



सत्यमेव जयते

File No: 8704
Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), UTTAR PRADESH)



Dated 19/04/2024



To,

Shri SANJEEV SAXENA
HN 168 DAIMAND TAKIS ROAD, GAYTRI PURAM COLONY, CIVIL LINES, RAMPUR CITY,
RAMPURM, RAMPUR, UTTAR PRADESH, 244901
sanjeevsaxena0405@gmail.com

Subject: Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding.Charkakhadar Sand/Morrum Mining Project” on the riverbed of Yamuna River, at Gata No. 21, Khand No. 05), Village: Charkakhadar, Tehsil: Baberu, District: Banda, U.P. (Leased Area 11.0 Ha.).

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project Charkakhadar Sand/Morrum Mining Project at Riverbed of River Yamuna (Khand No.- 05) submitted to Ministry vide proposal number SIA/UP/MIN/459458/2024 dated 20/01/2024.

2. The particulars of the proposal are as below :

(i) TOR Identification No.	TO24B0107UP5933835N
(ii) File No.	8704
(iii) Clearance Type	TOR
(iv) Category	B1
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vii) Name of Project	Charkakhadar Sand/Morrum Mining Project at Riverbed of River Yamuna (Khand No.- 05)
(viii) Name of Company/Organization	SANJEEV SAXENA
(ix) Location of Project (District, State)	BANDA, UTTAR PRADESH
(x) Issuing Authority	SEIAA
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

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

amendments.

4. The above-mentioned proposal has been considered by SEAC in the meeting held on 20-02-2024. The minutes of the meeting and all the Application and documents submitted [(viz. Form-1 Part A, Part B, Part C EIA, EMP)] are available on PARIVESH portal which can be accessed by scanning the QR Code above.

5. The brief about configuration of plant/equipment, products and byproducts and salient features of the project along with environment settings, as submitted by the Project proponent in Form-1 (Part A, B and C)/EIA & EMP Reports/presented during SEIAA are annexed to this EC as Annexure (2).

6. The SEAC, in its meeting held on 20-02-2024, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of Terms of Reference under the provision of EIA Notification, 2006 and as amended thereof subject to stipulation of specific and general conditions as detailed in Annexure (1).

7. The SEIAA in its meeting held on 06-3-2024 has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the SEAC hereby decided to grant Terms of Reference for instant proposal of M/s. SANJEEV SAXENA under the provisions of EIA Notification, 2006 and as amended thereof.

8. The SEIAA reserves the right to stipulate additional conditions, if found necessary.

9. The Terms of Reference to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

10. The final EIA report after incorporation of public hearing observations/comments should be submitted to the committee for further consideration of the matter.

11. You are advised to submit the EIA-EMP report incorporating recommendations of public hearing for further consideration of the matter as per procedure laid down in the Gazette Notification SO 1533(E) dated 14.09.2006 as amended. The matter will not be considered pending till your reply or EIA/EMP report is received.

12. This issues with the approval of the Competent Authority.

Annexure 1

Specific Terms of Reference for (Mining Of Minerals)

1. Environmental Attributes

S. No	Terms of Reference
1.1	<ol style="list-style-type: none">1- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.3- The lease area its address and production per annum should match with as mentioned in DSR and LoI. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and LoI.4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).5- Detailed Mine Reclamation plan and Plan for using the mine void for productive use in consultation with local administration and gram-panchayat should be submitted along with EIA-EMP.6- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.7- Latest KML file for the area and mining lease area should be provided.8- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.

S. No	Terms of Reference
	<p>9- In case project proponent intends to temporarily store mined out material or any tools, equipment or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.</p> <p>10- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.</p> <p>11- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -</p> <p>(i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.</p> <p>(ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.</p> <p>12- In case of expansion / renewal of earlier EC, following information should be submitted</p> <p>a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.</p> <p>b. Copy of CTE and CTO issued by SPCB.</p> <p>c. Status of submission of six-monthly compliance report to EC granted earlier</p> <p>d. Court cases, if any.</p> <p>13- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out should be mentioned in EIA-EMP report.</p> <p>14- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 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. Also, the coordinates of area earmarked for plantation should be clearly spelt in the EIA/EMP and polygon should be attached. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.</p> <p>15- The project proponent shall ensure that water bodies do not get polluted due to mining activity.</p> <p>16- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.</p> <p>17- The project proponent shall submit along with EIA the details of School in the vicinity of project area in which rooftop solar plant, toilets will be constructed specially girl school under CER activities.</p>

Standard Terms of Reference for (Mining of minerals)

1.

S. No	Terms of Reference
1.1	An EIA-EMP Report shall be prepared for peak capacity (.....MTPA)operation in an ML/project area of.....ha based on the generic structure specified in Appendix III of the EIA Notification, 2006.
1.2	An EIA-EMP Report would be prepared for peak capacity operation to cover the impacts and environment management plan for the project specific activities on the environment of the region,

S. No	Terms of Reference
	and the environmental quality encompassing air, water, land, biotic community, etc. through collection of data and information, generation of data on impacts including prediction modeling for..... MTPA of coal production based on approved project/Mining Plan for.....MTPA. Baseline data collection can be for any season (three months) except monsoon.
1.3	If the washery is located within the mine lease or near to the mine lease its location should be cited separately also, providing pillar coordinates and site layout plan. In such cases cumulative impact of mine operation with washery to be assessed and EMP measure to be drawn to the worst scenario
1.4	Plan of mechanized transportation of coal to coal washery also for rejects and washed coal to be drawn
1.5	Proper KML file with pin drop and coordinate of mine at 500-1000 m interval be provided
1.6	A Study area map of the core zone (project area) and 10 km area of the buffer zone (1: 50,000 scale) clearly delineating the major topographical features such as the land use, surface drainage pattern including rivers/streams/nullahs/canals, locations of human habitations, major constructions including railways, roads, pipelines, major industries, mines, coal washery and other polluting sources. In case of ecologically sensitive areas such as Biosphere Reserves/National Parks/WL Sanctuaries/ Elephant Reserves, forests (Reserved/Protected), migratory corridors of fauna, and areas where endangered fauna and plants of medicinal and economic importance found in the 15 km study area should be given. The above details to be furnished in tabular form also
1.7	Map showing the core zone delineating the agricultural land (irrigated and un-irrigated, uncultivable land as defined in the revenue records, forest areas (as per records), along with other physical features such as water bodies, etc should be furnished.
1.8	A contour map showing the area drainage of the core zone and 25 km of the study area (where the water courses of the core zone ultimately join the major rivers/streams outside the lease/project area) should also be clearly indicated in the separate map.
1.9	Catchment area with its drainage map of 25 km area within and outside the mine shall be provided with names, details of rivers/ riverlet system and its respective order. The map should clearly indicate drainage pattern of the catchment area with basin of major rivers. Diversion of drains/ river need elaboration in form of length, quantity and quality of water to be diverted
1.10	(Details of mineral reserves, geological status of the study area and the seams to be worked, ultimate working depth and progressive stage-wise working scheme until the end of mine life should be provided on the basis of the approved rated capacity and calendar plans of production from the approved Mining Plan. Geological maps and sections should be included. The Progressive mine development and Conceptual Final Mine Closure Plan should also be shown in figures. Details of mine plan and mine closure plan approval of Competent Authority should be furnished for green field and expansion projects.
1.11	Details of mining methods, technology, equipment to be used, etc., rationale for selection of specified technology and equipment proposed to be used vis-à-vis the potential impacts should be provided.
1.12	Impact of mining on hydrology, modification of natural drainage, diversion and channeling of the existing rivers/water courses flowing through the ML and adjoining the lease/project and the impact

S. No	Terms of Reference																																																
	on the existing users and impacts of mining operations thereon.																																																
1.13	A detailed Site plan of the mine showing the proposed break-up of the land for mining operations such as the quarry area, OB dumps, green belt, safety zone, buildings, infrastructure, CHP, ETP, Stockyard, township/colony (within and adjacent to the ML), undisturbed area -if any, and landscape features such as existing roads, drains/natural water bodies to be left undisturbed along with any natural drainage adjoining the lease /project areas, and modification of thereof in terms of construction of embankments/bunds, proposed diversion/re-channelling of the water courses, etc., approach roads, major haul roads, etc should be indicated.																																																
1.14	<p>Original land use (agricultural land/forestland/grazing land/wasteland/water bodies) of the area should be provided as per the tables given below. Impacts of project, if any on the land use, in particular, agricultural land/forestland/grazing land/water bodies falling within the lease/project and acquired for mining operations should be analyzed. Extent of area under surface rights and under mining rights should be specified. Area under Surface Rights</p> <table border="1" data-bbox="319 761 1484 1041"> <thead> <tr> <th>S.N</th> <th>ML/Project Land use</th> <th>Area under Surface Rights(ha)</th> <th>Area Under Mining Rights(ha)</th> <th>Area under Both (ha)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Agricultural land</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Forest Land</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>Grazing Land</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td>Settlements</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td>Others (specify)</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <table border="1" data-bbox="319 1097 1484 1344"> <thead> <tr> <th>S.N.</th> <th>Details</th> <th>Area (ha)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Buildings</td> <td></td> </tr> <tr> <td>2</td> <td>Infrastructure</td> <td></td> </tr> <tr> <td>3</td> <td>Roads</td> <td></td> </tr> <tr> <td>4</td> <td>Others (specify)</td> <td></td> </tr> <tr> <td></td> <td>Total</td> <td></td> </tr> </tbody> </table>	S.N	ML/Project Land use	Area under Surface Rights(ha)	Area Under Mining Rights(ha)	Area under Both (ha)	1	Agricultural land				2	Forest Land				3	Grazing Land				4	Settlements				5	Others (specify)				S.N.	Details	Area (ha)	1	Buildings		2	Infrastructure		3	Roads		4	Others (specify)			Total	
S.N	ML/Project Land use	Area under Surface Rights(ha)	Area Under Mining Rights(ha)	Area under Both (ha)																																													
1	Agricultural land																																																
2	Forest Land																																																
3	Grazing Land																																																
4	Settlements																																																
5	Others (specify)																																																
S.N.	Details	Area (ha)																																															
1	Buildings																																																
2	Infrastructure																																																
3	Roads																																																
4	Others (specify)																																																
	Total																																																
1.15	Study on the existing flora and fauna in the study area (10km) should be carried out by an institution of relevant discipline. The list of flora and fauna duly authenticated separately for the core and study area and a statement clearly specifying whether the study area forms a part of the migratory corridor of any endangered fauna should be given. If the study area has endangered flora and fauna, or if the area is occasionally visited or used as a habitat by Schedule-I species, or if the project falls within 15 km of an ecologically sensitive area, or used as a migratory corridor then a Comprehensive Conservation Plan along with the appropriate budgetary provision should be prepared and submitted with EIA-EMP Report; and comments/observation from the CWLW of the State Govt. should also be obtained and furnished.																																																
1.16	One-season (other than monsoon) primary baseline data on environmental quality - air (PM10, PM2.5, SOx, NOx and heavy metals such as Hg, Pb, Cr, As, etc), noise, water (surface and groundwater), soil - along with one-season met data coinciding with the same season for AAQ collection period should be provided. The detail of NABL/ MoEF&CC certification of the respective laboratory and NABET accreditation of the consultant to be provided.																																																
1.17	Map (1: 50, 000 scale) of the study area (core and buffer zone) showing the location of various																																																

S. No	Terms of Reference
	<p>sampling stations superimposed with location of habitats, other industries/mines, polluting sources, should be provided. The number and location of the sampling stations in both core and buffer zones should be selected on the basis of size of lease/project area, the proposed impacts in the downwind (air)/downstream (surface water)/groundwater regime (based on flow). One station should be in the upwind/upstream/non-impact/non-polluting area as a control station. The monitoring should be as per CPCB guidelines and parameters for water testing for both ground water and surface water as per ISI standards and CPCB classification wherever applicable. Observed values should be provided along with the specified standards.</p>
1.18	<p>For proper baseline air quality assessment, Wind rose pattern in the area should be reviewed and accordingly location of AAMSQ shall be planned by the collection of air quality data by adequate monitoring stations in the downwind areas. Monitoring location for collecting baseline data should cover overall the 10 km buffer zone i.e. dispersed in 10 km buffer area. In case of expansion, the displayed data of CAAQMS and its comparison with the monitoring data to be provided</p>
1.19	<p>A detailed traffic study along with presence of habitation in 100 mts distance from both side of road, the impact on the air quality with its proper measures and plan of action with timeline for widening of road. The project will increase the no. of vehicle along the road which will indirectly contribute to carbon emission so what will be the compensatory action plan should be clearly spell out in EIA/ EMP report.</p>
1.20	<p>The socio-economic study to conducted with actual survey report and a comparative assessment to be provided from the census data should be provided in EIA/ EMP report also occupational status & economic status of the study area and what economically project will contribute should be clearly mention. The study should also include the status of infrastructural facilities and amenities present in the study area and a comparative assessment with census data to be provided and to link it with the initialization and quantification of need based survey for CSR activities to be followed.</p>
1.21	<p>The Ecology and biodiversity study should also indicate the likely impact of change in forest area for surface infrastructural development or mining activity in relation to the climate change of that area and what will be the compensatory measure to be adopted by PP to minimize the impact of forest diversion.</p>
1.22	<p>Baseline data on the health of the population in the impact zone and measures for occupational health and safety of the personnel and manpower for the mine should be submitted.</p>
1.23	<p>Impact of proposed project/activity on hydrological regime of the area shall be assessed and report be submitted. Hydrological studies as per GEC 2015 guidelines to be prepared and submitted</p>
1.24	<p>Impact of mining and water abstraction from the mine on the hydrogeology and groundwater regime within the core zone and 10 km buffer zone including long-term monitoring measures should be provided. Details of rainwater harvesting and measures for recharge of groundwater should be reflected in case there is a declining trend of groundwater availability and/or if the area falls within dark/grey zone.</p>
1.25	<p>Study on land subsidence including modeling for prediction, mitigation/prevention of subsidence, continuous monitoring measures, and safety issues should be carried out.</p>
1.26	<p>Detailed water balance should be provided. The break up of water requirement as per different activities in the mining operations, including use of water for sand stowing should be given</p>

S. No	Terms of Reference
	separately. Source of water for use in mine, sanction of the Competent Authority in the State Govt. and impacts vis-à-vis the competing users should be provided.
1.27	PP shall submit design details of all Air Pollution control equipment (APCEs) to be implemented as part of Environment Management Plan vis-à-vis reduction in concentration of emission for each APCEs
1.28	PP shall propose to use LNG/CNG based mining machineries and trucks for mining operation and transportation of coal. The measures adopted to conserve energy or use of renewable sources shall be explored
1.29	PP to evaluate the green house emission gases from the mine operation/ washery plant and corresponding carbon absorption plan.
1.30	PP shall explore the use of vent gases as generated from under ground Mine for use of energy generation/ in house energy consumption
1.31	Site specific Impact assessment with its mitigation measures, Risk Assessment and Disaster Preparedness and Management Plan should be provided.
1.32	Impact of stowing by using coal washery rejects/ flyash/ bottom ash shall be assessed in term of leachate generation and its characteristics
1.33	Impact of choice of mining method, technology, selected use of machinery and impact on air quality, mineral transportation, coal handling & storage/stockyard, etc, Impact of blasting, noise and vibrations should be provided.
1.34	Impacts of mineral transportation within the mining area and outside the lease/project along with flow-chart indicating the specific areas generating fugitive emissions should be provided. Impacts of transportation, handling, transfer of mineral and waste on air quality, generation of effluents from workshop etc, management plan for maintenance of HEMM and other machinery/equipment should be given. Details of various facilities such as rest areas and canteen for workers and effluents/pollution load emanating from these activities should also be provided.
1.35	Effort be made to reduce/eliminate road transport of coal inside and outside mine and for mechanized loading of coal through CHP/ Silo into wagons and trucks/tippers.
1.36	Details of various facilities to be provided to the workers in terms of parking, rest areas and canteen, and effluents/pollution load resulting from these activities should also be given.
1.37	The number and efficiency of mobile/static water jet, Fog cannon sprinkling system along the main mineral transportation road inside the mine, approach roads to the mine/stockyard/siding, and also the frequency of their use in impacting air quality should be provided.
1.38	Impacts of CHP, if any on air and water quality should be given. A flow chart showing water balance along with the details of zero discharge should be provided.
1.39	Conceptual Final Mine Closure Plan and post mining land use and restoration of land/habitat to the pre- mining status should be provided. A Plan for the ecological restoration of the mined out area and post mining land use should be prepared with detailed cost provisions. Impact and management

S. No	Terms of Reference
	of wastes and issues of re-handling (wherever applicable) and backfilling and progressive mine closure and reclamation should be furnished.
1.40	Adequate greenbelt nearby areas, coal stock yard and transportaion area of coal shall be provided with details of species selected and survival rate Greenbelt development should be undertaken particularly around the transport route and CHP.
1.41	Cost of EMP (capital and recurring) should be included in the project cost and for progressive and final mine closure plan.
1.42	Details of R&R. Detailed project specific R&R Plan with data on the existing socio- economic status of the population (including tribals, SC/ST, BPL families) found in the study area and broad plan for resettlement of the displaced population, site for the resettlement colony, alternate livelihood concerns/employment for the displaced people, civic and housing amenities being offered, etc and costs along with the schedule of the implementation of the R&R Plan should be given.
1.43	CSR Plan along with details of villages and specific budgetary provisions (capital and recurring) for specific activities over the life of the project should be given.
1.44	Corporate Environment Responsibility:
1.45	a) The Company must have a well laid down Environment Policy approved by the Board of Directors.
1.46	b) The Environment Policy must prescribe for standard operating process/procedures to bring into focus any infringements/deviation/violation of the environmental or forest norms/conditions.
1.47	c) The hierarchical system or Administrative Order of the company to deal with environmental issues and for ensuring compliance with the environmental clearance conditions must be furnished.
1.48	d) To have proper checks and balances, the company should have a well laid down system of reporting of non-compliances/violations of environmental norms to the Board of Directors of the company and/or shareholders or stakeholders at large.
1.49	e) Environment Management Cell and its responsibilities to be clearly spleel out in EIA/ EMP report
1.50	f) In built mechanism of self-monitoring of compliance of environmental regulations should be indicated.
1.51	Submission of sample test analysis of Characteristics of coal: This should include details on grade of coal and other characteristics such as ash content, S and heavy metals including levels of Hg, As, Pb, Cr etc.
1.52	Status of any litigations/ court cases filed/pending on the project should be provided.
1.53	PP shall submit clarification from PCCF that mine does not falls under corridors of any National Park and Wildlife Sanctuary with certified map showing distance of nearest sanctuary.

S. No	Terms of Reference																		
1.54	Copy of clearances/approvals such as Forestry clearances, Mining Plan Approval, mine closer plan approval. NOC from Flood and Irrigation Dept. (if req.), etc. wherever applicable.																		
1.55	<p>Details on the Forest Clearance should be given as per the format given:</p> <table border="0" data-bbox="331 353 1476 582"> <tr> <td>Total ML Total</td> <td>Date</td> <td>Extent of</td> <td>Balance area for which</td> <td>Status of appl</td> <td>For</td> </tr> <tr> <td>Project Area Forest</td> <td>of FC</td> <td>Forest Land</td> <td>FC is yet to be</td> <td>diversion of forest</td> <td>land</td> </tr> <tr> <td>(ha) land (ha)</td> <td></td> <td></td> <td>obtained</td> <td></td> <td></td> </tr> </table> <p>If more than one provide details of each FC</p>	Total ML Total	Date	Extent of	Balance area for which	Status of appl	For	Project Area Forest	of FC	Forest Land	FC is yet to be	diversion of forest	land	(ha) land (ha)			obtained		
Total ML Total	Date	Extent of	Balance area for which	Status of appl	For														
Project Area Forest	of FC	Forest Land	FC is yet to be	diversion of forest	land														
(ha) land (ha)			obtained																
1.56	In case of expansion of the proposal, the status of the work done as per mining plan and approved mine closure plan shall be detailed in EIA/ EMP report																		
1.57	Details on Public Hearing should cover the information relating to notices issued in the newspaper, proceedings/minutes of Public Hearing, the points raised by the general public and commitments made by the proponent and the time bound action proposed with budgets in suitable time frame. These details should be presented in a tabular form. If the Public Hearing is in the regional language, an authenticated English Translation of the same should be provided.																		
1.58	PP shall carry out survey through drone highlighting the ground reality for atleast 10 minutes																		
1.59	Detailed Chronology of the project starting from the first lease deed allotted/Block allotment/ Land acquired to its No. of renewals, CTO /CTE with details of no. renewals, previous EC(s) granted details and its compliance details, NOC details from various Govt bodies like Forest NOC(s), CGWA permissions, Power permissions, etc as per the requisites respectively to be furnished in tabular form.																		
1.60	A copy of application submitted for 5 star rating system to Ministry of coal for expansion cases may be provided. Certificate /rating given to project shall be provided with EIA-EMP report																		
1.61	The first page of the EIA/ EMP report must mention the peak capacity production, area, detail of PP, Consultant (NABET accreditation) and Laboratory (NABL / MoEF & CC certification)																		
1.62	The compliances of ToR must be properly cited with respective chapter section and page no in tabular form and also mention sequence of the respective ToR complied within the EIA-EMP report in all the chapter,s section.																		

Additional Terms of Reference

- 1- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.
- 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 3- The lease area its address and production per annum should match with as mentioned in DSR and LoI. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and LoI.
- 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- Latest KML file for the area and mining lease area should be provided.

- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipment's or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
- (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
 - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
- a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, GoI, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out should be mentioned in EIA-EMP report.
- 13- PP / consultant in compliance to Hon'ble NGT order dated 06.05.2022 in OA no. 141/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others and with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others, will submit replenishment study, duly approved by DGM, along with EIA-EMP report for seeking EC.
- 14- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 11,000 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. Also, the coordinates of area earmarked for plantation should be clearly spelt in the EIA/EMP and polygon should be attached. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 15- The project proponent shall ensure that water bodies do not get polluted due to mining activity.
- 16- The project proponent shall ensure that water bodies do not get polluted due to mining activity and in consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepare a conservation and management plan for rejuvenation and management of all water bodies within periphery of 5 km. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
- 17- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
- 18- The project proponent shall submit along with EIA the details of School in the vicinity of project area in which rooftop solar plant, toilets will be constructed specially girl school under CER activities.
- 19- 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.
- 20- 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.
- 21- These TORs shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
- 22- A part of the leased area is submerged in water therefore a factual report from the Mining Officer should be uploaded at the time of EIA submission which should clear the availability of minerals at the site as per the LOI.
- 23- Approved DSR from competent authority should be uploaded at the time of EIA submission.
- 24- Raw data of all the baseline monitoring parameters will be provided as an annexure to the EIA Report.
- 25- Project proponent should present latest drone videography (not older than 07 days) of the project site mentioning the date, time and geo coordinates at the time of EIA presentation.

26- NOC from Irrigation Department/Concerning Authority regarding river bed mining to be submitted at the time of EIA presentation.

27- To ensure proper monitoring, the project proponent/consultant should provide evidence in form of (A) Logbook of their site visit along with activities carried out during monitoring (B) Real time photographs showing monitoring machine, public, lab person etc.

28- Proprietor/proprietor representative should be present at the time of monitoring and monitoring should be conducted as per CPCB SOP/NABET/QCI guidelines. Lab responsible person should be present at the time of EIA presentation.

29- EIA coordinator & FAE should give a notarized affidavit during EIA presentation that they have personally visited the site & they have also taken all the mitigating measures for any critical issues involved in the project.

30- The project proponent will have to inform the schedule of monitoring/data collection programme to the SEIAA/SEAC, UP and UPPCB before start of data collection. In case of failure, the collected baseline monitoring data will be treated as null and void.

31- The details of equipment used for baseline monitoring alongwith its photograph mentioning date, time and geo coordinates for preparation of EIA report should be clearly displayed to the people present during public hearing and the complete details related to monitoring period must be mentioned in the minutes of public hearing.

32- Original lab analysis report of the project proposal along with EIA report should be uploaded on Parivesh Portal.

33- Combined KML of all mines in a cluster should be submitted at the time of EIA.

34- The project proponent/Consultant should identify the core & buffer zone (2.5 km) of the mining site.

35- Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road to be submitted at the time of EIA presentation.

36- Proponent/ Consultant should submit the plan/information along with technology (photographs of water sprinklers/ tankers) to be implemented for mitigating dust at source points in lease area and haulage road during operation activity/vehicular movement. Technology should be displayed at the time of EIA presentation.

37- Proposed plantation working with area specific plant species, number of plants to be planted and place of plantation along with a proper working map to be submitted at the time of EIA presentation.

38- Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.

39- Proponent/consultant shall present TOR specific/additional conditions compliance, observation/ suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.

40- Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.

41- Submit the hydrological study report of lease area that the quantity given in LoI will be mined without affecting the geo-hydrology of the River.

Annexure 2

Details of Products & By-products

Name of the product /By-product	Product / By-product	Quantity	Unit	Mode of Transport / Transmission	Remarks (eg. CAS number)
Sand/Morrum	Sand/Morrum	297000	tonnes/ 6months	Road	1,65,000 cum/ 6months or 2,97,000 tonnes/ 6months

Annexure-2

A presentation was made by the project proponent along with their consultant M/s P & M Solution to SEAC on 06-03-2024.

Project Details as submitted or informed by the Project Proponent and their Consultant

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

1. The terms of reference is sought for “Charkakhadar Sand/Morrum Mining Project” on the riverbed of Yamuna River, at Gata No. 21, Khand No. 05), Village: Charkakhadar, Tehsil: Baberu, District: Banda, U.P. (Leased Area 11.0 Ha.).

2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/ 459458/2024		
2.	File No.allotted bySEIAA,UP	8704		
3.	Name of Proponent	Shri Sanjeev Saxena S/o Shri Purshottam Saran Saxena		
4.	Full correspondence address of proponent	Shri Sanjeev Saxena S/o Shri Purshottam Saran Saxena R/O-168, Diamond Takees road, Gaytri Puram Colony Civil Lines, Distt-Rampur (U.P) Shri Vijay Singh (Authorized Signatory)		
5.	Name of Project	Charkakhadar Sand/Morrum Mining Project at Riverbed of River Yamuna. (Gata No.- 21, Khand No.- 05)		
6.	Project location (Plot/Khasra/GataNo.)	Gata No.- 21, (Khand No.- 05)		
7.	Name of Village	Charkakhadar		
8.	Tehsil	Baberu		
9.	District	Banda		
10.	Name of Minor Mineral	Sand/Morrum		
11.	Sanctioned Lease Area (in Ha.)	11.0		
12.	Max. & Min mRL within lease area	104.10mRL - 99.0mRL		
13.	Pillar Coordinates(Verified by DMO)	Pillar No.	Latitude	Longitude
		A	25° 41'26.73" N	80° 56' 14.60"E
		B	25° 41' 21.54" N	80° 56' 21.82"E
		C	25° 41' 05.52" N	80° 56' 11.11"E
		D	25° 41' 06.75" N	80° 56' 06.75"E
14.	Total Geological Reserves	3,18,930 cum.		
15.	Total Mineable Reserves	1,65,000 cum.		
16.	Total Proposed Production (per 6 months)	1,65,000 cum/6 months or 2,97,000 tonnes /6 months		
17.	Proposed Production /6 months	1,65,000 cum/6 months or 2,97,000 tonnes /6 months		
18.	Sanctioned Period of Mine lease	06 month		
19.	No.of workers	71		
20.	Type of Land	Govt Land		
21.	Ultimate depth of mining	2.6 m		
22.	Nearest metalled road from site	Nearest metalled road is at distance of 0.21 km from mine site which further connects to SH 71		
23.	Water Requirement	16.83KLD		

24.	Name of QCI Accredited Consultant with QCI No. and period of validity.	P & M Solution Certificate No: NABET/EIA/2326/RA 0298 Validity : 07 May 2026
25.	Any litigation pending against the project Or land in any court	No
26.	Details of 500m Cluster certificate Verified by Mining Officer	Letter no. 1323/Khanij-30, Banda, Dated- 26/12/2023
27.	Details of Lease Area in approved DSR	Attached
28.	Proposed EMP cost	Rs. 7,72,500/- (Capital Cost) Rs. 5,00,000/- (Recurring Cost)
29.	Length and breadth of Haul Road.	Length 1770m, breadth 6m
30.	No. of Trees to be Planted	1100
31.	Monitoring Period	December 2023 to February 2024

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

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 – rocz.lko-mef@nic.in)**
4. **District Magistrate, Banda.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**