

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

OA. No. 209 of 2024/EZ

Vikash Kumar Pathak

..... Petitioner

Verses

The State of Bihar and others

..... Respondents

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Dated: 3/12/2024

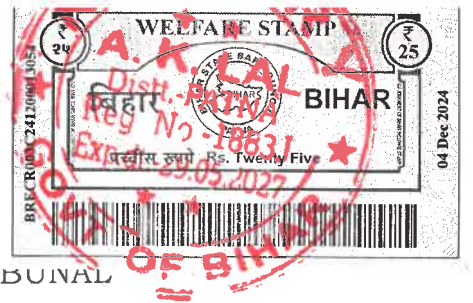
Place: Patna

Anamika Pandey
Adv
F/745/2009

Filed by

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

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Vikash Kumar Pathak Petitioner

Verses

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..... Respondents

Affidavit on Behalf of the Respondent No. 04

State Environment Impact Assessment Authority (SEIAA) BIHAR

I, Abhay Kumar, Son of Late Sheodayal Sharma, aged about 50 years, by occupation service, resident of Jalalpur City, Ramjaipal Road, Patna, Bihar, do hereby solemnly affirm and state as follows:-

1. That I am at present posted as Member Secretary of the State Environment Impact Assessment Authority, Bihar.
2. That I am well acquainted with the facts and circumstances of the case.
3. That I have gone through the contents of the application and have Fully understood the same.
4. That, the applicant, in the application, has impleaded the State Environment Impact Assessment Authority (SEIAA for short) as Respondent No. 1, as also the applicant has impleaded other Respondents representing the State Government and Bihar State Pollution Control Board.

Sl. No. 591/D Date 2.12.20

who is identified by Advocate, A. Singh, solemnly affirmed as J declared contents of this affidavit apart from this nothing stamp/contents etc. v/s 3 & Sub rule 3 & rule of No. 986 before me

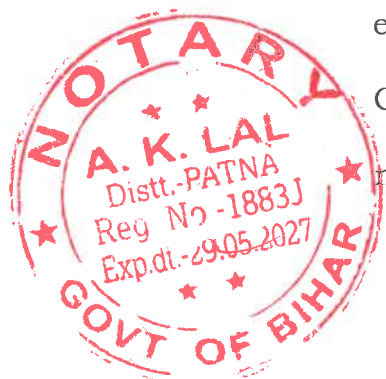
*A. K. LAL
Notary Court*



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5. That it is stated that SEIAA is an instrumentality of the Central Government being created under the Environment Impact Assessment Notification 2006 (as amended from time to time) (hereinafter referred to as 'the EIA notification' for brevity) issued by the Central Government represented through the Ministry of Environment, Forest and Climate Change, Government of India, New Delhi. The said statutory notification was issued under the provisions of the Environment (Protection) Act, 1986.
6. That it is stated that role of the SEIAA is to consider and grant Environmental Clearances as per the Schedule mentioned in the EIA Notification as amended from time to time.
7. That, based on the materials available in the connected file in the Secretariat of SEIAA pertaining to the project in question, following facts emerge: -
- a. No Environmental clearance has been granted for any sand ghat in the district of muzaffarpur, Bihar.
8. It is most respectfully submitted that, the Ministry has formulated the new guidelines i.e. "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM-2020) supplemental to the existing guidelines i.e. Sustainable Sand Management Guidelines 2016 (SSMG-2016), which focus on the effective monitoring of the sand mining since from the identification of

Abhay Kumar



sand mineral sources to its dispatch and end-use by consumers and the general public. Further, this document will serve as a guideline for collection of critical information for enforcement of the regulatory provision(s) and also highlights the essential infrastructural requirements necessary for effective monitoring to ensure Sustainable Sand Mining. Further, EMGSM-2020 & SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provisions of both these document arises, the provision of EMGSM-2020 will prevail.

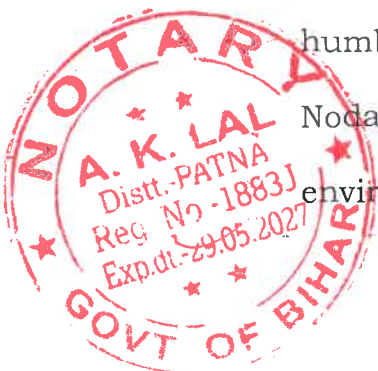
9. Further, sand mining is regulated in terms of the Mines and Minerals (Development and Regulation Act), 1957 [MMDR Act] and the Mineral Concession Rule framed by the concerned State Governments. The State Government is empowered to formulate the rules for preventing illegal mining, transportation and storage of minerals (including sand) by exercising the powers conferred by section 23(C) of the Mines and Minerals (Development and Regulation) Act, 1957.

10. As per the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act 1986. It is

humbly submitted that, the State Pollution Control Board is the

Nodal Authority to deal with cases related to pollution or environment management.

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11. The answering respondent states that the State of Bihar is the apococate answering authority with regard to the allegation of illegal sand mining and the action to prevent the same in future.
12. That, in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s).
13. The answering respondent seeks leave of this tribunal to file a separate affidavit dealing with any other allegation, if so necessary.
14. That the statements made in Paragraphs 1 to 6 and 7 to 12 are true to my personal knowledge, whereas those made in Paragraphs 8 are based on the records and rest are my humble submission.

Abhay Kumar
(Deponent)

Prepared in my Office &
Identified by me


Advocate

Anomita Pandey
Adv
F/748/2009



VERIFICATION

Verified at Patna by the Deponent named on this the 03TH day of December, 2024 and I do hereby verify that all the facts mentioned in the affidavit are true to my Knowledge and no part thereof is false and nothing material has been concealed there from.





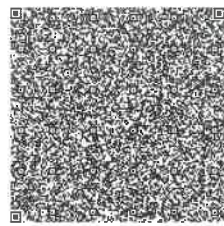



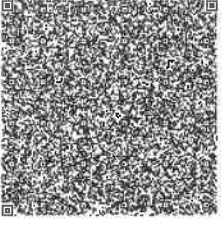
Abhay Kumar
DEPONENT

Dated: 03/12/24

Place: Patna

Anomita Pandey
Adv
F/748/2009



 	 
<p>भारत सरकार Government of India</p>	<p>सूचना / INFORMATION</p>
<p>भारतीय विशिष्ट पहचान प्राधिकरण Unique Identification Authority of India</p>	<p>आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। जन्मतिथि आधार नंबर धारक द्वारा प्रस्तुत सूचना और विनियमों में विनिर्दिष्ट जन्मतिथि के प्रमाण के दस्तावेज पर आधारित है।</p>
<p>नामांकन क्रम/ Enrolment No.: 0013/66005/02993</p>	<p>इस आधार पत्र को यूआईडीएआई द्वारा नियुक्त प्रमाणीकरण एजेंसी के जरिए ऑनलाइन प्रमाणीकरण के द्वारा सत्यापित किया जाना चाहिए या ऐप स्टोर में उपलब्ध एमआधार या आधार क्यूआर कोड स्कैनर ऐप से क्यूआर कोड को स्कैन करके या www.uidai.gov.in पर उपलब्ध सुरक्षित क्यूआर कोड रीडर का उपयोग करके सत्यापित किया जाना चाहिए।</p>
<p>To अभय कुमार Abhay Kumar S/O: Sheo Dayal Sharma, 401,Ganga-4, Jalalpur City, Ramjaipal Road, Beily Road Patna, VTC: Dinapur-Cum-Khagaul, PO: Danapur Cantt, Sub District: Danapur, District: Patna, State: Bihar, PIN Code: 801503, Mobile: 7033039319</p> 	<p>आधार विशिष्ट और सुरक्षित है।</p> <p>पहचान और पते के समर्थन में दस्तावेजों को आधार के लिए नामांकन की तारीख से प्रत्येक 10 वर्ष में कम से कम एक बार आधार में अपडेट कराना चाहिए।</p> <p>आधार विभिन्न सरकारी और गैर-सरकारी फायदों/सेवाओं का लाभ लेने में सहायता करता है।</p> <p>आधार में अपना मोबाइल नंबर और ईमेल आईडी अपडेट रखें।</p> <p>आधार सेवाओं का लाभ लेने के लिए एमआधार ऐप डाउनलोड करें।</p> <p>आधार/बायोमेट्रिक्स का उपयोग न करने के समय सुरक्षा सुनिश्चित करने के लिए आधार/बायोमेट्रिक्स लॉक/अनलॉक सुविधा का उपयोग करें।</p> <p>आधार की मांग करने वाले सहमति लेने के लिए बाध्य हैं।</p> <p>Aadhaar is proof of identity, not of citizenship or date of birth (DOB). DOB is based on information supported by proof of DOB document specified in regulations, submitted by Aadhaar number holder.</p> <p>This Aadhaar letter should be verified through either online authentication by UIDAI-appointed authentication agency or QR code scanning using mAadhaar or Aadhaar QR Scanner app available in app stores or using secure QR code reader app available on www.uidai.gov.in.</p> <p>Aadhaar is unique and secure.</p> <p>Documents to support identity and address should be updated in Aadhaar after every 10 years from date of enrolment for Aadhaar.</p> <p>Aadhaar helps you avail of various Government and Non-Government benefits/services.</p> <p>Keep your mobile number and email id updated in Aadhaar.</p> <p>Download mAadhaar app to avail of Aadhaar services.</p> <p>Use the feature of Lock/Unlock Aadhaar/biometrics to ensure security when not using Aadhaar/biometrics.</p> <p>Entities seeking Aadhaar are obligated to seek consent.</p>
<p>आपका आधार क्रमांक / Your Aadhaar No. : 3006 3965 3108 VID : 9131 5703 9008 4400</p> <p>मेरा आधार, मेरी पहचान</p>	<p>आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/ऑनलाइन एक्सएमएल की स्कैनिंग) के साथ किया जाना चाहिए।</p> <p>Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML).</p>
<p>भारत सरकार Government of India</p>  <p>Aadhaar no. issued: 21/02/2015</p>  <p>अभय कुमार Abhay Kumar जन्म तिथि/DOB: 17/03/1974 पुरुष/ MALE</p> <p>3006 3965 3108 VID : 9131 5703 9008 4400</p> <p>मेरा आधार, मेरी पहचान</p>	<p>भारतीय विशिष्ट पहचान प्राधिकरण Unique Identification Authority of India</p>  <p>पता: आत्मज: शिव दयाल शर्मा, 401, गंगा-4, जलालपुर नगर, रामजीपाल मार्ग, बेली रोड पटना, दीनापुर कम खगोल, वानापुर कन्तत, पटना, बिहार - 801503</p> <p>Address: S/O: Sheo Dayal Sharma, 401,Ganga-4, Jalalpur City, Ramjaipal Road, Bely Road Patna, Dinapur-Cum-Khagaul, PO: Danapur Cantt, DIST: Patna, Bihar - 801503</p>  <p>3006 3965 3108 VID : 9131 5703 9008 4400</p> <p>1947 help@uidai.gov.in www.uidai.gov.in</p>

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