

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

OA No. 1126 of 2024  
(I.A. No. 419/2024)

IN THE MATTER OF:

Veer Singh & Anr.

...Applicant

Versus

State of Uttar Pradesh & Ors.

...Respondents

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Through

*Priyanka*

Date: 13.02.2025  
Place: New Delhi

**PRIYANKA SWAMI**  
ADVOCATE

Counsel for STATE, Uttar Pradesh  
F-13, JANGPURA, NEW DELHI 110014  
E-mail: [advpriyankaswami@gmail.com](mailto:advpriyankaswami@gmail.com)



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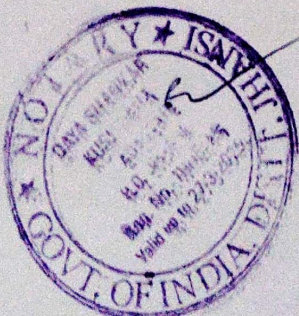
State of Uttar Pradesh & Ors.

...Respondents

SHORT AFFIDAVIT ON BEHALF OF THE DIVISIONAL FOREST OFFICER, JHANSI IN COMPLIANCE TO THE ORDER DATED 23.10.2024.

I, **Jayant Bhimrao Shende**, aged about 35 yrs, presently posted as **Divisional Forest Officer, Jhansi, Uttar Pradesh**, do hereby solemnly affirm and state as under:

1. That I am well conversant with the facts of the present case and competent to swear this affidavit in my official capacity, based on the records maintained by the Jhansi Forest Division.
2. That the present Original Application has been filed before the Hon'ble Tribunal raising serious concerns regarding environmental violations, particularly in relation to **unauthorized sand/morrum mining activities in the Betwa River Basin, Village Salemapur, Tehsil Moth, District Jhansi, Uttar Pradesh**. The Applicant has alleged that **Respondent No. 14, Smt. Shashi Devi**, in collaboration with **Respondent No. 11, M/s. Shubh Construction**, **Respondent No. 12, Shri Virendra Kumar**, and **Respondent No. 13, Sanjeev Kumar**, has been carrying

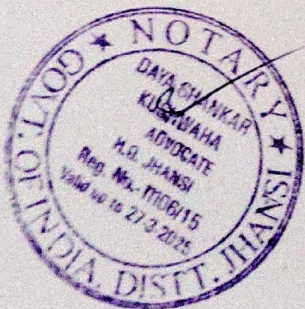


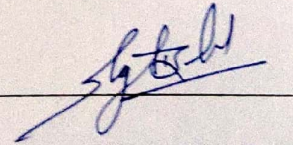
out mining operations in violation of the **Environmental Clearance (EC)** granted by SEIAA on 06.01.2021.

3. That the deponent and all relevant authorities have the highest respect and regard for the orders passed by the Hon'ble Tribunal and remain committed to ensuring strict compliance with all environmental regulations and legal obligations imposed upon project proponents.
4. That **Respondents No. 11 to 13, in compliance with General Condition No. 19 of the EC**, were obligated to **consult the local Divisional Forest Officer/Horticulture Officer for selection of appropriate plant species** to be used in green cover development, in accordance with the **guidelines of the Pollution Control Board**. However, as per the **official records of the Jhansi Forest Division, no such consultation has been initiated by the said respondents till date**.
5. That **Respondents No. 11 to 13, in accordance with General Condition No. 44 of the EC**, were required to provide **comprehensive information regarding the plantation of trees covering at least 20% of the lease area or along river banks/roads for enhancing green cover**. However, no such information has been furnished to the Jhansi Forest Division, and no verifiable record of compliance exists.
6. That **Respondents No. 11 to 13, as per Specific Condition No. 8 of the EC**, were mandated to ensure that the selection of plants for the greenbelt was based on the **Pollution Removal Index (PRI)** and were required to consult the **Forest Division/Horticulture Officer for expert guidance**. However, **no such consultation has been sought by the said respondents**, and no record of compliance has been provided to the Forest Department.



7. That despite repeated obligations imposed under the EC conditions, **Respondents No. 11 to 13 have failed to take adequate measures to ensure afforestation, green cover enhancement, and environmental restoration.** No verifiable record or report has been shared with the **Jhansi Forest Division** in this regard.
8. That it is pertinent to highlight that the **absence of afforestation and non-implementation of greenbelt measures exacerbate the environmental degradation caused by excessive mining activities,** further impacting soil stability, groundwater recharge, and ecosystem balance in the region. The inaction of Respondents No. 11 to 13 in this regard constitutes a direct violation of the **Environmental Clearance conditions, Mining Guidelines, and Sustainable Development Framework** prescribed by regulatory bodies.
9. That in view of the above, I respectfully submit that the **Forest Department has not been consulted at any stage regarding selection, plantation, verification, or monitoring of the greenbelt development measures,** which were mandated under the conditions of the EC issued to the project proponents.
10. That I state that everything stated above is based on official records and facts available with the Jhansi Forest Division. I further affirm that nothing material has been concealed therefrom, and the present affidavit is being filed in **compliance with the directions of the Hon'ble Tribunal and in the interest of environmental justice.**



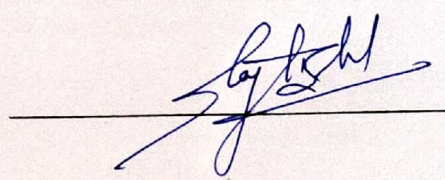


**DEPONENT**

प्रभागीय बनाविकारी  
कॉपी व प्रमाण-कॉपी

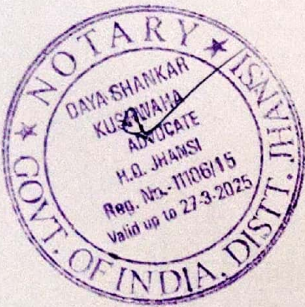
**VERIFICATION**

Verified on solemn affirmation at JHANSI on this 13th day of February 2025, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.



**DEPONENT**

प्रभागीय वनाधिकारी  
झाँसी वन प्रभाग-झाँसी



Serial No. 1413 Date 13/02/2025

Certified that the foregoing statement sworn before me this day at Jhansi by Shri/Smt./Kum. Jayant Bhimrao Shende (D.F. Jhansi) to whom the contents of this affidavit have been read over and explained and who is identified by Shri. Self Received the legal fee Rs.            each.

DAYA SHANKAR KUSHWAHA  
13/02/2025  
ADVOCATE  
NOTARY (GOVT. OF INDIA) JHANSI

GOVT. OF INDIA

Registered

# State Level Environment Impact Assessment Authority, Uttar Pradesh

## Directorate of Environment, U.P.

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

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

E-mail : doeuplko@yahoo.com

Website : www.sciaaup.com

To,

Smt. Shashi Devi,  
House No- 168/19, Noniya Mohal,  
District- Banda, U.P-210001

Ref. No...602.../Parya/SEIAA/5915-5489/2020

Date: 06 January, 2021

Sub: Environmental Clearance for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village - Salemapur, Tehsil-Moth, District - Jhansi, U. P. (Leased Area : 10.0 ha), M/s Shubh Construction.

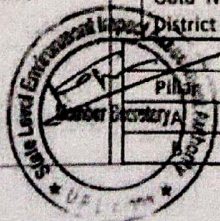
Dear Sir,

Please refer to your application/letter dated 08-02-2020, 21-02-2020, 02-10-2020, 20-11-2020 & 21-12-2020 addressed to the Secretary, SEAC, Directorate of Environment, U.P., Lucknow on the subject as above. The State Level Expert Appraisal Committee considered the matter in its meetings held on dated 23-11-2020 and SEIAA meeting 22-12-2020.

A presentation was made by the project proponent along with their consultant M/s PARAMARSH (Servicing Environment and Development). The proponent, through the documents submitted and the presentation made informed the committee that:-

1. The environmental clearance is sought for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P. (Leased Area : 10.0 ha), M/s Shubh Construction.
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 114/Parya/SEAC/5489/2019 dated 08/06//2020.
3. The public hearing was organized on 18/09/2020. Final EIA report submitted by the project proponent on 02/10/2020.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/50833/2020	
2.	File No. allotted by SEIAA, UP	5915/5489	
3.	Name of Proponent	Smt. Shashi Devi	
4.	Full correspondence address of proponent and mobile no.	Shashi Devi W/o ShriVirendra Kumar R/o-House. No. 168/19, NoniyaMohal, District - Banda, Uttar Pradesh	
		Mobile no. -	
		E mail ID - subhsand@gmail.com	
5.	Name of Project	Environmental clearance of proposed riverbed Sand/Morrum Mining having lease area 10.0 ha (24.71 acre), along River Betwa in Gata No.- 321 Ga, at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P. of M/s Shubh Construction.	
6.	Project Location (Plot. Khsra/Gata No.)	321 Ga	
7.	Name of River	Betwa River	
8.	Name of Village	Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P.	
9.	Tehsil	Moth	
10.	District	Jhansi	
11.	Name of Minor Mineral	Sand/Morrum	
12.	Sanctioned Lease Area (In Ha.)	10.00 ha	
13.	Max. & Min mRL within lease area	Max - 150.30 mRL Min - 147.0 mRL Zero mRL - 150.30mRL	
14.	Pillar Coordinates (Verified by DMO)	Gata No.- 321 Ga, at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P. of M/s Shubh Construction.	
		Total lease area	
		Pillar	Latitude                      Longitude
			25° 48' 04.57"N              79° 04' 57.25"E
		25° 48' 24.19"N              79° 05' 03.97"E	



E.C. for Sand/Morrum Mining from River Betwa in Gata No.- 321 Gata Village -Salemapur, Tehsil-Moth, District -Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubh Construction.

		C	25° 48' 22.36"N	79° 05' 09.66"E
		D	25° 48' 03.13"N	79° 05' 02.41"E
Submerged area				
Pillar	Latitude	Longitude		
S1	25° 48' 19.66"N	79° 04' 52.41"E		
S2	25° 48' 17.87"N	79° 05' 52.69"E		
S3	25° 48' 17.92"N	79° 05' 54.71"E		
S4	25° 48' 19.82"N	79° 05' 56.37"E		
S5	25° 48' 20.09"N	79° 04' 57.73"E		
S6	25° 48' 21.45"N	79° 05' 09.35"E		
S7	25° 48' 18.86"N	79° 05' 08.37"E		
S8	25° 48' 18.99"N	79° 05' 07.21"E		
S9	25° 48' 13.48"N	79° 04' 05.40"E		
S10	25° 48' 08.38"N	79° 05' 02.89"E		
S11	25° 48' 07.43"N	79° 05' 00.55"E		
S12	25° 48' 04.16"N	79° 05' 58.88"E		
S13	25° 48' 14.41"N	79° 04' 00.61"E		
S14	25° 48' 14.37"N	79° 05' 00.90"E		
S15	25° 48' 11.83"N	79° 05' 01.44"E		
S16	25° 48' 11.39"N	79° 05' 02.53"E		
S17	25° 48' 16.86"N	79° 04' 03.68"E		
S18	25° 48' 15.47"N	79° 05' 01.40"E		
15.	Total Geological Reserves	187260 m <sup>3</sup>		
16.	Total Mineable Reserve in LOI	50000 m <sup>3</sup> /annum		
17.	Total Proposed Production	250000 m <sup>3</sup> (5 years)		
18.	Proposed Production /year	50000 m <sup>3</sup> /annum		
19.	Sanctioned Period of Mine lease	5 years		
20.	Production of mine/day	200 m <sup>3</sup> /day		
21.	Method of Mining	Opencast Semi-mechanized		
22.	No. of working days	250		
23.	Working hours/day	8		
24.	No. of worker	30		
25.	No. of vehicles movement/day	25		
26.	Type of Land	Govt./Non Forest Land (riverbed)		
27.	Ultimate of Depth of Mining	2.0m		
28.	Nearest metalled road from site	1.0 km		
29.	Water Requirement	PURPOSE		
		Drinking	- 0.30 KLD	
		Suppression of dust	- 10.30 KLD	
		Plantation	- 0.40 KLD	
		Others (if any)	- 0.00 KLD	
		Total	- 11.0 KLD	
30.	Name of QCI Accredited Consultant with QCI No and period of validity.	PARAMARSH (Servicing Environment and Development) NABET/EIA/1821 RA 0120 Valid till - 01/05/2021		
31.	Any litigation pending against the project or land in any court	No		
32.	Details of 500 m Cluster Certificate verified by Mining Officer	Letter No - 1562/30MMC/ (2019-20) dated - 28/01/2020		
33.	Details of Lease Area in approved DSR	Serial no. 101 Page no. 3		
34.	Project Cost	90.00 lacs/annum		
35.	Proposed CER cost	1.80 lacs		
36.	Proposed EMP cost	12.60 lacs		

**E.C. for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubh Construction,**

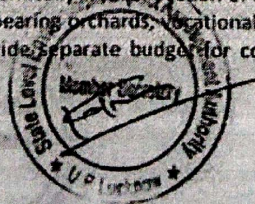
37.	Length and breadth of Haul Road	Length - 0.90 km Breadth - 6.00 m
38.	No. of Trees to be Planted	Temporary culvert on haul road shall be made for transportation 400

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. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
7. There is no litigation pending in any court regarding this project.
8. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee meeting held on 23-11-2020 on the above said project, the State Level Environment Impact Assessment Authority meetings held on dated 22-12-2020 has decided to grant the Environmental Clearance to the title project for collection of 50000 m<sup>3</sup>/annum is proposed lease area 10 ha subject to effective implementation of the following General Conditions and specific conditions:

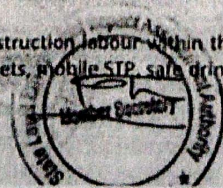
**General condition:**

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.



E.C. for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubb Construction.

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. 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.
23. 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.
24. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, ZilaParasad/ Municipal Corporation and Urban Local Body.
25. 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.
26. 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.
27. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
28. 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.
29. 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.
30. 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.
31. 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.
32. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.
33. 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.
34. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
35. 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.
36. 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.
37. 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.
38. 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.
39. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
40. 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



E.C. for Sand/Morrum Mining from River Betwa in Gata No. - 321 Ga at Village - Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubh Construction.

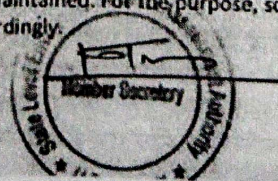
- etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
41. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety 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.
  42. 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.
  43. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.
  44. 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).
  45. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
  46. 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.
  47. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions:

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.
3. 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.
4. 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.
5. Before plantation in a selected area the soil testing should be done and species to be chosen accordingly.
6. 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.
7. Environment management in according to environmental status and impact of the project.
8. Selection of plants for green belt should be on the basis of pollution removal index.
9. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
10. Pakkamotorable haul road to be maintained by the project proponent.
11. 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.
12. Permission from the competent authority regarding evacuation route should be taken.
13. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
14. Site Pit photographs should be submitted with date, time and point-coordinate within 15 days.
15. 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.
16. Provision for cylinder to workers should be made for cooking.
17. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
18. Provide suitable mask to the workers.
19. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road.
20. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
21. The project proponent shall in 2 years conduct detailed re-vegetation study duly authenticated by a QC-NABET accredited consultant, and the District Mines Officer.
22. Provision for two toilets and hand pumps should be made at mining site.
23. Drinking water for workers would be provided by tankers.

E.C. for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubh Construction.

24. 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.
25. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
26. 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.
27. 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.
28. 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.
29. 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.
30. Width of the haul road shall be more than 6 meter.
31. 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.
32. 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.
33. 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.
34. The Environmental clearance will be co-terminus with the mining lease period.
35. Project falling with in 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
36. 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.
37. Geo coordinates should be verified by Director, DGM/District Magistrate/Regional Mining Officer/NHAI and should be submitted to SEIAA/SEAC, Secretariat as earliest.
38. 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 05ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05ha, the E.C issued will stand revoked.
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 which shall form the basis for midterm review of conditions of Environmental Clearance.
40. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
41. 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.
42. 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.
43. 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.
44. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
45. 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.

  
 Member Secretary

E.C. for Sand/Morrum Mining from River Betwa in Gata No- 321 Ga at Village -Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubb Construction.

46. 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)).
  47. 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.
  48. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
  49. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
  50. Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
  51. 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.
  52. 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.
  53. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
  54. Solid waste material viz., gutkhapouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
  55. Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchyat.
  56. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
  57. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.
  58. A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.
  59. State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.
  60. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.
  61. The MoEF/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
  62. 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.
  63. 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.
  64. Waste water from potable use be collected and reused for sprinkling.
  65. During the school opening and closing time vehicle movement will be restricted.
  66. 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.



E.C. for Sand/Morrum Mining from River Betwa in Gata No.- 321 Ga at Village-Salemapur, Tehsil-Moth, District - Jhansi, U. P.  
(Leased Area : 10.0 ha), M/s Shubh Construction.

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.



Member Secretary, SEIAA

Ref. No. .... /Parya/SEIAA/5915-5489/2019 Dated: As above

Copy for information and necessary action to:

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

(Ashish Tiwari)  
 Member Secretary, SEIAA