

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

M.A. 100 OF 2023

IN

ORIGINAL APPLICATION NO. 364 OF 2022

**IN THE MATTER:**

**Ram Kailash Singh**

**... Applicant**

**Versus**

**State of U.P.**

**.... Respondent**

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**FILED BY**

*Anshula Grover*

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**DATED: 31.01.2024**

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...APPLICANT

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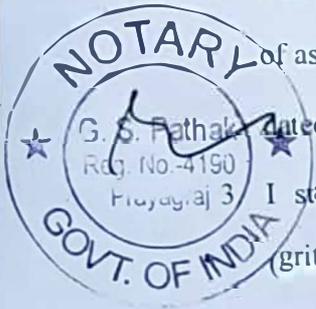
**AFFIDAVIT ON BEHALF OF RESPONDENT No. 6**

I, Ram Raj Singh, S/o Devraj Singh, aged 53 years, residing at 4, Akauria. Bara, Bashara. Uperhar Prayagraj do hereby on solemn affirmation state and submit that:

1. That I am the authorized representative of Respondent No. 6 in the abovementioned matter. That I am well versed with the captioned proceedings and thus competent to swear the instant affidavit.
2. I state that the present affidavit is being filing to bring on record the status of the work of ash filing in the mining void being undertaken by the Respondent as per the order dated 11.10.2023 of this Hon'ble Tribunal.

I state that the Respondent No. 7 was granted a mining lease of sand stone (grit/bolder) for a period of five years from 26.11.2014 to 25.11.2019 in the plot no. 180 rakba 5 acre of the village Pure Baijnath Tehsil Bara District Prayagraj. As per the conditions of the Environmental Clearance dated 27.05.2017, the mining area had to be filled with overburden for the purpose of plantation. That by an order dated 12.02.2021, the Mining Officer, Prayagraj granted permission for the reclamation of the mining site after filing of fly ash. Thereafter, applications were made to

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Respondent No. 5 for supply of ash for the purpose of the mine filing as per the Notification dated 31.12.2021 issued by the Ministry of Environment, Forest and Climate Change.

4. I state that a complaint was made to the present Hon'ble Tribunal with respect to the work of mine filing being done by the present Respondent. Therefore, the Respondent No. 5 refused to provide ash and no work could be undertaken during the pendency of the matter before this Hon'ble Tribunal. Thereafter, as the entire mining site was filled with rain water, the Respondent was not in a position to carry out the work of ash filing.
5. However, subsequent to the order dated 11.10.2023 of the Hon'ble Tribunal the work of ash filling has been started in all earnest with the ash provided by Respondent No. 5. I state that all efforts are being made to complete the work at the earliest.
6. It is submitted that the work is being carried out by the present Respondent in compliance with the recommendations of the Joint Committee Report dated 28.07.2022. It is submitted that the approach road is continuously maintained. The vehicles being used for the transportation of ash have all the valid permits and certificates. Respondent is using water sprinklers to prevent suspension of dust particles. It is further stated that there is no water in the mine and the Respondent has dewatered the rain water before starting the work of filing of ash. It is ensured that there is no contamination of ground water. The water samples from a near by hand pump have been given for inspection.
7. I further state that no complaints have been received from any authority or individual with respect to violation of any environmental norms.
8. I state that pursuant to the order dated 11.10.2023 of this Hon'ble Tribunal, the Respondent has put his best efforts to get the work of mining closure completed at the



21/11/23 G.S.P.

earliest. The Respondent herein has already filled the mining void with 328670.58 Tonnes of ash.

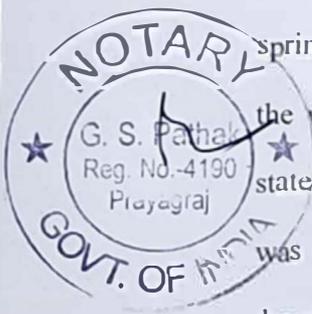
9. It is submitted that the Respondent herein has been continuously lifting ash from the Respondent No. 5's plant for the purpose of filling it in the mined area. This is clear from the following:

Period	Number of vehicle trips for lifting ash	Quantity (in Tonnes)
23.10.2023 - 31.12.2023	137	5033.24
01.11.2023 - 30.11.2023	2299	89829.68
01.12.2023 - 31.12.2023	2401	96644.66
01.01.2024 - 28.01.2024	3400	137163
	<b>TOTAL</b>	<b>328670.58</b>

10. That by letter dated 28.01.2024, the Respondent herein had updated the status of the work done to the Respondent Pollution Control Board. It was stated that till 28.01.2024, 328671.00 tonnes of pond ash had been lifted from the power plant and the filling work was being done at the site. It was further stated that the work of sprinkling water was being done during transportation of ash. It was further stated that the work of repairing the routes was being done wherever required. It was further stated that the water sample from the near hand pump was submitted for testing. It was further stated that the work will be completed by July 2024 along with the development of the green belt.

11. I state that the Respondent has been able complete the filling work in almost half depth of the main mining pit and have completed the filling of the low-lying mining voids. However, despite his best efforts the work of mining closure is still pending and the Respondent is in a position to complete the same before the start of the monsoons.

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The Respondent will further do the plantation work before and during the rainy season.

12. In view of the same, the deponent prays that the deponent be allowed time till July 2024 to complete the work of mine filing and the plantation work.

राम राज सिंह  
DEPONENT

VERIFICATION

I, Ram Raj Singh s/o. Shri Devraj Singh aged 53 years R/O Village Akoria, Tehsil Bara, District Prayagraj do hereby verify and declare that the statements made in all the aforesaid Paragraphs are true and correct to the best of my knowledge and information and I believe the same to be true and that nothing material has been concealed therefrom.

Verified on 31-01-2024 at Prayagraj that the contents of the aforesaid Affidavit are true to the best of my knowledge and records.



राम राज सिंह  
DEPONENT

SOLEMNLY AFFIRMED BEFORE ME  
On 31/01/2024 at Prayagraj A.M./P.M.  
Sri/Smt. Ram Raj Singh  
Identified by Mr. G.S. Pathak  
I believe the Affidavit as True & Correct which  
is signed & correct

G.S Pathak  
Public Notary  
Ald., Prayagraj (U.P.)

Sign./T.I. Identified by



e-Stamp

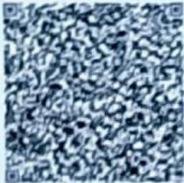
NAME : ANKIT JAISWA  
ACC Code : 14105904  
ACC ADD : 583 MUTTHIGANJ, PRAYAG  
LICENCE NO : B18

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Certificate No. : IN-UP50606905688309W  
 Certificate Issued Date : 31-Jan-2024 04:37 PM  
 Account Reference : NEWIMPACC (SV) up14109904/ ALLAHABAD/ UP-AHD  
 Unique Doc. Reference : SUBIN-UPUP1410990497376568558153W  
 Purchased by : RAM RAJ SINGH  
 Description of Document : Article 4 Affidavit  
 Property Description : Not Applicable  
 Consideration Price (Rs.) :  
 First Party : RAM RAJ SINGH  
 Second Party : Not Applicable  
 Stamp Duty Paid By : RAM RAJ SINGH  
 Stamp Duty Amount(Rs.) : 10  
 (Ten only)

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Part of Affidavit

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Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.wholesstamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.