

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1334/2024

IN THE MATTER OF:

Manish Kumar

.... Applicant

Versus

State of Uttar Pradesh & Ors.

.... Respondant(s)

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FILED THROUGH

Ankit Verma

(ANKIT VERMA)

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO- 1334/ 2024



IN THE MATTER OF:

Manish Kumar

.....Applicant

Versus

State of U.P. & Ors.

.....Respondent (s)

JOINT COMMITTEE REPORT FILED BY DISTRICT MAGISTRATE, MIRZAPUR IN COMPLIANCE TO THE ORDER DATED 19.12.2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 1334 OF 2024 IN THE MATTER OF MANISH KUMAR VERSUS STATE OF UP & ORS.

I, Priyanka Nandan W/o Shri Manish Singh.....

aged about 40 years, presently posted as District Magistrate, Mirzapur, do hereby solemnly affirm and state on oath as under:

- I say that I am the District Magistrate of the Respondent in the present case and as such being conversant with the facts and circumstances of the present case, am competent to swear this affidavit.

That vide its order dated 19.12.2024 this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter Hon'ble Tribunal) has passed the following directions:-



...".4. *In our view a substantial question relating to environment has arisen out of the implementation of the enactments mentioned in Schedule I of the NGT Act, 2010, but before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UP PCB') and District Magistrate, Mirzapur.*

5. District Magistrate, Mirzapur shall be nodal authority for coordination and compliance.

6. The above committee shall examine the complaint, visit the site, collect relevant information, interact with the stake holders and submit a factual report within two months".....

3. That vide this present original application the applicant has raised a grievance that Mauza Zafripur Bhagauti Dei is adjacent to the village and near the hill area here at M/s Divyansh Construction Company is carrying out its mining activities in Araji . No.703, Bhagauti Dei, Mauza Zafripur Tehsil Chunar, District Mirzapur in a total area of 2.5 acres by using blasting method and it has also cut large number of trees in the area concerned and thereby caused huge damage to the environment.

4. In compliance of Hon'ble NGT directions, joint committee constituted has been constituted by district Magistrate, Mirzapur vide ref. No.G0034/O.A. No. 1334/2025 dated 09.01.2025 (**Annexure No.1**).

To review the factual status of the grievances made by the complainant/applicant, following nominated members of Joint Committee



and representative of Mining Department, Mirzapur have been conducted the field visit of above concerned Mining leases i.e. M/s Divyansh Construction Company, Prop. Smt. Kiran Singh (Building/Sand Stone Mining project) established at Gata No. 703 (Sl. No.-4) Area-1.0100 Ha, Village-Bhagautidei, Tehsil-Chunar, District-Mirzapur, on dated 28.01.2025.

- a. SDM, Tehsil-Chunar, District-Mirzapur.
 - b. Surveyor/Mines inspector, Mining Department, Mirzapur.
 - c. Assistant Scientific Officer, Regional Office, UPPCB, Sonebhadra.
6. A copy of Joint Committee report of inspection dated 28.01.2025 is being Annexed as **Annexure No.2**. During Joint Committee inspection, mining & blasting activity of M/s Divyansh Construction Company, Prop. Smt. Kiran Singh (Building/Sand Stone Mining project) established at Gata No. 703 (Sl. No.-4) Area-1.0100 Ha, Village-Bhagautidei, Tehsil-Chunar, District-Mirzapur was found closed. Further, Mines Officer, District-Mirzapur after verifying the records, informed that no mining activity/blasting is being carried out since Dec, 2024 in the lease Area.
7. UPPCB vide its letter dated 21.02.2025, informed that the Show Cause Notice has been issued to above mining lease for non-compliance of Environmental Clearance conditions issued by SEIAA and operational of lease without having Valid CTO issued by UPPCB. A Copy of the Show Cause Notice dated 21.02.2025 is being annexed as **Annexure No. 3**.
8. That the Annexure annexed to the present accompanying Affidavit is true copy of their respective original.



9. That the present affidavit on behalf of the District Magistrate, Mirzapur is submitted before this Hon'ble Tribunal for kind perusal and consideration.

DEPONENT

VERIFICATION:

Verified at Mirzapur on this the 22 day of February, 2025 that the contents of above affidavit are true and correct to my knowledge based on records and information received and believed to be true, no part of it is false and nothing material has been concealed therefrom.

DEPONENT



22/02/25

SL. N. (11)

Oath taken by Deponent before me
Counselled by Advocate Shri...
NAGEENA Advocate (Notary)
(Govt of INDIA) Mirzapur (UP)

कार्यालय जिलाधिकारी, मीरजापुर

पत्रांक- J-0034/O.A.No.-1334/2025

दिनांक- 09/01/2025

आदेश

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू0पी0 एण्ड अदर्स में पारित आदेश दिनांक-19.12.2024 का मुख्य अंश निम्नवत् है:-

"4..... we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UP PCB') and District Magistrate, Mirzapur .

5. District Magistrate, Mirzapur shall be Nodal Authority for coordination and compliance.

6. The above Committee shall examine the complaint, visit the site, collect relevant information, interact with the stake holders and submit a factual report within two months.

7. A copy of this order along with copy of complaint be sent District Magistrate, Mirzapur and UP PCB by email for compliance.

8. List on 25.02.2025".

उपरोक्त वर्णित मा0 राष्ट्रीय हरित अधिकरण द्वारा ओ0ए0 संख्या-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू0पी0 एण्ड अदर्स में पारित आदेश दिनांक-19.12.2024 के अनुपालन में निम्नानुसार समिति का गठन किया जाता है:-

1. उपजिलाधिकारी, तहसील-चुनार, मीरजापुर।
2. सहायक वैज्ञानिक अधिकारी (श्री सुशील कुमार), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, सोनमद्र।

उपरोक्त समिति के सदस्यों को निर्देशित किया जाता है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू0पी0 एण्ड अदर्स में पारित आदेश दिनांक-19.12.2024 के अनुपालन हेतु नामित किया जाता है।

(प्रियंका निरंजन)
जिलाधिकारी,
मीरजापुर।

पत्रांक व तददिनांक:-

प्रतिलिपि:- समस्त सदस्यों को अनुपालनार्थ।

जिलाधिकारी,
मीरजापुर।

मेसर्स दिव्यांश कन्स्ट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर के विरुद्ध मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में विचाराधीन ओ०ए० संख्या-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू०पी० एण्ड अदर्स में पारित आदेश दिनांक-19.12.2024 के सम्बन्ध में संयुक्त निरीक्षण आख्या:-

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओरिजनल अप्लीकेशन नं०-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू०पी० एण्ड अदर्स में पारित आदेश दिनांक-19.12.2024 के अनुपालन में कार्यालय जिलाधिकारी के आदेश सं०-G0035/O.A. No. 1334/2025 दिनांक-09.01.2025 द्वारा समिति का गठन कर स्थलीय जाँच आख्या उपलब्ध कराने के निर्देश दिये गये हैं। उक्त के अनुपालन में गठित समिति के सदस्यों (1) उपजिलाधिकारी, तहसील-चुनार, जनपद-मीरजापुर (2) सहायक वैज्ञानिक अधिकारी (श्री सुशील कुमार), उ०प्र० प्रदूषण नियंत्रण बोर्ड, सोनभद्र द्वारा दिनांक-28.01.2025 को खनन विभाग के सर्वेक्षक एवं माइन्स इंस्पेक्टर द्वारा उक्त याचिका में उल्लिखित बिल्डिंग स्टोन/सैण्ड स्टोन माइनिंग प्रोजेक्ट का स्थलीय निरीक्षण किया गया, जिसकी विन्दुवार आख्या निम्नवत् है:-

1. ओ०ए० संख्या-1334/2024 में उल्लिखित पट्टाधारक मेसर्स दिव्यांश कन्स्ट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह, आराजी नं०-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर के क्षेत्र पर बिल्डिंग स्टोन/सैण्ड स्टोन खनन पट्टे की स्वीकृति हेतु सहमति पत्र (Letter of Intent) जिलाधिकारी, मीरजापुर के पत्र संख्या-2318/खनिज/सैण्ड स्टोन/ई-निविदा सह ई-निलामी/2021 दिनांक-16.03.2021 के द्वारा 10 वर्ष तक के लिये पट्टा पट्टा स्वीकृत है। राज्य पर्यावरण प्रभाव आकलन प्राधिकरण (SEIAA) द्वारा दिनांक-08.08.2022 में पर्यावरणीय स्वीकृत निर्गत है। राज्य प्रदूषण नियंत्रण बोर्ड से बिल्डिंग स्टोन/सैण्ड स्टोन हेतु सहमति जल एवं वायु प्राप्त नहीं है। माइनिंग परियोजना द्वारा दिनांक-31.01.2025 के माध्यम से ओ०सी०एम०एम०एस० पोर्टल पर सहमति (जल एवं वायु) प्राप्त किये जाने हेतु ऑनलाईन आवेदन किया गया है, जो विचाराधीन है।
 - i. निरीक्षण के समय स्थल पर बिल्डिंग स्टोन/सैण्ड स्टोन के खनन का कार्य बन्द पाया गया।
 - ii. निरीक्षण के समय उपस्थित प्रतिनिधि श्री अभिषेक, सुपरवाइजर द्वारा अवगत कराया गया कि उक्त खनन परियोजना में खनन का कार्य एक सप्ताह से बन्द है।
 - iii. बिल्डिंग स्टोन/सैण्ड स्टोन मार्ग पर गाड़ियों के परिवहन के दौरान उड़ने वाली धूल के रोकथाम हेतु एक पानी का टैंकर द्वारा पानी का छिड़काव किया जाता है। निरीक्षण के समय परिवहन मार्ग पर पानी का छिड़काव होता पाया गया।
 - iv. निरीक्षण के समय पट्टाधारक की तरफ से उपस्थित प्रतिनिधि श्री अभिषेक, सुपरवाइजर द्वारा अवगत कराया गया कि बिल्डिंग स्टोन/सैण्ड स्टोन स्थल पर वृक्षारोपण नहीं हो पा रहा है। उक्त खनन पट्टा स्थल पर पूर्व से कुछ वृक्ष स्थित हैं।
 - v. कर्मचारियों से जनित घरेलू वहिस्राव हेतु 01 नग शौचालय (सेप्टिक टैंक एवं सोकपिट युक्त) स्थापित पाये गये।
 - vi. जल छिड़काव में प्रयुक्त जल को नीजी नलकूप के माध्यम से प्राप्त किया जाता है।
 - vii. पट्टा धारक द्वारा पर्यावरण स्वीकृति के सम्बन्ध में अनुपालन आख्या प्रेषित नहीं की गयी है।
 - viii. पट्टा धारक द्वारा परिवेशीय वायु गुणता आख्या उपलब्ध नहीं करायी गयी।
 - ix. पट्टा धारक द्वारा hydro-geological study उपलब्ध नहीं करायी गया।

Jayant *Qk* *2/2/25*

क्रमशः 2/पर....

Qk

2/2/25

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- x. पट्टा धारक द्वारा सभी पिलर स्थापित नहीं किये गये हैं। निरीक्षण के समय खनन विभाग के सुपरवाइजर श्री लक्ष्मीकान्त यादव एवं श्री वृजेश गौतम, माइनिंग इंस्पेक्टर उपस्थित थे एवं मौके पर निर्गत पट्टे का सीमांकन चिन्हित कर पिलर लगाने हेतु निर्देशित किया गया। निरीक्षण के दौरान माइन्स के चारों ओर फेन्सिंग नहीं पायी गयी।
- xi. खनन पट्टे के निरीक्षण के दौरान खनन विभाग द्वारा सीमांकन के दौरान सज्जान में आया कि शिकायतकर्ता श्री मनीष कुमार द्वारा उक्त खनन पट्टे की भूमि पर अस्थाई निर्माण कर कब्जा किया गया है।
- xii. निरीक्षण के दौरान खनन पट्टे में स्थित कोई भी वृक्ष काटने के अवशेष/साक्ष्य नहीं पाये गये।
- xiii. खनन पट्टे के उत्तर दिशा में लगभग 50 मीटर की दूरी पर मंगलेश्वर महादेव मन्दिर, पश्चिम दिशा में लगभग 150 मीटर की दूरी पर ग्राम-भगौतीदेई एवं ग्राम-बियाहुर लगभग 300 मीटर की दूरी पर स्थित है।
- xiv. निरीक्षण के समय लिये गये फोटोग्राफ्स निम्नवत् हैं:-



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क्रमशः 3/पर...

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संयुक्त समिति की संस्तुति:-

1. क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, सोनभद्र द्वारा मेसर्स दिव्यांश कन्स्ट्रक्शन कम्पनी, प्र०० श्रीमती किरन सिंह, आराजी नं०-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर की खनन परियोजना के विरुद्ध पर्यावरणीय अधिनियमों के अन्तर्गत कार्यवाही किया जाना उचित प्रतीत होता है।
2. जिला प्रशासन तहसील-चुनार, जनपद-मीरजापुर द्वारा मेसर्स दिव्यांश कन्स्ट्रक्शन कम्पनी, प्र०० श्रीमती किरन सिंह, आराजी नं०-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर को जिला प्रशासन, मीरजापुर से निर्गत खनन पट्टे (एल०ओ०आई०) की भूमि पर किये गये अवैध अतिक्रमण हटाया जाना उचित प्रतीत होता है।
3. खनन विभाग, मीरजापुर द्वारा मेसर्स दिव्यांश कन्स्ट्रक्शन कम्पनी को निर्गत खनन पट्टे की भूमि पर माइनिंग लीज के अनुसार माइनिंग परियोजना का सीमांकन चिन्हित कर पिलर लगवाने तथा फेन्सिंग की कार्यवाही किया जाना उचित प्रतीत होता है।

संयुक्त समिति की आख्या अग्रिम आवश्यक कार्यवाही हेतु प्रस्तुत है।

GK
05/02/2025
सहायक वैज्ञानिक अधिकारी
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
सोनभद्र।

Jayant
06/02/2025
(आ.वि.भा.क.)
सर्वेक्षक / माइन्स इंस्पेक्टर
खनन विभाग,
मीरजापुर।

Rajh
06/02/2025
उपजिल्हाधिकारी
तहसील-चुनार,
मीरजापुर।

GK

Rajh

कार्यालय जिलाधिकारी मीरजापुर

(खनिज अनुभाग)

पत्रांक 23/1/खनिज/सिण्ड-स्टोन/ई-निविदा सह ई-नीलामी/2021

दिनांक 11/02/2021

लेटर आफ इन्टेर

उत्तर प्रदेश उप खनिज (परिहार) (सैतालिसवाँ संशोधन) नियमावली 2019 के अनुक्रम में उत्तर प्रदेश शासन, भूतत्व एवं खनिकर्म अनुभाग के निर्गत शासनादेश संख्या-2169/86-2019-57(सा0)/2017 टी.सी.1 दिनांक 09/10/2019 में दिये गये निर्देशानुसार नियमावली-1963 के अर्थात्-4 के प्रावधानों के अन्तर्गत ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से ईमारती पत्थर सिण्ड स्टोन के रिक्त खनन क्षेत्रों को खनन पट्टे पर स्वीकृत किया जाने हेतु कार्यालय पत्रांक 1419/खनिज/ई-निविदा सह ई-नीलामी /ई0प0/2020 दिनांक 25/12/2020 द्वारा दिनांक 25/01/2021 से 04/02/2021 तक ई-निविदा आमंत्रित की गयी। नियत दिनांक 09/02/2021 को ई-नीलामी की प्रक्रिया समाप्त होने के उपरान्त MSIC से प्राप्त E-mail दिनांक 24/02/2021, जिसमें क्रमांक 04 पर अंकित जनपद मीरजापुर के तहसील चुनार स्थित ग्राम भगीतीदेई के आराजी संख्या 703 रकबा 1.0 हे0, ईमारती पत्थर सिण्ड स्टोन की मात्रा 30300 घन मीटर प्रति वर्ष हेतु मे0 दिव्यांश कन्स्ट्रक्शन कम्पनी प्रो श्रीमती किरन सिंह पता- गायत्री नगर, पाण्डेयपुर, जनपद वाराणसी द्वारा सर्वोत्तम बोली ₹ 220/- प्रति घन मीटर की दर से बोली लगायी गयी है। शासनादेश के अनुसार समिति को संस्तुति दिनांक 01/03/2021 के क्रम में निम्न शर्तों के अधीन ई-नीलाम खनन पट्टा स्वीकृत किया जाता है:-

क्षेत्र का विवरण:-

विज्ञापित क्रमांक	क्षेत्र का विवरण				Latitude (N)	Longitude (E)
	तहसील	ग्राम	गाटा सं०	क्षेत्रफल (हे० में)		
1	2	3	4	5	6	7
4	चुनार	भगीतीदेई	703	1.01	A- 25°03'53.0" B- 25°03'49.4" C- 25°03'49.4" D- 25°03'51.0" E- 25°03'52.0" F- 25°03'53.0"	A- 82°59'33.9" B- 82°59'33.7" C- 82°59'31.7" D- 82°59'31.7" E- 82°59'27.0" F- 82°59'27.1"

- (1) प्रथम वर्ष के लिए देय नीलामी धनराशि की गणना ईमारती पत्थर सिण्ड स्टोन की 30300 घन मी० की निविदा/नीलामी की दर ₹ 220/- प्रति घन मी० से गुणा कर निकाली जायेगी। शासनादेश संख्या 1735/86-2020-57(सा0)/2017 दिनांक 25 सितम्बर 2020 के अनुसार प्रथम 10 वर्षों के लिए सदैव धनराशि, बोली दर अथवा समय-समय पर नियमावली में विनिर्दिष्ट सयल्टी दर जो भी अधिक हो के आधार होगी।
- (2) सफल बोलीदाता/निविदादाता, पट्टे के निर्बन्धनों और शर्तों का यथोचित पालन करने के लिए प्रतिभूति के रूप में प्रथम वर्ष के लिए बोली/निविदा की सकल धनराशि ₹ 6666000 के 25 प्रतिशत की धनराशि ₹ 1666500 और स्वामित्व की पहली किस्त के रूप में प्रथम वर्ष के लिए बोली/निविदा की सकल धनराशि का 25 प्रतिशत की धनराशि ₹ 1666500 में से अर्नेस्ट मनी की धनराशि ₹ 833250 समायोजन के उपरान्त ₹ 833250 इस प्रकार कुल ₹ 2499750 दो कार्यदिवसों के अन्दर जमा करेगा।
- (3) पट्टे के प्रथम वर्ष की शेष किस्त एवं अनुवर्ती वर्षों में बोली/निविदा के आधार उत्तर प्रदेश उपखनिज (परिहार) नियमावली-1963 के पंचम अनुसूची के अनुसार जमा की जायेगी।
- (4) पट्टाधारक नियम-17 के प्रावधानों के अनुसार क्षेत्र का सीमांकन करायेगा तथा नियम-35 के अनुसार सीमा स्तम्भ लगायेगा तथा इसका अनुरक्षण करेगा।
- (5) धरणीत आवेदक नियम-34 के प्रावधानों के अन्तर्गत निर्धारित अवधि के अन्दर खनन योजना, भाइन्स बलांजर प्लान एवं भारत सरकार के वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक 14/09/2006 संपादित अधिसूचना दिनांक 15/01/2016 तथा समय-समय पर यथा संशोधित उपबन्धों के अधीन पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त कर उसे प्रस्तुत करेगा।

Ex

24/11

- (6) पट्टाधारक को नियम-34 के अनुसार क्षेत्र को भूमि सदाचार और पुनर्वासन उपाय हेतु वित्तीय आश्वासन की धनराशि निर्धारित शीर्षक से जमा करना अनिवार्य होगा।
- (7) लेटर आफ इन्टेन्ट जारी होने के एक माह के अन्दर अनुमोदन हेतु खनन योजना निदेशक, भूतत्व एवं खनिकर्म के सम्मल प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के 15 दिन के अन्दर सम्मल प्राधिकरण के सम्मल पर्यावरण स्वच्छता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।
- (8) शासनादेश संख्या 1012/86-2018-57(सामान्य)/2017 दिनांक 07/05/2018 में दिये गये प्राधिकरण के अनुसार सैण्ड स्टोन डायमेन्शनल की रायल्टी दर रु0 650/- प्रति घन मी0 प्रमावी नानी जखमी परन्तु इस प्रक्रिया में स्वीकृत दर यदि रु0 650/- प्रति घन मी0 से अधिक होती है तो ई-निविदा संड ई-नीलामी में स्वीकृत दर प्रमावी रहेगी।

अतः मे0 दिव्यांश कन्स्ट्रक्शन कम्पनी प्रो0 श्रीमती किरन सिंह पता- गायत्री नगर, पाण्डेयपुर, जनपद वाराणसी को इस आशय से प्रेषित कि उपरोक्त धनराशि अलीह धातुकर्म उद्योग के निर्धारित लेखा शीर्षक "0853" में ट्रेजरी घालान के माध्यम से जमा कर वांछित अभिलेख एवं अनुमोदित खनन योजना तथा पर्यावरण स्वच्छता प्रमाण पत्र यथाशीघ्र कार्यालय में उपलब्ध कराना सुनिश्चित करें, जिससे खनन पट्टा निष्पादन की कार्यवाही की जा सके।

9/5/18
जिलाधिकारी,
मीरजापुर।

पत्रांक व दिनांक उपरोक्त।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. सचिव, भूतत्व एवं खनिकर्म अनुभाग उ0प्र0 शासन लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ।
3. शाखा प्रबन्धक, MSTC Ltd. लखनऊ।
4. प्रमारी अधिकारी, भूतत्व एवं खनिकर्म विभाग, क्षेत्रीय कार्यालय सोनभद्र।
5. खान अधिकारी, मीरजापुर।
6. उप जिलाधिकारी, घुनार, मीरजापुर।
7. मे0 दिव्यांश कन्स्ट्रक्शन कम्पनी प्रो0 श्रीमती किरन सिंह पता- गायत्री नगर, पाण्डेयपुर, जनपद वाराणसी।

16/5/18
जिलाधिकारी,
मीरजापुर।

9/5/18

ENVIRONMENTAL
CLEARANCE

PARIVESH

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

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

To:

The PROPRIETOR
M/S DIVYANSH CONSTRUCTION COMPANY
R/O GAYATRI, PANDEYPUR, VARANASI - 231304

Subject: Grant of Environmental Clearance (E.C) 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 (E.C) in respect of project submitted to the SEIAA vide proposal number SIA/UP/MIN/68993/2021 dated 12 May 2022. The particulars of the environmental clearance granted to the project are as below

- | | |
|--|---|
| 1. EC Identification No. | EC22B001UP188911 |
| 2. File No. | 6702 |
| 3. Project Type | New * |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | building stone sandstone mine at village bhagauridei tehsil chunar mirzapur |
| 7. Name of Company/Organization | M/S DIVYANSH CONSTRUCTION COMPANY |
| 8. Location of Project | Uttar Pradesh |
| 9. TOR Date | 07 Jan 2022 |

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

Date: 08/08/2022

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

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

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State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.
Vineet Khand I, Gomti Nagar, Lucknow- 226010
E Mail: doeupto@yahoo.com, seiaup@yahoo.com
Phone no- 0522 2300541

Reference- MoEFCC Proposal no- SIA/UP/MIN/68993/2021 & SEIAA, U.P. File no- 6702

Sub: Environmental Clearance for Proposed Building Stone (Sandstone) Mining at Araj/Gata no.- 703, S.I. No. 04, Village-Bhagautidei, Tehsil-Chunar & District-Mirzapur, U.P., (Leased Area-1.01 ha.), M/s Divyansh Construction Company.

Dear Sir,

This is with reference to your application / letter dated 26-11-2021, 02-12-2021, 12-05-2022, 24-05-2022, 20-06-2022 on above mentioned subject. The matter was considered by 666th SEAC in meeting held on 21-06-2022 and 630th SEIAA in meeting held on 13-07-2022.

A presentation was made by the project proponent along with their consultant M/s Paramarsh (Servicing Environment and Development) to SEAC on 21-06-2022.

Project Details Informed by the Project Proponent and their Consultant

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

1. The environmental clearance is sought for Building Stone (Sandstone) Mining at , Araj/Gata no.- 703, S.I. No. 04, Village-Bhagautidei, Tehsil-Chunar & District-Mirzapur, U.P., (Leased Area-1.01 ha.), M/s Divyansh Construction Company.
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 437/Parya/SEIAA/6702/2021, dated 07/01/2022.
3. The public hearing was organized on 06/04/2022. Final EIA report submitted by the project proponent on 12/05/2022.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/68993/2021
2.	File No. allotted by SEIAA, UP	6702
3.	Name of Proponent	Smt. Kiran Singh
4.	Full correspondence address of proponent and mobile no.	M/s Divyansh Construction Company (Smt. Kiran Singh) R/o Gayatri, Pandeypur, District- Varanasi Mobile no.- E-mail Id- divyanshconstruction5418@gmail.com
5.	Name of Project	Building stone (Sandstone) Mining Village –Bhagautidei, Tehsil- Chunar, District- Mirzapur, Uttar Pradesh
6.	Project Location (Plot.Khasra/Gata No.)	Gata No. – 703, Village –Bhagautidei, Tehsil- Chunar, District–Mirzapur, Uttar Pradesh
7.	Name of River	NA
8.	Name of Village	Bhagautidei
9.	Tehsil	Chunar

(Signature)

(Signature)

10.	District	Mirzapur																					
11.	Name of Minor Mineral	Building stone (Sandstone) Mining																					
12.	Sanctioned Lease Area (in Ha.)	1.01 ha																					
13.	Max. & Min mRL within lease area	Highest mRL is 104 & Lowest is 98mRL																					
14.	Pillar Coordinates (Verified by DMO)	<table border="1"> <thead> <tr> <th>Pillars</th> <th>N</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>25° 3'53.00"N</td> <td>82°59'33.90"E</td> </tr> <tr> <td>B</td> <td>25° 3'49.40"N</td> <td>82°59'33.70"E</td> </tr> <tr> <td>C</td> <td>25° 3'49.40"N</td> <td>82°59'31.70"E</td> </tr> <tr> <td>D</td> <td>25° 3'51.00"N</td> <td>82°59'31.70"E</td> </tr> <tr> <td>E</td> <td>25° 3'52.00"N</td> <td>82°59'27.00"E</td> </tr> <tr> <td>F</td> <td>25° 3'53.00"N</td> <td>82°59'27.10"E</td> </tr> </tbody> </table>	Pillars	N	E	A	25° 3'53.00"N	82°59'33.90"E	B	25° 3'49.40"N	82°59'33.70"E	C	25° 3'49.40"N	82°59'31.70"E	D	25° 3'51.00"N	82°59'31.70"E	E	25° 3'52.00"N	82°59'27.00"E	F	25° 3'53.00"N	82°59'27.10"E
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E	25° 3'52.00"N	82°59'27.00"E																					
F	25° 3'53.00"N	82°59'27.10"E																					
15.	Total Geological Reserves	4,90,158 m ³																					
16.	Total Mineable Reserve (as per Approved Mine Plan)	1,64,736 m ³																					
17.	Total Proposed Production (In 5 Years)	151500 m ³ /year (Total in 5 Years)																					
18.	Proposed Production /year	30300 m ³ /year																					
19.	Sanctioned Period of Mine lease	20 years																					
20.	Method of Mining	Opencast, Semi-Mechanized																					
21.	No. of working days	260																					
22.	Working hours/day	8																					
23.	No. of worker	30																					
24.	No. of vehicles movement/day	03																					
25.	Type of Land	Revenue land																					
26.	Ultimate of Depth of Mining	Upto 74mRL																					
27.	Nearest metalled road from site	140m																					
28.	Water Requirement	<table border="1"> <thead> <tr> <th>PURPOSE</th> <th>REQUIREMENT (KLD)</th> </tr> </thead> <tbody> <tr> <td>Drinking</td> <td>0.30 KLD</td> </tr> <tr> <td>Suppression of dust</td> <td>0.56 KLD</td> </tr> <tr> <td>Plantation</td> <td>2.0 KLD</td> </tr> <tr> <td>Others (if any)</td> <td>-</td> </tr> <tr> <td>Total</td> <td>2.86 KLD</td> </tr> </tbody> </table>	PURPOSE	REQUIREMENT (KLD)	Drinking	0.30 KLD	Suppression of dust	0.56 KLD	Plantation	2.0 KLD	Others (if any)	-	Total	2.86 KLD									
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29.	Name of QCI Accredited Consultant with QCI No and period of validity.	PARAMARSH (Servicing Environment and Development) Lucknow UP Certificate no. NABET/EIA/2124/RA 0224 Valid Till May 01, 2024																					
30.	Any litigation pending against the project or land in any court	No																					
31.	Details of 500 m Cluster Certificate verified by Mining Officer	vide letter no. 2077/khanij/2021																					
32.	Details of Lease Area in approved DSR	1.01 ha.																					
33.	Proposed CER cost	2.58 lakh																					
34.	Proposed EMP cost	Total project cost- Rs. 1.29 Cr																					
35.	Length and breadth of Haul Road	140m & 6m																					
36.	No. of Trees to be Planted	1000																					

 

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 21-06-2022 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting held 13-07-2022 and decided to grant the Environmental Clearance to the title project for collection of 30300 m³ per year lease area of 1.01 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 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, Gol, 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, Gol, Lucknow and State Pollution Control Board.
19. The Integrated Regional Office, MoEF&CC, Gol, 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, Gol, 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.

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.
6. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
7. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
8. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 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.
9. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 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.
10. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
11. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, Gol, Lucknow.
12. Project Proponent / Consultant has given an affidavit that the project area doesn't fall within the boundary of Critically Polluted Area (CPA). If the affidavit given by PP / Consultant is found to be false then EC will be cancelled and legal actions will be initiated against them. Further, mining should not commence without obtaining certificate from DM, Mirzapur that area doesn't attract CPA and a copy of the same should be submitted to SEIAA.
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.
17. The project proponent shall install solar light in their site office.
18. 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.
19. Preference should be given to indigenous local species as per the consultation of the local district Forest Officer.
20. 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
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. The project proponent should explore the possibilities of rainwater harvesting.
28. 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.
29. This environmental clearance does not create or verify any claim of the applicant on the proposed site/activity.
30. 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 05ha, but factually the distance is less than 500 mt, and the mine is located in the cluster of area equal to or more than 05ha, the E.C issued will stand revoked.
31. 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.





32. 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.
33. 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.
34. 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.
35. 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.
36. 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.
37. An adequate buffer zone shall be maintained between two consecutive mineral-bearing deposits.
38. The sprinkling of water on haul roads to control dust will be ensured by the project proponent.
39. 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, Gol, Lucknow every year.
40. Blast vibrations study shall be conducted and an observation report submitted to the Integrated Regional Office, MoEF&CC, Gol, 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.
41. 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.
42. Appropriate arrangement for shelter and drinking water for the mining workers has to be ensured at the mining site.
43. 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.
44. 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.
45. Status of implementation shall be submitted to the Integrated Regional Office, MoEF&CC, Gol, Lucknow and UP Pollution Control Board within six months and thereafter every year from the next consequent year.
46. The self-environmental audit shall be conducted annually. Every three years third-party environmental audit shall be carried out.





47. 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.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.
54. 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.
55. 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.
56. 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.
57. 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.
58. 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.
 59. 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, Gol, Lucknow, and U.P. Pollution Control Board on a six-monthly basis.
 60. The slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by the Indian Bureau of Mines.
 61. 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.
 62. 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, Gol, Lucknow, Central Pollution Control Board, and the State Pollution Control Board.
 63. 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.
 64. 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.
 65. Prior permission from the Competent Authority shall be obtained for the extraction of groundwater if any.
 66. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Integrated Regional Office, MoEF&CC, Gol, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
 67. Project Proponent shall explore the possibility of using solar energy where ever possible.
 68. Commitment towards CER has to be followed strictly.
 69. 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.
 70. Project Proponent has to strictly follow the direction/guidelines issued by MoEF&CC, CPCB, and other Govt. Agencies from time to time.
 71. The blasting will be done only after getting permission from the Mining Department.

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




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

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

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

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

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

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

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



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD



संदर्भ सं०
Ref. No. H24465 / सी-21/एएयू-582/25

दिनांक
Date 21/2/25

सेवा में,

पंजीकृत

मैसर्स दिव्यांश कन्सट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर, ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर।

यह कि मैसर्स दिव्यांश कन्सट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर, ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर जिसे आगे परियोजना कहा जायेगा तथा जिसको वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा 21 के अन्तर्गत राज्य बोर्ड से पूर्व सहमति प्राप्त किया जाना अनिवार्य है।

यह कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० नं०-1334/2024 मनीष कुमार बनाम स्टेट ऑफ यू०पी० एण्ड अदर्स में पारित आदेश दिनांक 19.12.2024 के अनुपालन में खनन परियोजना मैसर्स दिव्यांश कन्सट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर, ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर का निरीक्षण क्षेत्रीय कार्यालय, सोनभद्र स्तर से दिनांक 14.02.2025 को किया गया। क्षेत्रीय कार्यालय, सोनभद्र के पत्र दिनांक 18.02.2025 की आख्यानसार उक्त खनन परियोजना को राज्य पर्यावरण प्रभाव आकलन प्राधिकरण (SEIAA) द्वारा दिनांक 08.08.2022 में निर्गत पर्यावरणीय स्वीकृति में अधिरोपित शर्तों की अनुपालन आख्या क्षेत्रीय कार्यालय में प्रेषित नहीं की गयी है, न ही ऑनलाईन आवेदन पत्र के साथ अपलोड की गयी है। उक्त खनन परियोजना को संचालन हेतु राज्य बोर्ड से बिल्डिंग स्टोन/सैण्ड स्टोन के खनन हेतु सहमति जल एवं वायु प्राप्त नहीं की गयी है। उक्त खनन परियोजना के परिसर में बिल्डिंग स्टोन (सैण्ड स्टोन) के परिवहन की प्रक्रिया के फलस्वरूप वाहनों के आवागमन से उत्पन्न डस्ट उत्सर्जन के नियंत्रण हेतु जल छिड़काव नहीं पाया गया। उक्त खनन परियोजना में पर्यावरणीय स्वीकृति में अधिरोपित शर्त के अनुपालन में परिवेशीय वायु अनुश्रवण केन्द्र स्थापित नहीं किये गये हैं।

उक्त खनन परियोजना का संचालन राज्य बोर्ड से बिना सहमति (जल एवं वायु) प्राप्त किये एवं पर्यावरणीय स्वीकृति दिनांक 08.08.2022 में अधिरोपित शर्तों का उल्लंघन कर खनन कार्य किये जाने के दृष्टिगत दिनांक 08.08.2022 से दिनांक 14.02.2025 तक की डिफाल्ट अवधि अर्थात् कुल 922 दिनों की उल्लंघन अवधि हेतु परियोजना पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निरूपित गाइडलाइन्स के आधार पर पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु गणना निम्नवत् है:-

Environmental compensation (EC)=Pollution Index (PI)xNos. of days from which the non compliance has been observed (N)x Factor in rupees (R)x Factor for scale of operation (S)x Location Factor(LF)

PI=80	80 for red category unit, 50 for orange category unit, 30 for green category unit
N=922	Nos. of days from which the non compliance has been observed.
R=250	Factor in rupees
S=0.5	Factor for scale of operation=0.5 as unit is covered in small category, 1.0 medium scale unit, 1.5 for large scale unit
LF=1.0	Location factor 1.25 for population 1 to <5, 1.5 for population 5 to <10, 2.0 for 10 lacs and above. LF will be 1.0 in case unit is located > 10 KM from municipal boundary (This sand mining project is being operated in rural area hence LF is 1.0 considered)
Therefore Environmental compensation (EC) = PI x N x R x S x LF = 80 x 922 x 250 x 0.5 x 1.0 = 92,20,000.00 Total Rs. Ninty two Lacs Twenty thousand only.	

यह कि क्षेत्रीय अधिकारी, सोनभद्र के पत्र दिनांक 18.02.2025 द्वारा परियोजना मैसर्स दिव्यांश कन्सट्रक्शन कम्पनी, प्रो० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर, ग्राम-भगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर द्वारा राज्य बोर्ड से बिना सहमति जल/वायु प्राप्त किये संचालन किये जाने एवं पर्यावरणीय स्वीकृति दिनांक 08.08.2022 में अधिरोपित शर्तों का उल्लंघन कर खनन कार्य किये जाने के दृष्टिगत उद्योग के विरुद्ध वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा 31-ए के अन्तर्गत कारण बताओ नोटिस जारी किये जाने एवं उद्योग पर दिनांक 08.08.2022 से दिनांक 14.02.2025 के मध्य की अवधि अर्थात् कुल 922 दिनों की अवधि हेतु रू० 10,000/- प्रतिदिन की दर से कुल धनराशि रू० 92,20,000.00 (रू० बयानबे लाख बीस हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संरतुति की गयी है।

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अतः जनहित में जन सामान्य को स्वस्थ वातावरण प्रदान करने के उद्देश्य से वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 यथासंशोधित की धारा 31-ए के अन्तर्गत प्रदत्त शक्तियों के अधीन यह आवश्यक है कि आपके औद्योगिक संयंत्र को वायु प्रदूषण की रोकथाम हेतु संचालित होने से रोका जाए। उद्योग को वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 यथासंशोधित की धारा 31-ए के अन्तर्गत सक्षम स्तर से अनुमोदनोंपरान्त निम्नानुसार कारण बताओ नोटिस जारी किया जाता है:-

1. यह कि क्यों न परियोजना मैसर्स दिव्यांश कन्सट्रक्शन कम्पनी, प्रा० श्रीमती किरन सिंह (बिल्डिंग स्टोन/सैण्ड स्टोन) माइनिंग प्रोजेक्ट, आराजी संख्या-703 (क्र०सं०-4), क्षेत्रफल-1.0100 हेक्टेयर, ग्राम-मगौतीदेई, तहसील-चुनार, जनपद-मीरजापुर की संचालन प्रक्रिया को तत्काल प्रभाव से बंद कर दिया जाए।
2. यह कि क्यों न सक्षम अधिकारियों को निर्देशित कर दिया जाए कि आपकी औद्योगिक इकाई को मिलने वाली विद्युत आपूर्ति एवं जल आपूर्ति का विच्छेदन करने के साथ-साथ अन्य सुविधाओं को तात्कालिक प्रभाव से बंद कर दिया जाए।

उक्त के अतिरिक्त यह भी स्पष्ट करें कि क्यों न आपके उद्योग के विरुद्ध 922 दिनों की डिफाल्टर अवधि हेतु केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी गार्डलाईन के अनुसार रू० 10,000/- प्रतिदिन की दर से कुल धनराशि रू० 92,20,000.00 (रू० बयानबे लाख बीस हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये।

उपरोक्त के संबंध में अपना स्पष्टीकरण इस पत्र प्राप्ति के 15 दिन के अन्दर बोर्ड मुख्यालय में प्रेषित करें, अन्यथा की स्थिति में उपरोक्त निर्देशों की पुष्टि कर दी जाएगी जिसका सम्पूर्ण उत्तरदायित्व स्वयं इकाई एवं इकाई स्वामी का होगा।

सक्षम अधिकारी के अनुमोदनपरान्त पत्र निर्गत।

संलग्नक-यथोपरि।

Atul Singh Yadav
मुख्य पर्यावरण अधिकारी, (वृत्त-2)

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

1. जिलाधिकारी, मीरजापुर।
2. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, सोनभद्र को इस निर्देश के साथ प्रेषित कि अपने स्तर से भी कारण बताओ नोटिस की प्रति परियोजना स्वामी को प्राप्त कराते हुए, पावती एवं जारी कारण बताओ नोटिस के संबंध में परियोजना का अद्यतन निरीक्षण कर आख्या 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

GK

2/2/20

Atul Singh Yadav
मुख्य पर्यावरण अधिकारी, (वृत्त-2)

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