

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 453 OF 2024

IN THE MATTER OF:

SAMPURNA NAND

.... APPLICANT

VERSUS

M/S. R K CONSTRUCTION COMPANY.
& ORS.

.... RESPONDENTS

INDEX

Sl. No.	Particulars	Pages
1.	Affidavit on behalf of U.P. Pollution Control Board.	
2.	<u>ANNEXURE-R/1</u> True copy of the Compliance Report alongwith its respective annexure and action Plan utilization of Environment Compensation	

NEW DELHI

DATED: 09.11.2024

(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board,
138, New Lawyers Chamber,
Supreme Court of India,
New Delhi-110001
(M.) 9810252518

Email: pradeepmisra@yahoo.com

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

Original Application No. 453 of 2024



IN THE MATTER OF:

Sampurna Nand

.... Applicant

Versus

M/s RK Construction Company & Ors.

.... Respondents

**AFFIDAVIT ON BEHALF OF THE UTTAR PRADESH
POLLUTION CONTROL BOARD IN COMPLIANCE TO THE
ORDER DATED 25.09.2024 PASSED BY THIS HON'BLE
NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW
DELHI.**

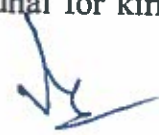
I, Reetesh Kumar Tewari S/o Shri J. N. Tewari, aged about 50 years, presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter UPPCB), Sonbhadra do hereby solemnly affirm and state on oath as under:

I say that I am the Regional Officer of the Respondent in the present case and as such being conversant with the facts and circumstances of the present case, am competent to swear this affidavit.

2. That present matter is about illegal mining and blasting causing severe environmental pollution on hills in the area of villages Bhagoti Dei, Sonpur, Biyahur and Chakjata, Pargana Bhagwat, Police Station Ahraura, Tehsil Chunar in District Mirzapur, Uttar Pradesh.
3. That vide its order dated 25.09.2024 this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter Hon'ble Tribunal) has directed the UPPCB is directed to further verify the factual position and submit its report regarding due compliance with UPPCB/CPCB guidelines and consent conditions giving requisite details. This Hon'ble Tribunal further directs the UPPCB to submit an action plan regarding utilization of environmental compensation deposited with it for protection and improvement of environment in the vicinity of/area surrounding the stone crushing unit of respondent no. 1.
4. That in compliance to the order dated 25.09.2024 passed by this Hon'ble Tribunal and to verify the compliance status of Consent to Operate (CTO) issued to M/s RK Construction Company, Sonpur, Chunar, Mirzapur, the officials of the UPPCB have conducted the field visit of aforesaid Stone Crusher Unit on 05.11.2024. The detailed Compliance Report alongwith its respective annexure is being attached herewith as Annexure R/1.



- 5. That the Annexure annexed to the present accompanying affidavit are true copy of their respective original.
- 6. That the present affidavit on behalf of the Uttar Pradesh Pollution Control Board is submitted before this Hon'ble Tribunal for kind perusal and consideration.



DEPONENT

VERIFICATION:

NOTARY

Verified at Uo on this the 9th day of November 2024 that the contents of above affidavit are true and correct to my knowledge based on records and information received and believed to be true, no part of it is false and nothing material has been concealed therefrom.



DEPONENT

Seen and Verified
before me
9/11/24
NOOR JAHAN
Advocate & Notary
Civil Court, Lucknow
Registration No. 10042/18



I know & identify the deponent / witness
who has signed / put his T.I. before me.

S. Iqbal Advocate
Reg. No. 6042/1890
A.V. 116

Compliance Report in pursuant to order dated 25.09.2024 passed by Hon'ble NGT in the matter of O.A. No.453/2024 Sampurna Nand Versus M/s RK Construction Company & Ors.

Hon'ble NGT vide its Order dated 25.09.2024 in the matter of Original Application No.453/2024 Sampurna Nand Versus M/s RK Construction Company & Ors. , instructed the following:-

....."8. UPPCB is directed to further verify the factual position and submit its report regarding due compliance with UPPCB/CPCB guidelines and consent conditions giving requisite details particularly regarding compliance with the aspects highlighted above.

9. It may also be added here that amount of environmental compensation has been deposited by respondent no. 1 with UPPCB but UPPCB has also not submitted any action plan regarding utilization of environmental compensation deposited by respondent no. 1.

10. UPPCB is directed to submit an action plan regarding utilization of environmental compensation deposited with it for protection and improvement of environment in the vicinity of/area surrounding the stone crushing unit of respondent no. 1.

11. Report be filed at least one week before the date of hearing hereby fixed. 12. List on 12.11.2024 for further consideration".....

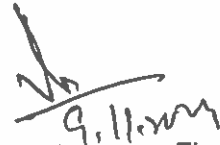
In Compliance of above directions of hon'ble NGT, to verify the compliance status of CTO issued to M/s M/s R.K. Construction Company, Sonpur, Bhagwat, Chunar, Mirzapur. UPPCB officials have conducted the field visit of afforesaid Stone Crusher Unit on dated 05.11.2024. The detailed inspection report annexed as (Annexure No.1).

- i. UPPCB has issued CTO to afforesaid Stone Crusher unit vide ref. no. 184539/UPPCB/Sonebhadra(UPPCBRO)/CTO/both/MIRZAPUR/2023 dated 25.05.2023 (Copy of CTO are annexed as (Anneure no.2).
- ii. Compliance Status of Conditions imposed in Consent to Operate (CTO) issued to said industry are annexed as (Annexure No.3).

- iii. UPPCB has imposed the environmental compensation on the said stone crusher Unit for past violation and defaulting days vide Ref. no.H07232/C-2/NGT-67/224 dated 19.02.2024 , which amount has been deposited by the industry.(Annexure no.4)
- iv. Action plan regarding utilization of environmental compensation deposited with it for protection and improvement of environment in the vicinity of/area surrounding the stone crushing unit of is annexed as (Annexure No.5)

The above Compliance report is being filed for the kind perusal and consideration of this Hon'ble Tribunal.

Dated: 06.11.2024



Ritesh Kumar Tiwari
Regional Officer
U.P.P.C.B
Sonbhadra


मा0 राष्ट्रीय हरित अधिकरण में विचाराधीन ओ0ए0 संख्या-453/2024 सम्पूर्णानन्द बनाम उ0प्र0 राज्य एवं अन्य प्रकरण मेसर्स आर0के0 कन्स्ट्रक्शन कम्पनी (सैण्ड स्टोन), आराजी नं0-1केए, क्षेत्रफल-2.02 हेक्टेयर ग्राम-सोनपुर, अहरौरा, परगना-भगवत, तहसील-चुनार, जनपद-मीरजापुर (उ0प्र0) के विरुद्ध विचाराधीन वाद के सम्बन्ध में अद्यतन निरीक्षण आख्या:-

उक्त संदर्भित उद्योग मा0 राष्ट्रीय हरित अधिकरण में विचाराधीन ओ0ए0 संख्या-453/2024 सम्पूर्णानन्द बनाम उ0प्र0 राज्य एवं अन्य प्रकरण में आच्छादित है। उद्योग का अद्यतन निरीक्षण दिनांक-05.11.2024 को अद्यहस्ताक्षरी द्वारा किया गया। निरीक्षण के समय उद्योग प्रतिनिधि के रूप में श्री विशाल सिंह उपस्थित थे। निरीक्षण के समय जाड़े गड़े तथ्यों एवं कार्यालय में उपलब्ध अभिलेखों के आधार पर विस्तृत निरीक्षण आख्या निम्नवत् है:-

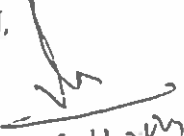
1. उक्त उद्योग आराजी नं0-1केए, क्षेत्रफल-2.02 हेक्टेयर ग्राम-सोनपुर, अहरौरा, परगना-भगवत तहसील-चुनार, जनपद-मीरजापुर पर स्थापित है। उद्योग का जिओ को-आर्डिनेट्स 25.053835-अक्षांश एवं 83.0021003-देशान्तर है। निरीक्षण के समय उद्योग बन्द पाया गया।
2. उद्योग द्वारा कच्चे माल के रूप में स्टोन बॉल्डर्स का प्रयोग कर विभिन्न साइज की स्टोन ग्रेट्स व भरसी का उत्पादन किया जाता है। उद्योग की स्टोन ग्रेट व भरसी की उत्पादन क्षमता 250 टन/घण्टा सूचित है।
3. निरीक्षण के समय उद्योग के संयंत्र यथा-प्राइमरी 'जॉ' क्रशर, सेकेंड्री 'जॉ' क्रशर, वाइब्रेटिंग स्क्रीन्स, कन्वेयर बेल्ट्स के अन्तिम छोर कवर्ड पाये गये। डस्ट उत्सर्जन के स्रोत यथा-कन्वेयर बेल्ट्स के अन्तिम छोरों पर कैनवास क्लथ/टेलिस्कोपिक सूट की स्थापना निरीक्षण के समय पायी गयी।
4. निरीक्षण के समय उद्योग में कन्वेयर बेल्ट्स के अन्तिम छोरों पर वॉटर स्प्रिंकलिंग की व्यवस्था स्थापित पायी गयी।
5. उद्योग परिसर के कुछ भाग पर डस्ट की परत जमी होने के कारण मेटल रोड/कंक्रीट रोड का सत्यापन नहीं किया जा सका एवं अवशेष भाग पर मेटल/कंक्रीट रोड का निर्माण नहीं पाया गया।
6. निरीक्षण के समय उद्योग परिसर के आस-पास अधिकांश भाग पर पौधों का रोपण पाया गया। राज्य बोर्ड के आदेश दिनांक-16.02.2018 के अनुपालन में सहमति शर्तों के अनुरूप उद्योग परिसर में हरित पट्टिका विकसित पायी गयी।
7. उद्योग में विद्युत आपूर्ति हेतु 625 के0वी0ए0 व 325 के0वी0ए0 क्षमता के 02 अदद डी0जी0 सेट स्थापित पाया गया। डी0जी0 सेट के संचालन के फलस्वरूप उत्पन्न गैसीय उत्सर्जन के नियंत्रण हेतु इक्जॉस्ट पाइप की ऊँचाई राज्य बोर्ड द्वारा निर्धारित मानकों के अनुरूप निरीक्षण के समय स्थापित पायी गयी।
8. उद्योग को ओ0सी0एम0एम0एस0 के संदर्भ संख्या-184539/UPPCB Sonebhadra(UPPCBRO) CIO both MIRZAPUR/2023 दिनांक-25.05.2023 के द्वारा सहमति जल एवं वायु निर्गत है, जिसकी वैधता अवधि दिनांक-31.12.2027 तक है।
9. बोर्ड मुख्यालय के पत्र संख्या-एच07232/सी-2/एनजीटी-67/24 दिनांक-19.02.2024 द्वारा उद्योग के विरुद्ध रू0 300000/- (तीन लाख रुपये मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित की गयी थी, जिसे बोर्ड के निर्धारित खाते में यूटीआर संख्या-पीयूएनवी 24075025740 दिनांक-15.03.2024 के द्वारा जमा करा दिया गया है।

निरीक्षण आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।


06/11/24
(मनोज कुमार)
फील्ड अटेंडेन्ट


06/11/2024
(सुशील कुमार)
सहायक वैज्ञानिक अधिकारी

क्षेत्रीय अधिकारी महोदय,


6.11.24
RU

09AUPPS5795K1ZE

Mob: 9839326573

Email: sonu291981@gmail.com



M/s R.K. Construction Company

Gau Ghat, Mirzapur (U.P.) 231001

Stone Crusher, Building Materials & General Government Order Supplier

Date 18/03/24

सेवा में,

मुख्य पर्यावरण अधिकारी(वृत्त-2),
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
लखनऊ

विषय: मेसर्स आर०के० कंस्ट्रक्शन कंपनी, ग्राम-सोनपुर, परगना-भगवत, तहसील-बुनार, जनापद
मीरजापुर की बैंक गारण्टी एवं अधिरोपित पर्यावरणीय क्षतिपूर्ति के संबंध में।

महोदय,

कृपया उपरोक्त विषयक विषयक राज्य बोर्ड मुख्यालय के पत्रांक-एच०७२५८/सी-२/एन०जी०टी०-
६७/२४ दिनांक-१९.०२.२०२४ की शर्त संख्या-१२ के अनुसार रू० ५०,०००/- (पचास हजार रुपये) मात्र की बैंक
गारण्टी संख्या-३८६६०१६०००८२४ दिनांक-१६.०३.२०२४ (छायाप्रति संलग्न) एवं बोर्ड मुख्यालय के पत्रांक-
एच०७२३३२/सी-२/एन०जी०टी०-६७/२४ दिनांक-१९.०२.२०२४ द्वारा अधिरोपित पर्यावरणीय क्षतिपूर्ति रू०
३०००००/- (रू तीन लाख मात्र) की धनराशि उ०प्र० प्रदूषण नियंत्रण बोर्ड के सूनिगन बैंक ऑफ इण्डिया, विभव
खण्ड, गोमती नगर, लखनऊ स्थित बैंक खाता संख्या-७०१५०२०१०००२१०४ आई०एफ०एस०कोड-११११०५७०१५०
ने दिनांक-१५.०३.२०२४ को जमा करा दिया गया है (यू०टी०आर० संख्या-११११०५७०१५० की प्रतिसंलग्न)।

संलग्नक-यथोपरि।

दिनांक-२७.०३.२०२४

भवदीय

(राज कुमार सिंह)

मेसर्स आर०के० कंस्ट्रक्शन कंपनी,
मीरजापुर

प्रतिलिपि- क्षेत्रीय अधिकारी महोदय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, सोनगढ़ को सूचनार्थ एवं
आवश्यक अग्रिम कार्यवाही हेतु सादर प्रेषित।

(राज कुमार सिंह)

Compliance Status Checklist for Stone Crushers

Date - 05/11/2024

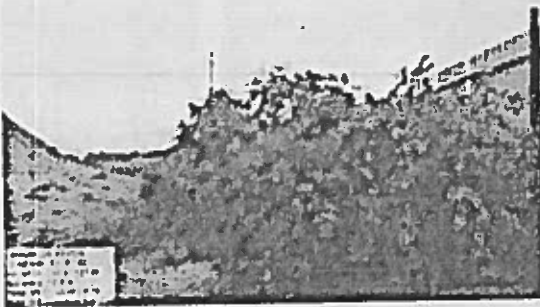
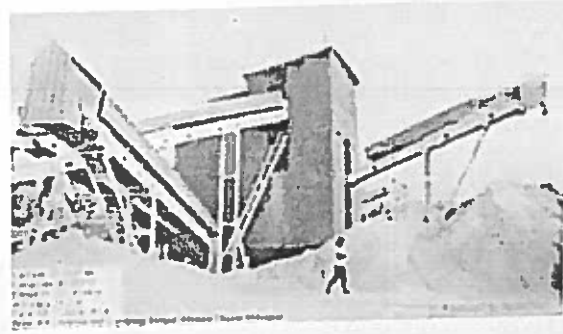
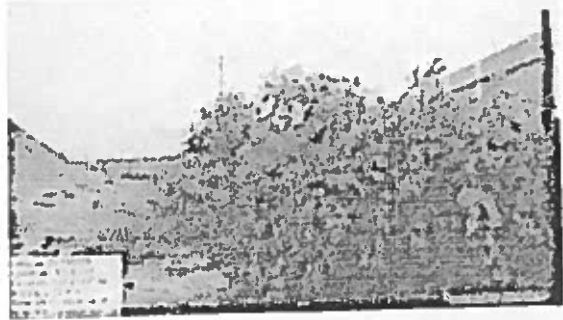
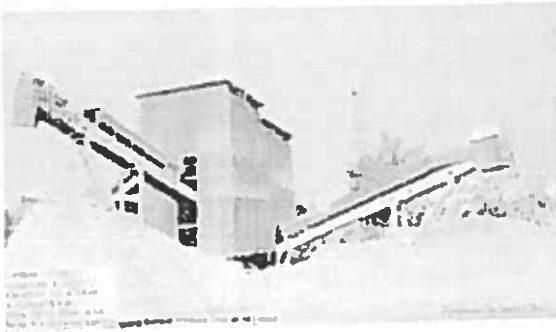
M/s. R.K. Construction Company (Sand Stone)

Address - 11A, Area - 2.02/11a, Vill - Sonpur Tehsil - Chunar, Mirzapur

S. No.	Activity	Status (Yes/No)	If no, then timeline
1	Closed metal sheet enclosures at dust emitting points i.e. the crushers including their discharge points, screens, and the transfer points of belt conveyers,	Yes	
2	Arrangements of a door with opening and closing facility for cleaning and maintenance and flexible covers at entrance and exit of the belt conveyors.	Yes	
3	All opening provided for ventilation in the enclosures covered by canvas bag-filter to arrest the escaping dust.	Yes Metal sheet covered	
4	Covering of all belt conveyers.	Yes	
5	Silos with telescopic discharge chute for collecting, storing and delivering and truck loading the product, for controlling 'stone dust' and the reject, 'fine dust'.	Yes	
6	A minimum 12 ft high metal sheet barricading or boundary wall.	Yes	
7	Dust suppression by scientifically designed water sprinkling system on raw material/products at the equipments and transfer points	Yes	
8	The metal roads inside the stone crusher premises with arrangement for regular cleaning inside the premises to avoid re-entrainment of settled dust.	Yes	
9	Regular wetting of the ground through tanker mounted sprinklers/ smog guns within the premises	Yes 05 Nos Anti Smog Gun & 01 No Water Tanker	
10	Dense Green belt / Miyawaki afforestation along the boundary wall.	Yes (Green belt)	
11	The dust extraction system installed by the stone crushers at dust containment enclosures to extract the accumulated dust fitted with adequate dust control system	Yes Water Sprinkler	
12	The arrangements to minimize the generation of dust emissions during loading, unloading, handling and storage of raw material / products, waste or byproducts.	Yes Anti Smog Gun - 05 Nos Rain Gun - 03	
13	Arrangement of Covering while transportation and storage of final product / material.	N.A	
14	The stretches of the main highways passing in the vicinity of the stone crushers area are metalled.	N.A	
15	The approach and link roads in the stone crushers area are metalled.	No	
16	Quarterly Ambient Air Monitoring through UPPCB on paid basis	No	

Remarks - At the time of inspection production of unit was found closed

AK
ASO



Site photographs of M/s R.K. Construction Company, Sonpur, Bhagwat, Chunar, Mirzapur



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

157839/UPPCB/Sonebhadra(UPPCBRO)/CTO/both/MIRZAPUR/2022 Date: 09/06/2022

To,

M/s

R. K. CONSTRUCTION COMPANY

ARAZI NO. 57, AREA-1.0120 HECTARE, VILL. SONPUR, POST-PATIHATTA, TEH. CHUNAR, DISTT. MIRZAPUR(U.P.)

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

Consent No-16610719 Date-09/06/2022

CCA is hereby granted to **R. K. CONSTRUCTION COMPANY** located at **ARAZI NO. 57, AREA-1.0120 HECTARE, VILL. SONPUR, POST-PATIHATTA, TEH. CHUNAR, DISTT. MIRZAPUR(U.P.)**, subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA **R. K. CONSTRUCTION COMPANY** granted for the period from **09/06/2022 to 31/07/2027** and valid for manufacturing of following products with **Capital Investment/Net Assets Values 500.00 Lakhs**

S No	Product	Quantity	Unit
1	Stone Grits @ 250 TPH	250	Metric Tonnes/Hour

2. Specific Conditions under Water Act :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility and discharge point

(ii) **Trade Effluent Treatment and Disposal** :-The applicant shall operate **Effluent Treatment Plant** consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
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(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening and the same shall be maintained continuously so as to achieve the quality of the treated effluent to the following standards.

S No.	Parameters	Standards
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3. Conditions under Air Act :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	PROCESS EMISSION	NA	00	Particulate Matter	AS PER BOARD NORMS
2	D.G SET in Canopy @ 625 KVA	Diesel	01	Particulate Matter	As per Board Norms
3	D.G SET in Canopy @ 325 KVA	Diesel	02	Particulate Matter	AS per Board Norms

Emission Quality Standards

S No.	Stack no	Parameters	Standards
1	01	Particulate Matter	AS PER BOARD NORMS
2	00	Particulate Matter	AS PER BOARD NORMS
3	02	Particulate Matter	AS PER BOARD NORMS

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

(iii) The unit will not use any type of restricted fuel.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

6. Compulsory documents to be submitted by the Industry/Unit :-

(i) Annual return in Form-4 and Waste Disposal Manifest in Form-10 under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and Third Party Audit Report.

(ii) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(iii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.

8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

10. In compliance to the G.O dated 1011/81-7-2021-09 (Writ)/2016 dt.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction. you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more. within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent shall be revoked by the Board.

11. The industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO shall be revoked.

REGIONAL OFFICER

TRILOKI
NATH SINGH

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TRILOKI NATH SINGH
Date: 2022.06.09
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Copy to:

CEO-2, U.P. POLLUTION CONTROL BOARD, TC-12V, VIBHUTI KHAND, GOMTI NAGAR,
LUCKNOW

TRILOKI
NATH SINGH
REGIONAL OFFICER

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TRILOKI NATH SINGH
Date: 2022.06.09
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Annexure

Specific Conditions

1. This consent to operate is granted to M/s R. K. CONSTRUCTION COMPANY for production of Stone Grits of different sizes @ 250 TPH using stone boulder as raw material at ARAZI NO. 57, AREA-1.0120 HECTARE, VILL. SONPUR, POST-PATIHATTA, TEH. CHUNAR, DISTT. MIRZAPUR (U.P.).

2. The Geo-Coordinate of the crusher unit is 25.053835 N, 83.0021003 E.

3. Industry shall obtain prior approval before making any modification in product/process/fuel/plant & machinery, failing which consent shall be deemed void.

4. The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air & Water Act.

5. The industry shall submit Audited Balance Sheet to this office for verification of consent fee in every year and accordingly balance fee shall be paid if any.
6. The industry shall regularly operate water sprinkling system to control process emission and dust suppression in scientific manner to maintain Ambient Air Quality as per CPCB norms.
7. Industry shall comply all the conditions imposed in affidavit No. GA061300 submitted by industry.
8. The industry shall ensure to discharge the effluent generated from domestic sources through septic tank and soak pit.
9. The unit must comply the directions/Guidelines issued from time to time of Central Pollution Control Board, U.P. Pollution Control Board, Hon'ble Oversight Committee, Hon'ble High Court, Hon'ble National Green Tribunal and Hon'ble Supreme Court of India.
10. The industry shall install separate energy meter at bore well for measuring electric consumption in bore well.
11. This Consent of the industry is automatically considered abrogated after receiving public grievances against the industry and the confirmation of the complaint.
12. Industry shall install 04 Nos. stationary Anti Smog Guns at each corner of crusher area and 01 Nos. mobile Anti Smog Gun for dust suppression in the premises as well as on approach road to suppress the dust generated from crushing, loading/unloading of product and movements of the vehicles as an extra auxiliary arrangement.
13. The industry shall install air pollution control measures as mentioned below:-
14. Closed metal sheet enclosures at dust emitting points i.e. the crushers including their discharge points, screens, and the transfer points of belt conveyors, with arrangements of a door with opening and closing facility for cleaning and maintenance and flexible covers at entrance and exit of the belt conveyors.
15. All openings provided for ventilation in the enclosures shall be covered by canvas bag filter to arrest the escaping dust.
16. All belt conveyors shall be covered by the industry.
17. Dust conveyer shall be equipped with telescopic discharge chute for collecting, storing and delivering truck-loading of the product. Stone dust and any other fine dust.
18. A minimum 12 feet high metal sheet barricading/boundary wall as wind braking wall shall be provided by the stone crusher.
19. Dust suppression by scientifically designed water sprinkling system on raw material/ products and transfer points shall be adopted as an auxiliary air pollution control measure.
20. Green belt along the boundary wall shall be developed by stone crusher in at least three layers.
21. Metallic road shall be installed inside the premises with Regular wetting of the ground within the factory premises.
22. Industry shall provide sufficient no. of Helmets, Gumboots, Goggles, and Masks etc. to the workers for their safety.
23. The suspended particulate matter (SPM) between 3 to 10 meters from any process equipment of Stone Crusher unit shall not exceed 480 g/Nm³.
24. Industry shall install closed bag cloth enclosures at both crushers including their discharge points and the transfer points of belt conveyors with arrangements of a door with opening and closing facility for cleaning and maintenance within 15 days.
25. For green belt at least 8 feet height plants should be planted which shall be properly protected as proper irrigation and manuring arrangements shall be made. For the development of the green belt the guidelines issued vide Board office order no. H110405/220/2018/02 Dt. 16-02-2018 shall be complied. Green belt along the boundary wall shall be developed by stone crusher.
26. Industry shall comply the all conditions mentioned in previous CTE/CTO's issued by the Board.
- ~~27. Industry shall abstract ground water with the valid permission (NOC) of the competent Authority.~~
28. The industry shall strictly comply the directions/guidelines/Environmental norms as prescribed by State

Board for CPAs and SPAs vide office memorandum no. H 48273 C1 NGT83/2020, Dated 27.02.2020.

29. This consent is valid for discharge of domestic effluent only.

30. It is found that the industry is not complying with stipulated conditions or any further direction instruction issued by the Board, legal action shall be initiated against the applicant.

31. The Board reserves the right to revoke add modify any stipulated condition issued along with CCA.

32. Industry shall maintain D.G. Set Stack height as per Board Norms & and in Enclosure.

33. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board

General Conditions:-

The applicant shall get analyse the samples of effluent emission hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UEPPCB.

1. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
2. Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
3. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction instruction issued by the Board, legal action shall be initiated against the applicant.
4. The applicant shall maintain good house keeping. All valves pipes sewer drains etc. must be leak-proof
5. The industry shall provide uninterrupted entry to the STPs ETPs inlet and outlet points. Air Pollution Control equipment and stack for smooth sampling monitoring of efficiency of pollution control measures.
6. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
7. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
8. The industry shall operate in a manner so that all emissions be emitted through designated chimney stack only.
9. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
10. The applicant shall apply before the 60 days of expiry of CCA or any change in production types production capacity manufacturing process capacity enhancement etc. or any change in effluent discharge point or emission point
11. The Board reserves the right to revoke add modify any stipulated condition issued along with CCA, as may be necessary.
12. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board.
13. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
14. It is the duty of the authorized person to take prior permission of the Board to close down the facility.
15. The authorization is valid for temporary storage of Hazardous Waste within premises only.
16. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on Display Board of size 6x4 feet outside the main factory gate within premises

17. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.
18. The applicant shall maintain record of hazardous waste in Form-3 and shall submit annual return in Form-4 on or before the 30th day of June following to the financial year to which that return relates.
19. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
20. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed physical and chemical analysis of hazardous waste sample and report to the Board.
21. Dried hazardous sludge from the process in the plant shall be stored in double lined HDPE pit constructed with R.C.C. or such material which does not react with the waste contained in it.
22. The storage area should be fenced properly and Sign/Notice Board indicating 'Danger' and 'Hazardous' shall be displayed at appropriate position both in Hindi and English.
23. The industry shall store non-ferrous metal waste, used oil/spent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be sold only to Registered Recyclers/Re-processors.
24. In case of any transportation of hazardous waste, the details in Form-10 of the Hazardous and Other Wastes Rules, 2016 shall be submitted to the Board.

TRILOKI
NATH SINGH

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TRILOKI NATH SINGH
Date: 2022.06.09
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REGIONAL OFFICER

Compliance Status of Conditions imposed in Consent to Operate (CTO) Air issued to M/s M/s R.K. Construction Company, Sonpur, Bhagwat, Chunar, Mirzapur are as follows:-

S.No.	Specific conditions imposed in CTO issued on dated- 09.06.2022	Complain Status/ Remark
1.	This consent to operate is granted to M/s R. K. CONSTRUCTION COMPANY for production of Stone Grits of different sizes @ 250 TPH using stone boulder as raw material at ARAZI NO. 57, AREA-1.0120 HECTARE, VILL. SONPUR, POST-PATIHATTA, TEH. CHUNAR, DIST. MIRZAPUR (U.P.).	Complying
2.	The Geo-Coordinate of the crusher unit is 25.053835 N, 83.0021003 E.	Complying
3.	Industry shall obtain prior approval before making any modification in product/process/fuel/plant & machinery, failing which consent shall be deemed void.	Complying
4.	The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air & Water Act.	Partially Complying
5.	The industry shall submit Audited Balance Sheet to this office for verification of consent fee in every year and accordingly balance fee shall be paid if any.	Non-Complying
6.	The industry shall regularly operate water sprinkling system to control process emission and dust suppression in scientific manner to maintain Ambient Air Quality as per CPCB norms.	Partially Complying
7.	Industry shall comply all the conditions imposed in affidavit No. GA061300 submitted by industry.	Complying
8.	The industry shall ensure to discharge the effluent generated from domestic sources through septic tank and soak pit.	Complying
9.	The unit must comply the directions/Guidelines issued from time to time of Central Pollution Control Board, U.P. Pollution Control Board, Hon'ble Oversight Committee, Hon'ble High Court, Hon'ble National Green Tribunal and Hon'ble Supreme Court of India.	Complying
10.	The industry shall install separate energy meter at bore well for measuring electric consumption in bore well.	Complying
11.	This Consent of the industry is automatically considered abrogated after receiving public grievances against the industry and the	Complying

	confirmation of the complaint.	
12.	Industry shall install 04 Nos. stationary Anti Smog Guns at each corner of crusher area and 01 Nos. mobile Anti Smog Gun for dust suppression in the premises as well as on approach road to suppress the dust generated from crushing, loading/unloading of product and movements of the vehicles as an extra auxiliary arrangement.	Complying
13.	<p>The industry shall install air pollution control measures as mentioned below:-</p> <p>a) Closed metal sheet enclosures at dust emitting point's i.e. the crushers including their discharge points, screens, and the transfer points of belt conveyors, with arrangements of a door with opening and closing facility for cleaning and maintenance and flexible covers at entrance and exit of the belt conveyors.</p> <p>b) All openings provided for ventilation in the enclosures shall be covered by canvas bag filter to arrest the escaping dust.</p> <p>c) All belt conveyors shall be covered by the industry.</p> <p>d) Dust conveyer shall be equipped with telescopic discharge chute for collecting, storing and delivering/truck-loading of the product, Stone dust and any other fine dust.</p> <p>e) A minimum 12 feet high metal sheet barricading/boundary wall as wind braking wall shall be provided by the stone crusher.</p> <p>f) Dust suppression by scientifically designed water sprinkling system on raw material/ products and transfer points shall be adopted as an auxiliary air pollution control measure.</p> <p>g) Green belt along the boundary wall shall be developed by stone crusher in at least three layers.</p> <p>h) Metallic road shall be installed inside the premises with Regular wetting of the ground within the factory premises.</p>	<p>Complying</p> <p>Non-Complying</p> <p>Complying</p> <p>Non-Complying</p> <p>Complying</p> <p>Complying</p> <p>Partially Complying</p> <p>Complying</p>
14.	Closed metal sheet enclosures at dust emitting point's i.e. the crushers including their discharge points, screens, and the transfer points of belt conveyors, with arrangements of a door with opening and closing facility for cleaning and maintenance and flexible covers at entrance and exit of the belt conveyors.	Partially Complying
15.	All openings provided for ventilation in the enclosures shall be covered by canvas bag filter to arrest the escaping dust.	Non-Complying
16.	All belt conveyors shall be covered by the industry.	Complying
17.	Dust conveyer shall be equipped with telescopic discharge chute for collecting, storing and delivering/truck-loading of the product, Stone dust and any other fine dust.	Non-Complying
18.	A minimum 12 feet high metal sheet barricading/boundary wall as wind braking wall shall be provided by the stone crusher.	Complying
19.	Dust suppression by scientifically designed water sprinkling system on	Partially

	raw material/ products and transfer points shall be adopted as an auxiliary air pollution control measure.	Complying
20.	Green belt along the boundary wall shall be developed by stone crusher in at least three layers.	Partially Complying
21.	Metallic road shall be installed inside the premises with Regular wetting of the ground within the factory premises.	Complying
22.	Industry shall provide sufficient no. of Helmets, Gumboots, Goggles, and Masks etc. to the workers for their safety.	Partially Complying
23.	The suspended particulate matter (SPM) between 3 to 10 meters from any process equipment of Stone Crusher unit shall not exceed 480 g/ Nm ³ .	Non-Complying
24.	Industry shall install closed bag/cloth enclosures at both crushers including their discharge points and the transfer points of belt conveyors with arrangements of a door with opening and closing facility for cleaning and maintenance within 15 days.	Partially Complying
25.	For green belt at least 8 feet height plants should be planted which shall be properly protected as proper irrigation and manuring arrangements shall be made. For the development of the green belt the guidelines issued vide Board office order no. H10405/220/2018 /02 Dt. 16-02-2018 shall be complied. Green belt along the boundary wall shall be developed by stone crusher.	Partially Complying
26.	Industry shall comply the all conditions mentioned in previous CTE/CTO's issued by the Board.	Partially Complying
27.	Industry shall abstract ground water with the valid permission (NOC) of the competent Authority.	Non-Complying
28.	The industry shall strictly comply the directions/guidelines/ Environmental norms as prescribed by State Board for CPAs and SPAs vide office memorandum no. H 48273/C1/ NGT83/2020, Dated 27.02.2020.	NA
29.	This consent is valid for discharge of domestic effluent only.	Complying
30.	It is found that the industry is not complying with stipulated Conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.	Complying
31.	The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA.	Complying
32.	Industry shall maintain D.G. Set Stack height as per Board Norms & and in Enclosure.	Complying
33.	The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board	Complying



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ क्र.

Ref. No

संख्या में

H07232/C-2/NGT-67/24

दिनांक

Date: 19-02-2024

विषय

M/S R.K. CONSTRUCTION CO. VILLAGE-SONPIR, PARGANA-BHAGWAL, CHUSAR, MIRZAPUR के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिराजित किये जाने के सम्बन्ध में।

महोदय,

कृपया मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या-521/2022 सम्पूर्णानन्द बनाम उत्तर प्रदेश राज्य व अन्य ने पारित आदेश के अनुपालन के अनुक्रम में जनगण-मिर्जापुर में स्थापित 26 स्टोन क्रशर इकाईयां को पूर्व में राज्य बोर्ड के पत्र दिनांक 12.01.2024 द्वारा वायु (प्रदूषण नियंत्रण तथा नियंत्रण) अधिनियम, 1981 यथासंशोधित की धारा 31-ए के अन्तर्गत कारण बताओ नोटिस जारी किया गया था। उक्त कारण बताओ नोटिस के अनुक्रम में आपकी स्टोन क्रशर इकाई का स्थानीय निरीक्षण क्षेत्रीय कार्यालय, सोनमट्ट स्तर से दिनांक 08.02.2024 को किया गया। क्षेत्रीय अधिकारी, सोनमट्ट की निरीक्षण आख्यानुसार आपकी स्टोन क्रशर इकाई समुचित वायु प्रदूषण नियंत्रण व्यवस्था स्थापित किये बिना ही संचालित है तथा इकाई द्वारा राज्य बोर्ड द्वारा निर्गत सहमति शर्तों का अनुपालन नहीं किया जा रहा है।

क्षेत्रीय अधिकारी, सोनमट्ट के पत्र दिनांक 08.02.2024 द्वारा आपकी स्टोन क्रशर इकाई द्वारा समुचित वायु प्रदूषण नियंत्रण व्यवस्था स्थापित किये बिना ही संचालित किये जाने तथा राज्य बोर्ड द्वारा निर्गत सहमति शर्तों का अनुपालन नहीं किया जाने के कारण स्टोन क्रशर इकाई के विरुद्ध 48 दिना के उल्लंघन अवधि हेतु ₹0 6250/- प्रतिदिन की दर से कुल ₹0 300000/- (₹0 तीन लाख मात्र) की पर्यावरणीय क्षतिपूर्ति अधिराजित किये जाने की समुचित की गयी है।

उपरोक्तानुसार संक्षम स्तर से अनुमानितपरान्त स्टोन क्रशर इकाई M/S R.K. CONSTRUCTION CO. VILLAGE-SONPIR, PARGANA-BHAGWAL, CHUSAR, MIRZAPUR पर ₹0 300000/- (₹0 तीन लाख मात्र) पर्यावरणीय क्षतिपूर्ति के रूप में अधिराजित किया जाता है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति की धनराशि को उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, किन्व खण्ड, गोमती नगर, लखनऊ स्थित बैंक के खाता संख्या-701502010002104 आई0एफ0एच0 कोड-UBIN0570150 में एक राफाह के अन्दर जमा कर, जमा की गयी धनराशि का राज्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में पंजुन करना सुनिश्चित करें। अन्यथा की स्थिति में पर्यावरणीय क्षतिपूर्ति की वसूली हेतु भू-राजस्व की भांति वसूली की कार्यवाही की जायेगी जिसका सम्पूर्ण उत्तरदायित्व उद्योग स्वामी का होगा।

संक्षम अधिकारी के अनुमति से निर्गत।

प्रतिलिपि :-

1. जिलाधिकारी, मिर्जापुर को सूचनाएं एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, सोनमट्ट को इस निर्देश के साथ कि उद्योग से पर्यावरणीय क्षतिपूर्ति की धनराशि निर्धारित समयअवधि में प्राप्त न होगी स्थिति में भू-राजस्व की भांति वसूली की कार्यवाही हेतु प्रस्ताव जिलाधिकारी के समक्ष प्रस्तुत किये जाने की कार्यवाही सुनिश्चित की जाये।
3. लेखाधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को इस आशय से कि पर्यावरणीय क्षतिपूर्ति मद में प्राप्त धनराशि का विवरण वृत्त में उपलब्ध कराने का कष्ट करें।

मुख्य पर्यावरण अधिकारी (वृत्त-2)

मुख्य पर्यावरण अधिकारी (वृत्त-2)

टी.सी. - 12 वीं विभूति खण्ड, गोमती नगर,

लखनऊ - 226010

दूरभाष 0522-2720828, 2720831

फैक्स 0522-2720764, 2720676

ई-मेल info@uppcb.in

वेबसाइट www.uppcb.com

T.C.-12 V, Vibhuti Khand, Gomti Nagar,

Lucknow - 226 010

Phone : 0522-2720828, 2720831

Fax : 0522-2720764, 2720676

E-mail : info@uppcb.in

Website : www.uppcb.com

I. INTRODUCTION

REGIONAL OFFICE, U.P. POLLUTION CONTROL BOARD, SONBHADRA

**Proposed action plan**

Regarding utilization of environmental compensation deposited

for protection and improvement of environment

in the vicinity of/area surrounding the

stone crushing units operational in

district, Mirzapur.

- j) **Site analysis:** Consider ecological conditions, biodiversity, and potential challenges.
- k) **Identify past projects:** Analyze the successes and challenges of past projects in the area.
- l) **Choose restoration techniques:** Consider techniques like tree planting, agro forestry, or farmer-managed natural regeneration.
- m) **Set objectives:** Create a project plan with milestones, timelines, and details about the project.
- n) **Develop a budget:** Create a realistic budget that accounts for all aspects of the restoration process.
- o) **Monitor and evaluate:** Use tools and strategies to monitor and evaluate the restoration program.

- As plants are universal sink for air pollutants, they trap the carbon dioxide and store it within them as reserve food material. Plants being the initial acceptors of air pollutants act as a scavenger to the pollutants.
- Leaves provide surface area for impingement, absorption and adsorption of air pollutants as well settlement for dust particles in the atmosphere equally.
- While selecting the species for pollution control important characteristics that should be considered like plants should be evergreen, large leaved, rough bark, indigenous, ecologically compatible, low water requirement, minimum care, high absorption of pollutants, resistant pollutants, agro-climatic suitability, height and spread, canopy architecture, growth rate and habit (straight undivided trunk), aesthetic effect (foliage, conspicuous and attractive flower colour), pollution tolerance and dust scavenging capacity.

Recommended Species based on Geological Factors of Various Areas

(As per Schedule II-A of U.P.P.C.B. O.M Dated 16.02.2018)

(II-अ) क्षेत्र आधारित वृक्षों की प्रजातियाँ:-	
क्षेत्र	वृक्ष की प्रजातियाँ
ऊसर क्षेत्र	बबूल, सुदबूल, कंजी, सिरस, अजुन, ढाक, शीशम, आवला, जंगल जलेबी, वर, अकेशिया औरिकुलोफॉमिस, कँजुराइना, प्रोसोपिस।
नीहड़ क्षेत्र	शीशम, नीम, आवला, सिरस, वास, कंजी, महुआ, बेल, सहजन, पापडी।
खादर-खोला क्षेत्र	शीशम, अजुन, कठसागान, कँजुरीना, बकैन, जामुन, खैर, विलायती बबूल, कालासिरस, सुदबूल, सहजन।
विन्ध्य क्षेत्र	महुआ, सिरस, बेल, जामुन, बहेडा, आवला, इमली, पीपल, बरगद, तिलविल, कंधा, शीता, अकेशिया औरिकुलोफॉमिस, केशिया स्यामिया, सहजन।
तराई एवं गंगा के मैदानी क्षेत्र	शीशम, सागान, सिरस, खैर, अजुन, जामुन, सहजन।

Green Belt Rules

- Ensure survival of plan
- Plants of min. 8-10 foot height to be planted under Green Belt Plan
- Ensure proper safety of Green Belt by wires/fencing
- Ensure watering and manures required for growth of plants
- watering of plants to be done from treated discharged water

Some Trees Selected/Proposed for Green Belt as per APTI score and UPCCB Norms

Scientific Name	Local Name	Effective in control of	No. of Trees
<i>Azadirachta indica</i>	Neem	Dust, air and noise pollution	80
<i>Bauhinia variegata</i>	Kachnar	Air pollution	80
<i>Tamarindus indica</i>	Imli	Air pollution	80
<i>Zizyphusm auritiana</i>	Ber	Air pollution	80
<i>Aegle marmelos*</i>	Bel	Air and noise pollution	80
<i>Polyalthia longifolia</i>	Ashok	Dust, Air pollution	80
<i>Ficus glomerata*</i>	Guler	Dust and Noise pollution	88
Total Plants			568
* Sensitive w.r.t APTI index			

OA No 453 of 2024 ,OA No 468 of 2024 ,OA No. 447 of 2024m And OA No. 457 of 2024 Sampurna Nand Case

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: gigicgeorge.adv42@yahoo.in; sharma.ajit@gmail.com

Date: Sunday, November 10, 2024 at 12:19 PM GMT+5:30

Sir,

Pleazase find attached the Affidavit on behalf of the Respondent

With Regards,

(PRADEEP MISRA)



Sampurna nand 447.pdf
932.5kB



Sampurna nand 457.pdf
1.2MB



Sampurna nand 468.pdf
1.1MB



Sampuna Nanad 453.pdf
1007.7kB