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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

ORIGINAL APPLICATION No. 61 OF 2022

**(Under Section 18 of the National Green
Tribunal Act, 2010)**

Reply on behalf of the Respondent no.7.

IN THE MATTER OF:

All India Kaimur People's Front .. Applicant

Versus

State of U.P. & Ors. .. Respondents



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Filed by

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Place: New Delhi
 Dated: _____

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

ORIGINAL APPLICATION No. 61 OF 2022

**(Under Section 18 of the National Green
Tribunal Act, 2010)**

Second Reply on behalf of the Respondent no. 7

1. Sh. Rajesh Kumar S/o Late Kaliram, R/o
Chopan, District Sonbhadra, U.P.-231205.

2. Smt. Farida Begum, W/o Imtiyaz Ahmad,
R/o Chopan, District Sonbhadra, U.P.
231205.

IN THE MATTER OF:

All India Kaimur People's Front .. Applicant

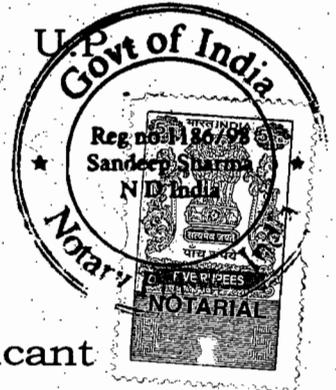
Versus

The State of U.P. & Ors. .. Respondents

To,

The Hon'ble Chairman and his other
companion members of the aforesaid tribunal.

Most Respectfully Showeth:



1. That deponent, Rajesh Kumar aged about 56 years, S/o Late Kaliram, R/o Chopan, District Sonbhadra, U.P.-231205 is the respondent no.7 in the present original application being well conversant with the facts of the case competent to swear this application.

2. That answering respondent has already filed the reply which has been submitted before the Hon'ble Tribunal, now the deponent is filing the some relevant documents for the consideration of the tribunal.

3. That the issue involved in the original application is "whether the mining leased area/mining is in the violation of the rule 41A of the Uttar Pradesh Minor Mineral Consecration".



That the lease area of the deponent is not within 50 mtr. of the Railway Line any

Reservoir, Canal or other public work as such the respondent no.7 leased area is not against the provisions of rules.

5. That in U.P. Govt. Land has been categorised and Verg-6, that the area which has been shown in the original application Annexure-5 and has to be said the Dam is actually not Dam but i.e. the Bandh and the category is given Verg-6 (4), which itself clear that i.e. not prohibited land in which above mentioned provisions are given. Copy of the category of Land in Uttar Pradesh are being filed herewith and marked as **Annexure-1** to this reply.
6. That the category of the Dam entry is Verg-6(1) and Railway Line etc. are Verg-6(2) which has no concerned to the land of the Respondent no.7.



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7. That the Mines location which has been granted by the Govt. to the Respondent no.7 and other many lease holders are 5.890 K.M. from the Obra Dem. A copy of the Google Map showing the Mines Location and Obra Dem is being filed herewith as **Annexure-2**.

8. That the Railway Line is far away from the Mines location of the Respondent no.7. A photocopy of the Google Map showing the distance from the Railway Line from Mines Location of the Respondent is being filed herewith as **Annexure-3**.

9. That Deponent is filing the Revenue Map showing the actual position of the leased area which clearly established that respondent no.7 mining lease area is not in any violation of the any rules or judgment and order of the Hon'ble Court and Tribunal as such the Original Application may be



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dismissed by the Tribunal. Photocopy of the Revenue Map is being filed herewith marked as **Annexure-4** to this reply.

10. That the reports submitted by the enquiry committee is against the report which has already been submitted by the enquiry committee which has already been annexed alongwith earlier reply submitted by deponent.

11. That in such circumstances it is respectfully prayed that there is no cause for imposing of any environmental compensation on the respondent no.7 as such the original application may be dismissed against the respondent no.7.

शजेश कुमार

Deponent

Verification:

I, the above named deponent, do hereby verify that the contents of above affidavit are true

शजेश कुमार

Sworn In by
Valid Inside/Outside
of India Notary Public



to my knowledge derived from official record. No part of the same is false and nothing has been concealed there from.

Verified on this the 21 JUL 2022 day of July, 2022 at New Delhi.

Valid Inside/Outside of India Notary Public

शैलेश कुमार

Deponent

Shivam

(Shailesh Kumar Pathak
E.Roll. UP-6031/2000,
Sunil Kumar Singh &
Shivam Tripathi
Advocates

S.V. Singh adv.



Counsel for the Respondent no.7
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Mob: 9839153384
Email: skpathakadv@gmail.com

Place: New Delhi
Dated:

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DELHI (INDIA)

21 JUL 2022

Register No.....1/2022

Date..21 JUL 2022



BHULEKH
Uttar Pradesh

Annexure Mc-1

7

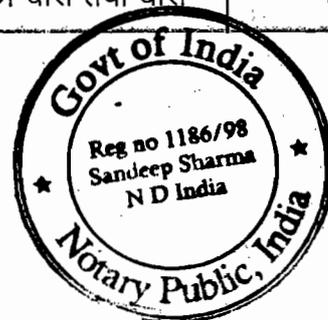
उत्तर प्रदेश - भूमि प्रकार सूची

क्रम स.	भूमि प्रकार	भूमि प्रकार का विवरण	भूमि प्रकार का कोड(गाटा यूनिक कोड का 15-16 अंक)
1	1	ऐसी भूमि, जिसमें सरकार अथवा गाँवसभा या अन्य स्थानीय अधिकारिकी जिसे 1950 ई. के उ. प्र. ज. वि. एवं भू. व्य. अधि. की धारा 117 - क के अधीन भूमि का प्रबन्ध सौंपा गया हो, खेती करता हो।	11
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DELHI, (INDIA)

21 JUL 2022



DISTANCE FROM OGRA DAM TO MINE BOUNDARY PILLAR D-5,890 KM

INDEX :

—	MINE BOUNDARY
—	PIVOT POINT

COORDINATES OF MINE BOUNDARY PILLAR

Point	Latitude	Longitude
A	28°27' 46.87" N	82° 07' 15.87" E
B	28°27' 46.87" N	82° 07' 20.27" E
C	28°27' 46.87" N	82° 07' 18.87" E
D	28°27' 46.87" N	82° 07' 15.87" E
E	28°27' 46.87" N	82° 07' 15.87" E
F	28°27' 46.87" N	82° 07' 15.87" E

COORDINATES OF OGRA DAM

Point	Latitude	Longitude
1	28°27' 23.87" N	82° 06' 52.87" E

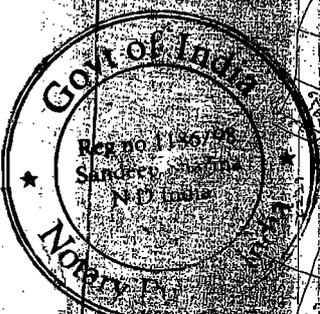
Govt of India
 Reg no 1186/98
 Sandeep Sharma
 N D India
 AND
 RAJESH KUMAR S/O Sri KAIL RAM
 FARIDA BEGUM W/O Sri IMTIYAZ AHMAD
 WARDHILLI-MARKUNDI, TEH-ROBERTSGANJ
 DISTT - SONEBHADRA (U.P)
 AREA NO - 7586, 7590, 7584 , AREA-1.85 ACRE

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DELHI (INDIA)

21 JUL 2022

Amesbury



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RESTRICTED

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DELHI (INDIA)
27 JUL 2002