

सेवा में,

राष्ट्रीय हरित न्यायाधिकरण (प्रधान बेन्च/ज्यूडीशियल बेंच)
जे-6, 9जे + एफ-7०, फरीद कोट हाउस, कापरनिकस मार्ग,
नियर इण्डिया गेट, नई दिल्ली-110001.

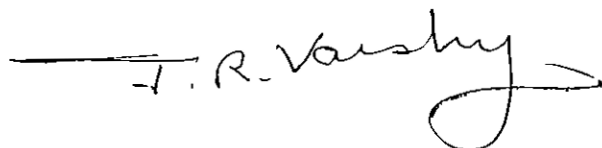
विषय-मूल प्रार्थना पत्र नं०-203/2021 देवी दास खत्री बनाम यूनियन
ऑफ इण्डिया एण्ड अदर्स सुनवायी तिथि एवं आदेश दिनांक
19.01.2021 के अनुपालन वाशिंग यूनिट के क्रम संख्या-33 के
सम्बन्ध में जवाब प्रार्थना पत्र एवं शपथपत्र:-

महोदय,

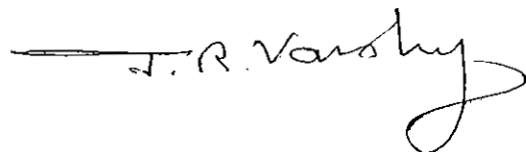
जवाब प्रार्थना पत्र मिनजानिब जितेन्द्र राय वाष्ण्य पुत्र स्व०
फूलचन्द्र वाष्ण्य निवासी 44/2 लाउदर रोड, थाना जार्जटाउन, तहसील
सदर, जनपद प्रयागराज निम्नलिखित है:-

1. यह कि प्रार्थी के नाम से वर्तमान समय में सिलिका सैण्ड को
कोई भी खनन पट्टा नहीं है और न ही सिलिका सैण्ड से
सम्बन्धित कोई खनन कार्य नहीं करता है।
2. यह कि प्रार्थी के पास ग्लास एण्ड फाउण्ड्री सैण्ड्स सिलिका
सैण्ड वाशिंग प्लाण्ट है, जो तहसील बारा के अन्तर्गत ग्राम
बड़गड़ी जनपद प्रयागराज में स्थित एवं संचालित है, जो
30प्र०प्रदूषण नियंत्रण बोर्ड, झूँसी, प्रयागराज से वाशिंग प्लाण्ट
चलाने की अनुमति प्राप्त है।

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3. यह कि प्रार्थी सिलिका सैण्ड का व्यवसाय करता है, जिसके लिए प्रार्थी निदेशक भूतत्व एवं खनिकर्म निदेशालय, 30प्र0 खनिज भवन, लखनऊ से भण्डारण प्राप्त किया है। भण्डारण संख्या-एनओसी/एसटी/2021/3/9/52773 दिनांक 16.11.2022 है। प्रार्थी के पक्ष में 7500 मैट्रिक टन सिलिका सैण्ड रखने का भण्डारण लाइसेंस मिला है। कन्सेण्ट अंडर सेक्शन 25/26 ऑफ द वाटर (प्रीवेंशन एण्ड कन्ट्रोल ऑफ पोल्यूशन एक्ट 1974 (ऐज अमेण्डेड) फार डिस्चार्ज ऑफ ईफ्यूसेण्ट टू मे0 ग्लास एण्ड फाउण्ड्री सैण्ड्स दिनांक 13.05.2022 कन्सेण्ट अंडर सेक्शन 21/22 ऑफ द एयर ((प्रीवेंशन एण्ड सेण्ट्रल पोल्यूशन) एक्ट 1981 (ऐज अमेण्डेड) टू मे0 ग्लास एण्ड फाउण्ड्री सैण्ड्स। सी0टी0ओ0की कापी संलग्नक-1 है।
4. यह कि प्रार्थी वैध सिलिका सैण्ड पट्टाधारक से चेक के माध्यम से ई0एम0एम0-11 रवन्ना के माध्यम से रॉ-मैटेरियल खरीदता है। उनसे बिल एवं इनवाइस प्राप्त करता है।
5. यह कि प्रार्थी के वाशिंग प्लाण्ट में एक चरही है, परन्तु प्रार्थी के वाशिंग प्लाण्ट में कोई बोरिंग नहीं है।
6. यह कि प्रार्थी सिलिका सैण्ड वैध पट्टाधारक से रवन्ना के साथ रॉ-मैटेरियल को क्रश करके सिलिका सैण्ड की धुलाई करता है,



इसलिए बोरिंग की आवश्यकता नहीं पड़ती, जिससे ग्राउण्ड वाटर की अनापत्ति की आवश्यकता नहीं पड़ती है।

7. यह कि प्रार्थी की वाशिंग प्लाण्ट में पानी की रि-साइकिल करने हेतु पक्का टैंक बना है, जिसकी क्षमता 10,000 लीटर लगभग है। टैंक में एकत्रित स्लज (मिट्टी) निकालकर गड्ढे में पाट दिया जाता है।
8. यह कि प्रार्थी के वाशिंग प्लाण्ट में पहुँच मार्ग कुछ दूर तक पक्का शेष कच्चा है। प्लाण्ट के अन्दर वाहन आवागमन के लिए समुचित मार्ग निर्धारित है।
9. यह कि प्रार्थी अपने वाशिंग प्लाण्ट की सीमा व अगल बगल प्लाण्टेशन सरकारी नर्सरी या वन विभाग से खरीद करके लगाया है।
10. यह कि प्रार्थी को वाशिंग प्लाण्ट चलाने की अनुमति 30प्र0प्रदूषण नियंत्रण बोर्ड, झूँसी, प्रयागराज द्वारा दिनांक 13.05. 2021 को मिला है। प्रार्थी द्वारा सिलिका सैण्ड वाश की गई निम्न है:-

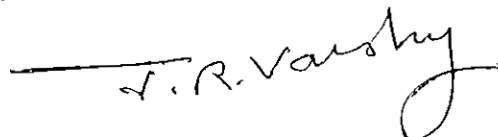
वर्ष	सिलिका सैण्ड की मात्रा(M/T)	मिट्टी की मात्रा 5% (-) (M/T)	नैट धुली सैण्ड (M/T)
2021	4206	210	3996

T.R. Vashy

2022	6402	320	6082
2023	4182	209	3973

इस प्रकार सिलिका सैण्ड का स्टॉक 2500 मीट्रिक टन शेष बचा है।

11. यह कि प्रार्थी माननीय न्यायालय के आदेश के क्रम में वाशिंग प्लांट भारत सरकार के गाइड लाइन के अनुसार ही कार्य कर रहा है। नियमों के विपरीत वाशिंग प्लांट सिलिका सैण्ड का नहीं कर रहा है।
12. यह कि प्रार्थी ग्लास एण्ड फाउण्ड्री सैण्ड्स सिलिका सैण्ड वाशिंग प्लांट सभी विभागों से अनापत्ति प्राप्त करके ही वाशिंग प्लांट चला रहा है।
13. यह कि प्रार्थी भारत सरकार के गाइड लाइन के अनुसार पर्यावरण की कोई क्षति नहीं पहुँचा रहा है और न ही पानी का दोहन कर रहा है। वाशिंग प्लांट चलाने के लिए बरसात में एकत्रित गड्ढा में युक्त पानी से वाशिंग प्लांट सिलिका सैण्ड की धुलाई कर रहा है। गड्ढा में एकत्रित पानी जब सूख जाता है तो प्रार्थी वाशिंग प्लांट बंद कर देता है, इसलिए प्रार्थी पर्यावरण की कोई क्षति नहीं पहुँचा रहा है।
14. यह कि प्रार्थी के फर्म ग्लास एण्ड फाउण्ड्री सैण्ड्स सिलिका सैण्ड ग्राम बड़गड़ी तहसील बारा जनपद प्रयागराज में स्थित एवं

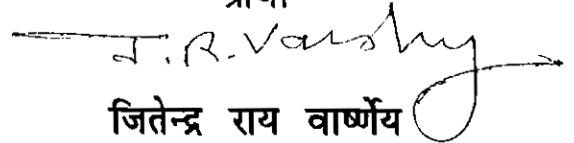


संचालित है, जो नियमों के अंतर्गत सिलिका सैण्ड की धुलाई करता है, जिससे माननीय न्यायालय के आदेश दिनांक 19.01.2024 वाशिंग यूनिट के क्रम संख्या-33 के सम्बन्ध में जवाब प्रार्थना पत्र व शपथ पत्र के माध्यम से संलग्नक के साथ दे रहा है, जिससे माननीय न्यायालय द्वारा प्रार्थी के विरुद्ध किसी भी प्रकार का कोई आदेश पारित न किया जाना न्यायहित में आवश्यक है।

अतः श्रीमान् जी से विनम्र प्रार्थना/अनुरोध है कि माननीय न्यायालय के आदेश दिनांक 19.01.2024 के अनुपालन में प्रार्थी जवाब प्रार्थना पत्र व शपथपत्र के माध्यम से संलग्नक के साथ जरिये मेल/रजिस्टर्ड डाक से भेज रहा है। माननीय न्यायालय द्वारा प्रार्थी के विरुद्ध किसी भी प्रकार का कोई आदेश पारित न करने की कृपा की जाय, अन्यथा प्रार्थी की अपूर्णनीय क्षति होगी।

दिनांक: 14-03-2024

प्रार्थी


जितेन्द्र राय वाष्णेय

पुत्र स्व० फूलचन्द्र वाष्णेय
निवासी 44/2 लाउदर रोड,
थाना जार्जटाउन, तहसील सदर,
जनपद प्रयागराज,

जरिये अधिवक्ता सीनियर एडवोकेट
सुभाष चन्द्र सिंह, इलाहाबाद,
मो०नं०-9415613592

J. R. VARSHNEY
44/2 Lowther Road
George Town
ALAHABAD-201002



Government of Uttar Pradesh

e-Stamp



IN-UP94989851993633W

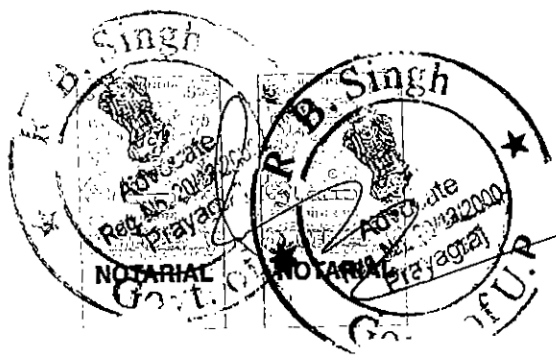
Acc Name-Kamlesh Kumar Sahu

Acc Code-14367504 License No 753

Mobile 9228251000

Tehsil & District Prayagraj

Certificate No. : IN-UP94989851993633W
 Certificate Issued Date : 13-Mar-2024 04:03 PM
 Account Reference : NEWIMPACC (SV)/ up14367504/ PRAYAGRAJ SADAR/ UP-AHD
 Unique Doc. Reference : SUBIN-UPUP1436750486226882162809W
 Purchased by : JITENDRA RAI VARSHNEY
 Description of Document : Article 4 Affidavit
 Property Description : Not Applicable
 Consideration Price (Rs.) :
 First Party : JITENDRA RAI VARSHNEY
 Second Party : Not Applicable
 Stamp Duty Paid By : JITENDRA RAI VARSHNEY
 Stamp Duty Amount(Rs.) : 10
 (Ten only)



J. R. Varshney

IN-UP94989851993633W Acc Name-Kamlesh Kumar Sahu Acc Code-14367504 License No 753 Mobile 9228251000 Tehsil & District Prayagraj

समक्ष,

राष्ट्रीय हरित न्यायाधिकरण (प्रधान बेन्च/ज्यूडीशियल बेंच)
जे-6, 9जे + एफ-7०, फरीद कोट हाउस, कापरनिकस मार्ग,
नियर इण्डिया गेट, नई दिल्ली-110001.

विषय-मूल प्रार्थना पत्र नं०-203/2021 देवी दास खत्री बनाम यूनियन
ऑफ इण्डिया एण्ड अदर्स सुनवायी तिथि एवं आदेश दिनांक
19.01.2021 के अनुपालन वाशिंग यूनिट के क्रम संख्या-33 के
सम्बन्ध में जवाब प्रार्थना पत्र एवं शपथपत्र:-

शपथपत्र मिनजानिब जितेन्द्र राय वार्ष्णेय पुत्र स्व० फूलचन्द्र वार्ष्णेय
निवासी 44/2 लाउदर रोड, थाना जार्जटाउन, तहसील सदर, जनपद

प्रयागराज निम्नलिखित है:-

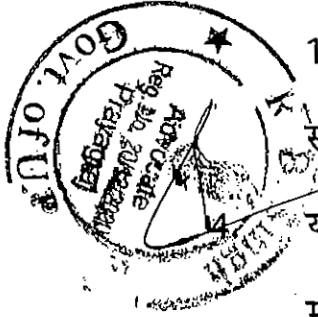


यह कि शपथकर्ता के नाम से वर्तमान समय में सिलिका सैण्ड
को कोई भी खनन पट्टा नहीं है और न ही सिलिका सैण्ड से
सम्बन्धित कोई खनन कार्य नहीं करता है।

2. यह कि शपथकर्ता के पास ग्लास एण्ड फाउण्ड्री सैण्ड्स
सिलिका सैण्ड वाशिंग प्लाण्ट है, जो तहसील बारा के अन्तर्गत
ग्राम बड़गड़ी जनपद प्रयागराज में स्थित एवं संचालित है, जो
उ०प्र० प्रदूषण नियंत्रण बोर्ड, झूँसी, प्रयागराज से वाशिंग प्लाण्ट
चलाने की अनुमति प्राप्त है।
3. यह कि शपथकर्ता सिलिका सैण्ड का व्यवसाय करता है, जिसके
लिए शपथकर्ता निदेशक भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०

J. R. Vanshy

खनिज भवन, लखनऊ से भण्डारण प्राप्त किया है। भण्डारण संख्या-एनओसी/एसटी/2021/3/9/52773 दिनांक 16.11.2022 है। शपथकर्ता के पक्ष में 7500 मैट्रिक टन सिलिका सैण्ड रखने का भण्डारण लाइसेंस मिला है। कन्सेप्ट अंडर सेक्शन 25/26 ऑफ द वाटर (प्रीवेंशन एण्ड कंट्रोल ऑफ पोल्यूशन एक्ट 1974 (एज अमेण्डेड) फार डिस्चार्ज ऑफ ईफ्लूसेण्ट टू मे0 ग्लास एण्ड फाउण्ड्री सैण्ड्स दिनांक 13.05.2022 कन्सेप्ट अंडर सेक्शन 21/22 ऑफ द एयर ((प्रीवेंशन एण्ड सेण्ट्रल पोल्यूशन) एक्ट 1981 (एज अमेण्डेड) टू मे0 ग्लास एण्ड फाउण्ड्री सैण्ड्स। सी0टी0ओ0की कापी संलग्नक-1 है।

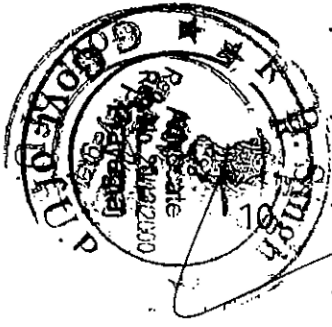


यह कि शपथकर्ता वैध सिलिका सैण्ड पट्टाधारक से चेक के माध्यम, से ई0एम0एम0-11 रवन्ना के माध्यम से रॉ-मैटेरियल खरीदता है। उनसे बिल एवं इनवाइस प्राप्त करता है।

5. यह कि शपथकर्ता के वाशिंग प्लाण्ट में एक चरही है, परन्तु शपथकर्ता के वाशिंग प्लाण्ट में कोई बोरिंग नहीं है।
6. यह कि शपथकर्ता सिलिका सैण्ड वैध पट्टाधारक से रवन्ना के साथ रॉ-मैटेरियल को क्रश करके सिलिका सैण्ड की धुलाई करता है, इसलिए बोरिंग की आवश्यकता नहीं पड़ती, जिससे ग्राउण्ड वाटर की अनापत्ति की आवश्यकता नहीं पड़ती है।

A. R. Vashishth

7. यह कि शपथकर्ता की वाशिंग प्लाण्ट में पानी की रि-साइकिल करने हेतु पक्का टैंक बना है, जिसकी क्षमता 10,000 लीटर लगभग है। टैंक में एकत्रित स्लज (मिट्टी) निकालकर गड्ढे में पाट दिया जाता है।
8. यह कि शपथकर्ता के वाशिंग प्लाण्ट में पहुँच मार्ग कुछ दूर तक पक्का शेष कच्चा है। प्लाण्ट के अन्दर वाहन आवागमन के लिए समुचित मार्ग निर्धारित है।
9. यह कि शपथकर्ता अपने वाशिंग प्लाण्ट की सीमा व अगल बगल प्लाण्टेशन सरकारी नर्सरी या वन विभाग से खरीद करके लगाया है।
- यह कि शपथकर्ता को वाशिंग प्लाण्ट चलाने की अनुमति 30प्र० प्रदूषण नियंत्रण बोर्ड, झूँसी, प्रयागराज द्वारा दिनांक 13.05.2021 को मिला है। शपथकर्ता द्वारा सिलिका सैण्ड वाश की गई निम्न है:-



वर्ष	सिलिका सैण्ड की मात्रा(M/T)	मिट्टी की मात्रा 5% (-) (M/T)	नैट धुली सैण्ड (M/T)
2021	4206	210	3996
2022	6402	320	6082
2023	4182	209	3973

J. R. Vashy

इस प्रकार सिलिका सैण्ड का स्टॉक 2500 मीट्रिक टन शेष बचा है।

11. यह कि शपथकर्ता माननीय न्यायालय के आदेश के क्रम में वाशिंग प्लाण्ट भारत सरकार के गाइड लाइन के अनुसार ही कार्य कर रहा है। नियमों के विपरीत वाशिंग प्लाण्ट सिलिका सैण्ड का नहीं कर रहा है।
12. यह कि शपथकर्ता ग्लास एण्ड फाउण्ड्री सैण्ड्स सिलिका सैण्ड वाशिंग प्लाण्ट सभी विभागों से अनापत्ति प्राप्त करके ही वाशिंग प्लाण्ट चला रहा है।
13. यह कि शपथकर्ता भारत सरकार के गाइड लाइन के अनुसार पर्यावरण की कोई क्षति नहीं पहुँचा रहा है और न ही पानी का दोहन कर रहा है। वाशिंग प्लाण्ट चलाने के लिए बरसात में एकत्रित गड्ढा में युक्त पानी से वाशिंग प्लाण्ट सिलिका सैण्ड की धुलाई कर रहा है। गड्ढा में एकत्रित पानी जब सूख जाता है तो शपथकर्ता वाशिंग प्लाण्ट बंद कर देता है, इसलिए शपथकर्ता पर्यावरण की कोई क्षति नहीं पहुँचा रहा है।
14. यह कि शपथकर्ता के फर्म ग्लास एण्ड फाउण्ड्री सैण्ड्स सिलिका सैण्ड ग्राम बड़गड़ी तहसील बारा जनपद प्रयागराज में स्थित एवं संचालित है, जो नियमों के अंतर्गत सिलिका सैण्ड की धुलाई करता है, जिससे माननीय न्यायालय के आदेश दिनांक



J. R. Vashy

19.01.2024 वाशिंग यूनिट के क्रम संख्या-33 के सम्बन्ध में जवाब प्रार्थना पत्र व शपथ पत्र के माध्यम से संलग्नक के साथ दे रहा है, जिससे माननीय न्यायालय द्वारा शपथकर्ता के विरुद्ध किसी भी प्रकार का कोई आदेश पारित न किया जाना न्यायहित में आवश्यक है।



मैं शपथकर्ता सशपथ तसदीक करता हूँ कि शपथ पत्र की धारा 1' लगायत 14 मेरे निजी जानकारी में सच व सही है। इसमें न कुछ झूठ है और न कुछ छिपाया गया है।

शपथकर्ता

दिनांक: 24-03-2024

J. R. Vashy
जितेन्द्र राय वाष्णैय

पुत्र स्व० फूलचन्द्र वाष्णैय

निवासी 44/2 लाउदर रोड,

थाना जार्जटाउन, तहसील सदर,

जनपद प्रयागराज,

जरिये अधिवक्ता सीनियर एडवोकेट

सुभाष चन्द्र सिंह, इलाहाबाद,

मो० नं०-9415613592

SOLEMNLY AFFIRMED before me
on..... at AM/PM by
/Smt.....
Identified by Mr.....
Advocate to be his/her affidavit are
true and correct Which is here by
Verified and attested
U. No.....

R.B. Singh
Advocate/Notary
Allahabad

R.B. Singh
Advocate/Notary
Prayagraj

प्रेषक,

जितेन्द्र राय वाष्णेय
ग्लास एण्ड फाउण्ड्री सैण्ड्स
ग्राम बरगढ़ी, बारा,
प्रयागराज।

दिनांक 24.02.2024

सेवा में,

क्षेत्रीय अधिकारी
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
झूँसी, प्रयागराज।

श्रीमान जी

मैं निम्नलिखित तथ्य आपको लिख रहा हूँ :-

1. मेरे पास सिलिका सैण्ड का कोई खनन पट्टा नहीं है और न ही किसी प्रकार का खनन कार्य करता हूँ।
2. मैं सिलिका सैण्ड का व्यवसाय करता हूँ जिसके लिये मैंने भूतत्व एवं खनिकर्म निदेशालय, उ०प्र० से भण्डारण प्राप्त किया है। भण्डारण संख्या NOC/ST/2021/3/9/52773 दिनांक 16.11.202 है। छायाप्रति संलग्न है। भण्डारण के अन्तर्गत अधिकतम 7500 मैट्रिक टन सिलिका सैण्ड रख सकता हूँ।
3. मैं सिलिका सैण्ड की खरीद (रॉ मैटेरियल) पंजीकृत पट्टाधारक से लेता हूँ। उनसे इनवायस तथा रवन्ना प्राप्त करता हूँ। उनको चेक द्वारा भुगतान करता हूँ।

मेरे पास सिलिका सैण्ड वाशिंग प्लान्ट है जो कि ग्राम बरगढ़ी (बारा) जनपद इलाहाबाद में स्थित है। मुझे उत्तर प्रदेश प्रदूषण कन्ट्रोल बोर्ड से वाशिंग प्लान्ट चलाने की अनुमति प्राप्त है।


26/02/24

CONSENT Under Section 25/26 of the Water (Prevention and Control of Pollution) Act 1974 (as amended) for discharge of effluent to M/s Glass & Foundry Sands Dt. 13.05.202.

CONSENT Under Section 21/22 of the Air (Prevention and Control of Pollution) Act 1981 (as amended) to M/s Glass & Foundry Sands.

(फोटोप्रति संलग्न है)

5. मेरे वाशिंग प्लान्ट में सिर्फ एक चरहई है।
6. मेरे वाशिंग प्लान्ट में कोई बोरिंग नहीं है।
7. मैं गड्ढे में एकत्रित बरसाती पानी से सिलिका सैण्ड की धुलाई करता हूँ। वाटर मीटर की कोई आवश्यकता नहीं है। एनओसी की भी आवश्यकता नहीं है।
8. वाशिंग प्लान्ट में पानी की सायकिल करने हेतु पक्का टैंक बना है जिसकी क्षमता 10,000 लीटर लगभग है। टैंक में एकत्रित स्लज (मिट्टी) निकाल कर गड्ढे में पाट देते हैं।
9. वाशिंग प्लान्ट में पहुँच मार्ग कुछ दूर तक पक्का तथा शेष कच्चा है। प्लान्ट के अन्दर वाहन आवागमन के लिये समुचित मार्ग निर्धारित है।
10. सरकारी नर्सरी से पेड़ लेकर प्लान्ट की सीमा (बाउण्ड्री) पर लगे हुये हैं।

- ❖ उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड द्वारा वाशिंग प्लान्ट चलाने की अनुमति मंजूर दिनांक 13.05.2021 को प्राप्त है। सिलिका सैण्ड वाश की गई निम्न अनुसार हैं-

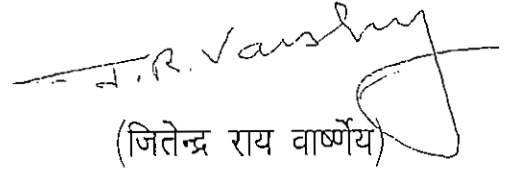
वर्ष	सिलिका सैण्ड का मात्रा (MT)	मिट्टी की मात्रा (5%) (-) (MT)	नैट धुली सैण्ड (MT)
2021	4206	210	3996
2022	6402	320	6082
2023	4182	209	3973

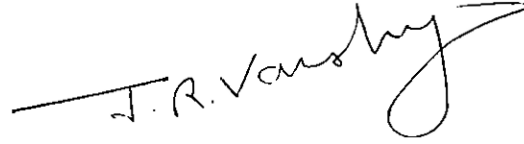
सिलिका सैण्ड का शेष स्टॉक 2500 MT है।

धन्यवाद

संलग्नक- उपरोक्तानुसार - 3

दिनांक - 24.02.2024


(जितेन्द्र राय वाष्णेय)



J. R. VARSHNEY
44/2 Lowther Road
George Town
ALLAHABAD-2, 1002

भारतीय शैक्षणिक

दस
पये

TEN
RUPEES



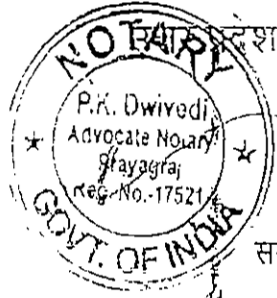
10

Rs. 10

INDIA NON JUDICIAL

उत्तर प्रदेश UTTAR PRADESH

93AE 912826



शपथ-पत्र

समक्ष,

क्षेत्रीय अधिकारी
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
इंसी, प्रयागराज।

मैं जितेन्द्र राय वाष्णेय पुत्र स्व0 फूलचन्द्र निवासी-44/2 लाउदर रोड,
प्रयागराज निम्नलिखित बयान करता हूँ:-

1. मेरे पास सिलिका सैण्ड का कोई खनन पट्टा नहीं है और न ही किसी प्रकार का खनन कार्य करता हूँ।
2. मेरे पास सिलिका सैण्ड वाशिंग प्लान्ट है जो कि ग्राम बरगढ़ी, तहसील बारा, जिला प्रयागराज में स्थित है। भूमि का गाटा संख्या 291, 292, 295, 298 है।
3. मैं सिलिका सैण्ड का व्यवसाय करता हूँ, जिसके लिये मैंने भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0 से भण्डारण प्राप्त किया है। भण्डार संख्या NOC/ST/2021/3/9/52773 दिनांक 16.11.2022 है। (फोटोप्रति संलग्न है) भण्डार के अन्तर्गत मैं 7500 MT सिलिका सैण्ड रख सकता हूँ।
4. मेरे प्लान्ट में कोई बोरिंग नहीं है। मैं गड्ढे में एकत्रित बरसाती पानी से सिलिका सैण्ड का धुलाई कार्य करता हूँ।

मो-नॉ
23/08/22



J.R. Vashy

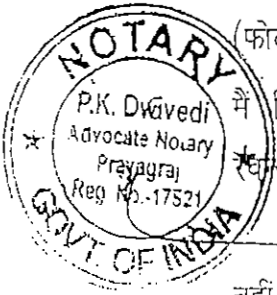
J.R. Vashy

5. मुझे उत्तर प्रदेश प्रदूषण कन्ट्रोल बोर्ड से वाशिंग प्लान्ट चलाने की आवश्यक अनुमति प्राप्त है।

CONSENT Under Section 25/26 of the Water (Prevention and Control of Pollution) Act 1974 (as amended) for discharge of effluent to M/s Glass & Foundry Sands Dt. 13.05.2021.

CONSENT Under Section 21/22 of the Air (Prevention and Control of Pollution) Act 1981 (as amended) to M/s Glass & Foundry Sands.

(फोटोप्रति संलग्न है)



मैं सिलिका सैण्ड की खरीद (रॉ मैटेरियल) पट्टा धारक से लेता हूँ उनसे रचना तथा इनवायस प्राप्त करता हूँ जिसका पेमेन्ट उनको चेक द्वारा देता हूँ।

मैं शपथकर्ता जितेन्द्र राय वाष्ण्य उपरोक्त ब्यान सत्य है कुछ भी छुपाया नहीं गया है।

संलग्नक : उपरोक्तानुसार (03)।

गवाह नं0-1

[Signature]
22.2.24
710 Vill. Belwat
P.O. M.S.L. Naim.
A.M. Bahabad

शपथकर्ता

[Signature]
(जितेन्द्र राय वाष्ण्य)

[Signature]

गवाह नं0-2

[Signature]
Satyam Prakash
Babhi Bagiyapur
[Signature]

Sri.....
Identified by.....
Advocate to be his/her affidavit
are true and correct which is here to
verified and attested

IDENTIFIED BY
[Signature]
22 2 2024
ADVOCATE PRAYAGRAJ

[Signature]
P. K. Dwivedi
Advocate Notary
Govt. of India



कार्यालय जिलाधिकारी, Prayagraj

(अनुमति-अनुमति)

प्रपत्र - ख

खनिजों के मण्डारण हेतु अनुमति
{ नियम - ६ देखिये }



MINE MITRA

संख्या: NOC/ST/2021/3/9/52773

दिनांक: 26-11-2022

आवेदक एवं अवधि

अनुमतिधारी का नाम	GLASS AND FOUNDRY SANDS PROPRIETOR OF JITENDRA RAI VARSHNEY	अनुमतिधारी का पता	44/2 LOWTHER ROAD GEORGE TOWN ALLAHABAD
अनुमति की अवधि	अवधि 26-11-2022 से 25-11-2025 तक	मण्डारण का प्रयोजन	

मण्डारण के लिए अनुमति प्राप्त खनिज का विवरण

नाम	मात्रा
silica sand	7500.000 मीट्रिक टन
कुल	7500.000 मीट्रिक टन

खनिज मण्डारण की अनुमति हेतु उपयोग होने वाली भूमि की अवस्थिति

अनुमति	तहसील	ग्राम / नगर	बोडला	अवस्थिति (गाटा संख्या/ क्षेत्रफल)
Prayagraj	Bara	BADGADI	BARA	2 1340

आवेदक द्वारा अनुसूचक-1 की शर्तों का अनुपालन किया जाना अनिवार्य होगा।

J. R. Varshney
21.10.2023

Digitally signed by SANJAY KUMAR KHATHI
Date: 2022.11.26 19:38:29
Prayagraj
District Magistrate



UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

CONSENT ORDER

Ref No. -
127204/UPPCB/Allahabad(UPPCBRO)/CTO/air/ALLAHABAD/2021

Dated : 13/05/2021

To :

Shri JITENDRA RAI VARSHNEY
M/s GLASS AND FOUNDRY SANDS
BARGADI, BARA, PRAYAGRAJ
ALLAHABAD

रघुवर (वायु)

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. GLASS AND FOUNDRY SANDS

Reference Application No. 12103613

Dated : 13/05/2021

1. With reference to the application for consent for emission of air pollutants from the plant of M/s GLASS AND FOUNDRY SANDS. under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 13/05/2021 to 31/03/2024 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.

This consent is being issued with the permission of competent authority .

Pradeep Kumar
Vishwakarma
Digitally signed by
Pradeep Kumar
Vishwakarma
Date: 2021.05.13
12:44:35 +05'30'

For and on behalf of U.P. Pollution Control Board

R.O., UPPCB PRAYAGRAJ.

Enclosed : As above
(condition of consent):

Copy to: CEO-2, UPPCB LUCKNOW.

Pradeep Kumar
Vishwakarma
Digitally signed by
Pradeep Kumar
Vishwakarma
Date: 2021.05.13
12:45:22 +05'30'

R.O., UPPCB PRAYAGRAJ.

CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Silica Sand- 25 Ton/Day.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
- 3(a) The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.
- 3(b) Air Pollution Source Details.

Air Pollution Source Details					
S.No	Air Pollution Source	Type of Fuel	Stack No.	Parameters	Height
1	DG SET	DIESEL	01	Particulate Matter	AS PER E(P) ACT 1986

The emissions by various stacks into the environment should be as per the norms of the Board .

Emission Quality Details Detail			
S.No	Stack No	Parameter	Standard

4. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
5. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
6. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
7. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
8. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
9. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

Specific Conditions:

1. This consent to operate is M/s GLASS AND FOUNDRY SANDS. (Latitude-25.231072, Longitude-81.593677) BARGADI, BARA, PRAYAGRAJ.
2. Unit shall maintain the Ambient Air/Noise Quality as per standard.
3. Unit is directed to maintain the stack height attached with D.G sets as per standard within 02 month & also maintain acoustic enclosures for Noise Pollution Control.
4. Unit is directed to submit Stack Monitoring Report of the installed D.G Sets monitored by approved laboratory within 03 month from approved laboratory.
5. Unit is directed to make a boundary wall around the premise within 03 month.
6. Unit will strengthen green belt in the premise of the total occupied area.
7. Unit is directed to comply the provision of Solid Waste Rule 2016.
8. Unit is directed to comply the provision of E (P) Act 1986 as applicable to the unit.
9. Unit will not make any expansion without prior consent of the State Board.
10. Unit shall submit Ambient Air Monitoring Report in 03 month.
11. Unit is directed to submit compliance report quarterly.
12. You are directed to submit purchase of Raw silica sand every quarterly.

Pradeep
Kumar
Vishwakarma

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Pradeep Kumar
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Date: 2021.05.13
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Issued with the permission of competent authority.

1529

For and on behalf of U.P. Pollution Control Board .

R.O., UPPCB PRAYAGRAJ.



UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

CONSENT ORDER

Ref No. -
127205/UPPCB/Allahabad(UPPCBRO)/CTO/wat
er/ALLAHABAD/2021

Dated : 13/05/2021

To ,
Shri JITENDRA RAI VARSHNEY
M/s GLASS AND FOUNDRY SANDS
BARGADI, BARA, PRAYAGRAJ
ALLAHABAD

वार् (जरा)

Subject: Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974 (as amended) for discharge of effluent to M/s. GLASS AND FOUNDRY SANDS

Reference Application No :12103599

Dated :13/05/2021

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act, 1974 as amended (here in after referred as the act) M/s. GLASS AND FOUNDRY SANDS is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure ,in refrence to their foresaid application .
2. This consent is valid for the period from 13/05/2021 to 31/03/2024 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .

This consent is being issued with the permission of competent authority .

Pradeep
Kumar
Vishwakarma
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Pradeep Kumar
Vishwakarma
Date: 2021.05.13
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For and on behalf of U.P. Pollution Control Board

R.O., UPPCB PRAYAGRAJ.

Enclosed : As above
(condition of consent):

Copy to: CEO-2, UPPCB LUCKNOW.

Pradeep
Kumar
Vishwakarma
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Date: 2021.05.13
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R.O., UPPCB PRAYAGRAJ.

Annexure to Consent issued to M/s.GLASS AND FOUNDRY SANDS vide

Consent Order No. 12103599/ Water

Dated : 13/05/2021

CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Silica Sand-.25 Ton/Day.
2. The quantity of maximum daily effluent discharge should not be more than the following :

Effluent Discharge Details			
S.No	Kind of Effluent	Maximum daily discharge,KL/day	Treatment facility and discharge point
1	Domestic	3.0 KLD	Septic Tank

3. Arrangement should be made for collection of water used in process and domestic effluent separately in closed water supply system. The treated domestic and industrial effluent if discharged outside the premises, if meets at the end of final discharge point, arrangement should be made for measurement of effluent and for collecting its sample. Except the effluent informed in the application for consent no other effluent should enter in the said arrangements for collection of effluent. It should also be ensured that domestic effluent should not be discharged in storm water drain .

- 4(a) The domestic effluent should be treated in treatment plant so that the should be in conformity with the following norms dated treated effluent .

Domestic Effluent		
S.No	Parameter	Standard

- 4(b) The industrial effluent should be treated in treatment plant so that the treated effluent should be in conformity with the following norms. .

Industrial Effluent		
S.No	Parameter	Standard

5. Effluent generated in all the processes, bleed water, cooling effluent and the effluent generated from washing of floor and equipments etc should be treated before its disposal with treated industrial effluent so that it should be according to the norms prescribed under The Environment (Protection) Act,1986 or otherwise mandatory .
6. The other pollutant for which norms have not been prescribed, the same should not be more than the norms prescribed for the water used in manufacturing process of the industry .
7. The method for collecting industrial and domestic effluent and its analysis should be as per legal Indian standards and its subsequent amendments/standards prescribed under The Environment (Protection) Act, 1986.
8. The treated domestic and industrial effluent be mixed (as per the provisions of Condition No. 2) and disposed of on one disposal point. This common effluent disposal point should have arrangement for flow meter/V Notch for measuring effluent and its log book be maintained .
9. The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

Specific Conditions:

1. This consent to operate is M/S GLASS AND FOUNDRY SANDS. (Latitude-23.231072, Longitude-81.593677) BARGADI, BARA, PRAYAGRAJ.

2. This consent is valid for Washing of Silica Sand 25 Ton/Day.

3. Unit is directed to reuse of recycled water through settling tank.

4. Unit is directed to make provision of Rain Water Harvesting & Ground Water Recharging within 03 months. 5. Unit is directed to make a boundary wall around the premise within 03 month.

6. Unit shall ensure zero discharge outside the premise.

7. Unit is directed to comply the provision of Central Ground Water Authority NOC if withdrawal of ground water.

8. Unit is directed to install ISI Mark Water Meter on the installed tube wells for the measurement of water abstraction.

9. Unit is directed to develop green belt of appropriate thickness around the premise with fast growing deciduous saplings.

10. Unit directed to file Annual Compliance Report of the condition.

11. For the expansion/diversification of the production capacity, pre-consent of the State Board shall be mandatory.

12. You are directed to submit purchase of Raw silica sand every quarterly.

Issued with the permission of competent authority .

Pradeep

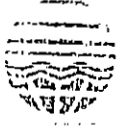
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Vishwakarma

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Date: 2021.05.13
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For and on behalf of U.P. Pollution Control Board .

R.O., UPPCB PRAYAGRAJ.



क्षेत्रीय कार्यालय, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
REGIONAL OFFICE, U. P. POLLUTION CONTROL BOARD

आवास विकास परिषद कॉलोनी, सेक्टर-10, योजना संख्या-3, झुंसी, प्रयागराज - 221500
Avas Vikas Parishad Colony, Sector-10, Scheme No. 3, Jhansi, Prayagraj,

roprayagraj@uppcb.in

संदर्भ सं०... 4/01/2024/CR 203/2021/24

दिनांक 21/02/24

समा में,

M/S Glass and funday Land
Barguni, Bara, Prayagraj.

विषय: माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0 203/2021 देवी दास खत्री बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 19.01.2024 के संबंध में।

महोदय,

कृपया उपरोक्त विषयक संदर्भ ग्रहण करें। अवगत हो कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0 203/2021 देवी दास खत्री बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 19.01.2024 में आपको भी प्रतिवादी बनाया गया है। पारित आदेश में उ0 प्र0 प्रदूषण नियंत्रण बोर्ड को मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में अनुपालन आख्या दायर किये जाने हेतु भी निर्देशित किया गया है। जिसके क्रम में आपकी इकाई के संबंध में सूचना/सहमति अनुपालन आख्या निम्नलिखित बिन्दुओं पर वांछित है:-

- वशिंग प्लाट की सहमति की वैधता एवं सहमति अनुपालन आख्या।
- वशिंग प्लाट में सिलिका की धुलाई हेतु घरही की संख्या।
- वशिंग प्लाट में रिसायकलिंग हेतु बने पक्के टैंक की क्षमता व उसमें जमा हुये स्लज (गिट्टी) के निस्तारण की स्थिति।
- भू-गर्भ जल दोहन हेतु एन0ओ0सी0 की छायाप्रति।
- वाटर मीटर व दैनिक जल खपत की विवरणिका की छायाप्रति।
- 05 वर्ष अथवा इकाई के संचालन की तिथि से रॉ मैटेरियल (रॉ सिलिका) एवं उत्पाद (धुली हुई सिलिका) एवं वर्तमान में परिसर में रॉ सिलिका एवं धुली सिलिका का सत्यापित आंकड़ा।
- रॉ मैटेरियल (रॉ सिलिका) हेतु भण्डारण की छायाप्रति।
- परिसर में हरित पट्टिका एवं वाउरड्रीवाल की स्थिति।
- परिसर में वाहनों के आवागमन हेतु रोड एवं पहुँच मार्ग की स्थिति।

अतः आपको निर्देशित किया जाता है कि उपरोक्त समस्त बिन्दुओं पर पूर्ण विवरण सहित सूचना पत्र प्राप्ति के 03 दिनों में इस कार्यालय में प्रेषित किया जाना सुनिश्चित करें जिससे अनुपालन आख्या मा0 एन0जी0टी0 में ससनय दाखिल की जा सके।

भवदीय,

21/2/24

(आर0 के0 सिंह)
क्षेत्रीय अधिकारी

प्रतिलिपि:- मुख्य पर्यावरण अधिकारी (वृत्त-2), उ0 प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।

क्षेत्रीय अधिकारी

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 203/2021

Devidas Khatri

Applicant

Versus

Union of India

Respondent

Date of hearing: 19.01.2021

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Anoop Agarwal, Adv. for Applicant (Through VC)

Respondent: Mr. Arvind Varma, Senior Advocate with Mr. Manish Kumar & Ms. Smidhi Sharma, Advs. for R - 13
Mr. M.L. Lahoty, Mr. Paban K. Sharma, Mr. Anchit Sripat & Mr. Pranab Kumar Nayak, Advs. for R - 8 & 9
Mr. Pradeep Shukla, Adv. for R - 10
Mr. Mukesh Kumar, Adv. for R - 11, 12 & 14
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Raj Kumar, Adv. for CPCB
Mr. Mukesh Verma, Adv. for Mining Department, State of UP
Ms. Priyanka Swami & Ms. Simran Sehgal, Advs. for SEIAA, UP

ORDER

1. This Original Application involves the issue of illegal operation of washing plants of Silica sand in Shankargarh Block and nearby area of Prayagraj District, Uttar Pradesh.
2. The Tribunal had appointed joint Committee and its report was duly considered on the previous date. The Counsel for the UPPCB had made a submission that the fresh inspection was done and had sought liberty to file a fresh report of the joint Committee.
3. On the previous dates, seven active lease holders which were found to be operating were impleaded as respondents and they have been served and represented today. A fresh report of the joint Committee has

been filed on 17.01.2024. The report discloses the details of the existing and expired mining leases as also the washing units which are found to be operating.

4. There are seven existing leases, 18 expired mining leases and 42 washing units. The details of the 18 expired mining leases are as under:-

"Silica Sand Mines in District Prayagraj"

S. No.	Name of Applicant & Address	Name of Area	Gata No.	Area	Lease Periods	Geo-Coordinates
1	2	3	4	5	6	7
1 to 7	xxx.....xxx.....xxx					
8.	Shri Harihar Prasad Gupta Niwasi – Shankargarh Prayagraj	Bhaishahi	1/1	1.27 Ha. (3.15 Acre)	09-02-1993 to 08-02-1998 09-02-1998 to 08-02-2018	A 25°16'3.62"N 81°34'14.03"E B 25°16'4.93"N 81°34'18.61"E C 25°16'1.04"N 81°34'18.72"E D 25°16'0.10"N 81°34'15.87"E
9.	Sarva Shri Om Laxmi Industries, 86 Mahjani Tola Allahabad	Kachari	145, 146, 147, 148, 309 to 318, 501, 403, 404, 405, 402, 408, 143, 144	9.397 Ha (20.75 Acre)	08-08-2001 to 07-08-2021	A 25°15'26.19"N 81°35'11.50"E B 25°15'20.58"N 81°35'27.47"E C 25°15'18.65"N 81°35'26.74"E D 25°15'18.65"N 81°35'23.91"E E 25°15'15.35"N 81°35'21.70"E F 25°15'15.62"N 81°35'16.15"E G 25°15'18.42"N 81°35'17.50"E H 25°15'22.50"N 81°35'3.27"E
10.	Shri Rishi Chawla S/o Shri Ramesh Chandra Chawla Niwasi 87 Darbhanga Colony Allahabad	Aswa	13, 15, 18, 137, 160, 168, 169, 172, 173, 174, 190, 191, 198, 199, 200, 212	20.59 Ha	14-01-1990 to 13-01-2000 14-01-2000 to 13-01-2020	A 25°17'34.46"N 81°40'16.62"E B 25°17'31.39"N 81°40'21.49"E C 25°17'29.19"N 81°40'20.51"E D 25°17'18.95"N 81°40'31.78"E E 25°17'16.87"N 81°40'31.11"E
11.	Smt. Vijay Laxmi Kesharwani 86 Mahjani Tola Prayagraj	Kachari	10 to 13, 101, 102, 122, 126 to 131, 157, 157, 568, 570, 571, 572	06 Ha (15.00 Acre)	28-7-2001 to 27-7-2021	A 25°15'39.63"N 81°34'36.26"E B 25°15'39.29"N 81°34'31.08"E C 25°15'37.98"N 81°34'51.50"E D 25°15'39.09"N 81°34'52.47"E E 25°15'27.86"N 81°34'53.69"E F 25°15'31.18"N 81°34'46.24"E
12.	M/s Harimandir Mineral Traders, Sohabatiyabag, Allahabad	Chathera Gurhetha	736, 737, 738, 746 to 764, 767, 785, 787 to 871, 873 Bhaag to	104.206 Ha.	15-12-89 to 14-12-99 15-12-1999 to 14-12-2019	A. 25°18'37.95"N 81°40'26.51"E B. 25°18'36.14"N 81°40'26.52"E C 25°18'34.79"N 81°40'31.84"E D 25°18'30.87"N 81°40'29.75"E

			888, 893, 894, 895			E. 250 18' 29.92" N 810 40' 41.01" E F. 250 18' 25.32" N 810 40' 38.76" E G. 250 18' 24.48" N 810 40' 40.83" E H. 250 18' 20.32" N 810 40' 38.91" E I. 250 18' 21.10" N 810 40' 36.53" E J. 250 18' 19.37" N 810 40' 35.30" E K. 250 18' 20.73" N 810 40' 32.92" E L. 250 18' 16.81" N 810 40' 31.56" E M. 25°18'7.90"N 81°40'27.80"E N. 25°18'8.73"N 81°40'25.14"E O. 25°17'50.57"N 81°40'16.03"E P. 25°17'56.96"N 81°39'51.32"E Q. 25°18'27.92"N 81°40'2.94"E R. 25°18'26.16"N 81°40'9.07"E S. 25°18'30.63"N 81°40'14.36"E T. 25°18'29.36"N 81°40'17.66"E
13.	Shri Sadriprasad Amarnath Niwasi-Shankargarh Bara, Allahabad	Lakhnauti	-	18.00 Ha	10-8-73 to 09-8-93	A 25°15'3.97"N 81°33'36.12"E B 25°15'6.06"N 81°33'44.22"E C 25°14'51.51"N 81°33'41.85"E D 25°14'52.25"N 81°33'38.79"E
14.	R Varhneya 14/2 Lauthar Road, Allahabad	Janwa	11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 36, 40, 41, 42, 43 & 319	39.25 Ha. (97 00 Acre)	30-12-1990 to 29-12-2000	A. 25°13'17.73" N 81°31'32.24" E B. 25°13'16.66" N 81°31'46.89" E C. 25°13'14.98" N 81°31'46.38" E D. 25°13'3.91" N 81°31'55.03" E E. 25°13'3.01" N 81°31'46.23" E F. 25°13'1.51" N 81°31'46.46" E G. 25°13'1.60" N 81°31'44.03" E H. 25°12'57.78" N 81°31'44.23" E I. 25°12'57.86" N 81°31'47.04" E J. 25°12'54.03" N 81°31'47.93" E K. 25°12'55.97" N 81°31'57.17" E L. 25°12'51.71" N 81°31'57.44" E M 25°12'48.80" N 81°31'38.33" E N. 25°12'56.52" N 81°31'36.13" E O. 25°12'56.13" N 81°31'34.56" E
15.	M/s Indrajeet Kaur	Dera Baari	333	61.02 Ha	15-10-79 to 14-10-1989	A. 25°17'17.35" N 81°35'6.23" E B. 25°17'17.64" N 81°35'14.81" E C. 25°17'20.37" N 81°35'16.07" E D. 25°17'23.00" N 81°35'14.31" E E. 25°17'24.55" N 81°35'16.33" E F. 25°17'19.56" N 81°35'23.39" E G. 25°17'16.55" N 81°35'22.14" E H. 25°17'2.51" N 81°35'22.14" E I. 25°16'54.93" N 81°35'13.70" E J. 25°16'52.30" N 81°35'18.10" E K. 25°16'48.48" N 81°35'20.98" E L. 25°16'57.48" N 81°35'6.96" E M 25°17'9.20" N 81°35'10.73" E N. 25°17'15.47" N 81°35'5.74" E
16.	S.P. Kesharwani 86 Mahjani Tola, Allahabad	Kachari		28.93 Ha (71.5 Acre)	24-8-93 to	A. 25°15'35.39" N 81°34'56.52" E B. 25°15'34.53" N 81°34'59.99" E C. 25°15'36.16" N 81°35'0.71" E

					23-8-2003	D. 25°15'34.04" N 81°35'7.55" E
						E. 25°15'33.03" N 81°35'7.01" E
						F. 25°15'32.67" N 81°35'8.78" E
						G. 25°15'32.94" N 81°35'10.02" E
						H. 25°15'27.46" N 81°35'21.98" E
						I. 25°15'30.64" N 81°35'24.88" E
						J. 25°15'28.72" N 81°35'31.31" E
						K. 25°15'23.74" N 81°35'30.85" E
						L. 25°15'23.27" N 81°35'37.30" E
						M. 25°15'15.45" N 81°35'37.13" E
						N. 25°15'14.81" N 81°35'45.32" E
						O. 25°15'20.59" N 81°35'37.46" E
						P. 25°15'26.21" N 81°35'11.49" E
						Q. 25°15'19.59" N 81°35'7.49" E
						R. 25°15'25.67" N 81°34'57.36" E
17.	Shri Pradeep Kumar Niwasi – 359/18 Niraml Nagar Keedganj Allahabad	Madanpur	430	6.619Ha	28-10-78 to 27-10-88	A 25°13'44.52"N 81°37'30.60"E
					28-10-88 to 27-10-98	B 25°13'43.45"N 81°37'34.77"
						C 25°13'36.07"N 81°37'33.51"E
						D 25°13'37.35"N 81°37'29.22"E
18.	Jai Shri Trading Company Shri Ashok Kumar Aggarwal Niwasi Meeraganj Allahabad	Bhalshahi	264, 265, 271, 258, 245, 254, 257, 260, 261, 262, 259, 258, 218, 219, 220	51.17Ha	29-11-80 to 28-11-2000	A. 25°15'29.71"N 81°33'46.71"E
						B. 25°15'25.04"N 81°33'48.88"E
						C. 25°15'27.99"N 81°33'49.99"E
						D. 25°15'24.97"N 81°33'49.01"E
						E. 25°15'22.69"N 81°33'55.42"E
						F. 25°15'15.98"N 81°33'53.18"E
						G. 25°15'12.61"N 81°33'59.61"E
						H. 25°15'10.37"N 81°33'58.71"E
						I. 25°15'12.08"N 81°33'37.36"E
						J. 25°15'31.31"N 81°33'30.85"E
						K. 25°15'33.38"N 81°33'27.83"E
						L. 25°15'38.19"N 81°33'49.32"E
						M. 25°15'31.39"N 81°33'49.42"E
19.	Mahendra Bharti S/o Keshav Bharti, Pura Baldu, Bara, Allahabad	Aswa	-	1.22 Ha	6-3-1991 to 5-3-2001	A. 25°17'41.14"N 81°40'19.43"E
						B. 25°17'49.01"N 81°40'14.09"E
						C. 25°17'50.52"N 81°40'16.09"E
						D. 25°17'50.67"N 81°40'19.27"E
						E. 25°17'56.91"N 81°40'26.16"E
						F. 25°17'59.02"N 81°40'29.25"E
						G. 25°17'58.86"N 81°40'38.45"E
						H. 25°18'1.40"N 81°40'43.81"E
						I. 25°17'59.27"N 81°40'51.13"E
						J. 25°17'55.37"N 81°40'53.10"E
						K. 25°17'46.02"N 81°40'53.77"E
						L. 25°17'53.40"N 81°40'37.97"E
						M. 25°17'43.38"N 81°40'36.14"E
						N. 25°17'36.78"N 81°40'24.19"E
20.	M/s Rama Silica Sand Trading Niwasi – 359/18 Nirmal Nagar, Keedganj,	Janwa	-	20.17 Ha	27-2-75 to 25-2-95	A. 25°13'0.99"N 81°31'14.57"E
						B. 25°12'53.28"N 81°31'28.10"E
						C. 25°12'55.83"N 81°31'17.81"E
						D. 25°12'52.26"N 81°31'28.01"E

	Allahabad									E. 25°12'50.57"N 81°31'27.43"E
										F. 25°12'52.39"N 81°31'22.61"E
										G. 25°12'36.08"N 81°31'13.01"E
										H. 25°12'43.28"N 81°31'7.53"E
21	Shri Bhullu Mahara, & Sons P.O. Shri. K.D Awasthi Niwasi Shankargarh Allahabad	Janwa	-	47.06 Ha	16-6-79 to 15-6-89 16-6-89 to 15-6-99					A. 25°11'50.08"N 81°32'13.38"E B. 25°11'27.87"N 81°32'10.25"E C. 25°11'35.68"N 81°31'48.49"E D. 25°11'44.31"N 81°31'42.18"E E. 25°11'50.09"N 81°31'46.24"E
22	Shri Laxmi Mining Corporation Adress- Laxmi Bhawan, Po- Shankargarh, Allahabad	Dhara	-	26.03 Ha	10-5-1974 to 09-5-1994					A. 25°17'2.09"N 81°39'58.75"E B. 25°16'59.09"N 81°40'5.12"E C. 25°16'50.47"N 81°40'6.41"E D. 25°16'44.83"N 81°39'56.04"E E. 25°16'36.15"N 81°39'49.28"E F. 25°16'37.74"N 81°39'46.77"E G. 25°16'45.30"N 81°39'51.07"E H. 25°16'50.01"N 81°39'41.30"E I. 25°16'57.54"N 81°39'49.48"E
23	Smt. Rani Rajendra Kumari Ba Rajmahal Shankargarh District Allahabad Tah.- Bara	Tah.- Bara including 46 Villages	-	Approx. 16000 Ha	16.04.1947 to forever					Vill- Shankargarh, Talapaar, Kapaari, Barui, Khansemra, Beyonara, Raipatna, Matrawar, Gorkha, Gheyodora, Chak Araj, Gadhwa, Gadha, Lakhanpur, Kaitha, Shivrajpur, Osha, Atari Kapsan, Charihari, Gobra Sangram, Pagwar, Majhiyaari Badeliya, Gobra Dewar, Bardaiyaa, Bhonari, Longara, Gadhamaar, Chandra, Lalai, Baisa, Laungkhurd, Baghela, Panduwa, Parvejabad Alla Burahl, Bashara, Tarhaar, Lalapur, Maduri, Pratappur, Surwal
24	Harimandir Mineral Traders Sohbatiyabag, Allahabad	Derabari	333	19.5 Ha.	6-7-1972 to 5-7-1989 6-7-1989 to 5-7-1999					A. 25°16'39.87"N 81°35'7.79"E B. 25°16'39.88"N 81°35'17.27"E C. 25°16'39.05"N 81°35'21.40"E D. 25°16'31.59"N 81°35'19.74"E E. 25°16'32.58"N 81°35'7.97"E
25	Harimandir Mineral Traders Sohbatiyabag, Allahabad	Bharsahi	1/2	17.60Ha	16-6-1988 to 15-6-1998					A. 25°16'1.01"N 81°34'18.73"E B. 25°16'1.71"N 81°34'31.80"E C. 25°15'56.92"N 81°34'33.08"E D. 25°15'49.05"N 81°34'20.71"E

5. The details of 42 washing units are as under:-

"R.O., U. P. Pollution Control Board, Prayagraj
Silica Sand/Stone Dust Washing Units

S. No.	Application Name	Industry Address	Plant Capacity	Blindarnam	Consent Validity	Status of Borewell	Water Meter Status	CGWA/SQWA NOC STATUS	Not Operational
1	CHAWLA SILICA SAND TRADING CO.	SHIVRAJPUR, BARA, PRAYAGRAJ	3500 Ton/Month	Mines Holder	31-03-28	Borewell	Digital Water Flow Meter & Piezometer Installed	NOC GRANT	
2	CHAWLA SILICA SAND TRADING CO. (CRUSHING & WASHING)	LAKHNAUTI, BARA, PRAYAGRAJ	4000 Ton/Month	Mines Holder	31-07-24	Borewell	Digital Water Flow Meter & Piezometer Installed	NOC GRANT	

3	CHAWLA SILICA SAND TRADING CO.	GARHA, BARA, PRAYAGRAJ	1750 Ton/Month	Mines Holder	31-03-28	Borewell	Digital Water Flow Meter & Piezometer Installed	NOC GRANT	
4	QUALITY MINERALS DEVELOPMENT CORPORATION	KAITHA, BARA, PRAYAGRAJ	15 Ton/Day	Mines Holder	31-03-25	Borewell	Water Flow Meter Installed	NOC GRANT	
5	QUALITY MINERALS DEVELOPMENT CORPORATION	GARWA, SHEORAJPUR, PRAYAGRAJ	15 Ton/Day	Mines Holder	31-03-25	Borewell	Water Flow Meter Installed	NOC GRANT	
6	KRISHNA ENTERPRISES,	LEDAR, BARA, PRAYAGRAJ	15 Ton/Day	Mines Holder	31-03-26	Borewell	Water Flow Meter Installed		
7	MODI MINERAL UDYOG	BIHARIYA, BARA, PRAYAGRAJ	1000 Ton/Month	Mines Holder	31-03-27	Borewell	Water Flow Meter Installed	NOC GRANT	
8	SINGH CONTRACTOR AND SUPPLIER	LEDAR, BARA, PRAYAGRAJ	20 Ton/Day	-	31-03-25	Borewell	No		
9	SRI GIRDHARI LAL CHAWLA & SONS	BENIPUR, SHANKARGRAH, PRAYAGRAJ	15 Ton/Day	Mines Holder	31-03-26	Borewell	Water Flow Meter Installed		
10	HARSH MINERALS	KACHARI BARA PRAYAGRAJ	15 Ton/Day	-	31-03-26	Borewell	No		
11	BARAWHITE STONE HEIGHTS PVT LTD	PARVEJABAD, PRAYAGRAJ	15 Ton/Day	-	31-03-25	No Borewell	No		
12	MANGLORE MINERALS PRIVATE LIMITED	ASWAN, BARA, PRAYAGRAJ	2000 Ton/Day	Mines Holder	31-07-26	Borewell	Water Flow Meter Installed	NOC GRANT	
13	KRISHNA MINERALS	BENIPUR, PRAYAGRAJ	1000 Ton/Month	Mines Holder	31-07-28	Borewell	Water Flow Meter Installed	NOC GRANT	
14	ASHOK KUMAR RAJPAI	PURE BALDU, BARGARHI, SHIVRAJPUR, PRAYAGRAJ	100 Ton/Day	Mines Holder	31-07-27	Borewell	No	NOC GRANT	
15	DADA VIGHNESHWAR MINERALS (NARAYAN ENTERPRISES)	BARGARHI, SHIVRAJPUR, PRAYAGRAJ	100 Ton/Month	Sitz Ram Agrawal Mines	31-03-24	Borewell	Water Flow Meter Installed	NOC GRANT	Closed
16	SRI GIRDHARI LAL CHAWLA & SONS	KAITHA, LAKHANPUR SHANKARGRAH, PRAYAGRAJ	1800 Ton/Month	Mines Holder	31-03-24	Borewell	Water Flow Meter Installed	NOC GRANT	
17	GURU DAYAL SINGH & CO. (SILICA)	KAITHA, SHANKARGRAH, BARA, PRAYAGRAJ	900 Ton/Month		31-03-26	Borewell	Water Flow Meter Installed	Applied	
18	VANDANA SINGH (STONE/SILICA WASHING PLANT)	BANKIPUR, BARA, PRAYAGRAJ	25 Ton/Day	Nirmal Ram Chauhan	31-03-24	Borewell	No		Closed
19	SILICA KHANU UDYOG	KAITHA, BARA, PRAYAGRAJ	1500 Ton/Month	Mines Holder	31-03-24	Borewell	Water Flow Meter Installed	NOC GRANT	
20	SILICA KHANU UDYOG	KAITHA, SHIVRAJPUR, BARA, PRAYAGRAJ	1500 Ton/Month	Mines Holder	31-03-24	Borewell	Water Flow Meter Installed		
21	SILICA KHANU UDYOG	LAKHANPUR, BARA, PRAYAGRAJ	1500 Ton/Month	Mines Holder	31-03-24	Borewell	Water Flow Meter Installed		
22	NEW TRIVENT MINERALS	LAKHANPUR, BARA, PRAYAGRAJ	1500 Ton/Month	Mines Holder	31-03-24	Borewell	Water Flow Meter Installed	NOC GRANT	
23	ADISHWARA CONSTRUCTION & MINERALS CO.	PARVEJABAD, BARA, PRAYAGRAJ	25 Ton/Day		31-03-24	No Borewell	No		
24	PRAYAG QUALITY SAND	PRATAPPUR, BARA, PRAYAGRAJ	40 Ton/Day	Mines Holder	31-03-24	Borewell	No		
25	ADHIJAT SINGH ASSOCIATED	GOLAHYA, BARA, PRAYAGRAJ	40 Ton/Day	Rajeev Kumar Chawla	31-03-23	Borewell	No		
26	ANUPAM ENTERPRISES	GARHA KATRA SHANKARGARHI BARA PRAYAGRAJ	1000 Ton/Month		31-03-25	Borewell	Water Flow Meter Installed	NOC GRANT	
27	SHREE BHAGWAN DASS INDUSTRIES	SHIVRAJPUR, BARA, PRAYAGRAJ ALLAHABAD	15 Ton/Day	Gupta Mines	31-03-24	Borewell	Water Flow Meter Installed		

38	UJWAL RAHMAN & CO.	BARGARI BARA, PRAYAGRAJ ALI AHADAD	25 Ton/Day	Sita Ram Agarwal Mines	31-03-26	No Borewell	No		
39	UPPA ENTERPRISES	SHIVRAJPUR, SHANKARGRAH, PRAYAGRAJ	20 Ton/Day	Abhinandan Silica	31-03-25	Borewell	Water Flow Meter Installed	Applied	
40	ALSHREEF TRADING COMPANY	KAITHA, BARA, PRAYAGRAJ	15 Ton/Day	Sita Ram Agarwal Mines	31-03-26	Borewell	Water Flow Meter Installed	NOC GRANT	
41	MISHRA RADHAKRISHN COMPANY	BAMINA BARGARI, PRAYAGRAJ	1000 Ton/Month	Sita Ram Agarwal Mines	31-03-24	No Borewell	No		
42	PARAYAN DUTT DWARI (SILICA WASHING PLANT)	BENIPUR, SHANKARGRAH, PRAYAGRAJ	15 Ton/Day	Abhinandan Silica	31-03-26	Borewell	Water Flow Meter Installed		
43	GLASS AND BOUNDARY SAND	BARGARI, BARA, PRAYAGRAJ	25 Ton/Day	Ashok Kumar Bajpai	31-03-24	No Borewell	No		
44	OM LAXMI MINERALS	KACHARI, BARA, PRAYAGRAJ	20 Ton/Day		31-03-26	No Borewell	No		
45	OM LAXMI INDUSTRIES	KACHARI, BARA, PRAYAGRAJ	25 Ton/Day		31-03-26	No Borewell	No		
46	ASHA DEVI (SILICA WASHING PLANT)	KAITHA, SHIVRAJPUR, PRAYAGRAJ	15 Ton/Day		31-03-23	Borewell	No		Closed
47	LR MINERALS BARGARI BHARIYA, SHANKARGRAH, PRAYAGRAJ-21210	BARGARI, BHARIYA, SHANKARGRAH, PRAYAGRAJ-21210	20 Ton/Day	Chawla Silica Sand	31-03-25	Borewell		NOC GRANT	
48	SUS ENTERPRISES	LAKINAUTI, BARA, PRAYAGRAJ	40 Ton/Day	Chawla Silica Sand	31-03-25	Borewell		NOC GRANT	Closed
49	SITA DEVI (SILICA WASHING PLANT)	LEDAR, BARA, PRAYAGRAJ	10 Ton/Day		31-03-25	Borewell	No		Closed
40	LAXMI MINERAL MANUFACTURER AND TRADERS	GAJHA KATRA, SHANKARGRAH, PRAYAGRAJ	25 Ton/Day		31-03-25	Borewell	Water Flow Meter Installed		Closed
41	BADRI PRASAD AMAR NATH	SHIVRAJPUR, BARA, PRAYAGRAJ	12.5 Ton/Day	Navneet Agarwal	31-03-25	Borewell	Water Flow Meter Installed	Applied	
42	QUALITY MINERALS DEVELOPMENT CORPORATION	LEDAR, BARA, PRAYAGRAJ	1000 Ton/Month	Mines Holder	31-03-26	Borewell	Water Flow Meter Installed	NOC GRANT	

6. The above expired mining lease holder's also washing units are implemented as respondents in the CA as it has been submitted that they have violated the environmental norms. The applicant is directed to serve the newly added respondents and file affidavit of service at least one week before the next date of hearing. The Office is directed to prepare fresh memo of parties.

7. It will be open to all the concerned parties to file response/objection to the report of the joint Committee filed on 17.01.2024 within a period of three weeks.

8. Learned Counsel appearing for UPPCB has submitted that in the report of the joint Committee, it has come to light that the units are

operating/head operated in violation of the norms. Hence, the UPPCB proposes to initiate action for imposition of EC for past violation against those PPs who have now closed the operation and also to issue show cause notice against those PPs who are operating, to close and to impose Environmental Compensation. The UPPCB is directed to file a fresh action taken report at least one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

9. List this matter on 20.03.2024.

Prakash Srivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 19, 2024
Original Application No. 203/2021
SN

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
MEMORANDUM OF APPLICATION

(Under section 18(1) read with sections 14 & 15 of the National
Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. OF 2021

IN THE MATTER OF:

Devi Das Khatri

.....Applicant

Versus


State of Uttar Pradesh & Ors.

....Respondents

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Filed by:


(Anoop Agarwal Advocate & Associates)
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E-Block, Rajasthan High Court, Jaipur
Mobile No. 9462001295
adv.anoop10@gmail.com

Jaipur

Dated: 9/8/21

Devi Das Khatri

LIST OF DATES AND SYNOPSIS

DATE

DESCRIPTION

The present Application seeks to raise substantial question relating to environment before this Hon'ble Tribunal by bringing into notice the blatant violations done by the rampant and illegal mining of Silica sand in the area located in the Shankargarh Block and nearby areas like Pervaizabad, Lalapur, Bankipur, Janwa, Dhara etc, of Prayagraj district, U.P, of the necessary environmental laws and regulations, more particularly, the Environment (Protection) Act, 1986, the Environment (Protection) Rules, 1986, and the law on illegal extraction of minerals like Silica Sand read with numerous safeguards and standards provided for the sustainable development and protection of ecology and environment, by operating and carrying on the activity of illegal mining of Silica sand without obtaining any permission from the Pollution control Board and also without any safety measures putting the labourer in danger zone causing several diseases like silicosis, etc. resulting into unnatural deaths.

The applicant organisation files a representation along with various photographs before the Chairman, CGWA, the Regional Director, CGWB, Lucknow, District Magistrate, Allahabad and the

De. 10/11/84

[Signature]

Regional Officer, Allahabad of UP Pollution Control Board, bringing to their notice the ongoing rampant illegal and indiscriminate extraction of ground water through bore wells, etc. in Shankargarh block, District Allahabad, Uttar Pradesh, by approximately 100+ industries engaged in the washing of silica sand, without putting in place any mechanism for groundwater recharge.

22.12.2020

The applicant also send legal notice on 22.12.2020 to the respondents but they gave no response.

4.3.2021

Directorate General of mines Safety gave reply to the notice, but other respondents did not gave any reply.

August , 2021

Since no corrective action was initiated by the concerned departments which acted negligently on the representation and repeated communications of the applicant organisation, the applicant approached this Hon'ble Tribunal under Section 14 and 15 of the National Green Tribunal Act, 2010.

Smita Khat

Anand

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI

ORIGINAL APPLICATION NO. OF 2021

IN THE MATTER OF:

Devidas Khatri
S/o Shri Nand Kishore Khatri,
R/o 239, Laxmi Nagar,
Behind Mangori Walon Ki Bagichi,
Brahmpuri, Jaipur-302002
Email: adv.anoop10@gmail.com Mobile no. 9928000061

...Applicant

Versus

1. UNION OF INDIA

through its Secretary, MOEF&CC, 3rd Floor, Prithvi Wing, Indra
Paryavaran Bhawan, Jor Bagh, New Delhi-110003, Email: tapka.jigmet@gov.in, Phone no. 01124695274

2. STATE OF UTTAR PRADESH

Through its Chief Secretary, Government of U.P.
101, Lok Bhawan, U.P. Civil Secretariate, Vidhan Sabha Marg,
Lucknow, - 226 001
csup@nic.in, Phone No. 0522-2238212

3. CENTRAL POLLUTION CONTROL BOARD

Through its Member Secretary,
Parivesh Bhawan,
CBD-cum-Office Complex,
East Arjun Nagar,
Delhi - 110032
Mscb.cpcb@nic.in, Phone no. 011-22303655

Srinivas Kumar

C. Anoop

4. UTTAR PRADESH POLLUTION CONTROL BOARD

Through its Member Secretary,
Building. No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow,
Uttar Pradesh - 226010
ms@uppcb.com , Phone No. 0522-2720895

5. DEPARTMENT OF GEOLOGY AND MINING, UTTAR PRADESH

through Principal Secretary, Geology and Mines,
Government of Uttar Pradesh, Khanij Bhawan, 27/8, Rajaram
Mohan Roy Marg, Lucknow- 226001.
dgmupcxp@gmail.com, Phone no. 0522-2205904

6. DISTRICT COLLECTOR, PRAYAGRAJ (U.P.)

Dwarikapuri, Old Katra, Prayagraj, Uttar Pradesh 211012
dmail@nic.in, Mobile no. 954417517

7. MEDICAL HEALTH AND FAMILY WELFARE DEPARTMENT

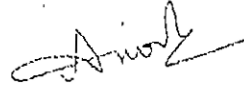
Through Principal Secretary,
1st Floor, Lal bahadur Shastri Bhawan,
Uttar Pradesh Secretariat, Lucknow. 226001
Phone No. 0392233205

Email: secretaryni106@gmail.com Respondents

FILED BY:

Dated: 9/8/2021

Place: Jaipur



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Dr. Anoop

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
MEMORANDUM OF APPLICATION

(Under section 18(1) read with sections 14 & 15 of the National
Green Tribunal Act, 2010)

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...Applicant

Versus

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through its Secretary, MOEF&CC, 3rd Floor, Prithvi Wing, Indra
Paryavaran Bhawan, Jor Bagh, New Delhi-110003, Email: tapka.jigmet@gov.in , Phone no. 01124695274

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Through its Chief Secretary, Government of U.P.
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Lucknow, -- 226 001
csup@nic.in, Phone No. 0522-2238212

3. CENTRAL POLLUTION CONTROL BOARD

Through its Member Secretary,
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CBD-cum-Office Complex,
East Arjun Nagar,
Delhi - 110032
Mscb.cpcb@nic.in, Phone no. 011-22303655

Delhi-110032

4. **UTTAR PRADESH POLLUTION CONTROL BOARD.**

Through its Member Secretary,
Building. No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow,
Uttar Pradesh - 226010
ms@uppcb.com , Phone No. 0522-2720895

5. **DEPARTMENT OF GEOLOGY AND MINING, UTTAR PRADESH**

through Principal Secretary, Geology and Mines,
Government of Uttar Pradesh, Khanij Bhawan, 27/8, Rajaram
Mohan Roy Marg, Lucknow- 226001.
dgmupexp@gmail.com, Phone no. 0522-2205904

6. **DISTRICT COLLECTOR, PRAYAGRAJ (U.P.)**

Dwarikapuri, Old Katra, Prayagraj, Uttar Pradesh 211012
dmall@nic.in, Mobile no. 954417517

7. **MEDICAL HEALTH AND FAMILY WELFARE DEPARTMENT**

Through Principal Secretary,
1st Floor, Lal bahadur Shastri Bhawan,
Uttar Pradesh Secretariat, Lucknow.

.....Respondents

MOST RESPECTFULLY SHOWETH:

- I. The address of the counsel for the Applicant is given below for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.
- III. The present Application seeks to raise substantial question relating to environment before this Hon'ble Tribunal by bringing into notice the blatant violations done by the rampant and illegal

D. D. Singh

mining of Silica sand in the area located in the Shankargarh Block and nearby areas like Pervaizabad, Lalapur, Bankipur, Janwa, Dhara etc, of Prayagraj district, U.P, of the necessary environmental laws and regulations, more particularly, the Environment (Protection) Act, 1986, the Environment (Protection) Rules, 1986, and the law on illegal extraction of minerals like Silica Sand read with numerous safeguards and standards provided for the sustainable development and protection of ecology and environment, by operating and carrying on the activity of illegal mining of Silica sand without obtaining any permission from the Pollution control Board and also without any safety measures putting the labourer in danger zone causing several diseases like silicosis etc. resulting into unnatural deaths.

IV. The application is being filed under section 14 (1) of the NGT Act, 2010 since it raises substantial question related to environment as defined under section 2 m (i) and (ii) of the Act and also invokes jurisdiction of this Hon'ble Tribunal under section 15 seeking stoppage of illegal mining activity of Silica Sand in the area.

V. The application involves the following substantial questions relating to environment:

- (1) Whether the Respondents are under an obligation to protect and improve the quality of the environment and prevent illegal, unsustainable and unscientific extraction of silica sand, in accordance with the laws and regulations laid down in the acts specified in Schedule I of the NGT Act, 2010?

Bandu Jais

(2) Whether proper safeguards/steps have been undertaken by the concerned authorities to control and prevent illegal and unsustainable mining of silica sand operating in the area without having any permission. ?

(3) Whether an effective monitoring mechanism has been put in place to check illegal, unabated and uncontrolled mining activity of Silica Sand in the area ?

(4) Whether any illegal mining activity by the mining mafias could be allowed without undertaking any cumulative impact assessment study and carrying capacity study in the concerned region?

VI. The illegal and unsustainable extraction of Silica Sand undertaken without any restraint by the Respondents No. 1 to 4, in flagrant violation of the orders of this Hon'ble Tribunal and in absolute derogation of the statutory environmental norms, makes it imperative for the Hon'ble Tribunal to adjudicate upon the environmental violations raised in the instant Application.

FACTS IN BRIEF:

1. That the present Application raises a serious issue of illegal and indiscriminate extraction / illegal mining activity of silica sand by the mining Mafias, without obtaining the necessary permissions from pollution control Board and various authorities and without putting in place any proper extraction mechanism keeping the labourer in danger zone of various disease like silicosis etc., in Shankargarh block, Pervezabad area and Lalapur, Bankipur, Janwa, Dhara etc in the Prayagraj district of Uttar Pradesh, thus

Dr. S. K. Singh

violating the provisions of the Environment (Protection) Act, 1986 and the rules framed there under and the CGWA Guidelines, thereby drawing the jurisdiction of this Hon'ble Tribunal in the present matter.

2. That since Shankargarh block is largely a non fertile area and rich in mineral resources, especially silica sand, industrial activity involving mining of silica sand and consequently, washing of the so extracted silica sand has cropped up. Silica sand is a good repository of ground water and the movement of ground water is mainly through the deposits of silica sand. Shankargarh block being a drought prone region, the recharge potential is intrinsically connected to the preservation of silica sand. Due to indiscriminate mining of silica sand deposits and the unchecked extraction of ground water by the silica sand washing plants, the natural aquifers of the region, which are the singular source of drinking water in the region, are getting depleted at an exponential rate. Photographs of the illegal mining activity of Silica Sand and unchecked extraction of ground water for the purpose of washing silica sand are annexed as ANNEXURE A-1 .

3. That concerned with the indiscriminate and excessive extraction of ground water for the purpose of washing silica sand in the region, the applicant inquire to silica sand washing plants in Prayagraj district and he found that they have not obtained any valid and effective NOC from CGWA. And no action was taken against such silica sand washing plants from the CGWA.

4. That thereafter, the applicant, in its public spirited efforts, made a representation along with various photographs before the

Devi Lal

authorities like Regional Officer, UP Pollution Control Board UPPCB, Prayagraj Chairman, CGWA, the Regional Director, CGWB, Lucknow, District Magistrate, Prayagraj bringing to their notice the ongoing rampant illegal mining activities and indiscriminate extraction of ground water through bore wells, etc. in Shankargarh block, District Prayagraj, Uttar Pradesh, by approximately more than 500 illegal mining activities of Silica Sand has been done by Mining mafias and about 100+ industries engaged in the washing of silica sand, without putting in place any mechanism for groundwater recharge.

5. That the CGWB, Northern Region has admitted that no NOC had been obtained by any such industry/plants and no action was initiated against any of them.
6. That the applicant also contacted the senior officials of the concerned departments and repeatedly communicated with them to conduct a surprise inspection of the area regarding illegal mining activities of silica sand and their washing plants operating in the region and take action against the violators.
7. That in response to the said complaint/representations, the Regional Director, Central Ground Water Board also informed the District Collector, Prayagraj about the complaint received regarding illegal extraction of ground water and requested for initiating action against the same.
8. It is humbly submitted that despite the above said communication, no corrective action in pursuance of the complaint/representation sent by the applicant organization, was

Shankargarh

taken by the authorities against such industries to check the rampant groundwater abstraction.

9. That it is further submitted that the authorities have grossly failed to take punitive action against such violators under section 15 of the Environment (Protection) Act, 1986 and thereafter applicant also send legal notice on 22.12.2020 to the respondents but they gave no response. Directorate General of mines Safety, Dhanbad gave its reply dated 4.3.2021 , but other respondents did not made any response. hence, the applicant is constrained to approach this Hon'ble Tribunal for appropriate directions to remedy this dismal situation. Copy of legal notice dated 22.12.2020 and reply notice dated 4.3.2021 are enclosed herewith and marked as ANNEXURE A-2 & A-3 respectively.

10. That due to the aforementioned facts and circumstances, the applicant is constrained to file the present original application before this Hon'ble National Green Tribunal on the following among other grounds -

GROUNDS

A. Because the illegal mining activities of silica sand in the Shankargarh block of District Prayagraj, Uttar Pradesh are responsible for causing substantial environmental damage by undertaking illegal and unscientific abstraction of minerals and ground water resources and causing environment damage and constant depletion of the ground water thereby affecting environment and public health of the residents at large which completely depend upon the said important natural resource for

Shankargarh

leading a quality life. Furthermore, the extraction of groundwater reserves by the washing plants is highly unsustainable which would ultimately result in decline of the ground water without which the entire regions aforesaid would be extremely affected and will not be able to function effectively.

- B. Because , in the aforesaid area of Prayagraj District ; there is rampant illegal mining activities in the non sanctioned areas of Government lands and causing great revenue loss of Royalties and all Government lands are illegally dug by the local labourer without any safety measure causing silicosis and other likewise diseases and all green belt is also wiped out.
- C. Because, in the aforesaid areas several illegal moving crushers have been installed and being run on generators without having any permissions. They are running with temporary structure and so on inspection by mining authorities, they run away leaving no evidence. The entire area has been dug as a rat hole activities and it must be regularized.
- D. Because, Most of the mine which have been issued EC are not complying with EC conditions especially plantation, CSR, proper monitoring and other conditions. And also they are also not extracting minerals from the allotted areas , but it is very surprised that they are regularly showing the mining activities , this may be purchasing the minerals from the unauthorized mining Mafias who are digging the not allotted area. This is a serious matter as they are causing harm to the environment as well as loss of revenue to the Government.

State Govt

E. Because, in the aforesaid area, illegal mined Silica sand minerals are being transported by tractors or trucks without having any valid ravannas and in their place some illegal Pahar Parchi is used that also being generated by the mining owners itself. There is illegal practice of Pahar Parchi against the valid Ravannas. This illegal practice is going on from a long time without any check by the Government authorities. And no step has been taken so far by the authorities even after having full knowledge of the same.

F. Because of unauthorized movement of mineral on Pahar Parchi, illegal mining is going on this pretext in the entire mining area in all the blocks mentioned above due to absence of checks and balances. Most of the illegally mined out mineral are transported on the Pahar Parchi of some of the sanctioned mines.

G. Because, UPPCB as well as Department of Geology and Mining, Government of U.P. have closed their eyes regarding these illegal mining activities under the pressure of the mining Mafias of the area. All Government land are illegally being digged and exploited the labourer and all green belt is wiped out

H. Because, the Guidelines of 2015 prescribe that all industries in non-notified areas have to take NOC from the CGWA. However, there are innumerable industries functioning in the aforesaid areas, which are even water intensive industries which depend upon ground water as its raw material. NOC must be obtained from the CGWA, the withdrawal of ground water must be limited to certain percentage and subject to the ground water recharge

Debit/2017

through measures taken by such industry. However, there is no compliance of the same.

- I. Because in *Safal Bharat Guru Parampara v. State of Punjab & Ors.* [O.A. No. 9/2014 decided on 20.07.2015], this Hon'ble Tribunal dealt with the necessary actions for maintenance of the ground water level; and, directed the Government to notify categories of areas based on their water-availability and to impose restrictions regarding the use of groundwater for agriculture and other purposes. This Hon'ble Tribunal also promoted the need for rainwater harvesting.
- J. Because this Hon'ble Tribunal in *Taurus International (Projects) Pvt. Ltd. v. Delhi Pollution Control Committee* (Appeal No. 1 of 2015 (M.A. No. 241 of 2015, 12 of 2015, 13 of 2015 & 74 of 2015) vide order dated 15.04.2015 observed as follows:

"...it is evident that unauthorised and illegal extraction of ground water is going on rampantly unchecked. It is unfortunate that in a place like Delhi, Gurgaon, NCR, Delhi where the groundwater has already depleted much more than can be expected such things are permitted. We direct CGWA Counsel who is present in these cases, to ensure that appropriate actions are taken against illegal and unauthorised extraction of ground water and if these pumps are operating without permission of CGWA and without compliance to the condition stated for such permission. The Authority shall take stand forthwith to seal such illegal and unauthorised tubewell and extraction mechanism. The SHO of the concerned area shall provide full assistance to the officers

S. C. K. W.

to implement the order forthwith. Needless to notice that this seriously prejudices not only the provisions of the Water Act but even the Environmental Protection Act, and directly affects the groundwater and ecology of the area in question."

- K. Because due to this large scale illegal mining of Silica Sand and illegal abstraction of ground water by the silica washing plants, a severe situation of freshwater scarcity in the region is imminent.
- L. Because the silica washing plants, by carrying out their operations without valid NOC from CGWA (as corroborated by the CGWA is in flagrant violation of the CGWA guidelines.
- M. Because the illegal mining activities of Silica Sand and silica washing plants, by carrying out their operations in an environmentally irresponsible manner, are in violation of the basic tenets of environmental jurisprudence such as sustainable development.
- N. Because the Government of the Uttar Pradesh and Uttar Pradesh Pollution Control Board and CGWA have failed to discharge their statutory duty to provide a clean environment and take necessary action against such erring units and such inaction is causing irreversible damage to the environment.
- O. Because this Hon'ble Tribunal in *Krishan Kant Singh v. Triveni Engg. Industries Ltd. & Ors.* (O.A. 317 of 2014) vide its Judgment and Order dated 10.12.2015 has held:

"Every event of pollution by itself would be a separate and independent cause of action. No industry can be permitted to take up a stand that since it had been polluting in the past

Secy. 1/12

years, therefore, by necessary implication, it would have a right to pollute in future as well."

P. Because there has been deliberate negligence and wilful violation of the environmental regulations and the various orders of the Hon'ble Tribunal. As per Section 17(1) of the NGT Act, the person responsible for causing an adverse impact to the environment is liable to pay relief/compensation for the damage. Therefore, in case of illegal, unsustainable and unscientific mining and extraction of ground water which is ultimately resulting in decline of the environmental quality, the concerned person/ department will be liable to pay compensation and ensure restitution of the environment, in accordance with the polluter pays principle.

Q. Because, the illegal mining activities of silica sand, illegal transportation and its washing plants are liable for restitution of the exploited and ground water reserves in accordance of Section 15 (1) (b) and (c) of the NGT Act.

R. Because the carrying capacity of the area must be assessed in the light of the cumulative impact of the 100+ silica washing industries, which cause a severe load on the ground water resources and the unchecked extraction without any recharge mechanism in place results in quick depletion of the scarce resource. The NOC, if any, granted by the CGWA, must be so granted and made subject to such conditions as may be assessed only after thorough study of the carrying capacity of the area in light of the cumulative impact of the silica sand washing industries and other competing users consuming ground water in the concerned region and recycling of water must be made a

Shubh K. K.

condition while granting NOC by CGWA for washing of silica sand.

LIMITATION

That the present Application deals with a recurring cause of action as has been held by this Hon'ble Tribunal in the Forward Foundation v. State of Karnataka &Ors. (O.A. 222 of 2014) that the recurring cause of action would not stand excluded by the expression 'cause of action first arose'. The illegal mining activities of silica sand and their washing plants continue to operate with impunity even till date, without obtaining any NOC from concerned authorities including CGWA and despite representation being made to the authorities concerned. Even otherwise, the applicant has approached the Hon'ble Tribunal aggrieved due to the negligence and inaction of the said respondents to take preventive and punitive measures in this matter.

The application has also been filed for restitution of the area within five years from the date on which the cause for restitution of the environment first arose, which is 'recurring' in the present matter as the constant illegal mining activities of silica sand and extraction of ground water is being done by their washing plants are working without any NOC and without putting any ground water recharge mechanism in place.

Hence, the application is made well within the period of limitation prescribed under section 14 and 15 of the NGT Act, 2010.

David K.H.

PRAYER

That in view of the above, it is most respectfully submitted that this Hon'ble Tribunal may be pleased to:

- a. Direct/order the respondents to stopped the illegal mining activities of Silica Sand in the area located in the Shankargarh Block and near by area like Pervaizabad, Lalapur, Bankipur, Janwa, Dhara etc, of Prayagraj district, U.P with immediate effect.
- b. Direct/order the respondents to constitute a high level committee to investigate the matter of illegal mining activity of Silica Sand and their washing plants in the area and submit its report before Hon'ble Tribunal.
- c. Direct /order the respondents to take necessary action for immediate closure of the silica sand washing plants without having valid NOC or permissions from the concerned authorities.
- d. Direct the concerned respondent authorities to conduct a surprise inspection of the area and mining lease of silica sand and various washing plants of Silica Sand operating in the area. And further Impose a strict penalty and environmental compensation on the defaulters/violators under the polluter pays principle.
- e. Direct/order to respondents for framing a detailed guidelines to restrict the disease like silicosis etc amongst the labourer involved in the activities of illegal mining of Silica Sand in the aforesaid area.

Shankar Khat

- f. Direct/ order to respondents for the restitution of environment damaged caused by the culprits under section 15 of NGT Act.
- g. Pass any other such order/orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case.

Devi K.K.

Filed by:

Anoop

(Anoop Agarwal Advocate & Associates)

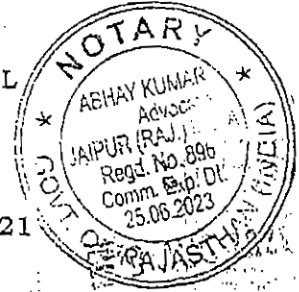
230, Lawyers Chambers,
E-Block, Rajasthan High Court, Jaipur
Mobile No. 9462001295
adv.anoop10@gmail.com

Jaipur
Dated: 9/8/21

Devi K.K.

1562

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI



ORIGINAL APPLICATION NO. OF 2021

IN THE MATTER OF:

NOTARIAL NOTARIAL

Devi Das Khatri

.....Applicant

Versus

Union of India & Ors.

.....Respondents

Affidavit in support of Original Application

I, Devidas Khatri S/o Shri Nand Kishore Khatri, aged about 37 Years R/o 239, Laxmi Nagar, Behind Mangori Walon Ki Bagichi, Brahmपुरi, Jaipur-302002, do hereby take oath and state as under:-

1. That I am Applicant and well conversant with the facts of the case and thus competent to depose this affidavit.
2. That the accompanying application has been drafted and prepared by my counsel under my instructions and the same are based on the records and has been read over by me and I have understood the same.
3. That the all the contents of Application and Annexure A/1 to Annexure A/3 filed with the accompanying application are true and typed copies of their respective.

Jaipur/ 9/8/21

Devi Das
DEPONENT

VERIFICATION

I, the above named deponent, do hereby solemnly affirm that the contents of Para No.1 to 3 of the above affidavit are true to my personal knowledge. Nothing has been concealed in it. No part of it is false. So help me God.

Devi Das
Jaipur-
9/8/21

Devi Das
DEPONENT

ATTESTED

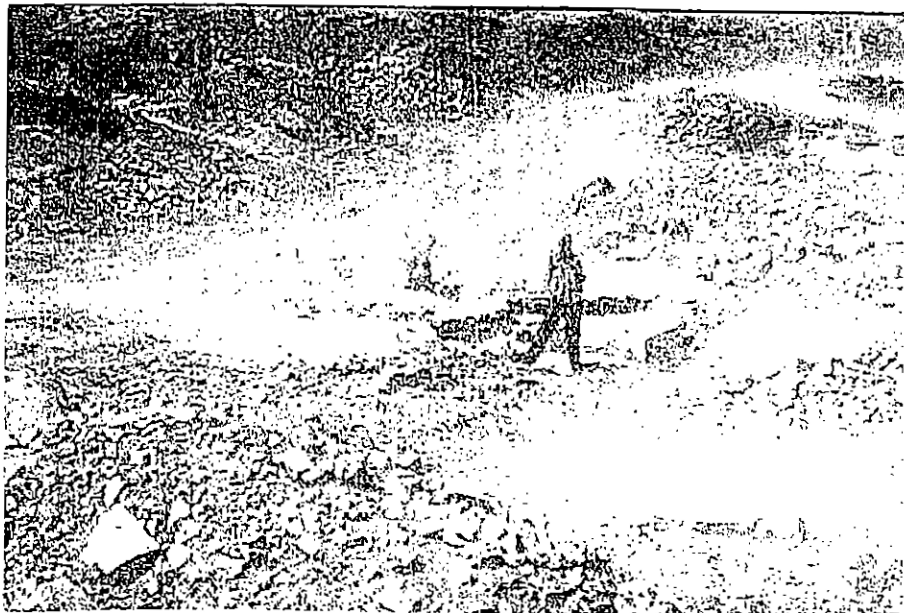
Devi Das
NOTARY 09/8/21
JAIPUR (RAJASTHAN) INDIA

Annexure - A/1

(22)

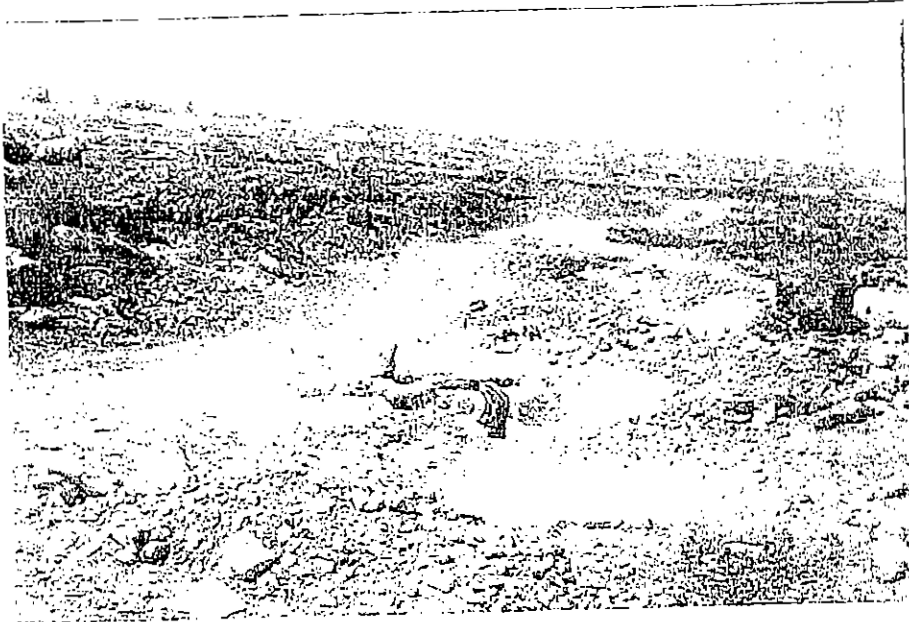


ILLEGAL MINING OF SILICA SAND AT JANWA

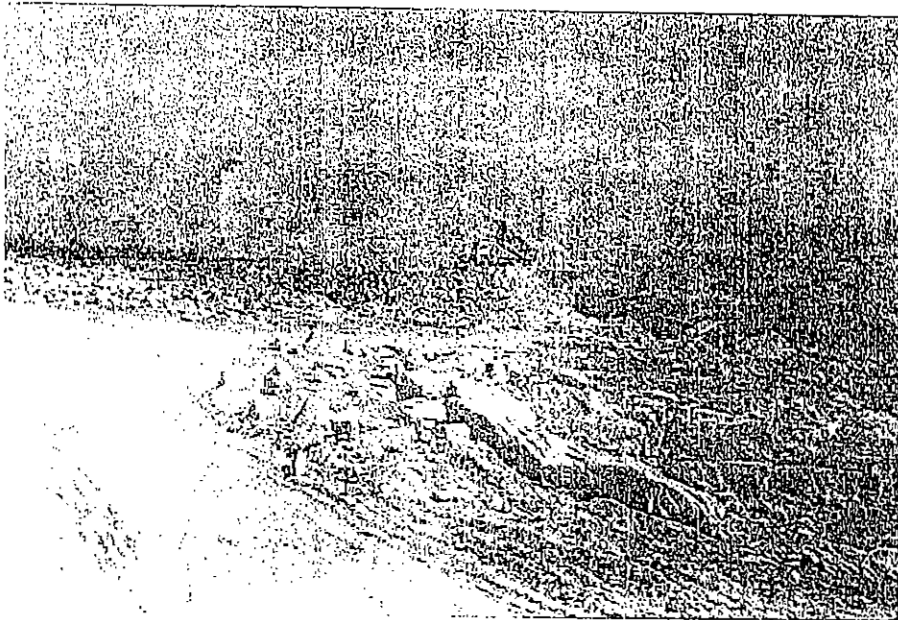


ILLEGAL MINING OF SILICA SAND AT JANWA

Sp. No. 11/14



ILLEGAL MINING OF SILICA AT PERVAIZABAD.



ILLEGAL STONE CRUSERS OF SILICA SAND

Sierra K-62

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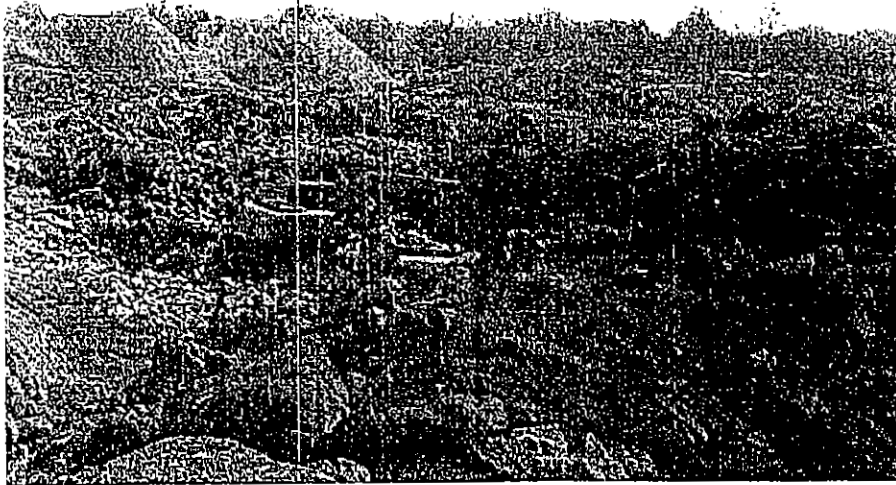


ILLEGAL MINING OF SILICA AT BARKIPUR

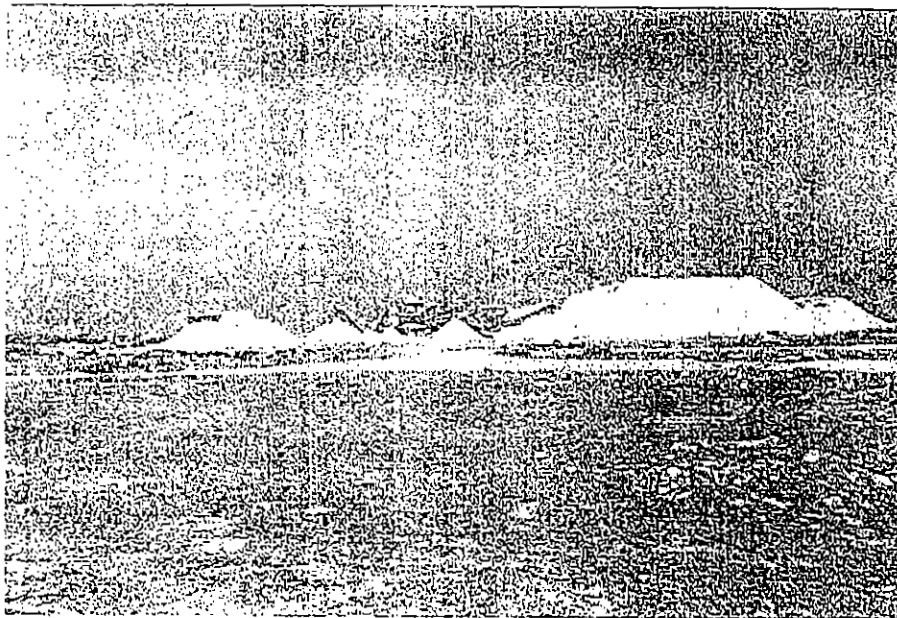


ILLEGAL WASHING OF SILICA SAND

Siddha klot



ILLEGAL MINING AT LALAPUR



ILLEGAL CRUSHING & WASHING OF SILICA SAND

Sanjay K. K.

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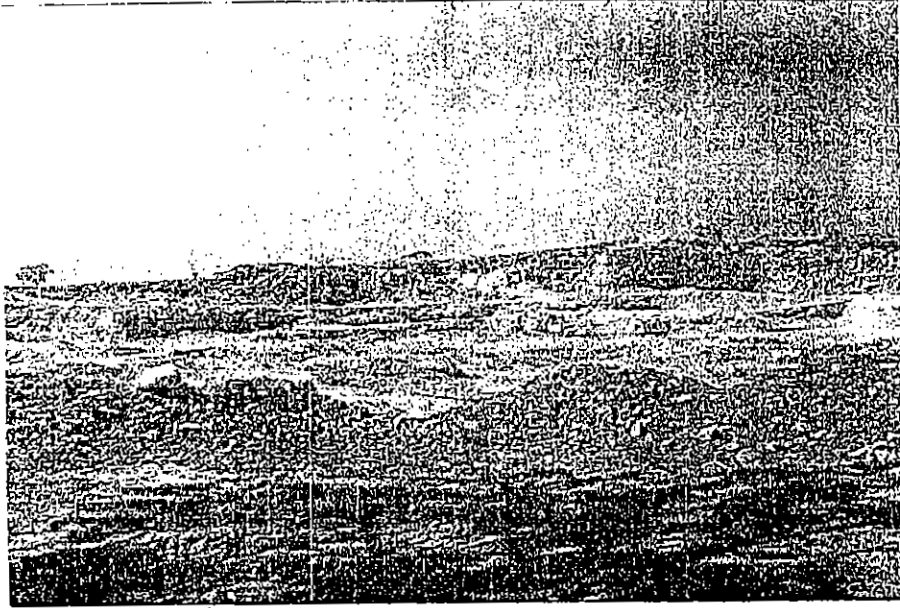


ILLEGAL MINING OF SILICA SAND AT DHARA



ILLEGAL WASHING PLANT OF SILICA SAND

Shri. K. K. K.



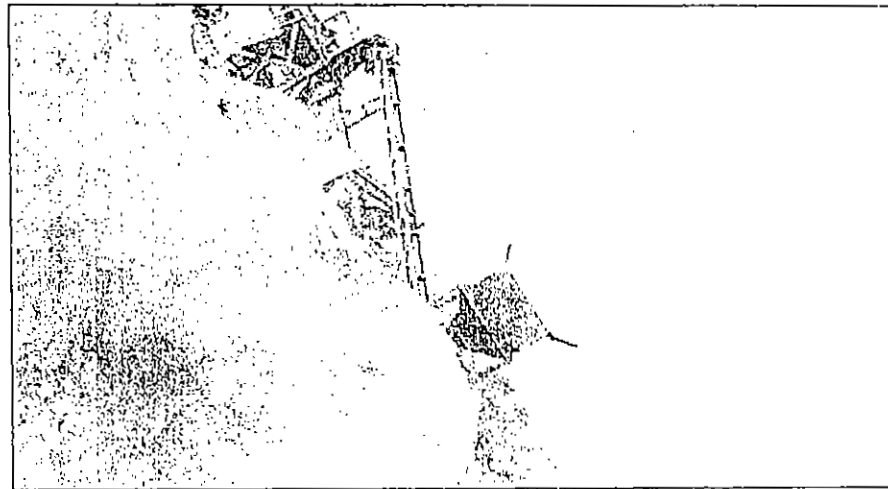
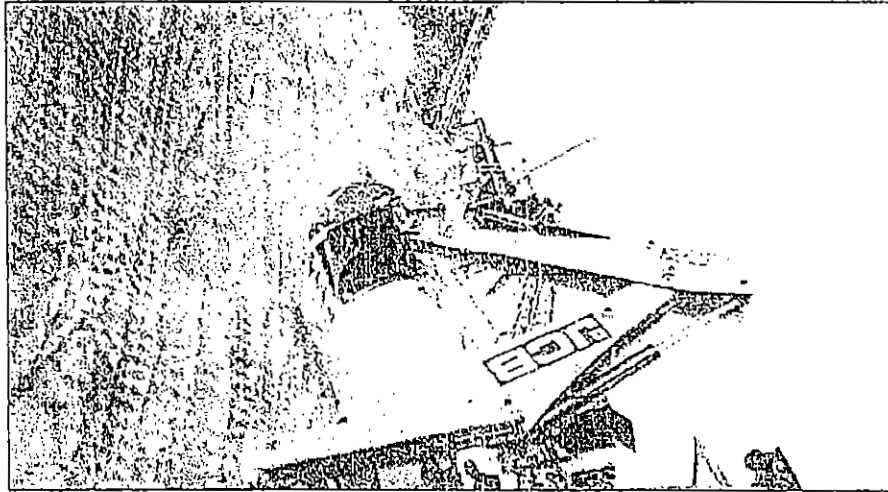
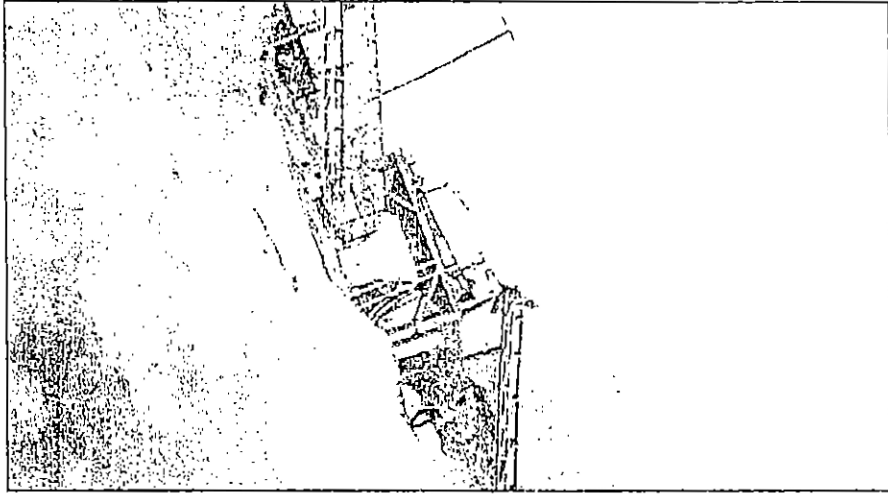
ILLEGAL MINING OF SILICA SAND, AT BANKIPUR



ILLEGAL MINING OF SILICA SAND, AT BANKIPUR

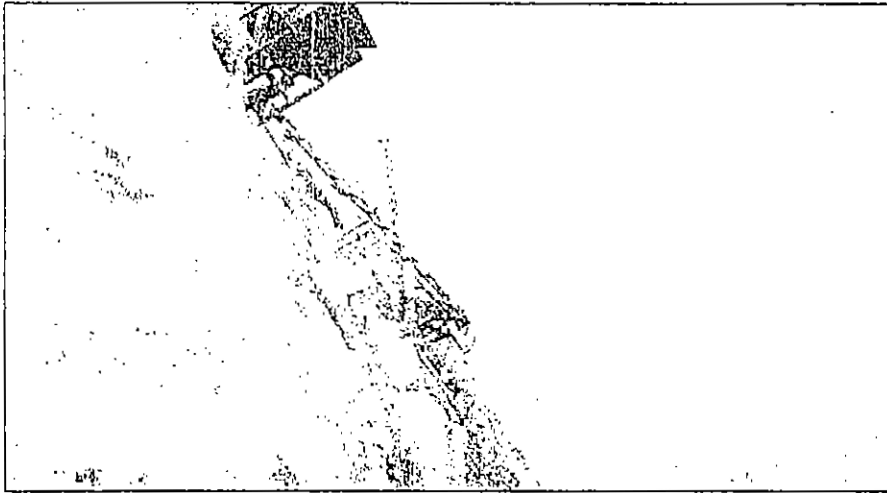
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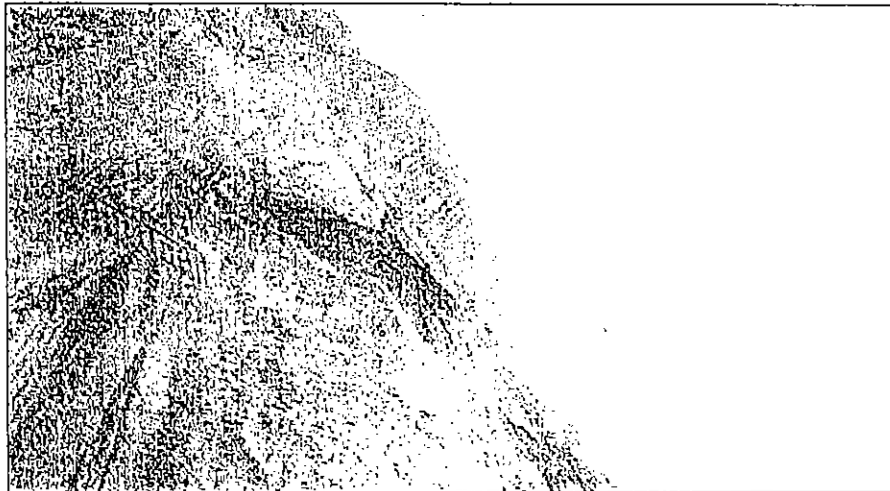
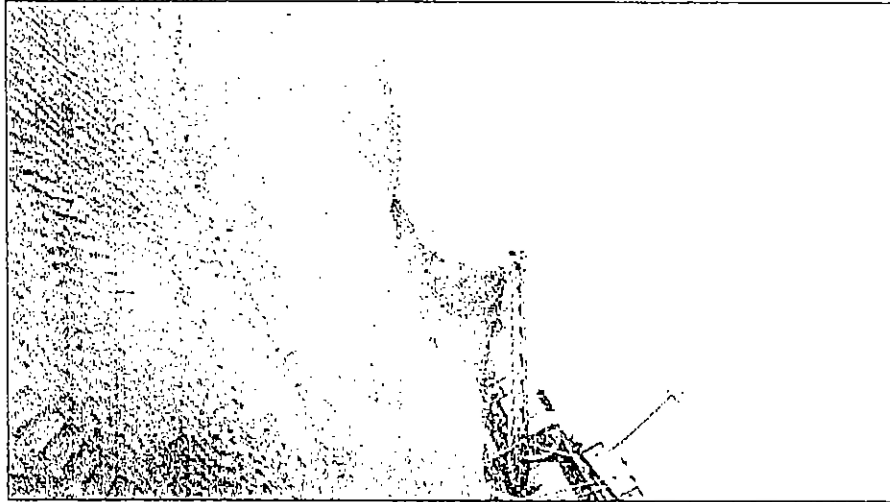
ILLEGAL CARSHING & WASIPAN DI DOKTERAN
PERVAIZABAD

Siapa klu?



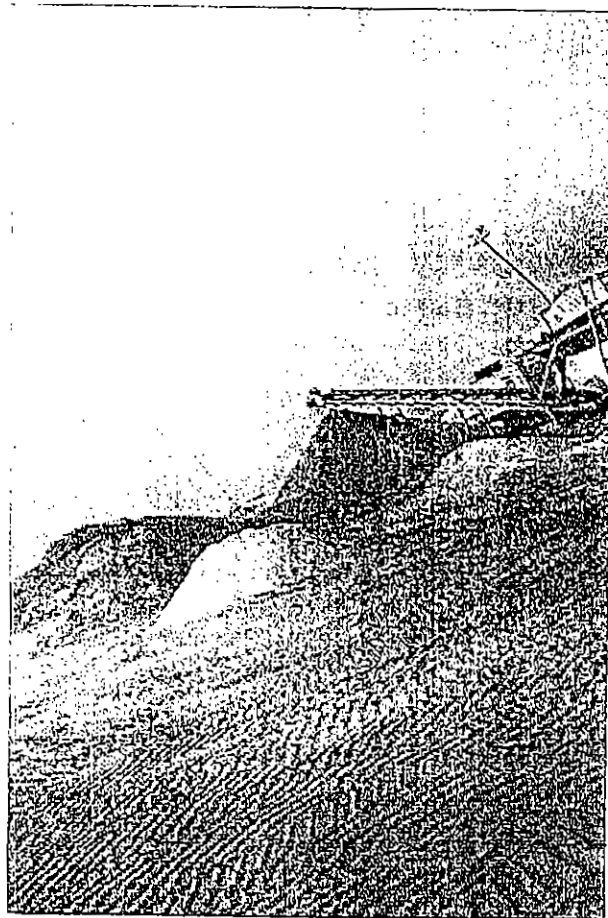
Sand 1/2 ILLEGAL CRUSHING & WASHING OF SILICA SAND AT PERVALZA-BAD

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Q&A kkt

ILLEGAL CRUSHING & MINING OF SILICA SAND AT PERUMBAR



ILLEGAL CRUSHING & MINING OF SILICA SAND, AT PERVAIZABAD.

Sales K.L.A.

Annexure - A/2

(32)



ADVOCATE

Saurabh Gupta
Advocate

Mobile no. 8619026669

Address:- 76, Vikas Nagar-D,
Heerapura . Ajmer Road,
Jaipur - 302024

Registered / Speed Post

Counsel for,

*Devidas Khatri S/o Shri Nand Kishore Khatri, R/o 239,
Laxmi Nagar, Behind Mangori Walon Ki Bagichi,
Brahmpuri, Jaipur-302002*

To,

1. UNION OF INDIA

through its Secretary, MOEF&CC, 3rd Floor, Prithvi Wing,
Indra Paryavaran Bhawan, Jor Bagh, New Delhi-110003,
Email:tapka. jigmec@gov.in , Phone no. 01124695274

2. STATE OF UTTAR PRADESH

Through its Chief Secretary, Government of U.P.
101, Lok Bhawan, U.P. Civil Secreteriate. Vidhan Sabha
Marg, Lucknow. - 226 001
csup@nic.in, Phone No. 0522-2238212

Saurabh Gupta

Devi Kishor

3. CENTRAL POLLUTION CONTROL BOARD

Through its Member Secretary,

Purush Bhawan,

CBD-cum-Office Complex,

East Arjun Nagar,

Delhi - 110032

Msob.epcb@nic.in, Phone no. 011-22303655

4. UTTAR PRADESH POLLUTION CONTROL BOARD

Through its Member Secretary,

Building. No. TC-12V, Vibhuti Khand,

Gomti Nagar, Lucknow,

Uttar Pradesh - 226010

ins@uppcb.com, Phone No. 0522-2720895

5. DEPARTMENT OF GEOLOGY AND MINING, UTTAR PRADESH

through Principal Secretary, Geology and Mines,

Government of Uttar Pradesh, Khanij Bhawan, 27/8, Rajaram

Mohan Roy Marg, Lucknow- 226001.

dmupexpx@gmail.com, Phone no. 0522-2205904

6. DISTRICT COLLECTOR, PRAYAGRAJ (U.P.)

dmalk@nic.in, Mobile no. 954417517

S. Anand

Devi Kishor

34

7. MEDICAL HEALTH AND FAMILY WELFARE DEPARTMENT

Through Principal Secretary,
1st Floor, Lal bahadur Shastri Bhawan,
Uttar Pradesh Secretariat, Lucknow.

8. DIRECTOR GENERAL OF MINES SAFETY (DGMS)

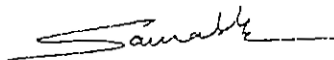
Through Director General ,
Govindpur road, Heerapur, Dhanbad-826001
dg@dgms.gov.in Phone no. 0326-2221038

LEGAL NOTICE

Dear Sirs,

Under the instructions and on behalf of my above named client, I hereby serve upon you this legal notice as under:-

1. That my client is an Environmental Activist and works for social and environmental causes.
2. That, in Shankargarh block, Pervezabad area and Lalapur, Bankipur, Janwa, Dhara etc of the Prayagraj district of Uttar Pradesh, there is illegal and indiscriminate extraction / illegal mining activity of silica sand by the mining Mafias, without obtaining the necessary permissions from pollution control Board and various authorities and without putting in place any proper



Samab

extraction mechanism keeping the labourer in danger zone of various disease like silicosis etc., thus violating the provisions of the Environment (Protection) Act, 1986 and the rules framed there under and the CGWA Guidelines.

3. That since Shankargarh block is largely a non fertile area and rich in mineral resources, especially silica sand, industrial activity involving mining of silica sand and consequently, washing of the so extracted silica sand has cropped up. Silica sand is a good repository of ground water and the movement of ground water is mainly through the deposits of silica sand. Shankargarh block being a drought prone region, the recharge potential is intrinsically connected to the preservation of silica sand. Due to indiscriminate mining of silica sand deposits and the unchecked extraction of ground water by the silica sand washing plants, the natural aquifers of the region, which are the singular source of drinking water in the region, are getting depleted at an exponential rate.
4. That concerned with the indiscriminate and excessive extraction of ground water for the purpose of washing silica sand in the region, the applicant inquired to silica sand washing plants in Prayagraj district and he found that they have not obtained any valid and effective NOC from CGWA. And no action was taken against such silica sand washing plants from the CGWA.
5. That thereafter, the applicant, in its public spirited efforts, made a representation along with various photographs before the authorities like Regional Officer, UP Pollution

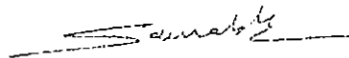
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Deena Khat

(36)

Control Board UPPCB, Prayagraj Chairman, CGWA, the Regional Director, CGWB, Lucknow, District Magistrate, Prayagraj bringing to their notice the ongoing rampant illegal mining activities and indiscriminate extraction of ground water through bore wells, etc. in Shankargarh block, District Prayagraj, Uttar Pradesh, by approximately more than 500 illegal mining activities of Silica Sand has been done by Mining mafias and about 100+ industries engaged in the washing of silica sand, without putting in place any mechanism for groundwater recharge.

6. That the CGWB, Northern Region has admitted that no NOC had been obtained by any such industry/plants and no action was initiated against any of them.
7. That the applicant also contacted the senior officials of the concerned departments and repeatedly communicated with them to conduct a surprise inspection of the area regarding illegal mining activities of silica sand and their washing plants operating in the region and take action against the violators.
8. That in response to the said complaint/representations, the Regional Director, Central Ground Water Board also informed the District Collector, Prayagraj about the complaint received regarding illegal extraction of ground water and requested for initiating action against the same.
9. It is humbly submitted that despite the above said communication, no corrective action in pursuance of the complaint sent by my client, was taken by the authorities against such culprits to check the illegal action.

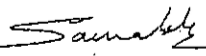


Shankar Khatri

10. That it is further submitted that the authorities have grossly failed to take punitive action against such violators under section 15 of the Environment (Protection) Act, 1986 and hence, the applicant is constrained to approach to you for appropriate directions to remedy this dismal situation.

I, therefore through this legal notice of 15 days advise all of you to take serious steps in the matter and by making sudden inspection over the aforesaid area by satellite data, site inspection report may be prepared and mining activity in the aforesaid area may kindly be stopped with immediate effect and required criminal complaints may kindly be initiated against the culprits and environmental compensation as well as illegal mining compensation be imposed over the culprits and aforesaid area may be restored to its original position. And also take strict action against defaulting officers who are not performing their duties as per law. Necessary steps to be taken within a period of 15 days and copy be supplied to my client, regarding action taken against the culprits. If the aforesaid grievance of my client is not redressed within the stipulated period, then I have got ready instruction from my client to initiate the legal proceedings before Hon'ble National Green Tribunal and other competent courts of law at your cost and consequences arising therefrom which may kindly be noted.

Yours,


(Saurabh Gupta) 22/12/20
Advocate

Davek Khub

Annexure - A/3

36

Email / Speed-Post

Govt. of India / भारत सरकार
Ministry of Labour and Employment
श्रम व रोजगार मंत्रालय
Directorate General of Mines Safety
खान सुरक्षा महानिदेशालय
Dhanbad / धनबाद- 826 001



मं०-25016/80/2020-विधि(मु०)/178 धनबाद, दिनांक ०५ मार्च, 2021

To,
Sh. Saurabh Gupta
Advocate
76, Vikas Nagar-D
Heerapura, Ajmer Road
JAIPUR (Rajasthan) 302024

Sub: A legal notice received from Sh. Saurabh Gupta, Advocate on behalf of Sh. Devidas Khatri, S/o Sh. Nand Kishore Khatri R/o 239, Laxmi Nagar, Behind Mangori Walon Ki Bagichi, Brahmपुरी, Jaipur-302002.

Sir,

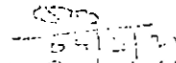
Please refer to your Legal Notice dated 22.12.2020. In this connection the parwise reply of this Directorate to the aforesaid notice is as follows:

Para 1- Subject matter does not come under the purview of the Mines Act, 1952.

Para 2- Matter of record, hence, no comments to offer.

Para 3 - Subject matter does not come under the purview of the Mines Act, to 10 1952.

Yours faithfully,


Director General of Mines Safety

Sent. 1/1/21

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

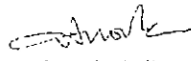
APPEAL No. . . OF 2021

DEVIDAS KHATRI Vs UNION OF INDIA & OTHERS

KNOW ALL MEN by these presents that I/We the undersigned *Devidas Khatri S/o Shri Nand Kishore Khatri, aged about 35 Years R/o 239, Laxmi Nagar, Behind Mangori Walon Ki Bagichi, Brahmpuri, Jaipur-302002* in the above case do hereby make, constitute and appoint Mr ANOOP AGARWAL & Associates of Chamber No. 230, E block, Rajasthan High Court, Jaipur Bench my/our true and lawful attorneys, for me/us in my/our name(s), and on my/our behalf to appear plead and act in the said case, and more particularly to draw, make, present, withdraw, amend, represent and verify plaints or written statements and to make, or present applications or petitions to the Court, to present, withdraw and receive documents and any money from the Court or from the opposite party either in execution of the decree or otherwise and on receipt of payment there of to sign and deliver for me/us proper receipts and discharges for the same, to compromise or to refer the case to arbitration, to seek execution of the decree of any orders in the case, to draw, make payment, withdraw, amend and represent any memorandum of appeal or cross objections in any appeal arising or to seek reviews or revision of any Judgment, decree or order in the case, to appear, conduct and plead in all such appeals/revisions and reviews and to do all other lawful acts and things as effectually as I/we could do the same whether being personally present or otherwise, My/our said counsel is/are also hereby authorise and empowered to instruct, engage or appoint any other counsel or counsels to appear, plead and act with or for him/them in his/their absence or otherwise as my/our said counsel may think proper to do so, all acts of such counsel or counsels shall be equally and similarly binding on me/us as if done by my/our said counsel and as if done by me/us personally.

I/We hereby agree that if any part of the said counsel's fee remains unpaid before the first hearing of the case, or if any hearing of the case be fixed on tour or at any other place except the usual court premises, then my/our said counsel will not be bound to appear before the Court. The counsel's fee now settled and agreed to is in respect of this Court and for the pending proceedings only. Any fresh action hereafter taken will entitle the counsel to fresh fees. I/We also agree that if the case be dismissed in default or if it be proceeded ex-parte under any circumstances whatsoever the said counsel shall not be held responsible for the same and all whatsoever my/our said counsel shall do in connection with the said case, I/We do hereby agree to ratify and confirm. Any costs awarded in the case at anytime in my/our favour shall form part of the counsel's claim and shall be payable to him/them in addition to his/their fees in the case.

IN WITNESS WHEREOF I/we have hereto set my/our hand(s) at 10 this 10 day of April 2021 and delivered to the said counsel(s)


ANOOP AGARWAL

ADVOCATE.

R/310/2000

anu.anoop10@gmail.com
9462001295

Devidas

1581

प्रेषक,

जितेन्द्र राय वाष्णीय
ग्राम बरगढ़ी, तहसील बारा
प्रयागराज।
मो0-9415123295

दिनांक-01.07.2023

सेवा में,

अधिशाषी अभियन्ता
भूगर्भ जल विभाग, उ0प्र0
6/3सी, बेली रोड,
प्रयागराज।

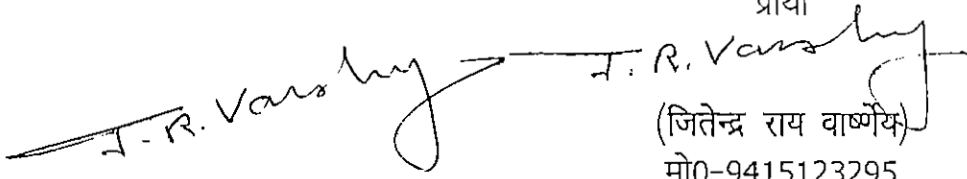
विषय : वाशिंग प्लान्ट में गड्डे में एकत्रित पानी इस्तेमाल करता हूँ।

महोदय,

मेरा वाशिंग प्लान्ट ग्राम बरगढ़ी, बारा, प्रयागराज में स्थित है। सिलिका सैण्ड की वाशिंग के लिये मैं गड्डे में एकत्रित पानी का इस्तेमाल करता हूँ।

मेरे प्लान्ट में कोई बोरिंग नहीं है और न ही बोरिंग कराने का कोई इदादा है।

धन्यवाद

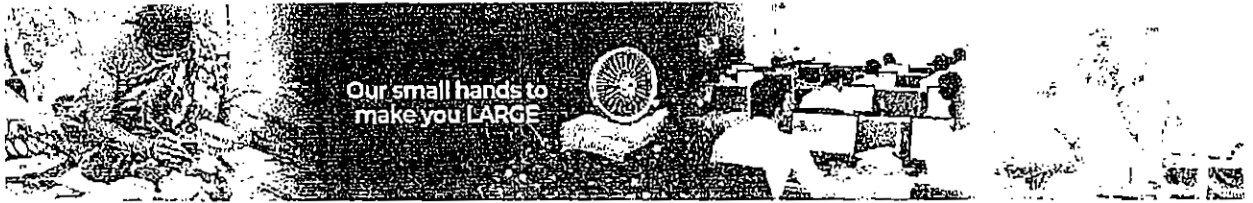
प्रार्थी

(जितेन्द्र राय वाष्णीय)
मो0-9415123295

प्रतिलिपि-

1. भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, प्रयागराज।
2. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, सेक्टर-10, योजना संख्या-3, झूंसी, प्रयागराज।

5102
1-7-23
A. L. S.

REGISTRATION CERTIFICATE



MICRO

MANUFACTURING

UDYAM-UP-03-0004228

NAME OF ENTERPRISE

GLASS AND FOUNDRY SANDS

SOCIAL CATEGORY OF ENTREPRENEUR

General

NAME OF UNITS

SNo.	Units Name
1	SILICA SANDS

OFFICIAL ADDRESS OF ENTERPRISE

Flat/Door/Block No.	BARA	Name of Premises/ Building	GLASS AND FOUNDRY SANDS
Village/Town	BARA	Block	SHANKARGARH
Road/Street/Lane	SHANKARGARH	City	PRAYAGRAJ
State	UTTAR PRADESH	District	PRAYAGRAJ, Pin 212108
Mobile	9415123295	Email:	saakpv22511@gmail.com

DATE OF INCORPORATION / REGISTRATION OF ENTERPRISE

01/07/2017

DATE OF COMMENCEMENT OF PRODUCTION/BUSINESS

01/07/2017

NATIONAL INDUSTRY CLASSIFICATION CODE(S)

SNo.	NIC 2 Digit	NIC 4 Digit	NIC 5 Digit	Activity
1	03 - Other mining and quarrying	0310 - Quarrying of stone, sand and clay	03106 - Operation of sand or gravel pits, basalt / porphyry, clay (ordinary), crushing and breaking of stone for use as a flux, or raw material in lime or cement, manufacture or as building material, road metal or ballast and other materials for construction	Manufacturer

DATE OF UDYAM REGISTRATION

15/01/2021

Disclaimer: This is computer generated statement, no signature required.
Printed from <https://udyamregistration.gov.in>

For any assistance, you may contact:

- 1. DIC ALLAHABAD
- 2. MSME-DI ALLAHABAD

Visit : <https://udyamregistration.gov.in>



with the
Ministry of
MSME

Type of Enterprise	MICRO	Major Activity	Manufacturing
Type of Organisation	Proprietary	Name of Enterprise	GLASS AND FOUNDRY SANDS
Owner Name	SHRI JITENDRA RAI VARSHNEY	PAN	AAKPV2251L
ITR for Previous Year	Yes	ITR Type	ITR - 3, 5, 6
Do you have GSTIN	Yes	Mobile No.	9415123295
Email Id	aakpv2251l@gmail.com	Social Category	General
Gender	Male	Specially Abled(DIVYANG)	No
Date of Incorporation	01/07/2017	Date of Commencement of Production/Business	01/07/2017

Bank Details

Bank Name punjab national bank
 IFS Code PUNB0883200
 Bank Account Number 8832000100010997

Employment Details

Male 20
 Female 0
 Other 0
 Total 20

Investment in Plant and Machinery OR Equipment (in Rs.)

Written Down Value (WDV) as on 31st March of the Previous Year 2018-19 (A)	194975
Exclusion of cost of Pollution Control, Research & Development and Industrial Safety Devices during 2018-19	0
Net Investment in Plant and Machinery OR Equipment[(A)-(B)]	194975
Total Turnover (A) during 2018-19	49097062
Export Turnover (B) during 2018-19	15000000
Net Turnover [(A)-(B)]	34097062

it(s) Details

SN	Unit Name	Flat	Building	Village/Town	Block	Road	City	Pin	State	District
1	SILICA SANDS	BARA	GLASS AND FOUNDRY SANDS	BARA	SHANKARGARH	SHANKARGARH	PRAYAGRAJ	212108	UTTAR PRADESH	PRAYAGRAJ

Official address of Enterprise

Flat/Door/Block No.	BARA	Name of Premises/ Building	GLASS AND FOUNDRY SANDS
Village/Town	BARA	Block	SHANKARGARH
Road/Street/Lane	SHANKARGARH	City	PRAYAGRAJ
State	UTTAR PRADESH	District	PRAYAGRAJ , Pin : 212108
Mobile	9415123295	Email:	aakpv2251l@gmail.com

National Industry Classification Code(S)

SNo.	Nic 2 Digit	Nic 4 Digit	Nic 5 Digit	Activity
1	08 - Other	0810 - Quarrying	08106 - Operation of sand or gravel pits, basalt / porphyry, clay (ordinary), crushing and breaking of stone for use as a	Manufacturing

Are you interested to get registered on Government e-Market (GeM) Portal

No

Are you interested to get registered on TReDS Portals(one or more)

No

MSME-DI

ALLAHABAD

MSME-DI

ALLAHABAD

Date of Udyam Registration

15/01/2021

1585

प्रेषक,

जितेन्द्र राय वाष्णेय
ग्राम बरगढ़ी, तहसील बारा
प्रयागराज।
मो0-9415123295

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सेवा में,

अधिशायी अभियन्ता
भूगर्भ जल विभाग, उ0प्र0
6/3सी, बेली रोड,
प्रयागराज।

विषय : वाशिंग प्लान्ट में गड्डे में एकत्रित पानी इस्तेमाल करता हूँ।

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धन्यवाद

प्रार्थी

Sd/-

(जितेन्द्र राय वाष्णेय)

मो0-9415123295

प्रतिलिपि-

1. भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, प्रयागराज।
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J. R. Varshney

J. R. VARSHNEY
44/2 Lowther Road
George Town
ALLAHABAD-211002