due process in law applicable at the time.

8. That in response to corresponding Para 14, it is submitted that the judgments passed by the Hon'ble Supreme Court were in response to the peculiar facts and circumstances of the said case which stands distinct from the present case and therefore there was no reason to assume that the principle laid down thereunder is required to be applied and followed across the board without any statutory notification/ clarification issued in this regard. That a clarification was issued by the MOEF&CC only on 04.12.2023 and by when all the procedures as existing before the same were followed by the concerned authorities for the mining leases of the answering Respondent and the operation had already been started.
9. That in response to corresponding para 15-19, it is submitted that the Applicant while relying on the said cases has not substantiated any point from it and thus its significance is unknown. However, for abundant precaution it is submitted that a replenishment study of the leases in question has been duly prepared as submitted herein above. Further, the process of prior EC as per EIA Notification 2006 has also been followed and respective ECs for each mining lease of the answering Respondent has been duly granted. Further the submissions made

herein are reiterated viz. that the e-auction in present case was issued only after amending valid DSR of 2017 which was done after following due process as per MoEF&CC's Guidelines and Notifications prevailing at the time and the same stands approved by SEAC/SEIAA under the process of grant of EC. Thus, there is no violation of law in the present case. The contents of the preliminary submissions may be read as part of the reply to this Para.

10. That in view of the submissions made herein above which covers a response to all contentions raised under the Grounds, the same are referred to and are not reiterated for the sake of brevity.
11. That in response to the Para under the heading 'Limitation', it is submitted that the Applicant has attempted to circumvent the limitation clause of NGT Act 2010 by preferring to file an O.A. instead of an Appeal and has challenged the entire project including its ECs as under the processing of the same, the amendment to DSR was considered which has been impugned under the present case.
12. It is further submitted that the present OA is barred by limitation as the cause of action, as per the Applicant's own submission, first arose in June 2022: however, the present OA was filed on 20.09.2024, i.e., after a delay of more than 500 days. The Applicant has also not provided any explanation or "sufficient cause" for this delay and therefore this OA is liable to be dismissed on this ground alone.
13. That in view of the same, the answering respondent humbly submits that the mining activities which have been undertaken are in accordance with law and may be allowed to be continued and therefore, the present Application is liable to be dismissed with huge cost.

DATE: 24.02.2025

PLACE: NEW DELHI

DRAWN & FILED BY:

A rectangular box containing a handwritten signature in blue ink. The signature appears to be 'Jaiswal'.

Saumitra Jaiswal, Surya Gupta & Anukriti Bajpai

Advocates for the Respondent No. 6

29, LGF, Presidential Estate,

Nizamuddin East, New Delhi – 110012

Email: eldflegal@gmail.com; +91-7289850011

SETTLED BY:

Mr. Sanjay Upadhyay

[Senior Advocate]

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 1190/2024

IN THE MATTER OF:

Ajayveer Singh

..... Appellant

-VERSUS-

State of Uttar Pradesh & Ors.

.... Respondents

AFFIDAVIT

I, Mr. Dayachand Bargoti, son of Late Shri Harswarup, aged about 52 years, R/o House No. 5, New Break Point Restaurant, Near Bhoor Chauraha, Yamunapuram, Bulandshahr, Uttar Pradesh – 203001, presently at New Delhi, am the sole proprietor of Royal Construction Company and the authorized signatory do hereby solemnly affirm and declare as under:

1. That I am fully conversant with the facts and circumstances of the case and duly authorized to swear this affidavit
2. That I have read the accompanying Reply and have understood the same and the same have been drawn by my advocate under my instructions and the contents of the same are true and correct to my knowledge and no part of it is false and no material has been concealed therefrom.
3. That the annexures annexed to the Reply are true copies of their respective originals.

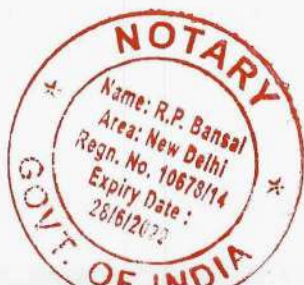
Dayachand
DEPONENT

IDENTIFIED BY

VERIFICATION

I, the abovenamed deponent, do hereby solemnly affirm and verify that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge and belief, and that nothing has been concealed therefrom.

Verified at New Delhi on this **19 7 FEB 2025** day of 2025.



ATTESTED
[Signature]
Notary Public, (Sri.)
(As F10022002)

19 17 FEB 2025

Dayachand
DEPONENT

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2218-2219/2025

ROYAL CONSTRUCTION COMPANY

Appellant(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

O R D E R

1. Learned counsel appearing for the appellant(s) seeks permission to withdraw the present civil appeals.
2. Permission as sought for is granted.
3. The civil appeals are dismissed as withdrawn.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[MANOJ MISRA]

New Delhi
17-02-2025

Signature Not Verified

 Digitally signed by
INDU MARWAH
Date: 2025.02.21
18:15:03 IST
Reason: 

ITEM NO.29

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2218-2219/2025

ROYAL CONSTRUCTION COMPANY

Appellant(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

FOR ADMISSION

IA No. 35131/2025 - EXEMPTION FROM FILING O.T.

IA No. 35129/2025 - STAY APPLICATION

Date : 17-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRAFor Appellant(s) : Mr. Sanjay Upadhyay, Sr. Adv.
Ms. Mayuri Raghuvanshi, AOR
Mr. Vyom Raghuvanshi, Adv.
Mr. Saumitra Jaiswal, Adv.
Mr. Surya Gupta, Adv.
Ms. Anukriti Bajpai, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E RThe Civil Appeals are dismissed as withdrawn in terms of
the signed order.

(INDU MARWAH)

AR-cum-PS

(signed order is placed on the file)

(NIDHI WASON)

COURT MASTER (NSH)

**Proceedings of the District-Level Environmental Impact Assessment
Authority (D.E.I.A.A.) Meeting Dated 18.11.2017**

The meeting of the District-Level Environmental Impact Assessment Authority (D.E.I.A.A.) was convened at the District Magistrate's Camp Office. The meeting was attended by the following committee members: Shri Arun Kumar, D.F.O., Baghpat,,Dr. K.P. Singh, Associate Professor, Shri Venkateshwar University, Gajraula (Moradabad),Shri Vivek Kumar Yadav, Sub-Divisional Magistrate, Sadar.

The meeting of the District Expert Appraisal Committee (D.E.A.C.) was held on 16.11.2017, during which the District Survey Report was reviewed and agreed upon by all members, and subsequently signed. The District Survey Report was then presented before the D.E.I.A.A., where it was reviewed and scrutinized by the members, including the Member Secretary and the designated expert. The District Survey Report was published on the district's official website on 27.09.2017 for a duration of 21 days and remained accessible to the public. It was removed from the website on 10.11.2017. During this period, no objections or suggestions were received. The members of the District Expert Appraisal Committee (D.E.A.C.) expressed unanimous agreement with the District Survey Report. Therefore, the District Expert Appraisal Committee (D.E.A.C.) recommends approval of the District Survey Report.

Dr. K.P. Singh,	Sub-Divisional Magistrate,
Associate Professor, Shri	Baghpat / Member
Venkateshwar University,	Secretary
Gajraula (Moradabad),	
Expert Member	

//SD//

DFO
Baghpat

//SD//

District Magistrate,
Baghpat / Member
Chairperson

Attendance Details of the Meeting Convened by the District-Level Environmental Impact Assessment Authority (D.E.I.A.A.) on 18.11.2017

Sr. No.	Officer's Name	Officer's Post	Committee Position	Email ID/Mobile Number	Attendance Signature
1	Shri Arun Kumar	Divisional Forest Officer, Bagpat	Member	7039435172	
2	Dr. K.P. Singh	Expert Nominee, Associate Professor, Gajrola University (Muradabad)	Member		
3	Shri Vivek Kumar Yadav	Sub-Divisional Magistrate, Bagpat	Member	viv3890hbt@gmail.com , 9454416713	

Attendance Details of the Meeting Convened by the District Expert Appraisal Committee (D.E.A.C.) on 16.11.2017

Sr. No.	Officer's Name	Officer's Post	Email ID/Mobile Number	Attendance Signature
1	Satyapal Singh	Assistant Engineer, Irrigation Division, Bagpat	9837356961	(Signature)
2	Girish Chand	Senior Sub-Divisional Officer (Forest)	8859019155	(Signature)
3	Ahmed Hasan	Executive Engineer, Jal Nigam, Bagpat	9457912478	(Signature)
4	Dr. Sushma Chandra	Chief Medical Officer, Bagpat	cm0...@gmail.com , 7060263131	(Signature)

5	Deepankar Singh	Engineer, District Council, Bagpat	9756874193	(Signature)
6		Regional Officer, Uttar Pradesh Pollution Control Board, Meerut		
7		Deputy Director, Environment Directorate, UP, Meerut Region		
8	Vijay	Assistant Scientific Officer, UPPCB, Meerut (Nominee)	7839891695	(Signature)
9		Assistant Professor, Sir Chhotu Ram Institute of Engineering & Technology, Meerut (Nominee)		
10	S.C. Sharma	Senior Assistant Engineer, Public Works Department, Bagpat	9837364611	(Signature)
11	Anurag Kumar	District Mines Officer/Assistant Geologist, Bagpat		(Signature)

//TRUE TRANSLATED COPY//

आहत बैठक का कार्यवृत्त

जिला स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण (डी0ई0आई0ए0ए0) की बैठक जिलाधिकारी के कार्यालय में की गयी जिसमें समिति के सदस्य श्री अरूण कुमार डी0एफ0ओ0 बागपत, डा0 के0पी0 सिंह एसोसिएट प्रोफेसर श्री वेंकटेश्वर यूनिवर्सिटी गजरीला (मुरादाबाद) एवं श्री विवेक कुमार यादव उपजिलाधिकारी सदर उपस्थित हुए।

जिला विशेषज्ञ निर्धारण समिति (डी0ई0ए0सी0) की बैठक दिनांक 18.11.2017 में जिला सर्वेक्षण रिपोर्ट पर सहमति व्यक्त करते हुए हस्ताक्षर किये गये। जिला सर्वेक्षण रिपोर्ट को डी0ई0आई0ए0ए0 के समक्ष प्रस्तुत किया गया, डी0ई0ए0सी0 के सदस्य एवं सदस्य सचिव एवं नामित विशेषज्ञ द्वारा जिला सर्वेक्षण रिपोर्ट का अवलोकन एवं परिशीलन किया गया। जिला सर्वेक्षण रिपोर्ट को दिनांक 27.09.2017 को जनपद की वेबसाईट पर 21 दिन के लिए पोस्ट किया गया था तथा पब्लिक डोमेन में रखा गया था। जिसे दिनांक 10.11.2017 को जनपद की वेबसाईट से हटाया गया है। उक्त अवधि में कोई सुझाव या आपत्ति प्राप्त नहीं हुई है। जिला विशेषज्ञ निर्धारण समिति (डी0ई0ए0सी0) के सदस्यों द्वारा जिला सर्वेक्षण रिपोर्ट पर सहमति व्यक्त की गयी है। अतः जिला विशेषज्ञ निर्धारण समिति (डी0ई0ए0सी0) जिला सर्वेक्षण रिपोर्ट का अनुमोदन करती है।

डा0 के0पी0 सिंह,
एसोसिएट प्रोफेसर, श्री
वेंकटेश्वर यूनिवर्सिटी गजरीला
(मुरादाबाद) विशेषज्ञ
सदस्य

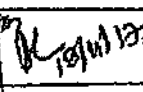

डी0एफ0ओ0
बागपत
उपजिलाधिकारी
बागपत/सदस्य (सचिव)

उपजिलाधिकारी,
बागपत/सदस्य (सचिव)

1342
जिलाधिकारी,
बागपत।
अध्यक्ष
(भवानी सिंह गजरीला)
जिला मजिस्ट्रेट
बागपत

14

राष्ट्रीय पर्यावरण संचालन निदेशिका प्राधिकरण (डीओईओआईओएओ) की दिनांक 18.11.2017 को आहूत बैठक में उपस्थिति का विवरण

क्र. सं.	अधिकारी का नाम	अधिकारी का पद नाम	समिति में पद नाम	ईमेल आईडी / मोबाईल नम्बर	उपस्थिति हस्ताक्षर
1	श्री अरुण कुमार	प्रभागीय अधिकारी वन प्रभाग बागपत	सदस्य	arunbgsb@yprva.com 7839435172	
2	डा० के०पी० सिंह	विशेषज्ञ के रूप में नामित एसोसिएट प्रोफेसर श्री वेंकटेश्वर यूनिवर्सिटी गजराँला (मुरादाबाद)	सदस्य		
3	श्री विवेक कुमार यादव	उपजिलाधिकारी बागपत	सदर सदस्य	viv3890161@gmail.com 9454416713	

जिला विशेषज्ञ निर्धारण समिति (डी०ई०ए०सी०) की दिनांक 18.11.2017 को आहूत बैठक में
उपस्थिति का विवरण

अधिकारी का नाम	अधिकारी का पद नाम	ईमेल आईडी/मोबाईल नम्बर	उपस्थिति
1. मुख्यपालिका नि.ड. विभाग बागपत	अधिकासी अभियन्ता सिंचाई विभाग बागपत	9837356961	हस्ताक्षर
2. निरीक्षण पत्र पत्र की व-श.	ज्येष्ठतम उप प्रभागीय अधिकारी (वन)	8859019155	हस्ताक्षर
3. अतिरिक्त सहायक	अधिकासी अभियन्ता, जल निगम बागपत	9457912478	हस्ताक्षर
4. डॉ. पुषपा चन्द	मुख्य चिकित्साधिकारी बागपत	cmobp@ymail.com 7060263131	हस्ताक्षर
5. DEEPANKAR SINGH	अभियन्ता जिला परिषद बागपत	9756874193	हस्ताक्षर
6.	क्षेत्रीय अधिकारी, राज्य प्रदूषण नियन्त्रण बोर्ड, मेरठ		
7.	उपनिदेशक, पर्यावरण निदेशालय उ०प्र० क्षेत्रीय कार्यालय मेरठ, विशेषज्ञ के रूप में नामित		
8. VISHAY स्थापक पत्र पत्र	सहायक वैज्ञानिक अधिकारी प्रदूषण नियन्त्रण बोर्ड, मेरठ विशेषज्ञ के रूप में नामित	7839891695	हस्ताक्षर
9.	एसीसर्टेट प्रोफेसर, सर छोटा राम इंस्टीट्यूट ऑफ इंजीनियरिंग एण्ड टेक्नोलोजी मेरठ, विशेषज्ञ के रूप में नामित		
10. एस.सी.डी. झा	ज्येष्ठतम सहायक इंजीनियर लोक निर्माण विभाग बागपत	9837364611	हस्ताक्षर 16/11
11. अनुराज कुमार	जिला खान अधिकारी/ सहायक भूवैज्ञानिक बागपत		हस्ताक्षर

Government of Uttar Pradesh,
Department of Geology and Mining,

No. /88-2020-01(10)/2020

Lucknow: Date 01 June 2020

Office Memorandum

The Ministry of Environment, Forest, and Climate Change, Government of India, has issued guidelines titled "Enforcement & Monitoring Guidelines for Sand Mining" in January 2020, for systematic mining of sand. As per paragraph 4.1.1 (a) of the said guidelines, the preparation of the District Survey Report (DSR) by the State Government is mandatory prior to the auction/e-auction/ grant of mining leases/ issuance of Letters of Intent (LoI) for mining areas. Therefore, in compliance with the said provision, until an Environmental Impact Assessment (EIA) Notification/ Order is issued by the Government of India, the following Technical Committee is hereby constituted to examine the pending proposals and new proposals for the proposed amendment/combination of areas in the District Survey Reports received from districts:

1	Chief Mining Officer, Directorate of Geology and Mining, U.P.	Chairperson
2	Joint Director, Directorate of Geology and Mining, U.P.	Member
3	Officer nominated by the U.P. Revenue Board	Member

4	Officer nominated by the Director of U.P. Environment Directorate	Member
5	Officer nominated by the Principal Chief Conservator of Forest, U.P. Forest Department	Member
6	Officer nominated by Chief Engineer & Head of Department, Irrigation and Water Resources Department, U.P.	Member
7	Shri. Moinuddin, Geologist, Geology and Mining Directorate, U.P.	Member Secretary
8	Shri. Shashank Sharma, Assistant Geologist, Directorate of Geology and Mining, U.P.	Member

2. Proposals received from the districts under the above Guidelines shall be reviewed by the Committee on a technical basis and will be referred to the Government with recommendations by the Committee

Dr. Roshan Jacob

Secretary

No. 790(1)/86-2020- Date:

Copy forwarded for information and necessary action to the following:

1. Additional Chief Secretary, Revenue Department / Principal Secretary, Forest, Environment, and Climate Change Department / Principal

Secretary, Irrigation and Water Resources Department, Government of Uttar Pradesh.

2. Chairman, Board of Revenue / Director, Directorate of Environment / Principal Chief Conservator of Forests, Forest Department / Chief Engineer and Head of Department, Irrigation and Water Resources Department, Uttar Pradesh, with the request to nominate an officer acquainted with the matter on a priority basis and inform the Director, Directorate of Geology and Mining, so that the committee meeting may be convened at the earliest.
3. Director, Directorate of Geology and Mining, Uttar Pradesh, Lucknow, in reference to letter no. 1883/M-228/2017 (Mining Policy) (IV) dated 20.02.2020.
4. All members of the committee (through the Director, Directorate of Geology and Mining, Uttar Pradesh, Lucknow).
5. Guard File.

By order,

//SD//

(Hriday Narayan Singh Yadav)

Deputy Secretary

//TRUE TRANSLATED COPY//

उत्तर प्रदेश शासन,
भूतत्व एवं खनिकर्म अनुभाग,
संख्या- / 88-2020-01(सा0)/2020
लखनऊ : दिनांक 01 जून, 2020
कार्यालय झाप

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू के सुव्यवस्थित खनन सम्बन्धी प्रक्रिया के सम्बन्ध में जनवरी 2020, में "Enforcement & Monitoring guidelines for Sand Mining" गाइडलाइन्स निर्गत की गई है। उक्त गाइडलाइन्स के प्रस्तर 4.1.1(a) के अनुसार खनन क्षेत्रों की नीलामी/ई-नीलामी/खनन पट्टे की स्वीकृति/आशय पत्र निर्गत करने से पूर्व राज्य सरकार द्वारा जिला सर्वेक्षण रिपोर्ट (DSR) तैयार किया जाना है। अतः उक्त व्यवस्था के अन्तर्गत भारत सरकार द्वारा पर्यावरण प्रभाव आकलन (Environmental Impact Assessment) अधिसूचना/आदेश जारी होने तक जनपदों से प्राप्त जिला सर्वेक्षण रिपोर्ट में क्षेत्रों के प्रस्तावित संशोधन/संयोजन के लम्बित प्रस्तावों तथा नये प्रस्तावों के परीक्षण हेतु एतद्वारा निम्नवत् तकनीकी समिति गठित की जाती है :-

1	मुख्य खान अधिकारी, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0	अध्यक्ष
2	संयुक्त निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0	सदस्य
3	अध्यक्ष राजस्व परिषद, उ0प्र0 द्वारा नामित अधिकारी	सदस्य
4	निदेशक, पर्यावरण निदेशालय, उ0प्र0 द्वारा नामित अधिकारी	सदस्य
5	प्रधान मुख्य वन संरक्षक, वन विभाग उ0प्र0 द्वारा नामित अधिकारी	सदस्य
6	प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ0प्र0 द्वारा नामित अधिकारी	सदस्य
7	श्री मोईनुद्दीन, भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0	सदस्य सचिव
8	श्री शशांक शर्मा, सहायक भूवैज्ञानिक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0	सदस्य

2. उक्त गाइडलाइन्स के अन्तर्गत जनपदों से प्राप्त प्रस्तावों का तकनीकी आधार पर परीक्षण कर, समिति द्वारा संस्तुति सहित शासन को सन्दर्भित किया जायेगा।

डॉ० रोशन जैकब
सचिव।

संख्या- 790 (1)/88-2020-तददिनांक:


प्रति/प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. अपर मुख्य सचिव, राजस्व विभाग/प्रमुख सचिव, वन पर्यावरण एवं जलवायु परिवर्तन विभाग/प्रमुख सचिव, सिंचाई एवं जल संसाधन विभाग उ0प्र0 शासन।
2. अध्यक्ष राजस्व परिषद/निदेशक, पर्यावरण निदेशालय/प्रधान मुख्य वन संरक्षक, वन विभाग/प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग, उ0प्र0 को इस आशय से प्रेषित कि उक्त समिति में प्रकरण से अभिज्ञ अधिकारी को प्राथमिकता के

63
9/12

- आधार पर नामित करते हुये निदेशक, भूतत्व एवं खनिकर्म को अवगत कराने का कल्ट करें, ताकि समिति की बैठक यथाशीघ्र आयोजित की जा सकें।
3. निदेशक, भूतत्व एवं खनिकर्म, उत्तर प्रदेश, लखनऊ को उनके पत्र सं०-1883/एम-228/2017(खनन नीति)(IV) दिनांक 20.02.2020 के सन्दर्भ में।
 4. समिति के समस्त सदस्यगण (द्वारा निदेशक, भूतत्व एवं खनिकर्म, उ०प्र० लखनऊ)।
 5. मार्व फाईल।

आज्ञा से,


(हृदय नारायण सिंह यादव)
अनु सचिव।

ANNEXURE R/4

Number: 865/88-2020-01 (S)/2020

From:

Dr. Roshan Jacob,
Secretary,
Government of Uttar Pradesh,

To:

All District Magistrates,
Uttar Pradesh
Geology and Mining Section

Lucknow, Dated: 12 June 2020

Subject: Regarding Modifications in District Survey Report

Sir/Madam,

With reference to the subject mentioned above, it is informed that the Ministry of Environment, Forest, and Climate Change, Government of India, has issued guidelines titled "*Enforcement & Monitoring Guidelines for Sand Mining*" in January 2020, concerning the systematic mining process of sand. In the said Guidelines, in clause 4.1.1 (a) of Preparation of District Survey Report, it is stated that - "The District Survey Report (DSR) for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent (LOI) by the Mining Department or the department managing mining activities in the respective states."

2. According to the above guidelines, District Survey Report (DSR) must be prepared by the State Government before the e-tendering/e-auction/e-tender-cum-e-auction, approval of mining leases, or issuance of Letters of Intent (LOI) for mining areas. Under this arrangement, until the Notification/Order under the Environmental Impact Assessment (EIA) is issued by the Government of India, Pending proposals for modification/inclusion in District Survey Reports, along with new proposals from various districts, are to be reviewed by a Technical Committee constituted under the Order No. 790/86-2020-01(S)/2020 dated 01.06.2020 (copy enclosed) by the Geology and Mining Section of the Government of Uttar Pradesh.
3. In this regard, it is expected that the areas of sub-minerals available on the revenue land, village society and private land be identified for mining in the respective districts and the draft District Survey Report (DSR) proposals be uploaded on the district's website for a short duration. The details should then be submitted to the Government and Directorate for approval. In case objections are received regarding any area, they must be resolved, and a report of the resolution must be sent to the Government and Directorate. It must also be ensured that no mining area in the district remains vacant, so that along with the availability of minerals, possible illegal mining can be stopped.

In light of the aforementioned circumstances, I am directed to request that the District Survey Reports (DSRs) prepared for the districts be submitted to the Government at the earliest convenience.

Enclosures: As stated

//SD//

Dr. Roshan Jacob,
Secretary,

Copy to: (1) /86-2020 Date :

Copy forwarded for information and necessary action:

1. All Divisional Commissioners, Uttar Pradesh
2. Director, Directorate of Geology and Mining, U.P., Lucknow
3. All District Senior Mining Officers/ Mining Officers/ Mining Inspectors
4. Guard File

By Order,

(Hriday Narayan Singh Yadav)

Deputy Secretary

2020/7/3 5-45

संख्या- 865/86-2020-01(सा0)/2020

पत्रिक,
डा0 रोशन जैकब,
सचिव,
उत्तर प्रदेश शासन,
सेवा में,
समस्त जिलाधिकारी,
उत्तर प्रदेश।
भूतत्व एवं खनिकर्म अनुभाग
विषय: जिला सर्वेक्षण रिपोर्ट में Modification (सुधार) के सम्बन्ध में।
महोदय,

24/5 T. Camp
VVP

श्री. अशोक कुमार
श्री. राजेश कुमार
अनुमोदित
लखनऊ: दिनांक 12 जून 2020

कृपया उपर्युक्त विषय के सम्बन्ध में अवगत करना है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू के सुव्यवस्थित खनन सम्बन्धी प्रक्रिया के सम्बन्ध में जनवरी 2020 में "Enforcement & Monitoring guidelines for Sand Mining" गाईडलाइन्स निर्गत की गई हैं। उक्त गाईडलाइन्स में Preparation of District Survey Report के प्रस्तर 4.1.1(a) में उल्लिखित है कि "District Survey Report for sand mining shall be prepared before the auction/e-auction/grant of the mining lease/Letter of Intent (LOI) by Mining Department or department dealing the mining activity in respective states."

2. उक्त गाईडलाइन्स के अनुसार खनन क्षेत्रों की ई-निविदा/ई-नीलामी/ई निविदा सह ई नीलामी/खनन पट्टे की स्वीकृति/आशय पत्र निर्गत करने से पूर्व राज्य सरकार द्वारा जिला सर्वेक्षण रिपोर्ट (DSR) तैयार किया जाना है। उक्त व्यवस्था अन्तर्गत भारत सरकार द्वारा पर्यावरण प्रभाव आंकलन (Environmental Impact Assessment) अधिसूचना/आदेश जारी होने तक जनपदों से प्राप्त जिला सर्वेक्षण रिपोर्ट में क्षेत्रों के प्रस्तावित/संशोधन संयोजन के लम्बित प्रस्तावों तथा नये प्रस्तावों के परीक्षण हेतु भूतत्व एवं खनिकर्म अनुभाग, उ0प्र0 शासन के आदेश सं0-790/86-2020-01(सा0)/2020 दिनांक 01.06.2020(छायाप्रति संलग्न) द्वारा तकनीकी समिति का गठन किया गया है।

3. उक्त के सन्दर्भ में अपेक्षित है कि अपने-अपने जनपदों में खनन हेतु उपयुक्त राजस्व, ग्राम समाज एवं निजी भूमि पर उपलब्ध उपखनिजों के क्षेत्रों का गठन कर जिला सर्वेक्षण रिपोर्ट का प्रस्ताव अल्प अवधि हेतु जनपद की वेबसाईट पर अपलोड करके तत्सम्बन्धी विवरण अनुमोदन हेतु शासन एवं निदेशालय को उपलब्ध कराये। यदि किसी क्षेत्र के सम्बन्ध में आपत्ति प्राप्त होती है तो उसका भी निराकरण कर, निराकरण आख्या से शासन एवं निदेशालय को अवगत कराये। इस सम्बन्ध में यह भी सुनिश्चित कर ले कि जिले में कोई खनन क्षेत्र रिक्त न रह पाये, जिससे खनिज की उपलब्धता के साथ ही सम्भावित अवैध खनन को रोका जा सके।

81

81

अतः वर्णित स्थिति में मुझे यह कहने का निदेश हुआ है कि कृपया जनपदों में तैयार की गयी जिला सर्वेक्षण रिपोर्ट (DSR) यथाशीघ्र शासन को उपलब्ध कराने का कष्ट करें।
प्रतिलिपि-यथोक्त।

भवदीया,

(डा० राशन जैकब)
सचिव,

संख्या: (1)/86-2020, तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. समस्त मण्डलायुक्त, उत्तर प्रदेश।
2. निदेशक, भूतत्त्व एवं खनिकर्म निवेशालय, उ०प्र० लखनऊ।
3. समस्त जनपदीय ज्येष्ठ खान अधिकारी/खान अधिकारी/खान निरीक्षक।
4. गार्ड फाइल।

आज्ञा से,

(हृदय नारायण सिंह यादव)
अनु सचिव।

Sender:

Director,
Directorate of Geology and Mining, Uttar Pradesh,
Khanij Bhawan, Lucknow.

To,

All District Magistrates,
Uttar Pradesh.

No.: 1496/M-1A Marking/2020 (11)

Date: 18 December 2020

Subject: Regarding submission of proposals for identification and inclusion of new mining areas for minor minerals in the District Survey Report (DSR).

Sir,

Please refer to the Government Letter No. 885/86-2020-01(S)/2020 dated 12.06.2020, which directed the identification of suitable areas in respective districts for the mining of minor minerals such as sand/morrum and building stone on revenue and private land in each district and the submission of proposals/ amendments to the District Survey Report (DSR) and submit the same for approval to the Government and Directorate.

In this regard, it is expected that most mining areas have been managed or are under process. However, it is necessary to survey and identify new areas that are not included in the DSR to ensure no mining areas remain vacant and to prevent illegal mining along with ensuring mineral availability in the district. It

is necessary that the survey/identification of new vacant areas be conducted jointly by the Revenue Department and Mining Department. Thereafter, the formation of new areas should be done by the following committee:

1	Concerned Sub-Divisional Magistrate	Chairperson
2	Concerned Divisional Forest Officer or nominated representative	Member
3	Concerned Executive Engineer or nominated representative, Irrigation & Water Resources Department	Member
4	Regional Officer, U.P. Pollution Control Board	Member
5	District Senior Mining Officer/Mining Officer/Mining Inspector	Member-Secretary

It is therefore requested that necessary action be taken to identify/survey new vacant mining areas in the district as per the above instructions and submit proposals/amendments for inclusion in the DSR by 15.01.2021. Kindly ensure compliance with the prescribed procedure.

//SD//

Yours sincerely,

(Dr. Roshan Jacob)

Director

No.: /M-1A/Identification/2020 (II), Date:

Copy to:

1. Secretary, Geology and Mining, Government of Uttar Pradesh, Lucknow.
2. All Divisional Commissioners, Uttar Pradesh.
3. All the District Senior Mining Officers/Mining Officers/Mining Inspectors,
with instructions to ensure compliance as per the above guidelines.

//SD//

(Dr. Roshan Jacob)

Director

//TRUE TRANSLATED COPY//

10/10/20

8113/S-05/19

AD-1111 4-10-21/10/19
2017 में 80आई0निदेशक,
भूतत्व एवं खनिकर्मा निदेशालय, संभार,
खनिज भवन, लखनऊ।संभार में,
समस्त जिलाधिकारी
उत्तर प्रदेश।

संख्या-496/एम-1 ए चिन्हांकन/2020(II)

दिनांक 18 दिसम्बर, 2020

विषय-उपखनिजों के नये खनन क्षेत्रों के चिन्हांकन कर डी०एस०आर० में सम्मिलित करने हेतु प्रस्ताव उपलब्ध कराये जाने के सम्बन्ध में।

गहोबय,

कृपया उपर्युक्त विषयक शासकीय पत्र संख्या-885/86-2020-01(सा०)/2020 दिनांक 12.05.2020 जिसके द्वारा अपने-अपने जनपदों में उपखनिज यथा बालू/मोरम, ईमारती पत्थर के खनन हेतु राजस्व भूमि एवं निजी भूमि के उपयुक्त क्षेत्रों का गठन कर जिला सर्वेक्षण रिपोर्ट का प्रस्ताव/संशोधन का विवरण अनुमोदन हेतु शासन एवं निदेशालय को उपलब्ध कराये जाने के निर्देश दिये गये हैं, का सन्दर्भ ग्रहण करने का कष्ट करें।

उक्त के क्रम में आशा है कि अधिकांश खनन क्षेत्रों का व्यवस्थापन हो चुका होगा या प्रक्रियान्तरित होंगे। परन्तु सर्वेक्षण कर ऐसे नये क्षेत्रों को चिन्हित किये जाने की आवश्यकता है, जो डी०एस०आर० में सम्मिलित नहीं हैं, जिससे कि जिले में कोई खनन क्षेत्र रिक्त न रह पाये तथा खनिज की उपलब्धता के साथ ही सम्भावित अवैध खनन को रोका जा सकें। इस सम्बन्ध में आवश्यक है कि नये रिक्त क्षेत्रों का सर्वेक्षण/चिन्हांकन सामंजस्य विभाग एवं खनिज विभाग द्वारा संयुक्त रूप से किया जाये। तदुपर्युक्त नये क्षेत्रों का गठन निम्न समित्व द्वारा करा लिया जाये :-

1	सम्बन्धित उपजिलाधिकारी	अध्यक्ष
2	सम्बन्धित प्रमार्गीय वनाधिकारी अथवा उनके द्वारा नामित प्रतिनिधि	सदस्य
3	सम्बन्धित अधिशासी अभियन्ता अथवा उनके द्वारा नामित प्रतिनिधि, सिंचाई एवं जल संशोधन विभाग	सदस्य
4	केन्द्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड	सदस्य
5	जनपदीय ज्येष्ठ खान अधिकारी/खान अधिकारी/खान निरीक्षक	सदस्य-सचिव

अतः अपेक्षा है कि उपरोक्तानुसार जनपद में नये रिक्त खनन क्षेत्रों के चिन्हांकन/सर्वेक्षण कराकर क्षेत्रों को डी०एस०आर० में सम्मिलित किये जाने का प्रस्ताव/संशोधन दिनांक 15.01.2021 तक उपलब्ध कराने हेतु नियमानुसार आवश्यक कार्यवाही करने का कष्ट करें।

भवदीय

(डा० रोशन जैकब)
निदेशक।

संख्या- /एम-1 ए चिन्हांकन/2020(II) , तददिनांक।

प्रतिलिपि - निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. सचिव, भूतत्व एवं खनिकर्मा, उत्तर प्रदेश शासन, लखनऊ।
2. समस्त मण्डलायुक्त, उत्तर प्रदेश।
3. समस्त जनपदीय ज्येष्ठ खान अधिकारी/खान अधिकारी/खान निरीक्षक को इस निर्देश के साथ कि उपरोक्तानुसार कार्यवाही करना सुनिश्चित करें।

(डा० रोशन जैकब)
निदेशक।

Order

The Directorate of Geology and Mining, Uttar Pradesh, Lucknow, vide its letter No. 1496/M-1A/Identification/0 (II), dated 18.12.2020, directed that identification/survey of new vacant mining areas in the district be carried out and proposals/modifications for including these areas in the DSR (District Survey Report) be submitted. In accordance with this directive, following the committee constituted by the Directorate of Geology and Mining, Uttar Pradesh, Lucknow, the following committee is hereby constituted:

S. No.	Officer's Designation	Role
1	Sub-Divisional Magistrate (Baghpat/Badaut/Khekra)	Chairperson
2	Divisional Forest Officer (Baghpat) or nominated representative	Member
3	Executive Engineer, Irrigation and Water Resources Department (Baghpat)	Member
4	Regional Officer, Uttar Pradesh Pollution Control Board, Meerut	Member
5	Mining Officer, Baghpat	Member-Secretary

All committee members are hereby directed to conduct an on-site investigation within a maximum of one week regarding the mineral areas of ordinary sand available in Yamuna River within District Baghpat. The report should include detailed information about the newly identified undisputed mineral areas, along with revenue records (Khasra, Khatauni), maps, and geo-coordinates.

//SD//

(Raj Kamal Yadav)

District Magistrate,

Baghpat

Office of the District Magistrate, Baghpat

(Mineral Section)

Letter No.: 498/Kh. Li.-

Date: 02-11-2021

Copy for information and compliance -

1. Secretary, Geology and Mining, Uttar Pradesh Government, Lucknow
for information
2. Director, Directorate of Geology and Mining, Uttar Pradesh, Lucknow
for information
3. Sub-Divisional Magistrate, Baghpat/Badaut/Khekra

4. Divisional Forest Officer, Baghpat
5. Officer-in-charge, Regional Office, Geology and Mining, Ghaziabad,
with the directive to ensure their presence at the site along with the
surveyor and provide geo-coordinates.
6. Executive Engineer, Irrigation Division, Badaut
7. Regional Officer, Uttar Pradesh Pollution Control Board, Meerut
8. Mining Officer, Baghpat

//SD//

District Magistrate

Baghpat

//TRUE TRANSLATED COPY//

आदेश

संख्या-15-8

7/85

भूतत्व एवं खनिकर्म निदेशालय उ०प्र० लखनऊ ने अपने पत्र संख्या 1496/एम-1ए/चिन्हांकन / 10(11) दिनांक 18.12.2020 के द्वारा जैनपद में नये रिक्त खनन क्षेत्रों के चिन्हांकन/सर्वेक्षण कराकर क्षेत्रों को डी०एस०आर० में सम्मिलित किये जाने का प्रस्ताव/संशोधन उपलब्ध कराने हेतु निर्देशित किया गया है। जिसके लिए निदेशालय, भूतत्व एवं खनिकर्म उ०प्र०, लखनऊ द्वारा गठित समिति के कम में निम्नवत् समिति गठित की जाती है-

क्र०सं०	अधिकारी का पदनाम	अध्यक्ष/सदस्य
1	उपजिलाधिकारी बागपत/बडौत/खेकडा	अध्यक्ष
2	प्रभागीय वनाधिकारी बागपत अथवा उनके द्वारा नामित प्रतिनिधि	सदस्य
3	अधिशाली अभियन्ता सिंचाई एवं जल संसाधन विभाग बागपत अथवा उनके द्वारा नामित प्रतिनिधि	सदस्य
4	क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियन्त्रण बोर्ड मेरठ	सदस्य
5	खान अधिकारी, बागपत	सदस्य-सचिव

अतः उक्त के कम में आप सभी को आदेशित किया जाता है कि आप अधिकतम एक सप्ताह में जनपद बागपत यमुना नदी में उपलब्ध साधारण बालू के खनिज क्षेत्रों के सम्बन्ध में स्थलीय जाँच कर उपलब्ध नये अविदादित खनिज क्षेत्रों के सम्बन्ध में पूर्ण विवरण, खसरा, खतौनी, मानचित्र एवं जिओ कोऑर्डिनेट्स के साथ आख्या अधिकतम एक सप्ताह में उपलब्ध कराये ताकि उन्हें डी०एस०आर० में सम्मिलित किये जाने के सम्बन्ध में अग्रिम कार्यवाही की जा सके।

(राज कमल यादव)

जिलाधिकारी

बागपत

कार्यालय जिलाधिकारी, बागपत।

(खनिज अनुभाग)

पत्रांक 498
प्रतिलिपि-

/ख०लि०-

दिनांक 02-11-21

निम्न लिखित को सूचनार्थ एवं अनुपालन हेतु-

- 1- सचिव, भूतत्व एवं खनिकर्म, उत्तर प्रदेश शासन, लखनऊ को सूचनार्थ।
- 2- निदेशक, भूतत्व एवं खनिकर्म निदेशालय उ०प्र० लखनऊ को सूचनार्थ।
- 3- उपजिलाधिकारी बागपत/बडौत/खेकडा।
- 4- प्रभागीय वनाधिकारी बागपत।
- 5- प्रभारी अधिकारी, क्षेत्रीय कार्यालय, भूतत्व एवं खनिकर्म, गाजियाबाद को इस निर्देश के साथ प्रेषित कि सर्वेक्षक के साथ सर्वय उपस्थित होकर क्षेत्र का गठन व जिओ कोऑर्डिनेट्स उपलब्ध कराना सुनिश्चित करें।
- 6- अधिशाली अभियन्ता, सिंचाई खण्ड बडौत।
- 7- क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियन्त्रण बोर्ड मेरठ।
- 8- खान अधिकारी बागपत।

जिलाधिकारी

बागपत

**Joint Inspection Report of Mining Area Sub-Minerals (Ordinary
Sand) Availability Assessment**

In compliance with the letter no. 1496/M-1A Marking/2020, dated 18-12-2020 of the Directorate of Geology and Mining, UP as referred in the letter of District Magistrate, Baghpat no. 498/Kha.Li., dated 02-11-2021, a joint assessment/inspection was conducted regarding the availability of sub-minerals (ordinary sand) in the mining area of Village Chaprauli Khadar, Pargana Chaprauli, Tehsil Baraut, District Baghpat. This was undertaken for the purpose of long-term mining lease management of sub-minerals through e-tendering for a period of 5 years. Teams from the Mining and Revenue Departments jointly conducted an on-site assessment/inspection concerning the availability of sub-minerals (ordinary sand) for long-term mining leases. Despite communication via District Magistrate, Baghpat's letters numbered 498/Kha.Li., dated 02-11-2021, and letter no. 561/Kha.Li./2020-21, dated 01-12-2021, as well as telephonic communication, the Regional Officer, Uttar Pradesh Pollution Control Board, Meerut/Baghpat, or their representative, failed to be present. On this day, 06-12-2021, the on-site assessment/inspection was conducted in the presence of the following committee members, and their findings are as follows:-

Sr. No.	Description	Account	
Village Chhaprauli Khadar, Pargana Chhaprauli, Tehsil Baraut, District Baghat			
1.	Total area of 9.570 Ha in Gata No. 1/2 has		
2.	Estimated quantity of mineral from top surface (approx.. depth 2.50 meters)	2,40,000 cubic meter	
3.	Mining area coordinates (as marked on the attached map):		
	Point No.	Coordinates	
	A	N-29° 13' 14.6",	E-77° 08' 39.3"
	B	N-29° 13' 11.4",	E-77° 08' 33.5"
	C	N-29° 13' 21.8",	E-77° 08' 21.33"
D	N-29° 13' 25.7",	E-77° 08' 29.7"	
4.	Boundaries		
	East:- Remaining Part of Gata No. 1/2	North	Remaining Part of Gata No. 1/2
	West: - Remainder of Gata no. 1/2	South:	Remaining Part of Gata No. 1/2
5.	Remarks	4 pits have been dug in the said plot, in which approximately 240,000 cubic meters of ordinary sand are available up to a depth of approximately 2.50 meters. The area is technically suitable for mining ordinary sand.	

//SD//.

Regional Lekhpal,

Village Chaprauli

Mining Officer,

//SD//

Baghpat

Executive Engineer,

Irrigation and Water

//SD//

Resources Department,

Regional Kanoongo (Survey

Baraut

Officer),

Village Chaprauli

//SD//

//SD//

Surveyor,

In-charge Officer,

Mining Department, Regional

Regional Office, Geology and

Office,

Mining,

Ghaziabad

Uttar Pradesh, Ghaziabad

//SD//.

//SD//

Sub-Divisional Magistrate,

Divisional Forest Officer,

Baraut

Baghpat

//TRUE TRANSLATED COPY//

खनन क्षेत्र उपखनिज(साधारण बाल) उपलब्धता आगणन संयुक्त जांच आख्या

31/86

जिलाधिकारी, बागपत के पत्र संख्या 498/खोलि0 दिनांक 02-11-2021 में उल्लिखित निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज अनुभाग, लखनऊ के पत्र संख्या 1496/एम-1 ए चिन्हांकन/2020 दिनांक 18-12-2020 के अनुपालन में उपखनिजों के दीर्घकालीन अवधि के खनन पट्टों के व्यवस्थापन हेतु ई-टेंडरिंग के माध्यम से स्वीकृत किये जाने हेतु ग्राम छपरोली खादर परगना छपरोली तहसील बडौत जिला बागपत के खनन क्षेत्र को 05 वर्ष की अवधि के लिये दीर्घकालीन खनन पट्टा पर व्यवस्थापित किये जाने हेतु खनन विभाग/राजस्व विभाग की टीमों द्वारा संयुक्त रूप से उपलब्ध उपखनिज(साधारण बाल) की मात्रा की उपलब्धता के सम्बन्ध में स्थलीय आंकलन/निरीक्षण किया गया। कार्यालय जिलाधिकारी, बागपत के पत्र संख्या 498/खोलि0 दिनांक 02-11-2021 एवं पत्र संख्या 861/खोलि0/2020-21 दिनांक 01-12-2021 को भेजे जाने एवं दूरभाष पर अवगत कराने के बावजूद भी क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, मेरठ/बागपत स्वयं या उनके कोई भी प्रतिनिधि उपस्थित नहीं हुये हैं। आज दिनांक 08-12-2021 को निम्नांकित समिति के सदस्यों की उपस्थिति में ग्राम छपरोली खादर परगना छपरोली तहसील बडौत जिला बागपत में किये गये स्थलीय आंकलन/निरीक्षण की आख्या निम्नवत् है:-

क्र0	विवरण	आख्या
ग्राम छपरोली खादर परगना छपरोली तहसील बडौत जिला बागपत		
1.	गाटा संख्या 1/2 में से कुल रकबा 9.570 हे0	
2.	उप खनिज की अनुमानित मात्रा ऊपरी सतह से (लगभग गहराई 2.50 मीटर)	2,40,000 घनमीटर
3.	खनन क्षेत्र के कोर्डिनेट्स (सलग्न नक्शे में अंकित बिन्दु क्रमांक के अनुसार)	
	बिन्दु क्रमांक	कोर्डिनेट्स
	A	N-29° 13' 14.6" E-77° 08' 39.3"
	B	N-29° 13' 11.4" E-77° 08' 33.5"
	C	N-29° 13' 21.8" E-77° 08' 21.33"
	D	N-29° 13' 25.7" E-77° 08' 29.7"
4	चौहद्दी	
	पूरब- गाटा संख्या 1/2 का शेष भाग	उत्तर गाटा संख्या 1/2 का शेष भाग
	पश्चिम- गाटा संख्या 1/2 का शेष भाग	दक्षिण गाटा संख्या 1/2 का शेष भाग
5	अभियुक्ति	उक्त गाटा में 4 बिन्दु खुदबाये गये जिसमें लगभग 2.50 मीटर की गहराई तक लगभग 2,40,000 घन मीटर उपखनिज साधारण बाल उपलब्ध है। उपर्युक्त क्षेत्र तकनीकी रूप से साधारण बाल खनन हेतु उपयुक्त है।

क्षेत्रीय निदेशपाल
ग्राम छपरोली

खान अधिकारी
बागपत

तहसील अधिकारी
बडौत

क्षेत्रीय कानूनगाई सरई
ग्राम छपरोली

अधिसायी अभियन्ता,
सिंचाई एवं पान सांसाधन विभाग,
बडौत

उपजिलाधिकारी
बडौत

सर्वेक्षक,
खनन विभाग, क्षेत्र 0 का 0,
गाजियाबाद

क्षेत्रीय अधिकारी,
क्षेत्रीय कार्यालय
भूतत्व एवं खनिकर्म
उत्तर प्रदेश गाजियाबाद
प्रधानीय सहायक अधिकारी,
बागपत

District Magistrate
Baghpat.

To,
Director,
Directorate of Geology and Mining, Uttar Pradesh,
Mineral Bhawan, Lucknow.

No.: 1194/K.Li./2022-23

Date: 25 April 2022

Subject: Amendment/Integration in the District Survey Report.

Madam,

This is to inform you that in Tehsil Baghpat, Village Chhaprauli Khadar, Gata Number 1/2, Area 9.570 hectares, there exists a vacant/available area for the systematic management of ordinary sand mining. The details of the area are as follows:

S. No.	Description	Details
	Village Chhaprauli Khadar, Paragana Chhaprauli, Tehsil Baraut, District Baghpat.	
1.	Gata Number 1/2, Total Area: 9.570 hectares.	
2.	Permissible quantity of sand for mining (Volume: 2,40,000 cubic meters, Depth: 2.50 meters).	
3.	Coordinates of the mining area (as per the points marked in the sketch map).	
	Point	Coordinates
	A	N-29°13'14.6" E-77°08'39.3"
	B	N-29°13'11.4" E-77°08'33.5"
	C	N-29°13'21.8" E-77°08'21.3"
	D	N-29°13'25.7" E-77°08'29.7"

4.	Boundaries	
	East	Part of Gata Number 1/2.
	West	Remaining part of Gata Number 1/2.
	North	Part of Gata Number 1/2.
	South	Remaining part of Gata Number 1/2.

For ensuring the availability of sand and the arrangement of a long-term mining lease, joint inspection reports from the Revenue Department, Mining Department Officer-in-Charge, Regional Office of Geology and Mining, Ghaziabad, Executive Engineer, Irrigation and Water Resources, Baraut, and Divisional Forest Officer, Baghpat, have been compiled. The Non-Objection Certificates from the Executive Engineer, Irrigation Division, Baraut, and Divisional Forest Officer, Baghpat, along with revenue records (Khatauni) and formats 1 to 7, are enclosed with this letter for your kind perusal.

It is, therefore, requested that the proposed mining area for ordinary sand in District Baghpat be amended/integrated into the District Survey Report.

Enclosures: As above.

Yours sincerely,

//SD//

(Raj Kamal Yadav)

District Magistrate, Baghpat

No. and Date as above.

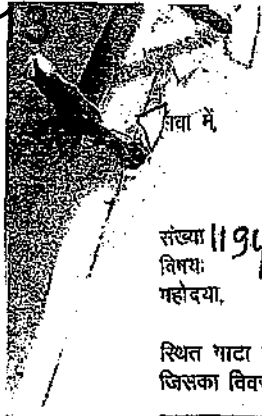
Copy to:

1. Secretary, Geology and Mining, Government of Uttar Pradesh, Lucknow, for information and necessary action.
2. District Information Officer (NIC), Baghpat, with instructions to upload the amended District Survey Report on the district website for public objections/suggestions as per the provisions.

//SD//

District Magistrate,
Baghpat.

//TRUE TRANSLATED COPY//



जिलाधिकारी,
बागपत।

जिला-7-5-10

निदेशक,

भूतत्व एवं खनिकर्मा निदेशालय, 80900,
खनिज भवन, लखनऊ।

संख्या 1194

विभाग:

महोदया,

/ख0सि0/2022-23

जिला सर्वेक्षण रिपोर्ट संशोधन/संयोजन के सम्यग्ध में।

दिनांक 25 अप्रैल, 2022

बृपया अवगत कराना है कि जनपद बागपत की तहसील बडौत के ग्राम छपरोली खादर में स्थित गाटा संख्या 1/2 एकबा 9.570 हे० में साधारण बालू खनन के व्यवस्थापन हेतु रिक्त/उपलब्ध क्षेत्र जिसका विवरण निम्नवत् है:-

क्र०	विवरण	आख्या
ग्राम छपरोली खादर परगना छपरोली तहसील बडौत जिला बागपत		
1.	गाटा संख्या 1/2 में से कुल एकबा 9.570 हे०	
2.	उप खनिज की अनुमानित मात्रा ऊपरी सतह से (लगभग गहराई 2.50 मीटर)	2,40,000 घनमीटर
3.	खनन क्षेत्र के कोर्डिनेट्स (सलगन नजरी नक्शों में अंकित बिन्दु क्रमांक के अनुसार)	
	बिन्दु क्रमांक	कोर्डिनेट्स
	A	N- 29° 13' 14.6" E- 77° 08' 39.3"
	B	N- 29° 13' 11.4" E- 77° 08' 33.5"
	C	N- 29° 13' 21.8" E- 77° 08' 21.33"
	D	N- 29° 13' 25.7" E- 77° 08' 29.7"
4	चौहद्दी	
	पूर्व:- गाटा संख्या 1/2 का शेष भाग	उत्तर
	पश्चिम:- गाटा संख्या 1/2 का शेष भाग	दक्षिण
		गाटा संख्या 1/2 का शेष भाग

उपरोक्त क्षेत्र में बालू की उपलब्धता एवं दीर्घकालीन खनन पट्टा की व्यवस्था हेतु क्षेत्र की उपलब्धता के सम्बन्ध में राजस्व विभाग, खनिज विभाग, प्रभारी अधिकारी, क्षेत्रीय कार्यालय, भूतत्व एवं खनिकर्मा गाजियाबाद, अधिशासी अभियन्ता, सिंचाई एवं जल संसाधन, बडौत, प्रभागीय वनाधिकारी, बागपत की संयुक्त जाँच आख्या एवं अधिशासी अभियन्ता, सिंचाई खण्ड, बडौत एवं प्रभागीय वनाधिकारी, बागपत का अनापत्ति प्रमाण पत्र एवं राजस्व अभिलेख खतौनी विवरण सहित व प्रारूप 1 से 7 तक इस पत्र के साथ सलगन कर प्रेषित की जा रही है।

अतः अनुरोध है कि कृपया जनपद बागपत के उपखनिज साधारण बालू के प्रस्तावित 01 खनन क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन करने का कष्ट करें।

सलगनक: यथोक्त।

भवदीय,

(राज कमल यादव)
जिलाधिकारी,
बागपत।

संख्या व दिनांक उपरोक्तानुसार।

प्रतिलिपि:

- सचिव, भूतत्व एवं खनिकर्मा, उत्तर प्रदेश शासन, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- जिला सूचना विज्ञान अधिकारी (एन0आर्इ0सी0), बागपत को इस निर्देश के साथ प्रेषित कि संशोधित जिला सर्वेक्षण रिपोर्ट संशोधन/संयोजन उक्त सूचना को आम जनमानस से आपत्ति/सुझाव प्राप्त किये जाने हेतु जनपद की वेबसाइट पर अपलोड करने का कष्ट करें।

(जिलाधिकारी,
बागपत।

Letter No.: 636/86-2021-01 (Sa.)/2020

Sender:

Dr. Roshan Jacob

Secretary,

Government of Uttar Pradesh

To,

The Director,

Geology and Mining, Uttar Pradesh,

Lucknow.

Geology and Mining Section

Lucknow, Date: 01 June

2022

Subject: Regarding modification/inclusion in the District Survey Report.

Sir,

Please refer to your letter No. 534/M0228/2017/Mining Policy-DSR, dated 26.05.2022. As per the "Enforcement & Monitoring Guidelines for Sand Mining" issued in January 2020 by the Ministry of Environment, Forest, and Climate Change, Government of India, regarding the systematic process for sand mining, the governance office memo No. 790/96-2020-01 (Sa.)/2020, dated 01.06.2021, read with office memo No. 1153/86-2021-01 (Sa.)/2020, dated 09.09.2021, constituted an 8-member expert technical committee. Through the referenced letter dated 26.05.2022, proposals from seven districts were examined, and based on the recommendations of the said technical committee, a total of 42 areas were proposed for modification/inclusion in the District Survey Report

(DSR) and submitted for the government's decision. The district-wise details of these areas are as follows:

S. No.	District	Village Name	Number of Recommended Areas		Column 3
			State Government Land	Private Land	
1	Mirjapur	Bhusee Pathara	00	01	01
2	Sonbhadra	Bodhadih, Billi Markundi, Sukrit	00	04	04
3	Baghpat	Chhaparauli	01	00	01
4	Bahraich	Retihata, Lakshmanpur, Lohsarwa	00	02	02
5	Farrukhabad	Behta Vallu	01	00	01
6	Mahoba	Badhwa, Dahars, Pahra, Thacha, Kulpahad, Mahobakant, Kuroora Dang, Majhol, Gakrawai	32	00	32
7	Jalaun	Sigiriya	00	01	01
	Total		34	08	42

2. I have been directed to inform you that, after due consideration, the decision has been made to include the above-mentioned 42 areas from 7 districts in the District Survey Report. Therefore, you are requested to take further necessary action accordingly.

Yours sincerely,

//SD//

(Dr. Roshan Jacob)

Secretary

//TRUE TRANSLATED COPY//

श्री शोधन जीकत,
शक्ति,
जानो शासन।
निदेशक,
भूतत्व एवं खनिकर्म, ज०प्र०,
लखनऊ।

भूतत्व एवं खनिकर्म अनुभाग लखनऊ: दिनांक ०१ जून, 2022
विषय- जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन के सम्बन्ध में।
महोदय,

कृपया उपर्युक्त विषयक अपने पत्र सं०-634/एम0228/2017(खनन नीति)-डी० एम०आर०, दिनांक 26.05.2022 का सन्दर्भ ग्रहण करने का कष्ट करें। पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू के सुव्यवस्थित खनन प्रक्रिया के सम्बन्ध में जनवरी, 2020 में निर्गत "Enforcement & Monitoring guidelines for sand Mining" के प्रस्ताव 4.1.1(a) के अनुसार शासन के कार्यालय ज्ञाप सं०-790/86-2020-01(सा10)/2020 दिनांक 01.06.2021 सपठित कार्यालय ज्ञाप संख्या-1153/86-2021-01(सा10)/2020, दिनांक 09.09.2021 द्वारा विशेषज्ञों की 08 सदस्यीय तकनीकी समिति गठित की गई है। सन्दर्भित पत्र दिनांक 26.05.2022 के माध्यम से 07 जनपदों के प्रस्तावों पर परीक्षणोपरांत उक्त तकनीकी समिति द्वारा, की गई संस्तुति के क्रम में कुल-42 क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन कर सम्मिलित किये जाने का प्रस्ताव शासन के निर्णयार्थ उपलब्ध कराया गया है। उक्त क्षेत्रों का जनपदवार विवरण निम्नवत् है:-

क्रम संख्या	जनपद	भाग का नाम	संस्तुत क्षेत्रों की संख्या		क्षेत्रों की कुल संख्या
			राज्य सरकार भूमि	निजी भूमि	
1.	मीरजापुर	ग्राम-गुली पथहा	00	01	01
2.	सोनगढ	ग्राम-दोधाडीह ग्राम- बिल्ली मारकुण्डी ग्राम-सुकत	00	04	04
3.	बागपत	ग्राम-छपरीली	01	00	01
4.	बहरोइच	ग्राम-रेतीहाला ग्राम-लक्ष्मणपुर लोहरसरा	00	02	02
5.	फर्रुखाबाद	ग्राम-बेहटा बल्लू	01	00	01
6.	महीवा	ग्राम-बघवा ग्राम-डहरा ग्राम-पहरा ग्राम-धारा ग्राम-कुलपडांस ग्राम-जामना ग्राम-मढोबगट ग्राम-कुरीस डंग ग्राम-मझोल ग्राम-गाठरवाई	32	00	32

आलीन	ग्राग-सिभिरिया	00	01	01
	कुल खण्डों की संख्या-	34	08	47

2. इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि सम्यक् विचारोपरान्त उपरोक्त 07 जनपदों के कुल-42 क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने का निर्णय लिया गया है। अतः तत्काल में अग्रोतर आवश्यक कार्यवाही करने का कष्ट करें।

भवदीया

(डा. रोशन जीकत)
सचिव।

Sender:

Director,

Directorate of Geology and Mining, Uttar Pradesh

Minerals Building, Lucknow

To:

District Magistrate, Baghpat

Number: 374 / M-228 / 2017 (Mining Policy) – DSR Date: 02/06/2022

Subject: Regarding Amendment/Combination in the District Survey Report

Sir,

Please refer to your office letter number 1194/Kh.Li./2022-23 dated 25.04.2022, wherein a request was made to include one area of ordinary sand minor mineral located in district Baghpat in the District Survey Report.

The proposal received from district Baghpat, along with the revenue report of the concerned tehsil, forest clearance from the Divisional Forest Officer, and the report of the Executive Engineer (Irrigation), was examined during the meeting of the State-Level Technical Committee held on 25.05.2022. Upon review of the proposal, based on the recommendations of the Technical Committee, conditional approval has been granted by the Government through the official letter of the Geology and Mining Department, Uttar Pradesh, number 636/86-2021-01(Sa)/2020, dated 02.06.2022, for the inclusion of one area of ordinary sand minor mineral in district Baghpat in the District Survey Report as per the table below:

S. No.	Tehsil	Village	Gata Number/Arazi No./Account No./	Report Reference of Irrigation Dept. (Letter No. / Date)	Area (Hectares)	Latitude-Longitude	Forest Clearance (Letter No. / Date)
1	Baraut	Chaprauli Khadar	1/2	1083/141, dated 05.01.2022	9.570	A. 29°13'14.6"N 77°08'39.3"E B. 29°13'11.4"N 77°08'33.5"E C. 29°13'21.8"N 77°08'21.33"E D. 29°13'25.7"N 77°08'29.7"E	3333/NOC, dated 29.03.2022

Prior to the commencement of long-term mining leases for sand/moram and other minor minerals in riverbeds, a Replenishment Study must be conducted.

Hence, it is expected that further action regarding the management of mining areas at the district level will be carried out as per the rules.

//SD//

Yours faithfully,

(Sudhir Dubey)

Additional Director

Date:

Number: / M-228 / 2017 (Mining Policy) – DSR

Copy to the following for information and necessary action:

1. Commissioner, Meerut Division, Meerut
2. Officer-In-Charge, Regional Office, Meerut
3. Mining Officer, Baghpat

//SD//

(Sudhir Dubey)

Additional Director

प्रेषक,

निदेशक,

भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०
खनिज भवन, लखनऊ।

संज्ञा में,

जिलाधिकारी,

बागपत।

संख्या: 374/एम०-228/2017(खनन नीति)-डी०एस०आर०

दिनांक: 02/06/2022

विषय: जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक अपने कार्यालय के पत्र संख्या-1194/ख०लि०/2022-23 दिनांक: 25.04.2022 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा जनपद-बागपत स्थित उपखनिज साधारण बालू के 01 क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने का अनुरोध किया गया है।

जनपद बागपत से प्राप्त प्रस्ताव के साथ सम्बन्धित तहसील की राजस्व आख्या, प्रभागीय वनाधिकारी की वन अनापत्ति एवं अधिशासी अभियन्ता सिचाई की आख्या का राज्य स्तर पर गठित तकनीकी समिति की बैठक दिनांक 25.05.2022 को परीक्षण किया गया। प्रस्ताव पर परीक्षणोपरान्त तकनीकी समिति की संस्तुति के आधार पर भूतत्व एवं खनिकर्म अनुभाग, उ०प्र० शासन के शासकीय पत्र त्र 636/86-2021-01(सा०)/2020, दिनांक 02.06.2022 के द्वारा जनपद-बागपत के उपखनिज साधारण बालू के 01 क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने हेतु निम्न तालिका अनुसार सशर्त शासन द्वारा सहमति प्रदान की गयी है।

क्र० सं०	तहसील	ग्राम	गाटा सं०/आराजी सं०/खाता सं०	क्षेत्रफल (हे०मे)	वन अनापत्ति का पत्रांक व दिनांक	सिचाई विभाग की आख्या का पत्र सं०/दिनांक	अक्षा-देशान्तर आकार के अनुसार
1	2	3	4	5	6	7	8
1	बड़ीत	छपरोली खादर	1/2	9.570	1083/1411, दिनांक 05.01.2022	3333/एन०ओ०सी०/दिनांक 29.03.2022	A 29°13'14.6"N 77°08'39.3" E B 29°13'11.4"N 77°08'33.5" E C 29°13'21.8"N 77°08'21.33" E D 29°13'25.7"N 77°08'29.7" E

नदी तल स्थित बालू/मोरम आदि उपखनिजों के दीर्घ कालिक खनन पट्टों के संचालन से पूर्व Replenishment Study कराया जाना होगा।

अतः अपेक्षित है कि जनपद स्तर से खनन क्षेत्रों के व्यवस्थापन के सम्बन्ध में नियमानुसार अग्रेतर कार्यवाही सम्पन्न कराने का कष्ट करें।

भवदीय

(सुधीर दुबे)

अपर निदेशक

संख्या /एम०-228/2017(खनन नीति)-डी०एस०आर० तददिनांक।

प्रतिलिपि, निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. आयुक्त मेरठ, मण्डल, मेरठ।
2. प्रभारी अधिकारी, क्षेत्रीय कार्यालय, मेरठ।
3. खान अधिकारी, बागपत।

(सुधीर दुबे)

अपर निदेशक

Sender,

District Magistrate,
Baghpat.

To,

Director,
Directorate of Geology and Mining, Uttar Pradesh,
Mineral Bhawan, Lucknow.

No.: 1277/Kha.Li./2022-23

Date: 4 June 2022

Subject: Amendment/Integration in the District Survey Report.

Sir/Madam,

It is to inform you that a joint field assessment/inspection was conducted by the teams of the Mining Department and Revenue Department regarding the availability of minor minerals (ordinary sand) in the mining area of Village Kotana Khadar, Tehsil Baraut, District Baghpat for its systematic management under a long-term mining lease for a period of five years. The details of the area are as follows:

S.No.	Description	Details	
	Village Kotana Khadar, Tehsil Baghpat District Baghpat		
1.	Plot No. 706, Area: 12.245 hectares		
2.	Approximate quantity of sand permitted: 275500 cubic meters (average depth: 2.25 meters)		
3.	Mining Area Coordinates (as per Surveyor General of India's Map)		
	Point	Latitude	
	A	N-29° 06' 16.4"	E-77° 08' 22.7"

	B	N-29° 06' 14.5"	E-77° 08' 32.5"
	C	N-29° 06' 30.3"	E-77° 08' 27.9"
	D	N-29° 06' 33.9"	E-77° 08' 36.1"
5	Boundaries		
	North	Remaining part of Plot No. 706	
	South	Remaining part of Plot No. 706	
	East	Remaining part of Plot No. 706	
	West	Remaining part of Plot No. 706	
6	Remarks:	The proposed mining area in Plot No. 706 spans an average depth of 2.25 meters, with an estimated sand availability of 275500 cubic meters. This area is recommended for sustainable mining practices	

For ensuring the availability of sand and arrangement of a long-term mining lease, joint inspection reports from the Revenue Department, Mining Department, Executive Engineer (Irrigation and Water Resources), Baraut, and Divisional Forest Officer, Baghpat, along with the Non-Objection Certificates from the Executive Engineer, Irrigation Division, Baraut, and Divisional Forest Officer, Baghpat, as well as revenue records (Khatauni), and formats 1 to 7, are enclosed with this letter for your kind consideration.

It is, therefore, requested to kindly amend/integrate the proposed mining area for ordinary sand in District Baghpat into the District Survey Report.
Enclosures: As above.

Yours sincerely,

//SD//

(Raj Kamal Yadav)

District Magistrate, Baghpat

No. and Date as above.

Copy to:

1. Secretary, Geology and Mining, Government of Uttar Pradesh, Lucknow, for information and necessary action.
2. District Informatics Officer (NIC), Baghpat, with instructions to upload the amended District Survey Report on the district website for public objections/suggestions as per the provisions.

//SD//

District Magistrate,

Baghpat.

//TRUE TRANSLATED COPY//

2022-23 -13

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91

जिलाधिकारी,
बागपत।निदेशक,
भूरास्व एवं खनिकामें निदेशालय, SO PRO,
अजिंक गांव, सखिनज।संख्या 277 / खोसि/2022-23
विषय: जिला सर्वेक्षण रिपोर्ट संशोधन/संयोजन के सम्बन्ध में।
प्रति: जिला

दिनांक 4 जून, 2022

कृपया अवगत कराना है कि ग्राम कोसाना खादर तहसील बडौत जिला बागपत के खनन क्षेत्र को 05 वर्ष की अवधि के लिये दीर्घकालीन खनन पट्टा पर व्यवस्थापित किये जाने हेतु खनन विभाग/राजस्व विभाग की टीमों द्वारा संयुक्त रूप से उपलब्ध उपखनिज (साधारण बालू) की मात्रा की उपलब्धता के सम्बन्ध में स्थलीय आंकलन/निरीक्षण किया गया, जिसका विवरण निम्नवत् है:-

क्र०	विवरण	आख्या
ग्राम कोसाना खादर तहसील बडौत जिला बागपत		
1.	गाटा संख्या 706 रकबा 12.245 हे०	
2.	उप खनिज की अनुमानित मात्रा ऊपरी सतह से (औसत गहराई 2.25 मीटर)	लगभग 275500 घनमीटर
3.	खनन क्षेत्र के कोर्डिनेट्स (सलग्न नक्शों में उचित बिन्दु क्रमांक के अनुसार)	
	बिन्दु क्रमांक	कोर्डिनेट्स
	A	N- 29° 06' 16.4" E- 77° 08' 22.7"
	B	N- 29° 06' 14.5" E- 77° 08' 32.5"
	C	N- 29° 06' 30.3" E- 77° 08' 27.9"
	D	N- 29° 06' 33.9" E- 77° 08' 36.1"
4.	चौहद्दी	
	पूर्व- गाटा संख्या 706 का शेष भाग	उत्तर- गाटा संख्या 706 का शेष भाग
	पश्चिम- गाटा संख्या 706 का शेष भाग	दक्षिण- गाटा संख्या 706 का शेष भाग
5.	अभियुक्ति	उक्त गाटा 706 में 2 फिट्स खुदवाये गये जिसमें औसतन 2.25 मीटर की गहराई तक लगभग 275500 घन मीटर उपखनिज साधारण बालू उपलब्ध है। उपर्युक्त क्षेत्र तकनीकी रूप से साधारण बालू खनन हेतु उपयुक्त है।

उपर्युक्त क्षेत्र में बालू की उपलब्धता एवं दीर्घकालीन खनन पट्टा की व्यवस्था हेतु क्षेत्र की उपलब्धता के सम्बन्ध में राजस्व विभाग, खनिज विभाग, अधिशासी अभियन्ता, सिंचाई एवं जल संसाधन, बडौत, प्रभागीय वनाधिकारी, बागपत को संयुक्त जॉच आख्या एवं अधिशासी अभियन्ता, सिंचाई खण्ड, बडौत एवं प्रभागीय वनाधिकारी, बागपत का अनापत्ति प्रमाण पत्र एवं राजस्व अभिलेख खतौनी विवरण सहित व प्रारूप 1 व 7 तक इस पत्र के साथ सलग्न कर प्रेषित की जा रही है।

अतः अनुरोध है कि कृपया जनपद बागपत के उपखनिज साधारण बालू के प्रस्तावित 01 खनन क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन करने का कष्ट करें।
सलंगनक: यथोक्त।

भवदीय,
(राज कमल यादव)
जिलाधिकारी,
बागपत।

संख्या व दिनांक उपरोक्तानुसार।

प्रति: जिला

1. सचिव, भूरास्व एवं खनिकामें, उत्तर प्रदेश शासन, सखिनज को सूचनार्थ एवं आक्षेपक प्रमाणवारी हेतु प्रेषित।
2. जिला सूचना विज्ञान अधिकारी (एनओआईसीओ), बागपत को इस निर्देश के साथ प्रेषित कि संशोधित जिला सर्वेक्षण रिपोर्ट संशोधन/संयोजन उक्त सूचना को आम जनमानस से आपत्ति/सुझाव प्राप्त किये जाने हेतु जनपद की वेबसाइट पर अपलोड करने का कष्ट करें।

जिलाधिकारी,
बागपत।

Number: 1298/86-2022-01 (S)/2020

From:

Hriday Narayan Singh Yadav,
Deputy Secretary,
Government of Uttar Pradesh

To:

The Director,
Geology and Mining, Uttar Pradesh,
Lucknow
Geology and Mining Section

Lucknow, Date: October 28, 2022

Subject: Regarding Modification/Inclusion in District Survey Report (DSR)

Sir,

Please refer to your letters numbered 1862/M0228/2017 (Mining Policy) DSR, dated 03.10.2022, and subsequent letter numbered 994/M0228/2017 (Mining Policy) DSR, dated 19.10.2022. As per clause 4.1.1 (a) of the "Enforcement & Monitoring Guidelines for Sand Mining" issued in January 2020 by the Ministry of Environment, Forest, and Climate Change, Government of India, an 8-member Technical Committee of experts was constituted via the Government Office Memorandum No. 790/86-2020-01 (S)/2020, dated 01.06.2021, and its subsequent Office Memorandum No. 1153/86-2021-01 (S)/2020, dated 09.09.2021. Through the referenced letter dated 03.10.2022, the proposals from six districts were reviewed and recommended by the aforementioned Technical Committee. Following the recommendations, a total of 23 areas have been proposed for

modification/inclusion in the District Survey Report (DSR) for approval by the Government. The district-wise details of these areas are as follows:

S. No.	District	Village Name	Number of Recommended Areas		Total Areas
			State Government Land	Private Land	
1	Baghpat	Kotana Khadar	01	00	01
2	Ballia	Nauvrrar 1881, Belsipah	01	00	01
3	Bijnor	Narullapur, Nasiruddinwala	00	02	02
4	Kanpur Dehat	Kharatala Katari	04	00	04
5	Sonbhadra	Sukuta	14	00	14
6	Varanasi	Sisoda	00	01	01
Total Sections			20	03	23

In this regard, I have been directed to convey that after due consideration, it has been decided to include the total of 23 areas from the aforementioned 6 districts in the District Survey Report (DSR). You are therefore requested to undertake further necessary action in accordance with this decision.

Yours sincerely,

//SD//

(Hriday Narayan Singh Yadav)

Deputy Secretary

//TRUE TRANSLATED COPY//

संख्या-1298/86-2022-01(सा0)/2020

संख्या-1298/86-2022-01(सा0)/2020

प्रेषक,

हृदय नारायण सिंह यादव,
उप सचिव,
उ0प्र0 शासन।

सेवा में,

निदेशक,
भूतत्व एवं खनिकर्म, उ0प्र0,
लखनऊ।

भूतत्व एवं खनिकर्म अनुभाग

लखनऊ: दिनांक 29 अक्टूबर, 2022

विषय:- जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक अपने पत्र सं0-1862/एम0228/2017(खनन नीति) डी0एस0आर0 दिनांक 03.10.2022 एवं अनुवर्ती पत्र सं0-994/एम0228/2017(खनन नीति) डी0एस0आर0 दिनांक 19.10.2022 का सन्दर्भ ग्रहण करने का कष्ट करें। पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा बालू के सुव्यवस्थित खनन प्रक्रिया के सम्बन्ध में जनवरी, 2020 में निर्गत "Enforcement & Monitoring guidelines for sand Mining" के प्रस्तर 4.1.1(a) के अनुसार शासन के कार्यालय ज्ञाप सं0-790/86-2020-01(सा0)/2020 दिनांक 01.06.2021 सपठित कार्यालय ज्ञाप संख्या-1153/86-2021-01(सा0)/2020, दिनांक 09.09.2021 द्वारा विशेषज्ञों की 08 सदस्यीय तकनीकी समिति गठित की गई है। सन्दर्भित पत्र दिनांक 03.10.2022 के माध्यम से 06 जनपदों के प्रस्तावों पर परीक्षणोपरान्त उक्त तकनीकी समिति द्वारा की गई संस्तुति के क्रम में कुल-23 क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन कर सम्मिलित किये जाने का प्रस्ताव शासन के निर्णयार्थ उपलब्ध कराया गया है। उक्त क्षेत्रों का जनपदवार विवरण निम्नवत् है:-

क्रम संख्या.	जनपद	ग्राम का नाम	संस्तुत क्षेत्रों की संख्या		क्षेत्रों की कुल संख्या
			राज्य सरकार भूमि	निजी भूमि	
1.	बागपत	ग्राम-कोताना खादर	01	00	01
2.	बलिया	ग्राम-नौबरार 1881, मु0 बेल्सीपाह	01	00	01
3.	विजनौर	ग्राम-नरुल्लापुर ग्राम-नसीरुद्दीनवाला	00	02	02
4.	कानपुर देहात	ग्राम-खरतला कटरी	04	00	04
5.	सोनभद्र	ग्राम-सुकृत	14	00	14
6.	बासंकी	ग्राम-सिसौडा	00	01	01
कुल खण्डों की संख्या-			20	03	23

इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि सम्यक् विचारोपरान्त उपरोक्त 70 जनपदों के कुल-23 क्षेत्रों को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने का निर्णय लिया गया है। अतः तत्कम में अग्रेतर आवश्यक कार्रवाई करने का कष्ट करें।

भवदीय,

(हृदय नारायण सिंह यादव)
उप सचिव।

१०
१५

Sender:

Director,

Directorate of Geology and Mining, Uttar Pradesh

Minerals Building, Lucknow

To:

District Magistrate, Baghpat

Number: 1037 / M-228 / 2017 (Mining Policy) – DSR Date: 31/10/2022

Subject: Regarding Amendment/Combination in the District Survey Report

Sir,

Please refer to your office letter number 1277/Kh.Li./2022-23 dated 04.06.2022, wherein a request was made to include one area of ordinary sand minor mineral located in District Baghpat in the District Survey Report.

The proposal received from District Baghpat, along with the report of the concerned tehsil, forest clearance and irrigation department report were examined in the meeting of the State-Level Technical Committee held on 29.09.2022. Upon review of the proposal, based on the recommendations of the Technical Committee, conditional approval has been granted by the Government through the official letter of the Geology and Mining Department, Uttar Pradesh, number 1298/86-2021-01(Sa)/2020, dated 28.10.2022, for the inclusion of one area of ordinary sand minor mineral in district Baghpat in the District Survey Report as per the table below:

S. No.	Tehsil	Village	Gata Number	Area (Hectares)	Latitude-Longitude (based on size)
1	Baraut	Kotana Khadar	706	12.245	A. 29°06'16.4"N 77°08'22.7"E

//TRUE TRANSLATED COPY//

					B. 29°06'14.5"N 77°08'32.5"E C. 29°06'30.3"N 77°08'27.9"E D. 29°06'33.9"N 77°08'36.1"E
--	--	--	--	--	--

Prior to the commencement of long-term mining leases for sand/moram and other minor minerals in riverbeds, a Replacement Study must be conducted. In view of the above, recommendation is given to include the area in question in the District Survey Report.

Hence, it is expected that further action regarding the management of mining areas at the district level will be carried out as per the rules.

//SD//

Yours faithfully,
(Vipin Kumar Jain)
Additional Director

Number and Date

Copy sent to the following for information and necessary action:

1. Commissioner, Meerut Division, Meerut
2. Officer-In-Charge, Geology and Mining Department, Regional Office, Ghaziabad
3. Mining Officer, Baghpat

//SD//

(Vipin Kumar Jain)
Additional Director

प्रेषक,

निदेशक,

भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०
खनिज भवन, लखनऊ

सेवा में,

जिलाधिकारी,

बागपत।

संख्या 1037 / एम०-228 / 2017 (खनन नीति)-डी०एस०आर०

दिनांक: 31/10/2022

विषय: जिला सर्वेक्षण रिपोर्ट में संशोधन/संयोजन के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक अपने कार्यालय के पत्र संख्या-1277/ख०लि०/2022-23 दिनांक: 04.06.2022 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा जनपद-बागपत स्थित साधारण बालू के 01 क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने का अनुरोध किया गया है। जनपद बागपत से प्राप्त प्रस्ताव के साथ सम्बन्धित तहसील की आख्या, वन अनापत्ति एवं सिचाई विभाग की आख्या का राज्य स्तर पर गठित तकनीकी समिति की बैठक दिनांक 29.09.2022 में परीक्षण किया गया। प्रस्तावों पर परीक्षणोपरान्त तकनीकी समिति की संस्तुति के आधार पर भूतत्व एवं खनिकर्म अनुभाग, उ०प्र० शासन के शासकीय पत्र 1298/86-2022-01 (सा०)/2020, दिनांक 28.10.2022 के द्वारा जनपद-बागपत के साधारण बालू के 01 क्षेत्र को जिला सर्वेक्षण रिपोर्ट में संयोजित किये जाने हेतु निम्न तालिका अनुसार शासन द्वारा सहमति प्रदान की गयी है।

क्र० सं०	तहसील	ग्राम	गाटा संख्या	क्षेत्रफल (हे० में)	अक्षांश-देशान्तर आकार के अनुसार
1.	बड़ौत	कोताना खादर	706	12.245	A 29°06'16.4"N 77°08'22.7" E B 29°06'14.5"N 77°08'32.5" E C 29°06'30.3"N 77°08'27.9" E D 29°06'33.9"N 77°08'36.1" E

नदी तल स्थित बालू/मोरम आदि उपखनिजों के दीर्घकालिक खनन पट्टों के संचालन से पूर्व Replacement Study कराया जाना होगा। उपरोक्त के दृष्टिगत प्रश्नगत क्षेत्र को जिला सर्वेक्षण रिपोर्ट में सम्मिलित किये जाने हेतु संस्तुति प्रदान की जाती है।

अतः अपेक्षित है कि जनपद स्तर से खनन क्षेत्रों के व्यवस्थापन के सम्बन्ध में नियमानुसार अग्रेतर कार्यवाही सम्पन्न कराने का कष्ट करें।

भवदीय,

(विपिन कुमार जैन)
अपर निदेशक

संख्या व दिनांक तदैव।

प्रतिलिपि, निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. आयुक्त मेरठ मण्डल, मेरठ।
2. प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग, क्षेत्रीय कार्यालय गाजियाबाद।
3. खान अधिकारी, बागपत।

(विपिन कुमार जैन)
अपर निदेशक

Office of the District Magistrate, Baghpat**(Mining Section)**

Notice for E-Tender cum E-Auction Invitation

Letter No. - 213 / E-Tender cum E-Auction / Sand Notification / 2022-23

Date: 09 November 2022

The general public is hereby informed that mining areas for ordinary sand available in the riverbed of District Baghpat will be allocated on a mining lease under Chapter-4 of the Uttar Pradesh Minor Minerals (Concession) Rules-2021 through an e-tender cum e-auction system, as per the directives provided in Government Order No. 1875/88-2017-57(S)2017TC-1 dated 14.08.2017. The details are as follows:

1. Details of the Area:

S. No.	Type of Minor Mineral	Name of River	Details of the Area				Royalty rate (in INR per cubic meter) as per Schedule 1 of Rules-2021 for ordinary sand	Estimated mineable reserve of minor mineral per year (in cubic meters)	Total royalty for the estimated reserve in the first year (calculated by multiplying the quantity in Column 10 by the royalty rate in Column 9)	Earnest Money (25% of the total amount in Column 11)
			Tehsil	Village	Gata No. / Block No. / Zone No.	Area (in hectares)				
1	2	3	4	5	6	7	8	9	10	11
1	Sand (1)	Yamuna	Badot	Chaparauli	1/2	9.570 Hct	65/-	240000	1,56,00,000	39,00,000
2	Sand (1)	Yamuna	Badot	Kotana Khadar	706	12.245 Hct	65/-	275500	1,79,07,500	44,76,875

Area geo-coordinates:-

S. No.	Village	A	B	C	D
1	Chaproli Khadar	N-29°13'14.6"	N-29°13'11.4"	N-29°13'21.8"	N-29°13'25.7"
		E-77°08'39.3"	E-77°08'33.5"	E-77°08'21.33"	E-77°08'29.7"
2	Kotana Khadar	N-29°06'16.4"	N-29°06'14.5"	N-29°06'30.3"	N-29°06'33.9"
		E-77°08'22.7"	E-77°08'32.5"	E-77°08'27.9"	E-77°08'36.1"

2. Mining leases will be granted for a fixed period of 5 years. The lease duration will be calculated from the date of execution of the mining lease deed.
3. The bids/quotations in the e-tender cum e-auction shall be submitted per cubic meter of minor mineral. The bids/quotations must not be less than the royalty rate specified in Schedule-1 of the Uttar Pradesh Minor Minerals (Concession) Rules-2021. Bids/quotations lower than this rate will not be accepted, and the pre-bid earnest money deposit will be forfeited. The payable amount for the first year's auction will be calculated by multiplying the highest bid/quotation rate (in INR per cubic meter) by the estimated quantity (in cubic meters) of the area. For subsequent years, this amount will be increased by 10% each year.
4. The e-tender cum e-auction will be conducted in two phases. In the first phase, the e-tender process will be completed, where all bidders will have one chance to submit their e-tender, which cannot be revised. The highest bid received in the e-tender will be considered the floor price for the second phase, where the e-auction will take place. During the e-auction, bidders can submit bids within the specified date and time. Only the highest bid will be displayed during the e-auction, allowing bidders to revise and increase their bids.
5. Bidders must deposit pre-bid earnest money before participating in the e-tender cum e-auction. The earnest money will be 25% of the total amount

obtained by multiplying the annual estimated mining quantity of the area with the royalty rate of the minor mineral.

6. MSTC Limited (a Government of India Enterprise) has been selected as the service provider to conduct the auction proceedings on behalf of the state government. The entire process of granting leases through e-tender cum e-auction will be conducted online on the MSTC portal: www.mstcecommerce.com.
7. A Class I signing-type digital signature certificate (DSC) is mandatory for online bidding. Applicants must complete their registration process on the MSTC portal before participating in the e-tender cum e-auction.
8. Registered applicants can participate in the bid for one or more areas on the specified portal. However, they must pay separate application fees and earnest money deposits for each area. Interested individuals/firms/companies must deposit a non-refundable application fee of INR 10,000 (Ten Thousand) through the MSTC payment gateway.
9. Interested individuals/firms/companies must be registered with MSTC to participate in the e-tender cum e-auction. For registration, applicants must fill out the registration form available on the MSTC e-auction portal (www.mstcecommerce.com), where they will generate their user ID and password. After completing the online registration, applicants will receive an email from MSTC. They must then upload scanned copies of the required documents online to MSTC. Additionally, bidders must pay

an annual registration fee of INR 1,180 (One Thousand One Hundred Eighty) including GST, through the MSTC payment gateway. Only upon receipt of the mandatory documents and the annual registration fee will the bidder's login ID and user account be activated on the MSTC portal.

10. Documents/Certificates Required for Bidder Registration
Bidders must upload self-attested copies of the following documents/certificates on the MSTC portal:

- 1) Copy of the applicant's Aadhaar Card. In the case of a firm, copies of Aadhaar Cards of all partners; in the case of a company, a copy of the Director Identification Number (DIN) certificate issued by the Ministry of Corporate Affairs, Government of India.
- 2) An updated character certificate for the applicant; in the case of a firm, updated character certificates of all partners; in the case of a company, an affidavit from the Managing Director stating that the company has not been involved in any criminal cases. The character certificate should be issued by the District Magistrate of the applicant's district of permanent residence.
- 3) Copy of the applicant's PAN card. In the case of a firm or company, the PAN card and GST number of the firm or company must be provided.

- 4) Bank account details for all financial transactions related to e-tender and e-auction, including bank name, account number, IFSC code, and a cancelled cheque copy.
- 5) A certificate from the District Magistrate or authorized officer indicating no outstanding mining dues. If the applicant holds no mineral concession in the state, an affidavit to this effect must be submitted.

11. Eligibility for Registration by MSTC will register only those individuals/firms/companies who comply with the provisions of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021. According to Rule-28, the following are ineligible for participation in the e-auction process:

- 1) Non-Indian nationals.
- 2) Those with outstanding mineral dues.
- 3) Those without a character certificate issued by the District Magistrate or an authorized officer of the state government. The certificate must be based on police verification.
- 4) Those who fail to submit a copy of their Aadhaar Card.
- 5) Those listed in the blacklist.
- 6) Firms/companies that fail to submit PAN cards and GST registration certificates.
- 7) Those who fail to provide a creditworthiness certificate or a security deposit equal to at least 25% of the reserve price.

12. Detailed information on the method of submitting online e-tenders and participating in e-auctions can be viewed on the official MSTC portal: www.mstcecommerce.com.
13. Interested individuals/firms/companies must pay a non-refundable fee of ₹10,000 (ten thousand rupees) for each area they wish to bid for, along with the earnest money deposit specified in the advertisement.
14. The amounts deposited by unsuccessful bidders/tenderers will be refunded to the same bank account from which the payment was made.
15. If, for any reason, the e-tender and e-auction process is not completed, a notice of 4 to 7 days will be issued, after which the process will be re-initiated.
16. No individual, firm, or company shall be awarded more than five mining leases or an area exceeding 400 hectares in Uttar Pradesh. If an applicant has already been granted mining leases exceeding this limit, the additional leases will be cancelled, and all related deposits will be forfeited. The applicant must notify the government of their preferred leases within the specified limit, and any excess deposits will be refunded.
17. Procedure for E-Tender and E-Auction
- (1) E-tender and e-auction will be conducted in two stages. In the first stage, e-tenders will be submitted online before the deadline mentioned in the advertisement. The royalty rate per cubic meter for each mineral must not be lower than the rates specified in Schedule-

1 of the Rules, 2021. In the second stage, the highest tendered amount from the first stage will serve as the floor price for the e-auction. Online bidding will be conducted on the date and time published in the advertisement.

(2) After the first stage, the following procedures will be followed:

- 1) If only one tender is received in the first stage and the royalty rate offered is 400% or more of the rate specified in Schedule-1 of the Rules, 2021, the District Magistrate will issue a Letter of Intent in favor of the bidder.
- 2) If only one tender is received and the offered royalty rate is above the rate specified in Schedule-1 but less than 400%, the District Magistrate will evaluate factors such as the geographic location, mineral availability, quality, market demand, and revenue potential before deciding to issue or not issue a Letter of Intent.
- 3) If two to five tenders are received, all bidders will qualify for the second stage (e-auction), and the highest bidder from the e-auction will be issued a Letter of Intent by the District Magistrate.
- 4) If more than five tenders are received, only the top five bidders will qualify for the second stage (e-auction). The highest bidder from the second stage will be issued a Letter of Intent.

- (3) As per the provisions of Clause 17(2)(c) and (d) above, the bidders eligible in the first phase can participate in the second phase of the auction.
- (4) In the second phase, the process of e-auction will be conducted. The e-auction process will be a continuation of the first phase, wherein the highest bid/offer received during the first phase will automatically determine the minimum bid (Floor Price) for the e-auction in the second phase.
- (5) During the e-auction process in the second phase, eligible and interested individuals/firms/companies may participate in bidding multiple times within the stipulated auction period. The maximum bid will be displayed on the screen in the online auction process, and bids higher than the displayed bid can only be placed online.
- (6) After the stipulated time, bidding will close, and no bids will be accepted thereafter. If a bid is received at the last moment, the bidding time will automatically be extended by 5 minutes. This process will continue until no new bids are received within the 5-minute interval.
- (7) The timeline and operational plan for the e-tender-cum-e-auction shall be as follows:

Event	Date
Publication of Notification	10-11-2022

Last date for depositing Pre-bid EMD and Application Fees	17-12-2022
Period for submission of e-tender (First Phase)	From 10:00 AM on 19-12-2022 to 5:00 PM on 22-12-2022
Opening and evaluation of e-tenders received in the first phase	From 11:00 AM to 5:00 PM on 23-12-2022
Period for e-auction (Second Phase)	From 11:00 AM to 4:00 PM on 24-12-2022

(8) Announcement of result :-

- a) The result of the first phase tender process will be displayed on the tenderers' login. After the completion of the first phase tender process, the highest bid amount (Winning Amount) will be displayed. All tenderers can check their eligibility for the second phase bidding through their login.
- b) Except in cases of single tender, the details of the highest bid received after the conclusion of the second phase auction will be displayed on the designated portal of MSTC.

18. Grant of Lease : In cases of e-tender-cum-e-auction, the bid or proposal as per the procedure given under Clause 17(2) above will be accepted by the District Magistrate, provided it is the highest. The District Magistrate shall issue the Letter of Intent to the successful and duly qualified

bidder/tenderer within one week of verification of their original documents.

19. The successful bidder must get their original documents verified within 03 working days after the conclusion of the e-auction by the District Magistrate of the concerned district where the area is situated or by the Director, Geology & Mining Directorate. The Director shall send the verification report to the concerned District Magistrate via email. The Letter of Intent will be issued only after the verification process. If any document or certificate is found forged, false, or incorrect during verification, the Letter of Intent shall not be issued, and the earnest money deposit (EMD) will be forfeited.

20. Details in the Letter of Intent:

- 1) The auction amount payable for the first year will be calculated by multiplying the assessed quantity (in cubic meters) of the lease area mentioned in the notification by the bid/auction rate (in ₹ per cubic meter). For subsequent years, there will be a 10% annual increase over the payable auction amount of the preceding year.
- 2) The successful bidder/tenderer shall deposit 25% of the gross auction amount for the first year as a performance guarantee and 20% of the gross auction amount as the first installment within two working days. The earnest money deposit (EMD) will be adjusted in the first installment.

- 3) The remaining installments for the first year and subsequent years will be deposited as per the Fifth Schedule of the Uttar Pradesh Minor Mineral Concession Rules, 2021, with a 10% annual increase over the previous year's gross auction amount.
- 4) The lessee shall demarcate the lease area as per Rule 17 of the Uttar Pradesh Minor Mineral Concession Rules, 2021, and erect boundary pillars as per Rule 38, maintaining them accordingly.
- 5) The selected applicant shall obtain approvals for the mining plan, mines closure plan, and no-objection certificates under the provisions of the notifications dated 14.09.2008 and 15.01.2016 issued by the Ministry of Environment and Forests, Government of India, within the stipulated period under Rule 35 of the Uttar Pradesh Minor Mineral Concession Rules, 2021.
- 6) Each lessee shall deposit financial assurance for land restoration and rehabilitation measures as required under Rule 35 of the Uttar Pradesh Minor Mineral Concession Rules, 2021, within the specified manner.
- 7) The mining plan shall be submitted to the Director, Geology & Mining, for approval within one month of issuance of the Letter of Intent. Following approval of the mining plan, an application for the Environmental Clearance Certificate must be submitted to the competent authority within 15 days.

21. Procedure for Deposit of Amount by Successful Bidder/Tenderer:

- 1) The lease tenure will be for 05 years, but the auction amount shall be considered only for the first year. For subsequent years, a 10% annual increase over the previous year's payable lease amount will be applicable. The lessee shall deposit the lease amount as per the Fifth Schedule of the Uttar Pradesh Minor Mineral Concession Rules, 2021
- 2) Upon receipt of the Letter of Intent, the successful bidder/tenderer shall deposit 25% as a security deposit and 20% as the first installment of the lease amount for the first year (equal to 45% of the total lease amount for the first year, adjusted with the EMD) in the designated account of the Department of Geology & Mining within two working days.
- 3) The remaining 80% lease amount for the first year and lease amounts for subsequent years shall be deposited as per the Fifth Schedule of the rules. If the amount is not deposited by the due date, it will be recovered with interest under Rule 59.
- 4) Taxes and fees, including TCS (2%), District Mineral Foundation (10%), and other levies as determined by the State or Central Government, shall also be deposited by the lessee as per the rules.

22. Conditions:-

- 1) Before participating in the e-tender-cum-e-auction, the bidder must personally inspect the estimated quantity of minor minerals in the area and the access routes to the mining site. After participating in the e-tender-cum-e-auction, no claims in this regard will be entertained.
- 2) The leaseholder must, during the survey and demarcation of the leased area, mark the coordinates of the mining lease area on the demarcated map. Before the execution of the lease deed, the leaseholder must install boundary markers and pillars at their own expense to indicate the demarcation shown on the attached map of the lease deed.
- 3) The leaseholder must commence mining operations within six months from the date of execution of the lease document and continue such operations without unnecessary suspension in a diligent and skillful manner.
- 4) In compliance with Rule 36, the leaseholder must construct a check post/gate at their own expense, equipped with four CCTV cameras capable of 360-degree visibility, for monitoring vehicle entry and exit. Additionally, the leaseholder must install RFID scanners at the said check post/gate to read and securely store data from barcodes on e-Form MM-11 issued for each vehicle transporting minor minerals from the mining lease area. These devices must be well-

maintained and operational at all times. All recordings from the CCTV cameras and RFID scanners must be preserved for at least 30 days and made available to the authorized officer upon request under Rule 67.

- 5) The leaseholder must issue e-MM-11 forms with accurate details for each vehicle. RFID scanners must be installed and maintained to read and record data from barcodes on the issued e-MM-11 forms at the check gate. Failure to comply will result in penalties under Rule 60 of the Uttar Pradesh Minor Minerals Concession Rules, 2021.
- 6) In compliance with the order of the Hon'ble National Green Tribunal dated 05-09-2019, the leaseholder must install weighbridges at the mine exit points. These weighbridges must be integrated into the AI-enabled command center established by the Directorate. The weighbridges must include the following features:
 - 1- The weight bridge device should use the MQTT protocol for data transmission.
 - 2- The weight bridge device should transmit data over an internal IoT infrastructure.
- 7) The leaseholder shall not undertake mining operations beyond a depth of 3 meters or the water table, whichever is lesser.

- 8) Mining activities shall not be conducted in safety zones identified by the District Magistrate.
- 9) No mining shall be performed in the river stream using suction machines, lifters, or similar equipment.
- 10) Within the approved area, where transportation documents are issued, the leaseholder must display the mineral sale price.
- 11) If the leaseholder violates the conditions of the mining lease, environmental clearance certificate, mining plan, or any rules, the lease may be terminated by the District Magistrate or the State Government after providing the leaseholder with a reasonable opportunity to explain.
- 12) Under Rule 68 of the Uttar Pradesh Minor Minerals Concession Rules, 2021, the landowners retain the right to receive compensation, which will be mutually agreed upon between the landowners and the leaseholder.
- 13) The lease deed will be executed by the leaseholder on duly prescribed stamp paper as per rules.
- 14) The leaseholder shall comply with the conditions specified in the no-objection certificate issued by the Irrigation Department.
- 15) The leaseholder shall adhere to the conditions specified in the no-objection certificate issued by the Forest Department.

- 16) The orders of the Hon'ble High Court, the Hon'ble National Green Tribunal, or the Hon'ble Supreme Court will be strictly followed.
- 17) If any legal or criminal proceedings arise due to violations of rules and conditions, the leaseholder will be entirely responsible for them and will bear all associated expenses.
- 18) Mining operations shall commence only after the leaseholder submits the environmental clearance certificate to the concerned office and obtains the necessary permissions.
- 19) Any amendments to rules/acts or new conditions or laws enacted by the State or Central Government will be binding on the leaseholder.

District Magistrate

Baghpat

Letter Reference Number and Date as Above.

Copy forwarded to the following for information and necessary action:

1. Secretary, Geology and Mining, Government of Uttar Pradesh, Lucknow.
2. Commissioner, Meerut Division, Meerut.
3. Director, Directorate of Geology and Mining, Uttar Pradesh, Lucknow.
4. Superintendent of Police, Baghpat.
5. Director, Information and Public Relations Department, Uttar Pradesh, Lucknow, along with 6 copies and a CD, with a request to ensure the free publication of the notification in two newspapers of Baghpat district.

6. Divisional Forest Officer, Baghpat.
7. Additional District Magistrate (Finance/Revenue) / Officer-in-Charge, Mining, Baghpat.
8. Officer-in-Charge, Regional Office, Geology and Mining Department, Uttar Pradesh, Ghaziabad.
9. Branch Manager, MSTC Limited, 2nd Floor, Center Court Building-5, Park Road, Hazratganj, Lucknow, with one copy of the notification.
10. Executive Engineer, Irrigation Department, Baghpat.
11. Senior Treasury Officer, Baghpat.
12. Sub-Divisional Magistrates of Baghpat / Baraut / Khekra, with instructions to ensure necessary compliance.
13. District Informatics Officer, NIC, Baghpat, with instructions to ensure the immediate upload of the notification on the district website.
14. Information Officer, Baghpat, with instructions to ensure the free publication of the notification in the two prominent daily newspapers of the district.
15. Nazir Sadar, Collectorate, Baghpat, for posting the notification on the notice board.

//SD//

District Magistrate

Baghpat

//TRUE TRANSLATED COPY//

कार्यालय जिलाधिकारी बागपत

(खनन अनुभाग)

ई-निविदा सह ई-नीलामी आगमन हेतु सूचना

दिनांक 21/3/ ई-टेंडर सह ई-ऑक्शन/विद्युत-बालू/2022-23

दिनांक 09 नवंबर, 2022

सर्वसाधारण को सूचित किया जाता है कि धनपत्र बागपत में नदी ताल में उपलब्ध सार्वजनिक बालू को खनन क्षेत्रों को शासनादेश संख्या- 1878/86-2017-57(सो)2017/सीपी-1 दिनांक 14.08.2017 में दिये गये निर्देशानुसार ई-निविदा सह ई नीलामी प्रणाली के माध्यम से उपरोक्त उपखनिज (परिहार) निष्पावली-2021 के अध्याय-4 के अर्थात खनन पट्टा पर स्वीकृत किये जाने हेतु निम्नवत् घोषित किया जाता है-

1. क्षेत्र का विवरण-

क्र. सं.	उपखनिज का नाम	नदी का नाम	क्षेत्र का विवरण				नियमावली-2021 की प्रथम अनुसूची 1 के अनुसार साठ बालू की रायवली दर (रु० प्रति घनमी०)	खनन योग्य आकलित उप खनिज साठ बालू का मण्डार (घन मी० प्रतिवर्ष)	प्रथम वर्ष में आकलित मण्डार की कुल रायवली लागतों में। (कलन 9 में अंकित धनपत्र प्रतिवर्ष की कलन 8 में अंकित रायवली की दर से गुणा करने पर उपलब्ध सकल धनपत्र)	अन्यव्यय (कलन 10 में अंकित सकल धनपत्र का 25 प्रतिशत)
			तहसील	ग्राम	गाटा सं०/खण्ड सं०/जोन सं०	क्षेत्रफल (हे० मी)				
1	साठ बालू (I)	यमुना नदी	बडोत	छपरोली	1/2	9.579 हे०	65/-	240000	1,56,00,000/-	39,00,000/-
2	साठ बालू (I)	यमुना नदी	बडोत	कोताना खावर	706	12245 हे०	65/-	278500	1,79,07,500/-	44,76,875/-

क्षेत्र का जीको-कोऑर्डिनेट्स-

क्र.सं.	ग्राम	A	B	C	D
1	छपरोली खावर	N-29° 13' 14.6"	N-29° 13' 11.4"	N-29° 13' 21.8"	N-29° 13' 25.7"
		E-77° 08' 39.5"	E-77° 08' 33.5"	E-77° 08' 21.33"	E-77° 08' 29.7"
2	कोताना खावर	N-29° 06' 16.4"	N-29° 06' 14.5"	N-29° 06' 30.3"	N-29° 06' 33.9"
		E-77° 08' 22.7"	E-77° 08' 32.5"	E-77° 08' 27.9"	E-77° 08' 36.1"

2. खनन पट्टा निश्चित अवधि 05 वर्ष के लिये स्वीकृत किये जायेंगे। पट्टे की अवधि की गणना खनन पट्टा विच्छेद निष्पादन की तिथि से की जायेगी।

3. ई-निविदा सह ई नीलामी की विड/बोली उपखनिज की प्रति घन मीटर को लिये की जायेगी। जो उपरोक्त उपखनिज (परिहार) निष्पावली-2021 के अनुसूची-1 में निर्धारित रायवली की दर से कम नहीं होगी। जिससे निम्न विड/बोली दिये जाने पर विड/बोली स्वीकार नहीं की जायेगी तथा प्री विड अर्नेस्ट मनी जमा कर ली जायेगी। प्राप्त उच्चतम विड/बोली को दर (रुपया प्रति घन मी०) को क्षेत्र में आकलित मात्रा (घन मी०) से गुणा कर प्रथम वर्ष की नीलामी की देय धनपत्र आगमन की जायेगी, जिसे पट्टा के अनुसूची वर्क में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनपत्र पर 10 प्रतिशत की वृद्धि की जायेगी।

4. ई-निविदा सह ई-नीलामी दो चरणों में होगी। प्रथम चरण में ई-निविदा सप्लन की जायेगी जिसके दौरान सभी बिडर्स को एक बार ई-निविदा (e-tender) देने का मौका प्रदान होगा जो पुनरीकृत (Revise) नहीं किया जा सकेगा। ई-निविदा में प्राप्त उच्चतम निविदा को आधार मूल्य (Floor Price) मानते हुये द्वितीय चरण में ई-नीलामी कराया जायेगा, जिसके दौरान बिडर्स ई-नीलामी हेतु निर्धारित तिथि एवं अवधि में ई-बिड दे सकना है। ई-नीलामी के दौरान केवल उच्चतम बोली को ही प्रदर्शित किया जायेगा जिसको देखते हुये बिडर अपना बिड पुनरीकृत कर बढ़ा सकते हैं।

5. किसी क्षेत्र के ई-निविदा सह ई-नीलामी हेतु बिडर्स को बिड में भाग लेने पूर्व प्री विड अर्नेस्ट मनी जमा करना अनिवार्य होगा, जिसकी गणना क्षेत्र में आकलित खनन योग्य मात्रा एवं उपखनिज की रायवली दर से गुणा कर प्राप्त धनपत्र का 25 प्रतिशत होगा।

6. एम्प्लोयमेंट/सीपीए (भारत सरकार का उपक्रम) को सेवा प्रदाता को रूप में घयनित किया गया है, जिसके द्वारा राज्य सरकार की ओर से नीलामी की कार्यवाही सम्पादित की जायेगी। ई-निविदा सह ई-नीलामी द्वारा परिहार पर देने की सम्पूर्ण प्रक्रिया ऑनलाइन एम्प्लोयमेंट/सीपीए के पोर्टल www.mstccommerce.com पर की जायेगी।

7. श्रेष्ठ आभेदकों को लिये ऑनलाइन विड/बोली हेतु Class III signing type डिजिटल सिग्नेचर सर्टिफिकेट (dsc) होना आवश्यक है। एम्प्लोयमेंट/सीपीए को सफलता पूर्वक पर जापर अह आवश्यक अपने पंजीकरण की कार्यवाही पूर्ण करने के पश्चात ही ई-निविदा सह ई-नीलामी में भाग ले सकेंगे।

8. निम्नलिखित आभेदक निर्धारित पोर्टल पर ऑनलाइन एक या एक से अधिक क्षेत्रों को लिये बिड में भाग ले सकेंगे। परन्तु उन्हें प्रत्येक क्षेत्रों के लिये अलग अलग आभेदन शुल्क एवं प्रत्येक क्षेत्र हेतु निर्धारित अर्नेस्ट मनी जमा करना होगा। इसके



5/3/11

92

व्यक्ति/फर्म/कम्पनी (आवेदक) ई-निविदा सह ई-नीलामी में भाग लेने के लिये सरकार के पास में ₹10,000 (दस हजार रुपये) का आवेदन शुल्क एम0एम0टी0सी0 नेमेट गेटवे के माध्यम से जमा करना होगा, जो अप्रतिभय (Non-refundable) होगा।

ई-निविदा सह ई-नीलामी में भाग लेने हेतु इच्छुक व्यक्ति/फर्म/कम्पनी को एम0एम0टी0सी0 में पंजीकरण करना अनिवार्य होगा। पंजीकरण हेतु व्यक्ति/फर्म/कम्पनी को ई-ऑक्शन पोर्टल www.mstcecommerce.com पर उपलब्ध ऑनलाइन फार्म भरना पड़ेगा जिसके दौरान बिडर्स अपने लिये स्वयं जानित यूजर आईडी एवं पासवर्ड बनायेंगे। इस अवधि में पंजीकरण को उपरान्त बिडर्स को एम0एम0टी0सी0 द्वारा भेजा गया सूचना ई-मेल प्राप्त होगा, जिसमें परभक्त बिडर्स को आवश्यक अतिरिक्त स्कैन कर एम0एम0टी0सी0 को आनलाईन भेजना अनिवार्य होगा। साथ ही बिडर्स को पार्षिक वसुलीकरण शुल्क भी एम0एम0टी0सी0 सहित ₹1,100 (एक हजार एक सौ अस्सी मात्र) एम0एम0टी0सी0 नेमेट गेटवे के माध्यम से ऑनलाइन देय होगा। अनिवार्य अभिलेख एवं वार्षिक वसुलीकरण शुल्क को प्राप्ति के परन्तु छे बिडर्स को ऑनलाइन आईडी, पासवर्ड एवं एनकरन्ट एम0एम0टी0सी0 के निर्दिष्ट पोर्टल पर चालू (Activate) होगा।

10. पंजीकरण हेतु बिडर्स द्वारा सप्रमाणित निम्न अभिलेख/प्रमाण पत्र स्कैन कर एम0एम0टी0सी0 के पोर्टल पर अपलोड करना अनिवार्य होगा-

- (1) आवेदक के आधार कार्ड की प्रति, फर्म की दशा में फर्म के भागीदारों के आधार कार्ड की प्रति तथा कम्पनी के मामलों में कारपोरेट अफेयर्स मंत्रालय भारत सरकार द्वारा निर्गत कम्पनी के प्रत्यक्ष नियंत्रण का Director Identification Number (DIN) के प्रमाण-पत्र की प्रति।
- (2) आवेदक का अध्यात्मिक चरित्र प्रमाण पत्र, फर्म के मामले में भागीदारों के अध्यात्मिक चरित्र प्रमाण पत्र की प्रति तथा कम्पनी के मामलों में प्रत्यक्ष निदेशक का इस आशय का शपथ पत्र जो कम्पनी को किसी अपराधिक कार्य में बहिष्कृत नहीं किया गया है। चरित्र प्रमाण पत्र उस जिले के जिलाधिकारी द्वारा प्रस्तुत होगा, जहाँ आवेदक/स्थायी रूप से निवास करता है।
- (3) आवेदक का पैन कार्ड की प्रति, फर्म या कम्पनी के मामले में उसका पैन कार्ड एवं एम0एम0टी0सी0 की प्रति।
- (4) बैंक खाते का विवरण, जिससे ई-निविदा सह ई-नीलामी से सम्बंधित समस्त वित्तीय उतरताकरण किया जाएगा, तथा बैंक का नाम, खाता संख्या एम0एम0टी0सी0 कोड, तथा एक निरस्त धेरा की प्रति।
- (5) जिलाधिकारी अथवा प्राधिकृत अधिकारी द्वारा जारी किया गया खनन देय अध्याय न होने का प्रमाण पत्र। जहाँ आवेदक शपथ की शीर्षक कोई खनिज परिहार प्राप्त नहीं करता है वहाँ इस आशय का शपथ पत्र की प्रति।

11. एम0एम0टी0सी0 द्वारा केवल उन्हीं व्यक्ति/फर्म/कम्पनी का पंजीकरण किया जायेगा जो उरराय प्रवेश उपखण्ड (विस्तार) नियमवली-2021 के प्रावधानों के अंतर्गत आई हो। नियम-29 के अनुसार निर्मासिद्ध व्यक्ति/फर्म/कम्पनी ई-निविदा सह ई-नीलामी प्रक्रिया में भाग नहीं ले सकते हैं-

- (1) जो वारंसीय शक्ति नहीं है।
- (2) जिसके विरुद्ध प्रतिबंध देय बकाया है।
- (3) जिसने उस जिले के जिलाधिकारी अथवा राज्य सरकार द्वारा अधिष्ठीत अधिकारी जहाँ वह स्थायी रूप से निवास करता है से चरित्र प्रमाण पत्र प्राप्त नहीं कर लिया है। साथ यह है कि उक्त चरित्र प्रमाण पत्र पुलिस सारवापनी को आवेदन पर दिया गया है।
- (4) जिसने अपने आधार कार्ड की प्रति प्रस्तुत न की हो।
- (5) जिसका नाम काली सूची में दर्ज हो।
- (6) फर्म/कम्पनी के मामले में जिसने पैनकार्ड तथा जीएसटी-पंजीकरण प्रमाण पत्र प्रस्तुत न किया हो।
- (7) जिसने नृप शोचन समता प्रमाण पत्र या नृप शोचन समता प्रमाण पत्र के साथ बैंक प्रत्याभूति, पौ शोषी/की शपथपत्र की 25 प्रतिशत की जीगत से कम न रहे, प्रस्तुत न की हो।

12. ऑनलाईन ई-निविदा डालने तथा ई-नीलामी खोलने की विधि का पूर्ण विवरण सेवा प्रदाता संस्था एम0एम0टी0सी0 के वेब पोर्टल www.mstcecommerce.com पर देखा जा सकता है।

13. ई-निविदा सह ई-नीलामी में भाग लेने के इच्छुक व्यक्ति/फर्म/कम्पनी को प्रत्येक क्षेत्र को लिये पुरान-पुरान ₹10,000 (दस हजार रुपये) का शुल्क जो अप्रतिभय होगा तथा अर्पित मनी जो विधि में दीय को नाम सामुदा अर्पित हो, जमा किया जाना होगा।

14. सफल खोली/प्राप्ति/विनिम्नता को छोड़कर रोष खोली/निविदा/प्राप्ति जमा यद्यपि की, शपथपत्र (अर्पित/मती) शपथपत्र उसी बैंक खाते में जमा कर दी जायेगी जिस बैंक खाते से पैसा दिया गया था।

15. जहाँ किसी भी कारण से ई-निविदा सह ई-नीलामी की प्रक्रिया पूरी न हो वहाँ काम की छग छग दिग की अलग अलग की कोठिस देने के परराय पुनः ई-निविदा सह ई-नीलामी को जग सकता है।

16. अधिकतम पांच खनन पददे या 400 हे० से अधिक को क्षेत्र को, उरराय राज्य में किसी व्यक्ति/फर्म/कम्पनी को पना में पतीवृत्त नहीं किया जायेगा। यदि किसी परिस्थितियों में एक व्यक्ति/फर्म/कम्पनी द्वारा अपने पना में 05 खनन पददे या 400 हे० से अधिक को खनन पददे स्वीकृत कर लिया जाता है, तो अन्त में स्वीकृत खनन पददे निरस्त कर पददा अर्पणित किता सामुदा बनवायी जब कर ली जायेगी तथा केवल प्रारम्भ के पांच क्षेत्र अथवा 400 हे० को खनन पददे ही अनुमत्त होगी। परन्तु यदि आवेदक स्वयं अपने पना में 05 खनन पददे या 400 हे० से अधिक को खनन पददे हेतु जहाँ अेधय अीय पददे को सामुदा देता है, तो उक्त सीमा के अन्तर्गत कोई भी खनन पददा क्षेत्र के खनन का उरराय अधिकार होगा तथा क्षेत्र क्षेत्र की पना रानसति प्रुष्ट के इषमन्त यथागत थापस कर दी जायेगी।

17. ई-निविदा सह ई-नीलामी की प्रक्रिया -

- (1) ई-निविदा सह ई-नीलामी को भरणी में की जायेगी। प्रथम चरण में केवल ई-निविदा विभाग में निर्मासित विधि एवं समता के अनुसार जकी जायेगी। विर/समन्ती को पर प्रत्येक उपखण्ड के विभिन्न शोचन को दिगी की जायेगी जो सम्बंधित उपखण्ड के लिये प्रतिभय मेटर के लिये भी जायेगी जो सामुदा उपखण्ड को दिगी विभाग को 10000 की अनुसूची-1 में चरित्रित समन्ती को कर से कम नहीं होगा। द्वितीय चरण में ई-निविदा से प्राप्त अधिकतम निर्मासित समन्ती को अकार मानकर ई-नीलामी को खोली की पददागत शपथपत्र निर्मासित होगी। प्रथम चरण के पददुत आवेदन उरराय चरित्रित समन्ती के कपर विरुद्ध में प्रकासित विधि व समता के अनुसार ऑनलाईन खोली में भाग लेने।



552

98

- (2) प्रथम चरण की समाप्ति के उपरान्त निम्नानुसार प्रक्रिया अपनायी जायेगी :-
- (क) यदि प्रथम चरण में एक ही बिड प्राप्त होती है और उक्त बिड (ऑफर) में प्रति घनमीटर दिया गया दर शर्तें पूर्ण करता हो तो जिलाधिकारी द्वारा उस निविदादाता के पक्ष में लेटर ऑफ इन्टेन्ट जारी किया जायेगा।
- (ख) यदि प्रथम चरण में केवल एक ही बिड प्राप्त होता है और उक्त बिड (ऑफर) में प्रति घनमीटर में दिया गया दर निम्नानुसारी-2021 के प्रथम अनुसूची में उस उपखण्ड के लिये निर्धारित चयन्य दर से अधिक परन्तु 400 प्रतिशत से कम है तो जिलाधिकारी क्षेत्र की भौतिक स्थिति, खनिज की उपलब्धता, खनिज की गुणवत्ता, उपखण्ड का प्रकार मूल्य उस क्षेत्र में खनिज की मांग, क्षेत्र में अवैध खनन की सम्भावना, राजस्व की प्राप्ति आदि पर विचार करते हुये स्वयंसेवक से एकत्र निविदादाता के पक्ष में लेटर ऑफ इन्टेन्ट जारी करने अथवा न करने के सम्बन्ध में निर्णय लेंगे।
- (ग) यदि प्रथम चरण में एक से अधिक परन्तु पाँच या पाँच से कम बिड प्राप्त होता है तो सभी विकर्ता द्वितीय चरण की ई-नीलामी की प्रक्रिया में भाग लेने हेतु उन्हें तथा द्वितीय चरण के अधिकतम बोलीदाता के पक्ष में जिलाधिकारी द्वारा लेटर ऑफ इन्टेन्ट जारी किया जायेगा।
- (घ) यदि पाँच से अधिक बिड/ऑफर प्राप्त होते हैं तब केवल पाँच सर्वाधिक निविदानकर ही द्वितीय चरण की ई नीलामी में भाग लेने हेतु उन्हें तथा द्वितीय चरण के अधिकतम बोलीदाता के पक्ष में ही जिलाधिकारी द्वारा लेटर ऑफ इन्टेन्ट जारी किया जायेगा।
- (3) उपरोक्त प्रस्ताव-17(2)(प), (घ) के अनुसार प्रथम चरण के योग्य बोलीदाता द्वितीय चरण की नीलामी में भाग ले सकते हैं।
- (4) द्वितीय चरण में ई नीलामी की प्रक्रिया की जायेगी। ई नीलामी की प्रक्रिया प्रथम चरण की अग्रचारित प्रक्रिया होगी, जिसमें प्रथम चरण में प्राप्त उच्चतम बिड/ऑफर द्वितीय चरण की ई नीलामी के लिये न्यूनतम बोली (Floor Price) स्वतः निर्धारित हो जायेगी।
- (5) द्वितीय चरण की नीलामी की प्रक्रिया में नीलामी की निर्धारित अवधि के भीतर इच्छुक एवं अर्ह व्यक्ति/फर्म/कम्पनी बोली में कोई बार अग्र ले सकता है। नीलामी की ऑनलाईन प्रक्रिया में स्क्रीन पर अधिकतम बोली प्रदर्शित होती रहेगी और प्रदर्शित बोली से अधिक बोली ऑनलाईन ही दिया जा सकता है।
- (6) निर्धारित समय के पश्चात बोली बन्द हो जायेगी और उसके उपरान्त कोई बोली नहीं दिया जा सकता है। बोली के अन्तिम समय में यदि कोई और बोली प्राप्त होती है तो नीलामी की बोली का समय स्वतः 05 मिनट के लिये बढ़ जायेगा। यह प्रक्रिया तब तक जारी रहेगी जब तक 05 मिनट के अन्तर्गत में कोई और बोली प्राप्त नहीं होती है।
- (7) ई-निविदा सह ई नीलामी की कार्ययोजना एवं अवधि निम्नानुसार सम्पादित की जायेगी :-

विशेष का प्रकाशन	दिनांक 10-11-2022
श्री-बिड ई-एम्पटीडी एवं आवेदन शुल्क जमा करने की अन्तिम तिथि	ई-निविदा से पूर्व एम्पटीडी/सीडी में अपेक्षित श्री-बिड ई-एम्पटीडी एवं आवेदन शुल्क, एम्पटीडी/सीडी की वेबसाइट पर पोस्ट किया-निर्देशों के अनुसार दिनांक 17-12-2022 तक जमा करने की जिम्मेवारी बोलीदाता की है एवं बोलीदाता इसे स्वयं सुनिश्चित कर लें।
प्रथम चरण ई-निविदा (ई टेण्डर) की अवधि	दिनांक 19-12-2022 पूर्वान्ह 10.00 बजे से दिनांक 22-12-2022 को सायं 5.00 बजे तक
प्रथम चरण में प्राप्त ई-निविदा (बिड) का खोला जाना एवं उसका मूल्यांकन	दिनांक 23-12-2022 को पूर्वान्ह 11.00 बजे से सायं 6.00 बजे तक।
द्वितीय चरण ई नीलामी की अवधि	दिनांक 24-12-2022 को पूर्वान्ह 11.00 बजे से सायं 4.00 बजे तक

- (8) परिणाम की घोषणा एवं उसका प्रदर्शन :
- क. प्रथम चरण की निविदा प्रक्रिया का परिणाम निविदाकार (Tenderer) के लेखित पर प्रदर्शित होगा। प्रथम चरण के निविदा प्रक्रिया के सम्पन्न के पश्चात् अधिकतम निविदा धनराशि (बिडिंग एम्बलन्स) प्रदर्शित की जायेगी। सभी निविदाकार द्वितीय चरण की बोली हेतु वे योग्य है अथवा नहीं को भी तौलिन कर जान सकते है।
- ख. एकल निविदा के मामलों को एम्बलन्स रोफ मामलों में द्वितीय चरण की नीलामी सम्पादन होने के उपरान्त प्राप्त अधिकतम बोली बोलीदाता का विवरण एम्पटीडी/सीडी के निर्धारित पोर्टल पर प्रदर्शित किया जायेगा।
18. पट्टे का दिया जाना : निम्नानुसारी के नियम-28 के प्रावधानों के अनुसार ई-निविदा सह ई-नीलामी के मामलों में उस बोली या प्रस्ताव को उपरोक्त प्रस्ताव-17(2) में दिये गये प्रक्रिया के अनुसार जिलाधिकारी स्वीकार करेगी जो उच्चतम हो। जिलाधिकारी द्वारा सफर एवं नियमानुसार अर्ह बोलीदाता/निविदादाता को उनके द्वारा प्रस्तुत मूल अगिलेख के सत्यापन के एक सप्ताह के अन्दर लेटर ऑफ इन्टेन्ट जारी किया जायेगा।
19. ई-नीलामी सम्पन्न होने के पश्चात् 03 कार्य दिवस के अन्दर सफल बोलीदाता को अपने मूल अगिलेख का सत्यापन उस समय के जिलाधिकारी, जहाँ क्षेत्र स्थित है, के द्वारा अथवा निदेशक, मुख्य एवं सचिव, निदेशालय के द्वारा करना होगा। निदेशक, मुख्य एवं सचिव, निदेशालय के द्वारा करना होगा। निदेशक द्वारा मूल अगिलेख के सत्यापन की स्थिति में अगिलेख-सत्यापन की आख्या ई-मेल के माध्यम से संबंधित जिलाधिकारी को प्रेषित की जायेगी। अगिलेख-सत्यापन के पश्चात् ही जिलाधिकारी द्वारा लेटर ऑफ इन्टेन्ट जारी किया जायेगा। सत्यापन में यदि कोई अगिलेख अथवा प्रमाण पर कुटुंबिक, असत्य अथवा गलत पाया जाता है तो लेटर ऑफ इन्टेन्ट जारी नहीं किया जायेगा तथा बचाने की धनराशि (रिजर्व नगी) जब्त कर ली जायेगी।
20. लेटर ऑफ इन्टेन्ट में निम्न विवरण होगा :-
- (1) प्रथम वर्ष के लिये देय नीलामी धनराशि की गणना पट्टा क्षेत्र के लिये निर्धारित में अंकित मात्रा धनराशि को निविदा/नीलामी की दर क्रमया धनि प्रति मी० से गुणा कर निकाली जायेगी। उक्त पट्टा के अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि की जायेगी।
- (2) सफल बोलीदाता/निविदादाता, पट्टे की विवेचन में और शर्तों का यथावित पालन करने के लिये प्रतिवृत्ति के रूप में प्रथम वर्ष के लिये बोली/निविदा की सकल धनराशि का 25 प्रतिशत और स्वामित्व की पहली किस्त के रूप में प्रथम वर्ष के लिये बोली/निविदा की सकल धनराशि का 20 प्रतिशत दो कार्यदिवसों के अन्दर जमा करेगा। बचाने की धनराशि (रिजर्व नगी) प्रथम किस्त में समाविष्ट कर ली जायेगी।



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- (2) पट्टे के प्रथम वर्ष की शेष किंमत एवं अनुवर्ती वर्षों में बोली/निविदा के आकार पर प्रथम वर्ष के लिये निर्धारित सकल धनराशि पर प्रत्येक वर्ष विगत वर्ष से 10 प्रतिशत वृद्धि के साथ नियमावली-2021 के पंचम अनुसूची के अनुसार जमा की जायेगी।
- (4) पट्टाधारक को उपखनिज परिहार नियमावली, 2021 के नियम-17 के प्रावधानों के अनुसार क्षेत्र का सीमांकन करायेंगा तथा नियम-38 के अनुसार सीमा-सूत्रात्मक लगायेगा एवं इसका अनुसूची करेगा।
- (6) नियमित आवेदन नियम-35 के प्रावधानों के अन्तर्गत निर्धारित अवधि के अन्दर खनन योजना, माइंस ब्लोअर प्लान एवं भस्म सरकार की वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक 14.09.2008 सप्टिड अधिसूचना दिनांक 15.01.2016 तथा समय-समय पर यथा संशोधित उपबन्धों के अधीन अनापत्ति प्राप्त कर उसे प्रस्तुत करेगा।
- (8) प्रत्येक पट्टाधारक द्वारा उपखनिज परिहार नियमावली 2021 के नियम-35 के अनुसार क्षेत्र, क्षेत्र-सूत्रा और पुनर्वासन प्रयास हेतु वित्तीय आवश्कता की धनराशि निर्धारित शीति से जमा करेगा।
- (7) लेटर आफ इन्टेन्ट जारी होने के एक माह के अन्दर अनुमोदन हेतु खनन योजना निदेशक, भूतत्व एवं खनिकर्ष के समक्ष प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के 15 दिन के अन्दर सक्षम प्राधिकरण के समक्ष पर्यावरण स्वच्छता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।

21. सकल बोलीदाता/निविदादाता द्वारा धनराशि जमा करने की शीति :-
- (1) स्वीकृत पट्टे की अवधि 05 वर्ष होगी, परन्तु बोली/निविदा की धनराशि प्रथम वर्ष के लिये मानी जायेगी। प्रत्येक अनुवर्ती वर्ष में पिछले वर्ष से 10 प्रतिशत वृद्धि के साथ आगामी वर्ष में पट्टा धनराशि देय होगी। प्रथम वर्ष एवं अनुवर्ती वर्षों के लिये पट्टा धनराशि उपखनिज परिहार नियमावली-2021 की पंचम अनुसूची के अनुसार पट्टाधारक द्वारा जमा की जायेगी।
 - (2) (अथवा पत्र) लेटर आफ इन्टेन्ट प्राप्त होने के उपरान्त सकल बोलीदाता/निविदादाता द्वारा 25 प्रतिशत प्रतिभूत जमा एवं 20 प्रतिशत प्रथम किस्त अर्थात् पट्टे के प्रथम वर्ष के लिये निर्धारित पट्टा धनराशि का 45 प्रतिशत के समतुल्य धनराशि (जिसमें प्रीबिल अन्वेस्ट मनी सम्मिलित हो) सम्बन्धित जनपद में भूतत्व एवं खनिकर्ष विभाग के निर्धारित लेखा शीट में लेटर आफ इन्टेन्ट जारी होने के 02 कार्यदिवसों के अन्दर जमा किया जाना होगा। प्रीबिल अन्वेस्ट मनी की धनराशि एनएसडी/एनडीए/डिपॉजिट द्वारा सम्बन्धित जनपद के जिलाधिकारी को बैंक/ड्रॉपट के माध्यम से अथवा ऑन लाईन इ-गवर्नरिंस की जायेगी। यदि सकल बोलीदाता/निविदादाता उक्त धनराशि जमा करने में असफल होता है, तो उसके द्वारा जमा अन्वेस्ट मनी वापस कर ली जायेगी और उसके द्वारा इस सम्बन्ध में कोई शिक्कयत अथवा प्रत्येकन विचार योग्य नहीं होगा।
 - (3) प्रथम वर्ष के लिये शेष 05 प्रतिशत पट्टा धनराशि एवं आगामी वर्षों के लिये पट्टा धनराशि नियमावली में निर्धारित पंचम अनुसूची के अनुसार राज्य सरकार द्वारा समय-समय पर निर्धारित प्रक्रिया के अनुसार पट्टाधारक द्वारा जमा की जायेगी। उक्त अनुसूची में नियत शीति के अनुसार देय धनराशि जमा न करने की दशा में नियम-89 के अनुसार देय धनराशि ब्याज सहित पट्टा की जायेगी।
 - (4) पट्टाधारक द्वारा राज्य सरकार अथवा केन्द्र सरकार द्वारा समय-समय पर निर्धारित कर एवं शुल्क यथा आगकर विभाग का टीडीएस(2%) जिला खनिज प्रावधान(डीएसएफ) (10%) धनराशि आदि नियमानुसार जमा किया जायेगा।

22. शर्तें
- (1) ई-निविदा सह ई-नीलामी में भाग लेने से पूर्व क्षेत्र में अंकवित उपखनिज की मात्रा एवं खनन स्थल के लिये पहुँच मार्ग आदि के सम्बन्ध में नीचे का निरीक्षण कर विवर स्वयं आशक्त हो ले। ई-निविदा सह ई-नीलामी में भाग लेने के पश्चात् इस सम्बन्ध में किसी भी प्रकार का दावा स्वीकार नहीं किया जायेगा।
 - (2) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकन सामग्री पर खनन पट्टा क्षेत्र का कार्टोग्राफ अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व में पट्टाधारक अपने स्वयं के व्यय पर ऐसे सीमा चिह्न को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिये आवश्यक होगा।
 - (3) पट्टा विलेख के निष्पादन के विनाक से छः माह के भीतर खनन सक्रियता प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन सक्रियता का संयोजन उचित और दक्षतापूर्ण शीति से सुरक्षा कारीगर की शक्ति करेगा।
 - (4) पट्टा धारक नियम-38 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिये स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार सीसीटीवी कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आरएफआईडी स्कैनर भी रखेगा, जिससे संबंधित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक वाहन के सम्बन्ध निर्गत किये गये ई-प्रमट एनएसडी-11 पर अंकित चार कोड का उदा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख-रखाव करेगा एवं तदैव उसे चालू रूप में अनुपलब्ध रखेगा। पट्टाधारक उक्त सीसीटीवी कैमरे और आरएफआईडी स्कैनरों द्वारा की गयी समस्त रिकार्डिंग का कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-87 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा निगरानी मंगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेंगा।
 - (5) पट्टाधारक प्रत्येक वाहन को ई-प्रमट एनएसडी-11 सहित विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-प्रमट एनएसडी-11 पर अंकित चार कोड को चेक पोस्ट पर पढ़ने तथा दर्ज खटा सेव करने के लिये आरएफआईडी स्कैनर लगायेगा तथा तदैव उक्त अनुसूची करेगा और उक्त सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में उपखनिज परिहार नियमावली-2021 के नियम-60 के अन्तर्गत शास्ति का प्रावधान होगा।
 - (6) यह राष्ट्रीय इतिहास अधिकरण के आदेश दिनांक 05-09-2019 के अनुसार नई पट्टाधारक खदान की निकासी स्थल पर तैल मशीन लगाकर निदेशालय में स्थित कमांड सेंटर में प्रयुक्त आर्टिफिशियल इन्टेलिजेंस युक्त सॉफ्टवेयर में इन्टीग्रेट किया जायेगा। इन्टीग्रेस में स्थित माप-वोल मशीन में निम्न फीचर्स का होना आवश्यक है-
 1-The Weight bridge device should use the MQTT protocol to transmit data.
 2-The weight bridge device should transmit data over the internal to LOT Inprasuehase in cloud.



- (7) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो कम हो, से अधिक गहराई में खनन संकियाएँ नहीं करेगा।
- (8) जिलाधिकारी द्वारा विहित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।
- (9) नदी की जलधारा में सन्धान करीब, लिफ्टर आदि यंत्रों द्वारा खनन कार्य नहीं किया जायेगा।
- (10) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य प्रस्तावित करेगा।
- (11) यदि पट्टेधारक द्वारा नियमों व खनन प्रदत्त, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना भागला बताने की युक्ति युक्त अवसर प्रदान करने के परचाद जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टेदा समाप्त किया जा सकता है।
- (12) उपरोक्त उपखनिज परिहार नियमावली, 2021 के नियम 68 के अधीन भूमि को स्वामियों को शक्ति प्रतिकार पाने का अधिकार होगा जो भूस्वामियों एवं पट्टेधारक के मध्य तय हो।
- (13) पट्टेदार विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।
- (14) सिंचाई विभाग द्वारा निर्गत अनामतित प्रमाण पत्र में निर्धारित शर्तों के पालन हेतु पट्टेधारक वाध्य होगा।
- (15) वन विभाग द्वारा निर्गत अनामतित प्रमाण पत्र में निर्धारित शर्तों के पालन हेतु पट्टेधारक वाध्य होगा।
- (16) माओ उच्च न्यायालय, माओ राष्ट्रीय हरित अधिकरण अथवा माओ सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।
- (17) नियमों एवं शर्तों के उल्लंघन के परिणामस्वरूप यदि कोई वाद अथवा अपराधिक प्रक्रिया मोचित होती है तो इसकी सम्पूर्ण जिम्मेवारी पट्टेधारक की होगी एवं यदि इस सम्बंध में कोई व्यव होता है तो उसका वहन पट्टेधारक द्वारा किया जायेगा।
- (18) पट्टेधारक द्वारा पर्यावरण स्वच्छता प्रमाण पत्र कार्यालय में जमा कराने के उपरान्त ही अनुमति प्राप्त कर खनन कार्य आरम्भ किया जायेगा।
- (19) राज्य सरकार अथवा केंद्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टेधारकों को मान्य होगा।

जिलाधिकारी
बागपत।

पत्रांक व दिनांक उपरोक्तानुसार।

प्रतिनिध निम्नलिखित को सूचना एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- सचिव, भूतत्व एवं खनिकर्म, उत्तर प्रदेश शासन, लखनऊ।
- 2- आयुक्त, मेरठ मण्डल, मेरठ।
- 3- निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उत्तर प्रदेश, लखनऊ।
- 4- पुलिस अधीक्षक, बागपत।
- 5- निदेशक, सूचना एवं जनसम्पर्क विभाग, उत्तर प्रदेश लखनऊ को 08-प्रतियों में सीपीसी0 उचित इस अनुषोष के साथ प्रेषित कि विज्ञापित का निशुल्क प्रकाशन जनपद बागपत के दो सप्ताह पत्रों में कराने का कष्ट करें।
- 6- प्रभागीय जिलाधिकारी, बागपत।
- 7- अपर जिलाधिकारी (वि/राज)/प्रभारी अधिकारी, खनिज, बागपत।
- 8- प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग, उत्तर प्रदेश क्षेत्रीय कार्यालय गाजियाबाद।
- 9- शाखा प्रबन्धक, एमएचएसटीपीसी0 लिमिटेड, द्वितीय तल, सेक्टर कोर्ट, बिल्डिंग-5, पार्क रोड, इचरत, गज, लखनऊ को विज्ञापित की एक प्रति।
- 10- अधिसायी अभियन्ता, सिंचाई, बागपत।
- 11- वरिष्ठ कोषाधिकारी, बागपत।
- 12- उपजिलाधिकारी बागपत/धौलत/खेकडा को इस निर्देश के साथ प्रेषित कि विज्ञापित का व्यापक प्रसार अतारु करवावे।
- 13- जिला सूचना विज्ञान अधिकारी एनआईसी, बागपत को इस निर्देश के साथ कि विज्ञापित का जनपद की वेबसाईट पर तत्काल अपलोड करवाना सुनिश्चित करें।
- 14- जिला सूचना अधिकारी, बागपत को इस निर्देश के साथ कि उक्त विज्ञापित को जनपद में प्रकाशित मुख्य दो दैनिक समाचार पत्रों निशुल्क प्रकाशन कराना सुनिश्चित करें।
- 15- नज़िर सदर, कलेक्ट्रेट, बागपत को सूचना पट पर करवा कराने हेतु।

जिलाधिकारी
बागपत।



Office of the District Magistrate, Baghpat

Letter No. 306/Mining/E-Tender cum E-Auction 2022-23

Date: 31-12-2022

Letter of Intent for Mining Lease

ROYAL CONSTRUCTION CO/370737

Devi Pura 2,

Bulandshahr-203001

Proprietor: Dayachand Bargoti, S/o Harswaroop,

Resident of M. No. 5, Near New Break Point Restaurant, Bhur Chauraha,
Yamunapuram, Bulandshahr

As per the instructions issued under Government Order No. 1875/86-2017-57(Sa.)/2017 TC-1, dated 14.08.2017, the mining lease for ordinary sand in the Yamuna River for a period of 5 years was announced for the following area of Baghpat district via the Office Letter No. 213/E-Tender cum E-Auction/Notification-Sand/2022-23 dated 09.11.2022, through e-tender cum e-auction. The proceedings of the e-tender cum e-auction, as informed by the State Government-authorized agency, MSTC, through email, pertain to the following area situated in Baghpat district, Badaut Tehsil, on the Yamuna River, as detailed below:

Tehsil	River	Village	Plot No.	Area (in hectares)	Quantity (in cubic meters)
1	2	3	4	5	6
Badaut	Yamuna	Chaprauli Khadar	1/2	9.570 ha	2,40,000

Geo-coordinates of the area:

S.No.	Village	A	B	C	D
1	Chaparoli Khadar	N-29° 13' 14.6",	N-29° 13' 11.4",	N-29° 13' 21.8",	N-29° 13' 25.7",
		E-77° 08' 39.3"	E-77° 08' 33.5"	E-77° 08' 21.33"	E-77° 08' 29.7"

In the above-mentioned matter, you have submitted the highest offer (bid) of Rs. 102/- per cubic meter in the e-auction. Accordingly, for Chaprauli Khadar, you have proposed a total amount of Rs. 2,44,80,000/- (Rupees Two Crore Forty-Four Lakh Eighty Thousand only) for 2,40,000 cubic meters for the first year.

1. For compliance with the restrictions and terms and conditions, an amount equivalent to 25% of the gross bid amount of Rs. 2,44,80,000/- for the first year shall be deposited as security, and 20% of the amount as the first installment within two working days through RTGS/NEFT via MSTC's e-payment gateway. After adjusting the previously deposited pre-bid earnest money of Rs. 39,00,000/-, the remaining amount of the first installment of Rs. 9,96,000/- (Rupees Nine Lakh Ninety-Six Thousand only) and the security deposit amounting to Rs. 61,20,000/- (Rupees Sixty-One Lakh Twenty Thousand only), totalling Rs. 71,16,000/- (Rupees Seventy-One Lakh Sixteen Thousand only), must be deposited. In the event of failure to deposit the remaining amount within two working days from the issuance of the Letter of Intent, the earnest money deposited by you shall be forfeited in favour of the State Government, and no grievance or representation in this regard shall be entertained.
2. The sand mining lease shall be granted for a period of five years. The amount for the first year shall be Rs. 2,44,80,000/-, and for subsequent years, the amount shall increase by 10% over the payable amount of the previous year's e-auction, as per the Fifth Schedule of the Rules, 2021.

3. The remaining 80% lease amount for the first year and the lease amounts for subsequent years shall be deposited by the lessee in accordance with the process prescribed from time to time by the State Government under the Fifth Schedule of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021. In the event of non-payment of the due amount within the prescribed date mentioned in the said schedule, the due amount shall be recovered with interest as per Rule 59.
4. Within one month from the issuance of the Letter of Intent, a mining plan shall be submitted for approval to the Director, Geology, and Mining, Uttar Pradesh. Within one month of receiving the approved mining plan, a proposal for the Environmental Clearance Certificate shall be mandatorily submitted to the competent authority.
5. The lessee shall conduct demarcation of the area as per the provisions of Rule 17, indicating geo-coordinates of the boundary points, and shall install boundary pillars as per Rule 35, including maintenance thereof.
6. The lessee shall obtain Environmental Clearance under the provisions of Rule 35, in accordance with the plan, and the notifications issued by the Ministry of Environment and Forest, Government of India, dated 14.09.2006 and 15.01.2016, as amended from time to time. The Environmental Clearance shall be submitted, and within one month, the mining lease deed shall be executed, followed by obtaining CTO from the competent authority, and the mining operation shall commence immediately thereafter.

7. The lessee shall deposit the financial assurance amount for land reclamation and rehabilitation measures as per the provisions of Rule 35 in the prescribed manner.
8. The lessee shall deposit taxes and fees, as prescribed from time to time by the State or Central Government, including 2% income tax, TCS at the prevailing rate, 10% District Mineral Foundation Trust (Baghpat), etc., in accordance with the rules.

Other Conditions:

1. The lessee shall mark the coordinates of the mining lease area on the demarcated map during the survey and demarcation of the leased area. Before executing the lease deed, the lessee shall, at their own expense, install such boundary markers and pillars as necessary to indicate the demarcation shown in the map annexed to the lease deed.
2. The lessee shall commence mining operations within six months from the date of execution of the lease deed and thereafter shall conduct such mining operations without intentional suspension, in a proper, efficient, and diligent manner akin to a skilled artisan.
3. As per Rule 35, the lessee shall, at their own expense, construct a check post/gate, including the installation of four CCTV cameras capable of 360-degree visibility recording to monitor the entry and exit of vehicles. The lessee shall also maintain RFID scanners at the said check post/gate to read and securely store the barcode data on e-Form MM-11 issued for each vehicle transporting minor minerals from the relevant mining lease area. The lessee shall maintain these scanners and cameras in working condition at all times, preserve all recordings for at least 30 days, and

make such recordings available upon request by the authorized officer under the provisions of Rule 67.

4. The lessee shall issue e-MM-11 forms with accurate details for each vehicle. The barcode generated on the e-MM-11 form issued for each vehicle shall be read and the data recorded at the check gate using RFID scanners. The lessee shall ensure the scanners are maintained in operational condition at all times. Non-compliance with this shall result in penalties under Rule 60 of the Rules, 2021.
5. The lessee shall not undertake mining operations beyond a depth of three meters or up to the water table, whichever is less.
6. No mining shall be conducted in the safety zone designated by the District Magistrate.
7. No mining activity shall be conducted using suction machines, lifters, or other machinery in the river stream.
8. The sale price of minerals shall be displayed within the approved area where transportation forms are issued.
9. In case of violation of the rules, mining lease terms, Environmental Clearance Certificate, mining plan, etc., by the lessee, the lease may be terminated by the District Magistrate or the State Government after providing the lessee with a reasonable opportunity to present their case.

10. Under Rule 68 of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, landowners shall have the right to compensation, which shall be mutually agreed upon between the landowners and the lessee.
11. The execution of the lease deed shall be carried out by the lessee on the stamp paper prescribed by the applicable rules.
12. The lessee shall be obligated to comply with the conditions prescribed by the Irrigation Department.
13. The lessee shall be obligated to comply with the conditions prescribed by the Forest Department.
14. Orders passed by the Hon'ble High Court, Hon'ble National Green Tribunal, or Hon'ble Supreme Court shall be strictly complied with.
15. The execution of the lease deed shall be carried out by the lessee on the stamp paper prescribed by the applicable rules.
16. After submitting the Environmental Clearance Certificate to the office, the lessee shall execute the mining lease agreement, and mining activities shall commence only after obtaining CTO approval.
17. If the State Government or Central Government amends any rules/acts or prescribes new terms or laws, they shall be binding on the lessee.

//SD//

(Rajkamal Yadav)
District Magistrate,
Baghpat

Letter No. and Date: As above.

Copy to:

1. Secretary, Geology and Mining, Government of Uttar Pradesh,
Lucknow.
2. Director, Geology and Mining, for information and necessary action.

//SD//

District Magistrate,
Baghpat

कार्यालय जिलाधिकारी बागपत

पत्र सं०:- 306/खनन/ई-निविदा सह ई-नीलामी/2022-23

दिनांक: 31-12-22

खनन पट्टा हेतु सहमति पत्र
(Letter of Intent)

ROYAL CONSTRUCTION CO/370737,

DEVI PURA 2,

BULANDBAHAR-203001,

प्रो०- दयाचंद बरगोती पुत्र हरस्वरूप,

नि० म०न०-5, नई ब्रेक पायंट रेस्टोरेंट, भूर चौराहा के पास,

यमुनापुरम, बुलन्दशहर,

शासनादेश सं०- 1875/86-2017-57(सा०)/2017 टीसी-1 दिनांक 14.08.2017 में दिये गये निर्देशानुसार ई-निविदा सह ई-नीलामी के माध्यम से यमुना नदी साधारण बालू का खनन पट्टा 5 वर्ष की अवधि हेतु जनपद बागपत के निम्न क्षेत्र हेतु कार्यालय के पत्र सं० 213/ई-टेण्डर सह ई-ऑक्सन/विज्ञप्ति-बालू/2022-23 दिनांक 09.11.2022 द्वारा घोषणा की गयी थी। ई-निविदा सह ई-नीलामी की कार्यवाही राज्य सरकार द्वारा अधिकृत एजेन्सी MSTC के ई मेल द्वारा अवगत कराया गया है कि तहसील बडौत स्थित यमुना नदी के क्षेत्र छपरौली जिसका विवरण निम्नवत है:-

तहसील	नदी	ग्राम	गाटा सं०	क्षेत्रफल	मात्रा (बालू घ० मी० में)
1	2	3	4	5	6
बडौत	यमुना नदी	छपरौली खादर	1/2	9.570 हे०	2,40,000/-

क्षेत्र का जीओ-कॉर्डिनेट्स:-

क्र०सं०	ग्राम	A	B	C	D
1	छपरौली खादर	N- 29° 13' 14.6"	N- 29° 13' 11.4"	N- 29° 13' 21.8"	N- 29° 13' 25.7"
		E- 77° 08' 39.3"	E- 77° 08' 33.5"	E- 77° 08' 21.33"	E- 77° 08' 29.7"

उपरोक्त में आपके द्वारा ई-नीलामी में अधिकतम आफर (बोली) रू० 102/- प्रति घनमीटर दी गयी है। इस प्रकार आपके द्वारा छपरौली खादर हेतु 2,40,000 घ०मी० पर कुल धनराशि रू० 2,44,80,000/- (दो करोड़ चौवालीस लाख अस्सी हजार रुपये मात्र) प्रथम वर्ष हेतु दी गयी है।

1- निर्बंधनों एवं शर्तों का पालन करने के लिये प्रतिभूति के प्रथम वर्ष के लिये बोली की सकल धनराशि रू० 2,44,80,000/- का 25 प्रतिशत प्रतिभूति तथा 20 प्रतिशत धनराशि प्रथम वर्ष की पहली किस्त के रूप में दो कार्य दिवसों के अन्दर MSTC के ई-पेमेन्ट गेट वे पर आर०टी०जी०एस /एन०ई०ए०फ०टी० द्वारा जमा करना होगा। आप द्वारा पूर्व में जमा प्री बीड अर्नेस्ट मनी रू० 39,00,000/- को पहली किस्त में सगायोजित करते



हुये पहली किश्त की शेष धनराशि रू0 9,96,000/- (नौ लाख छियानवे हजार रूपये मात्र) तथा 25 प्रतिशत प्रतिभूति की धनराशि अंकन 61,20,000/- (इकसठ लाख बीस हजार रूपये मात्र) कुल 71,16,000/- रूपये (इकहत्तर लाख सोलह हजार रूपये मात्र) जमा करना होगा। यदि लेटर आफ इन्टेंट जारी होने के दो कार्य दिवसों में अवशेष धनराशि जमा करने में आप असफल होते हैं तो आप द्वारा जमा अर्नेस्ट मनी राज्य सरकार के पक्ष में जब्त कर ली जायेगी तथा आपके द्वारा इस संबंध में कोई शिकायत अथवा प्रत्यावेदन विचार योग्य नहीं होगा।

- 2- बालू खनन पट्टा पाँच वर्ष हेतु जारी किया जायेगा। प्रथम वर्ष की धनराशि रू0 2,44,80,000/-होगी तथा अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की ई-नीलाम की देय धनराशि पर 10 प्रतिशत की वृद्धि के साथ नियमावली 2021 के पंचम अनुसूची के अनुसार जमा की जायेगी।
- 3- प्रथम वर्ष के लिये शेष 80 प्रतिशत पट्टा धनराशि एवं आगामी वर्षों के लिये पट्टा धनराशि उ0प्र0 उपखनिज परिहार नियमावली 2021 में निर्धारित पंचम अनुसूचि के अनुसार राज्य सरकार द्वारा समय-समय पर निर्धारित प्रक्रिया के अनुसार पट्टाधारक द्वारा जमा की जायेगी। उक्त अनुसूचि में नियत तिथि के अनुसार देय धनराशि जमा न करने की दशा में नियम-59 के अनुसार देय धनराशि ब्याज सहित वसूल की जायेगी।
- 4- लेटर आफ इन्टेंट जारी होने के एक माह के अन्दर अनुमोदन हेतु खनन योजना निदेशक, भूतत्व एवं खनिकर्म उ0प्र0 के समक्ष प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के एक माह के अन्दर सक्षम प्राधिकरण के समक्ष पर्यावरण स्वच्छता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।
- 5- पट्टाधारक नियम-17 के प्राविधानों के अनुसार क्षेत्र का सीमांकन करायेंगे जिसमें सीमा बिन्दुओं का जीओ को आर्डिनेट्स भी इंगित किया जायेगा तथा नियम-35 के अनुसार सीमा स्तम्भ लगायेंगे तथा इसका अनुरक्षण भी करेंगे।
- 6- पट्टा धारक द्वारा नियम-35 के प्रावधानों के अर्न्तगत प्लान तथा भारत सरकार वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक 14.09.2006 सपटित अधिसूचना दिनांक 15.01.2016 तथा समय-समय पर यथा संशोधित उपबन्धों के अधीन पर्यावरण अनापत्ति प्राप्त कर उसे प्रस्तुत करेंगे तथा एक माह के भीतर खनन पट्टा विलेख का निष्पादन कराकर सक्षम स्तर से सी0टी0ओ0 प्राप्त कर खनन संक्रिया तत्काल प्रारम्भ की जानी होगी।
- 7- पट्टाधारक द्वारा नियम-35 के अनुसार क्षेत्र के भूमि-उद्धार और पुर्नवासन उपाय हेतु वित्तीय अश्वासन की धनराशि निर्धारित रीति से जमा करायेंगे।
- 8- पट्टाधारक द्वारा राज्य सरकार अथवा केन्द्र सरकार द्वारा समय-समय पर निर्धारित कर व शुल्क यथा आयकर 2 प्रतिशत व टीसीएस (वर्तमान दर), 10 प्रतिशत जिला खनिज फाउन्डेशन ट्रस्ट बागपत आदि नियमानुसार जमा करायेगें।



[Handwritten signature]

अन्य शर्तः-

- (1) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व में पट्टाधारक अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिये आवश्यक होगा।
- (2) पट्टा अभिलेख के निष्पादन के दिनांक से छः माह के भीतर खनन संक्रियायें प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भांति करेगा।
- (3) पट्टा धारक नियम-35 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिये स्वयं के व्यय पर 360 डिग्री दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे संबंधित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई-प्रपत्र एम0एम0-11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख रखाव करेगा एवं सदैव उसे चालू रूप में अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।
- (4) पट्टाधारक प्रत्येक वाहन को ई-एम0एम0-11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-एम0एम0-11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिये आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली-2021 के नियम-60 के अर्न्तगत शास्ति का भागीदार होगा।
- (5) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो कम हो, से अधिक गहराई में खनन संक्रियायें नहीं करेगा।
- (6) जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।
- (7) नदी की जलधारा में सक्शन मशीन, लिफ्टर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।
- (8) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य प्रदर्शित करेगा।
- (9) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्ति युक्त अवसर प्रदान करने के पश्चात् जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- (10) उ0प्र0 उपखनिज परिहार नियमावली 2021 के नियम 68 के अधीन भूमि को स्वामियों को प्रतिकार पाने का अधिकार होगा जो भूस्वामियों एवं पट्टेधारक के मध्य तय हो।



8

- (11) पट्टा विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।
- (12) सिंचाई विभाग द्वारा निर्धारित शर्तों के पालन हेतु पट्टेधारक बाध्य होगा।
- (13) वन विभाग द्वारा निर्धारित शर्तों के पालन हेतु पट्टेधारक बाध्य होगा।
- (14) मा० उच्च न्यायालय, मा० राष्ट्रीय हरित अधिकरण अथवा मा० सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।
- (15) पट्टा विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।
- (16) पट्टेधारक द्वारा पर्यावरण स्वच्छता प्रमाण पत्र कार्यालय में जमा करने के उपरान्त खनन पट्टा अनुबन्ध विलेख कराना होगा तथा सी०टी०ओ० प्राप्त करने के बाद ही अनुमति प्राप्त कर खनन कार्य प्रारंभ किया जायेगा।
- (17) राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टेधारकों को मान्य होगा।

(राजकमल यादव)
जिलाधिकारी
बागपत

पत्र सं० एवं दिनांक उपरोक्तानुसार।

- प्रतिलिपि:- 1- सचिव, भूतत्व एवं खनिकर्म, उ०प्र० शासन, लखनऊ।
2- निदेशक, भूतत्व एवं खनिकर्म को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।



जिलाधिकारी
बागपत

Office of the District Magistrate, Baghpat

Letter No. 306/Mining/E-Tender cum E-Auction 2022-23

Date: 01-02-2023

Letter of Intent for Mining Lease

ROYAL CONSTRUCTION CO/370737

Devi Pura 2,

Bulandshahr-203001

Proprietor: Dayachand Bargoti, S/o Harswaroop,

Resident of M. No. 5, Near New Break Point Restaurant, Bhur Chauraha,
Yamunapuram, Bulandshahr

As per the instructions issued under Government Order No. 1875/86-2017-57(General)/2017 TC-1, dated 14.08.2017, the mining lease for ordinary sand in the Yamuna River for a period of 5 years was announced for the following area of Baghpat district via the Office Letter No. 317/E-Tender cum E-Auction/Notification-Sand/2022-23 dated 02.01.2023, through e-tender cum e-auction. The proceedings of the e-tender cum e-auction, as informed by the State Government-authorized agency, MSTC, through its email dated 23.01.2023, pertain to the following area situated in Badaut Tehsil, Kotana Khadar area of Yamuna River, description of which is as below:

Tehsil	River	Village	Gata No.	Area (in hectares)	Quantity (in cubic meters)
Badaut	Yamuna River	Kotana Khadar	706	12.245 ha	2,75,500/-

//TRUE TRANSLATED COPY//

Geo-coordinates of the area:

S.No.	Village	A	B	C	D
1	Kotana Khadar	N-29° 06' 16.4",	N-29° 06' 14.5",	N-29° 06' 30.3",	N-29° 06' 33.9",
		E-77° 08' 22.7"	E-77° 08' 32.5"	E-77° 08' 27.9"	E-77° 08' 36.1"

In the above-mentioned matter, you have submitted the highest offer (bid) of Rs. 135/- per cubic meter in the e-auction. Accordingly the total amount given by you for Kotana Khadar is Rs. 3,71,92,500/- (Rupees Three Crore Seventy-One Lakh Ninety Two Thousand and Five Hundred only) for 2,75,500 cubic meters for the first year.

1. To comply with the terms and conditions, an amount equivalent to 25% of the gross bid amount of Rs. 3,71,92,500/- for the first year shall be deposited as security, and 20% of the amount as the first instalment of first year within two working days through RTGS/NEFT via MSTC's e-payment gateway. After adjusting the previously deposited pre-bid earnest money of Rs. 44,76,875/-, the remaining amount of the first instalment of Rs. 29,61,625/- (Rupees Twenty-Nine Lakh Sixty-One Thousand Six Hundred and Twenty Five only) and 25% of security deposit i.e., Rs 92,98,125/- (Rupees Ninety-Two Lakhs Ninety Eight Thousand One hundred Twenty Five only) totalling to Rs. 1,22,59,750/- (Rupees One Crore Twenty Two Lakhs Fifty Nine Thousand Seven Hundred Fifty only) must be deposited. In the event of failure to deposit the remaining amount within two working days from the issuance of the Letter of Intent, the earnest money deposited by you shall be forfeited in favor of the State Government, and no grievance or representation in this regard shall be entertained.
2. If the quantity of minor mineral ordinary sand determined by the District Magistrate differs from the permissible quantity mentioned in the Environmental Clearance Certificate, the permissible quantity in the Environmental Clearance Certificate shall prevail. For the lease area, the

//TRUE TRANSLATED COPY//

permissible quantity will be multiplied by the rate obtained during the first year's bidding to determine the e-auction amount for the first year. For subsequent years, the amount payable from the previous year's e-auction will be increased by 10% annually and deposited in accordance with the Fifth Schedule of the Rules, 2021.

3. The remaining 80% lease amount for the first year and the lease amount for subsequent years shall be deposited by the lessee in accordance with the process prescribed from time to time by the State Government under the Fifth Schedule of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021. In the event of non-payment of the due amount within the prescribed date mentioned in the said schedule, the due amount shall be recovered with interest as per Rule 59.
4. Within one month from the issuance of the Letter of Intent, a mining plan shall be submitted to the Director, Geology, and Mining, Uttar Pradesh for approval. Within one month of receiving the approved mining plan, a proposal for the Environmental Clearance Certificate shall be mandatorily submitted to the competent authority.
5. The lessee shall conduct demarcation of the area as per the provisions of Rule 17, indicating geo-coordinates of the boundary points, and shall install boundary pillars as per Rule 35, including maintenance thereof.
6. The lessee shall obtain Environmental Clearance under the provisions of Rule 35, in accordance with the plan, and the notifications issued by the Ministry of Environment and Forest, Government of India, dated 14.09.2006 and 15.01.2016, as amended from time to time. The Environmental Clearance shall be submitted, and within one month, the mining lease deed shall be executed, followed by obtaining CTO from the competent authority, and the mining operation shall commence immediately thereafter.

7. The lessee shall deposit the financial assurance amount for land reclamation and rehabilitation measures as per the provisions of Rule 35 in the prescribed manner.
8. The lessee shall deposit taxes and fees, as prescribed by the State or Central Government from time to time, such as 2% income tax, TCS (at the prevailing rate), 10% District Mineral Foundation Trust (Baghpat), etc., in accordance with the rules.

Other Conditions:

1. The lessee shall mark the coordinates of the mining lease area on the demarcated map during the survey and demarcation of the leased area. Before executing the lease deed, the lessee shall, at their own expense, install such boundary markers and posts to indicate the demarcation shown on the map annexed to the lease deed.
2. The lessee shall commence mining operations within six months from the date of execution of the lease deed and thereafter shall conduct such mining operations without intentional suspension, in a proper, efficient, and diligent manner akin to a skilled artisan.
3. As per Rule 35, the lessee shall, at their own expense, construct a check post/gate, including the installation of four CCTV cameras capable of 360-degree visibility recording to monitor the entry and exit of vehicles. The lessee shall also install RFID scanners at the said check post/gate to read and securely store the barcode data on e-Form MM-11 issued for each vehicle transporting minor minerals from the relevant mining lease area. The lessee shall maintain the equipment and keep it operational at all times. The lessee shall preserve all recordings for at least 30 days, and make such recordings available upon request by the authorized officer under the provisions of Rule 67.

4. The lessee shall issue an e-MM-11 forms with accurate details for each vehicle. An RFID scanner will be installed at the check gate to read the barcode generated on the e-MM-11 form issued for each vehicle and store the recorded data. The lessee shall ensure the scanners are maintained in operational condition at all times. Non-compliance with this shall result in penalties under Rule 60 of the Rules, 2021.
5. The lessee shall not undertake mining operations beyond a depth of three meters or up to the water table, whichever is less.
6. No mining shall be conducted in the safety zone designated by the District Magistrate.
7. No mining activity shall be conducted using suction machines, lifters, or other machinery in the river stream.
8. The sale price of minerals shall be displayed at the place within the approved area where transportation forms will be issued.
9. In case of violation of the rules, mining lease terms, Environmental Clearance Certificate, mining plan, etc., by the lessee, the lease may be terminated by the District Magistrate or the State Government after providing the lessee with a reasonable opportunity to present their case.
10. Under Rule 68 of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, landowners shall have the right to compensation, which shall be mutually agreed upon between the landowners and the lessee.
11. The execution of the lease deed shall be carried out by the lessee on the stamp paper prescribed by the applicable rules.
12. The lessee shall be obligated to comply with the conditions prescribed by the Irrigation Department.
13. The lessee shall be obligated to comply with the conditions prescribed by the Forest Department.
14. Orders passed by the Hon'ble High Court, Hon'ble National Green Tribunal, or Hon'ble Supreme Court shall be strictly complied with.

15. The execution of the lease deed shall be carried out by the lessee on the stamp paper prescribed by the applicable rules.
16. After submitting the Environmental Clearance Certificate to the office, the lessee shall execute the mining lease agreement, and mining activities shall commence only after obtaining the CTO (Consent to Operate).
17. If any amendment is made in the Rules/Acts or any conditions or laws are promulgated by the State Government or the Central Government they shall be applicable on the lessee.

//SD//

(Rajkamal Yadav)

District Magistrate,
Baghpat

Letter No. and Date: As above.

Copy to:

1. Secretary, Geology and Mining, Government of Uttar Pradesh, Lucknow.
2. Director, Geology and Mining, for information and necessary action.
3. Commissioner, Meerut division, Meerut
4. Superintendent of Police, Baghpat
5. Officer In-Charge, Geology and Mining department, Uttar Pradesh, Regional Office, Ghaziabad
6. Branch Manager, MSTC Ltd, 2nd Floor, Hazrat Ganj, Lucknow

//SD//

District Magistrate,
Baghpat

//TRUE TRANSLATED COPY//

कार्यालय जिलाधिकारी बागपत

पत्र सं०: 404 / खनन/ई-निविदा सह ई-नीलामी/2022-23

दिनांक: 01-2-23

**खनन पट्टा हेतु सहमति पत्र
(Letter of Intent)**

ROYAL CONSTRUCTION CO/370737,
DEVI PURA 2,
BULANSHAHAR-203001,
प्रो०- दयाचंद बरगोती पुत्र हरस्वरूप,
नि० म०न०-5, नई ब्रेक पायंट रेस्टोरेंट, भूर चौराहा के पास,
यमुनापुरम, बुलन्दशहर,

शासनादेश सं०- 1875/86-2017-57(सा०)/2017 टीसी-1 दिनांक 14.08.2017 में दिये गये निर्देशानुसार ई-निविदा सह ई-नीलामी के माध्यम से यमुना नदी साधारण बालू का खनन पट्टा 5 वर्ष की अवधि हेतु जनपद बागपत के निम्न क्षेत्र हेतु कार्यालय के पत्र सं० 317/ई-टेण्डर सह ई-ऑक्सन/विज्ञप्ति-बालू/2022-23 दिनांक 02.01.2023 द्वारा घोषणा की गयी थी। ई-निविदा सह ई-नीलामी की कार्यवाही राज्य सरकार द्वारा अधिकृत एजेन्सी MSTC के ई-मेल दिनांक 23.01.2023 द्वारा अवगत कराया गया है कि तहसील बडौत स्थित यमुना नदी के क्षेत्र कोताना खादर जिसका विवरण निम्नवत है:-

तहसील	नदी	ग्राम	गाटा सं०	क्षेत्रफल	मात्रा (बालू घ० मी० में)
1	2	3	4	5	6
बडौत	यमुना नदी	कोताना खादर	706	12.245 हे०	2,75,500, -

क्षेत्र का जीओ-कॉर्डिनेट्स:-

क्र०सं०	ग्राम	A	B	C	D
1	कोताना खादर	N- 29° 06' 16.4"	N- 29° 06' 14.5"	N- 29° 06' 30.3"	N- 29° 06' 33.9"
		E- 77° 08' 22.7"	E- 77° 08' 32.5"	E- 77° 08' 27.9"	E- 77° 08' 36.1"

उपरोक्त में आपके द्वारा ई-नीलामी में अधिकतम आफर (बोली) रू० 135/- प्रति घनमीटर दी गयी है। इस प्रकार आपके द्वारा कोताना खादर हेतु 2,75,500 घ०मी० पर कुल धनराशि रू० 3,71,92,500/- (तीन करोड़ इकहत्तर लाख बानवे हजार रुपये पाँच सौ मात्र) प्रथम वर्ष हेतु दी गयी है।

1- निर्बंधनों एवं शर्तों का पालन करने के लिये प्रतिभूति के प्रथम वर्ष के लिये बोली की सकल धनराशि रू० 3,71,92,500/- का 25 प्रतिशत प्रतिभूति तथा 20 प्रतिशत धनराशि प्रथम वर्ष की पहली किस्त के रूप में दो कार्य दिवसों के अन्दर MSTC के ई-पेमेन्ट गेट वे पर आर०टी०जी०एस /एन०ई०एफ०टी० द्वारा जमा करना होगा। आप द्वारा पूर्व में जमा प्री बीड अर्नेस्ट मनी रू० 44,76,875/- को पहली किस्त में



समायोजित करते हुये पहली किश्त की शेष धनराशि रू0 29,61,625/- (उनतीस लाख इकसठ हजार रुपये छः सौ पच्चीस मात्र) तथा 25 प्रतिशत प्रतिभूति की धनराशि अंकन 92,98,125/- (बनावे लाख अठानवे हजार एक सौ पच्चीस रुपये मात्र) कुल 1,22,59,750/- रुपये (एक करोड़ बाईस लाख उनसठ हजार सात सौ पचास रुपये मात्र) जमा करना होगा। यदि लेटर आफ इन्टेंट जारी होने के दो कार्य दिवसों में अवशेष धनराशि जमा करने में आप असफल होते हैं तो आप द्वारा जमा अर्नेस्ट मनी राज्य सरकार के पक्ष में जब्त कर ली जायेगी तथा आपके द्वारा इस संबंध में कोई शिकायत अथवा प्रत्यावेदन विचार योग्य नहीं होगा।

- 2- जिलाधिकारी द्वारा उपखनिज साधारण बालू की निर्धारित मात्रा यदि पर्यावरण अनापत्ति प्रमाण पत्र में अनुमन्य मात्रा से भिन्न हो तो पर्यावरण अनापत्ति प्रमाण पत्र की मात्रा अनुमन्य होगी। पट्टा क्षेत्र हेतु अनुमन्य मात्रा को प्रथम वर्ष के लिए प्राप्त बोली की दर से गुणा कर प्रथम वर्ष हेतु ई-नीलामी की धनराशि निर्धारित की जायेगी तथा अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की ई-नीलाम की देय धनराशि पर 10 प्रतिशत की वृद्धि के साथ नियमावली 2021 के पंचम अनुसूची के अनुसार जमा की जायेगी।
- 3- प्रथम वर्ष के लिये शेष 80 प्रतिशत पट्टा धनराशि एवं आगामी वर्षों के लिये पट्टा धनराशि उ0प्र0 उपखनिज परिहार नियमावली 2021 में निर्धारित पंचम अनुसूची के अनुसार राज्य सरकार द्वारा समय-समय पर निर्धारित प्रक्रिया के अनुसार पट्टाधारक द्वारा जमा की जायेगी। उक्त अनुसूचि में नियत तिथि के अनुसार देय धनराशि जमा न करने की दशा में नियम-59 के अनुसार देय धनराशि ब्याज सहित वसूल की जायेगी।
- 4- लेटर आफ इन्टेंट जारी होने के एक माह के अन्दर अनुमोदन हेतु खनन योजना निदेशक, भूतत्व एवं खनिकर्म उ0प्र0 के समक्ष प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के एक माह के अन्दर सक्षम प्राधिकरण के समक्ष पर्यावरण स्वच्छता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।
- 5- पट्टाधारक नियम-17 के प्राविधानों के अनुसार क्षेत्र का सीमांकन करायेगे जिसमें सीमा बिन्दुओ का जीओ को आर्डिनेट्स भी इंगित किया जायेगा तथा नियम-35 के अनुसार सीमा स्तम्भ लगायेगे तथा इसका अनुरक्षण भी करेंगे।
- 6- पट्टा धारक द्वारा नियम-35 के प्राविधानों के अर्न्तगत प्लान तथा भारत सरकार वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक 14.09.2006 सपठित अधिसूचना दिनांक 15.01.2016 तथा समय-समय पर यथा संशोधित उपबन्धों के अधीन पर्यावरण अनापत्ति प्राप्त कर उसे प्रस्तुत करेंगे तथा एक माह के भीतर खनन पट्टा विलेख का निष्पादन कराकर सक्षम स्तर से सी0टी0ओ0 प्राप्त कर खनन संकिया तत्काल प्रारम्भ की जानी होगी।
- 7- पट्टाधारक द्वारा नियम-35 के अनुसार क्षेत्र के भूमि-उद्धार और पुर्नवासन उपाय हेतु वित्तय अश्वासन की धनराशि निर्धारित रीति से जमा करायेगे।



- 8- पट्टाधारक द्वारा राज्य सरकार अथवा केन्द्र सरकार द्वारा समय-समय पर निर्धारित कर व शुल्क यथा आयाकर 2 प्रतिशत व टीसीएस (वर्तमान दर), 10 प्रतिशत जिला खनिज फाउन्डेशन ट्रस्ट बागपत आदि नियमानुसार जमा करायेगें।

अन्य शर्त:-

- (1) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व में पट्टाधारक अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिये आवश्यक होगा।
- (2) पट्टा अभिलेख के निष्पादन के दिनांक से छः माह के भीतर खनन संक्रियायें प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भांति करेगा।
- (3) पट्टा धारक नियम-35 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिये स्वयं के व्यय पर 360 डिग्री दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे संबंधित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई-प्रपत्र एम0एम0-11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख रखाव करेगा एवं सदैव उसे चालू रूप में अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।
- (4) पट्टाधारक प्रत्येक वाहन को ई-एम0एम0-11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-एम0एम0-11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिये आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली-2021 के नियम-60 के अन्तर्गत शास्ति का भागीदार होगा।
- (5) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो कम हो, से अधिक गहराई में खनन संक्रियायें नहीं करेगा।
- (6) जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।
- (7) नदी की जलधारा में सक्शन मशीन, लिफ्टर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।
- (8) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य प्रदर्शित करेगा।



8

- (9) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्ति युक्त अवसर प्रदान करने के पश्चात् जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- (10) उ0प्र0 उपखनिज परिहार नियमावली 2021 के नियम 68 के अधीन भूमि को स्वामियों को प्रतिकार पाने का अधिकार होगा जो भूस्वामियों एवं पट्टेधारक के मध्य तय हो।
- (11) पट्टा विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।
- (12) सिंचाई विभाग द्वारा निर्धारित शर्तों के पालन हेतु पट्टेधारक बाध्य होगा।
- (13) वन विभाग द्वारा निर्धारित शर्तों के पालन हेतु पट्टाधारक बाध्य होगा।
- (14) मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित अधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।
- (15) पट्टा विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।
- (16) पट्टाधारक द्वारा पर्यावरण स्वच्छता प्रमाण पत्र कार्यालय में जमा करने के उपरान्त खनन पट्टा अनुबन्ध विलेख कराना होगा तथा सी0टी0ओ0 प्राप्त करने के बाद ही अनुमति प्राप्त कर खनन कार्य प्रारंभ किया जायेगा।
- (17) राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टाधारकों को मान्य होगा।


(राजकमल यादव)
जिलाधिकारी
बागपत

पत्र सं0 एवं दिनांक उपरोक्तानुसार।

- प्रतिलिपि:- 1- सचिव, भूतत्व एवं खनिकर्म, उ0प्र0 शासन, लखनऊ।
2- निदेशक, भूतत्व एवं खनिकर्म को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3- आयुक्त, मेरठ मण्डल, मेरठ।
4- पुलिस अधीक्षक, बागपत।
5- प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग उ0प्र0 क्षेत्रीय कार्यालय गाजियाबाद।
6- शाखा प्रबन्धक, एम0एस0टी0सी0 लिमिटेड, द्वितीय तल, हजरत गंज लखनऊ।



जिलाधिकारी
बागपत

Minutes of 735th SEAC-1 Meeting Dated 15/03/2023

The 735th meeting of SEAC-1 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 15/03/2023. Following members participated in the meeting:

1.	Shri Rajive Kumar,	Chairman, SEAC
2.	Dr. Ratan Kar,	Member, SEAC-1
3.	Shri Om Prakash Srivastava,	Member, SEAC-1 (through VC)
4.	Dr. Brij Bihari Awasthi,	Member, SEAC-1 (through VC)
5.	Shri Umesh Chandra Sharma,	Member, SEAC-1 (through VC)
6.	Dr. S.K. Goyal,	Representative of NEERI
7.	Shri Ashish Tiwari,	Member-Secretary, SEAC-1

The Chairman welcomed the members to the 735th SEAC-1 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-1 informed the committee that the agenda has been approved by the Member Secretary, SEAC-1/Director Environment. Nodal Officer, SEAC-1 placed the agenda items along with the available file and documents before the SEAC-1.

1. “Building Stone (Granite Khanda, Boulder, Bailast (Gitti))” Project at Gata No.- 93 (Khand No.- 14), Village- Bari, Tehsil- Mahoba, District- Mahoba, Shri Anshit Mishra, Area : 1.012 ha. File No. 7630/Proposal No. SIA/UP/MIN/417427/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh (Servicing Environment and Development), Lucknow, U.P. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Building Stone (Granite Khanda, Boulder, Bailast (Gitti)) Mining at Gata No.- 93 (Khand No.- 14), Village- Bari, Tehsil- Mahoba, District- Mahoba, U.P. (Leased Area- 1.012 ha.).
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/417427/2023	
2.	File No. allotted by SEIAA, UP	7630	
3.	Name of Proponent	Shri Anshit Mishra S/o Shri Rakesh Kumar Mishra	
4.	Full correspondence address of proponent	R/o- 2A/200 Ganesh Apartment, Azad Nagar, Nawabganj, District- Kanpur, U.P.	
5.	Name of Project	Building Stone (Granite Khanda, Boulder, Bailast (Gitti)) Mining Project	
6.	Project location (Plot/ Khasra /Gata No.)	Gata No.- 93 (Khand No.- 14)	
7.	Name of Village	Bari	
8.	Tehsil	Mahoba	
9.	District	Mahoba	
10.	Name of Minor Mineral	Building Stone (Granite Khanda, Boulder, Bailast (Gitti))	
11.	Sanctioned Lease Area (in Ha.)	1.012 ha.	
12.	Max.& Min mRL within lease area	186 mRL- 164 mRL	
13.	Pillar Coordinates(Verified by DMO)	Pillars	Latitude (N) Longitude (E)
		A	25° 24' 52.38"N 79° 55' 05.94"E
		B	25° 24' 50.90"N 79° 55' 07.76"E
		C	25° 24' 49.74"N 79° 55' 06.98"E
		D	25° 24' 49.55"N 79° 55' 07.35"E
		E	25° 24' 47.16"N 79° 55' 05.06"E
		F	25° 24' 47.50"N 79° 55' 02.93"E

11. Proposed plantation plan with area specific plant species, number of plants to be planted and place of plantation along with a proper map to be submitted at the time of EIA presentation.
12. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.
13. Proponent/consultant shall present TOR specific/additional conditions compliance, observation/suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.
14. Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.
15. 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.

4. Chhaprauli Khadar Ordinary Sand Mining project on Yamuna Riverbed at Gata No. 1/2 Village- Chhaprauli Khadar, Tehsil- Baraut, District: Bagpat, Shri Dayachand Badgoti, Area: 9.570 ha. File No. 7633/Proposal No. SIA/UP/MIN/417689/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Chhaprauli Khadar, Tehsil- Baraut, District: Bagpat, State- Uttar Pradesh, (Leased Area : 9.570 ha), M/s Royal Construction Company.
2. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/417689/2023		
2. File No. allotted by SEIAA, UP	7633		
3. Name of Proponent	M/s Royal Construction Company, Prop. Shri Dayachand Bargoti		
4. Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)		
	Mobile No-		
	Email-		
5. Name of Project	Chhaprauli Khadar Ordinary Sand mining project on Riverbed of Yamuna River		
6. Project location (Plot/Khasra/Gata No.)	Gata No. 1/2		
7. Name of River	Yamuna River		
8. Name of Village	Chhaprauli Khadar		
9. Tehsil	Baraut		
10. District	Bagpat		
11. Name of Minor Mineral	Ordinary Sand		
12. Sanctioned Lease Area (in Ha.)	9.570 ha		
13. Max & Min mRL within lease area	Max- 224.0 mRL & 222.0 mRL		
14. Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area		
	Pillar No.	Latitude	Longitude
	A	29°13'14.6"N	77°08'39.3"E
	B	29°13'11.4"N	77°08'33.5"E
	C	29°13'21.8"N	77°08'21.33"E
	D	29°13'25.7"N	77°08'29.7"E
15. Total Geological Reserves	4,08,354 Cum		
16. Total Mineable Reserves in LOI	2,40,000 Cum/year		
17. Total Proposed Production	12,00,000Cum in 5 Years		
18. Proposed Production/year	2,40,000 Cum/year		

19. Sanctioned Period of Mine lease	05 years	
20. Method of Mining	Open Cast Semi-mechanized Method	
21. No. of working days	260 days	
22. Working hours/day	8 hrs	
23. No. of workers	54	
24. No. of vehicles movement/day	70	
25. Type of Land	Government land	
26. Ultimate Depth of Mining	2.90	
27. Nearest metalled road from site	2.30 km (approx)	
28. Water Requirement	PURPOSE	REQUIREMENT (KLD)
	Drinking	0.54
	Suppression of dust	3.0
	Plantation	19.0
	Others (if any)	0.54
Total	23.08	
29. Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, September 2023	
30. Any litigation pending against the project or land in any court	No	
31. Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified	
32. Details of Lease Area in approved DSR	Yes, given in the DSR	
33. Proposed CER cost/year	Rs 2,00,000/-	
34. Proposed EMP cost/year	Recurring Cost- 6,08,000/-	
35. Length and breadth of Haul Road	Length: 500 m, width: 6 m	
36. No. of Trees to be Planted	9500 plants	

3. 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.
4. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
5. 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.
6. There is no litigation pending in any court regarding this project.
7. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

The project proponent also submitted a letter dated 02/03/2023 which was received in Directorate on 03/03/2023 through which they have informed that the collection of baseline monitoring data for the said project has already been started for pre-monsoon season (01 March 2023 to 31 May, 2023) as per provision of MoEFCC, OM dated 08/06/2022.

The consultant (EIA Coordinator) also submitted an affidavit dated 10/02/2023 mentioning is as follows:

1. I, Ankur Sharma, S/o Lalit Mohan Sharma is EIA Coordinator of M/s Cognizance Research India Pvt. Ltd.
2. I have prepared TOR report for the proposal (SIA/UP/MIN/417689/2023), File No. 7633 of Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Chhaprauli Khadar, Tehsil- Baraut, District: Baghpat, State- Uttar Pradesh, (Leased Area : 9.570 ha), M/s Royal Construction Company with my team.
3. I have personally visited the site of proposal and certify that no Mining activity has been undertaken on the project site for the present proposal.
4. I am satisfied with that all the necessary data/information required for TOR project are true and correct.

5. I certify that this project proposal has been uploaded for the first time on Parivesh Portal.
6. I certify that there is no mismatch between information/data provided on the online application submitted on Parivash Portal and hard copy which is submitted after acceptance of application.
7. The TOR report for the Proposal will be prepared by my team as per guideline laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 04

The committee discussed the matter and recommended to issue the standard terms of reference for the preparation of EIA as annexed at annexure-2 to the minutes. The committee also stipulated following additional TOR Points:

Additional TOR:

1. The consultant should collect the baseline monitoring data for the period of pre-monsoon season (March to May, 2023) for the preparation of draft EIA report as per intimation letter.
2. NOC from Irrigation Department/Concerning Authority regarding river bed mining to be submitted at the time of EIA presentation.
3. To ensure proper monitoring, the project proponent/consultant should provide evidence in form of (A) Raw Data (B) Logbook of their site visit along with activities carried out during monitoring (C) Real time photographs showing monitoring machine, public, lab person etc. Proprietor/proprietor representative should be present at the time of monitoring and monitoring should be conducted as per CPCB SOP/NABET/QCI guidelines. Lab responsible person should be present at the time of EIA presentation.
4. EIA coordinator & FAE should give a photo affidavit during EIA presentation that they have personally visited the site & they have also taken all the mitigating measures for any critical issues involved in the project.
5. The project proponent will have to inform the schedule of monitoring/data collection programme to the SEIAA, UP before start of data collection. In case of failure, the collected baseline monitoring data will be treated as null and void.
6. The details of equipment used for baseline monitoring alongwith its photograph mentioning date, time and geo coordinates for preparation of EIA report should be clearly displayed to the people present during public hearing and the complete details related to monitoring period must be mentioned in the minutes of public hearing.
7. Original lab analysis report of the project proposal along with EIA report should be uploaded on Parivesh Portal.
8. Combined KML of all mines in a cluster should be submitted at the time of EIA.
9. The project proponent/Consultant should identify the core & buffer zone (2.5 km) of the mining site.
10. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road to be submitted at the time of EIA presentation.
11. Proponent/ Consultant should submit the plan/information along with technology (photographs of water sprinklers/ tankers) to be implemented for mitigating dust at source points in lease area and haulage road during operation activity/vehicular movement. Technology should be displayed at the time of EIA presentation.
12. Proposed plantation plan with area specific plant species, number of plants to be planted and place of plantation along with a proper map to be submitted at the time of EIA presentation.
13. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.
14. Proponent/consultant shall present TOR specific/additional conditions compliance, observation/suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.
15. Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.
16. 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.

1. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
2. The project proponent shall install solar light in their site office.
3. 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.
4. The maximum height of the bench should be 06 meters and the width of the bench should be at least twice the height of the bench as per the mine plan approval letter by DGM, U.P
5. In case the blasting is proposed during a mining operation, the project proponent needs to assess its impact on the displacement of human beings/wild animals/birds/other species, and the suitable measures proposed and taken for their rehabilitation and resettlement need to be clearly described in first 6 monthly compliance report.
6. The project proponent shall submit a final mine closure plan/Exit protocol for rehabilitation of mined-out land to match its surrounding land use 3years before the closure of the mine to SEIAA, UP and Department of Mines and Geology, UP for approval. The project proponent shall ensure the implementation of the approved plan under the supervision of the Dept. of Mines and Geology.
7. The project proponent shall plan and implement collection drain and siltation basins of adequate size to arrest the silt and sediment flow from the quarry area. The surface runoff rainwater harvesting and other water conservation measures on a long-term basis are to be taken in consultation with the Central/State Groundwater Board. The water so collected should be utilized for watering the haulage area, roads, and green belt development, etc.
8. The project proponent shall take all suitable measures to prevent pollution of groundwater and nearby water bodies in consultation with the State Pollution Control Board and consent to operate (if applicable) should be obtained from the State Pollution Control Board before the start of production from the mine.
9. 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.
10. 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.
11. The project proponent should explore the possibilities of rainwater harvesting.
12. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
13. 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.
14. 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.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Om Prakash Srivastava)
Member

(Ashish Tiwari)
Member-Secretary

(Rajive Kumar)
Chairman

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by SEAC-1 during the meeting.

Annexure-2**Standard Terms of Reference for the Mining Project prescribed by MoEF&CC, GoI**

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled- I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season); December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
- 22) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 25) Description of water conservation measures proposed to be adopted in the Project should be given.
- 26) Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater.
- 29) Necessary data and documentation in this regard may be provided. In case the working will intersect

groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

- 30) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 31) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 32) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 33) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 34) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 35) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 36) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 37) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 38) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 39) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 40) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 41) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 42) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 43) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 44) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 45) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include: (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

Directorate of Environment, U.P.

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

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

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com;

Minutes of the 718th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 07.04.2023

The meeting of 718th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 07.04.2023 the Directorate of Environment. The following were present in the meeting:-

- | | |
|---------------------------|------------------------------|
| 1. Shri Paras Nath | Member, SEIAA, U.P |
| 2. Shri Ajay Kumar Sharma | Member Secretary, SEIAA, U.P |

Chairman SEIAA did not participate in the meeting. 718th State Level Environment Impact Assessment Authority, UP (SEIAA) meeting was convened and conducted in reference to the letter no. 135/81-7-2023-103(parya)/2007 dated 7-2-2023 of Department of Environment Forest and Climate Change, GOUP.

Agenda- A(i)- Minutes of 726th SEAC-1 Meeting Dated 07/02/2023

1. Expansion of IT/ITES Project at Plot No- 7, Sector-Techzone 4, Greater Noida, District-Gautam Buddha Nagar, Shri Chanchal Kumar Sharma, M/s A.L Softweb Pvt. Ltd., File No.7503/7017/ Proposal No. SIA/UP/INFRA2/412595/2022

SEIAA noted that the above project has already been taken in its 707th meeting.

2. Discussion on site visit report of Group Housing Project at Plot No. SC-02/E, Sector- 150, Noida, District- Gautam Buddha Nagar., Shri Dinesh Kumar Gupta, M/s Samridhi Buildmart Pvt. Ltd. File No. 6221/Proposal No. SIA/UP/MIS/208311/2021.

SEIAA noted that the above project has already been taken in its 707th meeting.

Agenda- A(ii)- Minutes of 727th SEAC-1 Meeting Dated 16/02/2023

1. Manufacturing of synthetic organic chemicals for the existing production capacity of 40,000 Ton/Year Formaldehyde under Violation Category at Plot No. K-1, Phase 1, UPSIDC, Industrial Area Sandila, District- Hardoi ,M/s Focus Merchants Limited Shri Rajesh Jain., File No. 7527/ Proposal No. SIA/UP/IND3/413947/2023

SEIAA agreed with the recommendation of SEAC to grant ToR to the above project adding three conditions:-

1. In case application for seeking ToR is more than the production capacity for which the CTO was issued then the present ToR stands cancelled.
2. PP / consultant to submit compliance report of earlier CtE and CtO through UPSPCB.
3. PP / consultant to submit point-wise compliance, in a tabular form, of MoEFCC, Gol OM no. 22-21/2020-IA.III dated 07.07.2021 (SoP for identification and handling of violation cases under EIA Notification 2006)



5. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 21,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
 6. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 105- ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
 7. 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.
 8. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, Gol, Lucknow.
 9. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.
4. **Chhaprauli Khadar Ordinary Sand Mining project on Yamuna Riverbed at Gata No. 1/2 Village- Chhaprauli Khadar, Tehsil- Baraut, District: Bagpat, Shri Dayachand Badgoti, Area: 9.570 ha. File No. 7633/Proposal No. SIA/UP/MIN/417689/2023**
- SEIAA agreed with the recommendation of SEAC to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-
- 1- The project proponent shall submit legible Khasra map at the time of EIA presentation.
 - 2- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.
 - 3- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
 - 4- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.
 - 5- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
 - 6- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
 - 7- KML file for the area and mining lease area should be provided.
 - 8- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.

- 9- In case project proponent intends to temporarily store mined out material or any tools, equipment's or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 10- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 11- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
 - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
 - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 12- In case of expansion / renewal of earlier EC, following information should be submitted
 - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any
- 13- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 14- PP / consultant in compliance to Hon'ble NGT order dated 06.05.2022 in OA no. 141/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others and with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others, will submit replenishment study, duly approved by DGM, along with EIA-EMP report for seeking EC.
- 15- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 10,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 16- In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 50 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
- 17- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.

restoring air quality and mining should commence only when air quality attains the prescribed standards.

**Nodal Officer
SEIAA, UP**

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



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

**(Paras Nath)
Member
SEIAA**

Minutes of 777th SEAC-1 Meeting Dated 23/08/2023

The 777th meeting of SEAC-1 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 23/08/2023. Following members participated in the meeting:

- | | | |
|----|----------------------------|--------------------------|
| 1. | Shri Rajive Kumar, | Chairman, SEAC-1 |
| 2. | Dr. Ratan Kar, | Member, SEAC-1 |
| 3. | Dr. Brij Bihari Awasthi, | Member, SEAC-1 |
| 4. | Shri Umesh Chandra Sharma, | Member, SEAC-1 |
| 5. | Shri Ashish Tiwari, | Member-Secretary, SEAC-1 |

The Chairman welcomed the members to the 777th SEAC-1 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-1 informed the committee that the agenda has been approved by the Member Secretary, SEAC-1/Director Environment. Nodal Officer, SEAC-1 placed the agenda items along with the available file and documents before the SEAC-1.

1. “Ordinary Earth Mine” at Khasra/Gata No.- 291, 292 & 296, Village- Sarai Akbarabad, Tehsil- Nawabganj, District-Barabanki, U.P., Shri Sangram Singh Yadav, Area-0.9259 ha., 7945/SIA/UP/MIN/431459/2023

The Secretariat informed the committee that the matter was earlier listed in 767th SEAC meeting dated 22/06/2023 and the project proponent did not appear in the meeting. Hence, the committee directed to defer the matter from the agenda. The project proponent through online Parivesh Portal on 08/08/2023 has requested to list the matter in upcoming SEAC meeting and the matter was listed in 777th SEAC meeting dated 23/08/2023.

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s AWS Envirotech (OPC) Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

- The environmental clearance is sought for “Ordinary Earth Mining” at Araj/Gata no.- 291, 292 & 296, Village-Sarai Akbarabad, Tehsil- Nawabganj, District- Barabanki, Uttar Pradesh, (Leases Area- 0.9259 Ha.).
- Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/431459/2023
2.	File No. allotted by SEIAA, UP	7945
3.	Name of Proponent	Shri Sangram Singh Yadav (Sangram Yadav)
4.	Full correspondence address of proponent and mobile no.	Shri Sangram Singh Yadav (Sangram Yadav) S/o Shri Ram Singh Yadav R/o Village Gopalpur, Tehsil- Majre Parakhandauli, District- Barabanki, U.P. E-mail Id- sangramsinghyadav5418@gmail.com
5.	Name of Project	“Ordinary Earth Mining” at Village- Sarai Akbarabad, Tehsil- Nawabganj, District- Barabanki, U.P.
6.	Project Location (Plot.Khasra/Gata No.)	Village- Sarai Akbarabad, Tehsil- Nawabganj, District- Barabanki, U.P. (Khasra/Gata no. - 291, 292 & 296, Area- 0.9259 ha.)
7.	Name of River	NA
8.	Name of Village	Sarai Akbarabad
9.	Tehsil	Nawabganj
10.	District	Barabanki
11.	Name of Minor Mineral	Ordinary earth

4. I have satisfied with that all the necessary data/information required for EC (B2) presentations are true and correct.
5. I certify that this project proposal has been uploaded for the first time on Parivesh Portal.
6. I certify that there will be no mismatch between information/data provided on the online application submitted on Parivesh Portal and the hard copy/presentation which will be submitted after acceptance of application.
7. The EC (B2) report for the Proposal is prepared by my team as per guidelines laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 04

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-3 to these minutes.

5. Riverbed “Ordinary Sand Mining” on the riverbed of Yamuna River at Gata No.-1/2, Village- Chhaprauli Khadar, Tehsil - Baraut, District - Bagpat, Shri Daya Chand Bargoti, M/s Royal constructions Company, Area 9.570 ha., 8077/7633/SIA/UP/MIN/439838/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Ordinary Sand mining project on Riverbed of Yamuna River at Gata No. 1/2, Village- Chhaprauli Khadar, Tehsil- Baraut, and District: Baghat, State- Uttar Pradesh, (Leased Area 9.570 ha.), M/s Royal Construction Company.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 45/Parya/SEIAA/7633/2022, Dated 23/03/2023.
3. The Public Hearing was organized on 12/07/2023 Final EIA report submitted by the project proponent on 10/08/2023.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/439838/2023		
2.	File No. allotted by SEIAA, UP	8077/7633		
3.	Name of Proponent	M/S Royal Construction Company, Prop. Shri Dayachand Bargoti		
4.	Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)		
		Mobile No-		
		Email-		
5.	Name of Project	Chhaprauli Khadar Ordinary Sand mining project on Riverbed of Yamuna River		
6.	Project location (Plot/Khasra/Gata No.)	Gata No. 1/2		
7.	Name of River	Yamuna River		
8.	Name of Village	Chhaprauli Khadar		
9.	Tehsil	Baraut		
10.	District	Baghat		
11.	Name of Minor Mineral	Ordinary Sand		
12.	Sanctioned Lease Area (in Ha.)	9.570 ha		
13.	Max & Min mRL within lease area	Max- 224.0 mRL & 222.0 mRL		
14.	Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area		
		Pillar No.	Latitude	Longitude
		A	29°13'14.6"N	77°08'39.3"E
		B	29°13'11.4"N	77°08'33.5"E

		C	29°13'21.8"N	77°08'21.33"E
		D	29°13'25.7"N	77°08'29.7"E
15.	Total Geological Reserves	4,08,354 Cum		
16.	Total Mineable Reserves in LOI	2,40,000 Cum/year		
17.	Total Proposed Production	12,00,000 cum in 5 Years		
18.	Proposed Production/year	2,40,000 Cum/year		
19.	Sanctioned Period of Mine lease	05 years		
20.	Method of Mining	Open Cast Semi-mechanized Method		
21.	No. of working days	260 days		
22.	Working hours/day	8 hrs		
23.	No. of workers	54		
24.	No. of vehicles movement/day	70		
25.	Ultimate Depth of Mining	2.90 m		
26.	Nearest metalled road from site	2.30 km (approx)		
27.	Water Requirement	PURPOSE	REQUIREMENT (KLD)	
		Drinking	0.54	
		Suppression of dust	3.0	
		Plantation	19.0	
		Others (if any)	0.54	
		Total	23.08	
28.	Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, September 2023		
29.	Any litigation pending against the project or land in any court	No		
30.	Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified 342/Kha. li./2022-23 Dated- 10.01.2023		
31.	Details of Lease Area in approved DSR	Yes, given in the DSR 374/M 0-228/2017 (Khanan Niti)- DSR		
32.	Proposed CER cost/year	Rs 2,00,000/-		
33.	Proposed EMP cost/year	Recurring Cost- 8,88,000/-		
34.	Length and breadth of Haul Road	Length: 500 m, width: 6 m		
35.	No. of Trees to be Planted	9500 plants		

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

The consultant (EIA Coordinator) also submitted an affidavit dated 21/08/2023 mentioning is as follows:

1. I Ankur Sharma S/o Lalit Mohan Sharma is EIA Coordinator of Cognizance Research India Pvt. Ltd.
2. I have prepared EIA project for the Proposal (SIA/UP/MIN/439838/2023) File No. 8077-7633 of Chhaprauli Khadar Ordinary Sand mining project on Riverbed of Yamuna River located at Gata No. 1/2, Village- Chhaprauli Khadar, Tehsil- Baraut, District: Baghpat, State- Uttar Pradesh with my team.
3. I have personally visited the site of proposal and certify that no Mining/ construction activity has been undertaken on the project site for the present proposal.
4. I have satisfied with that all the necessary data/information required for TOR project preparations are true and correct.
5. I certify that this project has been uploaded for the first time on Parivesh Portal.

6. I certify that this project has been uploaded for the first time on Parivesh Portal. In case the project has been uploaded again due to any reason, the withdrawal of previous project has been accepted by SEIAA, UP on Parivesh Portal.
7. I certify that there is no mismatch between information/data provided on online application and hard copy/presentation submitted.

Regarding the requirement of replenishment study the project proponent submit the letter dated 12/01/2023 issued by Director, Directorate of Geology and Mining, U.P. wherein:

“... ”

SEIAA द्वारा नदी तल में स्थित बालू/मौरम की दीर्घकालीन अवधि के खनन पट्टों के लिए पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त करने से पूर्व कतिपय प्रकरणों में replenishment study की अपेक्षा की जा रही है। उल्लेखनीय है कि नये क्षेत्रों को परिहार पर स्वीकृत किये जाने से पूर्व, क्षेत्र में उपलब्ध खनिज की मात्रा का आंकलन जनपद स्तर पर गठित समिति द्वारा किया जाता है। समिति के आंकलन के आधार पर प्रथम वर्ष का निर्धारण कर विज्ञप्ति जारी की जाती है। सफल बोलीदाता के पक्ष में खनन परिहार स्वीकृत किये जाने पर, क्षेत्र में प्रथम वर्ष खनन कार्य समाप्ति होने के उपरान्त, मानसून सत्र में क्षेत्र में बालू/मौरम के पुर्नभराव का आंकलन किया जाना आवश्यक होता है। ऐसी स्थिति में SEIAA द्वारा पर्यावरण स्वच्छता प्रमाण पत्र निर्गत किये जाने से पूर्व replenishment study की आवश्यकता प्रतीत नहीं होती है।”

RESOLUTION AGAINST AGENDA NO. 05

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-2 to these minutes. The committee also stipulated the following additional conditions:

1. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. 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.
2. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
3. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
4. The project proponent shall install solar light in their site office.
5. 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.
6. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
7. 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.
8. 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.
9. The project proponent should explore the possibilities of rainwater harvesting.
10. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.

11. 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.
12. 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
13. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
14. 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.

6. Ordinary Sand Mining Project at Gata No.- 34 to 46 & 51 to 56, Village- Firojpur, Tehsil-Fatehpur, District- Fatehpur, M/s Pragyasan Contractor Pvt. Ltd, Shri Santosh Kumar Yadav, Area: 15.0 ha., 8073/5829/SIA/UP/MIN/439882/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and Development, Lucknow, U.P. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Ordinary Sand Mining at Gata No.- 34 to 46 & 51 to 56, Village- Firojpur, Tehsil- Fatehpur, District- Fatehpur, U.P. (Leased Area- 15.0 ha.), M/s Pragyasan Contractor Pvt. Ltd.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 496/Parya/SEAC/5829/2020, dated: 04/11/2020.
3. The Public Hearing was organized on 28/07/2021. Final EIA Report was submitted by the Project Proponent on 09/08/2023.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/439882/2023		
2.	File No. allotted by SEIAA, UP	8073-5829		
3.	Name of Proponent	M/S PRAGYASAN CONTRACTOR PVT. LTD., Director- Shri Santosh Kumar Yadav S/o Shri Deena Nath Yadav & Smt. Yaduvanshi Pragya Singh W/o Shri Santosh Kumar Yadav		
4.	Full correspondence address of proponent and mobile no.	Add.- 94 Eldeco Green, Gomti Nagar, Lucknow, U.P. 226010		
5.	Name of Project	Ordinary Sand Mining Project		
6.	Project location (Plot/ Khasra /Gata No.)	Gata No.- 34 to 46 & 51 to 56		
7.	Name of River	Ganga		
8.	Name of Village	Firojpur		
9.	Tehsil	Fatehpur		
10.	District	Fatehpur		
11.	Name of Minor Mineral	Ordinary Sand		
12.	Sanctioned Lease Area (in Ha.)	15.0 ha.		
13.	Max.& Min mrl within lease area	100.0 mRL- 98.0 mRL		
14.	Pillar Coordinates (Verified by DMO)	Pillars	Latitude (N)	Longitude (E)
		A	26°03.422"N	81°01.050"E
		B	26°03.176"N	81°01.448"E
		C	26°03.276"N	81°01.523"E
		D	26°03.503"N	81°01.140"E
15.	Total Geological Reserves	225000 m ³		
16.	Total Mineable Reserves	54988 m ³		
17.	Total Proposed Production (in five year)	250000 m ³		
18.	Proposed Production / year	50000 m ³		
19.	Sanctioned Period of Mine lease	5 Year		
20.	Method of Mining	Opencast Semi-Mechanized		
21.	No.Of workers	33 (average)		

Road, Greater Noida, Gautam Budh Nagar, Noida, U.P. to submit following information regarding plot no. B-11:

1. Detailed salient features of plot no. B-11 mentioned in earlier environmental clearance proposal submitted to SEIAA in year 2012 and detailed salient features of plot no. B-11 mentioned in layout plan sanctioned in year 2013 & 2022 in comparative chart.
2. Copy of agreement between M/s Jaypee Greens and M/s Gaur for plot no. B-11, Jaypee Greens, Greater Noida.

The above information should be submitted by the project proponent on priority basis.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Ashish Tiwari)
Member-Secretary, SEAC

(Rajive Kumar)
Chairman

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by SEAC-1 during the meeting.

Annexure-1General and Specific Conditions for Gitti, Patthar & Boulder Mining Projects: -A. 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 the law.
3. Any addition of the mining area, change of Khasra numbers, enhancement of capacity, change in mining technology, modernization, and scope of working shall again require prior environmental clearance as per EIA notification, 2006.
4. No change in the calendar plan including excavation, the quantum of mineral and waste shall be made.
5. Mining will be carried out as per the approved mining plan. In case of any violation of the mining plan, the Environmental Clearance given by SEIAA will stand cancelled.
6. Four ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for RSPM, SPM, SO₂, NO_x monitoring. The 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. The monitored data for criteria pollutants shall be regularly uploaded on the company's website and also displayed on the website.
7. Data on ambient air quality (RPM, SPM, SO₂, NO_x) should be regularly submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and the State Pollution Control Board / Central Pollution Control Board once in six months.
8. Ambient air quality at the boundary of the mine premises shall conform to the norms prescribed in MoEF notification no. GSR/826(E) dated 16.11.09.
9. Fugitive dust emissions from all the sources shall be controlled regularly. Water spraying arrangement on haul roads, loading and unloading, and at transfer points shall be provided and properly maintained.
10. Measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. shall be provided with earplugs/muffs and health records of the workers shall be maintained.
11. Industrial wastewater (workshop and wastewater from the mine) should be properly collected, treated to conform to the standards prescribed under GSR 422 (E) dated 19th May 1993 and 31st December 1993 or as amended from time to time. Oil and grease traps shall be installed before the discharge of workshop effluents.
12. Personnel working in areas shall be provided with protective respiratory devices like masks and they shall also be imparted adequate training and information on safety and health aspects.
13. Special measures shall be adopted to prevent the nearby settlements from the impacts of mining activities.
14. The transportation of the materials shall be limited to the day hours' time only.
15. Provision shall be made for housing the laborers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche, etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
16. A separate Environmental Management Cell with suitably qualified personnel shall be setup under the control of a Senior Executive, who will report directly to the Head of the Organization.
17. The Project Proponent shall inform the Integrated Regional Office, MoEF&CC, GoI, Lucknow and State Pollution Control Board regarding the date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
18. The funds earmarked for environmental protection measures shall be kept in a separate account and shall not be diverted for other purposes. The year-wise expenditure shall be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and State Pollution Control Board

19. The Integrated Regional Office, MoEF&CC, GoI, Lucknow and State Pollution Control Board shall monitor compliance with the stipulated conditions. A complete set of documents including Environment Impact Assessment Report, Environmental Management Plan, Public hearing, and other documents information should be given to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and State Pollution Control Board
20. A copy of the environmental clearance shall be submitted by the Project Proponent to the Heads of the Local Bodies, Panchayat, and Municipal Bodies as applicable in the matter.
21. The Project Proponent 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 Level Environment Impact Assessment Authority (SEIAA).
22. The Project Proponent has to submit a regular half-yearly compliance report of the stipulated prior environmental clearance terms and conditions in hard and soft copy to the SEIAA, U.P. on 1st June and 1st December of each calendar year.
23. The SEIAA may alter/modify the above conditions or stipulate any further condition in the interest of environmental protection.
24. 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 the Environment (Protection) Act, 1986.

B. Specific Conditions:

1. At the time of operation, the project proponent will comply with all the guidelines issued by the Government of India/State Govt./District Administration related to Covid-19.
2. This environmental clearance does not create or verify any claim of the applicant on the proposed site/activity.
3. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and the area is less than 05 ha, but factually the distance is less than 500 mt, and the mine is located in the cluster of area equal to or more than 05 ha, the E.C issued will stand revoked.
4. This environmental clearance shall be subject to a valid lease in favor of the project proponent for the proposed mining proposals. In case, the project proponent does not have a valid lease, this environmental clearance shall automatically become null and void.
5. The Environmental clearance will be co-terminus with the mining lease period/Mining Plan whichever is less. The Mining plan approved by the Dept. of Mines and Geology shall be strictly implemented and shall not be operated beyond the validity period.
6. Explosive cannot be stored on the site. The Project proponent shall take approval from Chief Controller of Explosive, if applicable for use or storage of explosive or any such materials.
7. A comprehensive EIA including mining areas within 15 K.M. to assess the impact of the mining activity on the surrounding area shall be undertaken and a report submitted to this Authority within one year.
8. No two pits shall be simultaneously worked i.e. before the first is exhausted and reclamation work completed, no mineral bearing area shall be worked.
9. After exhausting the first mine pit and before starting mining operations in the next pit, reclamation and plantation work in the exhausted pit shall be completed to ensure that reclamation, forest cover, and vegetation are visible during the first year of mining operations in the next pit. This process will follow till the last pit is exhausted. Adequate rehabilitation of mined pit shall be completed before any new ore-bearing area is worked for expansion.
10. An adequate buffer zone shall be maintained between two consecutive mineral-bearing deposits.
11. The sprinkling of water on haul roads to control dust will be ensured by the project proponent.
12. Green belt development shall be carried out considering CPCB guidelines including the selection of plant species and in consultation with the local DFO / Agriculture Department. Herbs and shrubs shall also form a part of the afforestation programme besides tree plantation. The company shall involve local people in the plantation programme. Details of year-wise

- afforestation programme including rehabilitation of mined-out area shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow every year.
13. Blast vibrations study shall be conducted and an observation report submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and UPPCB within six months. The report shall also include measures for the prevention of blasting associated impact on nearby houses and agricultural fields.
 14. Controlled blasting techniques with sequential blasting shall be adopted. The blasting shall be carried out in the daytime only. The project proponent shall ensure prevention of displacement of human beings/wild animals/birds etc. and in case any such displacement is caused due to blasting/mining operation by any chance the project proponent shall take suitable measures for their rehabilitation and resettlement.
 15. Appropriate arrangement for shelter and drinking water for the mining workers has to be ensured at the mining site.
 16. Maintenance of village roads used for transportation of minerals is to be done by the company regularly at its own expenses. The link roads from mining area to main road shall be constructed as all-weather road with black topping and maintained by the project proponent.
 17. The surface runoff rain water harvesting/rain water recharge and water conservation measures will be taken by project proponent in consultation with central /State ground water Board .The project proponent shall plan and implement collection drain and siltation basins of adequate size to arrest the silt and sediment flows from the mining area. The supernatant of the siltation basin and rain water harvested water shall be utilized for watering the haulage area, roads and green belt development etc.
 18. Status of implementation shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and UP Pollution Control Board within six months and thereafter every year from the next consequent year.
 19. The self-environmental audit shall be conducted annually. Every three years third-party environmental audit shall be carried out.
 20. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geotextile matting or other suitable material, and thick plantations of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
 21. Trenches/garland drains shall be constructed at foot of dumps and coco filters installed at regular intervals to arrest silt from being carried to water bodies. An adequate number of Check Dams and Gully Plugs shall be constructed across seasonal/perennial nallahs if any flowing through the ML area and silts arrested. De silting at regular intervals shall be carried out.
 22. Garland drain of appropriate size, gradient, and length shall be constructed for both mine pit and waste dump and sump capacity shall be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity shall also provide an adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and de silted at regular intervals.
 23. Ground and surface water, if any in and near the core zone (within 5.0 km of the lease) shall be regularly monitored for contamination and depletion due to mining activity and records maintained. The monitoring data shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly. Further, monitoring points shall be located between the mine, and drainage in the direction of flow of groundwater shall be set up and records maintained.
 24. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located nearest to sources of dust generation as applicable) and records submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly.
 25. Baseline data for ambient air quality shall be generated and maintained and RSPM level in ambient air in the nearby human habitation (villages) shall also be monitored along with other parameters.
 26. Corporate Environmental Responsibility (CER) shall be by the project proponent and the details of the various heads of expenditure are 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 the 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 the beneficiary and gram Pradhan along with phone number, photographs should be submitted to Directorate as well as to the District Magistrate / Chief Development officers.
27. Transportation of minerals shall be done by covering the trucks with tarpaulin or other suitable mechanisms so that no spillage of mineral/dust takes place.
 28. Occupational health and safety measures for the workers including identification of work-related health hazards, training on malaria eradication, HIV, and health effects on exposure to mineral dust, etc. shall be carried out. Periodic monitoring for exposure to respirable mineral dust on the workers shall be conducted and records maintained including the health records of the workers. Awareness programmes for workers on the impact of mining on their health and precautionary measures like the use of personal protective equipment etc. shall be carried out periodically. A review of the impact of various health measures shall be conducted followed by follow-up action wherever required.
 29. The project proponent will ensure for employing local people as per requirement, necessary protection measures around the mine pit and waste dump, and garland drain around the mine pit and waste dump.
 30. Topsoil / solid waste shall be stacked properly with proper slope and adequate safeguards and shall be utilized for backfilling (wherever applicable) for reclamation and rehabilitation of the mined-out area. Topsoil shall be separately stacked for utilization later for reclamation and shall not be stacked along with overburden.
 31. Overburden (OB) shall be stacked at the earmarked dump site(s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 20 m, each stage shall preferably be of a maximum of 10 m and the overall slope of the dump shall not exceed 35°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface runoff.
 32. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Regional Office, Ministry of Environment & Forests, GoI, Lucknow, and U.P. Pollution Control Board on a six-monthly basis.
 33. The slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by the Indian Bureau of Mines.
 34. Permission for the abstraction of groundwater shall be taken from Central Ground Water Board. Regular monitoring of ground and surface water sources for level and quality shall be carried out by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring shall be carried out four times in a year i.e., premonsoon (April May), monsoon (August), post-monsoon (November), and winter (January), and the data thus collected shall be regularly sent to MoEF&CC, Central Ground Water Authority, and Regional Director, Central Ground Water Board.
 35. The wastewater from the mine shall be treated to conform to the prescribed standards before discharging into the natural stream. The discharged water from the Tailing Dam, if any shall be regularly monitored and report submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, Central Pollution Control Board, and the State Pollution Control Board.
 36. Hydrogeological study of the area shall be reviewed by the project proponent annually. In case the adverse effect on groundwater quality and quantity is observed mining shall be stopped and resumed only after mitigating steps to contain any adverse impact on groundwater is implemented.
 37. Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transportation of minerals and others shall have valid permissions as prescribed under Central Motor Vehicle Rules, 1989 and its amendments. The vehicles transporting minerals shall be covered with a tarpaulin or other suitable enclosures so that no dust particles / fine matters escape during the period of transportation. No overloading of minerals for transportation shall be committed. The trucks transporting minerals shall not pass through the wildlife sanctuary if any in the study area.

38. Prior permission from the Competent Authority shall be obtained for the extraction of groundwater if any.
39. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
40. Project Proponent shall explore the possibility of using solar energy where ever possible.
41. Commitment towards CER has to be followed strictly.
42. Regular health checkup record of the mineworkers has to be maintained at the site in a proper register. It should be made available for inspection whenever asked.
43. Project Proponent has to strictly follow the direction/guidelines issued by MoEF&CC, CPCB, and other Govt. Agencies from time to time.
44. The blasting will be done only after getting permission from the Mining Department.

Annexure-2**General and Specific Conditions for Sand/Morum Mining Proposals****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.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the

- requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
 25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
 26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
 27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
 28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
 29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
 30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
 31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
 32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
 33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
 34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
 35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
 36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
 37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
 38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
 39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
 40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
 41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
 42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health

- surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, GoI, Lucknow by e-mail.
 45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
 46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
 47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
 48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
2. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
3. Environment management in according to environmental status and impact of the project.
4. During the school opening and closing time transportation of minerals will be restricted.
5. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
6. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
7. Pakkamotorable haul road to be maintained by the project proponent.
8. 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.
9. Permission from the competent authority regarding evacuation route should be taken.
10. 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.
11. Provision for cylinder to workers should be made for cooking.
12. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
13. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
14. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
15. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
16. Provision for two toilets and hand pumps should be made at mining site.
17. Drinking water for workers would be provided by tankers.
18. 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.
19. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
20. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
21. 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.

22. 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.
23. 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.
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 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. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
36. 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.
37. 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)].
38. 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.
39. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
40. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.

41. 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.
42. 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.
43. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
44. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
45. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
46. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P. and UPPCB.
47. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, CPCB, State PCB.
48. 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.
49. 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.
50. 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.
51. Waste water from potable use be collected and reused for sprinkling.
52. 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.

Annexure-3**General and Specific Conditions for Soil Earth Mining Projects:-****General condition:**

1. This environmental clearance does not create or verify any claim of applicant on the proposed site/activity.
2. Any mining activity shall be undertaken only after valid permission from Mining Department/District Administration and written agreement with land owner from where earth excavation is proposed.
3. No change in mining technology and scope of working shall be made without approval of Authority.
4. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
5. The Authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environmental conditions or modify the existing ones, if necessary.
6. In case of any deviation or alteration in the project proposed from those submitted to this Authority for clearance, a fresh reference should be made to the Authority to assess the adequacy of the condition(s) imposed and to add additional environmental protection Measures required, if any.
7. 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.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the agreement/mining plan whichever is less.
2. Environment management should be in accordance with the present environment status of the project.
3. Approach kaccha road should be made motorable and maintained periodically.
4. Transportation of soil should be undertaken in covered containers.
5. Rehabilitation plan with planting of trees to be submitted along with the closure plan.
6. Land to be leveled and handed over to the owners after completion of excavation work.
7. A valid NOC from State Pollution Control Board shall be obtained for the Brick kiln prior to operation as per law and all guidelines must be followed, if applicable.
8. The mining operations shall be strictly limited to the proposed mining sites and proposed purpose.
9. Top soil should be adequately preserved and should be used for landscaping.
10. Excavated soil should be properly stored in a manner not to increase surrounding air pollution level.
11. Water sprinkling should be exercised during excavation and storage of soil for suppression of fugitive dust.
12. Excavated area should be properly reclaimed and ensured that no open bore hole is left.
13. Safety measures for the people working at the site shall be duly taken care of as per law.
14. The excavation work shall be done in day time only.
15. The project boundary shall be properly covered to restrict dust dispersion.
16. Precautionary measures during soil excavation for conservation and protection of rare and endangered flora and fauna found in the study area.
17. Noise level shall be maintained as per standards for both day and night.
18. The route map for soil transportation from excavation plots to work site should be firmed up and necessary permissions shall be sought from District Administration.
19. Vehicles hired for the transportation should be in good condition and should have Pollution Check Certificate and should conform to applicable air and noise emission standards.

20. Personnel exposure monitoring for respirable mineral dust shall be carried out for the workers and records maintained including health records of the workers. Awareness program for workers on impact of mining on their health and precautionary measures like use of personal protective equipments etc. shall be carried out periodically. First aid facilities and adequate sanitary facility in the form of temporary toilets/septic tanks.
21. Solid waste material viz gutkha rappers, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management Rules.
22. Project proponent should maintain daily register for information of (a) collection of soil/clay, (b) manpower & (c) transportation purpose.
23. Soil mining shall strictly be undertaken as per rules and regulations/permissions obtained from District Administration/Mining Department
24. 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. A copy of resolution as above shall be submitted to the authority along with list of beneficiaries with their mobile nos./address.
25. The borrowing/excavation activity shall be restricted to a maximum depth of 2 m. below general ground level at the site.
26. The borrowing/excavation activity shall be restricted to 2 m. above the ground water table at the site.
27. The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
28. The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
29. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
30. Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
31. Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
32. Workers/labourers shall be provided with facilities for drinking water and sanitation.
33. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
34. A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.

Annexure-4Standard Terms of Reference for the Mining Project prescribed by MoEF&CC, GoI

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled- I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season); December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
- 22) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 25) Description of water conservation measures proposed to be adopted in the Project should be given.
- 26) Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater.
- 29) Necessary data and documentation in this regard may be provided. In case the working will intersect

- groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 30) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
 - 31) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
 - 32) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
 - 33) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
 - 34) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
 - 35) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
 - 36) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
 - 37) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
 - 38) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
 - 39) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
 - 40) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
 - 41) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
 - 42) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
 - 43) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
 - 44) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
 - 45) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data

were collected and the sources should be indicated.

- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include: (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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

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

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

Minutes of the 758th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 19-09-2023

The meeting of 758th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 19.09.2023 the Directorate of Environment. The following were present in the meeting:-

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

Agenda – A- Minutes of 777th SEAC-1 Meeting Dated 23/08/2023

1. "Ordinary Earth Mine" at Khasra/Gata No.- 291, 292 & 296, Village- Sarai Akbarabad, Tehsil- Nawabganj, District-Barabanki, U.P., Shri Sangram Singh Yadav, Area-0.9259 ha., 7945/SIA/UP/MIN/431459/2023.

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC adding following conditions:-

1. If in future during the progressive mining this lease area becomes part of cluster i.e. area equal to or more than 5 ha., limited to B-1 category, then additional conditions based on the EIA conducted by the concerned lease holders shall be imposed and joint EMP shall be implemented. The lease holder shall mandatorily follow all the imposed 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 the law shall be initiated against the authority issuing the cluster certificate.
2. Validity period of this EC is 3 months from the date of issue as the Lol has been issued for a period of 3 months or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.



for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.

- 13- Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
- 14- Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.
- 15- If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.

4. "Ordinary Soil Excavation Mining Project" at Gata No. 836A, 836V, 869, 803, 941, 960, 898, 980, located in village- Siras Khera, Tehsil & District - Moradabad, Shri Laik Ahmad, Area 1.6528 Ha., 8063/SIA/UP/MIN/439750/2023.

SEIAA noted that SEAC has recommended to grant EC to the above project. SEIAA gone through file and documents and found that proper KML and original agreement between lease holder and land owners has not been submitted. Hence SEIAA opined to refer back the project.

5. Riverbed "Ordinary Sand Mining" on the riverbed of Yamuna River at Gata No.-1/2, Village- Chhaprauli Khadar, Tehsil - Baraut, District - Bagpat, Shri Daya Chand Bargouti, M/s Royal constructions Company, Area 9.570 ha., 8077/7633/SIA/UP/MIN/439838/2023.

In light of discussion held in 731st SEAC meeting and SEIAA meeting no. 597 dated 05.05.2022 SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC adding following specific conditions

1. District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study report the project proponent shall seek amended/fresh EC.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
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 water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.

6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 10,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
7. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 50 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
8. 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.
9. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, Gol, Lucknow.

6. Ordinary Sand Mining Project at Gata No. - 34 to 46 & 51 to 56, Village- Firojpur, Tehsil-Fatehpur, District- Fatehpur, M/s Pragyasan Contractor Pvt. Ltd, Shri Santosh Kumar Yadav, Area: 15.0 ha., 8073/5829/SIA/UP/MIN/439882/2023.

SEIAA noted that SEAC has recommended to grant EC to the above project. SEIAA gone through file and documents and found that ultimate depth of mining mentioned in SEAC, MoM is 0.4 m (average), in mining plan approval letter depth is mentioned as 3 meters (maximum) and in executive summary depth is mentioned of 1.4 m there is contradiction in depth of mining. Hence SEIAA opined to refer back the project.

7. Ordinary Earth Mine at Gata No. - 319,324, Village- Asdamau, Pargana- Sidhaur, Tehsil-Haidargarh, District- Barabanki, Shri Tarun Verma, Area- 0.8065 Ha., 7843/SIA/UP/MIN/301745/2023.

SEIAA agreed with the recommendation of SEAC to amend the father name of project proponent as "Shiv Nath Verma" in EC Identification no. EC23B001UP176019, dated 18/06/2023. All the other contents mentioned in environment clearance letter dated 18/06/2023 shall remain the same.

8. "Sand/Morrum Mine" at Gata No. 73/1, 73/2, 77/1, 77/7, 89, 101/1, 102/1 Village – Sandi Khadar, Tehsil- Pailani District - Banda, M/s New Eureka Mines & Minerals Pvt. Ltd, Shri Himanshu Meena, Area- 27.0 Ha., 8081/SIA/UP/MIN/439986/2023.

SEIAA agreed with the recommendation of SEAC to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- Amendment in DSR should be submitted at the time of EIA submission.
- 2- Proposed production per annum shall be as per approved replenishment study report.

Minutes of the 758th Meeting of the SEIAA, UP held on 19.09.2023

requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.

6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 2,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
7. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 10 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
8. 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.
9. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.

Rest all the content of Environmental Clearance letter no. EC23B001UP193520 dated 14.05.2023 shall remain same.

Area mentioned in the previous EC is being transferred only. If there is a change in geo-coordinates of the area then EC will be null and void

Nodal Officer**SEIAA, UP**

MoM prepared by Secretariat in consultation with
MS& Member on the basis of decisions
Taken by SEIAA during the meeting.



(Smt. Mamta Sanjeev Dubey)
Chairman
SEIAA

(Ajay Kumar Sharma)
Member-Secretary
SEIAA

(Paras Nath)
Member
SEIAA

ENVIRONMENTAL
CLEARANCE

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

To,

The -1

DAYACHAND BADGOTI

M. No 5 Nai Break Point Resturant, Bhur Chauraha K Pass, Yamunapur,
Bulanshahar U.P. -203001

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/UP/MIN/439838/2023 dated 10 Aug 2023. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC23B001UP110342
2. File No.	8077-7633
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Proposed Chhaprauli Khadar Ordinary Sand Mining project on Yamuna Riverbed
7. Name of Company/Organization	DAYACHAND BADGOTI
8. Location of Project	UTTAR PRADESH
9. TOR Date	N/A

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

Date: 07/10/2023

(e-signed)
Ajay Kumar Sharma
Member Secretary
SEIAA - (UTTAR PRADESH)

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

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PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



**Directorate of Environment, U.P.**

Vineet Khand-1, Gomti Nagar, Lucknow- 226010

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

Phone no- 0522-2300541

Reference- MoEFCC Proposal no SIA/UP/MIN/439838/2023 & SEIAA, U.P File no-8077/7633**Sub: Environmental Clearance for Proposed Ordinary Sand mining project on Riverbed of Yamuna River at Gata No. 1/2, Village- Chhaprauli Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area 9.570 ha.), M/s Royal Construction Company.**

Dear Sir,

This is with reference to your application / letter dated 10-02-2023, 13-03-2023, 10-08-2023, 23-08-2023 above mentioned subject. The matter was considered by 777th SEAC in meeting held on 23-08-2023 and 758th SEIAA in meeting held on 19-09-2023.

A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd to SEAC on 23-08-2023.

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 Ordinary Sand mining project on Riverbed of Yamuna River at Gata No. 1/2, Village- Chhaprauli Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area 9.570 ha.), M/s Royal Construction Company.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 45/Parya/SEIAA/7633/2022, Dated 23/03/2023.
3. The Public Hearing was organized on 12/07/2023 Final EIA report submitted by the project proponent on 10/08/2023.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/439838/2023
2.	File No. allotted by SEIAA, UP	8077/7633
3.	Name of Proponent	M/S Royal Construction Company, Prop. Shri Dayachand Bargoti
4.	Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)
		Mobile No-
		Email-
5.	Name of Project	Chhaprauli Khadar Ordinary Sand mining project on Riverbed of Yamuna River
6.	Project location (Plot/Khasra/Gata No.)	Gata No. 1/2
7.	Name of River	Yamuna River
8.	Name of Village	Chhaprauli Khadar
9.	Tehsil	Baraut
10.	District	Baghpat
11.	Name of Minor Mineral	Ordinary Sand
12.	Sanctioned Lease Area (in Ha.)	9.570 ha
13.	Max & Min mRL within lease area	Max- 224.0 mRL & 222.0 mRL

14.	Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area		
		Pillar No.	Latitude	Longitude
		A	29°13'14.6"N	77°08'39.3"E
		B	29°13'11.4"N	77°08'33.5"E
		C	29°13'21.8"N	77°08'21.33"E
	D	29°13'25.7"N	77°08'29.7"E	
15.	Total Geological Reserves	4,08,354 Cum		
16.	Total Mineable Reserves in LOI	2,40,000 Cum/year		
17.	Total Proposed Production	12,00,000 cum in 5 Years		
18.	Proposed Production/year	2,40,000 Cum/year		
19.	Sanctioned Period of Mine lease	05 years		
20.	Method of Mining	Open Cast Semi-mechanized Method		
21.	No. of working days	260 days		
22.	Working hours/day	8 hrs		
23.	No. of workers	54		
24.	No. of vehicles movement/day	70		
25.	Ultimate Depth of Mining	2.90 m		
26.	Nearest metalled road from site	2.30 km (approx)		
27.	Water Requirement	PURPOSE		REQUIREMENT (KLD)
		Drinking		0.54
		Suppression of dust		3.0
		Plantation		19.0
		Others (if any)		0.54
		Total		23.08
28.	Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, September 2023		
29.	Any litigation pending against the project or land in any court	No		
30.	Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified 342/Kha. li./2022-23 Dated- 10.01.2023		
31.	Details of Lease Area in approved DSR	Yes, given in the DSR 374/M 0-228/2017 (Khanan Niti)- DSR		
32.	Proposed CER cost/year	Rs 2,00,000/-		
33.	Proposed EMP cost/year	Recurring Cost- 8,88,000/-		
34.	Length and breadth of Haul Road	Length: 500 m, width: 6 m		
35.	No. of Trees to be Planted	9500 plants		

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

Based on the recommendations of the State Level Expert Appraisal Committee Meeting (SEAC) held on 23-08-2023 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting held 19-09-2023 and decided to grant the Environmental Clearance to the title project for collection

of 2,40,000 Cum/year for lease area of 9.570 ha subject to effective implementation of the following General Conditions and specific conditions:-

General condition:

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

19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be

- created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
 38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
 39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
 40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
 41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
 42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
 43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, Gol, 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. District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study report the project proponent shall seek amended/fresh EC.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.

3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
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 water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or district plantation committee, for planting at least 10,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
7. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 50 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
8. 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.
9. 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.
10. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. The quantity mentioned in Lol 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.
11. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
12. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
13. The project proponent shall install solar light in their site office.
14. 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.
15. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
16. 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.

17. 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.
18. The project proponent should explore the possibilities of rainwater harvesting.
19. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
20. 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.
21. 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
22. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
23. Submit the Hydrological study report of lease area that the quantity given in Lol will be mined without affecting the geo-hydrology of the River.
24. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
25. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
26. Environment management in according to environmental status and impact of the project.
27. During the school opening and closing time transportation of minerals will be restricted.
28. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
29. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
30. Pakkamotorable haul road to be maintained by the project proponent.
31. 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.
32. Permission from the competent authority regarding evacuation route should be taken.
33. 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.
34. Provision for cylinder to workers should be made for cooking.
35. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
36. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
37. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
38. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
39. Provision for two toilets and hand pumps should be made at mining site.
40. Drinking water for workers would be provided by tankers.
41. 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.
42. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
43. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
44. 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.

45. 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.
46. 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.
47. 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.
48. 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.
49. 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.
50. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
51. 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.
52. 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.
53. 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.
54. 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.
55. 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.
56. 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.
57. 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.
58. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
59. 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.

60. 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)].
61. 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.
62. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
63. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
64. 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.
65. 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.
66. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
67. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
68. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
69. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, Gol, Lucknow, SEIAA, U.P. and UPPCB.
70. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, Gol, Lucknow, CPCB, State PCB.
71. 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.
72. 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.
73. 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.
74. Waste water from potable use be collected and reused for sprinkling.
75. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically

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

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

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

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

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

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

1. **Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)**
2. **Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)**
3. **Deputy Director General of Forests (C), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector “H”, Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)**
4. **District Magistrate, Bagpat.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**
6. **Copy to Web Master for uploading on PARIVESH Portal.**
7. **Copy for Guard File.**

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

Signature Not Verified

Digitally signed by Ajay Kumar
Sharma
Member Secretary
Date: 10/7/2023 4:37:22 PM

Minutes of 743th SEAC-1 Meeting Dated 26/04/2023

The 743th meeting of SEAC-1 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 26/04/2023. Following members participated in the meeting:

1.	Shri Rajive Kumar,	Chairman, SEAC
2.	Dr. Ajai Mishra,	Member, SEAC-1 (through VC)
3.	Dr. Ratan Kar,	Member, SEAC-1
4.	Shri Om Prakash Srivastava,	Member, SEAC-1 (through VC)
5.	Dr. Brij Bihari Awasthi,	Member, SEAC-1
6.	Shri Umesh Chandra Sharma,	Member, SEAC-1
7.	Shri Ashish Tiwari,	Member-Secretary, SEAC-1

The Chairman welcomed the members to the 743th SEAC-1 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-1 informed the committee that the agenda has been approved by the Member Secretary, SEAC-1/Director Environment. Nodal Officer, SEAC-1 placed the agenda items along with the available file and documents before the SEAC-1.

1. Cement Grinding Unit with Cement Production Capacity of 2 x 3.0 Million Metric Tons per Annum (6 MMTPA) at Village- Belwan, Kathinai & Gurkhuli, Tehsil- Sadar, District- Mirzapur, U.P., M/s Ambuja Cements Limited., File No. 7676/ Proposal No. SIA/UP/IND1/420365/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Ecomen Laboratories Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Cement Grinding Unit with Cement Production Capacity of 2 x 3.0 Million Metric Tons per Annum (6 MMTPA) at Village- Belwan, Kathinai & Gurkhuli, Tehsil- Sadar, District- Mirzapur, U.P., M/s Ambuja Cements Limited.

2. Site details:

SN	PARTICULARS	DETAILS		
1	S.No in Schedule and Industry Sector	3(b): Cement Plants		
2	Production Capacity	2 x 3.0 Million Metric Tons per Annum (6 MMTPA)		
3	Geo coordinates	Points	Latitude	Longitude
		A	25° 6'31.16"N	82°45'35.44"E
		B	25° 6'39.53"N	82°45'39.02"E
		C	25° 6'27.57"N	82°46'13.02"E
		D	25° 6'22.89"N	82°46'11.13"E
		E	25° 6'16.14"N	82°46'27.83"E
		F	25° 6'12.91"N	82°46'26.58"E
4	Proposed Site/ Land Details	Total Project Area- 36.06 Ha Forest area = Not Applicable Topo sheet no.: 63 K/12 Longitude: 82°45'35.44"E to 82°46'27.83"E and Latitude: 25° 6'12.91"N to 25° 6'39.53"N Village-Belwan, Kathinai & Gurkhuli , Tehsil:Sadar, District: Mirzapur, State-Uttar Pradesh.		
5	Green Belt detail	12.15 Ha		
6	Project Cost	INR 1400 Crores		
7	Manpower Details	Construction	Operation	
		60 people (Permanent)	60 people (Permanent)	

7. The details of equipment used for baseline monitoring alongwith its photograph mentioning date, time and geo coordinates for preparation of EIA report should be clearly displayed to the people present during public hearing and the complete details related to monitoring period must be mentioned in the minutes of public hearing.
8. Original lab analysis report of the project proposal along with EIA report should be uploaded on Parivesh Portal.
9. Combined KML of all mines in a cluster should be submitted at the time of EIA.
10. The project proponent/Consultant should identify the core & buffer zone (2.5 km) of the mining site.
11. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road to be submitted at the time of EIA presentation.
12. Proponent/Consultant should submit the plan/information along with technology (photographs of water sprinklers/ tankers) to be implemented for mitigating dust at source points in lease area and haulage road during operation activity/vehicular movement. Technology should be displayed at the time of EIA presentation.
13. Proposed plantation plan with area specific plant species, number of plants to be planted and place of plantation along with a proper map to be submitted at the time of EIA presentation.
14. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.
15. Proponent/consultant shall present TOR specific/additional conditions compliance, observation/suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.
16. Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.

8. Riverbed “Ordinary Sand Mining” on the riverbed of Yamuna River at Gata No.706, Village- Kotana Khadar, Tehsil - Baraut, District - Baghpat, Shri Dayachand Bargoti, M/s Royal Construction, Area 12.245 ha.,File No. 7696/ Proposal No. SIA/UP/MIN/420993/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Kotana Khadar Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Kotana Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area : 12.245 ha), M/S Royal Construction Company.
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/420993/2023
2.	File No. allotted by SEIAA, UP	7696
3.	Name of Proponent	M/S Royal Construction Company, Prop. Shri Dayachand Bargoti
4.	Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)
		Mobile No-
		Email-
5.	Name of Project	Kotana Khadar Ordinary Sand mining project on Riverbed of Yamuna River
6.	Project location (Plot/Khasra/Gata No.)	Gata No. 706
7.	Name of River	Yamuna River
8.	Name of Village	Kotana Khadar
9.	Tehsil	Baraut
10.	District	Baghpat

11. Name of Minor Mineral	Ordinary Sand	
12. Sanctioned Lease Area (in Ha.)	12.245 ha	
13. Max & Min mRL within lease area	Max- 220.0 mRL & 219.0 mRL	
14. Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area	
	Pillar No.	Latitude
	A	29°6'16.40"N
	B	29°6'14.50"N
	C	29°6'33.90"N
	D	29°6'30.30"N
	Longitude	77°8'22.70"E
	77°8'32.50"E	77°8'36.10"E
	77°8'27.90"E	
15. Total Geological Reserves	4,71,406 Cum	
16. Total Mineable Reserves in LOI	2,75,500 Cum/year	
17. Total Proposed Production	2,75,500 Cum/year	
18. Proposed Production/year	2,75,500 Cum	
19. Sanctioned Period of Mine lease	05 years	
20. Method of Mining	Open Cast Semi-mechanized Method	
21. No. of working days	260 days	
22. Working hours/day	8 hrs	
23. No. of workers	58	
24. No. of vehicles movement/day	80	
25. Type of Land	Government land	
26. Ultimate Depth of Mining	2.54	
27. Nearest metalled road from site	1.60 km (approx)	
28. Water Requirement	PURPOSE	REQUIREMENT (KLD)
	Drinking	0.58
	Suppression of dust	4.8
	Plantation	12.0
	Others (if any)	0.58
Total	17.96	
29. Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, September 2023	
30. Any litigation pending against the project or land in any court	No	
31. Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified	
32. Details of Lease Area in approved DSR	Yes, given in the DSR	
33. Proposed CER cost/year	Rs 1,80,000/-	
34. Proposed EMP cost/year	Recurring Cost- 5,88,000/-	
35. Length and breadth of Haul Road	Length: 400 m, width: 6 m	
36. No. of Trees to be Planted	12000 plants	

3. 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.
4. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
5. 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.
6. There is no litigation pending in any court regarding this project.
7. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

The project proponent also submitted a letter dated 02/03/2023 which was received in Directorate on 03/03/2023 through which they have informed that the collection of baseline monitoring data for the said project has already been started for pre-monsoon season (01 March 2023 to 31 May, 2023) as per provision of MoEFCC, OM dated 08/06/2022.

The consultant (EIA Coordinator) also submitted an affidavit dated 06/03/2023 mentioning is

as follows:

1. I, Ankur Sharma, S/o Lalit Mohan Sharma is EIA Coordinator of M/s Cognizance Research India Pvt. Ltd.
2. I have prepared TOR report for the proposal (SIA/UP/MIN/420993/2023), File No. 7696 of Riverbed “Ordinary Sand Mining” on the riverbed of Yamuna River at Gata No.706, Village-Kotana Khadar, Tehsil - Baraut, District - Baghpat, Shri Dayachand Bargoti, M/s Royal Construction, Area 12.245 ha. with my team.
3. I have personally visited the site of proposal and certify that no Mining activity has been undertaken on the project site for the present proposal.
4. I am satisfied with that all the necessary data/information required for TOR project are true and correct.
5. This project was earlier uploaded on Parivesh with Proposal No. SIA/UP/MIN/420892/2023 and File No. 7678, but due to changes in proposal we have again submitted the project.
6. I certify that there is no mismatch between information/data provided on the online application submitted on Parivash Portal and hard copy which is submitted after acceptance of application.
7. The TOR report for the Proposal will be prepared by my team as per guideline laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 08

The committee discussed the matter and recommended to issue the standard terms of reference for the preparation of EIA as annexed at annexure-2 to the minutes. The committee also stipulated following additional TOR Points:

Additional TOR:

1. The consultant should collect the baseline monitoring data for the period of pre-monsoon season (March to May, 2023) for the preparation of draft EIA report as per intimation letter.
2. Project proponent should present latest drone videography of the project site mentioning the date, time and geo coordinates at the time of EIA presentation.
3. Original Cluster Certificate should be submitted at the time of EIA presentation.
4. NOC from Irrigation Department/Concerning Authority regarding river bed mining to be submitted at the time of EIA presentation.
5. To ensure proper monitoring, the project proponent/consultant should provide evidence in form of (A) Raw Data (B) Logbook of their site visit along with activities carried out during monitoring (C) Real time photographs showing monitoring machine, public, lab person etc. Proprietor/proprietor representative should be present at the time of monitoring and monitoring should be conducted as per CPCB SOP/NABET/QCI guidelines. Lab responsible person should be present at the time of EIA presentation.
6. EIA coordinator & FAE should give a photo affidavit during EIA presentation that they have personally visited the site & they have also taken all the mitigating measures for any critical issues involved in the project.
7. The project proponent will have to inform the schedule of monitoring/data collection programme to the SEIAA/SEAC, UP before start of data collection. In case of failure, the collected baseline monitoring data will be treated as null and void.
8. The details of equipment used for baseline monitoring alongwith its photograph mentioning date, time and geo coordinates for preparation of EIA report should be clearly displayed to the people present during public hearing and the complete details related to monitoring period must be mentioned in the minutes of public hearing.
9. Original lab analysis report of the project proposal along with EIA report should be uploaded on Parivesh Portal.
10. Combined KML of all mines in a cluster should be submitted at the time of EIA.

11. The project proponent/Consultant should identify the core & buffer zone (2.5 km) of the mining site.
12. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road to be submitted at the time of EIA presentation.
13. Proponent/ Consultant should submit the plan/information along with technology (photographs of water sprinklers/ tankers) to be implemented for mitigating dust at source points in lease area and haulage road during operation activity/vehicular movement. Technology should be displayed at the time of EIA presentation.
14. Proposed plantation plan with area specific plant species, number of plants to be planted and place of plantation along with a proper map to be submitted at the time of EIA presentation.
15. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.
16. Proponent/consultant shall present TOR specific/additional conditions compliance, observation/suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.
17. Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.
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.

9. “Granite Gitti, Khanda/ Boulder” Project at Gata No./ Khand No.- 1078 / 17, Village- Gonda, Tehsil- Karwi, District- Chitrakoot, Shri Rasmeet Singh, M/s Reva Sugar Industries Pvt. Ltd., Area : 1.6200 ha., File No. 7697/ Proposal No. SIA/UP/MIN/421683/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh (Servicing Environment and Development), Lucknow, U.P. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Granite Gitti, Khanda/ Boulder Mining at Gata No./ Khand No.- 1078 / 17, Village- Gonda, Tehsil- Karwi, District- Chitrakoot, U.P. (Leased Area- 1.6200 ha.), M/s Reva Sugar Industries Pvt. Ltd.
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/421683/2023		
2.	File No. allotted by SEIAA, UP	7697		
3.	Name of Proponent	M/s Reva Sugar Industries Pvt. Ltd., Director- Shri Rasmeet Singh Malhotra		
4.	Full correspondence address of proponent	Add.- Village- Tumda, Tehsil- Saikheda, District- Narsinghpur, M.P.		
5.	Name of Project	Granite Gitti, Khanda/ Boulder Mining Project		
6.	Project location (Plot/ Khasra /Gata No.)	Gata No./ Khand No.- 1078 / 17		
7.	Name of Village	Gonda		
8.	Tehsil	Karwi		
9.	District	Chitrakoot		
10.	Name of Minor Mineral	Granite Gitti, Khanda/ Boulder		
11.	Sanctioned Lease Area (in Ha.)	1.6200 ha.		
12.	Max.& Min mRL within lease area	264 mRL- 242 mRL		
13.	Pillar Coordinates (Verified by DMO)	Pillars	Latitude (N)	Longitude (E)
		A	25° 11.939'N	80° 44.367'E
		B	25° 11.904'N	80° 44.395'E
		C	25° 11.827'N	80° 44.338'E
		D	25° 11.858'N	80° 44.295'E
14.	Total Geological Reserves	2544682 m ³		
15.	Total Mineable Reserves	311146 m ³		

15. **Building stone (Sandstone) mine at Gata No. /Araji /Plot No. - 1006, at Village-Sariva, Tehsil- Chunar, District-Mirzapur, Uttar Pradesh of Shri Digvijay Singh, Area: 0.809 ha., File No. 7789/506/ Proposal No. SIA/UP/MIN/423942/2023**

RESOLUTION AGAINST AGENDA NO-15

The project proponent/consultant did not appear. The committee discussed and deliberated that the project file should be closed and be opened only after request from the project proponent. The file shall not be treated as pending at SEAC. The matter will be discussed only after submission of online requests on prescribed online portal.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Om Prakash Srivastava)
Member

(Dr. Ajai Mishra)
Member

(Rajive Kumar)
Chairman

(Ashish Tiwari)
Member-Secretary, SEAC

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by SEAC-1 during the meeting.

Annexure-2**Standard Terms of Reference for the Mining Project prescribed by MoEF&CC, GoI**

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled- I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season); December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
- 22) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

- 25) Description of water conservation measures proposed to be adopted in the Project should be given.
- 26) Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater.
- 29) Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 30) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 31) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 32) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 33) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 34) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 35) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 36) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 37) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 38) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 39) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 40) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 41) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 42) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

- 43) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 44) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 45) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - e) Where the documents provided are in a language other than English, an English translation should be provided.
 - f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
 - h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
 - i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
 - j) The EIA report should also include: (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

Annexure-3General and Specific Conditions for Soil Earth Mining Projects:-General condition:

1. This environmental clearance does not create or verify any claim of applicant on the proposed site/activity.
2. Any mining activity shall be undertaken only after valid permission from Mining Department/District Administration and written agreement with land owner from where earth excavation is proposed.
3. No change in mining technology and scope of working shall be made without approval of Authority.
4. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
5. The Authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environmental conditions or modify the existing ones, if necessary.
6. In case of any deviation or alteration in the project proposed from those submitted to this Authority for clearance, a fresh reference should be made to the Authority to assess the adequacy of the condition(s) imposed and to add additional environmental protection Measures required, if any.
7. 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.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the agreement/mining plan whichever is less.
2. Environment management should be in accordance with the present environment status of the project.
3. Approach kaccha road should be made motorable and maintained periodically.
4. Transportation of soil should be undertaken in covered containers.
5. Rehabilitation plan with planting of trees to be submitted along with the closure plan.
6. Land to be leveled and handed over to the owners after completion of excavation work.
7. A valid NOC from State Pollution Control Board shall be obtained for the Brick kiln prior to operation as per law and all guidelines must be followed, if applicable.
8. The mining operations shall be strictly limited to the proposed mining sites and proposed purpose.
9. Top soil should be adequately preserved and should be used for landscaping.
10. Excavated soil should be properly stored in a manner not to increase surrounding air pollution level.
11. Water sprinkling should be exercised during excavation and storage of soil for suppression of fugitive dust.
12. Excavated area should be properly reclaimed and ensured that no open bore hole is left.
13. Safety measures for the people working at the site shall be duly taken care of as per law.
14. The excavation work shall be done in day time only.
15. The project boundary shall be properly covered to restrict dust dispersion.
16. Precautionary measures during soil excavation for conservation and protection of rare and endangered flora and fauna found in the study area.
17. Noise level shall be maintained as per standards for both day and night.
18. The route map for soil transportation from excavation plots to work site should be firmed up and necessary permissions shall be sought from District Administration.
19. Vehicles hired for the transportation should be in good condition and should have Pollution Check Certificate and should conform to applicable air and noise emission standards.
20. Personnel exposure monitoring for respirable mineral dust shall be carried out for the workers and records maintained including health records of the workers. Awareness program for workers on impact of mining on their health and precautionary measures like

- use of personal protective equipments etc. shall be carried out periodically. First aid facilities and adequate sanitary facility in the form of temporary toilets/septic tanks.
21. Solid waste material vizguthka rappers, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management Rules.
 22. Project proponent should maintain daily register for information of (a) collection of soil/clay, (b) manpower & (c) transportation purpose.
 23. Soil mining shall strictly be undertaken as per rules and regulations/permissions obtained from District Administration/Mining Department
 24. 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. A copy of resolution as above shall be submitted to the authority along with list of beneficiaries with their mobile nos./address.
 25. The borrowing/excavation activity shall be restricted to a maximum depth of 2 m. below general ground level at the site.
 26. The borrowing/excavation activity shall be restricted to 2 m. above the ground water table at the site.
 27. The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
 28. The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
 29. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
 30. Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
 31. Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
 32. Workers/labourers shall be provided with facilities for drinking water and sanitation.
 33. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
 34. A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

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

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

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

Minutes of the 735th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 31-05-2023

The meeting of 735th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 31.05.2023 the Directorate of Environment. The following were present in the meeting:-

- | | |
|---------------------------|------------------------------|
| 1. Shri Paras Nath | Member, SEIAA, U.P |
| 2. Shri Ajay Kumar Sharma | Member Secretary, SEIAA, U.P |

Agenda –A Minutes of 749th SEAC-2 Meeting Dated 15/05/2023

1. Building stone (Sandstone) mine at Gata No. /Araji /Plot No. - 1006, at Village-Sariya, Tehsil- Chunar, District-Mirzapur, Shri Digvijay Singh, Area: 0.809 ha., File No. 7789/5066/ Proposal No. SIA/UP/MIN/423942/2023

In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. (Except Sand mining) SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC adding following specific conditions:-

1. Validity period of this EC is 5 years from the date of issue as the Lol has been issued for a period of 5 years or co-terminus with the validity of current mine plan or current lease period whichever is earlier After this period the EC will become null and void.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
5. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.

Minutes of the 735th Meeting of the SEIAA, UP held on 31.05.2023

8. Riverbed "Ordinary Sand Mining" on the riverbed of Yamuna River at Gata No.706, Village-Kotana Khadar, Tehsil - Baraut, District - Baghpat, Shri Dayachand Bargoti, M/s Royal Construction, Area 12.245 ha.,File No. 7696/ Proposal No. SIA/UP/MIN/420993/2023

SEIAA agreed with the recommendation of SEAC to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.
- 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 3- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.
- 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipment's or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
 - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
 - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
 - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any.



Minutes of the 735th Meeting of the SEIAA, UP held on 31.05.2023

- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
 - 13- PP / consultant in compliance to Hon'ble NGT order dated 06.05.2022 in OA no. 141/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others and with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others, will submit replenishment study, duly approved by DGM, along with EIA-EMP report for seeking EC.
 - 14- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 13,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
 - 15- In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 65 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
 - 16- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
9. **"Granite Gitti, Khanda/ Boulder" Project at Gata No./ Khand No.- 1078 / 17, Village- Gonda, Tehsil- Karwi, District- Chitrakoot, Shri Rasmeet Singh, M/s Reva Sugar Industries Pvt. Ltd., Area : 1.6200 ha., File No. 7697/ Proposal No. SIA/UP/MIN/421683/2023**
- SEIAA agreed with the recommendation of SEAC to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-
- 1- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.
 - 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
 - 3- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.
 - 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
 - 5- Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.



Minutes of the 735th Meeting of the SEIAA, UP held on 31.05.2023

12. Expansion of existing sugar unit from 8500 TeD to 12000 TeD without change in existing Co-generation Power Plant - 32.0 MW within existing industry premises at P.O: Biswan, District: Sitapur, Shri Ramesh Chandra Singhal, M/s The Seksaria Biswan Sugar Factory Limited (Sugar Division), File No. 7703/ Proposal No. SIA/UP/IND2/421707/2023

SEIAA noted that SEAC has recommended to issue ToR to the above project. SEIAA gone through file and documents and opined that the project proponent should submit chronology of establishment and expansion of sugar unit with capacities along with co-generation facility and current and proposed layout plan.

13. Khanda Boulder (Sandstone) at Arajai No. -30/59 Village- Sukrit, Tehsil-Robertsganj, District-Sonbhadra, Shri Gyanendra Yadav, Area- 2.510 ha., File No. 7706/7148/ Proposal No. SIA/UP/MIN/422251/2023

SEIAA noted that the above project has already been taken in its 728th meeting.

14. "Ordinary Soil Excavation Project" at Gata No. – 389, 390, 392, 393, 394, 395, 396 & 397, village – Bubkapur, Tehsil - Kaiserganj & District - Bahraich, Shri Vaibhav Agarwal, Area 1.607 Ha., File No. 7709/ Proposal No. SIA/UP/MIN/422321/2023

SEIAA noted that the above project has already been taken in its 728th meeting.

15. Building stone (Sandstone) mine at Gata No. /Arajai /Plot No. - 1006, at Village-Sariya, Tehsil- Chunar, District-Mirzapur, Uttar Pradesh of Shri Digvijay Singh, Area: 0.809 ha., File No. 7789/506/ Proposal No. SIA/UP/MIN/423942/2023

SEIAA agreed with the recommendations of SEAC to close/delist the file as the project proponent did not appear and open only after submission of online request on prescribed online portal.

Nodal Officer

SEIAA, UP

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



(Ajay Kumar Sharma)
Member-Secretary
SEIAA

(Paras Nath)
Member
SEIAA

Minutes of 784th SEAC-1 Meeting Dated 12/09/2023

200

The 784th meeting of SEAC-1 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 12/09/2023. Following members participated in the meeting:

- | | | |
|----|-----------------------------|-----------------------------|
| 1. | Shri Rajive Kumar, | Chairman, SEAC |
| 2. | Dr. Ratan Kar, | Member, SEAC-1 |
| 3. | Shri Om Prakash Srivastava, | Member, SEAC-1 (through VC) |
| 4. | Dr. Brij Bihari Awasthi, | Member, SEAC-1 |
| 5. | Shri Umesh Chandra Sharma, | Member, SEAC-1 |
| 6. | Shri Ashish Tiwari, | Member-Secretary, SEAC-1 |

The Chairman welcomed the members to the 784th SEAC-1 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-1 informed the committee that the agenda has been approved by the Member Secretary, SEAC-1/Director Environment. Nodal Officer, SEAC-1 placed the agenda items along with the available file and documents before the SEAC-1.

1. Expansion of Existing Formaldehyde Manufacturing Unit from 30MT/day to 250 MT/day and Urea Formaldehyde Resin 100 MT/day at Plot No. F-156, F-157, F-158, F-159, Industrial Area Masoori- Gulawathi, District-Hapur, Shri Rajesh Jain, M/s R S Organics Pvt. Ltd., 8123/7199/SIA/UP/IND3/440667/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment & Development. The project proponent informed the committee that the environment clearance for proposed expansion of existing Formaldehyde manufacturing unit from 30MT/day to 250 MT/day and Urea Formaldehyde Resin 100 MT/day situated at Plot No. F-156 to 159, Industrial Area Masoori- Gulawati, Hapur, Uttar Pradesh developed by R S Organic Pvt. Ltd. The unit commenced its operations in the year 2005, prior to coming into force of EIA Notification 2006, on the basis of Consent to Establish obtained from the UPPCB.

Since the unit is proposing to go for expansion thus, it is a statutory requirement to obtain Environment Clearance as per the provisions of EIA Notification 2006. The benchmark cases by the National Green Tribunal (NGT) and the Supreme Court further emphasize the mandate of obtaining EC for projects like ours. In Dastak NGO V/s Synochem Organics Pvt. Ltd. & Ors. [O.A.No. 287/2020] the Hon'ble NGT, mandated the cessation of operations until a valid EC was obtained. Tribunal held that without prior EC the units cannot be allowed to operate. The State has no power to exempt the requirement of prior EC or to allow the units to function without EC on payment of compensation. Tribunal held that since prior EC is statutory mandate, the same must be complied.

Hon'ble Supreme Court in the case of Pahwa Plastics Pvt Ltd and Anr. V/s Dastak NGO and Ors. [CIVIL APPEAL NO. 4795 OF 2021] overruled the NGT's order that directed the closure of units operating without EC and the Hon'ble Apex Court held that Ex post facto environmental clearance should not be granted routinely, but in exceptional circumstances taking into account all relevant environmental factors it can be granted. The apex court held that it could not "be oblivious to the economy or the need to protect the livelihood of hundreds of employees." It stressed that "ex-post-facto EC should not ordinarily be granted and certainly not for the asking." However, equally, ex post facto clearances "cannot be declined with pedantic rigidity, regardless of the consequences of stopping the operations". In the above circumstances, RS Organic Limited applied for EC for proposed expansion of the formaldehyde unit.

12. “Ordinary Sand Mining” on the riverbed of Yamuna River at Gata No.-706, Village-Kotana Khadar, Tehsil - Baraut, District - Baghpat, Shri Dayachand Bargoti, M/s Royal constructions Company, Area- 12.245 ha., 8161/7696/SIA/UP/MIN/439818/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Kotana Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area : 12.245 ha), M/s Royal Construction Company.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 70/Parya/SEIAA/7696/2022, dated: 06/06/2023.
3. The Public Hearing was organized on 01/08/2023. Final EIA Report was submitted by the Project Proponent on 24/08/2023.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/420993/2023	
2. File No. allotted by SEIAA, UP	7696	
3. Name of Proponent	M/S Royal Construction Company, Prop. Shri Dayachand Bargoti	
4. Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)	
	Mobile No-	
	Email-	
5. Name of Project	Kotana Khadar Ordinary Sand mining project on Riverbed of Yamuna River	
6. Project location (Plot/Khasra/Gata No.)	Gata No. 706	
7. Name of River	Yamuna River	
8. Name of Village	Kotana Khadar	
9. Tehsil	Baraut	
10. District	Baghpat	
11. Name of Minor Mineral	Ordinary Sand	
12. Sanctioned Lease Area (in Ha.)	12.245 ha	
13. Max & Min mRL within lease area	Max- 220.0 mRL & 219.0 mRL	
14. Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area	
	Pillar No.	Latitude
	A	29°6'16.40"N
	B	29°6'14.50"N
	C	29°6'33.90"N
D	29°6'30.30"N	
Longitude		
77°8'22.70"E		
77°8'32.50"E		
77°8'36.10"E		
77°8'27.90"E		
15. Total Geological Reserves	4,71,406 Cum	
16. Total Mineable Reserves in LOI	2,75,500 Cum/year	
17. Total Proposed Production	2,75,500 Cum/year	
18. Proposed Production/year	2,75,500 Cum	
19. Sanctioned Period of Mine lease	05 years	
20. Method of Mining	Open Cast Semi-mechanized Method	
21. No. of working days	260 days	
22. Working hours/day	8 hrs	
23. No. of workers	58	
24. No. of vehicles movement/day	80	
25. Type of Land	Government land	
26. Ultimate Depth of Mining	2.54	
27. Nearest metalled road from site	1.60 km (approx)	
28. Water Requirement	PURPOSE	REQUIREMENT (KLD)
	Drinking	0.58

	Suppression of dust	4.8
	Plantation	12.0
	Others (if any)	0.58
	Total	17.96
29. Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, December 2023	
30. Any litigation pending against the project or land in any court	No	
31. Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified	
32. Details of Lease Area in approved DSR	Yes, given in the DSR	
33. Proposed CER cost/year	Rs 1,80,000/-	
34. Proposed EMP cost/year	Recurring Cost- 5,88,000/-	
35. Length and breadth of Haul Road	Length: 400 m, width: 6 m	
36. No. of Trees to be Planted	12000 plants	

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

The consultant (EIA Coordinator) also submitted an affidavit dated 06/09/2023 mentioning is as follows:

1. I, Ankur Sharma, S/o Lalit Mohan Sharma is EIA Coordinator of M/s Cognizance Research India Pvt. Ltd.
2. I have prepared EIA/EMP project for the proposal (SIA/UP/MIN/439818/2023 for the project Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Kotana Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area : 12.245 ha), M/s Royal Construction Company with my team.
3. I have personally visited the site of proposal and certify that no Mining activity has been undertaken on the project site for the present proposal.
4. I am satisfied with that all the necessary data/information submitted along with EIA/EMP are true and correct.
5. I certify that this project proposal has been uploaded for the first time on Parivash Portal.
6. I certify that there is no mismatch between information/data provided on the online application submitted on Parivash Portal and hard copy which will be submitted after acceptance of application.
7. I state that all the TOR Points have been complied and all the issues raised during Public Hearing have been properly addressed in EIA report.
8. The EIA/EMP report for the Proposal is prepared by my team as per guideline laid down by QCI/NABET.

RESOLUTION AGAINST AGENDA NO. 12

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-2 to these minutes. The committee also stipulated the following specific conditions:

1. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. 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.
2. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
 3. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
 4. The project proponent shall install solar light in their site office.
 5. 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.
 6. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
 7. 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.
 8. 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.
 9. The project proponent should explore the possibilities of rainwater harvesting.
 10. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
 11. 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.
 12. 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
 13. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
 14. 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.

13. Sand/Morrum Mining Project at Gata No.- 531 Anga, Khand- 04, Village- Sasnai, Tehsil- Obra, District- Sonbhadra, Shri Rai Bahadur Singh, M/s Rai Bahadur Singh Contractor, Area - 12.146 Ha., 8163/6668/SIA/UP/MIN/441530/2023

RESOLUTION AGAINST AGENDA NO. 13

The project proponent/consultant did not appear. The committee discussed and deliberated that the project file should be closed and be opened only after request from the project proponent. The file shall not be treated as pending at SEAC. The matter will be discussed only after submission of online requests on prescribed online portal.

14. "Gitti/ Patthar" Project at Gata No.- 2450 (Khand No.- 02), Village- Jarar, Tehsil- Naraini, District- Banda, Shri Gaudeen Singh, M/s Gaudeen Singh Contractor & Supplier, Area : 2.00 ha., 8121/SIA/UP/MIN/440497/2023

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and Development. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The terms of reference is sought for Gitti/ Patthar Mining at Gata No.- 2450 (Khand No.- 02), Village- Jarar, Tehsil- Naraini, District- Banda, U.P. (Applied Area- 2.00 ha.),
2. Salient features of the project as submitted by the project proponent:

Annexure-2General and Specific Conditions for Sand/Morum Mining ProposalsGeneral 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.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.

23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).

42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Integrated Regional Office, MoEF&CC, GoI, Lucknow by e-mail.
45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
2. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
3. Environment management in according to environmental status and impact of the project.
4. During the school opening and closing time transportation of minerals will be restricted.
5. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
6. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
7. Pakkamotorable haul road to be maintained by the project proponent.
8. 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.
9. Permission from the competent authority regarding evacuation route should be taken.
10. 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.
11. Provision for cylinder to workers should be made for cooking.
12. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
13. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
14. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
15. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
16. Provision for two toilets and hand pumps should be made at mining site.
17. Drinking water for workers would be provided by tankers.
18. 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.
19. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
20. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.

21. 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.
22. 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.
23. 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.
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 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. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
36. 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.
37. 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)].
38. 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.
39. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.

40. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
41. 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.
42. 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.
43. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
44. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
45. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
46. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P. and UPPCB.
47. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, CPCB, State PCB.
48. 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.
49. 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.
50. 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.
51. Waste water from potable use be collected and reused for sprinkling.
52. 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.

Annexure-3General and Specific Conditions for Soil Earth Mining Projects:-General condition:

1. This environmental clearance does not create or verify any claim of applicant on the proposed site/activity.
2. Any mining activity shall be undertaken only after valid permission from Mining Department/District Administration and written agreement with land owner from where earth excavation is proposed.
3. No change in mining technology and scope of working shall be made without approval of Authority.
4. Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
5. The Authority reserves the right to revoke the clearance if conditions stipulated are not implemented. The Authority will also be entitled to impose additional environmental conditions or modify the existing ones, if necessary.
6. In case of any deviation or alteration in the project proposed from those submitted to this Authority for clearance, a fresh reference should be made to the Authority to assess the adequacy of the condition(s) imposed and to add additional environmental protection Measures required, if any.
7. 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.

Specific Conditions:

1. The Environmental clearance will be co-terminus with the agreement/mining plan whichever is less.
2. Environment management should be in accordance with the present environment status of the project.
3. Approach kaccha road should be made motorable and maintained periodically.
4. Transportation of soil should be undertaken in covered containers.
5. Rehabilitation plan with planting of trees to be submitted along with the closure plan.
6. Land to be leveled and handed over to the owners after completion of excavation work.
7. A valid NOC from State Pollution Control Board shall be obtained for the Brick kiln prior to operation as per law and all guidelines must be followed, if applicable.
8. The mining operations shall be strictly limited to the proposed mining sites and proposed purpose.
9. Top soil should be adequately preserved and should be used for landscaping.
10. Excavated soil should be properly stored in a manner not to increase surrounding air pollution level.
11. Water sprinkling should be exercised during excavation and storage of soil for suppression of fugitive dust.
12. Excavated area should be properly reclaimed and ensured that no open bore hole is left.
13. Safety measures for the people working at the site shall be duly taken care of as per law.
14. The excavation work shall be done in day time only.
15. The project boundary shall be properly covered to restrict dust dispersion.
16. Precautionary measures during soil excavation for conservation and protection of rare and endangered flora and fauna found in the study area.
17. Noise level shall be maintained as per standards for both day and night.
18. The route map for soil transportation from excavation plots to work site should be firmed up and necessary permissions shall be sought from District Administration.
19. Vehicles hired for the transportation should be in good condition and should have Pollution Check Certificate and should conform to applicable air and noise emission standards.

20. Personnel exposure monitoring for respirable mineral dust shall be carried out for the workers and records maintained including health records of the workers. Awareness program for workers on impact of mining on their health and precautionary measures like use of personal protective equipments etc. shall be carried out periodically. First aid facilities and adequate sanitary facility in the form of temporary toilets/septic tanks.
21. Solid waste material viz gutkha rappers, plastic bags, glasses etc. to be generated during project activity will be separately stored in bins and managed as per Solid Waste Management Rules.
22. Project proponent should maintain daily register for information of (a) collection of soil/clay, (b) manpower & (c) transportation purpose.
23. Soil mining shall strictly be undertaken as per rules and regulations/permissions obtained from District Administration/Mining Department
24. 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. A copy of resolution as above shall be submitted to the authority along with list of beneficiaries with their mobile nos./address.
25. The borrowing/excavation activity shall be restricted to a maximum depth of 2 m. below general ground level at the site.
26. The borrowing/excavation activity shall be restricted to 2 m. above the ground water table at the site.
27. The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
28. The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
29. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
30. Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
31. Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
32. Workers/labourers shall be provided with facilities for drinking water and sanitation.
33. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
34. A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.

Annexure-4**Standard Terms of Reference for the Mining Project prescribed by MoEF&CC, GoI**

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled- I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season); December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
- 22) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 25) Description of water conservation measures proposed to be adopted in the Project should be given.
- 26) Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and

- necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater.
 - 29) Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
 - 30) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
 - 31) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
 - 32) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
 - 33) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
 - 34) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
 - 35) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
 - 36) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
 - 37) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
 - 38) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
 - 39) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
 - 40) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
 - 41) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
 - 42) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
 - 43) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
 - 44) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
 - 45) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report

- b) All documents to be properly referenced with index and continuous page numbering.
- c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include: (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

1650

State Level Environment Impact Assessment Authority, Uttar Pradesh

215

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 : docuplko@yahoo.com

Website : www.seiaaup.com

Minutes of the 776th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 18-11-2023 (Part A)

The meeting of 776th State Level Environment Impact Assessment Authority, UP (SEIAA) was held online on 18.11.2023 the Directorate of Environment. The following were present in the meeting:-

1. Smt. Mamta Sanjeev Dubey,
2. Shri Paras Nath,
3. Shri Ajay Kumar Sharma,

Chairman, SEIAA, U.P
Member, SEIAA, U.P
Member Secretary, SEIAA, U.P

Agenda-A - Minutes of 800th SEAC-1 Meeting Dated 17/10/2023

1. "Riverbed Sand/Morrum Mining" along riverbed of Yamuna river at Gata No.468, Khand-3 at Village-Gauhani Kachhar, Tehsil - Sikandara, District- Kanpur Dehat, Shri Niket Jain, M/s Narayanan Builders & Developers Pvt. Ltd., Area-15.80 ha., 8255/SIA/UP/MIN/444252/2023.

SEIAA agreed with the recommendation of SEAC to issue additional ToR to the title proposal for conducting EIA studies. SEIAA added following points to ToR-

- 1- Proposed production per annum shall be as per approved replenishment study report.
- 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 3- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.
- 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- Latest KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipment's or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
 - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.

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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. Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
14. Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
15. Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.
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 standards.

2. **"Ordinary Sand Mining" on the riverbed of Yamuna River at Gata No.-706, Village- Kotana Khadar, Tehsil - Baraut, District - Baghpat, Shri Dayachand Bargoti, M/s Royal constructions Company, Area- 12.245 ha., 8161/7696/SIA/UP/MIN/439818/2023**

SEIAA noted that the above project was taken in its 765th meeting in which SEIAA found that KML has been masked. Hence SEIAA opined that project proponent shall submit the same. Project proponent has submitted the reply vide letter dated 4.11.2023. SEIAA opined to accept the recommendation of SEAC and grant EC to the said project along with all the general and specific conditions as suggested by SEAC taking into consideration discussion held in SEIAA meeting no. 597 dated 05.05.2022 regarding reply of SEAC-1 and SEAC-2 for compliance/action taken on TOR/Public hearing and 703th SEIAA meeting regarding replenishment study, adding following specific conditions:-

1. District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study report the project proponent shall seek amended/fresh EC.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.
4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
5. In compliance to Hon'ble Supreme Court order dated 13/01/2020 in IA no. 158128/2019 and 158129/2019 in Writ petition no. 13029/1985 (MC Mehta Vs GOI and others) anti-smog guns shall be installed to reduce dust during excavation.
6. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
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 13000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision

for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.

8. The project proponent will ensure that water bodies do not get polluted because of mining activity. Additionally, in consultation with District Environment Committee headed by District Magistrate and DFO as its Member Secretary or an Authority nominated by concerned DM, project proponent will prepare a conservation and management plan for rejuvenation and management of all water bodies within periphery of 5 km. Funds for the same will be kept in a separate bank account and six-monthly compliance status will be presented by project proponent before the nominated authority in the district.
9. 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.
10. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, Gol, Lucknow.

3. Sand Mining from Yamuna River bed at Khand No. 5, Village-Naudiha, Amilia, Bara, Allahabad. (Leased Area-8.0 Ha) Shri Vidyabhushan Singh File No. 3983/Proposal No. (SIA/UP/MIN/72243/2018).

SEIAA gone through the letter of Shri Nagendra Bahadur Singh dated 30.09.2023 regarding validity of transferred EC. SEIAA noted that vide letter no. 135/Parya/SEAC/3983/ 2017 date 12/02/2018 dated 18.06.2020 Environmental Clearance issued vide letter no. 171/Parya/SEAC/3983/ 2017 date 12/02/2018 was transferred. SEIAA opined that the project proponent should apply online for fresh EC.

Nodal Officer

SEIAA, UP

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




(Smt. Mamta Sanjeev Dubey)
Chairman
SEIAA

(Ajay Kumar Sharma)
Member-Secretary
SEIAA

(Paras Nath)
Member
SEIAA

ENVIRONMENTAL
CLEARANCE

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

To,

The -1

DAYACHAND BADGOTI

M. No 5 Nai Break Point Resturant, Bhur Chauraha K Pass, Yamunapur,
Bulanshahar U.P. -203001

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

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/UP/MIN/439818/2023 dated 24 Aug 2023. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC23B001UP174331
2. File No.	8161-7696
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Kotana Khadar Ordinary Sand Mining on Yamuna Riverbed Project
7. Name of Company/Organization	DAYACHAND BADGOTI
8. Location of Project	UTTAR PRADESH
9. TOR Date	N/A

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

Date: 23/11/2023

(e-signed)
Ajay Kumar Sharma
Member Secretary
SEIAA - (UTTAR PRADESH)

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

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and Virtuous Environmental Single-Window Hub)





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State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.
Vineet Khand-1, Gomti Nagar, Lucknow- 226010
E-Mail- doeuplko@yahoo.com, seiaaup@yahoo.com
Phone no- 0522-2300541

Reference- MoEFCC Proposal no SIA/UP/MIN/ 439818/2023 & SEIAA, U.P File no-8161-7696

Sub: Environmental Clearance for Proposed Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Kotana Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area : 12.245 ha), M/s Royal Construction Company.

Dear Sir,

This is with reference to your application / letter dated 09-03-2023, 02-3-2023, 24-08-2023, 11-09-2023 above mentioned subject. The matter was considered by 784th SEAC in meeting held on 12-09-2023 and 776nd SEIAA in meeting held on 18-11-2023.

A presentation was made by the project proponent along with their consultant M/s Cognizance Research India Pvt. Ltd to SEAC on 12-09-2023.

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 Ordinary Sand mining project on Riverbed of Yamuna River, in Village- Kotana Khadar, Tehsil- Baraut, and District: Baghpat, State- Uttar Pradesh, (Leased Area : 12.245 ha), M/s Royal Construction Company.
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 70/Parya/SEIAA/7696/2022, dated: 06/06/2023.
3. The Public Hearing was organized on 01/08/2023. Final EIA Report was submitted by the Project Proponent on 24/08/2023.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/ 439818/2023
2. File No. allotted by SEIAA, UP	8161-7696
3. Name of Proponent	M/S Royal Construction Company, Prop. Shri Dayachand Bargoti
4. Full correspondence address of proponent and mobile No.	R/o M.No. 5, Nai Break Point Restaurant, Bhur Chauraha k pass, Yamunapur, District- Bulandshahar (U.P.)
	Mobile No-
	Email-
5. Name of Project	Kotana Khadar Ordinary Sand mining project on Riverbed of Yamuna River
6. Project location (Plot/Khasra/Gata No.)	Gata No. 706
7. Name of River	Yamuna River
8. Name of Village	Kotana Khadar
9. Tehsil	Baraut
10. District	Baghpat
11. Name of Minor Mineral	Ordinary Sand
12. Sanctioned Lease Area (in Ha.)	12.245 ha
13. Max & Min mRL within lease area	Max- 220.0 mRL & 219.0 mRL

14. Pillar Coordinates (Verified by DMO)	Sanctioned Mining Lease Area		
	Pillar No.	Latitude	Longitude
	A	29°6'16.40"N	77°8'22.70"E
	B	29°6'14.50"N	77°8'32.50"E
	C	29°6'33.90"N	77°8'36.10"E
	D	29°6'30.30"N	77°8'27.90"E
15. Total Geological Reserves	4,71,406 Cum		
16. Total Mineable Reserves in LOI	2,75,500 Cum/year		
17. Total Proposed Production	2,75,500 Cum/year		
18. Proposed Production/year	2,75,500 Cum		
19. Sanctioned Period of Mine lease	05 years		
20. Method of Mining	Open Cast Semi-mechanized Method		
21. No. of working days	260 days		
22. Working hours/day	8 hrs		
23. No. of workers	58		
24. No. of vehicles movement/day	80		
25. Type of Land	Government land		
26. Ultimate Depth of Mining	2.54		
27. Nearest metalled road from site	1.60 km (approx)		
28. Water Requirement	PURPOSE		REQUIREMENT (KLD)
	Drinking		0.58
	Suppression of dust		4.8
	Plantation		12.0
	Others (if any)		0.58
	Total		17.96
29. Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt. Ltd. 1922, validity= 10, December 2023		
30. Any litigation pending against the project or land in any court	No		
31. Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, certified		
32. Details of Lease Area in approved DSR	Yes, given in the DSR		
33. Proposed CER cost/year	Rs 1,80,000/-		
34. Proposed EMP cost/year	Recurring Cost- 5,88,000/-		
35. Length and breadth of Haul Road	Length: 400 m, width: 6 m		
36. No. of Trees to be Planted	12000 plants		

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

Based on the recommendations of the State Level Expert Appraisal Committee Meeting (SEAC) held on 12-09-2023 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting

held 18-11-2023 and decided to grant the Environmental Clearance to the title project for collection of 2,75,500 Cum/year for lease area of 12.245 ha subject to effective implementation of the following General Conditions and specific conditions:-

General condition:

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

19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Integrated Regional Office, MoEF&CC, GoI, Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the

workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.

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

Specific Conditions:

1. District Mining Officer shall ensure that if mineable quantity mentioned in LOI is amended as per replenishment study report the project proponent shall seek amended/fresh EC.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Van Sanrakshan evam Samvardhan Adhinyam, 2023 and submit before the start of work.

4. The mining lease holders shall ensure to comply with mine reclamation plan as submitted.
5. In compliance to Hon'ble Supreme Court order dated 13/01/2020 in IA no. 158128/2019 and 158129/2019 in Writ petition no. 13029/1985 (MC Mehta Vs GOI and others) anti-smog guns shall be installed to reduce dust during excavation.
6. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
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 13000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
8. The project proponent will ensure that water bodies do not get polluted because of mining activity. Additionally, in consultation with District Environment Committee headed by District Magistrate and DFO as its Member Secretary or an Authority nominated by concerned DM, project proponent will prepare a conservation and management plan for rejuvenation and management of all water bodies within periphery of 5 km. Funds for the same will be kept in a separate bank account and six-monthly compliance status will be presented by project proponent before the nominated authority in the district.
9. 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.
10. 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.
11. Directorate of Geology and Mining will ensure conduct of replenishment study from reputed institution for subsequent years in compliance of Hon'ble NGT orders. The quantity mentioned in Lol 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.
12. NOC from Irrigation Department/ Concerning Authority regarding river bed mining to be obtained before start of mining activity.
13. Project proponent has committed to plant 1000 number of trees/hectare. The project proponent/consultant if desires may approach to concerned District Forest Authority to plant 1000 trees/ha on a land available to the Forest Department. The project proponent will deposit the required amount for this entire plantation work (including its maintenance and security) to the Forest Department.
14. The project proponent shall install solar light in their site office.
15. 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.
16. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
17. 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.
18. 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.

19. The project proponent should explore the possibilities of rainwater harvesting.
20. Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road.
21. 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.
22. 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
23. Water requirement details along with source of water and the permission/ agreement with the concerning authority/ water supplying agencies to be submitted.
24. 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.
25. The Environmental clearance will be co-terminus with the mining lease period/mining plan whichever is less.
26. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
27. Environment management in according to environmental status and impact of the project.
28. During the school opening and closing time transportation of minerals will be restricted.
29. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
30. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
31. Pakkamotorable haul road to be maintained by the project proponent.
32. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
33. Permission from the competent authority regarding evacuation route should be taken.
34. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
35. Provision for cylinder to workers should be made for cooking.
36. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
37. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
38. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
39. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
40. Provision for two toilets and hand pumps should be made at mining site.
41. Drinking water for workers would be provided by tankers.
42. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
43. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
44. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
45. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
46. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.

47. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
48. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
49. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
50. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
51. Project falling within 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
52. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
53. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.
54. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
55. The mining work will be open-cast and manual/semi mechanized (subject to orders). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
56. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width 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.
57. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
58. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
59. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
60. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
61. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)].

62. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
63. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
64. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
65. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
66. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
67. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
68. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
69. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
70. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Integrated Regional Office, MoEF&CC, Gol, Lucknow, SEIAA, U.P. and UPPCB.
71. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Integrated Regional Office, MoEF&CC, Gol, Lucknow, CPCB, State PCB.
72. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
73. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
74. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
75. Waste water from potable use be collected and reused for sprinkling.
76. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

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

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

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

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

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

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

1. **Additional Chief Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – psforest2015@gmail.com)**
2. **Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)**
3. **Deputy Director General of Forests (C), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector “H”, Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)**
4. **District Magistrate, Baghpat.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**
6. **Copy to Web Master for uploading on PARIVESH Portal.**
7. **Copy for Guard File.**

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Signature Not Verified

Digitally signed by: Ajay Kumar Sharma
Designation: Member Secretary
Date and Time: 11/23/2023 5:47:37 PM

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 186/2016
(M.A. No. 350/2016)
And
Original Application No. 200/2016
And
Original Application No. 580/2016
(M.A. No. 1182/2016)
And
Original Application No. 102/2017
And
Original Application No. 404/2016
(M.A. No. 758/2016, M.A. No. 920/2016,
M.A. No. 1122/2016, M.A. No. 12/2017 & M.A. No. 843/2017)
And
Original Application No. 405/2016
And
Original Application No. 520 of 2016
(M.A. No. 981/2016, M.A. No. 982/2016 & M.A. No. 384/2017)

IN THE MATTERS OF:

**Satendra Pandey
Vs.
Ministry of Environment, Forest & Climate Change & Anr.
And
Rajeev Suri Vs. Union of India
And
Badal Singh Vs. Union of India & Ors.
And
Nature Club of Rajasthan (NGO) Vs. Union of India & Ors.
And
Naresh Zargar Vs. Ministry of Environment & Forest and Anr.
And
Rajeev Suri Vs. Union of India & Anr.
And
Vikrant Tongad Vs. Union of India**

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present: Applicant:	Mr. Rahul Choudhary and Ms. Meera Gopal, Advs. in Original Application No. 388/2018
Respondents	Mr. Divya Prakash Pande, Adv. for Ministry of Environment, Forest and Climate Change Dr. Abhishek Atrey, Adv. for Ministry of Environment, Forest and Climate Change Mr. Amit Tiwari, Adv. for State of Uttar Pradesh Mr. Ashok Kumar Sharma and Mr. Kshitij Mudgal, Advs. Mr. V.K. Shukla, and Ms. Vijay Lakshmi, Advs. for State of MP, State Environment Impact Assessment Authority & Mining Corporation Mr. Rahul Pratap, Adv. for Ministry of Environment, Forest and Climate Change Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh Rajpal and Mr. Vikramjeet Singh, Advs. for State of Rajasthan

Date and Remarks	Orders of the Tribunal
<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>1. By this application, the applicant has sought to assail Notifications dated 15.01.2016, 20.01.2016 and 01.07.2016 amending the EIA Notification dated 14.09.2006 on the ground that the procedure for obtaining Environmental Clearance in respect of mining of minor minerals for areas from 0 to 25 ha has been diluted by bringing it within B-2 category projects and exempting such category from Public Consultation, Environment Impact Assessment (EIA) and Environment Management Plan (EMP) which was in contravention of the judgment of the Hon'ble Supreme Court in <i>Deepak Kumar Vs. State of Haryana & Ors.: (2012) 4SCC 629</i> and also of this Tribunal in <i>Original Application No. 123 of 2014</i> dated 13.01.2015.</p> <p>2. The crux of the case of the applicant is that while in <i>Deepak Kumar</i> case (supra) it had been held that all mining leases in respect of its size would require to obtain Environmental Clearance and be subjected to strict regulatory framework as that of all major minerals, the impugned Notifications, more particularly 15.01.2016, exempts the necessity of having EIA and Public Consultation for areas upto 25 ha.</p> <p>3. According to the applicant the impugned Notification dated 15.01.2016 provided exemption of the rigors of the necessity of EIA and EMP even for areas ranging from 5 to 25 ha when in the earlier Notifications it was necessary from 5 to 50 ha. It was contended that the Hon'ble Supreme Court had expressed its concern on</p>

	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>dispensing with the necessity of obtaining Environmental Clearance and the other requirements cognate thereto for areas less than 5 ha in the case of <i>Deepak Kumar</i> (supra).</p> <p>4. Further contention was that B-category as it stood originally, was broken to B-1 and B-2 categories by bringing areas of mining of minerals from 25 ha to 50 ha within B-1 category and 0 to 25 ha as B-2 category. For B-2 category, the authority prescribed for grant of Environmental Clearance is now the District Environment Impact Assessment Authority (DEIAA) which would base its decision on the recommendations of District Expert Appraisal Committee (DEAC).</p> <p>5. Further contentions of the applicant in assailing the Notification dated 15.01.2016 are as follows:</p> <p>a) Form-1M prescribed in the impugned Notification dated 15.01.2016, required to be submitted for mining of minor minerals upto 5 ha under Category B-2 projects provided in Appendix-VII, is generic seeking only basic details pertaining to the lease holder and the mine with perfunctory information on the environmental effect of the project which was in contrast to Form-1 which is required to be filled up for all other categories which is comprehensive seeking detailed information on environmental implications of the project.</p> <p>b) B-2 projects of 0 – 5 ha under individual and cluster category are exempted from requirements of preparing an Environment Impact Assessment</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>Report (EIA) and Environment Management Plan (EMP) and those greater than 5 ha and less than or equal to 25 ha are exempted from preparing Environment Impact Assessment Report (EIA) both with respect to individual Mine Lease and cluster situation. No such exemption has been provided in para 7 (i) of the EIA Notification, 2006 under Stage (2) - Scoping which stipulates such requirement, but it has been done away with now at Appendix-XI of Notification dated 15.01.2016.</p> <p>c) EIA/EMP is an integral and most critical component of Environmental Clearance as it is only through the EIA that the potential impacts and risks of a project can be assessed and mitigation measures formulated and adopted in the EMP. By exempting EIA/EMP, critical environmental aspects like anticipated environmental impacts, mitigation measures and additional studies involving public consultation, risk assessment, social impact assessment and rehabilitation and resettlement action plans, stand exempted. These requirements provided under Appendix-III, defeats the very purpose of the Notification and the Environment (Protection) Act, 1986.</p> <p>d) The District Level Environment Impact Assessment Authority (DEIAA) and District Level Expert Appraisal Committee (DEAC) comprises mostly of officers/bureaucrats who have no</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>expertise and scientific knowledge to assess environmental implications, and have been conferred with excessive and uncanalized power devoid of any guidelines. Even the power to appoint the Expert Members vested upon the authorities in the DEIAA and DEAC are unguided whereas there is an extensive elaborations with regard to qualifications, skill sets and competencies for the members of SEAC and SEIAA.</p> <p>6. Based, <i>inter-alia</i>, upon the aforesaid grounds, the applicant seeks a direction for quashing the impugned Notifications.</p> <p>7. Mr. Divya Prakash Pande, Ld. Counsel for MoEF&CC in his arguments, at the outset, raised objection as to the maintainability of the application on the ground of jurisdiction of the Tribunal to grant relief for quashing the impugned notifications. It is contended that the decision of this Court in the case of <i>S.P. Muthuraman v. Union of India</i>, in O.A. No. 676 of 2017 (Earlier O.A. No. 37/2015) whereby the Tribunal has held that it had the jurisdiction to pass such orders has since been challenged before the Hon'ble Supreme Court in Civil Appeal No. 7191-7192 of 2015 and is yet to be decided and, by implication of the orders passed by the Hon'ble Supreme Court, operation of the impugned judgement stands stayed.</p> <p>8. On the merits of the application, it is submitted that Notification dated 15th January, 2016 which is sought to</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>be assailed, had been passed by the MoEF&CC in exercise of its powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986. The notification was issued after due deliberations with various stakeholders and the State Governments over the draft notification in respect thereof issued on 22nd September, 2015 and, after a committee constituted <i>vide</i> letter dated 3rd December, 2015 to examine the comments/suggestions submitted by them, had submitted its report. The impugned Notification provides for DIEAA/DEAC in the districts which also includes appointment of Officers/bureaucrats as experts in the two bodies. The impugned Notification is further justified by the Learned Counsel contending that as the Executive Engineer, Irrigation Department has been made part of the DEAC as he deals with the rivers and canals in the district and, therefore, has the best information and knowledge about sand and gravel deposits in the districts. The Forest Department officials are also part of these committees who have the ability to do value addition in forest areas or areas adjoining the forest having deposits of minor minerals.</p> <p>9. Upon consideration of the fact and circumstances set out in the original application and upon hearing the Ld. Counsel for parties, we find that the impugned Notification dated 15th January, 2016 is not consistent with the decision of the Hon'ble Supreme Court in the case of <i>Deepak Kumar (supra)</i>. We find substance in the</p>
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<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>submissions of the Ld. Counsel for the applicant that while breaking category B of the mines to B-1 & B-2 may not <i>per se</i> be bad, it certainly dilutes the stringent requirement of lease areas upto 25 ha being exempted from the necessity of submitting EIA and EMP for grant of Environmental Clearance. It is undisputed that the impugned Notification is issued with the object to comply with the directions passed in the case of <i>Deepak Kumar (supra)</i>. This case had arisen as the EIA Notification dated 14th September, 2006 was being flouted by breaking homogenous areas into pieces of less than 5 ha in the States of Uttar Pradesh, Rajasthan and Haryana, as the notification then did not require Environmental Clearance for areas less than 5 ha. The Hon'ble Supreme Court after noting the serious deleterious effect of quarrying, mining and removal of sand in-stream and up-stream of rivers to the environment, in paragraphs 9 and 10 (of SCC), held as follows:</p> <p style="padding-left: 40px;"><i>“9. Extraction of alluvial material from within or near a streambed has a direct impact on the stream's physical habitat characteristics. These characteristics include bed elevation, substrate composition and stability, in-stream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge and temperature. Altering these habitat characteristics can have deleterious impacts on both in-stream biota and the associated riparian habitat. The demand for sand continues to increase day by day as building and construction of new infrastructures and expansion of existing ones is continuous thereby placing immense pressure on the supply of the sand resource and hence mining activities are going on legally and illegally without any restrictions. Lack of proper planning and sand management cause disturbance of marine ecosystem and also upset the ability of natural marine processes to replenish the sand.</i></p> <p style="padding-left: 40px;"><i>10. We are expressing our deep concern since we are faced with a situation where the</i></p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p><i>auction notices dated 3-6-2011 and 8-8-2011 have permitted quarrying mining and removal of sand from in-stream and upstream of several rivers, which may have serious environmental impact on ephemeral, seasonal and perennial rivers and river beds and sand extraction may have an adverse effect on bio-diversity as well. Further it may also lead to bed degradation and sedimentation having a negative effect on the aquatic life. The rivers mentioned in the auction notices are on the foothills of the fragile Shivalik hills. Shivalik hills are the source of rivers like Ghaggar, Tangri, Markanda etc. River Ghaggar is a seasonal river which rises up in the outer Himalayas between Yamuna and Satluj and enters Haryana near Pinjore, District Panchkula, which passes through Ambala and Hissar and reaches Bikaner in Rajasthan. River Markanda is also a seasonal river like Ghaggar, which also originates from the lower Shivalik hills and enters Haryana near Ambala. During monsoon, this stream swells up into a raging torrent, notorious for its devastating power, as also, river Yamuna.</i></p> <p><i>11. We find that it is without conducting any study on the possible environmental impact on/in the river beds and elsewhere the auction notices have been issued. We are of the considered view that when we are faced with a situation where extraction of alluvial material within or near a riverbed has an impact on the rivers physical habitat characteristics, like river stability, flood risk, environmental degradation, loss of habitat, decline in biodiversity, it is not an answer to say that the extraction is in blocks of less than 5 hectares, separated by 1 km, because their collective impact may be significant, hence the necessity of a proper environmental assessment plan.”</i></p> <p>10. The Hon’ble Supreme Court also took note of the fact that the MoEF&CC had constituted a Core Group under the Chairmanship of the Secretary (Environment & Forest) to look into the environment aspects associated with mining of the minor minerals <i>vide</i> order dated 24th March, 2009 with specific terms and conditions. The Core Group after consideration of various issues including cluster of mine approach for addressing and implementing EMP in case of small mines, submitted a report on 29th</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>January, 2010 with the recommendation to permit mining of minor minerals under strict regulatory regime and carried out only under an approved framework of mining plan which should provide for reclamation and rehabilitation of mine areas. For smaller mine lease areas a cluster approach was recommended. It was directed that the States should adopt the recommendations and the model guidelines framed by the Ministry of Mines, namely the Model Rules, 2010.</p> <p>11. In pursuance of the directions, the impugned Notification dated 15th January, 2016 was ultimately issued. The MoEF&CC Notification dated 14th December, 2006 as it stood earlier prescribed for two categories of projects and activities as Category A and Category B based on the spatial extent of potential impacts, potential impacts on human health and natural and man-made resources. Stage (1)-Screening that provides for Category 'B' projects or activities, entail scrutiny of an application seeking prior Environment Clearance made in Form 1 by the concerned State Level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of EIA for appraisal prior to grant of Environment Clearance depending upon the nature and location specificity of the project. It further provides that the project requiring EIA report would be termed as Category 'B-1' and remaining projects as Category 'B-2' that would not require EIA report. Discretion to make such categorization was left upon the MoEF&CC and to issue appropriate guidelines from time to time. This</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>provision was a subject matter of challenge in the case of <i>Himmat Singh Shekhawat v. State of Rajasthan</i>, 2015 ALL (I) NGT Reporter (1) DEL 44 by which it was upheld as having been issued by the Ministry as a Subordinate Legislation. However, the office memorandums dated 24th June, 2013 and 24th December, 2013 prohibiting grant of Environment Clearance to the mine areas of less than 5 ha was quashed as being in conflict with the aforesaid provision.</p> <p>12. The only contention that require for us to consider in this case is as to whether the Notification dated 15th January, 2016 would satisfy the spirit of the directions issued in the case of <i>Deepak Kumar (supra)</i>. As already noted, EIA Notification dated 14th September, 2006 under the Schedule provided thereto require all mining lease area of equal to and up to 50 ha to seek Environment Clearance requiring to submit EIA for appraisal from the SEIAA.</p> <p>13. The impugned Notification dated 15th January, 2016, however, would clearly indicate that Category B has been split into category B1 and B2 and again, category B2 has been further split into areas of 0-5 ha and 5-25 ha. While 0-5 ha has been exempted from the requirement of EIA/Public Consultation, such exemption has also been provided even for mining areas of 5 ha to 25 ha with the DEAC and the DEIAA as the prescribed authority for evaluation and grant of Environmental Clearance. Category B-1 being mining areas of 25 ha to 50 ha, the authorities prescribed are the SEAC and SEIAA. For falling in excess of 50 ha being Category-A, it is the EAC and the</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>MoEF&CC.</p> <p>14. The procedure for grant of the Environment Clearance by the DEIAA for areas between 0 to 5 ha falling under Category 'B-2' is found prescribed in paragraphs 6, 7(iii) (a) and 7(iii) (b) of the impugned Notification read with appendices VIII, X and XI. The Schematic Presentation of Requirement of Environment Clearance of Minor Minerals including cluster situation provided in a table to Appendix XI would substantiate indubitably that even for areas between 5 to 25 ha, no EIA and Public Hearing is required and in cluster situation also, the requirement of EIA and Public Hearing have been exempted.</p> <p>15. Introduction of such procedure, in our view, is clearly not consistent with the directions contained in the case of <i>Deepak Kumar (supra)</i> and the spirit behind such direction. By the provision, mining area upto from 5 ha to 25 ha has been completely exempted from the EIA and Public Consultation. For areas of 5 ha and below, apart from the exemption, it has been made only subject to a separate procedure of preparing a District Survey Report (DSR). These provisions quite apparently are more mine-centric rather than striving a balance between mining and environment especially with regard to Form-1M which needs to be made more elaborate incorporating environment related aspects.</p> <p>16. The Sustainable Sand Mining Management Guidelines, 2016 prepared by the MoEF&CC has also deprecated the procedure as will appear from below which</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>is contained in the chapter on “The Issues and Management of Mining in Cluster”:-</p> <p>“It is seen that the categorization of mines into 'B1' and 'B2' category in which Category 'B2' leases are being exempted from the requirement of Environment Impact Assessment, Environment Management Plan, and Public Consultation for grant of EC, in many cases now the mining leases are being given for 25 hectares or less. This defeats the purpose and intent of Hon'ble Supreme Court Judgment which orders environment clearance for all mining leases irrespective of size. The environment clearance without Environment Impact Assessment, Environment Management Plan, and Public Consultation does not serve the purpose of environment clearance which is to ensure environmentally sustainable and socially responsible mining. So if a cluster or individual lease size exceeds 5 hectare, the EIA/ EMP should be completed in the process of grant of prior environment clearance.”</p> <p>17. Thus, even according to the Sustainable Sand Mining Management Policy issued by the MoEF&CC by dispensing with Public Hearing, the judgment of the Hon'ble Supreme Court in the case of <i>Deepak Kumar (supra)</i> will stand defeated.</p> <p>18. We also find that parameters for consideration while preparing District Mining Plan (DMP) and District Survey Report (DSR) are only for the purpose of ascertaining whether an area is fit for mining which are quite different from the parameters laid down for EIA. The consideration of the view point of the public by keeping DSR in public domain is not a substitute of Public Hearing for consideration of the view point of the public for EIA.</p> <p>19. With specific reference to mining in cluster, the Report of the Committee of Secretaries, Ministry of Environment, Forest and Climate Change, 2010 recommended as follows:</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p><i>“Considering the nature of occurrence of minor mineral, economic condition of the lessee and the likely difficulties to be faced by Regulatory Authorities in monitoring the environmental impacts and implementation of necessary mitigation measures, it may be desirable to adopt cluster approach in case of smaller mine leases being operated presently.”</i></p> <p>20. This report which is a part of the Sustainable Sand Mining Management Guidelines, 2016 finds reinforcement in the Chapter “The Issues and Management of Mining in Cluster” referred to earlier where it has inter-alia been recommended as under:</p> <p><i>“The Hon'ble Supreme Court, NGT, SEAC/EAC and the Project Proponents have raised issue of cluster in mine lease allotment and environment clearance for the same, so following conditions need to be ensured for cluster of mines:</i></p> <ol style="list-style-type: none"> <i>1. To address the concern of adverse impact of minor mineral mining on environment it is proposed that all mining activity including river sand mining (above 5 hectare individual or cluster) will need to prepare Environment Impact Assessment Report and Environment Management Plan before grant of environment clearance. These reports (EIA /EMP) can be prepared by the State or State nominated Agency / the Project Proponent (s).</i> <i>2. As can be seen from the data provided by the States most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill states getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.</i> <i>3. The EIA Notification, 2006 does not provide for cluster EC, it provides for issuance of EC to individual project proponents and the same has also been upheld in the judgment of Hon'ble Supreme Court in Vijay Bansal vs. State of Haryana case. So EC will have to be applied for and issued to the individual project proponent.</i> <i>4. A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area.</i> <i>5. The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management</i>
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**Item Nos.
07 to 14**

**September
13, 2018**

DV & AT

Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.

- 6. *The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.*
- 7. *There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.*
- 8. *The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and District Expert Appraisal Committee (DEAC), SEAC, and EAC shall ensure that the mitigative measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearance's of individual project proponents in that cluster.*
- 9.
- 10.
- 11.”

21. Dispensing with the requirement of Public Hearing which forms a part of the Public Consultation under Stage-III of the Environmental Clearance process under EIA Notification, 2006 for areas measuring 0 to 25 ha for individual mine areas and in cluster situation where public hearing has been provided, has resulted in gross dilution of EIA Notification dated 14th September, 2006. Such dilution would, in our view, result in its misuse by unscrupulous elements and the situation would revert

	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>back to the lawless state prevailing prior to the decision in the case of <i>Deepak Kumar (supra)</i>. Stringent measures are, therefore, necessary if the rampant exploitation of the minor minerals is to be curbed. This apparently was also the view of the Hon'ble Supreme Court in the case of <i>Deepak Kumar (supra)</i>.</p> <p>22. For all these reasons, we direct that the procedure laid down in the impugned Notification be brought in consonance and in accord with the directions passed in the case of <i>Deepak Kumar (supra)</i> by (i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA; (iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance; (iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5 (<i>supra</i>) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof; (v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area; (vi) the MoEF&CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining.</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>23. We have permitted retention of 0-5 ha as a category keeping in view that some States grant isolated single lease of 5 ha and less not falling in cluster situation for which stringent requirements in Form-1M will serve the purpose of providing safeguards for protection of the environment and sustainable mining of minor minerals. This is particularly true in smaller and mountainous States as will also appear from condition no. 2 under “The Issues and Management of Mining in Cluster” referred to earlier in para 20 of this order.</p> <p>24. It is reiterated that any attempt to split the lease area for the purpose of avoiding the applicable regulatory regime shall be viewed seriously. This in our view will be in the interest of the environment as deliberated in detail in the case of <i>Deepak Kumar (supra)</i> and would also satisfy the Precautionary Principle and the Principle of Sustainable Development contemplated under Section 20 of the National Green Tribunal Act, 2010.</p> <p>25. The MoEF&CC shall, therefore, take appropriate steps to revise the procedure laid down in the impugned Notification dated 15th January, 2016 in terms of the above directions and observations so that it is conformity with the letter and spirit of the directions passed by the Hon’ble Supreme Court in <i>Deepak Kumar (supra)</i>.</p> <p style="text-align: center;">The applications stand disposed of.</p> <p style="text-align: right;">....., CP (Adarsh Kumar Goel)</p> <p style="text-align: right;">....., JM (Dr. Jawad Rahim)</p>
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	<p>Item Nos. 07 to 14</p> <p>September 13, 2018</p> <p>DV & AT</p>	<p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>13.09.2018</p>
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भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2827]

नई दिल्ली, बुधवार, जुलाई 25, 2018/श्रावण 3, 1940

No. 2827]

NEW DELHI, WEDNESDAY, JULY 25, 2018/SHRAVANA 3, 1940

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 25 जुलाई, 2018

का.आ. 3611(अ).—भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) प्रकाशित की गई थी, जिसके द्वारा पूर्व पर्यावरण निकासी के संबंध में निदेश जारी किए गए हैं ;

और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में उक्त अधिसूचना को का.आ. 141(अ) तारीख 15 जनवरी, 2016 द्वारा संशोधित किया है, जिसमें गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने की प्रक्रिया को विहित किया गया है ;

और रांची स्थित माननीय झारखंड उच्च न्यायालय ने 2015 की रिट याचिका (पीआईएल) संख्या 1806, स्वप्रेरणा बनाम झारखंड राज्य एवं अन्य के मामले में रिट याचिका (पीआईएल) सं. 2013 की 290, हेमंत कुमार शिल्कारवर बनाम झारखंड राज्य एवं अन्य के मामले में, अन्य बातों के साथ, तारीख 11 अप्रैल, 2018 और 19 जून, 2018 के आदेश में बालू और रेत से भिन्न गौण खनिजों के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने या बालू और रेत से भिन्न गौण खनिजों की जिला सर्वेक्षण रिपोर्ट तैयार करने के लिए शक्तियों का प्रत्यायोजन करने के लिए राज्य सरकार और/या जिला पर्यावरण संघात निर्धारण प्राधिकरण और जिला विशेषज्ञ मूल्यांकन समिति को निदेश दिया है ;

और केंद्रीय सरकार लोक हित में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना देने की अपेक्षा से अभिमुक्ति प्रदान करती है ;

और केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात् :-

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**NOTIFICATION**

New Delhi, the 25th July, 2018

S.O. 3611(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forest issued *vide* number S.O. 1533(E), dated the 14th September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) (hereinafter referred to as the said notification) directions have been given regarding the prior environmental clearance;

And whereas, the Ministry of Environment, Forest and Climate Change has amended the said Notification *vide* S.O. 141 (E) dated 15th January, 2016 wherein the procedure for preparation of District Survey Report for minor mineral has been prescribed;

And whereas, the Hon'ble High Court of Jharkhand at Ranchi in its orders dated the 11th April, 2018 and 19th June, 2018 in W.P. (PIL) No. 1806 of 2015, in the matter of Court on its Own Motion Versus the State of Jharkhand & Others with W.P. (PIL) No. 290 of 2013, in the matter of Hemant Kumar Shilkarwar Versus the State of Jharkhand & Others, has *inter-alia* directed the preparation of District Survey Report for minor minerals other than Sand and Bajri or delegation of the powers for preparation of format of District Survey Report of minor minerals other than sand and bajri to the State Government and/or District Environment Impact Assessment Authority and District Expert Appraisal Committee;

And whereas, the Central Government hereby in the public interest dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment Protection Rules, 1986,

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the erstwhile Ministry of Environment and Forests *vide* number S.O. 1533(E), dated the 14th September, 2006, namely: –

In the said notification, for Appendix X, the following shall be substituted, namely: -

“APPENDIX - X**[See paragraph 7 (iii) (a)]****I. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT FOR SAND MINING OR RIVER BED MINING**

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following: -

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

- (1) Introduction;
- (2) overview of Mining Activity in the District;
- (3) the List of Mining Leases in the District with location, area and period of validity;
- (4) details of Royalty or Revenue received in last three years;
- (5) detail of Production of Sand or Bajri or minor mineral in last three years;
- (6) process of Deposition of Sediments in the rivers of the District;
- (7) general Profile of the District;
- (8) land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.;
- (9) physiography of the District;

- (10) rainfall: month-wise;
- (11) geology and Mineral Wealth.

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source;
- (b) District wise availability of sand or gravel or aggregate resources;
- (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

Drainage system with description of main rivers

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District
(1)			
(2)			

Salient Features of Important Rivers and Streams:

S. No.	Name of the River or Stream	Total Length in the District (in Km)	Place of origin	Altitude at Origin
(1)				
(2)				

Portion of the River or Stream Recommended for Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition

S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
(1)						
(2)						
Total for the District						

A Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) Officers from (a) Irrigation department, (b) State Pollution Control Board or Committee, (c) Forest department, (d) Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

Methodology adopted for calculation of Mineral Potential:

The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and location, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50 % to 60 % of the area of a particular river or stream. For Example, in some hill States mineral constituents like boulders, river born Bajri, sand up to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

The District Survey Report shall be prepared in the district and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on the district's website for twenty-one days. The comments received shall be considered and if found correct, shall be incorporated in the final Report to be finalised within six months by the District Environment Impact Assessment Authority.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.

II. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT OF MINOR MINERALS OTHER THAN SAND MINING OR RIVER BED MINING

The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty-one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.

The District Survey Report for minor minerals other than sand mining or River bed mining shall be as per structure mentioned below: -

FORMAT FOR PREPARATION OF DISTRICT SURVEY REPORT FOR MINOR MINERALS OTHER THAN SAND MINING OR RIVER BED MINING

- (1) Introduction;
- (2) overview of Mining Activity in the District;
- (3) general Profile of the District;
- (4) geology of the District;
- (5) drainage of Irrigation pattern;
- (6) land Utilisation Pattern in the District: Forest, Agricultural, Horticultural, Mining etc.;
- (7) surface Water and Ground Water scenario of the district;

- (8) rainfall of the district and climatic condition;
- (9) details of the mining leases in the District as per the following format: -

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Lessee	Mining lease Grant Order No. & date	Area of Mining lease (ha)	Period of Mining lease (Initial)		Period of Mining lease (1 st /2 nd ...renewal)	
						From	To	Form	To
1	2	3	4	5	6	7	8	9	10

Date of commencement of Mining Operation	Status (Working/Non-Working/Temp. Working for dispatch etc.)	Captive/ Non-Captive	Obtained Environmental Clearance (Yes/No), If Yes Letter No with date of grant of EC.	Location of the Mining lease (Latitude & Longitude)	Method of Mining (Opencast/Underground)
11	12	13	14	15	16

- (10) details of Royalty or Revenue received in last three years;
- (11) details of Production of Minor Mineral in last three years;
- (12) mineral Map of the District;
- (13) list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format :-
- (14) total Mineral Reserve available in the District;

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Letter of Intent Holder	Letter of Intent Grant Order No. & date	Area of Mining lease to be allotted	Validity of LoI	Use (Captive/ Non-Captive)	Location of the Mining lease (Latitude & Longitude)
1	2	3	4	5	6	7	8	9

- (15) quality /Grade of Mineral available in the District;
- (16) use of Mineral;
- (17) demand and Supply of the Mineral in the last three years;
- (18) mining leases marked on the map of the district;
- (19) details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude);
- (20) details of Eco-Sensitive Area, if any, in the District;

- (21) impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity;
- (22) remedial Measures to mitigate the impact of mining on the Environment;
- (23) reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan);
- (24) risk Assessment & Disaster Management Plan;
- (25) details of the Occupational Health issues in the District. (Last five-year data of number of patients of Silicosis & Tuberculosis is also needs to be submitted);
- (26) plantation and Green Belt development in respect of leases already granted in the District;
- (27) any other information.

The District Environment Impact Assessment Authority (DEIAA) based on the nature and type of minor mineral in the District may include the additional parameters in the District Survey Report in consultation with the Department of Mines and Geology of the concerned State Government.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years”;

[F.No. L-11011/26/2018-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended by :-

1. S.O. 1949 (E), dated the 13th November, 2006;
2. S.O. 1737 (E), dated the 11th October, 2007;
3. S.O. 3067 (E), dated the 1st December, 2009;
4. S.O. 695 (E), dated the 4th April, 2011;
5. S.O. 156 (E), dated the 25th January, 2012;
6. S.O. 2896 (E), dated the 13th December, 2012;
7. S.O. 674 (E), dated the 13th March, 2013;
8. S.O. 2204 (E), dated the 19th July 2013;
9. S.O. 2555 (E), dated the 21st August, 2013;
10. S.O. 2559 (E), dated the 22nd August, 2013;
11. S.O. 2731 (E), dated the 9th September, 2013;
12. S.O. 562 (E), dated the 26th February, 2014;
13. S.O. 637 (E), dated the 28th February, 2014;
14. S.O. 1599 (E), dated the 25th June, 2014;
15. S.O. 2601 (E), dated the 7th October, 2014;
16. S.O. 2600 (E), dated the 9th October, 2014;
17. S.O. 3252 (E), dated the 22nd December, 2014;
18. S.O. 382 (E), dated the 3rd February, 2015;
19. S.O. 811 (E), dated the 23rd March, 2015;
20. S.O. 996 (E), dated the 10th April, 2015;

21. S.O. 1142 (E), dated the 17th April, 2015;
22. S.O. 1141 (E), dated the 29th April, 2015;
23. S.O. 1834 (E), dated the 6th July, 2015;
24. S.O. 2571 (E), dated the 31st August, 2015;
25. S.O. 2572 (E), dated the 14th September, 2015;
26. S.O.141 (E), dated the 15th January, 2016;
27. S.O.648 (E), dated the 3rd March, 2016;
28. S.O. 2269 (E) dated the 1st July, 2016;
29. S.O. 2944 (E) dated the 14th September, 2016;
30. S.O. 3518 (E) dated the 23rd November 2016;
31. S.O. 3999 (E) dated the 9th December, 2016; and
32. S.O. 4241 (E) dated the 30th December, 2016.

RAKESH
SUKUL

Digitally signed by RAKESH
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Date: 2018.07.26 18:53:39
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F.No. L-11011/13/2021-IA-II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

2nd Floor, Prithvi Wing,
Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi-110 003
Dated: 4th December, 2023

To,
The Member Secretary
State Level Environment Impact Assessment Authority
Directorate of Environment
Vijpet Khand-1, Gomti Nagar,
Lucknow, Uttar Pradesh 226010
Email: doeuplko@yahoo.com

Sub: Clarification regarding District Survey Report-reg.

Sir,

This is with reference to the letter no. 656/Civil Appeal no. 6463/2021 dated 16.11.2023 regarding seeking clarification on District Survey Report (DSR).

2. The matter has been examined in the Ministry. In this context, it is informed that, as per Ministry's notification dated 25.07.2018, the DSR is prepared by the District Authorities and it should be in sync with Sustainable Sand Management Guidelines 2016 & Enforcement and monitoring Guidelines for sand mining 2020.

3. Further, the Hon'ble NGT vide its order dated 29/9/2022 in OA No. 34 of 2022 titled Subhash Bhai Ishwar Bhai Parmar vs State of Gujarat & Ors. observed that they would like to follow the principle laid down by the Hon'ble Supreme Court in order dated 10.11.2021 in Civil Appeal Nos. 3661-3662 of 2020 titled State of Bihar v/s Pawan Kumar. The above-referred order of Hon'ble SC mandates submission of DSR to State Expert Appraisal Committee (SEAC) for examination and evaluation and State Environment Impact Assessment Authority (SEIAA) for approval.

4. This is issued with the approval of the Competent Authority.

Yours faithfully,

(Dr. Saurabh Upadhyay)
Scientist C

E-mail: saurabh.upadhyay85@gov.in

Copy to:

• Scientist E(EV)/Guard File

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 756/2023

Sachin Tyagi

Applicant

Vs.

Ritesh Sharma & Anr.

Respondent(s)

Date of hearing: 10.12.2024

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

Applicant: Mr. Sachin Tyagi, Applicant in Person

Respondents: Ms. Priyanka Swami, Adv. for DM, Baghpat
Mr. Saumitra Jaiswal, Mr. Shubham Upadhyay & Mr. Surya Gupta,
Advs. for R - 5
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Rahul Khurana, Adv.
Mr. Mukesh Verma & Ms. Vatsala Tripathi, Advs. for Mining Department,
State of UP**ORDER**

1. In this Original Application, registered on the basis of letter petition, the Tribunal is considering the issue of illegal sand mining from Yamuna river bed by using heavy machines at village Hathwal, District Panipat, Haryana.

2. The Joint Committee appointed by the Tribunal had given the report dated 28.02.2024 disclosing that the mining was being done in the Yamuna river bed by the Respondent No. 5 by using JCB machines. The findings of the Joint Committee in this regard is as under:-

“4. During inspection it was found that mining was being done in the river Yamuna bed by the unit M/s Royal Construction Company, Village Chhapraula, Khadar, Tehsil Baraut, Distt. Bagpat by using JCB machines. The area where the mining is being done falls in the

jurisdiction of State of Uttar Pradesh and not falls in the jurisdiction of State of Haryana. A report from Naib-Tehsildar, Samalkha was also obtained to ascertain the area of jurisdiction where mining is being done in the River bed. As per report no. 1229 dated 22.02.2024 given by Naib Tehsildar, Panipat it has been informed the points A, B, C, D shown in the map attached with the report where the mining is in operation during inspection by the joint committee does not falls in the jurisdiction of village Hathwala, Tehsil Samlakra, District Panipat. Therefore, the mining area not relates to Village Hathwala. The copy of report is attached as Annexure- B. As such, the area marked as ABCD falls outside the administrative jurisdiction of Distt. Panipat Haryana.”

3. The District Magistrate Panipat-Respondent No. 6 has filed a separate report dated 21.03.2024 stating that the leaseholder is carrying out the mining within the lease area without violating the norms. The UP PCB has also filed the response dated 30.04.2024, enclosing therewith a copy of the EC, which was granted to the Respondent No. 5. Contradicting the stand of the UP PCB and District Magistrate Baghpat, objections have been filed by the Applicant and enclosing therewith the photographs with Geo-coordinates showing instream sand mining. The Respondent No. 9 has also filed the reply stating as under:-

“D.Observation:

- *The available cloud-free satellite data from January'2024 to October'2024 includes six datasets (five from LISS-IV MX and one from Cartosat-2E) were processed.*
- *Satellite images were orthorectified and Image maps were generated.*
- *Photo locations (provided by Hon'ble Court) and State boundaries obtained from the Survey of India (S01) are overlaid on orthorectified Satellite Images. The accuracy and authenticity of the state boundary lies with the Survey of India (S01).*
- *It is observed from Satellite images that, the Yamuna river course changes across the pre-monsoon, monsoon, and post-monsoon periods.*
- *Most of photograph locations lies in Haryana State and close to Uttarpradesh State boarder except Point No. 8, which is clearly seen in Uttarpradesh State area.”*

4. In the aforesaid background, it is now required to be ascertained based on the disclosure made in the objections by the Applicant and the photographs enclosed therewith as to who has carried out the illegal midstream sand mining by using heavy machines and to what extent the Respondent No. 5 is responsible for the same.

5. The Applicant has pointed out that such illegal midstream sand mining by using heavy machines is still going on between Baghpat and Panipat. Hence, we constitute a fresh Committee comprising of the representative of MoEF&CC, representative Member Secretary, CPCB and RO, MoEF&CC Chandigarh and Lucknow. The RO, MoEF&CC, Lucknow will act as the Coordinating Agency. The Committee will visit the site in question specifically the sites disclosed in the photographs enclosed along with objections of Applicant and the area where the lease has been granted to the Respondent No. 5.

6. The Committee will ascertain the extent of illegal sand mining being done in that area and the persons responsible for the same and extent of illegal sand mining, if any, done by the Respondent No. 5 and will submit the report before the Tribunal within 8 weeks.

7. Let a copy of the objection of the Applicant along with the photographs enclosed therewith be forwarded to the RO, MoEF&CC Lucknow.

8. On receipt of the report of the Joint Committee the concerned parties will have the option to download it from the website and file objection to the same within three weeks thereafter.

9. List on 04.04.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

December 10, 2024
Original Application No. 756/2023
A..



UTTAR PRADESH POLLUTION CONTROL BOARD

258

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

Validity Period :07/05/2023 To 06/05/2028

Ref No. - 181076/UPPCB/Meerut(UPPCBRO)/CTE/BAGPAT/2023 Dated:- 10/05/2023

To ,

Shri DAYACHAND BADGOTI

M/s MS ROYAL CONSTRUCTION CO

Gata No 1/2 Mining Area 9.57 Ha Village - Chhaprauli Khadar , Tehsil - Baraut , Dist - Baghat
, U.P ,BAGHPAT,250617

BAGPAT

Sub : Consent to Establish for New Unit/Expansion/Diversification under the provisions of Water (Prevention and control of pollution) Act, 1974 as amended and Air (Prevention and control of Pollution) Act, 1981 as amended.

Please refer to your Application Form No.- 20448134 dated - 30/03/2023. After examining the application with respect to pollution angle, Consent to Establish (CTE) is granted subject to the compliance of following conditions :

1. Consent to Establish is being issued for following specific details :

A- Site along with geo-coordinates :

B- Main Raw Material :

Main Raw Material Details		
Name of Raw Material	Raw Material Unit Name	Raw Material Quantity
Ordinary Sand	Metric Tonnes/Day	240000

C- Product with capacity :

Product Detail	
Name of Product	Product Quantity
Sand	240000

D- By-Product if any with capacity :

By Product Detail			
Name of By Product	Unit Name	Licence Product Capacity	Install Product Capacity

2. Water Requirement (in KLD) and its Source :

Source of Water Details		
Source Type	Name of Source	Quantity (KL/D)
Other	Tanker	23.0

3. Quantity of effluent (In KLD) :

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Date: 2023.05.10 11:24:07 +05'30'

Effluent Details	
Source Consumption	Quantity (KL/D)
Domestic	1.0
Others(Dust Suppression)	3.0
Others(Plantation)	19.0

4. Fuel used in the equipment/machinery Name and Quantity (per day) :

Fuel Consumption Details		
Fuel	Consumption(tpd/kld)	Use
LSHS	0.03	As per DPR report

5. For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
- For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
2. You are directed to furnish the progress of Establishment of plant and machinery, green belt, Effluent Treatment Plant and Air pollution control devices, by 10th day of completion of subsequent quarter in the Board.
3. Copy of the work order/purchase order, regarding instruction and supply of proposed Effluent Treatment Plant/Sewerage Treatment Plant /Air Pollution control System shall be submitted by the industry till 06/05/2028 to the Board.
4. Industry will not start its operation, unless CTO is obtained under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and control of Pollution)Act, 1981 from the Board.
5. It is mandatory to submit Air and Water consent Application,complete in all respect, four months before start of operation, to the U.P. Pollution Control Board.
6. Legal action under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act,1981 may be initiated against the industry With out any prior information,in case of non compliance of above conditions.

Specific Conditions:

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Date: 2023.05.10 11:24:21 +05'30'

1. This CTE is valid only for establishment of new unit for the proposed production of SAND MINING-2,40,000/- CUBIC METER/ANNUM ("Ordinary Sand Mining" on the riverbed of Yamuna River at Gata No.1/2, Area 9.570 ha in Village- Chhaprauli Khadar, Tehsil - Baraut, District - Baghpat, Uttar Pradesh).
2. The ground water shall be abstracted after obtaining NOC from the State Ground Water Department and submit the copy to the Board within 3 months failing which CTO may not be granted.
3. The Unit shall submit Bank guarantee of Rs. 1,00,000/- for establishment of Miyawaki Forest as per the GO No. 1011/81-7-2021-09(writ)/2016, dated-13.10.2021 of Department of Environment, Forest and Climate Change within a month from the date of issue of this order with the proposal for proposed plantation, failing which CTO may not be granted.
4. The unit must comply the EC transfer permission granted by SEIAA, U.P. vide its letter dated-24.02.2023, failing which CTO may not be granted.
5. This CTE is null and void after the period validity of transfer of E.C. is granted by SEIAA, U.P. via letter dated-24.02.2023 which is granted for period upto 14.06.2023 (As per condition No. 1).
6. In case of any change in production capacity, process, raw materials use etc. the unit will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
7. Unit shall comply with various Waste Management Rules as notified by MoEF &CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, and Battery Rules 2000.
8. Under the Noise Pollution (Regulation and Control) Rule 2000, the unit shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise to less than 75 dB(A) during day time and 70 dB(A).
9. The unit shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the Residential Colony etc. which are likely to cause fire hazard including environmental pollution.
10. Unit shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
11. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
12. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
13. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
14. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55, 62 & 68 regarding DG sets.
15. The unit shall be monitored all sources of emissions from Boiler/Thermopack etc. after fuel conversion from Regional Laboratories, UPPCB on payment basis within a month. To ensure emissions parameters as per CAQM order.
16. The industry shall establish Miyawaki forest inside the factory in sufficient area the treated effluent from the STP shall be used for forestation.
17. Unit must submit replenishment study in the Board immediately otherwise CTE issued by the Board shall be deemed cancelled automatically.
18. Unit must comply the Guideline of Mining Sustainable Sand Management Guideline, 2016.
19. Industry shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
20. Units CTE may be withdrawn anytime by the UPPCB in case of non compliance of any conditions or in the case of a verified complaint against the unit.
21. To control the dust emission proper size water sprinkler and dust arrester shall be installed and its operation will be essential during the process period.
22. In case of D.G. Set operation it will ensure that any type of emission will not be the cause of public nuisance and environmental deterioration. The Canopy and proper exhaust stack shall maintained according to resides and human settlement of nearby area.
23. The Board reserves the right to null and void this CTE which is being granted to the said industry at any time in case if the industry is violating any of the conditions of the consent to establish.
24. In case of violation of above mentioned conditions or any public complaint the CTE shall be withdrawn in accordance with law.
25. Industry shall submit first compliance report with respect to conditions imposed within 30 days of

issue of this permission.

26. Industry shall submit monitoring reports of all stacks and ambient air quality from a certified/approved laboratory under E.P. Act 1986 within a month of starting the commercial production in the plant.

27. Industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.

28. The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section- 21/22 of air Act 1981 (as amended respectively).

29. This CTE will automatically stand cancelled on receipt of any complaint in future and on confirmation of investigation in the course of the complaint and non compliance of the directions/orders passed by Hon'ble National Green Tribunal from time to time.

30. The mining work be done by the project proponent in such a way that the contour of the river is not changed.

31. Mining should not be done by the project proponent after sunset or at night.

32. Minimum 33% of the land on which unit is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf. Beside this, the unit will install 5 additional saplings within the campus with protection measures for ensuring their survival.

33. This Consent to Establish (CTE) order shall automatically become invalid on issuance of Closure Order by C.P.C.B / UPPCB and further on Revoking of Closure order, the Consent order shall become valid.

34. The unit is required to submit a Bank Guarantee of Rs. 2,00,000/- (Rs. Two Lacs Only) to ensure the time bound compliance of conditions mentioned above at point no. 1 to 33 in the enclosed format for a minimum validity of 2 years.

Please note that consent to Establish will be revoked, in case of, non compliance of any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 10/06/2023 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

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Date: 2023.05.10 11:24:41 +05'30'

Chief Environmental Officer (Circle 3)

Dated:- 10/05/2023

Copy To -

Regional Officer, U.P. Pollution Control Board, Meerut to ensure the compliance of the conditions imposed in the certificate.

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Date: 2023.05.10 11:24:48 +05'30'

Chief Environmental Officer (Circle 3)

INDIA NON JUDICIAL

262

Government of Uttar Pradesh

e-Stamp

Certificate No.: : IN-UP41149399526001V
Certificate Issued Date: : 12-Oct-2023 05:41 PM
Account Reference: : NEWIMPACC(SV)/up14117604/BARAUT/UP-BGH
Unique Doc. Reference: : SUBIN-UPUP1411760477582490813766V
Purchased by: : ROYAL CONSTRUCTION CO 370737
Description of Document: : Article 35 Lease
Property Description: : VILLAGE CHHAPRAULI KHADAR TEHSIL
BARAUT UTTAR PRADESH KHASRA GATA NO1/2
Consideration Price (Rs.): : 15,55,72,848 (Fifteen Crore Fifty Five Lakh Seventy
Two Thousand Eight Hundred And Forty Eight only)
First Party: : GOVERNOR STATE OF UTTAR PRADESH
Second Party: : ROYAL CONSTRUCTION CO 370737
Stamp Duty Paid By: : ROYAL CONSTRUCTION CO 370737
Stamp Duty Amount (Rs.): : 31,12,000 (Thirty One Lakh Twelve Thousand only)

E-Stamp Certificate No.-IN-UP41149399526001V

Form - M.M. 6

Model Form of Auction Lease for Mining - (Rule 29)

In pursuance of Rule-29 of the Uttar Pradesh Minor Mineral (Concession) Rules, 1963, and through the e-tender-cum-e-auction system by the District Magistrate, Baghpat, for the lease of ordinary sand (Yamuna River) under Letter of Intent No.: 306/Mining/e-Tender-cum-e-Auction/2022-23 dated 31.12.2022, this agreement is executed today, dated 25-10-2023, valid until 24-10-2028, between:

The Hon'ble Governor of Uttar Pradesh (hereinafter referred to as the "State Government," which, if the context so requires under the terms, shall include its successors and assigns).

First Party

Royal Construction Company, Devipura 2, Bulandshahr-203001, Proprietor Shri Dayachand Bargouti, son of Harswaroop, resident of House No.-5, near New Break Point Restaurant, Bhur Chauraha, Yamunapuram, Bulandshahr (name, address, and profession of the individual/company, hereinafter referred to as the "Lessee," which, if the context so requires under the terms, shall include its heirs, executors, administrators, and representatives).

Second Party

As per the Uttar Pradesh Minor Mineral (Concession) Rules, 2021 (hereinafter referred to as the "said Rules"), through the e-tender-cum-auction process, the Lessee has been granted a lease for 240,000 cubic meters of minor mineral sand at the rate of ₹102/- per cubic meter for the first year, amounting to ₹2,44,80,000/-. For subsequent years, the payable amount shall increase by 10% annually over the previous year's payable amount. The State

Government has accepted the lease for a period of five years over the land described in Schedule Part-1, situated in Gram Chaprauli Khadar, Tehsil Baghpat, District Baghpat, Khata/Khasra No. 1/2, measuring a total area of 9.570 hectares. The Lessee has deposited ₹61,20,000/- as security and ₹48,96,000/- as 20% of the first year's installment in advance with the State Government.

This document serves as evidence that, in consideration of the covenants, undertakings, and agreements detailed herein and specified to be observed and performed by the Lessee, the State Government hereby grants and demises to the Lessee the following:

The exclusive right to mine and extract minor mineral sand (Yamuna River) (hereinafter referred to as the "said Minor Mineral," as described and identified in the attached Schedule), along with all the mineral-bearing lands, veins, seams situated in or beneath the lands described in Part-1 of the Schedule hereto, subject to the restrictions and conditions stated herein and in the said Rules. The rights conferred herein shall remain in effect from 25-10-2023 to 24-10-2028 (a period of five years), subject to compliance with the obligations and payment terms as stipulated in Part-2 of the Schedule hereto. The Lessee hereby covenants with the State Government to duly observe and fulfill the conditions set forth in the said Rules and the attached Schedules, and the State Government covenants with the Lessee accordingly, as mutually agreed upon by the parties and detailed in Part-3 of the Schedule hereto.

(The aforementioned Schedule)

Part – 1

Lease Area

Location and Description of the Lease Area: All that land situated in Gram Chaprauli Khadar, Tehsil Baghpat, District Baghpat, as described (details of the area and fields) in Khata/Khasra No. 1/2, comprising a total area of 9.570 hectares. The land is delineated in the attached map, shaded in red, and bounded as follows:

Village Chaparoli Khadar	<ul style="list-style-type: none"> • North: Plot No. 1/2, remaining portion • East: Plot No. 1/2, remaining portion • South: Plot No. 1/2, remaining portion • West: Plot No. 1/2, remaining portion
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As per the Environmental Clearance Certificate and Boundary Demarcation Report, the Coordinates of the Mining Area are as follows

Name of Pillars	Latitude	Longitude
A	29°13'14.6" N	77°08'39.3" E
B	29°13'11.4" N	77°8'33.5" E
C	29°13'21.8" N	77°8'21.33" E
D	29°13'25.7" N	77°8'29.7" E

Part-2

Ownership Rights Protected under this Lease

Ownership Fee: (1) During the tenure of this lease, the Lessee shall pay to the State Government ownership fees in relation to the minor mineral sand (Yamuna River) extracted by them from the leased area, as detailed below:

(Fifth Schedule)

In accordance with Rule-27(3) of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, the details of the payable amounts are as follows:

Month of deposit and percentage of amount to be deposited	Monthly details of due amount				
	First Year 2023 Instalment Rs. 24480000/-	Second Year 2024 Instalment Rs. 26928000/-	Third Year 2025 Instalment Rs. 29620800/-	Fourth Year 2026 Instalment Rs. 32582880/-	Fifth Year 2027 Instalment Rs. 35841168/-
01, October 20%	Rs. 48,96,000/- deposited in advance	5385600/-	5924160/-	6516576/-	7168234/-
01, November 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, December 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, January 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, February 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, March 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, April 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, May 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-
01, June 10%	Rs. 24,48,000/-	2692800/-	2962080/-	3258288/-	3584117/-

Exemptions from Ownership Deductions, etc.:

(2) The installments of ownership fees outlined in this section shall be paid to the State Government without any deductions. Payment shall be made by depositing the amount in Treasury Head 0853 – Non-Ferrous Mining and Metallurgical Industry – 102 – Mineral Concession Fees, Rents, and Royalties, 01 – Mineral Concession Fees and Royalties. A copy of the challan shall be sent to the District Magistrate.

Action for Non-Payment of Ownership Fees on Time:

(3) If the Lessee fails to pay any installment of ownership fees payable to the

State Government within the stipulated time as per the conditions and restrictions of this deed, such dues may be recovered by an officer authorized by the State Government through a certificate in the same manner as arrears of land revenue.

Part-3

General Provisions

Termination of Lease for Breach of Rules, Agreements, or Conditions:

(1) If the Lessee breaches any rule under the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, or any covenant or condition of this lease, the State Government may terminate the lease and confiscate the security deposit either fully or partially. However, the lease shall not be terminated without providing the Lessee an adequate opportunity to explain the breach.

Removal of Property by Lessee upon Termination of Lease:

(2) Upon termination or expiry of the lease, after the Lessee has cleared all dues payable under this deed, the Lessee shall, within three calendar months from the effective date of termination or expiry, or earlier if terminated under Clause (1) of this Part, dismantle and remove all or any of the machinery, plants, buildings, structures, temporary accommodations, or other constructions placed or erected by them on or within the said land.

Forfeiture of Property Left Beyond Three Months of Lease Termination:

(3) If, at the end of three calendar months following the termination or expiry of the lease, any machinery, engines, plants, buildings, structures, temporary accommodations, or other properties remain on or within the said land, and the Lessee fails to remove them within one calendar month of receiving a written notice from the District Magistrate, such properties shall be deemed to have become the property of the State Government. The State Government

may sell or dispose of these properties without compensation to the Lessee or providing any account for such disposal.

Notices:

(4) All notices required to be given to the Lessee under this deed shall be in writing and delivered to such individual residing on the said land whom the Lessee has appointed to receive such notices. If no such appointment is made, notices shall be sent via registered post to the address of the Lessee as recorded in this lease, or to such other address within India as the Lessee may provide in writing from time to time to the State Government. Every notice so served shall be deemed validly delivered and binding upon the Lessee, and no objection or challenge shall be raised regarding its validity.

Additional Conditions

- 1) The lessee shall mark the coordinates of the mining lease area on the demarcated map during the survey and demarcation of the area granted under the lease. Before executing the lease deed, the lessee shall, at their own expense, install such boundary markers and poles as may be necessary to indicate the demarcation shown in the map attached to the lease deed.
- 2) The lessee shall commence mining operations within one month from the date of execution of the lease deed and thereafter shall operate such mining activities without any deliberate delay, in an efficient and skilled manner, akin to a professional.
- 3) The lessee shall, at their own expense, construct a check post/gate for monitoring vehicle entry and exit and for monitoring the mining site, including installing four CCTV cameras capable of 360-degree visibility recording. The lessee shall also place an RFID scanner at the check post/gate, which will read and securely store the barcode data issued on the e-form MM-11 for each vehicle used in the transportation of minerals

from the mining lease area. The lessee shall maintain and keep this equipment in good working order at all times. The lessee shall preserve all recordings made by the CCTV cameras and RFID scanners for at least 30 days and shall provide such recordings to the authorized officer upon request under the provisions of Rule 67.

- 4) The lessee shall issue an e-form MM-11 with correct details for each vehicle. The lessee shall install an RFID scanner at the check gate to read and store the generated barcode data from the issued e-form MM-11 and shall maintain the equipment in proper and functional condition. Non-compliance with this condition will result in a penalty under Rule 60 of the Rules, 2021.
- 5) The lessee shall deposit the applicable amount of royalty and taxes, including TDS under income tax, as required, into the designated account of the District Mineral Foundation Trust, Bagpat, in accordance with the rules.
- 6) The lessee shall construct the access road to the mining area at their own expense, and in case any dispute arises with a third party, the lessee will be solely responsible.
- 7) The lessee shall not carry out mining operations beyond a depth of 03 meters or the groundwater level, whichever is less.
- 8) Mining shall not be carried out in the safety zones identified by the District Magistrate.
- 9) Mining activities using suction machines, lifters, or similar equipment shall not be conducted in the river's watercourse.
- 10) The use of machinery for mining operations, excluding the river's watercourse, shall be done in accordance with the conditions specified in the Environmental Clearance Certificate.
- 11) The lessee shall display the sale price of minerals at the location where transport documents are issued within the approved area.

- 12) The lessee shall ensure that vehicles used for the transport of minerals are fed in accordance with the standards specified by the Government of India.
- 13) If the lessee violates the rules, the mining lease, environmental clearance certificate, mining plan, or any other conditions, the lease may be terminated by the District Magistrate or the State Government, after giving the lessee a reasonable opportunity to explain their actions.
- 14) The lessee shall be fully responsible for any damage to life or property during mining/transportation activities.
- 15) The lessee shall strictly comply with the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, as amended, and any relevant orders of the Hon'ble Courts.
- 16) The lessee shall not carry out mining operations outside the approved and marked mining area, and shall comply with any orders issued by the Hon'ble High Court, the Hon'ble National Green Tribunal, or the Hon'ble Supreme Court.
- 17) The lessee shall submit a quarterly report in Form MM-12 to the District Magistrate and the Regional Office of the Directorate within the second week of July, October, January, and April every year. Failure to submit the report within the specified time will result in a penalty of Rs. 2,000, and such default will be considered a violation of the lease agreement.
- 18) If any other minerals are found during mining/transportation, the lessee shall immediately notify the District Office and the Regional Office of the Directorate of Geology and Mining (U.P.).
- 19) The lessee shall carry out mining operations in a scientifically sound manner for the proper development of minerals in the lease area, ensuring environmental protection by re-levelling the area and planting trees after mineral extraction.

- 20) Mining operations shall not commence until permanent boundary pillars have been installed in the approved area.
- 21) If any objections arise due to actions contrary to the conditions imposed by the Forest Department or any other department after the mining lease is approved, the lease may be cancelled under Rule 61 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, after giving the lessee a reasonable opportunity to explain.
- 22) The lessee shall construct the access road to the mining area at their own expense. If the road is constructed through the land of any cultivator for the transportation of minerals, the written consent of the concerned cultivator must be submitted to the District Quarry Office, Bagpat. The state government shall not be liable for any expenses incurred in the construction of the road.
- 23) Minerals extracted from the mining site shall not be transported via forest routes without the written consent of the Forest Department.
- 24) If illegal mining is found outside the boundaries of the approved mining lease area, the mining lease may be cancelled after giving a reasonable opportunity as per Rule 61 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021.
- 25) Mining operations shall not be carried out in any restricted area (if any) within the boundaries of the approved mining lease area. If mining is found in such restricted areas, the mining lease may be terminated as per applicable rules.
- 26) In case of private land within the approved mining lease area, the lessee shall comply with the provisions of Rule 68 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, and make payment for compensation accordingly.

- 27) The lessee shall comply with the conditions mentioned in the mining plan approved by the Directorate as per Rule 35(4) of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021.
- 28) In compliance with Directorate's letter no. 441/M-228/2017 (Mining Policy) dated 27.06.2019, the lessee shall not object to the transfer of environmental clearance after the termination of the lease to the subsequent applicant.
- 29) If any amendments are required in the Environmental Clearance Certificate, it shall be the lessee's responsibility.
- 30) The lessee shall comply with the conditions mentioned in the letter no. 810/Pariya/CEAA/5005-4451/2020 dated 17.03.2021 issued by the State-level Environmental Assessment Authority.
- 31) Considering the local conditions and environment, any additional conditions deemed appropriate by the District Magistrate shall be binding on the lessee.

Stamp Duty: For the purpose of stamp duty, the anticipated ownership security amount from the transferred land is as follows:

- First year amount: ₹2,44,80,000
- Second year amount: ₹2,69,28,000
- Third year amount: ₹2,96,20,800
- Fourth year amount: ₹3,25,82,880
- Fifth year amount: ₹3,58,41,168 The total amount is ₹16,55,72,848, with stamp duty calculated at a rate of 2%, totaling ₹31,11,500. This amount has been paid as an e-stamp under number IN UP41149399526001 on 12.10.2023 in favor of the Government of Uttar Pradesh.

This document has been executed in the manner described above, on the date and year mentioned.

Signed by the Lessee

For and on behalf of the Governor of Uttar Pradesh

Witness

1. Anandpal S/o Shree Anup Singh

Village Post - Badraka

Tehsil Baraut, District - Baghpat

Witness

2. Manoj Kumar S/o Shree Lachari Singh,

Address – 404, Kanha Home A-block,

Yamunapuram, Bulandsher

//SD//

Additional District Magistrate

Bagpat

12615

1709

INDIA NON JUDICIAL

274



IN-UP41149399526001V

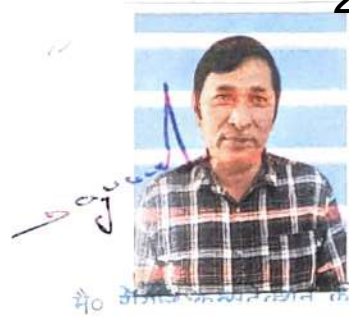
Government of Uttar Pradesh

e-Stamp



Certificate No. : IN-UP41149399526001V
Certificate Issued Date : 12-Oct-2023 05:41 PM
Account Reference : NEWIMPACC (SV)/ up14117604/ BARAUT/ UP-BGH
Unique Doc. Reference : SUBIN-UPUP1411760477582490813766V
Purchased by : ROYAL CONSTRUCTION CO 370737
Description of Document : Article 35 Lease
Property Description : VILLAGE CHHAPRAULI KHADAR TEHSIL BARAUT UTTAR PRADESH
KHASRA GATA NO1/2
Consideration Price (Rs.) : 15,55,72,848
(FifteenCrore Fifty Five Lakh Seventy Two Thousand Eight Hundred And
Forty Eight only)
First Party : GOVERNOR STATE OF UTTAR PRADESH
Second Party : ROYAL CONSTRUCTION CO 370737
Stamp Duty Paid By : ROYAL CONSTRUCTION CO 370737
Stamp Duty Amount(Rs.) : 31,12,000
(Thirty One Lakh Twelve Thousand only)





2

ई-स्टाम्प सर्टिफिकेट नं०-IN-UP41149399526001V

प्रपत्र-एम.एम. 6

खनन के लिए नीलामी पट्टे का आदर्श प्रपत्र-(नियम 29)

उत्तर प्रदेश उपखनिज (परिहार) नियमावली 1963 के नियम-29 के अधीन ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से जिलाधिकारी, बागपत द्वारा साधारण बालू (यमुना नदी) के पट्टा हेतु सहमति पत्रांक: 306/खनन/ई-निविदा सह ई-नीलामी /2022-23 दिनांक 31.12.2022 के क्रम में

यह अनुबन्ध आज दिन 25-10-2021 दिनांक 24-10-2028 को उत्तर प्रदेश के महामहिम राज्यपाल (जिन्हें आगे "राज्य सरकार" कहा गया है, जिसे पदावधि के अन्तर्गत यदि सन्दर्भ से ऐसा ग्राह्य हो, उत्तराधिकारी तथा अभिहस्ताकिंती भी समझे जायेंगे).

प्रथम पक्ष

ROYAL CONSTRUCTION COMPANY DEVIPURA 2 BULANDSHAHR-203001 प्रो० श्री दयाचन्द बरगौती पुत्र हरस्वरूप, निवासी मकान नम्बर-5, नई ब्रेक पॉइंट रेस्टोरेन्ट भूखण्ड चौराहा के पास यमुनापुरम, बुलन्दशहर (व्यक्ति/कम्पनी का नाम, पता और व्यवसाय) जिसे आगे "पट्टेदार" कहा गया है, जिस पदावधि के अन्तर्गत, यदि सन्दर्भ से ऐसा ग्राह्य हो उसके दायार, निष्पादक, प्रशासक तथा प्रतिनिधि भी समझे जायेंगे)

द्वितीय पक्ष

उत्तर प्रदेश उपखनिज (परिहार) नियमावली, 2021 (जिसे आगे "उक्त नियमावली" कहा गया है) के अनुसार किये गये ई-निविदा सह-नीलामी के माध्यम से 240000 घनमीटर उपखनिज बालू के लिए पट्टेदार द्वारा अंकन 102/-रूपये प्रति घनमीटर की दर से प्रथम वर्ष हेतु अंकन 2,44,80,000/-रूपये तथा अनुवर्ती वर्षों में गत वर्ष की देय घनराशि पर 10 प्रतिशत वृद्धि करके देय होगा। राज्य सरकार द्वारा खनन पट्टे के लिए 05 वर्ष के निमित्त एतदधीन लिखित अनुसूची के भाग-1 में वर्णित भूमि ग्राम छपरोली खादर, तहसील-बडौत, जनपद-बागपत के खसरा/गाटा सं० 1/2 कुल रकबा 9.570 है० पांच वर्षों के लिए स्वीकार कर लिया गया है और उसने/उन्होंने प्रतिभूति स्वरूप अंकन 61,20,000/-रूपये तथा प्रथम वर्ष की किश्त का 20 प्रतिशत

कमशा 3 पर

प्रोपराइटर (सोमेश कुमार तिवारी) खान अधिकारी जनपद-बागपत

बागपत जिलाधिकारी (वि.श.) बागपत

जिलाधिकारी बागपत

धनराशि अंकन 48,96,000/-रूपये अग्रिम रूप से राज्य सरकार के पास जमा कर दी गई।

यह इसका साक्ष्य है कि इस उपस्थापन-पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उसमें दिये गये पट्टेदार की ओर से भुगतान किये जाने वाले, पालन तथा सम्पादन किये जाने वाले स्वामित्वों, प्रसविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्वारा पट्टेदार को निम्नलिखित प्रदान और पट्टान्तरित करता है।

उपखनिज बालू (यमुना नदी) (यहां खनिज/खनिजों का उल्लेख किया जाये) जिन्हें आगे और अभिदिष्ट अनुसूची में "उक्त" "उपखनिज" कहा गया है, की समस्त खान तल्य (beds) संदर सीम्स (veins seams) जो उक्त अनुसूची के भाग-1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, के साथ जिसके सम्बन्ध में उन प्रतिबन्धों तथा शर्तों के अधीन रहते हुए प्रयोग या उपयोग किया जायेगा। जो ऐसी स्वतन्त्रताओं, अधिकारों तथा विशेष अधिकारों का प्रयोग तथा उपयोग करने के बारे में हो, सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतन्त्रताओं, अधिकार तथा विशेष अधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे। दिनांक 25-10-2023 से 25-10-2028 तक (पांच वर्ष हेतु) की आगामी अवधि के लिए पट्टेदार की एतद्वारा दिए गए पदान्तरित ऐसे भू-गृहादि धारण करना, जिनसे खनिज निकालने लगे और राज्य सरकार को उक्त अनुसूची के भाग-2 में उल्लिखित स्वामियों का भुगतान उसमें निर्दिष्ट भिन्न-भिन्न समयों पर होने लगे, किन्तु प्रतिबन्ध यह है कि ऐसा उक्त भाग के उपबन्धों के अधीन हो, और पट्टेदार एतद्वारा राज्य सरकार के साथ प्रसविदा करता है/करते हैं और राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों के साथ प्रसविदा करती है, जैसा कि उक्त नियमावली में अभिव्यक्ति है और एतद्वारा इसके साथ दिये गये पक्षों के बीच परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग-3 में अभिव्यक्ति है।

(रूपर अभिदिष्ट अनुसूची)

भाग-1

इस पट्टे का क्षेत्र

पट्टे का स्थान और क्षेत्र : यह समस्त भू-खण्ड, जो जिला बागपत की तहसील बडौत के अन्तर्गत स्थित ग्राम छपरौली खादर पर (क्षेत्र तथा क्षेत्रों का विवरण) स्थित है और उसकी भू-कर सर्वेक्षण खसरा संख्या/गाटा संख्या-1/2 है जिसमें कुल क्षेत्रफल 9.570 है 0 क्षेत्रफल है और जिसका चित्रण इसमें संलग्न नक्शों में किया गया है और उसे लाल रंग से रंजित (coloured) किया गया है और जिसकी सीमायें निम्नलिखित हैं :-

ग्राम छपरौली खादर
गोहददी

उत्तर में गाटा सं0 1/2 का शेष भाग
दक्षिण में गाटा संख्या 1/2 का शेष भाग
पूरब में गाटा संख्या 1/2 का शेष भाग
पश्चिम में गाटा संख्या 1/2 का शेष भाग

.....कमश: 4 पर

(सामंत कुमार तिवारी)
खान अभियंता
जनपद-बागपत

जिलाधिकारी
बागपत

आवदन सं: 202300735016504

पट्टा विलेख/ कबूलियतनामा

बही सं: 1

रजिस्ट्रेशन सं: 12615

वर्ष: 2023

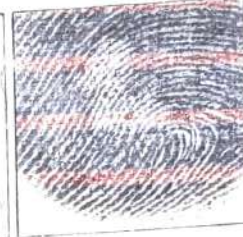
प्रतिफल - 155572848 स्टाम्प शुल्क - 3112000 बाजारी मूल्य - 0 पंजीकरण शुल्क - 1556000 प्रतिलिपिकरण शुल्क - 100 योग : 1556100

श्री र. क. कडुबद्रे दयाचन्द बंगीती,

पुत्र श्री हरसुब्रह्म

व्यवसाय : अन्य

निवासी: यमुनापुरम बुलन्दशहर आंध्र प्रदेश-*****2582



ये धर. लेखपत्र इस कार्यालय में दिनांक 25/10/2023 एवं 02:15:19 PM बजे
निबन्धन हेतु पेश किया।

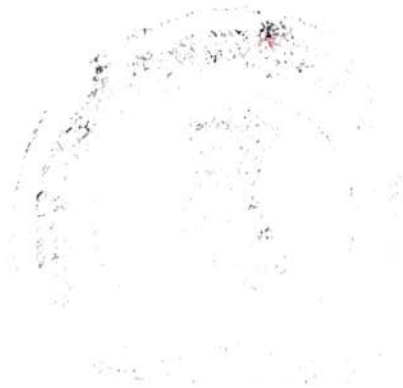
रजिस्ट्रेशन अधिकारी के हस्ताक्षर

निबंधक : बडीत
बागपत

25/10/2023

निबंधक लिपिक

25/10/2023



4

पर्यावरण स्वच्छता प्रमाण-पत्र व सीमाबंधन की आख्या के अनुसार खनन क्षेत्र का कोऑर्डिनेट्स:-

Name of Pillars	Latitude	Longitude
A	29°13'14.6" N	77°08'39.3" E
B	29°13'11.4" N	77°8'33.5" E
C	29°13'21.8" N	77°8'21.33" E
D	29°13'25.7" N	77°8'29.7" E

और जिसे एतद्वारा "उक्त भू-खण्ड" कहा गया है।

भाग-2

इस पट्टे द्वारा संरक्षित स्वामित्व

स्वामित्व की धनराशि : (1) पट्टेदार, इस पट्टे की अवधि में राज्य सरकार को पट्टे पर दिये गये क्षेत्र में उसके/उनके द्वारा हटाये गये उपखनिज बालू (यमुना नदी) के सम्बन्ध में निम्नलिखित स्वामित्व का भुगतान करेगा/करेंगे।

(पंचम अनुसूची)


उ0प्र0 उपखनिज (परिहार) नियमावली, 2021 के पंचम अनुसूची नियम-27(3) के अनुसार देय धनराशियों के जमा करने का विवरण :-

जमा की जाने वाली धनराशि का माह व धनराशि का प्रतिशत	माहवार देय धनराशि का विवरण				
	प्रथम वर्ष 2023 की किश्त रू0	द्वितीय वर्ष 2024 की किश्त रू0	तृतीय वर्ष 2025 की किश्त रू0	चतुर्थ वर्ष 2026 की किश्त रू0	पंचम वर्ष 2027 की किश्त रू0
	24480000/-	26928000/-	29620800/-	32582880/-	35841168/-
01. October 20%	रू0 48,96,000/- अग्रिम रूप से जमा	5385600/-	5924160/-	6516576/-	7168234/-
01. November 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. December 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. January 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. February 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. March 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. April 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. May 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-
01. June 10%	रू0 24,48,000/-	26,92,800/-	2962080/-	3258288/-	3584117/-

स्वामित्व कटौती आदि से मुक्त होगा : (2) इस भाग में उल्लिखित स्वामित्व की किश्तों का भुगतान बिना किसी कटौतियों के राज्य सरकार को 0853-अलौह खनन तथा धातुकर्म उद्योग-102-खनिज रियायत शुल्क किराया और स्वत्व शुल्क, 01 खनिज रियायत शुल्क और स्वत्व शुल्क सरकारी कोषागार में जमा करके किया जायेगा तथा बालान की एक प्रति जिलाधिकारी को भेजी जायेगी।

स्वामित्वों का समय पर भुगतान न किया जाये तो कार्यवाही की प्रक्रिया : (3) यदि किसी उपस्थापन पत्र (present) की शर्तों और प्रतिबन्धों के अधीन राज्य सरकार को देय स्वामित्व की किसी किश्त का भुगतान पट्टेदार/पट्टेदारों द्वारा नियत समय के

..... कमशः 5 पर


(सोमन कुमार तिवारी)
खान अधिकारी
जनपद-बागपत


उपर जिलाधिकारी (वि./सा.)
बागपत


जिलाधिकारी
बागपत

भीतर न किया जाये तो उसे ऐसे अधिकारी के, जिसे राज्य सरकार सामान्य विशिष्ट आज्ञा द्वारा निर्दिष्ट करें, प्रमाण पत्र पर उसी रीति से वसूल की जा सकती है जैसे मालगुजारी का वकाया।

भाग-3

सामान्य उपबन्ध


नियमों प्रसंविदाओं और शर्तों को भंग करने पर पट्टा समाप्त किया जा सकता है : (1) यदि पट्टेदार उत्तर प्रदेश उपखनिज (परिहार) नियमावली, 2021 के किसी नियम या इस पट्टे की किसी प्रसंविदा तथा किसी शर्त को भंग करें तो राज्य सरकार द्वारा पट्टा समाप्त कर सकती है और प्रतिभूति जमा पूर्णतः या अंशतः जब्त कर सकती है, किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार/पट्टेदारों को उन्हें भंग करने का स्पष्टीकरण देने के लिए यथोचित अवसर दिया जायेगा।

पट्टेदार पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेगा/हटायेगा: (2) पट्टेदार उस उपस्थापन-पत्र के आधार पर देय स्वामित्व का पहले भुगतान और उन्मोचन कर चुकने पर उक्त अवधि की समाप्ति पर उसकी शीघ्रतर समाप्ति पर या तत्पश्चात तीन कलेण्डर मास के भीतर (जब तक की पट्टा इस भाग के खण्ड-1 के अधीन समाप्त न कर दिया जाय) और उस दशा में किसी समय ऐसी समाप्ति के कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में अपने की लाभ के लिए ऐसे सभी या किसी मशीन सयंत्र, भवन, संरचनायें और अन्य निर्माण कार्य और अस्थाई आवास स्थानों (convenience) को उखाड़ सकता है/सकते हैं और हटा सकता है/सकते हैं, जो उक्त भूमि में या उस पर पट्टेदार/पट्टेदारों द्वारा रखे गये हों।

पट्टे की समाप्ति के पश्चात तीन मास के अधिक समय तक छोड़ी गयी सम्पत्ति की जब्ती:-(3) यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के प्रभावी होने के पश्चात तीन कलेण्डर मास के अन्त में उक्त भूमि या उस पर कोई इंजन, मशीन, सयंत्र, भवन, संरचनायें और अन्य निर्माण कार्य और अस्थाई आवास स्थान या अन्य सम्पत्ति रहे ता उनके सम्बन्ध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात जिसमें जिलाधिकारी द्वारा पट्टेदार/पट्टेदारों से उन्हें हटाने की अपेक्षा की गयी हो, एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न उठाये जाये, तो यह समझा जाएगा कि वे राज्य सरकार की सम्पत्ति हो गयी और प्रतिकर का भुगतान किए बिना या उसके सम्बन्ध में पट्टेदार/पट्टेदारों को कोई हिसाब दिये बिना उनकी बिक्री या निस्तारण ऐसी रीति से किया जा सकता है, जो राज्य सरकार उचित समझे।

नोटिस:-(4) इस उपस्थापन-पत्र द्वारा पट्टेदार/पट्टेदारों को दिये जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप से दिया जायेगा, जिसे पट्टेदार ऐसे नोटिस प्राप्त करने के प्रयोजन के लिए नियुक्त करे/करें, और यदि इस प्रकार कोई नियुक्ति न की गयी हो तो प्रत्येक नोटिस पट्टेदार/पट्टेदारों को रजिस्टर्ड डाक द्वारा इस पट्टे में उसके/उनके अभिलिखित पते पर या भारत में ऐसे पते पर भेजा जाएगा, जिसे पट्टेदार समय-समय पर लिखित रूप में राज्य सरकार को नोटिसों की प्राप्त करने के लिए दे/दें और प्रत्येक ऐसी तामील

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पट्टेदार / पट्टेदारों पर उचित तथा वैध तामील समझी जायेगी और उसके सम्बन्ध में उसके/उनके न तो आपत्ति की जायेगी और न उसे उपाहृत (challenged) किया जाएगा।

— अतिरिक्त शर्तें :—

- (1) पट्टेदार पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व पट्टेदार अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिए आवश्यक होगा।
- (2) पट्टा अभिलेख निष्पादन के दिनांक से एक माह के भीतर खनन संक्रियाएं प्रारम्भ करेगा और तत्पश्चात् जानबूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भाँति करेगा।
- (3) पट्टा धारक नियम-36 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिए एवं खनन स्थल की निगरानी के लिए स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे सम्बन्धित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई-प्रपत्र एम0एम0-11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख रखाव करेगा एवं सदैव उसे चालू रूप से अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।
- (4) पट्टाधारक प्रत्येक वाहन को ई0-एम0एम0-11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-एम0एम0-11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिए आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली 2021 के नियम-60 के अन्तर्गत शारित का भागीदार होगा।
- (5) पट्टेधारक द्वारा जिला खनिज फाउण्डेशन न्यास, बागपत के निर्धारित खाते में नियमानुसार देय धनराशि एवं रायल्टी के सापेक्ष आयकर के मद में टी0डी0एस0 जमा करना अनिवार्य होगा।
- (6) पट्टेधारक को खनन क्षेत्र में पहुँच मार्ग का निर्माण स्वयं करना होगा तथा यदि तृतीय पक्ष द्वारा कोई विवाद उत्पन्न किया जाता है, तो उसके लिये वह स्वयं जिम्मेदार होगा।
- (7) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो भी कम हो, से अधिक गहराई में खनन संक्रियाएँ नहीं करेगा।



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7

- (8) जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।
- (9) नदी की जल धारा में सक्शन मशीन, लिपटर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।
- (10) खनन संकियाओं में नदी की जलधारा को छोड़कर पर्यावरण अनापत्ति प्रमाण पत्र में विनिर्दिष्ट शर्तों के अनुसार मशीनों का प्रयोग किया जा सकता है।
- (11) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर उपखनिजों का विक्रय मूल्य प्रदर्शित करेगा।
- (12) भारत सरकार द्वारा निर्धारित मानकों के अनुसार पट्टाधारक द्वारा प्रयुक्त वाहनों में उपखनिज की फीडिंग की जायेगी।
- (13) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्तियुक्त अवसर प्रदान करने के पश्चात जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- (14) खनन/परिवहन में जंग-धन की हानि की समस्त जिम्मेदारी पट्टेदार की होगी।
- (15) पट्टेधारक को उत्तर प्रदेश उपखनिज (परिहार) नियमावली 2021 यथा संशोधित एवं सुसंगत शासनादेशों एवं माननीय न्यायालयों के आदेशों को अक्षरशः पालन करना होगा।
- (16) पट्टेधारक स्वीकृत एवं चिन्हांकित खनन क्षेत्र से बाहर किसी भी दशा में खनन कार्य नहीं करेगा, साथ ही मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित प्राधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन करेगा।
- (17) पट्टेधारक नियमावली 2021 के नियम-75 के प्राविधानों के अन्तर्गत पूर्ववर्ती त्रैमास के सम्बन्ध में प्रत्येक वर्ष जुलाई, अक्टूबर, जनवरी और अप्रैल के द्वितीय सप्ताह में प्रपत्र एम0एम0-12 में जिलाधिकारी और निदेशालय के क्षेत्रीय कार्यालय को त्रैमासिक विवरणी प्रस्तुत करेगा तथा विनिर्दिष्ट समय के भीतर विवरण प्रस्तुत करने में विफल होने पर अंकन 2,000/-रूपये की शास्ति का भागीदार होगा तथा पट्टेदार की ऐसी चूक, खनन पट्टा विलेख की शर्तों का उल्लंघन माना जायेगा।
- (18) खनन कार्य करने के दौरान यदि कोई अन्य खनिज/उपखनिज प्राप्त होता है तो उसकी सूचना पट्टेधारक तत्काल जिला कार्यालय तथा भूतत्व एवं खनिकर्म विभाग (उ0प्र0) के क्षेत्रीय कार्यालय एवं निदेशालय को देगा।
- (19) पट्टेदार को पट्टाकृत क्षेत्र में खनिज के समुचित विकास हेतु वैज्ञानिक ढंग से खनन कार्य करते हुए पर्यावरण की सुरक्षा हेतु खनिज/उपखनिज का खनन व निकासी करने के उपरान्त क्षेत्र का समतलीकरण कर वहाँ वृक्षारोपण करना होगा।
- (20) स्वीकृत क्षेत्र में स्थायी स्तम्भ लगाने के बाद ही खनन कार्य करने की अनुमति दी जायेगी।
- (21) खनन पट्टा स्वीकृति के पश्चात् भविष्य में वन विभाग या किसी अन्य विभाग द्वारा शर्तों के विपरीत कार्य करने के कारण आपत्ति किये जाने पर उक्त नियमावली 2021 के नियम 61 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात् खनन पट्टा निरस्त किया जायेगा।

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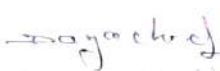

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8

- (22) पट्टेधारक द्वारा खनन क्षेत्र तक पहुँच मार्ग स्वयं के पर बनाया जायेगा। यदि खनिजों के परिवहन हेतु किसी काश्तकार की भूमि से होकर रास्ते का निर्माण किया जाता है तो सम्बन्धित काश्तकार की लिखित सहमति सम्बन्धी अभिलेख जिला क्वैरी कार्यालय, बागपत में प्रस्तुत करना अनिवार्य होगा। रास्ते के निर्माण में होने वाले व्यय के लिए राज्य सरकार का कोई उत्तरदायित्व नहीं होगा।
- (23) खनन स्थल से निकाले गये खनिज पदार्थ का अभिवहन वन विभाग की लिखित सहमति के बिना वन मार्ग से नहीं किया जायेगा।
- (24) स्वीकृत खनन पट्टा क्षेत्र की परिधि के बाहर कोई अवैध खनन पाये जाने पर उक्त नियमावली 2021 के नियम 61 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात् खनन पट्टा निरस्त किया जायेगा।
- (25) स्वीकृत खनन पट्टा क्षेत्र के भीतर किसी प्रतिबन्धित क्षेत्र (यदि कोई हो) में खनन कार्य नहीं किया जायेगा। ऐसे प्रतिबन्धित क्षेत्र में खनन पाये जाने पर नियमानुसार खनन पट्टा समाप्त किया जा सकता है।
- (26) स्वीकृत खनन पट्टा क्षेत्र के भीतर निजी भूमि होने की दशा में पट्टाधारक भूमि के स्वामी को नियम-68 के प्राविधानों के अनुसार प्रतिकर का भुगतान करेगा।
- (27) उ०प्र० उपखनिज (परिहार) नियमावली, 2021 के नियम-35(4) के अनुसार निदेशालय द्वारा अनुमोदित खनन योजना में उल्लिखित शर्तों का पालन पट्टेधारक को किया जाना आवश्यक होगा।
- (28) निदेशालय के पत्र संख्या-441/एम-228/2017 (खनन नोति।।।) दिनांक 27-06-2019 के अनुपालन में पट्टा समाप्ति के उपरान्त पर्यावरणीय स्वीकृति अनुवर्ती प्रस्तावक को आन्तरित किये जाने में पट्टेधारक को कोई आपत्ति नहीं होगी।
- (29) पर्यावरण स्वच्छता प्रमाण पत्र में संशोधन आदि यदि आवश्यकता हो का दायित्व स्वयं पट्टाधारक का होगा।
- (30) राज्य स्तरीय पर्यावरण समाघात प्राधिकरण के पत्र सं० 810/पर्या०/सीईएए/5005-4451/2020 दिनांक 17.03.2021 में इंगित शर्तों का पालन हेतु पट्टेधारक वाध्य होगा।
- (31) स्थानीय स्थिति तथा परिवेश को ध्यान रखते हुये अन्य शर्तें जो जिलाधिकारी द्वारा उचित समझी जायगी पट्टेधारक का मान्य होगा।

स्टाम्प शुल्क: स्टाम्प शुल्क के प्रयोजन के लिए पट्टान्तरित भूमि से प्रत्याशित स्वामित्व प्रतिभूति की धनराशि अंकन 61,20,000/-रुपये प्रथम वर्ष की धनराशि अंकन 2,44,80,000/-रुपये द्वितीय वर्ष की धनराशि अंकन 2,69,28,000/-रुपये तृतीय वर्ष की धनराशि अंकन 2,96,20,800/-रुपये चतुर्थ वर्ष की धनराशि अंकन 3,25,82,880/-रुपये पंचम वर्ष की धनराशि अंकन 3,58,41,168/-रुपये कुल धनराशि अंकन 15,55,72,848/-रुपये होती है, पर 2 प्रतिशत की दर से अंकन 31,11,500/-रुपये का ई-स्टाम्प संख्या-IN-UP41149399526001V दिनांक 12.10.2023 उत्तर प्रदेश राज्य सरकार के पक्ष में जदा किया गया है।

.....कमश 9 पर

(सामन्द्र कुमार तिवारी) **अवर जिलाधिकारी (वि.स.)**
खान अधिकारी
जनपद-बागपत

बागपत



जिलाधिकारी
बागपत

इनके साक्ष्य के रूप में यह उपस्थापन-पत्र एतदधीन आई हुई रीति से ऊपर उल्लिखित दिनांक और वर्ष को निष्पादित किया गया है।

Sagoraj
 पट्टेधारक द्वारा हस्ताक्षरित
 जिलाधिकारी
 जनपद-बागपत

उत्तर प्रदेश के राज्यपाल के लिए
 और उनकी ओर से
 जिलाधिकारी
 बागपत



गवाह

1. *श्री. क. नारायण गुप्त जी ज्योतिषिंह*
 ज्ञान पं. पी.सी. - ब्यपदेशवा.
 तहसील कडोए, जनपद-बागपत।



गवाह

2. *सचोजू कुमार पुत्र स्व. मा.*
 लालचारा सिंह,
 निवासी- 404, ब्लॉक डी.एम. 2, क्लॉक
 यमुनापुरम, जलन्दा शहर।

(सोमेश कुमार किकरी)
 खानबख्शिकारी
 जनपद-बागपत

अपर जिलाधिकारी (वि०/रा०)
 ब्यपदेश, जिला-बागपत (वि.सं.)
 बागपत।

(Sachin)
 Advocate
 Tehsil-Baraut (Baghat)



Uttar Pradesh Pollution Control Board

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Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.in, Website: www.uppcb.com

197311/UPPCB/Meerut(UPPCBRO)/CTO/both/BAGHPAT/2023

Date: 29/11/2023

To,

M/s

MS ROYAL CONSTRUCTION CO

Gata No 1/2 Mining Area 9.57 Ha Village - Chhaprauli Khadar , Tehsil
- Baraut , Dist - Baghpat , U.P ,BAGHPAT,250617

Application Id-
23653977

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to **MS ROYAL CONSTRUCTION CO** located at **Gata No 1/2 Mining Area 9.57 Ha Village - Chhaprauli Khadar , Tehsil - Baraut , Dist - Baghpat , U.P ,BAGHPAT,250617.** subject to the provisions of **the Water Act, Air Act** and the orders that may be made further and subject to following terms and conditions :-

1. This CCA MS ROYAL CONSTRUCTION CO **granted for the period from 29/11/2023 to 31/12/2027** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	SAND MINING, CUBIC METER/ANNUM	240000	Cubic Meters/Year

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	0.50 KLD - SEPTIC TANK	Septic Tank	SEPTIC TANK

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
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(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be

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stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
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3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
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Emission Quality Standards

S No.	Stack no	Parameters	Standards
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In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-

compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. This CTO is valid only for the SAND MINING-2,40,000/- CUBIC METER/ANNUM ("Ordinary Sand Mining" only on the riverbed of Yamuna River at Gata No.1/2, Area 9.570 ha in Village-ChhaprauliKhadar, Tehsil - Baraut, District - Baghat, Uttar Pradesh).
2. The ground water shall be abstracted only after obtaining NOC from the UPGWD and submit the copy to the Board within a months failing which CTO shall be deemed automatically cancelled.
3. The industry must submit a proof of Bank Guarantee submitted in the Board, if not then submit the Bank Guarantee as per CTE issued to unit on 10.05.2023 as per specific condition no. 3 and 34 within a month, failing which CTO shall be deemed automatically cancelled.
4. The unit must comply the EC transfer permission granted by SEIAA,U.P. vide its letter dated- 24.02.2023.
5. Unit must submitted balance fee of Rs. 75,000/- in the Board within 15 days of issuing this certificate

6. Unit must submit replenishment study in the Board immediately otherwise CTO issued by the Board shall be deemed cancelled automatically.
7. Unit must comply the conditions of CTE issued by the Board on 10.05.2023 and send the compliance report with specific conditions within 15 days to the Board.
8. In case of any change in production capacity, process, raw materials use etc. the unit will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
9. Unit shall comply with various Waste Management Rules as notified by MoEF&CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, and Battery Rules 2000.
10. Under the Noise Pollution (Regulation and Control) Rule 2000, the unit shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise to less than 75 dB(A) during day time and 70 dB(A).
11. The unit shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the Residential Colony etc. which are likely to cause fire hazard including environmental pollution.
12. Unit shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
13. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
14. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
15. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
16. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55, 62 & 68 regarding DG sets.
17. The unit shall be monitored all sources of emissions from Boiler/Thermopack etc. after fuel conversion from Regional Laboratories, UPPCB on payment basis within a month. To ensure emissions parameters as per CAQM order.
18. The industry shall establish Miyawaki forest inside the factory in sufficient area the treated effluent from the STP shall be used for forestation.
19. Unit must comply the Guideline of Mining Sustainable Sand Management Guideline, 2016.
20. Industry shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
21. Units CTO may be withdrawn anytime by the UPPCB in case of non compliance of any conditions or in the case of a verified complaint against the unit.
22. To control the dust emission proper size water sprinkler and dust arrester shall be installed and its operation will be essential during the process period.
23. In case of D.G. Set operation it will ensure that any type of emission will not be the cause of public nuisance and environmental deterioration. The Canopy and proper exhaust stack shall maintained according to resides and human settlement of nearby area.
24. The Board reserves the right to deemed cancel this CTO which is being granted to the said industry at any time in case if the industry is violating any of the conditions of the consent to establish.
25. In case of violation of above mentioned conditions or any public complaint the CTE shall be withdrawn in accordance with law.

26. Industry shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
27. Industry shall submit monitoring reports of all stacks and ambient air quality from a certified/approved laboratory under E.P. Act 1986 within a month of starting the commercial production in the plant.
28. Industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
29. The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section-21/22 of air Act 1981 (as amended respectively).
30. This CTO will automatically stand cancelled on receipt of any complaint in future and on confirmation of investigation in the course of the complaint and non compliance of the directions/orders passed by Hon'ble National Green Tribunal from time to time.
31. The mining work be done by the project proponent in such a way that the contour of the river is not changed.
32. Mining should not be done by the project proponent after sunset or at night.
33. Minimum 33% of the land on which unit is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf. Beside this, the unit will install 5 additional saplings within the campus with protection measures for ensuring their survival.
34. This Consent to Operate (CTO) order shall automatically become invalid on issuance of Closure Order by C.P.C.B / UPPCB and further on Revoking of Closure order, the Consent order shall become valid.

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Chief Environmental Officer (Circle 3)

Copy to:

Regional Officer, U.P. Pollution Control Board, Meerut to ensure the compliance of the conditions imposed in the certificate.

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Chief Environmental Officer (Circle 3)



मिशन LiFE - पर्यावरण के लिए जीवन शैली
(Lifestyle For Environment)
जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेंकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेंकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइकिलिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाक्रीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है |



UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

Validity Period :14/12/2023 To 13/12/2028

Ref No. - 194174/UPPCB/Meerut(UPPCBRO)/CTE/BAGHPAT/2023 Dated:- 14/12/2023

To ,

Shri DAYACHAND BADGOTI

M/s MS ROYAL CONSTRUCTION CO

Gata No - 706 , Village - Kotana Khadar , Tehsil - Baraut , Dist - Baghpat,BAGHPAT,250611
BAGHPAT**Sub :** Consent to Establish for New Unit/Expansion/Diversification under the provisions of Water (Prevention and control of pollution) Act, 1974 as amended and Air (Prevention and control of Pollution) Act, 1981 as amended.

Please refer to your Application Form No.- 23046974 dated - 06/10/2023. After examining the application with respect to pollution angle, Consent to Establish (CTE) is granted subject to the compliance of following conditions :

1. Consent to Establish is being issued for following specific details :

A- Site along with geo-coordinates : (Pillar No. Latitude Longitude A 29°6'16.40"N 77°8'22.70"E
B 29°6'14.50"N 77°8'32.50"E C 29°6'33.90"N 77°8'36.10"E D 29°6'30.30"N 77°8'27.90"E)

B- Main Raw Material :

Main Raw Material Details		
Name of Raw Material	Raw Material Unit Name	Raw Material Quantity
Ordinary Sand Mining on Yamuna Riverbed	Cubic Meters/Year	275500

C- Product with capacity :

Product Detail	
Name of Product	Product Quantity
Sand	275500

D- By-Product if any with capacity :

By Product Detail			
Name of By Product	Unit Name	Licence Product Capacity	Install Product Capacity
NA	Cubic Meters/Day	0	0

2. Water Requirement (in KLD) and its Source :

Source of Water Details		
Source Type	Name of Source	Quantity (KL/D)
Municipal Supply	Tanker	17.0

3. Quantity of effluent (In KLD) :

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Effluent Details	
Source Consumption	Quantity (KL/D)
Domestic	1.0
Others(Dust Suppression)	5.0
Process	12.0

4. Fuel used in the equipment/machinery Name and Quantity (per day) :

Fuel Consumption Details		
Fuel	Consumption(tpd/kld)	Use
Others	0.03	As per Norms
Others	0.03	As per DPR report

5. For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
- For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
2. You are directed to furnish the progress of Establishment of plant and machinery, green belt, Effluent Treatment Plant and Air pollution control devices, by 10th day of completion of subsequent quarter in the Board.
3. Copy of the work order/purchase order, regarding instruction and supply of proposed Effluent Treatment Plant/Sewerage Treatment Plant /Air Pollution control System shall be submitted by the industry till 13/12/2028 to the Board.
4. Industry will not start its operation, unless CTO is obtained under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and control of Pollution)Act, 1981 from the Board.
5. It is mandatory to submit Air and Water consent Application,complete in all respect, four months before start of operation, to the U.P. Pollution Control Board.
6. Legal action under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act,1981 may be initiated against the industry With out any prior information,in case of non compliance of above conditions.

Specific Conditions:

1. This CTE is valid only for establishment of new unit for the proposed production of ORDINARY SAND MINING-2,75,000/-CUBIC METER/Year ("Ordinary Sand Mining" Project at Gata No.-706, Village- Kotana Khadar, Tehsil- Baraut, District- Baghpat, U.P. (Leased Area: 12.245 Ha.) (Pillar No. Latitude Longitude A 29°6'16.40"N 77°8'22.70"E B 29°6'14.50"N 77°8'32.50"E C 29°6'33.90"N 77°8'36.10"E D 29°6'30.30"N 77°8'27.90"E).
2. The ground water shall be abstracted after obtaining NOC from the UPGWD and submit the copy to the Board within 3 months failing which CTO may not be granted.
3. The Unit shall submit Bank guarantee of Rs. 1,00,000/- for establishment of Miyawaki Forest as per the GO No. 1011/81-7-2021-09(writ)/2016, dated-13.10.2021 of Department of Environment, Forest and Climate Change within a month from the date of issue of this order with the proposal for proposed plantation, failing which CTO may not be granted.
4. The unit must comply the Environmental Clearance (EC) from Ministry of Environment, Forest and Climate Change (Issued by the State Environment Impact Assessment Authority(SEIAA), UTTAR PRADESH) on 23.11.2023, failing which CTO may not be granted.
5. In case of any change in production capacity, process, raw materials use etc. the unit will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
6. Unit shall comply with various Waste Management Rules as notified by MoEF&CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, and Battery Rules 2000.
7. Under the Noise Pollution (Regulation and Control) Rule 2000, the unit shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise to less than 75 dB(A) during day time and 70 dB(A).
8. The unit shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the Residential Colony etc. which are likely to cause fire hazard including environmental pollution.
9. Unit shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
10. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
11. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
12. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
13. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55, 62 & 68 regarding DG sets.
14. The unit shall be monitored all sources of emissions from Boiler/Thermopack etc. after fuel conversion from Regional Laboratories, UPPCB on payment basis within a month. To ensure emissions parameters as per CAQM order.
15. The industry shall establish Miyawaki forest inside the factory in sufficient area the treated effluent from the STP shall be used for forestation.
16. Unit must submit replenishment study in the Board immediately otherwise CTE issued by the Board shall be deemed cancelled automatically.
17. Unit must comply the Guideline of Mining Sustainable Sand Management Guideline, 2016.
18. Industry shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
19. Units CTE may be withdrawn anytime by the UPPCB in case of non compliance of any conditions or in the case of a verified complaint against the unit.
20. To control the dust emission proper size water sprinkler and dust arrester shall be installed and its operation will be essential during the process period.
21. In case of D.G. Set operation it will ensure that any type of emission will not be the cause of public nuisance and environmental deterioration. The Canopy and proper exhaust stack shall maintained according to resides and human settlement of nearby area.
22. The Board reserves the right to null and void this CTE which is being granted to the said industry at any time in case if the industry is violating any of the conditions of the consent to establish.
23. In case of violation of above mentioned conditions or any public complaint the CTE shall be withdrawn in accordance with law.
24. Industry shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.

25. Industry shall submit monitoring reports of all stacks and ambient air quality from a certified/approved laboratory under E.P. Act 1986 within a month of starting the commercial production in the plant.
26. Industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
27. The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section- 21/22 of air Act 1981 (as amended respectively).
28. This CTE will automatically stand cancelled on receipt of any complaint in future and on confirmation of investigation in the course of the complaint and non compliance of the directions/orders passed by Hon'ble National Green Tribunal from time to time.
29. The mining work be done by the project proponent in such a way that the contour of the river is not changed.
30. Mining should not be done by the project proponent after sunset or at night.
31. Minimum 33% of the land on which unit is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf. Beside this, the unit will install 5 additional saplings within the campus with protection measures for ensuring their survival.
32. This Consent to Establish (CTE) order shall automatically become invalid on issuance of Closure Order by C.P.C.B / UPPCB and further on Revoking of Closure order, the Consent order shall become valid.
33. The unit is required to submit a Bank Guarantee of Rs. 2,00,000/- (Rs. Two Lacs Only) to ensure the time bound compliance of conditions mentioned above at point no. 1 to 33 in the enclosed format for a minimum validity of SIX years.

Please note that consent to Establish will be revoked, in case of, non compliance of any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 14/01/2024 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

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Chief Environmental Officer (Circle 3)

Dated:- 14/12/2023

Copy To -

Regional Officer, U.P. Pollution Control Board, Meerut to ensure the compliance of the conditions imposed in the certificate.

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Chief Environmental Officer (Circle 3)



मिशन LIFE - पर्यावरण के लिए जीवन शैली
(Lifestyle For Environment)
जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेंकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेंकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइकिलिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाक्रीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है |



Uttar Pradesh Pollution Control Board

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.in, Website: www.uppcb.com

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198528/UPPCB/Meerut(UPPCBRO)/CTO/both/BAGHPAT/2023

Date: 20/12/2023

To,

M/s

MS ROYAL CONSTRUCTION CO

Gata No - 706 , Village - Kotana Khadar , Tehsil - Baraut , Dist -
Baghpat,BAGHPAT,250611Application Id-
23897731

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to **MS ROYAL CONSTRUCTION CO** located at **Gata No - 706 , Village - Kotana Khadar , Tehsil - Baraut , Dist - Baghpat,BAGHPAT,250611**. subject to the provisions of the **Water Act, Air Act** and the orders that may be made further and subject to following terms and conditions :-

1. This CCA MS ROYAL CONSTRUCTION CO granted for the period from **20/12/2023 to 31/12/2028** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	ORDINARY SAND MINING AS PER EC	275500	Cubic Meters/Year

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	0.58 KLD	Soak Pit	SAOK PIT

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
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(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be

dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
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3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
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Emmission Quality Standards

S No.	Stack no	Parameters	Standards
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In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will results in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.

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8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. This CTO is valid only for the production of ORDINARY SAND MINING-2,75,500/-CUBIC METER/Year ("Ordinary Sand Mining" Project at Gata No.- 706, Village- KotanaKhadar, Tehsil- Baraut, District- Baghpat, U.P. (Leased Area: 12.245 Ha.) (Pillar No. Latitude Longitude A 29°6'16.40"N 77°8'22.70"E B 29°6'14.50"N 77°8'32.50"E C 29°6'33.90"N 77°8'36.10"E D 29°6'30.30"N 77°8'27.90"E).
2. The industry must submit NOC from the UPGWD for abstraction of ground water within 3 months, failing which consent shall be deemed automatically cancelled. The ground water shall be abstracted after obtaining NOC from the UPGWD.
3. The industry must submit a proof of submission of Bank Guarantee in the Board, if not then submit the Bank Guarantee as per issued CTE to unit by the Board on 14.12.2023 at specific condition No. 3 & 33 within a month to the Board, failing which consent shall be deemed automatically cancelled.
4. The unit must comply the Environmental Clearance (EC) from Ministry of Environment, Forest and

Climate Change (Issued by the State Environment Impact Assessment Authority(SEIAA), UTTAR PRADESH) on 23.11.2023.

5. Unit must submitted balance fee of Rs. 40,000/- in the Board within 15 days of issuing this certificate.
6. Unit must submit replenishment study in the Board immediately otherwise CTO issued by the Board shall be deemed cancelled automatically.
7. This CTO is null and void after the period validity of E.C., which is granted by SEIAA, U.P. via letter dated-23.11.2023.
8. This CTO shall be subject to the order to be passed in OA No. 393/2022 Ashish Kumar Dwivedi Versus State of U.P. by Hon'ble NGT.
9. Unit must comply the conditions of CTE issued by the Board on 14.12.2023 and send the compliance report with specific conditions within 15 days to the Board.
10. In case of any change in production capacity, process, raw materials use etc. the unit will have to intimate the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
11. Unit shall comply with various Waste Management Rules as notified by MoEF&CC i.e. Plastic Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Hazardous and Other Wastes (Management and Transboundary) Rules, 2016, E-waste (Management) Rules, 2016, Construction and Demolition Waste Management Rules, 2016, and Battery Rules 2000.
12. Under the Noise Pollution (Regulation and Control) Rule 2000, the unit shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards in respect of noise to less than 75 dB(A) during day time and 70 dB(A).
13. The unit shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the Residential Colony etc. which are likely to cause fire hazard including environmental pollution.
14. Unit shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
15. Unit shall comply with direction issued under Graded Response Action Plan (GRAP) time to time by Hon'ble Supreme Court & Commission for Air Quality Management in NCR and Adjoining Areas (CAQM).
16. Operation and maintenance of APCS shall be done in such a way that the emission generated from stacks is always within prescribed norms of the Board.
17. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62 and other direction issued time to time regarding use of cleaner fuel.
18. Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55, 62 & 68 regarding DG sets.
19. The unit shall be monitored all sources of emissions from Boiler/Thermopack etc. after fuel conversion from Regional Laboratories, UPPCB on payment basis within a month. To ensure emissions parameters as per CAQM order.
20. The industry shall establish Miyawaki forest inside the factory in sufficient area.
21. Unit must comply the Guideline of Mining Sustainable Sand Management Guideline, 2016.
22. Industry shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
23. Units CTO may be withdrawn anytime by the UPPCB in case of non compliance of any conditions or in the case of a verified complaint against the unit.
24. To control the dust emission proper size water sprinkler and dust arrester shall be installed and its operation will be essential during the process period.
25. In case of D.G. Set operation it will ensure that any type of emission will not be the cause of public

nuisance and environmental deterioration. The Canopy and proper exhaust stack shall maintained according to resides and human settlement of nearby area.

26. The Board reserves the right to deemed cancel this CTO which is being granted to the said industry at any time in case if the industry is violating any of the conditions of the consent to establish.

27. In case of violation of above mentioned conditions or any public complaint the CTE shall be withdrawn in accordance with law.

28. Industry shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.

29. Industry shall submit monitoring reports of all stacks and ambient air quality from a certified/approved laboratory under E.P. Act 1986 within a month of starting the commercial production in the plant.

30. Industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.

31. The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section-21/22 of air Act 1981 (as amended respectively).

32. This CTO will automatically stand cancelled on receipt of any complaint in future and on confirmation of investigation in the course of the complaint and non compliance of the directions/orders passed by Hon'ble National Green Tribunal from time to time.

33. The mining work be done by the project proponent in such a way that the contour of the river is not changed.

34. Mining should not be done by the project proponent after sunset or at night.

35. Minimum 33% of the land on which unit is established will be covered by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf. Beside this, the unit will install 5 additional saplings within the campus with protection measures for ensuring their survival.

36. This Consent to Operate (CTO) order shall automatically become invalid on issuance of Closure Order by C.P.C.B / UPPCB and further on Revoking of Closure order, the Consent order shall become valid.

PRADEEP
SHARMA

Digitally signed by PRADEEP
SHARMA
Date: 2023.12.20 22:53:43
+05'30'

Chief Environmental Officer (Circle 3)

Copy to:

Regional Officer, U.P. Pollution Control Board, Baghpat to ensure the compliance of the conditions imposed in the certificate.

PRADEEP
SHARMA

Digitally signed by PRADEEP
SHARMA
Date: 2023.12.20 22:53:55 +05'30'

Chief Environmental Officer (Circle 3)



मिशन LIFE - पर्यावरण के लिए जीवन शैली
(Lifestyle For Environment)
जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेंकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेंकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइकिलिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाक्रीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है |

INDIA NON JUDICIAL

302

Government of Uttar Pradesh

e-Stamp

Certificate No. : IN-UP19536133679601V
Certificate Issued Date : 30-Dec-2023 11:40 AM
Account Reference : NEWIMPACC
(SV)/up14135404/BAGHPAT/UP-BGH
Unique Doc. Reference : SUBIN-UPUP1413540434953610557488V
Purchased by : ROYAL CONSTRUCTION CO 370737
Description of Document : Article 35 Lease
Property Description : VILLAGE KOTANA KHADAR TEHSIL BARAUT
UTTAR PRADESH KHASRA GATA NO 706
Consideration Price (Rs.) : 22,70,64,000 (Twenty Two Crores Seventy Lakh
Sixty Four thousand only)
First Party : GOVERNOR STATE OF UTTAR PRADESH
Second Party : ROYAL CONSTRUCTION CO 370737
Stamp Duty Paid By : ROYAL CONSTRUCTION CO 370737
Stamp Duty Amount (Rs.) : 45,41,280 (Fourty Five Lakh Forty One Thousand
Two Hundred and Eighty only)

E-Stamp Certificate No.-IN-UP19536133679601V

Form - M.M. 6

Model Form of Auction Lease for Mining - (Rule 29)

In pursuance of Rule-29 of the Uttar Pradesh Minor Mineral (Concession) (First Amendment) Rules, 2023, and through the e-tender-cum-e-auction system by the District Magistrate, Baghpat, for the lease of ordinary sand (Yamuna River) under Letter of Intent No.: 404/Mining/e-Tender-cum-e-Auction/2022-23 dated 01.02.2023,

This agreement is executed today i.e., Friday, dated 12-01-2024, between:

The Hon'ble Governor of Uttar Pradesh (hereinafter referred to as the "State Government," which, if the context so requires under the terms, shall include its successors and assigns).

First Party

M/s Royal Construction Company, Devipura 2, Bulandshahr-203001, Proprietor Shri Dayachand Bargouti, son of Harswaroop, resident of House No.-5, near New Break Point Restaurant, Bhur Chauraha, Yamunapuram, Bulandshahr (name, address, and profession of the individual/company, hereinafter referred to as the "Lessee," which, if the context so requires under the terms, shall include its heirs, executors, administrators, and representatives).

Second Party

As per the Uttar Pradesh Minor Mineral (Concession) Rules, 2021 (hereinafter referred to as the "said Rules"), through the e-tender-cum-auction process, the Lessee has been granted a lease for **275,500** cubic meters

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of minor mineral sand at the rate of ₹135/- per cubic meter for the first year, amounting to ₹3,71,92,500/-. For subsequent years, the payable amount shall increase by 10% annually over the previous year's payable amount. The State Government has accepted the lease for a period of five years over the land described in Schedule Part-1, situated in Gram Kotana Khadar, Tehsil Baghpat, District Baghpat, Khata/Khasra No. 706, measuring a total area of **12.245 hectares**. The Lessee has deposited ₹92,98,125/- as security and ₹74,38,500/- as 20% of the first year's installment in advance with the State Government. This document serves as evidence that, in consideration of the covenants, undertakings, and agreements detailed herein and specified to be observed and performed by the Lessee, the State Government hereby grants and demises to the Lessee the following:

The exclusive right to mine and extract minor mineral sand (Yamuna River) (hereinafter referred to as the "said Minor Mineral," as described and identified in the attached Schedule), along with all the mineral-bearing lands, veins, seams situated in or beneath the lands described in Part-1 of the Schedule hereto, subject to the restrictions and conditions stated herein and in the said Rules. The rights conferred herein shall remain in effect from 12-01-2024 to 11-01-2029 (a period of five years), subject to compliance with the obligations and payment terms as stipulated in Part-2 of the Schedule hereto. The Lessee hereby covenants with the State Government to duly observe and fulfill the conditions set forth in the said Rules and the attached Schedules, and the State Government covenants with the Lessee accordingly, as mutually agreed upon by the parties and detailed in Part-3 of the Schedule hereto.

(The aforementioned Schedule)**Part – 1****Lease Area**

Location and Description of the Lease Area: All that land situated in Gram Kotana Khadar, Tehsil Baghpat, District Baghpat, as described (details of the area and fields) in Khata/Khasra No. 706, comprising a total area of 12.245 hectares. The land is delineated in the attached map, shaded in red, and bounded as follows:

Village Kotana Khadar	<ul style="list-style-type: none"> • North: Plot No. 706, remaining portion • South: Plot No. 706, remaining portion • East: Plot No. 706, remaining portion • West: Plot No. 706, remaining portion
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As per the Environmental Clearance Certificate and Boundary Demarcation Report, the Coordinates of the Mining Area are as follows

Name of Pillars	Latitude	Longitude
A	29°06'16.4" N	77°08'22.7" E
B	29°06'14.5" N	77°8'32.5" E
C	29°06'33.9" N	77°8'36.1" E
D	29°06'30.3" N	77°8'27.9" E

And which is hereby referred to as “the said land”

Part-2**Ownership Rights Protected under this Lease**

Ownership Fee: (1) During the tenure of this lease, the Lessee shall pay to the State Government ownership fees in relation to the minor mineral sand (Yamuna River) extracted by them from the leased area, as detailed below:

(Fifth Schedule)

In accordance with Rule-27(3) of the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, the details of the payable amounts are as follows:

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Month of deposit and percentage of amount to be deposited	Monthly details of due amount				
	First Year 2024 Instalment Rs. 3,71,92,500	Second Year 2025 Instalment Rs. 4,09,11,750/-	Third Year 2026 Instalment Rs. 4,50,02,925/-	Fourth Year 2027 Instalment Rs. 4,95,03,218/-	Fifth Year 2028 Instalment Rs. 5,44,53,540/-
01, January 20%	Rs. 74,38,500/- deposited in advance	81,82,350/-	90,00,585/-	99,00,644/-	1,08,90,708/-
01, February 10%	Rs. 37,9,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, March 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, April 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, May 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, June 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, October 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, November 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-
01, December 10%	Rs. 37,19,250/-	40,91,175/-	45,00,293/-	49,50,322/-	54,45,354/-

Exemptions from Ownership Deductions, etc.:(2) The installments of ownership fees outlined in this section shall be paid to the State Government without any deductions. Payment shall be made by depositing the amount in Treasury Head 0853 – Non-Ferrous Mining and Metallurgical Industry – 102 – Mineral Concession Fees, Rents, and Royalties, 01 – Mineral Concession Fees and Royalties. A copy of the challan shall be sent to the District Magistrate.

Action for Non-Payment of Ownership Fees on Time:

(3) If the Lessee fails to pay any installment of ownership fees payable to the

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State Government within the stipulated time as per the conditions and restrictions of this deed, such dues may be recovered by an officer authorized by the State Government through a certificate in the same manner as arrears of land revenue.

Part-3

General Provisions

Termination of Lease for Breach of Rules, Agreements, or Conditions:

(1) If the Lessee breaches any rule under the Uttar Pradesh Minor Mineral (Concession) Rules, 2021, or any covenant or condition of this lease, the State Government may terminate the lease and confiscate the security deposit either fully or partially. However, the lease shall not be terminated without providing the Lessee an adequate opportunity to explain the breach.

Removal of Property by Lessee upon Termination of Lease:

(2) Upon termination or expiry of the lease, after the Lessee has cleared all dues payable under this deed, the Lessee shall, within three calendar months from the effective date of termination or expiry, or earlier if terminated under Clause (1) of this Part, dismantle and remove all or any of the machinery, plants, buildings, structures, temporary accommodations, or other constructions placed or erected by them on or within the said land.

Forfeiture of Property Left Beyond Three Months of Lease

Termination:(3) If, at the end of three calendar months following the termination or expiry of the lease, any machinery, engines, plants, buildings, structures, temporary accommodations, or other properties remain on or within the said land, and the Lessee fails to remove them within one calendar month of receiving a written notice from the District Magistrate, such properties shall be deemed to have become the property of the State

Government. The State Government may sell or dispose of these properties without compensation to the Lessee or providing any account for such disposal.

Notices:(4) All notices required to be given to the Lessee under this deed shall be in writing and delivered to such individual residing on the said land whom the Lessee has appointed to receive such notices. If no such appointment is made, notices shall be sent via registered post to the address of the Lessee as recorded in this lease, or to such other address within India as the Lessee may provide in writing from time to time to the State Government. Every notice so served shall be deemed validly delivered and binding upon the Lessee, and no objection or challenge shall be raised regarding its validity.

Additional Conditions

- 1) The lessee shall mark the coordinates of the mining lease area on the demarcated map during the survey and demarcation of the area granted under the lease. Before executing the lease deed, the lessee shall, at their own expense, install such boundary markers and poles as may be necessary to indicate the demarcation shown in the map attached to the lease deed.
- 2) The lessee shall commence mining operations within one month from the date of execution of the lease deed and thereafter shall operate such mining activities without any deliberate delay, in an efficient and skilled manner, akin to a professional.
- 3) The lessee shall, at their own expense, construct a check post/gate for monitoring vehicle entry and exit and for monitoring the mining site, including installing four CCTV cameras capable of 360-degree visibility recording. The lessee shall also place an RFID scanner at the check

post/gate, which will read and securely store the barcode data issued on the e-form MM-11 for each vehicle used in the transportation of minerals from the mining lease area. The lessee shall maintain and keep this equipment in good working order at all times. The lessee shall preserve all recordings made by the CCTV cameras and RFID scanners for at least 30 days and shall provide such recordings to the authorized officer upon request under the provisions of Rule 67.

- 4) The lessee shall issue an e-form MM-11 with correct details for each vehicle. The lessee shall install an RFID scanner at the check gate to read and store the generated barcode data from the issued e-form MM-11 and shall maintain the equipment in proper and functional condition. Non-compliance with this condition will result in a penalty under Rule 60 of the Rules, 2021.
- 5) The lessee shall deposit the applicable amount of royalty and taxes, including TDS under income tax, as required, into the designated account of the District Mineral Foundation Trust, Bagpat, in accordance with the rules.
- 6) The lessee shall construct the access road to the mining area at their own expense, and in case any dispute arises with a third party, the lessee will be solely responsible.
- 7) The lessee shall not carry out mining operations beyond a depth of 03 meters or the groundwater level, whichever is less.
- 8) Mining shall not be carried out in the safety zones identified by the District Magistrate.
- 9) Mining activities using suction machines, lifters, or similar equipment shall not be conducted in the river's watercourse.
- 10) The use of machinery for mining operations, excluding the river's watercourse, shall be done in accordance with the conditions specified in the Environmental Clearance Certificate.

- 11) The lessee shall display the sale price of minerals at the location where transport documents are issued within the approved area.
- 12) The lessee shall ensure that vehicles used for the transport of minerals are fed in accordance with the standards specified by the Government of India.
- 13) If the lessee violates the rules, the mining lease, environmental clearance certificate, mining plan, or any other conditions, the lease may be terminated by the District Magistrate or the State Government, after giving the lessee a reasonable opportunity to explain their actions.
- 14) The lessee shall be fully responsible for any damage to life or property during mining/transportation activities.
- 15) The lessee shall strictly comply with the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, as amended, and any relevant orders of the Hon'ble Courts.
- 16) The lessee shall not carry out mining operations outside the approved and marked mining area, and shall comply with any orders issued by the Hon'ble High Court, the Hon'ble National Green Tribunal, or the Hon'ble Supreme Court.
- 17) The lessee shall submit a quarterly report in Form MM-12 to the District Magistrate and the Regional Office of the Directorate within the second week of July, October, January, and April every year. Failure to submit the report within the specified time will result in a penalty of Rs. 2,000, and such default will be considered a violation of the lease agreement.
- 18) If any other minerals are found during mining/transportation, the lessee shall immediately notify the District Office and the Regional Office of the Directorate of Geology and Mining (U.P.).
- 19) The lessee shall carry out mining operations in a scientifically sound manner for the proper development of minerals in the lease area, ensuring

environmental protection by levelling the area and planting trees after mineral extraction.

- 20) Mining operations shall not commence until permanent boundary pillars have been installed in the approved area.
- 21) If any objections arise due to actions contrary to the conditions imposed by the Forest Department or any other department after the mining lease is approved, the lease may be cancelled under Rule 61 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, after giving the lessee a reasonable opportunity to explain.
- 22) The lessee shall construct the access road to the mining area at their own expense. If the road is constructed through the land of any cultivator for the transportation of minerals, the written consent of the concerned cultivator must be submitted to the District Quarry Office, Bagpat. The state government shall not be liable for any expenses incurred in the construction of the road.
- 23) Minerals extracted from the mining site shall not be transported via forest routes without the written consent of the Forest Department.
- 24) If illegal mining is found outside the boundaries of the approved mining lease area, the mining lease may be cancelled after giving a reasonable opportunity as per Rule 61 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021.
- 25) Mining operations shall not be carried out in any restricted area (if any) within the boundaries of the approved mining lease area. If mining is found in such restricted areas, the mining lease may be terminated as per applicable rules.
- 26) In case of private land within the approved mining lease area, the lessee shall comply with the provisions of Rule 68 of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021, and make payment for compensation accordingly.

- 27) The lessee shall comply with the conditions mentioned in the mining plan approved by the Directorate as per Rule 35(4) of the Uttar Pradesh Minor Minerals (Conservation) Rules, 2021.
- 28) In compliance with Directorate's letter no. 441/M-228/2017 (Mining Policy) dated 27.06.2019, the lessee shall not object to the transfer of environmental clearance after the termination of the lease to the subsequent applicant.
- 29) If any amendments are required in the Environmental Clearance Certificate, it shall be the lessee's responsibility.
- 30) The lessee shall comply with the conditions mentioned in the letter no. 810/Pariya/CEAA/5005-4451/2020 dated 17.03.2021 issued by the State-level Environmental Assessment Authority.
- 31) Considering the local conditions and environment, any additional conditions deemed appropriate by the District Magistrate shall be binding on the lessee.

Stamp Duty: For the purpose of stamp duty, the anticipated ownership security amount from the leased land is Rs. 92,98,125/- (Rupees Ninety-Two lakh Ninety-Eight Thousand One Hundred Twenty-Five Rupees only). The payable amounts for each year- First year amount: ₹3,71,92,500/- (Three Crore Seventy-One Lakh Ninety-Two Thousand Five Hundred Rupees Only). Second year amount: ₹4,09,11,750/- (Four Crore Nine Lakh Eleven Thousand Seven Hundred Fifty Rupees Only). Third year amount: ₹4,50,02,925/- (Four Crore Fifty Lakh Two Thousand Nine Hundred Twenty-Five Rupees Only). Fourth year amount: ₹4,95,03,218/- (Four Crore Ninety-Five Lakh Three Thousand Two Hundred Eighteen Rupees Only). Fifth year amount: ₹5,44,53,540/- (Five Crore Forty-Four Lakh Fifty-Three Thousand Five Hundred Forty Rupees Only).

The total amount is ₹22,70,63,933/- (Rupees Twenty-Two Crore Seventy Lakh Sixty-Three Thousand Nine Hundred Thirty-Three only) with stamp duty calculated at a rate of 2%, totaling ₹45,41,280 (Rupees Forty-Five Lakh Forty-One Thousand Two Hundred Eighty Only). This amount has been paid as an e-stamp under number **IN-UP19536133679601V** on 30.12.2023 in favor of the Government of Uttar Pradesh.

This document has been executed in the manner described above, on the date and year mentioned.

//SD//

//SD//

Signed by the Lessee

For and on behalf of the Governor of Uttar Pradesh

Witness

1. Anandpal, S/o Shri Anup Singh,
R/o Village Badarkha,
Tehsil Baraut District Baghpat

2. Vijay S/o Shree Chandpal
Address Patti Bhojaana Tikeri
District Baghpat

//SD//

//SD//

Mines Officer, Baghpat
Baghpat

Additional District Magistrate
Officer In-Charge, Mining
Baghpat

//TRUE TRANSLATED COPY//



INDIA NON JUDICIAL
1749
Government of Uttar Pradesh



IN-UP19536133679601V

314



e-Stamp 915/24

(224)

Certificate No. : IN-UP19536133679601V
 Certificate Issued Date : 30-Dec-2023 11:40 AM
 Account Reference : NEWIMPACC (SV)/ up14135404/ BAGHPAT/ UP-BGH
 Unique Doc. Reference : SUBIN-UPUP1413540434953610557488V
 Purchased by : ROYAL CONSTRUCTION CO 370737
 Description of Document : Article 35 Lease
 Property Description : VILLAGE KOTANA KHADAR TEHSIL BARAUT UTTAR PRADESH
 KHASRA GATA NO 706
 Consideration Price (Rs.) : 22,70,64,000
 (Twenty Two Crore Seventy Lakh Sixty Four Thousand only)
 First Party : GOVERNOR STATE OF UTTAR PRADESH
 Second Party : ROYAL CONSTRUCTION CO 370737
 Stamp Duty Paid By : ROYAL CONSTRUCTION CO 370737
 Stamp Duty Amount(Rs.) : 45,41,280
 (Forty Five Lakh Forty One Thousand Two Hundred And Eighty only)



Please write or type below this line

Signature

Signature

Signature

Signature

नमो ईश्वर्यै प्रोपराइटर कं

प्रोपराइटर

सोमेश्वर कुमार तिवारी
खान अधिकारी
जनपद-बागपत

खपर जिलाधिकारी (वि.स.)
बागपत

जिलाधिकारी
बागपत

PU 0007279714





2

ई-स्टाम्प सर्टिफिकेट नं०-IN-UP19536133679601V

प्रपत्र-एम.एम. 6

खनन के लिए नीलामी पट्टे का आदर्श प्रपत्र-(नियम 29)

उ०प्र० उपखनिज (परिहार) (प्रथम संशोधन) नियमावली, 2023 के नियम-29 के अधीन ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से जिलाधिकारी, बागपत द्वारा साधारण बालू (यमुना नदी) के पट्टा हेतु सहमति पत्रांक: 404/खनन/ई-निविदा सह ई-नीलामी/2022-23 दिनांक 01.02.2023 के क्रम में

यह अनुबन्ध आज दिन शुक्रवार दिनांक: 12.01.2024 को उत्तर प्रदेश के महामहिम राज्यपाल (जिन्हें आगे "राज्य सरकार" कहा गया है, जिसे पदावधि के अन्तर्गत यदि सन्दर्भ से ऐसा ग्राह्य हो, उत्तराधिकारी तथा अभिहस्ताकिंती भी समझे जायेंगे),


प्रथम पक्ष

M/S ROYAL CONSTRUCTION COMPANY DEVIPURA 2 BULANDSHAHAR-203001 प्र० श्री दयाचन्द बरगौती पुत्र हरस्वरूप, निवासी मकान नम्बर-5, नई ब्रेक पॉइंट रेस्टोरेन्ट भूरा चौराहा के पास यमुनापुरम, बुलन्दशहर (व्यक्ति/कम्पनी का नाम, पता और व्यवसाय) जिसे आगे "पट्टेदार" कहा गया है, जिस पदावधि के अन्तर्गत, यदि सन्दर्भ से ऐसा ग्राह्य हो उसके दायद, निष्पादक, प्रशासक तथा प्रतिनिधि भी समझे जायेंगे)

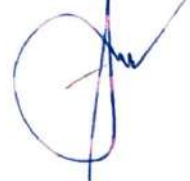
द्वितीय पक्ष

उत्तर प्रदेश उपखनिज(परिहार) नियमावली-2021 (जिसे आगे "उक्त नियमावली" कहा गया है) के अनुसार किये गये ई-निविदा सह-नीलामी के माध्यम से 2,75,500 घनमीटर उपखनिज बालू के लिए पट्टेदार द्वारा अंकन 135/-रूपये प्रति घनमीटर की दर से प्रथम वर्ष हेतु अंकन 3,71,92,500/-रूपये तथा अनुवर्ती वर्षों में गत वर्ष की देय धनराशि पर 10 प्रतिशत वृद्धि करके देय होगा। राज्य सरकार द्वारा खनन पट्टे के लिए 05 वर्ष के निमित्त एतदधीन लिखित अनुसूची के भाग-1 में वर्णित भूमि ग्राम-कोताना खादर, तहसील-बडौत, जनपद-बागपत के खसरा/गाटा सं० 706 कुल रकबा 12,245 है० पाँच वर्षों के लिए स्वीकार कर लिया गया है और उसने/उन्होंने प्रतिभूति स्वरूप अंकन 92,98,125/-रूपये तथा प्रथम वर्ष की किश्त का 20 प्रतिशत धनराशि अंकन 74,38,500/-रूपये अग्रिम रूप से राज्य सरकार के पास जमा कर दी है।

.....कमश: 3 पर

Dayanand

 ० रायल कन्स्ट्रक्शन् कं०





प्रोपराइटर

यह इसका साक्ष्य है कि इस उपस्थापन-पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उसमें दिये गये पट्टेदार की ओर से भुगतान किये जाने वाले, पालन तथा संपादन किये जाने वाले स्वामित्वों, प्रसंविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्वारा पट्टेदार को निम्नलिखित प्रदान और पट्टान्तरित करता है।

उपखनिज बालू (यमुना नदी) (यहां खनिज/खनिजों का उल्लेख किया जाये) जिन्हें आगे और अभिदिष्ट अनुसूची में "उक्त" "उपखनिज" कहा गया है, की समस्त खान तल्प (beds) संदर सीम्स (veins seams) जो उक्त अनुसूची के भाग-1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, के साथ जिसके सम्बन्ध में उन प्रतिबन्धों तथा शर्तों के अधीन रहते हुए प्रयोग या उपयोग किया जायेगा। जो ऐसी स्वतन्त्रताओं, अधिकारों तथा विशेष अधिकारों का प्रयोग तथा उपयोग करने के बारे में हो, सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतन्त्रताओं, अधिकार तथा विशेष अधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे। दिनांक: 12.01.2024 से दिनांक 11.01.2029 तक (पांच वर्ष हेतु) की आगामी अवधि के लिए पट्टेदार की एतद्वारा दिए गए पदान्तरित ऐसे भू-गृहादि धारण करना, जिनसे खनिज निकालने लगे और राज्य सरकार को उक्त अनुसूची के भाग-2 में उल्लिखित स्वामियों का भुगतान उसमें निर्दिष्ट भिन्न-भिन्न समय पर होने लगे, किन्तु प्रतिबन्ध यह है कि ऐसा उक्त भाग के उपबन्धों के अधीन हो, और पट्टेदार एतद्वारा राज्य सरकार के साथ प्रसंविदा करता है/करते हैं और राज्य सरकार एतद्वारा पट्टेदार/पट्टेदारों के साथ प्रसंविदा करती है, जैसा कि उक्त नियमावली में अभिव्यक्ति है और एतद्वारा इसके साथ दिये गये पक्षों के बीच परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग-3 में अभिव्यक्ति है।

(ऊपर अभिदिष्ट अनुसूची)

भाग-1

इस पट्टे का क्षेत्र

पट्टे का स्थान और क्षेत्र : यह समस्त भू-खण्ड, जो जिला-बागपत की तहसील-बडौत के अन्तर्गत स्थित ग्राम-कोताना खादर पर (क्षेत्र तथा क्षेत्रों का विवरण) स्थित है और उसकी भू-कर सर्वेक्षण खसरा संख्या/गाटा संख्या-706 है जिसमें कुल क्षेत्रफल 12.245 है 0 क्षेत्रफल है और जिसका चित्रण इसमें संलग्न नक्शों में किया गया है और उसे लाल रंग से रंजित (coloured) किया गया है और जिसकी सीमायें निम्नलिखित हैं :-

ग्राम-कोताना खादर चौहद्दी	उत्तर में गाटा संख्या 706 का शेष भाग दक्षिण में गाटा संख्या 706 का शेष भाग पूरब में गाटा संख्या 706 का शेष भाग पश्चिम में गाटा संख्या 706 का शेष भाग
---------------------------	---

.....कमशः 4 पर

Dayachand

संयुक्त कन्सल्टेशन क०

प्रापराइटर

पर्यावरण स्वच्छता प्रमाण-पत्र व सीमाबंधन की आख्या के अनुसार खनन क्षेत्र का कोर्डिनेट्स:-

Name of Pillars	Latitude	Longitude
A	29°06'16.4" N	77°08'22.7" E
B	29°06'14.5" N	77°8'32.5" E
C	29°06'33.9" N	77°8'36.1" E
D	29°06'30.3" N	77°8'27.9" E

और जिसे एतद्वारा "उक्त भू-खण्ड" कहा गया है।

भाग-2

इस पट्टे द्वारा संरक्षित स्वामित्व

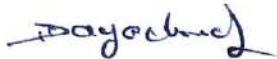
स्वामित्व की धनराशि : (1) पट्टेदार, इस पट्टे की अवधि में राज्य सरकार को पट्टे पर दिये गये क्षेत्र में उसके/उनके द्वारा हटाये गये उपखनिज बालू (यमुना नदी) के सम्बन्ध में निम्नलिखित स्वामित्व का भुगतान करेगा/करेंगे।

उ0प्र0 उपखनिज (परिहार) (प्रथम संशोधन) नियमावली, 2023 के नियम-27(3) के अनुसार देय धनराशियों के जमा करने का विवरण :-

जमा की जाने वाली धनराशि का माह व धनराशि का प्रतिशत	माहवार देय धनराशि का विवरण				
	प्रथम वर्ष 2024 की किश्त रू0	द्वितीय वर्ष 2025 की किश्त रू0	तृतीय वर्ष 2026 की किश्त रू0	चतुर्थ वर्ष 2027 की किश्त रू0	पंचम वर्ष 2028 की किश्त रू0
	3,71,92,500 /-	4,09,11,750 /-	4,50,02,925 /-	4,95,03,218 /-	5,44,53,540 /-
01, January 20%	रू0 74,38,500 /- अग्रिम रूप से जमा	81,82,350 /-	90,00,585 /-	99,00,644 /-	1,08,90,708 /-
01, February 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, March 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, April 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, May 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, June 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, October 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, November 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-
01, December 10%	रू0 37,19,250 /-	40,91,175 /-	45,00,293 /-	49,50,322 /-	54,45,354 /-

स्वामित्व कटौती आदि से मुक्त होगा : (2) (इस भाग में उल्लिखित स्वामित्व की किश्तों का भुगतान बिना किसी कटौतियों के राज्य सरकार को 0853-अलौह खनन तथा धातुकर्म उद्योग-102-खनिज रियायत शुल्क किराया और स्वत्व शुल्क, 01 खनिज रियायत शुल्क और स्वत्व शुल्क सरकारी कोषागार में जमा करके किया जायेगा तथा चालान की एक प्रति जिलाधिकारी को भेजी जायेगी।)

.....कमशः 5 पर



डॉ. रॉयल कन्सल्टेशन कां०

नियंत्रक







आवेदन सं: 202400735000602

पट्टा बिलेख/ कवलिपतनामा

वही सं: 1

रजिस्ट्रेशन सं: 915

वर्ष: 2024

प्रतिकूल- 227064000 स्टाम्प शुल्क- 4541280 बाजारी मूल्य - 0 पंजीकरण शुल्क - 2270640 प्रतिलिपिकरण शुल्क - 100 योग : 2270740

श्री म/सकेकड2ब प्र0 दयाचन्द बरगौती,

पुत्र श्री हार्वरूप

व्यवसाय : अन्य

निवासी: यमुनापुरम बुलंदशहर आधार न0-*****2582

Dagand



ने यह लेखपत्र इस कार्यालय में दिनांक 12/01/2024 एवं 03:27:44 PM बजे
निबंघन हेतु पेश किया।

रजिस्ट्रेशन अधिकारी के हस्ताक्षर

श्री म/सकेकड2ब प्र0

जन्म निबंधक : बड़ीत

बागपत

12/01/2024

समवेत ..

निबंधक लिपिक

12/01/2024



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स्वामित्वों का समय पर भुगतान न किया जाये तो कार्यवाही की प्रक्रिया: (3) यदि किसी उपस्थापन पत्र (present) की शर्तों और प्रतिबन्धों के अधीन राज्य सरकार को देय स्वामित्व की किसी किश्त का भुगतान पट्टेदार/पट्टेदारों द्वारा नियत समय के भीतर न किया जाये तो उसे ऐसे अधिकारी के, जिसे राज्य सरकार सामान्य विशिष्ट आज्ञा द्वारा निर्दिष्ट करें, प्रमाण पत्र पर उसी रीति से वसूल की जा सकती है जैसे मालगुजारी का बकाया।

भाग-3

सामान्य उपबन्ध

नियमों प्रसंविदाओं और शर्तों को भंग करने पर पट्टा समाप्त किया जा सकता है : (1) यदि पट्टेदार उत्तर प्रदेश उपखनिज(परिहार) नियमावली-2021 के किसी नियम या इस पट्टे की किसी प्रसंविदा तथा किसी शर्त को भंग करें तो राज्य सरकार द्वारा पट्टा समाप्त कर सकती है और प्रतिभूति जमा पूर्णतः या अंशतः जब्त कर सकती है, किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार/पट्टेदारों को उन्हें भंग करने का स्पष्टीकरण देने के लिए यथोचित अवसर दिया जायेगा।

पट्टेदार पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेगा/हटायेगें: (2) पट्टेदार उस उपस्थापन-पत्र के आधार पर देय स्वामित्व का पहले भुगतान और उन्मोचन कर चुकने पर उक्त अवधि की समाप्ति पर उसकी शीघ्रतर समाप्ति पर या तत्पश्चात् तीन कलेण्डर मास के भीतर (जब तक की पट्टा इस भाग के खण्ड-1 के अधीन समाप्त न कर दिया जाय) और उस दशा में किसी समय ऐसी समाप्ति के कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में अपने की लाभ के लिए ऐसे सभी या किसी मशीन संयंत्र, भवन, संरचनायें और अन्य निर्माण कार्य और अस्थाई आवास स्थानों (convenience) को उखाड़ सकता है/सकते हैं और हटा सकता है/सकते हैं, जो उक्त भूमि में या उस पर पट्टेदार/पट्टेदारों द्वारा रखे गये हों।

पट्टे की समाप्ति के पश्चात् तीन मास के अधिक समय तक छोड़ी गयी सम्पत्ति की जब्ती:- (3) यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के प्रभावी होने के पश्चात् तीन कलेण्डर मास के अन्त में उक्त भूमि या उस पर कोई इंजन, मशीन, संयंत्र, भवन, संरचनायें और अन्य निर्माण कार्य और अस्थाई आवास स्थान या अन्य सम्पत्ति रहे तो उनके सम्बन्ध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात् जिसमें जिलाधिकारी द्वारा पट्टेदार/पट्टेदारों से उन्हें हटाने की अपेक्षा की गयी हो, एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न उठाये जाये, तो यह समझा जाएगा कि वह राज्य सरकार की सम्पत्ति हो गयी और प्रतिकर का भुगतान किए बिना या उसके सम्बन्ध में पट्टेदार/पट्टेदारों को कोई हिसाब दिये बिना उनकी बिक्री या निस्तारण ऐसी रीति से किया जा सकता है, जो राज्य सरकार उचित समझें।

नोटिस:- (4) इस उपस्थापन-पत्र द्वारा पट्टेदार/पट्टेदारों को दिये जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप से दिया जायेगा, जिसे पट्टेदार ऐसे नोटिस प्राप्त करने के प्रयोजन के लिए नियुक्त करे/करें, और यदि इस प्रकार कोई नियुक्ति न की गयी हो तो प्रत्येक नोटिस पट्टेदार/पट्टेदारों को रजिस्टर्ड डाक द्वारा इस पट्टे में उसके/उनके अभिलिखित पते पर या

.....कमश: 6 पर

Dagachand

राज्यल कंसल्टेशन क

प्रोपराइटर

आवेदन सं०: 202400735000602

वही सं०: 1

रजिस्ट्रेशन सं०: 915

वर्ष: 2024

निष्पादन लेखपत्र वाद सुनने व समझने मजमुन व प्राप्त धनराशि रु प्रलेखानुसार उक्त

पट्टा दाता: 1

श्री महामहिम राज्यपाल उ(प्र) द्वारा सोमेन्द्र कुमार तिवारी, खनन अधिकारी बागपत

निवासी: उ(प्र)

व्यवसाय: अन्य

पट्टा गृहीता: 1



श्री म/सगकड2ब प्र(0) दयाचन्द चरगीती, पुत्र श्री हरमयकप

निवासी: यमुनापुरम बुलदशहर आधार न0-*****2582

व्यवसाय: अन्य

ने निष्पादन स्वीकार किया। जिनकी पहचान
पहचानकर्ता: 1

श्री आनन्दपाल, पुत्र श्री अनूप सिंह

निवासी: ग्राम बदरखा आधार न0-*****6678

व्यवसाय: अन्य

पहचानकर्ता: 2



श्री विजय, पुत्र श्री चंद्रपाल

निवासी: कस्बा टीकरी आधार न0-*****5653

व्यवसाय: अन्य



रजिस्ट्रेशन अधिकारी के हस्ताक्षर

रजि. राय . .

उप निबंधक : बड़ोत

बागपत

12/01/2024

सोमदेव . .

निबंधक निष्पत्रिक बागपत

12/01/2024

ने की। प्रत्यक्षतः भद्र साक्षियों के निशान अंगूठे नियमानुसार लिए गए हैं।

टिप्पणी:

6

भारत में ऐसे पते पर भेजा जाएगा, जिसे पट्टेदार समय-समय पर लिखित रूप में राज्य सरकार को नोटिसों की प्राप्त करने के लिए दे/दें और प्रत्येक ऐसी तामील पट्टेदार/पट्टेदारों पर उचित तथा वैध तामील समझी जायेगी और उसके सम्बन्ध में उसके/उनके न तो आपत्ति की जायेगी और न उसे उपाहृत (challenged) किया जाएगा।

—: अतिरिक्त शर्तें :-

- (1) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व पट्टेदार अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्बे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिए आवश्यक होगा।
- (2) पट्टा अभिलेख निष्पादन के दिनांक से एक माह के भीतर खनन संक्रियाएं प्रारम्भ करेगा और तत्पश्चात जानबूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भाँति करेगा।
- (3) पट्टाधारक नियम-36 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिए एवं खनन स्थल की निगरानी के लिए स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे सम्बन्धित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई-प्रपत्र एम0एम0-11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख रखाव करेगा एवं सदैव उसे चालू रूप से अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0 टी0वी0 कैमरे और आर0एफ0आई0 डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम-67 के उपबन्धों के अधीन प्राधिकृत अधिकारी के रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।
- (4) पट्टाधारक प्रत्येक वाहन को ई-एम0एम0-11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई-एम0एम0-11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिए आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली 2021 के नियम-60 के अन्तर्गत शास्ति का भागीदार होगा।
- (5) पट्टाधारक द्वारा जिला खनिज फाउण्डेशन न्यास, बागपत के निर्धारित खाते में नियमानुसार देय धनराशि एवं रायल्टी के सापेक्ष आयकर के मद में टी0डी0एस0 जमा करना अनिवार्य होगा।
- (6) पट्टाधारक को खनन क्षेत्र में पहुँच मार्ग का निर्माण स्वयं करना होगा तथा यदि तृतीय पक्ष द्वारा कोई विवाद उत्पन्न किया जाता है, तो उसके लिये वह स्वयं जिम्मेदार होंगे।
- (7) पट्टाधारक 03 मीटर की गहराई अथवा जलस्तर में से जो भी कम हो, से अधिक गहराई में खनन संक्रियाएँ नहीं करेगा।

.....कमश: 7 पर









भ० रॉयल डेव्लपमेंट क०

प्रोपराइटर

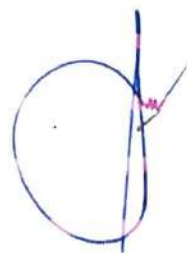
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- (8) जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।
- (9) नदी की जल धारा में सक्शन मशीन, लिफ्टर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।
- (10) खनन संकियाओं में नदी की जलधारा को छोड़कर पर्यावरण अनापत्ति प्रमाण-पत्र में विनिर्दिष्ट शर्तों के अनुसार मशीनों का प्रयोग किया जा सकता है।
- (11) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर उपखनिजों का विक्रय मूल्य प्रदर्शित करेगा।
- (12) भारत सरकार द्वारा निर्धारित मानकों के अनुसार पट्टाधारक द्वारा प्रयुक्त वाहनों में उपखनिज की फीडिंग की जायेगी।
- (13) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण-पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्तियुक्त अवसर प्रदान करने के पश्चात जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- (14) खनन/परिवहन में जन-धन की हानि की समस्त जिम्मेदारी पट्टेदार की होगी।
- (15) पट्टाधारक को उत्तर प्रदेश उपखनिज(परिहार) नियमावली-2021 यथा संशोधित एवं सुसंगत शासनादेशों एवं माननीय न्यायालयों के आदेशों को अक्षरशः पालन करना होगा।
- (16) पट्टेधारक स्वीकृत एवं चिन्हांकित खनन क्षेत्र से बाहर किसी भी दशा में खनन कार्य नहीं करेगा, साथ ही मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित प्राधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन करेगा।
- (17) पट्टाधारक नियमावली-2021 के नियम-75 के प्राविधानों के अन्तर्गत पूर्ववर्ती त्रैमास के सम्बन्ध में प्रत्येक वर्ष जुलाई, अक्टूबर, जनवरी और अप्रैल के द्वितीय सप्ताह में प्रपत्र एम0एम0-12 में जिलाधिकारी और निदेशालय के क्षेत्रीय कार्यालय को त्रैमासिक विवरणी प्रस्तुत करेगा तथा विनिर्दिष्ट समय के भीतर विवरण प्रस्तुत करने में विफल होने पर अंकन 2,000,-/रूपये की शास्ति का भागीदार होगा तथा पट्टेदार की ऐसी चूक, खनन पट्टा विलेख की शर्तों का उल्लंघन माना जायेगा।
- (18) खनन कार्य करने के दौरान यदि कोई अन्य खनिज/उपखनिज प्राप्त होता है तो उसकी सूचना पट्टेधारक तत्काल जिला कार्यालय तथा भूतत्व एवं खनिकर्म विभाग (उ0प्र0) के क्षेत्रीय कार्यालय एवं निदेशालय को देगा।
- (19) पट्टाधारक को पट्टाकृत क्षेत्र में खनिज के समुचित विकास हेतु वैज्ञानिक ढंग से खनन कार्य करते हुए पर्यावरण की सुरक्षा हेतु खनिज/उपखनिज का खनन व निकासी करने के उपरान्त क्षेत्र का समतलीकरण कर वहाँ वृक्षारोपण करना होगा।
- (20) स्वीकृत क्षेत्र में स्थायी सीमा स्तम्भ लगाने के बाद ही खनन कार्य करने की अनुमति दी जायेगी।
- (21) खनन पट्टा स्वीकृति के पश्चात् भविष्य में वन विभाग या किसी अन्य विभाग द्वारा शर्तों के विपरीत कार्य करने के कारण आपत्ति किये जाने पर उक्त नियमावली 2021 के नियम 61 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात् खनन पट्टा निरस्त किया जायेगा।

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Dayach. J





राज्य कन्सर्वेशन फंड

प्रोपराइटर

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- (22) पट्टाधारक द्वारा खनन क्षेत्र तक पहुँच मार्ग स्वयं के पर बनाया जायेगा। यदि खनिजों के परिवहन हेतु किसी काश्तकार की भूमि से होकर रास्ते का निर्माण किया जाता है तो सम्बन्धित काश्तकार की लिखित सहमति सम्बन्धी अभिलेख जिला क्वैरी कार्यालय, बागपत में प्रस्तुत करना अनिवार्य होगा। रास्ते के निर्माण में होने वाले व्यय के लिए राज्य सरकार का कोई उत्तरदायित्व नहीं होगा।
- (23) खनन स्थल से निकाले गये खनिज पदार्थ का अभिवहन वन विभाग की लिखित सहमति के बिना वन मार्ग से नहीं किया जायेगा।
- (24) स्वीकृत खनन पट्टा-क्षेत्र की परिधि के बाहर कोई अवैध खनन पाये जाने पर उक्त नियमावली 2021 के नियम 61 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात् खनन पट्टा निरस्त किया जायेगा।
- (25) स्वीकृत खनन पट्टा-क्षेत्र के भीतर किसी प्रतिबन्धित क्षेत्र (यदि कोई हो) में खनन कार्य नहीं किया जायेगा। ऐसे प्रतिबन्धित क्षेत्र में खनन पाये जाने पर नियमानुसार खनन पट्टा समाप्त किया जा सकता है।
- (26) स्वीकृत खनन पट्टा-क्षेत्र के भीतर निजी भूमि होने की दशा में पट्टाधारक भूमि के स्वामी को नियम-68 के प्राविधानों के अनुसार प्रतिकर का भुगतान करेगा।
- (27) उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-35(4) के अनुसार निदेशालय द्वारा अनुमोदित खनन योजना में उल्लिखित शर्तों का पालन पट्टेधारक को किया जाना आवश्यक होगा।
- (28) निदेशालय के पत्र संख्या-441/एम-228/2017 (खनन नीति।।) दिनांक 27.06.2019 के अनुपालन में पट्टा समाप्ति के उपरान्त पर्यावरणीय स्वीकृति अनुवर्ती प्रस्तावक को आन्तरित किये जाने में पट्टाधारक को कोई आपत्ति नहीं होगी।
- (29) पर्यावरण स्वच्छता प्रमाण-पत्र में संशोधन आदि यदि आवश्यकता हो का दायित्व स्वयं पट्टाधारक का होगा।
- (30) राज्य स्तरीय पर्यावरण समाघात प्राधिकरण के पत्र सं० 810/पर्या०/सीईएए/5005- 4451/2020 दिनांक 17.03.2021 में इंगित शर्तों का पालन हेतु पट्टाधारक बाध्य होगा।
- (31) स्थानीय स्थिति तथा परिवेश को ध्यान रखते हुये अन्य शर्तें जो जिलाधिकारी द्वारा उचित समझी जायेगी पट्टाधारक को मान्य होगी।

स्टाम्प शुल्क : स्टाम्प शुल्क के प्रयोजन के लिए पट्टान्तरित भूमि से प्रत्याशित स्वामित्व प्रतिभूति की धनराशि अंकन 92,98,125/- (बानवे लाख अठ्ठानवे हजार एक सौ पच्चीस रुपये मात्र) प्रथम वर्ष की धनराशि अंकन 3,71,92,500/- (तीन करोड़ इकहत्तर लाख बानवे हजार पाँच सौ रुपये), द्वितीय वर्ष की धनराशि अंकन 4,09,11,750/- (चार करोड़ नौ लाख ग्यारह हजार सात सौ पचास रुपये मात्र), तृतीय वर्ष की धनराशि अंकन 4,50,02,925/- (चार करोड़ पचास लाख दो हजार नौ सौ पच्चीस रुपये मात्र), चतुर्थ वर्ष की धनराशि अंकन 4,95,03,218/- (चार करोड़ पिचानवे लाख तीन हजार दौ सौ अठ्ठारह रुपये मात्र), पंचम वर्ष की धनराशि अंकन 5,44,53,540/- (पाँच करोड़ चवालीस लाख तरेपन हजार पाँच सौ चालीस

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रूपये मात्र), कुल धनराशि अंकन 22,70,63,933 /—(बाईस करोड सत्तर लाख तरेसठ हजार नौ सौ तैंतीस रूपये मात्र) होती है, पर 2 प्रतिशत की दर से अंकन 45,41,280 /—(चवालीस लाख इक्तालीस हजार दौ सौ अस्सी रूपये मात्र) का ई-स्टाम्प संख्या-IN-UP19536133679601V दिनांक 30.12.2023 उत्तर प्रदेश राज्य सरकार के पक्ष में अदा किया गया है।

इनके साक्ष्य के रूप में यह उपस्थापन-पत्र एतद्धीन आई हुई रीति से ऊपर उल्लिखित दिनांक और वर्ष को निष्पादित किया गया है।

पट्टेधारक द्वारा हस्ताक्षरित

मै० रॉय
मै० रॉयल क
कॉन्स्ट्रक्शन कं०

उत्तर प्रदेश के राज्यपाल के निदेशकार।
और उनकी ओर से

बागपत



गवाह

1. आनन्द पाल पुत्र श्री जगूष सिंह,
निवासी गाँव बदरवा
तहसील बडौर, जनपद बागपत।

आनन्द

गवाह

2. विजय पुत्र श्री चन्दपाल
निवासी पर्ये भोजान टीकरी
जनपद बागपत।

विजय





खान अधिकारी,
बागपत।



अपर जिलाधिकारी (वि०/रा०)/
प्रभारी अधिकारी खनन,
बागपत।

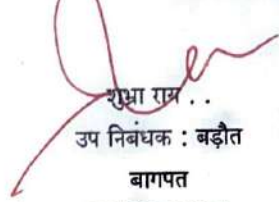


Tehsil Office, Badaur

सं०: 202400735000602

बही संख्या 1 जिल्द संख्या 11147 के पृष्ठ 1 से 40 तक क्रमांक 915 पर दिनांक 12/01/2024 को
रजिस्ट्रीकृत किया गया।

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर



शुभा राम . .

उप निबंधक : बड़ौत

बागपत

12/01/2024





**Service of Reply of R6 - Royal Construction Co. in Ajayveer Singh Vs. State of Uttar Pradesh & Ors.
(O.A. No. 1190/2024/PB)**

From Saumitra <saumitra@eldfindia.com>

Date Mon 2/24/2025 4:49 AM

To Mukesh Verma <mvermadv@gmail.com>; priyanka swami <advpriyankaswami@gmail.com>;
mvermaadv@gmail.com <mvermaadv@gmail.com>; pradeepmisra@yahoo.com <pradeepmisra@yahoo.com>;
daleepdhayani@yahoo.co.in <daleepdhayani@yahoo.co.in>; surbhi@rschambers.net
<surbhi@rschambers.net>; justicecraftattorneys@gmail.com <justicecraftattorneys@gmail.com>;
suhasini@rschambers.net <suhasini@rschambers.net>

Cc Saumitra <saumitra@eldfindia.com>; Account <account@eldfindia.com>; Admin <admin@eldfindia.com>;
Surya Gupta <surya@eldfindia.com>

1 attachment (29 MB)

Reply - Royal Construction Company.pdf;

Dear Sir/Ma'am,

Please find the attached copy of the Reply filed on behalf of Respondent No. 6 – M/s Royal Construction Company in the abovementioned case.

Warm Regards,
Saumitra Jaiswal

Adv. for R6 - Royal Construction Co

Enviro Legal Defence Firm (ELDF)

Mobile: +91-7289850011; 8881002122

Email: saumitra@eldfindia.com

Web: www.eldfindia.com

**New Delhi Office: 29, Presidential Estate; LGF; Nizamuddin (East) New Delhi-110013; Ph No.
+91-11-40573181**

NOTE: Law Firms in India are not allowed to have websites as per Bar Council Rules. If you want to know more about Enviro Legal Defence Firm contact the address above. Incidentally, ELDF is India's first environmental law firm