

**Plan for restoration of environment as well as for recovery  
of compensation from proponents in compliance of Hon'ble  
NGT order dated 05.08.2019 in Original Applications No.  
278 & 279 of 2019 in the matter of Chaudhary Yashwant  
Singh Vs Union of India And Others**

Hon'ble NGT in its order dated 05.08.2019 on Original Applications No. 278 & 279 of 2019 in the matter of Chaudhary Yashwant Singh Vs Union of India And Others constituted a Joint Committee comprising the CPCB, the State PCB and the District Magistrate, Sonbhadra to prepare a plan for restoration of environment as well as for recovery of compensation from proponents.

The following members are nominated for the committee by the concerned departments

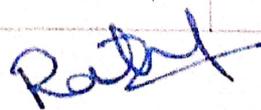
01. Shri Jainendra Singh, Deputy Collector, Sonbhadra
02. Shri Rajendra D Patil, Scientist 'D' Regional Directorate, CPCB Lucknow
03. Shri Radhey Shyam, Regional Officer, UPPCB Sonbhadra

The committee conduct meeting on 03.09.2019 and discussed in length for effective compliance of directives given by Hon'ble NGT.

The following is suggested by Committee

**A. Action Points for Khokha Mine**

| Sr No | Activity Identified   | Proposed EC | Concerned Department  |
|-------|---|-------------|---|
| 01    | Cancellation of Environmental Clearance and all other related permission issued to Shri Ashish Khemka (Khokha Mine) | ---         | <ul style="list-style-type: none"><li>➤ SEIAA</li><li>➤ Mining Department</li><li>➤ Forest Department</li><li>➤ UPPCB</li><li>➤ District Administration</li></ul> |
| 02    | Considering the rainy season, the river bank wherein the mining activities  | 50 lac      | <ul style="list-style-type: none"><li>➤ District Administration</li></ul>   |



| Sr No | Activity Identified  | Proposed EC   | Concerned Department   |
|-------|--|---|--|
|       | <p>were performed are mostly in submerged condition. And hence, remedial measures cannot be plan for restoration of river course.</p> <p>However, an amount of Rs. 50 lac may be deposited to the district administration for carrying out restoration activities (such as removal of temporary bridges etc.) after rainy season in the river course (if required any) without affecting the ecology of the river.</p> <p>In case, the district administration found no such restoration activities are required, then the said amount can be utilised for carrying out replenishment study of the said river course through reputed institute/organisation.</p> |   |  |
| 03    | <p>Construction of 16 km approach road of 3.5 m width from main road to Khokha village which is damaged due to heavy vehicle movement during mining operations.</p> <p>Approx. cost is around Rs. 150 Lac per KM.</p>  | 24 Crores or as per actual cost (Estimation report from PWD is awaited) | <ul style="list-style-type: none"> <li>➤ District Administration</li> <li>➤ PWD (Estimation report from PWD is awaited)</li> </ul> |
| 04    | <p>Plantation of trees in 3-layer along the 16 KM approach road in accordance with Green Highways (Plantation &amp; Maintenance) Policy 2015 for restoration of air quality damaged due to dust emission during transportation of minerals.</p> <p>For 03-layer plantation around 6-meter width is required on each side of the road. Hence, total plantation area along the both side of the -16 KM road will be 19.2 Hectare.</p> <p>As per the estimation of forest department, the approx. cost per</p>  | 1.08 Crore or as per actual cost  | <ul style="list-style-type: none"> <li>➤ Forest Department</li> <li>➤ District Administration</li> </ul>                           |





| Sr No | Activity Identified  | Proposed EC                    | Concerned Department                               |
|-------|--|--------------------------------|--|
|       | hectare is around Rs. 5.63 Lac.  |                                |  |
| 05    | Installation of 05 hand pumps in village Khokha for drinking water.<br><br>Considering the hydrology of the area, the India Marka hand pumps are required to be installed.<br><br>Approx. cost is around Rs. 1.03 Lac per hand pump (considering water table in the area). | 5.15 Lac or as per actual cost | ➤ UP Jal Nigam                                     |
| 06    | Installation of solar light in streets of village Khokha.<br><br>Minimum 10 streets lights to be installed.<br><br>Approx. cost is around Rs. 0.25 Lac per street solar light.   | 2.50 Lac or as per actual      | ➤ New & Renewable Energy Development Agency (NEDA) |
| 07    | Construction of two number of toilets in primary school at village Khokha.<br><br>Approx. cost is around Rs. 0.5 Lac per toilet.   | 1.0 Lac or as per actual       | ➤ District administration through DPRO             |
| 08    | Installation of rain water harvesting system in Primary School of village Khokha.<br><br>Minimum approx. cost is around Rs 2.0 Lac.  | 2.0 Lac or as per actual       | ➤ District administration through Jal Nigam        |
| 09    | Free distribution of smoke less chula to each family in village Khokha.<br><br>Approx. cost is around Rs 1500 per chula.<br><br>Total requirement of Chula is approx. 113 considering population of 500.   | 1.70 Lac or as per actual      | ➤ District administration through DSO              |
| 10    | Adverse health effects were reported by the resident of village Khokha during earlier visit.<br><br>Hence, free medical camp for diagnosis   | 20 Lac or as per actual        | ➤ CMO Sonbhadra                                    |





| Sr No | Activity Identified  | Proposed EC             | Concerned Department  |
|-------|--|-------------------------|---|
|       | and treatment of any acute diseases by involving reputed organisations like IIM  |                         |   |
| 11    | Hindrances in approaching nearest district hospitals due to damaged road was reported during earlier visit.<br><br>Hence, providing one ambulance to district hospital with instruction to give preference to patients from Khokha village.  | 15 Lac or as per actual | ➤ CMO   |
| 12    | To pay premium for health insurance with 05 year benefit cover of Rs 5 lakh per family for all the resident of Khokha village.<br><br>Minimum fund of Rs 10 Lac may be kept as reserve and actual cost may be recovered from the proponent.  | 10 Lac or as per actual | ➤ District Administration<br>➤ CMO  |
| 13    | To take required measures including distribution of bio-compost to compensate the affect on agriculture to improve its productivity.<br><br>The plan may be prepared through nearest Agriculture institute for agriculture area of Khokha village.<br><br>Minimum reserve fund of 10 Lac may be kept for the task. And actual expenses may be recovered from the proponent | 10 Lac or as per actual | ➤ Agriculture Department (Estimation report from Agriculture Department is awaited) |

Interim Environmental Compensation of Rs 26.25 Crores may be recovered from the proponent of Khokha River bed mine. The final amount of compensation may be considered as per the actual expenditures incurred for the identified activities.

If required, the services of any expert agency/institute in the concerned field may also be engaged for further damage assessment and additional environmental compensation cost may be recovered from the proponent accordingly.





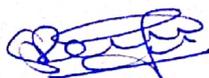
## B. Action Points for Harra-Barahmori Mine

| Sr No | Activity Identified   | Proposed EC                    | Concerned Department  |
|-------|---|--------------------------------|---|
| 01    | Cancellation of Environmental Clearance and all other related permission issued to Shri Praveen Kumar (Barahmori Mine)  | ---                            | <ul style="list-style-type: none"> <li>➤ SEIAA</li> <li>➤ Mining Department</li> <li>➤ Forest Department</li> <li>➤ UPPCB</li> <li>➤ District Administration</li> </ul> |
| 02    | <p>Considering the rainy season, the river bank wherein the mining activities were performed are mostly in submerged condition. And hence remedial measures cannot be plan for restoration of river course.</p> <p>However, an amount of Rs. 50 lac may be deposited. to the district administration for carrying out restoration activities (such as removal of temporary bridges etc.) after rainy season in the river course (if required any) without affecting the ecology of the river.</p> <p>In case, the district administration found no such restoration activities are required, then the said amount can be utilised for carrying out replenishment study of the said river course through reputed institute/organisation.</p> | 50 lac                         | <ul style="list-style-type: none"> <li>➤ District Administration</li> </ul>   |
| 03    | <p>Construction of 2 km approach road of 3.5 m width from main road to Khokha village which is damaged due to heavy vehicle movement during mining operations.</p> <p>Approx. cost is around Rs. 150 Lac per KM.</p>  | 3 Crores or as per actual cost | <ul style="list-style-type: none"> <li>➤ District Administration</li> <li>➤ PWD (Estimation report from PWD is awaited)</li> </ul>                                      |
| 04    | Plantation of trees in 03-layer along the 2 KM approach road in accordance with Green Highways (Plantation &  | 14.1 Lac or as per actual cost | <ul style="list-style-type: none"> <li>➤ Forest Department</li> <li>➤ District Administration</li> </ul>  |





| Sr No | Activity Identified  | Proposed EC                    | Concerned Department                               |
|-------|--|--------------------------------|--|
|       | <p>Maintenance) Policy 2015 for restoration of air quality damaged due to dust emission during transportation of minerals.</p> <p>For 03-layer plantation around 6-meter width is required on each side of the road. Hence, total plantation area along the both side of the 16 KM road will be 2.5 Hectare.</p> <p>As per the estimation of forest department, the approx. cost per hectare is around Rs. 5.63 Lac.</p> |                                |  |
| 05    | <p>Installation of 10 hand pumps (05 each in village Harra &amp; Barahmori) for drinking water.</p> <p>Considering the hydrology of the area, the India Marka hand pumps are required to be installed.</p> <p>Approx. cost is around Rs. 1.03 Lac per hand pump (considering water table in the area).</p>   | 10.3 Lac or as per actual cost | ➤ UP Jal Nigam                                     |
| 06    | <p>Installation of solar light in streets of village Harra &amp; Barahmori.</p> <p>Minimum 10 streets lights to be installed in each village.</p> <p>Approx. cost is around Rs. 0.25 Lac per street solar light.</p>   | 5.0 Lac or as per actual       | ➤ New & Renewable Energy Development Agency (NEDA) |
| 07    | <p>Construction of two number of toilets in each primary school at village Harra &amp; Barahmori.</p> <p>Approx. cost is around Rs. 0.5 Lac per toilet.</p>  | 2.0 Lac or as per actual       | ➤ District administration through DPRO             |
| 08    | <p>Installation of rain water harvesting system in each Primary School of village Harra &amp; Barahmori.</p> <p>Minimum approx. cost is around Rs 2.0</p>  | 4.0 Lac or as per actual       | ➤ District administration through Jal Nigam        |





| Sr No | Activity Identified   | Proposed EC               | Concerned Department  |
|-------|---|---------------------------|---|
|       | Lac.  |                           |   |
| 09    | <p>Free distribution of smoke less chula to each family in village Harra &amp; Barahmori.</p> <p>Approx. cost is around Rs 1,500/- per chula.</p> <p>Total requirement of Chula is approx. 2,500 considering approx population of 10,000.</p>                     | 37.5 Lac or as per actual | ➤ District administration through DSO   |
| 10    | <p>Adverse health effects were reported by the resident of village Harra during earlier visit.</p> <p>Hence, free medical camp for diagnosis and treatment of any acute diseases by involving reputed organisations like IIM</p>                                  | 20 Lac or as per actual   | ➤ CMO Sonbhadra   |
| 11    | <p>Hindrances in approaching nearest district hospitals due to damaged road was reported during earlier visit.</p> <p>Hence, providing one ambulance to district hospital with instruction to give preference to patients from Harra &amp; Barahmori village.</p> | 15 Lac or as per actual   | ➤ CMO   |
| 12    | <p>To pay premium for health insurance with 5-year benefit cover of Rs 5 lakh per family for all the resident of Harra village.</p> <p>Minimum fund of Rs 50 Lac may be kept as reserve and actual cost may be recovered from the proponent.</p>                  | 50 Lac or as per actual   | ➤ District Administration<br>➤ CMO  |
| 13    | <p>To take required measures including distribution of bio-compost to compensate the affect on agriculture to improve its productivity.</p> <p>The plan may be prepared through nearest Agriculture institute for agriculture area of Harra village.</p>          | 10 Lac or as per actual   | ➤ Agriculture Department (Estimation report from agriculture department is awaited) |





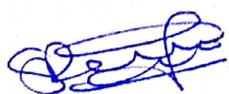
| Sr No | Activity Identified  | Proposed EC | Concerned Department |
|-------|--|-------------|----------------------|
|       | Minimum reserve fund of 10 Lac may be kept for the task. And actual expenses may be recovered from the proponent |             |                      |

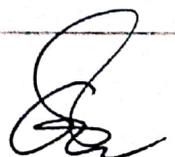
Interim Environmental Compensation of Rs 5.18 Crores may be recovered from the proponent of Barahmori River bed mine. The final amount of compensation may be considered as per the actual expenditures incurred for the identified activities.

If required, the services of any expert agency/institute in the concerned field may also be engaged for further damage assessment and additional environmental compensation cost may be recovered from the proponent accordingly.

### C. Action Points for Khebhandha Mine

| Sr No | Activity Identified  | Proposed EC | Concerned Department  |
|-------|--|-------------|---|
| 01    | Cancellation of Environmental Clearance and all other related permission issued to <ul style="list-style-type: none"> <li>• Shri Akhilesh Paul (Khebhandha Mine)</li> <li>• NHAI</li> </ul>  | ---         | <ul style="list-style-type: none"> <li>➤ SEIAA</li> <li>➤ Mining Department</li> <li>➤ Forest Department</li> <li>➤ UPPCB</li> <li>➤ District Administration</li> </ul> |
| 02    | Considering the rainy season, the river bank wherein the mining activities were performed are mostly in submerged condition. And hence remedial measures cannot be plan for restoration of river course.<br><br>However, an amount of Rs. 50 lac may be deposited by each proponent to the district administration for carrying out restoration activities (such as removal of temporary bridges etc.) after rainy season in the river course (if required any) without affecting the ecology of | 01 Crore    | ➤ District Administration   |





| Sr No | Activity Identified  | Proposed EC                      | Concerned Department                             |
|-------|--|----------------------------------|--|
|       | <p>the river.</p> <p>In case, the district administration found no such restoration activities are required, then the said amount can be utilised for carrying out replenishment study of the said river course through reputed institute/organisation.</p>  |                                  |  |
| 03    | <p>Construction of 4 km approach road of 3.5 m width from main road to Khebhandha village which is damaged due to heavy vehicle movement during mining operations.</p> <p>Approx. cost is around Rs. 150 Lac per KM.</p>   | 6.0 Crores or as per actual cost | ➤ District Administration through PWD            |
| 04    | <p>Plantation of trees in 3-layer along the 2 KM approach road in accordance with Green Highways (Plantation &amp; Maintenance) Policy 2015 for restoration of air quality damaged due to dust emission during transportation of minerals.</p> <p>For 03-layer plantation around 6-meter width is required on each side of the road. Hence, total plantation area along the both side of the 16 KM road will be 5 Hectare.</p> <p>As per the estimation of forest department, the approx. cost per hectare is around Rs. 5.63 Lac.</p> | 28.2 Lac or as per actual cost   | ➤ Forest Department<br>➤ District Administration |
| 05    | <p>Installation of 10 hand pumps (05 each in village Khebhandha and nearby village) for drinking water.</p> <p>Considering the hydrology of the area, the India Marka hand pumps are required to be installed.</p> <p>Approx. cost is around Rs. 1.03 Lac per hand pump (considering water table in the area).</p>   | 10.3 Lac or as per actual cost   | ➤ UP Jal Nigam                                   |



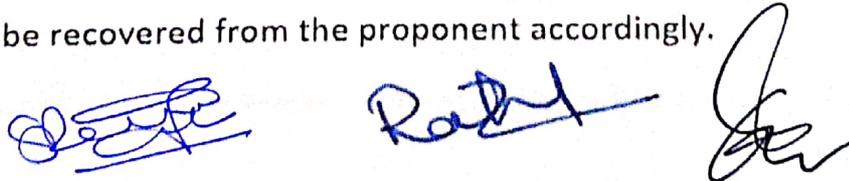


| Sr No | Activity Identified  | Proposed EC                | Concerned Department                               |
|-------|--|----------------------------|--|
| 06    | Installation of solar light in streets of village Khebandha and nearby village.<br>Minimum 10 streets lights to be installed in each village.<br>Approx. cost is around Rs. 0.25 Lac per street solar light.                       | 5.0 Lac or as per actual   | ➤ New & Renewable Energy Development Agency (NEDA) |
| 07    | Construction of two number of toilets in each primary school at village Khebandha & nearby Village.<br>Approx. cost is around Rs. 0.5 Lac per toilet.  | 2.0 Lac or as per actual   | ➤ District administration through DPRO             |
| 08    | Installation of rain water harvesting system in each Primary School of village Khebandha & nearby village.<br>Minimum approx. cost is around Rs 2.0 Lac.   | 4.0 Lac or as per actual   | ➤ District administration through Jal Nigam        |
| 09    | Free distribution of smoke less chula to each family in village Khebandha & nearby village.<br>Approx. cost is around Rs 1,500/- per chula.<br>Total requirement of Chula is approx. 1,250 considering approx population of 5,000. | 18.75 Lac or as per actual | ➤ District administration through DSO              |
| 10    | Adverse health effects were reported by the resident of village Khebandha during earlier visit.<br>Hence, free medical camp for diagnosis and treatment of any acute diseases by involving reputed organisations like IIM          | 20 Lac or as per actual    | ➤ CMO Sonbhadra                                    |
| 11    | Hindrances in approaching nearest district hospitals due to damaged road was reported during earlier visit.<br>Hence, providing one ambulance to district hospital with instruction to give  | 15 Lac or as per actual    | ➤ CMO  |

| Sr No | Activity Identified   | Proposed EC             | Concerned Department  |
|-------|---|-------------------------|---|
|       | preference to patients from Khebandha village.  |                         |   |
| 12    | To pay premium for health insurance with 5-year benefit cover of Rs 5 lakh per family for all the resident of Khebandha village.<br><br>Minimum fund of Rs 50 Lac may be kept as reserve and actual cost may be recovered from the proponent.   | 50 Lac or as per actual | ➤ District Administration<br>➤ CMO  |
| 13    | To take required measures including distribution of bio-compost to compensate the affect on agriculture to improve its productivity.<br><br>The plan may be prepared through nearest Agriculture institute for agriculture area of Harra village.<br><br>Minimum reserve fund of 20 Lac may be kept for the task. And actual expenses may be recovered from the proponent | 20 Lac or as per actual | ➤ Agriculture Department (Estimation report from agriculture department is awaited) |

Interim Environmental Compensation of Rs 8.73 Crores may be recovered from the proponent (on equal sharing basis) of Khebandha River bed mine. The final amount of compensation may be considered as per the actual expenditures incurred for the identified activities.

If required, the services of any expert agency/institute in the concerned field may also be engaged for further damage assessment and additional environmental compensation cost may be recovered from the proponent accordingly.



❖ Environmental Compensation for Stone crushers

01. M/s Maihar Stone, Sukrit, Sonbhadra
02. M/s Jai Maa Bhandari Stone, Sukrit, Sonbhadra
03. M/s Jyoti Stone, Sukrit, Sonbhadra
04. M/s Vaishono Stone, Sukrit, Sonbhadra
05. M/s Guru Kripa Stone, Sukrit, Sonbhadra

The matter of illegal operations of above-mentioned stone crushers was also discussed by the committee. These all stone crushers are sealed by the district administration after visit of joint committee.

For calculation of environmental compensation the methodology evolved by CPCB and endorsed by Hon'ble NGT in various daily orders is adopted.

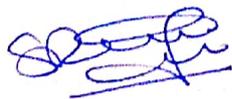
It was brought into notice that these stone crushers were in operations since more than 10 years without obtaining any environmental permission.

However, for calculating environmental compensation the violation period is considered as 5 years, as in some of the NGT orders the maximum period given for consideration while calculating environmental compensation is 5 years.

While calculating the number of operating days in a year, it was considered that each stone crusher is operated for an average 300 days in a year. Thus, the environmental compensation is calculated for total 1500 operational days for each stone crusher.

*Calculation of Environmental Compensation is as demonstrated below*

PI = Pollution Index of industrial sector (taken as '50' considering 'Orange Category')



N= Number of days of violation took place (1500 operational days considered during last 5 years)

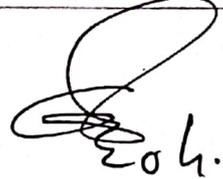
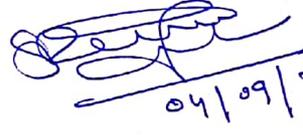
R = A factor in Rupees (taken as '250' )

S = Factor for scale of operation ('0.5' considering scale of operation being 'Small')

LF = Location factor ('1.0' considering population of area being < 1 million)

$$\begin{aligned} EC &= PI \times N \times R \times S \times LF \\ &= 50 \times 1500 \times 250 \times 0.5 \times 1.0 \\ &= 93,75,000/- \end{aligned}$$

Net EC Assessed is ₹ Ninety-Three Lac Seventy-Five Thousand for each stone crusher.

|   |  |
|---|--|
| <b>Jainendra Singh,<br/>Deputy Collector, Sonbhadra</b>                       | <br>20.08.2019  |
| <b>Rajendra D. Patil, Scientist D,<br/>Regional Directorate, CPCB Lucknow</b> | <br>04.03.2019 |
| <b>Radhey Shyam, Regional Officer,<br/>UPPCB Sonbhadra</b>                    | <br>04/09/2019 |