

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O.A. NO. 205 OF 2024/EZ

IN THE MATTER OF

Ranjan SinghApplicant(s)

Versus

State of BiharRespondent(s)

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BEFORE THE NATIONAL GREEN TRIBUNAL
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O.A. NO. 205 OF 2024/EZ

IN THE MATTER OF

Ranjan SinghApplicant(s)

Versus

State of BiharRespondent(s).

COMPLIANCE REPORT ON BEHALF OF THE COMMITTEE
CONSTITUTED BY THE HON'BLE TRIBUNAL VIDE ITS ORDER
DATED 05.09.2024.

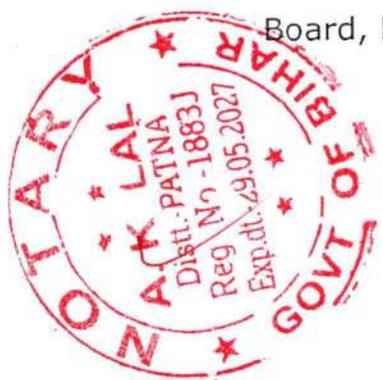
I, Abhimanyu Singh, aged about 32 years, Son of R.K. Singh, resident of Sardar Patel Colony, P.S.- Digha, P.O.- Sadaquat Ashram, Patna- 800010, do hereby solemnly affirm and state as follows:

1. That I am presently posted as Law Officer in Bihar State Pollution Control Board, Patna. I am authorized to file the present compliance report on behalf of the committee. I am aware of the facts of the present case on the basis of the official records maintained at Bihar State Pollution Control Board, Patna, and inspection report, that I believe to be true.

Sl. No. 761 Date 10/2/25

Abhimanyu Singh
who is identified by Advocate. ...
solemnly affirmed. ...
this affidavit apart from this ...
stamp/Cour. fees etc. ...
by ... of N.P. ...

A. K. LAL
Adv. Court Reg.



2. That the instant matter has been registered suo moto based on a letter petition wherein it has been alleged at Narsiganj for carrying the mined sand a passage has been constructed illegally at a place where is temple and people come to worship and passage of mineral loaded truck create threat to the life and security of the worshipers visiting the temple.
3. That in light of the above letter petition the Hon'ble National Green Tribunal, Principal Bench, constituted a joint committee comprising of District Magistrate, Rohtas and Bihar State Pollution Control Board and directed the committee to look into the matter and take action against the proponent if any violation of environmental law is observed.
4. That in light of the above order the committee visited the site on 16.12.2024 and inspected all the routes of the contractor M/s Ganpati Fuel, Balughat No.- Rohtas Sone Block-04 located at Amiawar under Nasriganj Police Station of Rohtas District. During the investigation, it was found that the sand ghat was currently non-operational. The sand ghat was operated from 13.01.2024 to 14.07.2024, but due to the settlement holder (M/S Ganpati Fuel) not paying the third installment of the first year, the operation of the said Balughat has been stopped



from 15.07.2024. At present, mining work is not being done from the sand ghat and the access road to the mining area was found blocked. There is a total of 04 access roads for sand transportation from the sand ghat and all open towards the NH-120. Shri Hanuman ji's temple was found near a road of the said sand ghat, there is a kutchra road at a distance of about 10 feet on the right side of the temple. The applicant has filed the instant O.A. to stop the movement of vehicles loaded with sand from the said road. At present, the said kutchra road is not being used for the transportation of vehicles loaded with sand. For the movement of vehicles loaded with sand, another alternate road has been constructed at a distance of about 40-50 feet from the temple by the settlement holder of sand ghat. The complainant has mentioned a water source (pan) on the route, but during the joint inspection, no water source/water flow was found on the said route. The District Mining Officer, Rohtas, Sasaram, vide letter no. 2549/M, Sasaram, dated 14.12.2023, sought a report from the Circle Officer, Nasriganj regarding the water source (pan) on the said road, in light of which the Circle Officer, Nasriganj, vide letter no. 1467, dated 19.12.2023, reported that "Parallel to the main road whose Khesra no. is



2294, there is land of District Council which is 'Khanta' in nature and has Khesra no. 2295, in which Karha was built earlier and the surrounding agricultural land is irrigated through the said Karha/Pan, which is currently in the form of Karha/Pan. According to the Khatian, there is no water source. According to the Khatian, 'Khanta' means the land from which potters used to dig soil. Construction of a road on Raiyat land by obtaining the consent of the Raiyat can be done and the road can be constructed on the land at Khesra 2295.

As per the rules, a secondary loading point has been constructed by the settlement holder next to the road to the said sand ghat within 300 meters from the sand ghat for the monsoon period, on which a total of 187747.81 MT of sand has been stored as per the drone survey report. Integrated weigh bridge and CCTV Camera was found installed on the road to the said sand ghat.

In compliance with the order of the Hon'ble NGT, during the inspection of the said sand ghat, another route was found for the movement of vehicles carrying sand as an alternative to the road next to the temple. Also, no water source/water flow was found in the relevant route. At present, the said sand ghat was not found to be operational. Therefore, no action appears



to be required to be taken against the said sand ghat at present. If any kind of environmental damage is found after the sand ghat is operational, action can be taken as per rules.

A copy of the inspection report is annexed and marked as Annexure-1.

5. That from the findings of the inspection report it appears that the settlement holder has arranged for an alternative route for movement of trucks carrying sand and the grievance of the complainant that the trucks carrying sand crosses from a road near to a temple has been addressed by the settlement holder by making an alternative route.

6. That I have read the contents of the affidavit and have understood the same and nothing material has been concealed therefrom.

AK
Identify the Deponent signature/Lik who has signed in my presence

A. Khinay Singh
DEPONENT

VERIFICATION

Verified at Patna on 10th day of February, 2025, that the averments made in the present affidavit are true and correct to the best of my knowledge and information derived from



records of the matter and Annexures are true copy of the original, no part of it is false and nothing material has been concealed therefrom.

Abhinav Singh
DEPONENT



संयुक्त जाँच प्रतिवेदन।

माननीय राष्ट्रीय हरित अधिकरण, प्रधान बेंच, दिल्ली में दायर O.A No.-931/2024, Ranjan Singh vs State of Bihar के मामले में दिनांक-05.09.2024 को पारित आदेश एवं सदस्य-सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्वद, पटना के पत्रांक-P/Legal 01-167/2024-2276 दिनांक-01.10.2024 के आलोक में जिला स्तर पर वर्णित मामले की जाँच हेतु अनुमण्डल पदाधिकारी, बिक्रमगंज की अध्यक्षता में गठित जाँच दल द्वारा दिनांक-16.12.2024 को रोहतास जिले के नासरीगंज थानान्तर्गत अभियावर स्थित बालूघाट संख्या-रोहतास सोन ब्लॉक-04, संवेदक-मेसर्स गणपति फूल के सभी रास्तों की जाँच की गयी। जाँच के क्रम में पाया गया कि बालूघाट संख्या-रोहतास सोन ब्लॉक-04 वर्तमान में असंचालित है। उक्त बालूघाट का संचालन दिनांक-13.01.2024 से दिनांक-14.07.2024 तक किया गया। परन्तु बंदोबस्तधारी द्वारा प्रथम वर्ष के तृतीय किस्त का भुगतान नहीं करने के कारण उक्त बालूघाट का संचालन दिनांक-15.07.2024 से बंद कर दिया गया है। वर्तमान में उक्त बालूघाट से खनन कार्य नहीं किया जा रहा है एवं खनन क्षेत्र में जाने का पहुंच पथ अवरुद्ध पाया गया। प्रासंगिक बालूघाट से बालू परिवहन हेतु कुल-04 पहुंच पथ है, जो बालूघाट से NH-120 की ओर जाता है। उक्त बालूघाट के एक रास्ते के समीप हनुमान जी का मंदिर पाया गया, जिसका मुख्य द्वार NH-120 की ओर खुलता है। मंदिर के दायी ओर लगभग 10 फीट की दूरी पर एक कच्चा रास्ता है, जिससे बालू लदे वाहनों का परिचालन बंद कराने हेतु शिकायतकर्ता द्वारा आवेदन दिया गया था। वर्तमान में उक्त कच्चे रास्ते का प्रयोग बालू लदे वाहनों के परिचालन हेतु नहीं किया जा रहा है। बालू लदे वाहनों के परिचालन हेतु बालूघाट संख्या-रोहतास सोन ब्लॉक-04 के बंदोबस्तधारी द्वारा मंदिर से लगभग 40-50 फीट की दूरी पर एक अन्य वैकल्पिक रास्ता बनाया गया है। साथ ही शिकायतकर्ता द्वारा रास्ते में जल स्रोत (पैन) का उल्लेख किया गया है, परन्तु संयुक्त निरीक्षण के क्रम में उक्त रास्ते में कोई भी जल स्रोत/जल प्रवाह नहीं पाया गया। जिला खनन कार्यालय, रोहतास, सासाराम के पत्रांक-2549/एम0, सासाराम, दिनांक-14.12.2023 द्वारा अंचलाधिकारी, नासरीगंज से उक्त रास्ते में जल स्रोत (पैन) के संबंध में प्रतिवेदन की मांग की गयी, जिसके आलोक में अंचलाधिकारी, नासरीगंज द्वारा पत्रांक-1467, दिनांक-19.12.2023 द्वारा प्रतिवेदित किया गया है कि "मुख्य सड़क जिसका खेसरा 2294 है, के समानांतर खेसरा 2295 जिला परिषद किस्म-खन्ता की जमीन है, जिसमें पूर्व से करहा बना हुआ है तथा करहा/पैन के माध्यम से आस पास के कृषि योग्य भूमि का पटवन किया जाता है, जो वर्तमान में करहा/पैन के रूप में है। खतियान के अनुसार उक्त कोई खेसरा जल स्रोत नहीं है। खतियान के अनुसार खन्ता का अर्थ वैसी भूमि है जिससे कुम्हार मिट्टी खोदने का कार्य करते थे। रैयती भूमि पर रैयत का सहमति प्राप्त कर रास्ते का निर्माण कराया जा सकता है तथा खेसरा 2295 जिला परिषद किस्म खन्ता की जमीन पर जिला परिषद से अनापति प्राप्त कर रास्ते का निर्माण कराया जा सकता है" (छायाप्रति संलग्न)।

उक्त बालूघाट के रास्ते के बगल में बंदोबस्तधारी द्वारा मानसून अवधि हेतु विभागीय नियमावली के अनुसार बालूघाट से 300 मीटर के अन्दर सेकेन्ड्री लोडिंग प्वाइंट की व्यवस्था की गयी है, जिस पर ड्रोन सर्वे रिपोर्ट के अनुसार कुल-187747.81 MT बालू का भण्डारण किया गया है। उक्त बालूघाट के रास्ते में विभाग से एकीकृत धर्मकाँटा एवं CCTV Camera अधिष्ठापित पाया गया।

उक्त बालूघाट के संदर्भ में माननीय NGT के आदेश के अनुपालन में निरीक्षण के क्रम में मंदिर के बगल के रास्ते के विकल्प के रूप में बालू लदे वाहनों के परिचालन हेतु एक अन्य रास्ता पाया गया। साथ ही प्रासंगिक रास्ते में कोई भी जल स्रोत/जल प्रवाह नहीं पाया गया। वर्तमान में उक्त बालूघाट संचालित नहीं पाया गया।

अतः उक्त बालूघाट के विरुद्ध वर्तमान में कोई कार्रवाई अपेक्षित प्रतीत नहीं होता है। बालूघाट चालू होने के उपरान्त किसी भी प्रकार की पर्यावरणीय क्षति पाये जाने पर नियमानुसार कार्रवाई की जा सकती है।

अनुलग्नक:-जाँच के दौरान लिये गये फोटोग्राफ संलग्न।

16-12-24
सहायक निदेशक,
खान एवं भूतत्व
रोहतास, सासाराम।
(समन्वयक)



16-12-24
क्षेत्रीय पदाधिकारी,
बिहार राज्य प्रदूषण नियंत्रण पर्वद,
पटना।
(सदस्य)

16/12
अनुमण्डल पदाधिकारी,
बिक्रमगंज, रोहतास।
(अध्यक्ष)

Translated Copy of Inspection Report

In the light of the order passed on 05.09.2024 in the case of O.A. No. 931 of 2024, Ranjan Singh Vs State of Bihar by the Hon'ble National Green Tribunal, Principal Bench, New Delhi, and letter no. 2276 dated 01.10.2024 of the Member Secretary, Bihar State Pollution Control Board, Patna, to investigate the matter mentioned at the district level, the investigation team constituted under the chairmanship of Sub-Divisional Officer, Vikramganj, on 16.12.2024 inspected all the routes of the contractor M/s Ganpati Payul, Balughat No.-Rohtas Son Block-04 located at Amiawar under Nasriganj Police Station of Rohtas District. During the investigation, it was found that Balughat No.-Rohtas Son Block-04 is currently non-operational. His sand ghat was operated from 13.01.2024 to 14.07.2024. But due to the settlement holder not paying the third installment of the first year, the operation of Uka Balughat has been stopped from 15.07.2024. At present, mining work is not being done from the said sand ghat and the access road to the mining area was found blocked. There are a total of 04 access roads for sand transportation from the relevant sand ghat. Which goes from the sand ghat towards NH-120. Hanuman ji's temple was found near a road of the said sand ghat, whose main gate opens towards NH-120. There is a kutchra road at a distance of about 10 feet on the right side of the temple. An application was given by the complainant to stop the operation of vehicles loaded with sand. At present, the said kutchra road is not being used for the operation of vehicles loaded with sand. For the operation of vehicles loaded with sand, another alternative road has been constructed at a distance of about 40-50 feet from the temple by the settlement holder of sand ghat number-Rohtas Son Block-04. Also, the complainant has mentioned a water source (pan) on the route, but during the joint inspection, no water source/water flow was found on the said route. District Mining Office, Rohtas, Sasaram, vide letter no. 2549/M, Sasaram, dated 14.12.2023, sought a report

from the Circle Officer, Nasriganj regarding the water source (pan) on the said road, in light of which the Circle Officer, Nasriganj, vide letter no. 1467, dated 19.12.2023, reported that "Parallel to the main road whose Khasra is 2294, there is land of District Council type Khanta in Khasra 2295, in which Karha has already been built and the surrounding agricultural land is irrigated through Karha/Pan, which is currently in the form of Karha/Pan. According to the Khatian, there is no said Khasra water source. According to the Khatian, Khanta means the land from which potters used to dig soil. Construction of a road on Raiyat land by obtaining the consent of the Raiyat This can be done and the road can be constructed on the land of Khasra 2295 Zila Parishad type Khanta after obtaining no objection certificate from the Zila Parishad" (photocopy attached).

As per the departmental rules, a secondary loading point has been arranged by the settlement holder next to the road to the said sand ghat within 300 meters from the sand ghat for the monsoon period, on which a total of 187747.81 MT of sand has been stored as per the drone survey report. Integrated Dharmkota and CCTV Camera from the department were found installed on the road to the said sand ghat.

In compliance with the order of the Hon'ble NGT, during the inspection of the said sand ghat, another route was found for the movement of vehicles carrying sand as an alternative to the road next to the temple. Also, no water source/water flow was found in the relevant route. At present, the said sand ghat was not found to be operational.

Therefore, no action appears to be required against the said sand ghat at present. If any kind of environmental damage is found after the sand ghat is operational, action can be taken as per rules.

Annexure: Photographs taken during investigation are enclosed.

बालू घाट का नाम - अमियावर रोहतास सीन - 04
 मेसर्स - गणपति फ्यूल
 निदेशक - प्रेम चंद सिंह
 मौजा - अमियावर, रकबा 99.80 हेक्टेयर विक्रय मूल्य - 300M
बालू घाट ब्लॉक सं. 04 रोहतास, बिहार
 बालू घाट प्रबंधक का नाम - कुन्दन कुमार
 बालू घाट की वेधता 01-11-2023 से 31-10-2028
 मो. नं. 7041285451



December 16, 2024

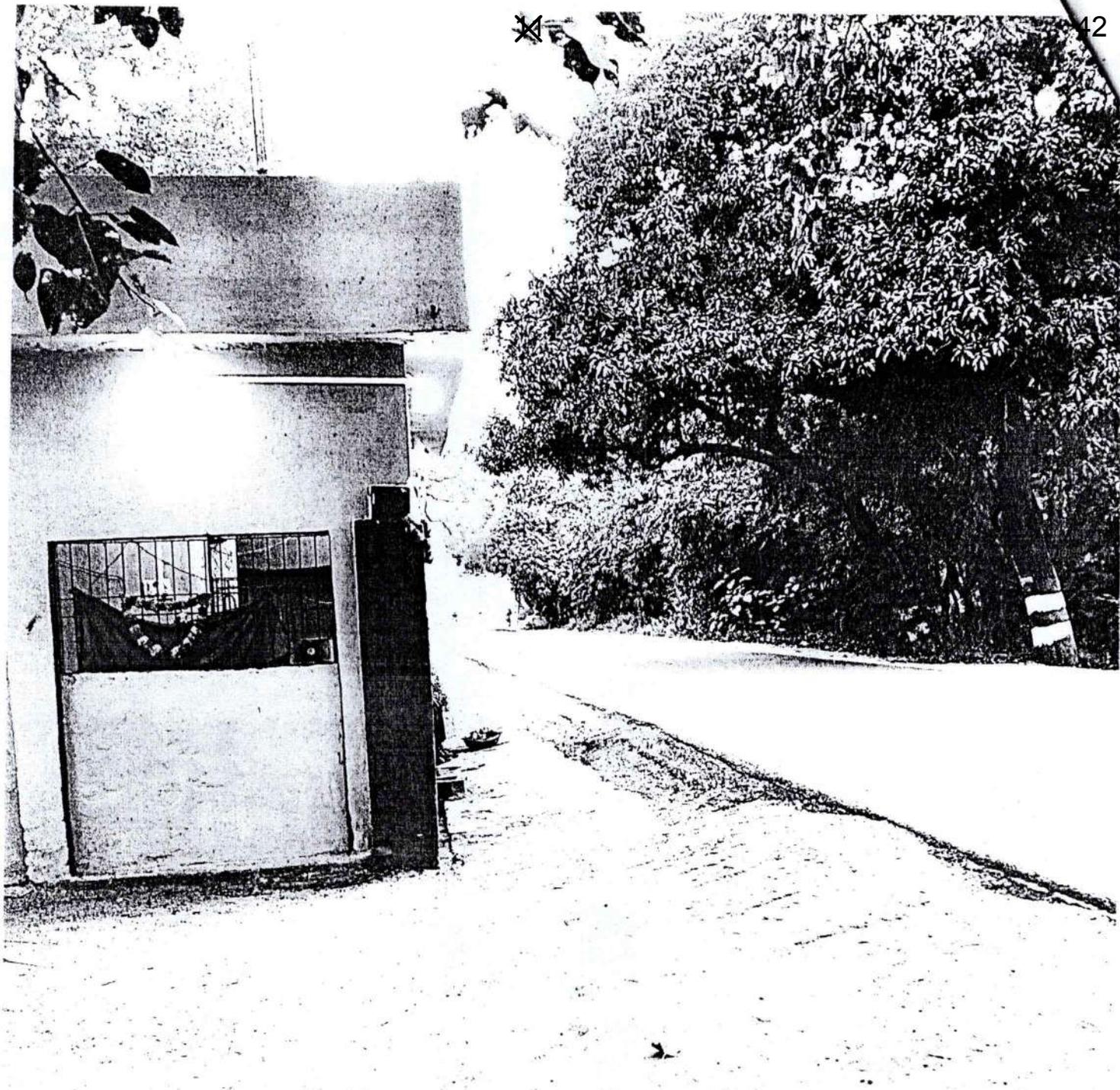
25.04236418N-84.31552267E

State Highway 15

Rohatas

Patna Division

Bihar



NOTARY
 A. K. LAL
 Distt. - PATNA
 Reg. No - 1883J
 Exp. dt. - 29.05.2027
 GOVT OF BIHAR

December 16, 2024
 25.04225685N 84.31546317E
 State Highway 15
 Rohtas
 Patna Division
 Bihar

72



A. K. LAL
 Distt. - PATNA
 Reg. No - 1883J
 Exp. dt. - 29.05.2027
 BIHAR

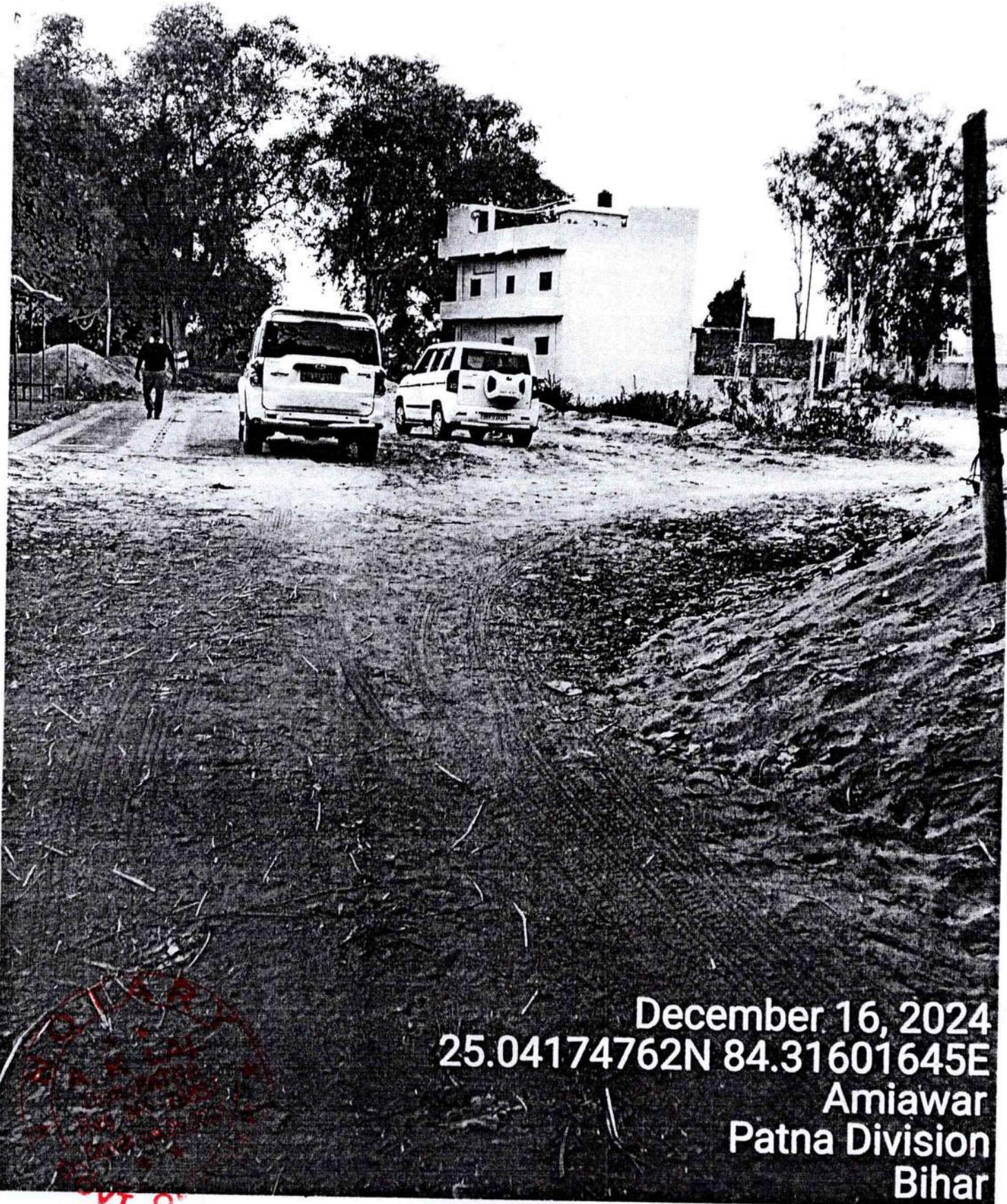
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 State Highway 15
 Rontas
 Patna Division
 Bihar



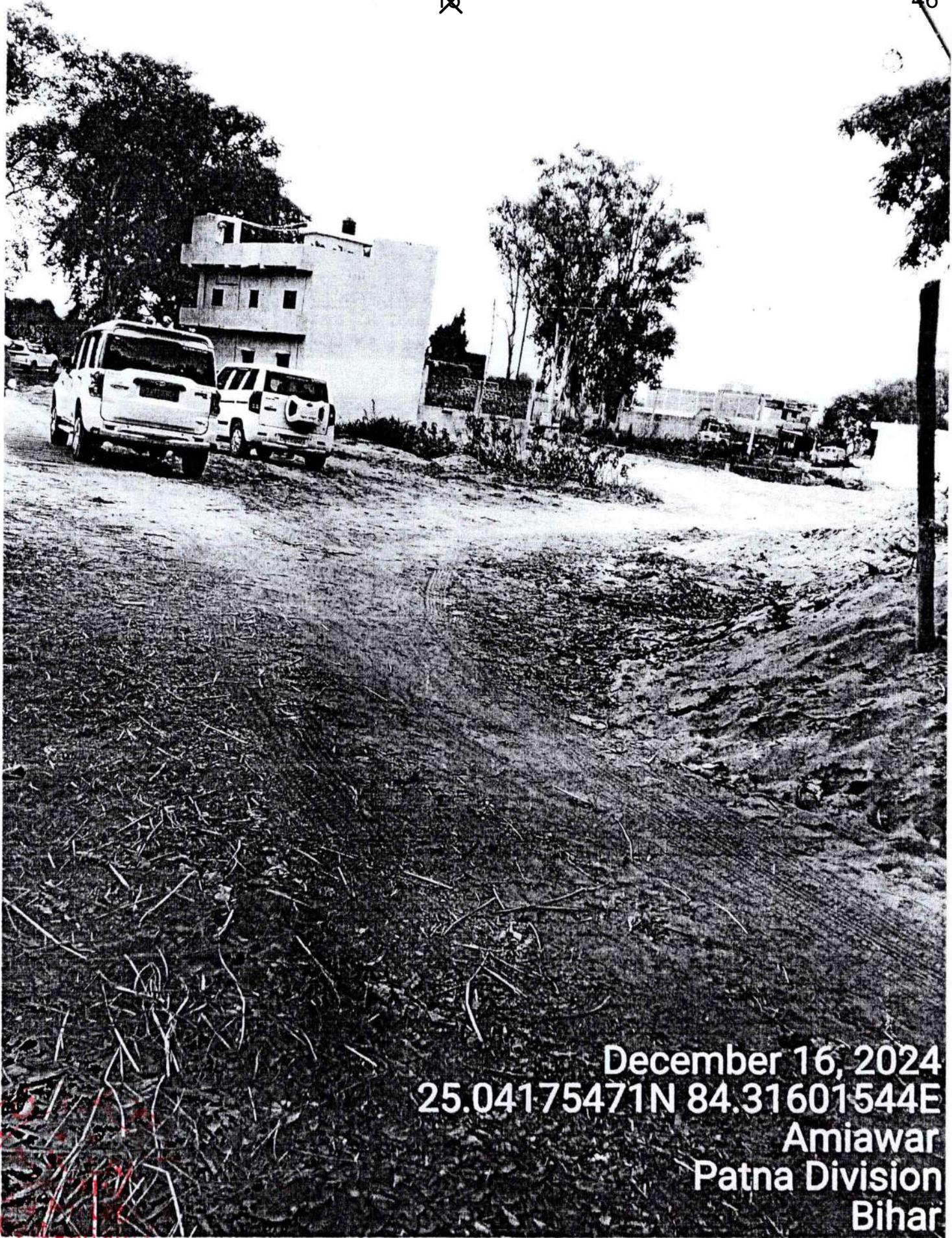
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 Patna Division
 Bihar

NOTARY
 A. K. LAL
 Dist. Patna
 Reg. No. 19831
 Exp. dt. - 29.05.2027
 GOVT. OF BIHAR

(21)



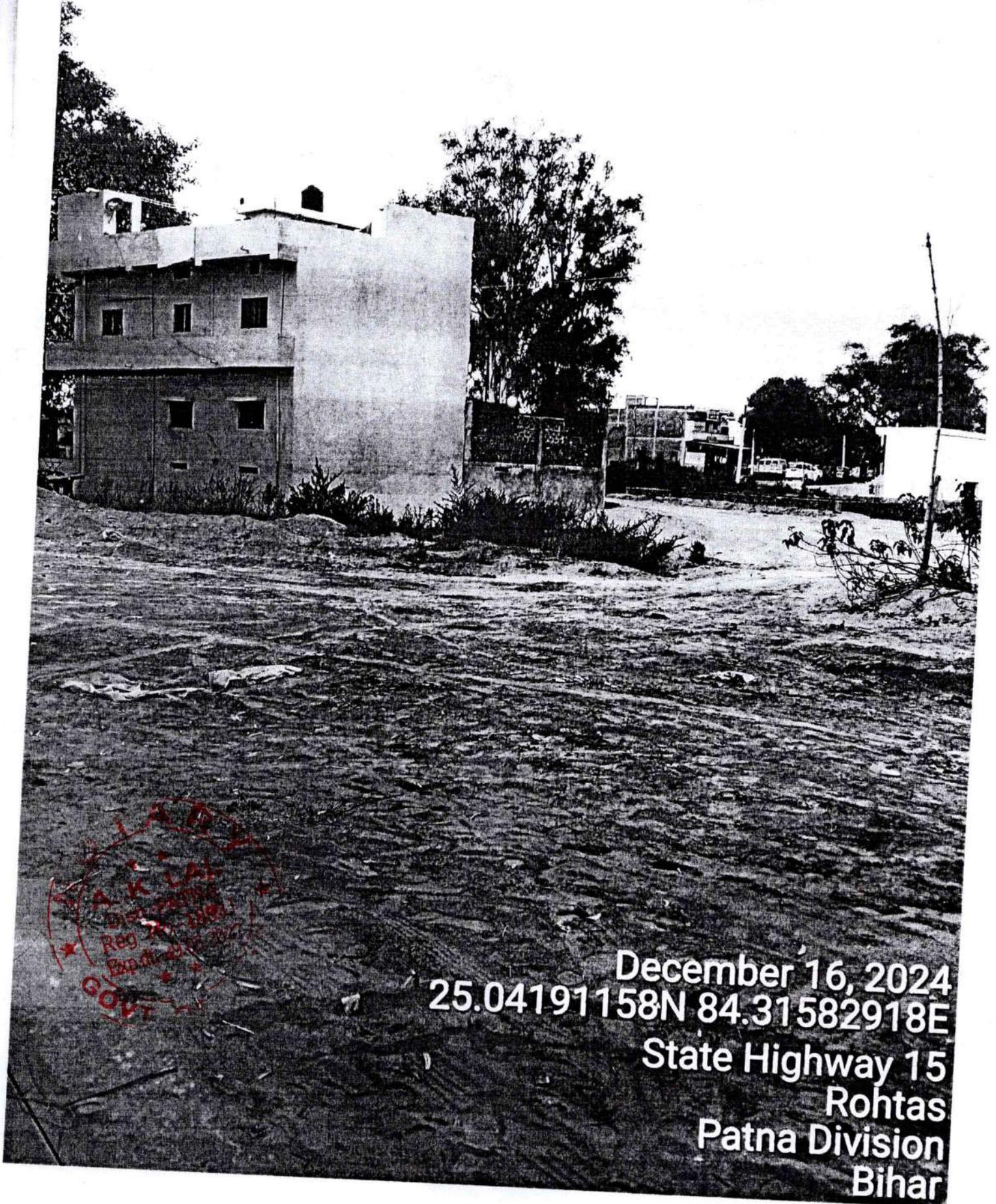
December 16, 2024
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Amiawar
Patna Division
Bihar



December 16, 2024
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Amiawar
Patna Division
Bihar



25



A. K. LAI
 District Engineer
 Reg. No. 1489
 Exp. dt. 20/12/2022
 GOVT.

December 16, 2024
 25.04191158N 84.31582918E
 State Highway 15
 Rohtas
 Patna Division
 Bihar



NOTARY
A. K. LAL
 Dist. PATNA
 Reg. No. 10931
 Exp. dt. 29.05.2027
GOVT. OF BIHAR

December 16, 2024
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 Nasriganj
 Patna Division
 Bihar



NOTARY
 A. K. LAL
 Distt. PATNA
 Reg. No - 1883J
 Exp. dt. - 29.05.2027
 GOVT. OF BIHAR

December 16, 2024
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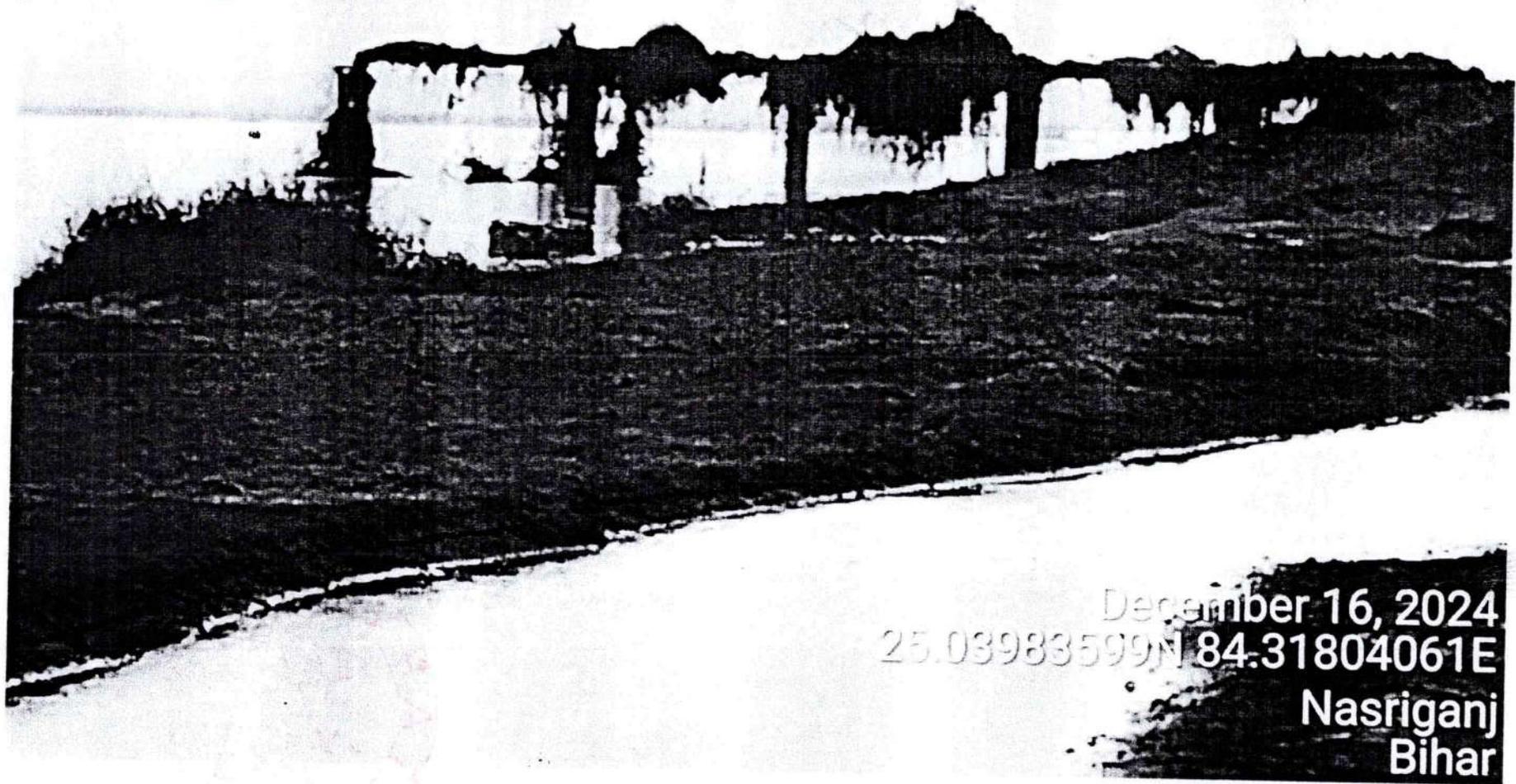
Nasriganj
 Patna Division
 Bihar



December 16, 2024
 25.03984501N 84.3180336E
 Nasriganj
 Bihar

20

GOVT. OF BIHAR
 A. K. LAI
 Distt. - PATINA
 Reg. No. - 1883J
 Exp. dt. - 29.05.2027



December 16, 2024
 25.03983599N 84.31804061E
 Nasriganj
 Bihar

M. 3
 13



NOTARY
★ **A. K. LAL** ★
Distt. PATNA
Reg. No. - 18833
Exp. dt. - 29.05.2027
★ STATE OF BIHAR ★

December 16, 2024
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Nasriganj
Patna Division
Bihar

NOTARY
 A. K. JAIN
 Distt. - PATNA
 Reg. No. - 1883J
 Bapdt. - 29.05.2027
 GOVT. OF BIHAR



December 16, 2024
 25.03994528N 84.31795676E
 Nasriganj
 Patna Division
 Bihar

(15)

बालू घाट का नाम - अमियावर रोहतास सोन - 04
 मेसर्स - गणपति फ्यूल
 निदेशक - प्रेम चंद सिंह
 मौजा - अमियावर, रकबा 99.80 हेक्टेयर विक्रय मूल्य - 300MT
बालू घाट ब्लॉक सं. 04 रोहतास, बिहार
 बालू घाट प्रबंधक का नाम - कुन्दन कुमार
 बालू घाट की केषता 01-11-2023 से 31-10-2028
 मो. नं. 7041285451



December 16, 2024
 25.04236418N 84.31552267E
 State Highway 15
 Rohtas
 Patna Division
 Bihar



December 16, 2024
25.04174762N 84.31601645E
Amiawar
Patna Division
Bihar



December 16, 2024
25.04193682N 84.31577674E

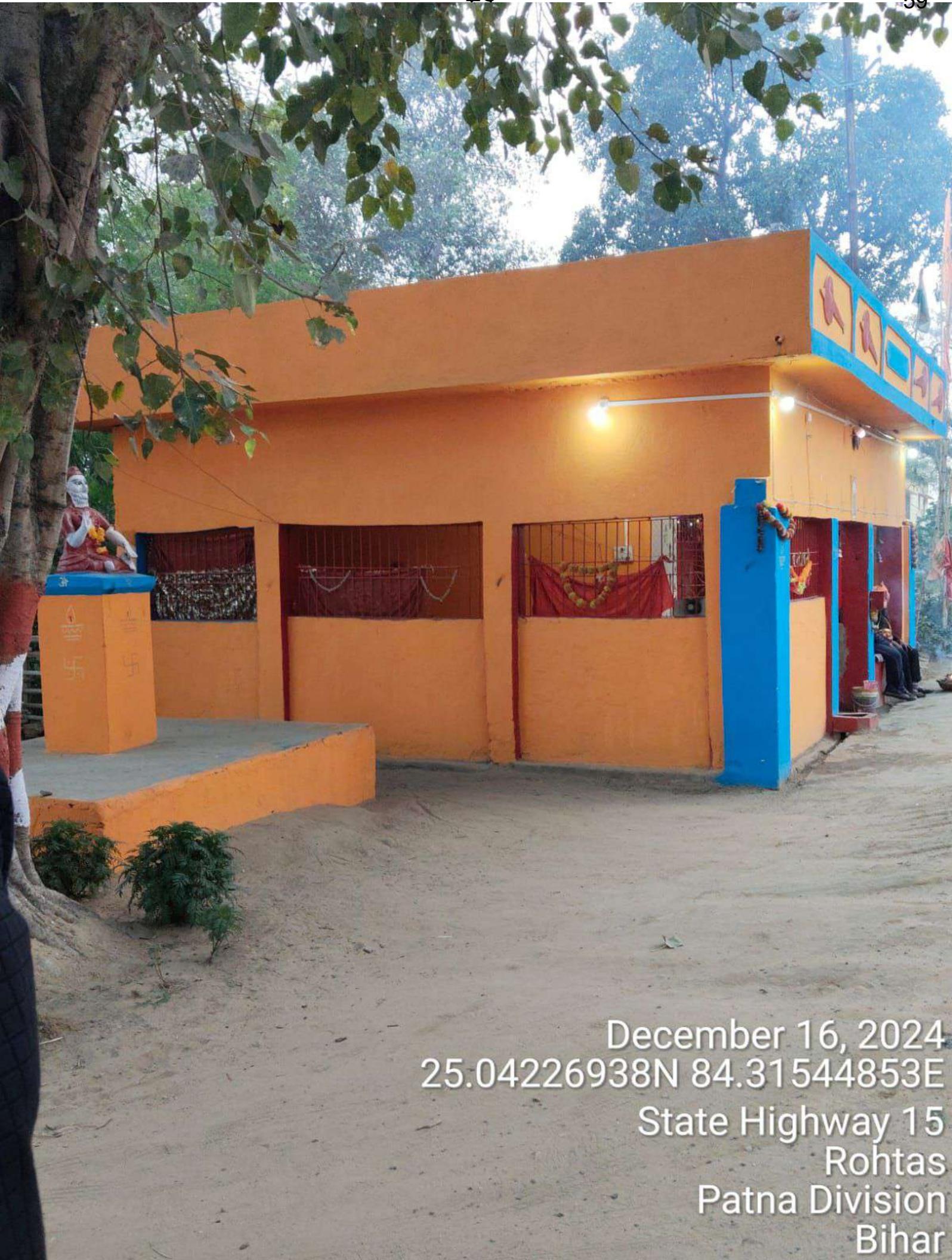
Nasriganj
Patna Division
Bihar



December 16, 2024
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Nasriganj
Bihar

बालू घाट का नाम - अमियावर रोहतास सोन - 04
 मेसर्स - गणपति फयूल
 निदेशक - प्रेमचंद सिंह
 मौज्जा - अमियावर, रकबा 99.80 हेक्टेयर विक्रय मूल्य - 300 MT
बालू घाट दलक संख्या - 04 रोहतास, बिहार
 बालू घाट का प्रेषक का नाम - कन्हूद कुमार
 बालू घाट के वैधता 01-11-2023 से 31-10-2028
 मोबाईल नं. - 70 41285451

December 16, 2024
 25.04229019N 84.31548943E
 State Highway 15
 Rohtas
 Patna Division
 Bihar



December 16, 2024
25.04226938N 84.31544853E
State Highway 15
Rohtas
Patna Division
Bihar



December 16, 2024
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Nasriganj
Patna Division
Bihar



December 16, 2024
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State Highway 15
Rohtas
Patna Division
Bihar



December 16, 2024
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Nasriganj
Patna Division
Bihar



December 16, 2024
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Amiawar
Patna Division
Bihar



December 16, 2024
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Nasriganj
Bihar



December 16, 2024
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State Highway 15
Rohtas
Patna Division
Bihar