

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

OA NO. 289 OF 2024

IN THE MATTER OF:

ABHISHEK SHUKLA

...APPLICANT

VERSUS

SANGRAM SINGH

...RESPONDENT

I N D E X

NDOH: 02.09.2024

| S.NO. | PARTICULARS | PG. NO. |
|-------|---|---------|
| 1. | Further Affidavit/Objections on behalf of the Respondent/ Project Proponent in response to the Report of the Joint Committee dated 31 st July, 2024. | 1-7 |
| 2. | Satellite images of the mining lease and surrounding areas. | 8-11 |

RESPONDENT/PROJECT PROPONENT

THROUGH



S. C. LADI AND COMPANY

Deeksha L. Kakar and Dhruv Kakar

ADVOCATES

B-1/52, SAFDARJUNG ENCLAVE

NEW DELHI – 110029.

Ph. 9313119255 |deeksha.kakar@scladi.com

Enrol.No.D/1154/2008

New Delhi

Dated: 31.08.2024

29-8-2024
नोटरी-महोबा
यू पी 0 सरकार
पंजीकरण नं०-52(15)2009

Sangram Singh

Deeksha
Date: 31/08/2024

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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OA NO. 289 OF 2024

IN THE MATTER OF:

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FURTHER AFFIDAVIT/OBJECTIONS ON BEHALF OF THE
RESPONDENT/ PROJECT PROPONENT IN RESPONSE TO THE
REPORT OF THE JOINT COMMITTEE DATED JULY 31, 2024.

I, Sangram Singh, S/o Sh.Jaywant Singh, R/o Village Pahra, Kabrai District Mahoba (U.P) 210424 aged about ___ years, do hereby solemnly affirm and declare as under:

1. The Deponent is the Respondent/ Project Proponent in the above-mentioned case and is well conversant with the facts of the case and as such competent to swear and depose this Affidavit.
2. The present Affidavit is being filed in terms of the Order dated 02.08.2024, passed by this Hon'ble Tribunal in the captioned Application. The answering respondent has already filed a detailed reply on 07.12.2023 before this Hon'ble Tribunal in the erstwhile Original Application No.422 of 2023 titled as Abhishek Shukla vs State of UP & Ors along with a compilation of documents on 06.02.2024. Pursuant thereto, the matters were segregated by this Hon'ble Tribunal vide order dated 08.02.2024 and a new Original Application No.289 of 2024 has been registered for the Respondent.

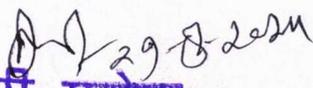
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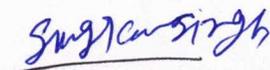
Sangram Singh
Sangram Singh
02/08/2024

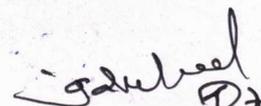
3. The Deponent is filing the present Affidavit to supplement the submissions made under the previous replies/affidavits/documents filed in the matter, the contents of which are not being repeated herein for the sake of brevity. The Respondent craves leave to refer to and rely upon the earlier pleadings/documents filed, along with the present Affidavit, for the adjudication of the Application.
4. At the outset, it is respectfully submitted that certain observations made by the joint committee are factually incorrect and contrary to the record/documents/earlier reports, filed in the matter. Even otherwise, the observations are beyond the scope and purview of the directions of this Hon'ble Tribunal.
5. In terms of the report of the Joint Committee, the Deponent is raising the following objections to the recommendations and observations therein, along with status of compliance thereof:

Observation 2: With respect to the boundary pillars on the mining lease, it is respectfully submitted that pillars have been duly marked by the Project Proponent by deputing a qualified surveyor. However, due to the mining operations having been closed from November, 2023, certain pillars and markings have been disrupted by the locals. It is further stated that despite repeated efforts/attempts, the mining inspector/ department have now not been able to properly mark some Boundary Pillars due to objections raised by the locals at the spot, stating that the area is used for their travel, agricultural, passage for animals and other daily use activities.

Observation 3: It is respectfully submitted that the observations of the Joint Committee in respect of the satellite imagery and human habitation


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are incorrect and denied. The Deponent submits herewith the satellite images from various points of the lease area, to show the distance of any human habitation. Reliance is also placed upon the earlier affidavits/responses filed in the matter.

Observation 4: As observed by the Joint Committee, no mining operations have been found to be carried out since November, 2023. Furthermore, due to present weather conditions and heavy rain, wind safety slogans and other important signage have been damaged or washed off. The Deponent undertakes to restore the signage in terms of the required parameters.

Observation 5: As per the own observation of the Joint Committee, no mining operations have been found to be carried out since November, 2023. It is respectfully submitted that at the time of visit of the committee, mining was not operational, as such there was no reason for any of the workers to be wearing any safety gear. Needless to say, at the time of carrying out any mining operations, requisite care on safety of all persons including providing and wearing proper safety gear is taken by the project proponent.

Observation 6 and 7: It is respectfully submitted that the observation of the Joint Committee in respect of the non-submission of the six-monthly compliance report and environment statement is incorrect and denied. The project proponent has regularly submitted the said report. Latest report has also been submitted to both the UPPCB and Department of Mining, which had also been filed on record before this Hon'ble Tribunal under Index dated 27.07.2024. Reliance is placed on the reports filed.

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Observation 8: As observed by the Joint Committee, no mining operations have been found to be carried out since November, 2023. It is respectfully submitted that periodic and six-monthly medical examination of all works is conducted in terms of the requirement laid down under the environment clearance and the Deponent undertakes to continue to do so in the future as well.

Observation 9: With respect to the observations on plantation, it is submitted that due to unwanted grazing of nomadic animals, plantation was avoided within the area of the mining lease. However, the project proponent has planted trees at nearby fields, images and geo location of which has been filed under the compliance report.

Observation 10: It is respectfully submitted that the observations of the Joint Committee in respect of the shelter for workers is incorrect and denied. It is submitted that mining activity is carried out only during day time, for which a small camp has been setup. Further, for night dwelling and rest, permanent structure (makaan) with running water and toilet facilities has been provided at a nearby place/distance.

Observation 11: It is respectfully submitted that the observations of the Joint Committee in respect of water sprinkling is incorrect and denied. It is submitted that regular water sprinkling is carried out with the use of water tankers, photographs of which have been filed along with the six-monthly compliance report.

Observation 12: It is respectfully submitted that the observations of the Joint Committee in respect of use of any heavy machinery is incorrect and denied. As observed by the Joint Committee, no mining operations

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have been found to be carried out since November, 2023. The observations are contrary to the own findings of the committee.

6. It is further submitted that all record available at the mining lease area was provided to the members of the inspection committee, as per their request. The observation of joint committee on the CSR-CER activities is also incorrect. The documents relating to the said activities have also been placed on record before this Hon'ble Tribunal under index dated 15.03.2024, and also found under the compliance reports.
7. The Deponent once again states and submits that he is committed to and undertakes to endeavour to comply with all conditions of the Environment Clearance, Consent to Operate, regulations of all concerned departments as well as any further recommendations that may be prescribed by this Hon'ble Tribunal, in a time bound manner.

Songra Singh

DEPONENT

VERIFICATION

Verified on this _____ day of August, 2024 at New Delhi that the contents of the above Affidavit have been explained to be me in vernacular language and are true and correct to my knowledge, no part thereof is false and nothing material has been there from.

Songra Singh

DEPONENT

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Songra Singh
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Gangaram Singh

I declare
Date
29/08/2024



Affidavit/Document Sworn/put up
 before me by Sri/Smt. Sonaram Singh
 S/o/W/o Jaywant Singh
 Tah. Mahoba Distt. Mahoba
 The contents of affidavit/document have been
 read over and explained
 to him/them which is admitted to him/them
 he/they is/are identified by Sri. Rajkumar Tripathi
 The prescribed Fee is Charged. Adm.

29/8/2024

A.L. KUSHWAHA
Advocate/Notary
Mahoba
R.N.-52(15)2009



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Government of Uttar Pradesh

e-Stamp

Signature: Anand
ACC Name-Anand, ACC Code-UP14748504
ACC Address-Vill Bara(Mahoba), Mob. 977728323
License No. 15/2021, Tahsil & District-Mahoba(U.P.)

Certificate No. : IN-UP62784219016864W
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 Description of Document : Article 4 Affidavit
 Property Description : Not Applicable
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 First Party : SANGRAM SINGH SO JAYVANT SINGH
 Second Party : Not Applicable
 Stamp Duty Paid By : SANGRAM SINGH SO JAYVANT SINGH
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)



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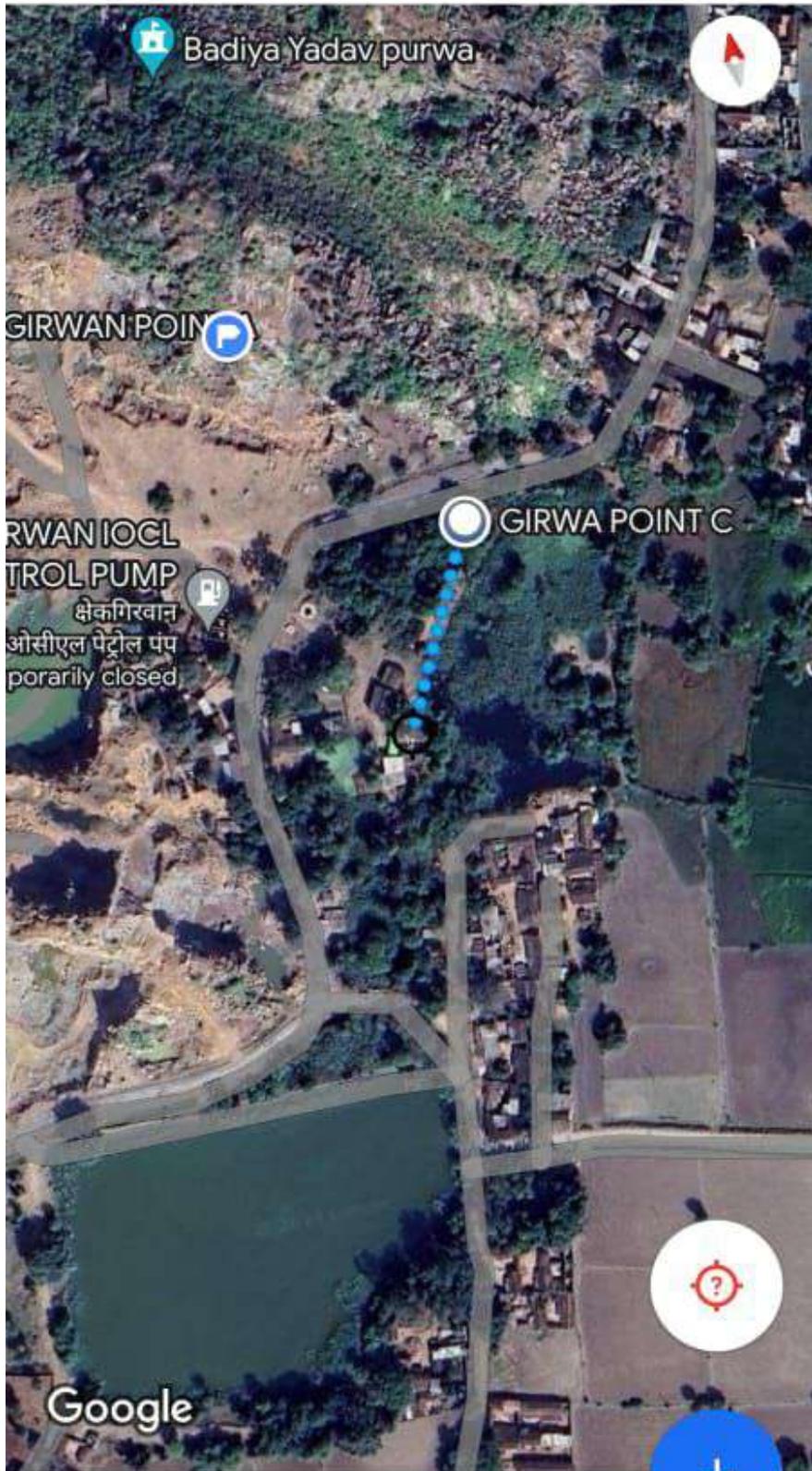
Sangram Singh

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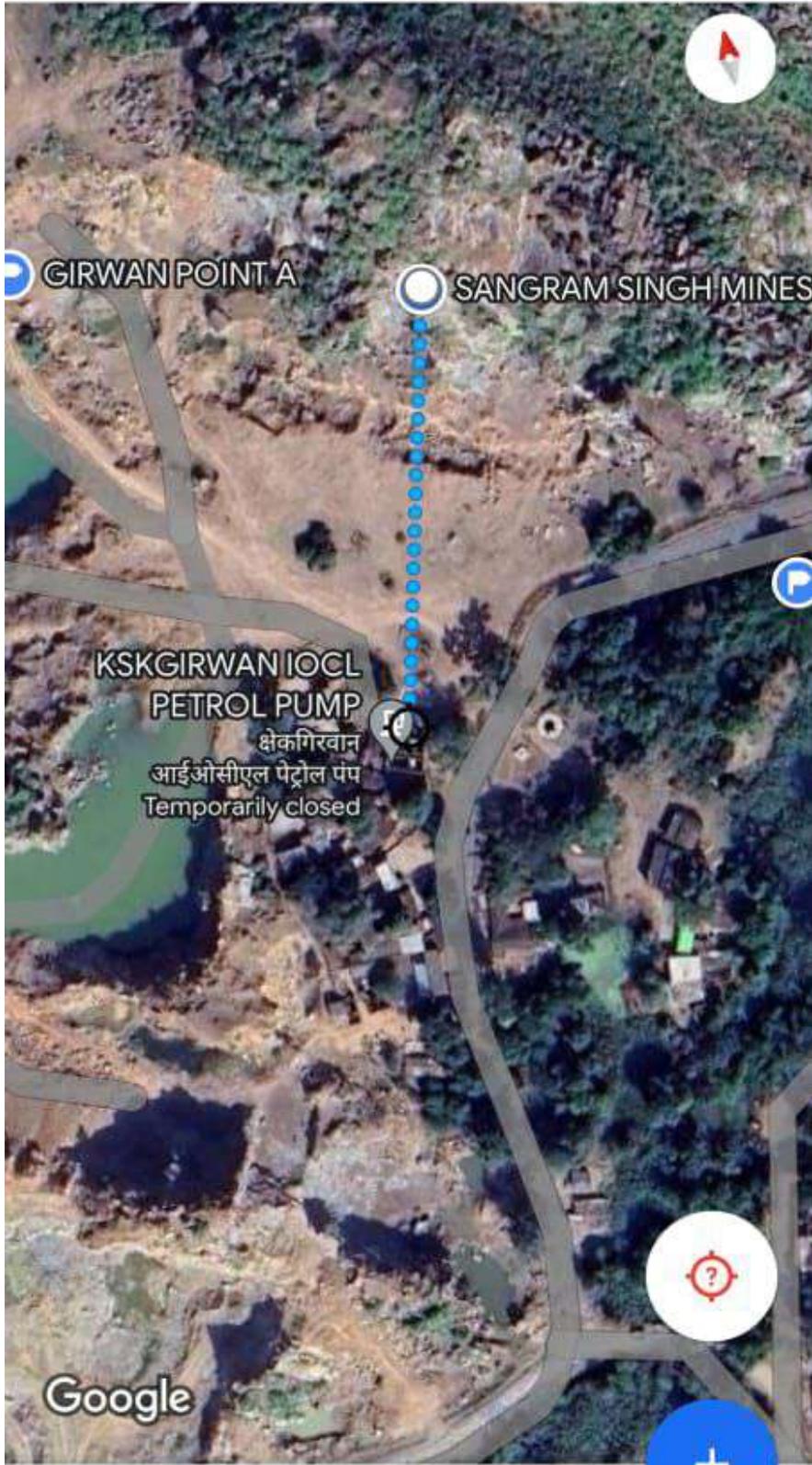
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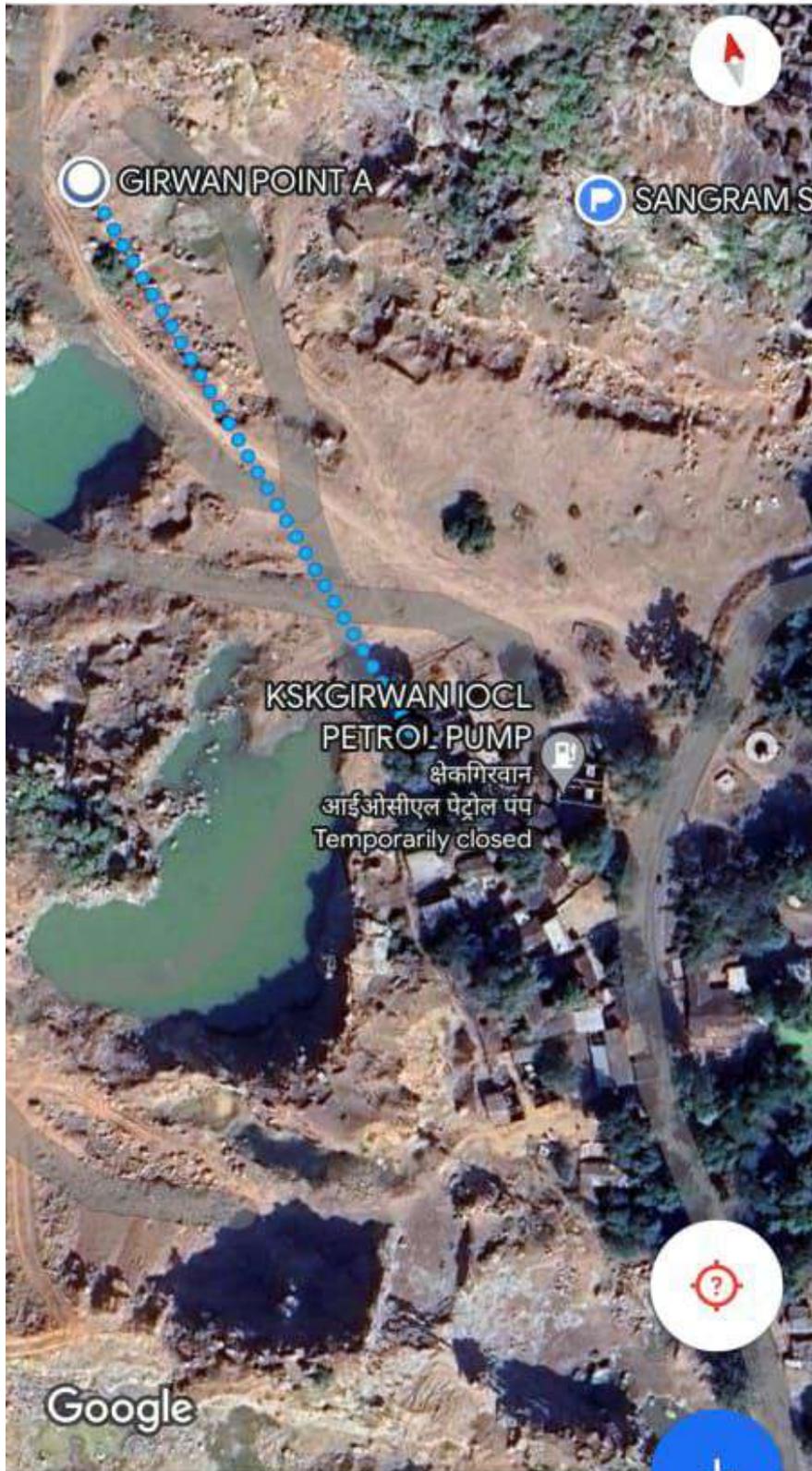
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