

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 203 OF 2021**

IN THE MATTER OF :

DEVIDAS KHATRI

....PETITIONER

Versus

UNION OF INDIA & Ors.

....RESPONDENTS

IN THE MATTER OF

M/s. Hari Mandir Mineral Traders,
Mine Owners,
Office at T1-1D Rudra Enclave,
Dhanua, Rewa Road, Naini,
Prayagraj-211008, (U.P.)

....Respondent No. 19

PAPER BOOK

Additional Affidavit of M/s. Hari Mandir Mineral Traders for its Mining
Lease situated at Village Chithera, Guretha, Tehsil Bara, District
Prayagraj



**[ANCHIT SRIPAT]
[AJEYO SHARMA]**

Advocates

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New Delhi 110 067

Mob No: +91 9582709108

e-mail: anchit@asayalegal.com

Place : New Delhi
Dated: 04.05.2024

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INDEX

S.No	Particulars	Pages
1.	Additional Affidavit of M/s. Hari Mandir Mineral Traders for its Mining Lease situated at Village Chithera, Guretha, Tehsil Bara, District Prayagraj	1 - 4
2.	ANNEXURE – A Copy of the Surface Plan dated 17.07.2016	5
3.	Proof of Service	6


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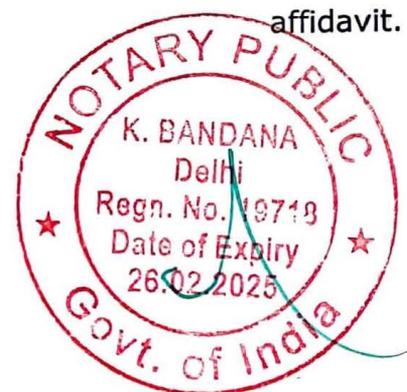
M/s. Hari Mandir Mineral Traders,
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**ADDITIONAL AFFIDAVIT OF M/S. HARI MANDIR
MINERAL TRADERS FOR ITS MINING LEASE SITUATED
AT VILLAGE CHITHERA, GURETHA, TEHSIL BARA,
DISTRICT PRAYAGRAJ:**

I, Santhosh Mendon, son of Late B Shivaji Mendon, aged about 51 years, R/o Flat No. 1801, 1802 Th Floor, Abhiman Texas Balmatta Bendor Road, Upper Bendore, Mangalore, Karnataka, presently at New Delhi, do hereby solemnly affirm on oath as under:

1. I state that I am the Managing Partner of the Answering Respondent in the present matter and I am well conversant with the facts and circumstances and as such I am competent to swear the present affidavit.



A handwritten signature in blue ink, appearing to read "S. Th...".

2. That the Project Proponent has on 09.04.2024 filed its detailed Response to the Report dated 17.01.2024 for its Mining Lease situated at Village Chithera, Guretha, Tehsil Bara, District Prayagraj, UP. for the lease period from 03.06.2016 to 14.12.2019. That the contents of the Response are not being repeated herein for the sake of brevity.
3. That the present Additional Affidavit is being filed in supplement to the Response dated 09.04.2024 to place on record certain information along with relevant documents as questioned by this Hon'ble Court during the hearing on 29.04.2024.
4. That although the total area of the Mining Lease was 104.21 Ha, the EC dated 29.07.2015 in para 3 (Pg. 2497) provided that the mining would be done only in 63.61 Ha area. Accordingly, the Project Proponent craves leave of this Hon'ble Court to place on record the Surface Plan dated 17.07.2016 containing the geographical coordinates of the Mining Area.
5. It is submitted that Pit No. 16 with an area of around 3 Ha, marked on the Surface Plan with two rainwater harvesting pools on both sides was the only Working Pit for the entire lease period from 03.06.2016 to 14.12.2019. It is further submitted that mining was carried out by the Project Proponent only in this area.



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Copy of the Surface Plan dated 17.07.2016 is annexed herewith as **ANNEXURE - A**

6. It is submitted that the Project Proponent during the lease period from 2016 to December 2019 planted 750 Trees around the Northern, Eastern and Southern boundary marked as Lease Boundary in the Surface Plan. No plantation could be done on the Western boundary since it falls towards the agricultural land.
7. It is further submitted that Project Proponent did not consume ground water or surface water for the activities on the mining lease land. The water requirement of mine was extremely low because water was required only for drinking purpose, plantation and sprinkling of roads for suppression of dust generated due to transport activities and manual mining. Water was sourced either from harvested rainwater or through tankers. Moreover, water stored in the pits is also used by the farmers for agriculture purpose.
8. It is submitted that since inception, the Project Proponent had been mining Silica Sand from the leased site in accordance with terms and conditions of approved mining plan/ requisite EC / valid CTO. The Project Proponent has made full disclosure of the mining activities and six-monthly reports on the status of the implementation of the stipulated environment safeguard and other records pertaining to its



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mining operation since the day of its mining from the lease site. The Project Proponent has complied with all the Conditions prescribed under the Mining Plan, EC and CTO. The six-monthly reports have regularly been filed before the MoEF / SEIAA and UPPCB from time to time and no violation has ever been found.

9. In the light of the aforesaid facts, it is most humbly submitted that the present Additional Affidavit be taken into consideration.
10. The documents attached at Annexures to this affidavit are true copies of their respective originals.


DEPONENT

VERIFICATION

IDENTIFIED

I, the deponent above named, do hereby verify that the contents of my above affidavit are true and correct to the best of my knowledge and belief and legal advice believed to be true by me. I state that nothing material has been concealed therefrom.

Verified at Delhi on this 04th day of May, 2024.

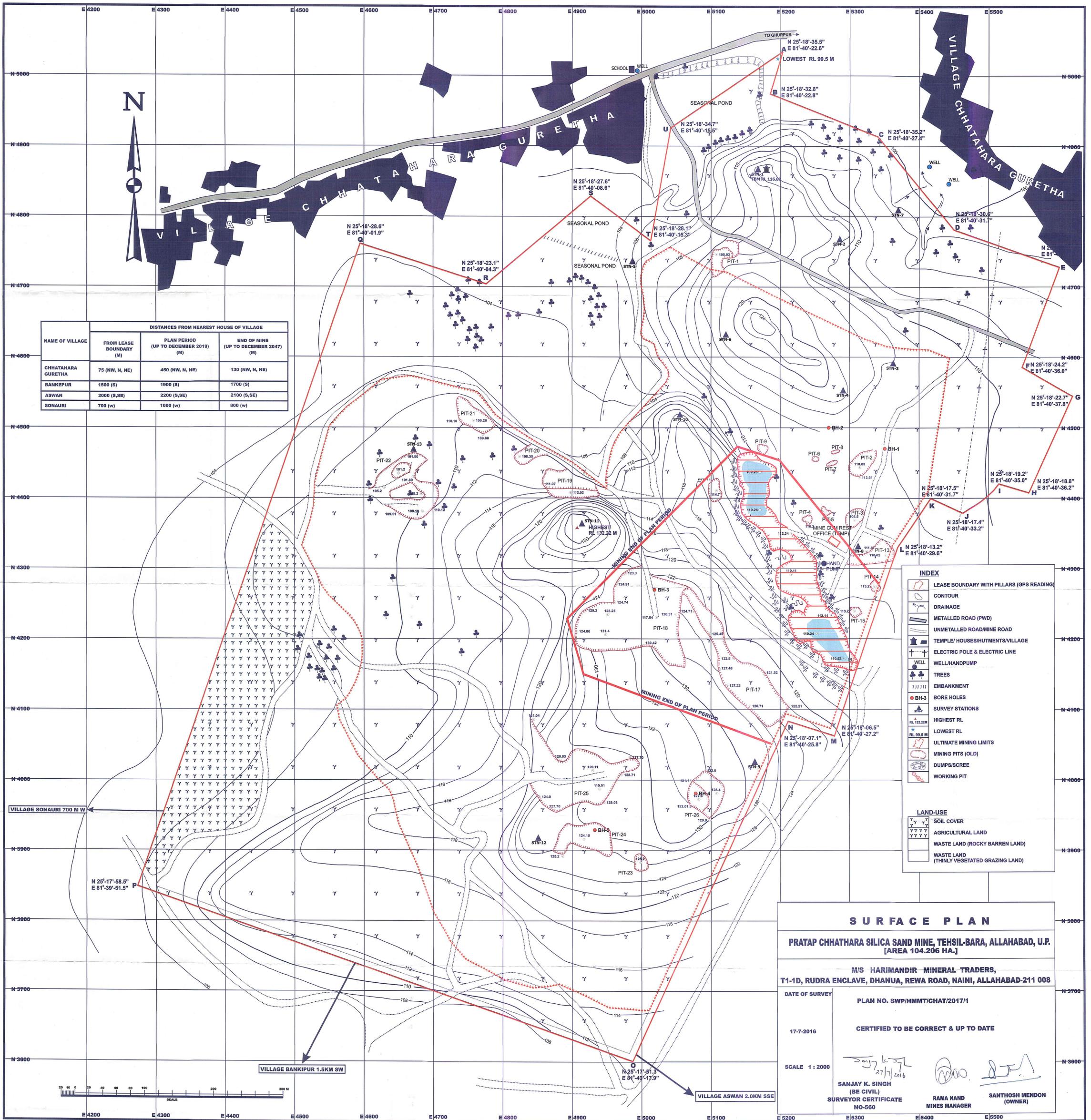
4 MAY 2024



EMPOWERED TO ADMINISTER THE OATH
SECTION 139 OF CPC 1908
SECTION 297 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE NOTAR
SUPREME COURT RULES, 2013
ORDER-X-7


DEPONENT

ATTESTED
NOTARY PUBLIC DELHI
Govt. of India
Mob.: 9654768498



NAME OF VILLAGE	DISTANCES FROM NEAREST HOUSE OF VILLAGE		
	FROM LEASE BOUNDARY (M)	PLAN PERIOD (UP TO DECEMBER 2019) (M)	END OF MINE (UP TO DECEMBER 2047) (M)
CHHATHARA GURETHA	75 (NW, N, NE)	450 (NW, N, NE)	130 (NW, N, NE)
BANKEPUR	1500 (S)	1900 (S)	1700 (S)
ASWAN	2000 (S,SE)	2200 (S,SE)	2100 (S,SE)
SONAURI	700 (W)	1000 (W)	800 (W)

INDEX

- LEASE BOUNDARY WITH PILLARS (GPS READING)
- CONTOUR
- DRAINAGE
- METALLED ROAD (PWD)
- UNMETALLED ROAD/MINE ROAD
- TEMPLE/HOUSES/HUTMENTS/VILLAGE
- ELECTRIC POLE & ELECTRIC LINE
- WELL/HANDPUMP
- TREES
- EMBANKMENT
- BORE HOLES
- SURVEY STATIONS
- HIGHEST RL
- LOWEST RL
- ULTIMATE MINING LIMITS
- MINING PITS (OLD)
- DUMPS/SCREE
- WORKING PIT

LAND-USE

- SOIL COVER
- AGRICULTURAL LAND
- WASTE LAND (ROCKY BARREN LAND)
- WASTE LAND (THINLY VEGETATED GRAZING LAND)

SURFACE PLAN

PRATAP CHHATHARA SILICA SAND MINE, TEHSIL-BARA, ALLAHABAD, U.P. [AREA 104.206 HA.]

M/S HARIMANDIR MINERAL TRADERS, T1-1D, RUDRA ENCLAVE, DHANUA, REWA ROAD, NAINI, ALLAHABAD-211 008

DATE OF SURVEY: 17-7-2016

PLAN NO. SWP/HMMT/CHAT/2017/1

CERTIFIED TO BE CORRECT & UP TO DATE

SCALE 1 : 2000

SANJAY K. SINGH (BE CIVIL) SURVEYOR CERTIFICATE NO-560

RAMA NAND MINES MANAGER

SANTHOSH MENDON (OWNER)

Re: NGT - OA NO. 203 OF 2021 - Additional Affidavit of M/s Hari Mandir Mineral Traders

ANCHIT SRIPAT <anchit@asayalegal.com>

Sat 04-May-24 7:05 PM

To:mscb.cpcb@nic.in <mscb.cpcb@nic.in>;csup@nic.in <csup@nic.in>;secy-moef@nic.in <secy-moef@nic.in>;ms@uppcb.com <ms@uppcb.com>;
dmail@nic.in <dmail@nic.in>;dgmupexp@gmail.com <dgmupexp@gmail.com>;janhithealthup@gmail.com <janhithealthup@gmail.com>;
pradeepmisra@yahoo.com <pradeepmisra@yahoo.com>

📎 1 attachments (4 MB)

Additional Affidavit Hari Mandir.pdf;

Please find enclosed herewith Additional Affidavit of (R-19) M/s Hari Mandir Mineral Traders for its Mining Lease situated at Village Chithera, Tehsil Bara District Prayagraj.

Regards

Anchit Sripat
Advocate

Partner

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