D-O-H-14-2-2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

COUNTER AFFIDAVIT

IN

1

O.A.NO. 1003 OF 2024

IN THE MATTER OF :

ASHOK KUMAR AND ANR SO

LATE SH DHARAM SINGH .....Applicant

Versus

STATE OF U.P. & ORS .....Respondent

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7.	**Annexure No.C-6** : True copy of the District survey report dated 5.7.2024.	136-262
8.	**Annexure No.C-7** : True copy of the Planning and execution of mining and mineral exhibition.	263-300
9.	**Annexure No.C-8** : 1.Compliance of Environmental Clearance condition for sand mining project Yamuna River (From Jan 2024 to June 2024). 2. Letter of SEIA dated 27.5.2021. 3. Amendment of Environmental Clearance dated 29.9.2021. 4. Point wise Compliance. 5. Site Photographs. 6. Lab Report.	
10.	Vakalatnama	301
11.	Proof of Service	302

FILED BY :

Shannu Baghel

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Enrollment No. : D/6618/2018

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

COUNTR AFFIDAVIT

IN

O.A.NO. 1003 OF 2024

IN THE MATTER OF :

ASHOK KUMAR AND ANR SO

LATE SH DHARAM SINGH ......Applicant

Versus

STATE OF U.P. & ORS ....Respondent

Counter Affidavit on behalf of respondent no. 5 and 6 M/s. New Panther security guard services through its proprietor Bani Singh S/o Ragunath Singh R/o Sala sar complex, 306 shankar vihar colony kuraishi, Aligarh – 202001 Presently at New Delhi

IDENTIFICATION
Identify the signature of Mr./Ms. ....
.................Who has signed in my Presence.
A.N. Singh Adv.
Notary Public
Govt. of India

1. That by means of the latter petition dated 23.12.23 sand by Ashok Kumar S/o Late Dharam Singh And Karan Singh S/o Late Shri Vedparakash present Application was filed and registered u/s 14 and 15 of National Green Tribunal Act, 2010. In exercise of Suo-motu Jurisdiction in view of Law late down by Supreme Court (In

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2. That by means of letter dated 5.12.2024 the deponent appeared before the tribunal on behalf of respondents no. 5 & 6 and notices has been accepted by his council. True copy of the order passed by the Hon'ble Tribunal in this regard dated 5.12.2024 is being filed here is and marked as **Annexure No. 1 page** 10 **to** 16.)

3. That the matter was listed on 10.1.2025 (O.A. No.1003 of 2024) before the National Green Tribunal and the petitioner was granted time to file a response at least 3 days before the date of hearing was fixed.

4. That on 10.1.2025 for the first time the Deponent was informed of a response filed by the District Magistrate in compliance to the order dated 5.12.2024 by the National Green Tribunal and response on behalf of UP State Pollution Control Board Ghaziabad was also filed. True copy of the response filed by the District Magistrate Ghaziabad on 9.1.2025 and the reply submitted by UP Pollution Control Board dated 7.1.2025 are being filed herewith and marked as **Annexure No. 2 & 3 page** 17 **to** 44.)

5. That the deponent is bringing on record one judgment and order passed by this Hon'ble Tribunal in O.A. No. 575/2019 on 26.2.2021 and this order of the Hon'ble NGT was passed for consideration of the group of matters relates to updation of

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enforcement and monitoring mechanism to control and regulate Sand mining including (River beats and mining) in the light of the judgment of Hon'ble Supreme Court in Deepak Kumar Vs State of Haryana (20124SCC629) and Goa Foundation Vs Union of India & Ors 2014 6SCC590. True copy of the order of the Tribunal in O.A. No. 360/2015 is benign filed herewith and marked as **Annexure No.4 page** 45 **to** 84.

6. That in the aforesaid O.A. No. 1003/2024 report and reply has also been filed on behalf of Central Pollution Control Board indicating the report on mining activity at Village Pachayra, Tehsil. Loni, Distt. Gaziyabad. Incompliance to Hon'ble NGT order dated 4.11.2024 in O.A. No. 1003/2024.True copy of the report on mining activity at Village Pachayra, Tehsil. Loni, Distt. Gaziyabad UP by Central Pollution Control Board is benign filed here with and marked as **Annexure No.5 page** 85 **to** 135

7. That the deponent is bringing on record the entire district survey report dated 5.7.2024 and the entire planning and execution of mining and mineral exhibition and the same are filed as **Annexure No.6 & 7 page** 263 **to** 300)

8. That the deponent is also bringing on record Compliance of Environmental Clearance Proposal/ conditions for ordinary sand

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mining project at Yamuna River Gata No. 303mi, 313mi, 290mi, 303mi, 304mi,314mi, 297mi, 298mi, 302mi, 311mi, 312mi, & 314mi, Khand No. 2 Village Pachayra, Tahsil Loni, & Distt. Ghaziyabad State of UP (Jan 2024 to Jun 2024). True Copy of total all documents Marked as **Annexure No. 8(1) to 8(6) page** 263 to 300.

Reply of the affidavit District Magistrate Annexure No. 2

a. That the contents of paragraph no. 1,2,3,4,5 and 6 are matters of records and need no comments. However the deponent denied environmental compensation for illegal mining of 840 cubic meter quantity of ordinary mineral sand as per approach to scale approved by Hon'ble NGT by the order dated 26.2.2021 in the matter of O.A. No. 360/2015. The order of Hon'ble NGT O.A. No. 360/2015 are not related to the mining activity of the deponent in year 2024. In O.A. No. 360 of 2015 is a different case not related to the facts and controversy involved in the present case.

b. That the contents of paragraph no. 7 and 8 are matters of record thus these need no comment.

c. That the contents of paragraph no. 9 are emphatically denied as the mining area is being regularly checked by the mining department and never any such issue was raised regarding illegal sand mining of 840

NOTARY

cubic meter. However by means of letter dated 24.12.24 for the first time without any proper infection even informing to the deponent straightway penalty has been imposed. Thus this imposition of penalty is holly wrong and arbitrary.

REPLY TO THE RESPONSE SUBMITTED BY UP STATE POLLUTION CONTROL BORD FILED AS ANNEXURE NO.3 FILED TO THIS AFFEDAVIT

a. That the contents of paragraph no. 1 to 4 of the affidavit filed by State Pollution Board Ghaziabad need no comment.

b. That the contents of paragraph no. 5 are emphatically denied as this paragraph indicated joint committee recommendation of environmental compensation against the project proponent and that too on the basis of not in the case of petitioner but in respect to the case of O.A. No. 360/2015. The deponent will suitably reply regarding methodology conducted by the department only as a desk paper not on site but on their office table. Thus the environmental compensation dated 24.12.2024 issued to the deponent are denied.

REPLY OF THE AFFEDAVIT FILED BY CENTER POLLUTION CONTROL BORD IN O.A.NO.1003/2024

a. In this report following facts are very important which has come in the joint committee report;

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b. During the site visit of 30.11.2024 joint committee mining activity was not observed on the site. The project proponent was informed that mining activity was discontinued after 30.6.2024(due to monsoon period) and not started still till date. Mining officer Ghaziabad informed that transport permit has not been issued after 30.6.24.

c. The CPCB in observation indicates the following facts;

> ***"Illegal mining by project proponents has been observed earlier by district authorities. A notice was issued to project proponent by ADM office Ghaziabad on 19.5.24 for illegal mining of 840 cubic meters of ordinary send out and accordingly a fine was imposed on project proponent."***

d. That from the aforesaid observation it is respectfully submitted there is no illegal mining on site but it is only a desk work of allegation.

वनीसिह

DEPONENT

I identify the deponent who has signed/T.I in my presence

Signature
Adv./Self
Mr./Ms. .....
ID No. .....

VERIFICATION:

Verified at New Delhi on this 27 JAN 2025 day of January, 2025 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

Certified That The Above Named
Deponent, ID. No. ..... Identified
And Verified By Sh./Smt. ..... Solemnly Affirmed Before Me, Reg. Sr. No. .....
The Content of The Affidavit Which Have Been Read & Explained To Me Are True And Correct.

Notary

वनीसिह

DEPONENT

ATTESTED
A.N. Singh, Adv.
Notary Public
Govt. of India, New Delhi
27 JAN 2025

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ANNEXURE-C-1

Item No. 04 Court No. 2

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 1003/2024

MR ASHOK KUMAR AND ANR SO
LATE SH DHARAM SINGH Applicant

Versus

State of UP Respondent(s)

Date of hearing: 05.12.2024

CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None

Respondents: Mr. Raj Kumar, Advocate for CPCB
Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat and Ms. Gargi Chaturvedi, Advocates for UPPCB and State of U.P.
Mr. S. P. Singh, Senior Advocate with Mr. Vithal Aditya and Mr. Shannu Bhagel, Advocates for respondent no. 5 and 6

ORDER

1. On a letter petition dated 23.12.2023 sent by Ashok Kumar s/o late Sh. Dharam Singh and Karan Singh s/o late Sh. Ved Prakash, present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010) in exercise of suo-moto jurisdiction, in view of law laid down by Supreme Court in ***(2022) 13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Singha & Ors.***

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2. Complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna river-bed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02, Village-Panchayat, Tehsil-Loni, Ghaziabad, UP.

3. Looking to complaint made, Tribunal considered matter on 04.11.2024 and found it appropriate to obtain a factual report by constituting a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as '**UPPCB**'); and, Central Pollution Control Board (hereinafter referred to as '**CPCB**').

4. Joint Committee report has been submitted through CPCB and observations, conclusion and recommendations, made therein, read as under:-

> *"4. General observation during the site visit of leased mining area at Village-Panchayara, Loni, Ghaziabad:*
>
> *Observations based on site visit and records issued made available by UP PCB RO Ghaziabad and Mining Department Ghaziabad are as follows:*
>
> - *Environmental Clearance (herein to be referred as "EC") was granted for sand / moramminingby State level Environmental Impact Assessment Authority (SEIAA) Uttar Pradesh on 27.05.2021 to Shri Bani Singh, Salasar Complex, 306 Shankar Vihar Colony, Quaarsi, Aligarh-202001 (M/s New Panther Security Guard Service) vide letter no. 27/Parya/SEAC/5793/2019 dated 27.05.2021 for mineable*

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Shri Raghunath Singh)for mining of 1,77,737 cubic meter (per annum) for 05 years at Tehsil-Loni Gram-Panchyarakhand Number 02 Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mion 8.512 Hectare area. (Annexure-4)

- *Consolidated Consent to Operate (CTO) and Authorization 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 was granted by UPPCB on 07.01.2023 for a period from 14.12.2022 to 30.12.2026. (Copy of Consolidated CTO is annexed as Annexure-5)*

- *The date of start of mine was 12.11.2021. A per portal of Directorate of Geology and Mining, Uttar Pradesh, the total quantity of mineral excavated from the start of mine is tabulated as below:*

Year	Quantity Permitted (m^3)	Quantity Excavated (m^3)
Nov 2021-Oct 2022	177736.8	85851
Nov 2022-Oct 2023	177736.8	81750
Nov 2023-Oct 2024	177736.8	142402

The co-ordinates of mining areas are as below:

Pillars	**Latitude (N)**	**Longitude (E)**
A	28°48' 1.02" N	77° 12' 19.63" E
B	28° 47'49.56" N	77° 12' 17.52" E
B	28° 47'39. 12" N	77° 12'19.04" E
A'	28° 47'39.35" N	77° 12' 13.26" E
B'	28° 47'48.74" N	77° 12'10.86" E
C'	28° 48'2.80" N	77° 12'13.01" E

- *Mining Officer Ghaziabad informed last District Survey Report was prepared in 2017. It was amended on 02.03.2019 which included present lease area (copy of amendment is annexed as Annexure- 6). The draft for District Survey Report (2024) has been issued on 05.07.2024 in public domain and final DSR is under finalization by District Administration.*

period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024.

- *A camp office and weigh bridge was observed constructed by project proponent. It was informed by project proponent that all machinery for mining activity are hired through third party and the same is not hired from 30.06.2024 onwards.*

- *During site visit by joint committee, winter migratory birds (Common swift or swallows, Sea gulls, Moorhen etc.) were observed (photographs attached).*

5. ***Observation regarding issues raised in the compliant:***

Issues raised related to mining violations:-

- *The mining is being carried out beyond the allotted limit/Being carried out beyond the sanctioned Lease Area/Carrying out mining outside the coordinates/ works for more than the allotted time in a day / doing illegal mining work at night by taking out sand up to 100 feet below with the help of lifter boat machine (para 3)*
- *constructed a two dams (Bandh), (para 5)*
- *the proponent is mining the sand much deep from the bottom of the river, from approximately 20-30 feet below which is impermissible, with help of the poclain and other heavy machines, (para 7)*
- *carrying out illegal mining in No. 310-309,(para 10)*
- *making very deep pits by building a dam.(para 12)*

Observation:-

- *Mining activity was not observed on day of visit of joint committee. Project Proponent informed that mining activity was discontinued after 30.06.2024 (due to monsoon period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024. Excavation mark were not observed on the sand deposit in the mid of the river which also indicated that mining has not been carried out after monsoon.*

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Issues raised to Green belt development: -

- *That the proponent was also required to plant 625 trees on both the sides of the haul road, (para 7)*

Observation:-

- *The project proponent informed that the trees were planted in mining lease area which were damaged during flooding in year 2023, however, no plantation was observed by the committee.*

Issues raised to impact on Adjacent Agricultural Land:-

- *Adjacent agricultural land situated on the banks of Yamuna are being affected and are in the danger of completely becoming an uncultivated land. (para 9)*

Observations:-

- *At present agriculture land near the lease area was not found affected.*

Issues raised to Mine operation: -

- *Breached the limit for the number of vehicle allowed to be deployed at the mining site, 34 vehicles are allowed, (para 4)*
- *Deploying heavy machineries, the use of poclain machines and other such machines (para 6)*
- *The proponent has not adopted the practice of regularly sprinkling the water during the transition of the vehicles, (para 8)*

Observations:-

- *Mining activity was not carried out on the day of visit. It was informed by Mining Officer Ghaziabad that transport permit has not been issued after 30.06.2024. Compliance of these points can be enforced during mining operation.*

6. Conclusions/Recommendations:

1. *The mining department should carry out vigil during day as well as night and ensure that no illegal mining takes place in Yamuna river.*
2. *The EC issued by SEIAA Uttar Pradesh stipulated the method of mining as opencast Semi-Mechanized therefore, heavy machinery and lifter boat should not be allowed near*

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4. *Compliance of following salient requirements must be ensured by Project and Mining Department before allowing further mining:*

   - *Installation the boundary pillars as per co-ordinates & Environmental Clearance conditions.*
   - *Adequate plantation in time bound manner as per Environmental Clearance conditions.*
   - *Replenishment study of the area about mining deposits as per Environmental Clearance conditions.*
   - *Hydrogeological study to ascertain the impact on river channel and water table as per Environmental Clearance condition (no 16).*

5. *Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."*

6. In the light of observations made by Joint Committee in the above report, we find it appropriate to implead following as respondents:-

1. Ministry of Environment, Forest and Climate Change, Government of India through Secretary, or Bagh Rd, Lodi Colony, New Delhi, Delhi 110003
2. State of UP, Ministry of Environment, Forest and Climate Change through Principal Secretary/Additional Chief Secretary, 17, Rana Pratap Marg, Lucknow, (U.P.), 226001
3. UP State Pollution Control Board through Member Secretary, Satyam, Vasundhara, Ghaziabad, Uttar Pradesh 201004
4. District Magistrate, Ghaziabad, Rajnagar, Ghaziabad-201001 (UP)
5. Bani Singh, Salasar Complex, 306, Shankar Vihar Colony,

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7. Notices on behalf of respondents 2, 3 and 4 have been accepted by Sh. Bhanwar Pal Singh Jadon, Advocate.

8. On behalf of respondents 5 and 6, notices have been accepted by Sh. Vithal Aditya, Advocate

7. Notice on behalf of respondent 1 has been accepted by Sh. Rajkumar, Advocate.

8. Hence, no formal issue of notice to respondents is necessary.

9. Learned counsel appearing for respective respondents pray for and allowed 3 weeks' time to file their responses /replies.

10. List this matter on 10.01.2025.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

December 05, 2024
ORIGINAL APPLICATION No. 1003/2024
AB

"True Copy"

ANNEXURE-C-2

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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1003/2024

IN THE MATTER OF:

MR ASHOK KUMAR AND ANR SO

LATE SH DHARAM SINGH ...APPLICANT(s)

VERSUS

STATE OF UP ...RESPONDENT(s)

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THROUGH COUNSEL

BHANWAR PAL SINGH JADON
STANDING COUNSEL FOR THE STATE OF U.P. (NGT)
EMAIL- bhanwar09jadon@gmail.com

DATE: 09.01.2025
PLACE: NOIDA

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1003/2024

IN THE MATTER OF:

MR ASHOK KUMAR AND ANR SO

LATE SH DHARAM SINGH ...APPLICANT(s)

VERSUS

STATE OF UP ...RESPONDENT(s)

RESPONSE ON BEHALF OF DISTRICT MAGISTRATE IN COMPLIANCE TO THE ORDER DATED 05.12.2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

I, Indra Vikram Singh, aged about 55 years, s/o Late Sunder Singh R/o H.No. - 01, Civil Line, P.S. Sadar Bazaar, Tehsil, Shahjhanpur, District- Shahjahanpur posted as District Magistrate, Ghaziabad, U.P. do hereby solemnly affirm and state as under:

1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and am competent and authorized to swear the present Reply.

09 JAN 2025

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2. That I state that the contents of the Reply has been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.

3. That, the present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010).

4. That, the complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna riverbed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02, Village-Pachayra, Tehsil-Loni, Ghaziabad, U.P.

5. That, Hon'ble Tribunal considered the captioned matter on 04.11.2024 and constituted a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB') to visit the site and ascertain the allegation.

6. That, pursuant to aforementioned order dated 04.11.2024, the report of Joint Committee was filed on 04.12.2024. The Joint Committee has recommended the following compliances against Project Proponent as follows-

"4. Compliance of following salient requirements must be ensured by Project and Mining Department before allowing further mining:

09 JAN 2025

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o Installation the boundary pillars as per co-ordinates & Environmental Clearance conditions.

o Adequate plantation in time bound manner as per Environmental Clearance conditions.

o Replenishment study of the area about mining deposits as per Environmental Clearance conditions.

o Hydrogeological study to ascertain the impact on river channel and water table as per Environmental Clearance condition (no 16).

5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may be levied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."

7. That as per the order dt. 05.12.2024, the Hon'ble National Green Tribunal directed the Respondents to submit their Responses/replies.
That the relevant portion of the order has been reproduced herein for ready reference:
"9. Learned counsel appearing for respective respondents pray for and allowed 3 weeks' time to file their responses/replies."
A Copy of the Order dt. 05.12.2024 has been attached herein as Annexure A/1.

8. That in compliance of the Order dated 05.12.2024 passed by the Hon'ble Tribunal, it is humbly submitted that directions were issued from the Office of the District Magistrate, Ghaziabad to the New Panther Security Guard Service, Prof. Shri Bani Singh i.e. the Project Proponent on 31.12.2024, directing the Project Proponent to ensure that the Replenishment Study, Hydrological Study and Plantation be carried out with immediate effect in

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compliance of the condition no. 16 and 19 of the EC letter dated 21.05.2021. It was further directed vide the above- mentioned letter, issued by the DM Office, that the report of the aforementioned studies and plantation be made available to the D.M. Office, Ghaziabad. Furthermore, the information regarding the same be provided to the UPPCB and SEIAA. *A Copy of the letter dt. 31.12.2024 has been attached herein as Annexure A/2.*

9. That it is respectfully submitted that a recommendation letter dt. 04.12.2024 was issued by U.P. Pollution Control Board to the office of Chief Environmental Officer, Uttar Pradesh Pollution Control Board, Lucknow regarding the imposition of environmental compensation on the Project Proponent for carrying out illegal mining of 840 cubic meter.
That the said amount of Environmental Compensation shall be imposed for illegal mining of ordinary sand as per the Approach 2 Scale NGT vide order dt. 26.02.2021 in the matter of O.A No. 360/2015.
That as per the said letter the compensation shall be imposed based upon the following formula:
Net Present Value (after netting out market value if illegally mined material)-NPV= PV- D
i.e. 8,47,365 - 1,95,720/- = Rs. 6,51,645/- (Rupees Six Lakhs Fifty One Thousand Six Hundred Forty- Five Only).
A Copy of the letter dt. 04.12.2024 has been attached herein as Annexure A/3.

10. Futhermore, U.P. Pollution Control Board has issued a Show Cause Notice dated 24.12.2024 to M/s New Panthar Security Guard Service, Proprietor- Shri Bani Singh S/o Shri Raghunath Singh, R/o. Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. for the imposition

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of environmental compensation of Rs. 6,51,645/- (Six Lakh Fifty-One Thousand Six Hundred Forty Five only).

That the reply of show cause notice by project proponent is awaited and thereafter the expiry of the show cause notice period, further action will be taken accordingly.

A Copy of the Show Cause Notice dt. 24.12.2024 has been attached herein as Annexure A/4.

11. Hence, the present reply is being filed for the kind consideration and perusal of this Hon'ble Tribunal.

12. That I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

Verified at GHAZIABAD on this 9th day of January, 2025, that the contents of the above affidavit from paragraphs 1 to 12 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

ATTESTED
(Sandeep Sharma)
Reg. No. 11361/98
NOTARY PUBLIC
Ghaziabad (U.P.)

SECRETARY
Sandeep Sharma
Reg. No. 66/98
GOVT. OF INDIA

DEPONENT

09 JAN 2025

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Annexure A/1

Item No. 04 Court No. 2

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 1003/2024

MR ASHOK KUMAR AND ANR SO
LATE SH DHARAM SINGH Applicant

Versus

State of UP Respondent(s)

Date of hearing: 05.12.2024

CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None

Respondents: Mr. Raj Kumar, Advocate for CPCB
Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat and Ms. Gargi Chaturvedi, Advocates for UPPCB and State of U.P.
Mr. S. P. Singh, Senior Advocate with Mr. Vithal Aditya and Mr. Shannu Bhagel, Advocates for respondent no. 5 and 6

ORDER

1. On a letter-petition dated 23.12.2023 sent by Ashok Kumar s/o late Sh. Dharam Singh and Karan Singh s/o late Sh. Ved Prakash, present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010) in exercise of suo-moto jurisdiction, in view of law laid down by Supreme Court in ***(2022) 13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Singha & Ors.***

ATTESTED

09 JAN 2025

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

NOTARY Sandeep Sharma Reg. No. 1136/98 GOVT. OF INDIA

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2. Complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna river-bed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02, Village-Panchayat, Tehsil-Loni, Ghaziabad, UP.

3. Looking to complaint made, Tribunal considered matter on 04.11.2024 and found it appropriate to obtain a factual report by constituting a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB').

4. Joint Committee report has been submitted through CPCB and observations, conclusion and recommendations, made therein, read as under:-

> *"4. General observation during the site visit of leased mining area at Village-Panchayara, Loni, Ghaziabad:*
>
> *Observations based on site visit and records issued made available by UP PCB RO Ghaziabad and Mining Department Ghaziabad are as follows:*
>
> - *Environmental Clearance (herein to be referred as "EC") was granted for sand / moramminingby State level Environmental Impact Assessment Authority (SEIAA) Uttar Pradesh on 27.05.2021 to Shri Bani Singh, Salasar Complex, 306 Shankar Vihar Colony, Quaarsi, Aligarh-202001 (M/s New Panther Security Guard Service) vide letter no. 27/Parya/SEAC/5793/2019 dated 27.05.2021 for mineable area (8.512 Ha) out of total lease area as 12.512 Ha. The EC was further amended on 29.09.2021 vide letter no. 201/SEAC/5793/2019 dated 29.09.2021. (The copy of EC and amended EC is annexed as Annexure-2 and 3).*
> - *Lease under Article 35 through e-stamp with Certificate Number IN- UP94105203936034T was registered on 08.10.2021 with M/s. New Panther Security Guard Service (Shri Bani Singh S/o*

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Shri Raghunath Singh)for mining of 1,77,737 cubic meter (per annum) for 05 years at Tehsil-Loni Gram-Panchyarakhand Number 02 Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mion 8.512 Hectare area. (Annexure-4)

- *Consolidated Consent to Operate (CTO) and Authorization 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 was granted by UPPCB on 07.01.2023 for a period from 14.12.2022 to 30.12.2026. (Copy of Consolidated CTO is annexed as Annexure-5)*

- *The date of start of mine was 12.11.2021. A per portal of Directorate of Geology and Mining, Uttar Pradesh, the total quantity of mineral excavated from the start of mine is tabulated as below:*

Year	Quantity Permitted (m^3)	Quantity Excavated (m^3)
Nov 2021-Oct 2022	177736.8	85851
Nov 2022-Oct 2023	177736.8	81750
Nov 2023-Oct 2024	177736.8	142402

The co-ordinates of mining areas are as below:

Pillars	Latitude (N)	Longitude (E)
A	28°48' 1.02" N	77° 12' 19.63" E
B	28° 47'49.56" N	77° 12' 17.52" E
B	28° 47'39. 12" N	77° 12'19.04" E
A'	28° 47'39.35" N	77° 12' 13.26" E
B'	28° 47'48.74" N	77° 12'10.86" E
C'	28° 48'2.80" N	77° 12'13.01" E

- *Mining Officer Ghaziabad informed last District Survey Report was prepared in 2017. It was amended on 02.03.2019 which included present lease area (copy of amendment is annexed as Annexure- 6). The draft for District Survey Report (2024) has been issued on 05.07.2024 in public domain and final DSR is under finalization by District Administration.*

- *Project Proponent informed that the replenishment study report was conducted during 2021-22 & 2022-23, however, the same was not made available to committee member during visit.*

- *During site visit on 30.11.2024 by joint committee, mining activity was not observed on the site. Project Proponent informed that mining activity was discontinued after 30.06.2024 (due to monsoon*

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period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024.

➢ *A camp office and weigh bridge was observed constructed by project proponent. It was informed by project proponent that all machinery for mining activity are hired through third party, and the same is not hired from 30.06.2024 onwards.*

➢ *During site visit by joint committee, winter migratory birds (Common swift or swallows, Sea gulls, Moorhen etc.) were observed (photographs attached).*

5. Observation regarding issues raised in the compliant:

Issues raised related to mining violations:-

- *The mining is being carried out beyond the allotted limit/Being carried out beyond the sanctioned Lease Area/Carrying out mining outside the coordinates/ works for more than the allotted time in a day / doing illegal mining work at night by taking out sand up to 100 feet below with the help of lifter boat machine (para 3)*
- *constructed a two dams (Bandh), (para 5)*
- *the proponent is mining the sand much deep from the bottom of the river, from approximately 20-30 feet below which is impermissible, with help of the poclain and other heavy machines, (para 7)*
- *carrying out illegal mining in No. 310-309,(para 10)*
- *making very deep pits by building a dam.(para 12)*

Observation:-

- *Mining activity was not observed on day of visit of joint committee. Project Proponent informed that mining activity was discontinued after 30.06.2024 (due to monsoon period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024. Excavation mark were not observed on the sand deposit in the mid of the river which also indicated that mining has not been carried out after monsoon.*

- *Illegal mining by project proponent has been observed earlier by District Authorities, a notice was issued to project proponent by Mining section, ADM Office Ghaziabad on dated 09.05.2024 for illegal mining of 840 cubic meter of ordinary sand out and accordingly fine was imposed on project proponent as per rules. (Annexure-7)*

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Issues raised to Green belt development: -

- *That the proponent was also required to plant 625 trees on both the sides of the haul road, (para 7)*

Observation:-

- *The project proponent informed that the trees were planted in mining lease area which were damaged during flooding in year 2023, however, no plantation was observed by the committee.*

Issues raised to impact on Adjacent Agricultural Land:-

- *Adjacent agricultural land situated on the banks of Yamuna are being affected and are in the danger of completely becoming an uncultivated land. (para 9)*

Observations:-

- *At present agriculture land near the lease area was not found affected.*

Issues raised to Mine operation: -

- *Breached the limit for the number of vehicle allowed to be deployed at the mining site, 34 vehicles are allowed, (para 4)*
- *Deploying heavy machineries, the use of poclain machines and other such machines (para 6)*
- *The proponent has not adopted the practice of regularly sprinkling the water during the transition of the vehicles, (para 8)*

Observations:-

- *Mining activity was not carried out on the day of visit. It was informed by Mining Officer Ghaziabad that transport permit has not been issued after 30.06.2024. Compliance of these points can be enforced during mining operation.*

6. Conclusions/Recommendations:

1. *The mining department should carry out vigil during day as well as night and ensure that no illegal mining takes place in Yamuna river.*
2. *The EC issued by SEIAA Uttar Pradesh stipulated the method of mining as opencast Semi-Mechanized therefore, heavy machinery and lifter boat should not be allowed near the river.*
3. *Stringent action should be taken against any persons foundcarrying out illegal mining. using heavy machinery and lifter boats near the river, and obstructing flow of the river.*

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4. *Compliance of following salient requirements must be ensured by Project and Mining Department before allowing further mining:*

   - *Installation the boundary pillars as per co-ordinates & Environmental Clearance conditions.*
   - *Adequate plantation in time bound manner as per Environmental Clearance conditions.*
   - *Replenishment study of the area about mining deposits as per Environmental Clearance conditions.*
   - *Hydrogeological study to ascertain the impact on river channel and water table as per Environmental Clearance condition (no 16).*

5. *Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."*

6. In the light of observations made by Joint Committee in the above report, we find it appropriate to implead following as respondents:-

1. Ministry of Environment, Forest and Climate Change, Government of India through Secretary, or Bagh Rd, Lodi Colony, New Delhi, Delhi 110003
2. State of UP, Ministry of Environment, Forest and Climate Change through Principal Secretary/Additional Chief Secretary, 17, Rana Pratap Marg, Lucknow, (U.P.), 226001
3. UP State Pollution Control Board through Member Secretary, Satyam, Vasundhara, Ghaziabad, Uttar Pradesh 201004
4. District Magistrate, Ghaziabad, Rajnagar, Ghaziabad-201001 (UP)
5. Bani Singh, Salasar Complex, 306, Shankar Vihar Colony, Quaarsi, Aligarh.
6. M/s New Panther Security Guard Services through its owner Bani Singh, Salasar Complex, 306, Shankar Vihar Colony, Quaarsi, Aligarh.

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7. Notices on behalf of respondents 2, 3 and 4 have been accepted by Sh. Bhanwar Pal Singh Jadon, Advocate.

8. On behalf of respondents 5 and 6, notices have been accepted by Sh. Vithal Aditya, Advocate

7. Notice on behalf of respondent 1 has been accepted by Sh. Rajkumar, Advocate.

8. Hence, no formal issue of notice to respondents is necessary.

9. Learned counsel appearing for respective respondents pray for and allowed 3 weeks' time to file their responses /replies.

10. List this matter on 10.01.2025.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

December 05, 2024
ORIGINAL APPLICATION No. 1003/2024
AB

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Annexure A/2

कार्यालय जिलाधिकारी गाजियाबाद
(खनन अनुभाग)

नोटिस

संख्याः 186 /खo लि०–गाजि०/2024–25 दिनांकः 31 / 12 /2024

न्यू पैन्थर सिक्योरिटी गार्ड सर्विस
(पट्टाधारक ग्राम पचायरा खण्ड–2)
प्रो० श्री बनी सिंह निवासी– सालासर काम्पलैक्स,
306, शंकर विहार कालोनी कुरैशी, अलीगढ़।

विषयः– Replenishment Study, Hydrological Study एवं Plantation कराये जाने के सम्बंध में।

उपरोक्त विषयक अवगत कराना है कि आपके पक्ष में निर्गत पर्यावरण स्वच्छता पत्र दिनांक 21.05.2021 में उल्लिखित शर्त सं० 16 व 19 के अनुसार Hydrological Study एवं Plantation तथा शासन के निर्देशों के अनुसार Replenishment Study का कार्य किया जाना है।

अतः आपको निर्देशित किया जाता है कि उपरोक्त के कम में Replenishment Study, Hydrological Study एवं Plantation की रिपोर्ट अविलम्ब कार्यालय में उपलब्ध कराते हुये उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद एवं सी०ई०आई०ए०ए०, लखनऊ को सूचित करना सुनिश्चित करें, यदि उक्त कार्य आप द्वारा नहीं कराया गया है, तो तत्काल Replenishment Study एवं Hydrological Study का कार्य सम्पादित कराते हुये रिपोर्ट अविलम्ब अधोहस्ताक्षरी को उपलब्ध कराना सुनिश्चित करें।

अपरजिलाधिकारी (वि० / रा०)
गाजियाबाद।

पत्र संख्या एवं दिनांक उपरोक्तानुसार।
प्रतिलिपि :–
1. जिलाधिकारी, गाजियाबाद महोदय को सादर सूचनार्थ प्रेषित।

अपरजिलाधिकारी (वि० / रा०)
गाजियाबाद।

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टिप्पणी एवं आदेश

कृपया मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 1003/2024 Mr. Ashok Kumar & Anr Vs State of UP में पारित आदेश दिनांक 04.11.2024 (पताका 'क') के अंश निम्नवत् हैः—

".....2.Complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna riverbed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02,Village-Panchayat, Tehsil-Loni, Ghaziabad, UP. Mining activities are being carried out by proponent on a total lease area of 12.512 Ha (mineable aera is 8.512 Ha). Mining has been conducted in violation of conditions of Environmental Clearance (hereinafter referred to as 'EC') granted by State Level Environment Impact Assessment Authority of State of UP (hereinafter referred to as 'SEIAA, UP') and they have dug out river-bed at the depth upto 100 feet with the help of lifter boat machine. Proponent has constructed two dams (Bandhas) so as to stop flow of water and thereby natural flow of water has been diverted affecting flora and fauna of the river and this is also affecting and damaging agricultural crop standing in the nearby agricultural land due to creation of obstruction in the smooth flow of river water. Proponent is also deploying heavy machinery such as poclain, etc., for mining activities and has also not carried out plantation as required in the EC. Complaint is supported with two videos and certain photographs appended to the complaint.

*3. Looking to the allegation made in the original application, we are prima facie of the view that a substantial question relating to environment has arisen out of implementation of enactments mentioned in Scheduled-I of NGT Act, 2010, but, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a **Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB').***

4.CPCB shall be nodal agency for coordination and compliance.

5. Above committee shall collect relevant information after visiting the site and submit factual report within one month.

6. List this matter on 05.12.2024. ....."

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 1003/2024 Mr. Ashok Kumar & Anr Vs State of UP में पारित आदेश दिनांक 04.11.2024 का अनुपालन सुनिश्चित कराये जाने हेतु जिला मजिस्ट्रेट गाजियाबाद को उक्त में प्रतिनिधि नामित करने की कृपा करें।

07/11/24

(विकास मिश्र)
क्षेत्रीय अधिकारी
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
गाजियाबाद।

ADMF
गाजि

जिलाधिकारी महोदय
गाजियाबाद।

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Annexure A/3

क्षेत्रीय कार्यालय–उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.gov.nic.in, e-mail:-roghaziabad@uppcb.in

पत्रांक संख्या : 2282/C /N-223/ 2024 दिनांक 02/12/2024

सेवा मे,

मुख्य पर्यावरण अधिकारी, वृत्त–1,
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

विषय: M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o–Salasar complex, 306, Shankar Vihar Colony, Kuralshi, District - Aligarh, U.P. द्वारा Yamuna River, Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध मे।

महोदय,

उपरोक्त विषयक मा0 एन0जी0टी0 मे योजित ओ0 संख्या 1003/2024 अशोक कुमार व अन्य बनाम स्टेट ऑफ यू0पी0 मे पारित आदेश दिनांक 04.11.2024 के अनुपालन मे गठित संयुक्त समिति द्वारा दिनांक 30.11.2024 को प्रश्नगत परियोजना स्थल का निरीक्षण किया गया। संयुक्त निरीक्षण आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा मा0 एन0जी0टी0, नई दिल्ली मे दिनांक 04.12.2024 को दाखिल की गयी है, छायाप्रति संलग्न है। उक्त आख्या में संयुक्त समिति द्वारा परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध मे निम्नवत टिप्पणी की गयी है:–

".....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."

उपरोक्त की गयी संस्तुति के आधार पर इकाई के विरूद्ध पर्यावरणीय क्षतिपूर्ति की गणना आख्या संलग्न है। आख्यानुसार प्रश्नगत परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु की गयी गणना के सम्बन्ध मे विधिक अभिमत प्राप्त किये जाने एवं पुनः मूल्यांकन बोर्ड मुख्यालय स्तर पर किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित की जा रही है।

संलग्नक:उपरोक्तानुसार।

भवदीय

क्षेत्रीय अधिकारी

(AGE)

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NOTARY PUBLIC
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M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o–Salasar complex, 306, Shankar Vihar Colony, Kuraishi, District - Aligarh, U.P. द्वारा Yamuna River, Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध मे।

मा0 एन0जी0टी0 मे योजित ओ0 संख्या 1003/2024 अशोक कुमार व अन्य बनाम स्टेट ऑफ यू0पी0 मे पारित आदेश दिनांक 04.11.2024 के अनुपालन मे गठित संयुक्त समिति द्वारा दिनांक 30.11.2024 को प्रश्नगत परियोजना स्थल का निरीक्षण किया गया। संयुक्त निरीक्षण आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा मा0 एन0जी0टी0, नई दिल्ली मे दिनांक 04.12.2024 को दाखिल की गयी है, छायाप्रति संलग्न है। उक्त आख्या मे संयुक्त समिति द्वारा परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध मे निम्नवत टिप्पणी की गयी है:–

".....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."

<u>As per approach 2, following formula, as mentioned by CPCB in the report, is taken for calculation:-</u>

$$(PV) = \sum_{t=1}^{5} \frac{(D + RT)}{(1 + r)^t}$$

Where:-

PV = Present Value
D = Market Value of Illegally Mined Material
RT = Risk Factor
r = Discount
t = No. of years

Calculation of Market Value of Illegally Mined Material (D) = As per the report submitted by Mines Officer, Ghaziabad vide letter dated 04-12-2024 (Annexure -II), in District Ghaziabad, the bid value of mined material is Rs 233/- per M^3 and total illegal mining carried out by the said unit is 840 M^3.

Hence, D = 233x840 = Rs-1,95,720/-

In the present scenario, severity as taken as severed hence, RF (Risk Factor) is considered to be 1.

Hence, Annual Value of Foregone Ecological Values D x RF = 1,95,720/-

It is assumed that the Benefits would occur only in the first year (in which illegal mining took place), while the ecological costs would continue to be felt over a period of time. NPV may be calculated for a period of 5 years.

Calculation of Discount r = Taking severity as severe, the discount rate as per CPCB is to be taken as 5%. Hence, r = 5%

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- **Present Value of Foregone Ecological Values (@ 5% discount rate and over 5 Years)**

$$(PV) = \sum \frac{(195720)}{(1+0.05)^1} + \frac{(195720)}{(1+0.05)^2} + \frac{(195720)}{(1+0.05)^3} + \frac{(195720)}{(1+0.05)^4} + \frac{(195720)}{(1+0.05)^5}$$

PV (In Rs.) = 1,86,400 + 1,77,523.81 + 1,69,070.29 + 1,61,019.33 + 1,53,351.74

= 8,47,365.17/ say 8,47,365.00 (Rs. Eight Lakh Forty Seven Thousand Three Hundred Sixty Five only)

- Net Present Value (after netting out market value if illegally mined material) – NPV = PV- D

= 8,47,365 – 1,95,720/-

Rs 6,51,645/-(Rs. Six Lakh Fifty One Thousand Six Hundred Forty Five only)

उपरोक्त तथ्यों को दृष्टिगत रखते हुए प्रश्नगत परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु की गयी उपरोक्त गणना के सम्बन्ध मे विधिक अभिमत प्राप्त किये जाने एवं पुनर्मूल्यांकन बोर्ड मुख्यालय स्तर पर किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(अंशुल शर्मा)
सहायक पर्यावरण अभियंता

(कुँवर संतोष कुमार)
सहायक पर्यावरण अभियंता

क्षेत्रीय अधिकारी

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NOTARY Sandeep Sharma Reg. No. 1136/98 GOVT. OF INDIA

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Annexure A/4

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

LiFE Lifestyle for Environment

पंजीकृत

पत्रांक 7/2718 /सी–1/एनजीटी–289/2024 दिनांक 24-12-24

सेवा में,

M/s New Panthar Security Guard Service.
Proprietor.- Shri Bani Singh S/o Shri Raghunath Singh,
R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi,
District-Aligarh, U.P.

विषयः **M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।**

महोदय,

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 नं0–1003/2024 अशोक कुमार व अन्य बनाम स्टेट ऑफ यू0पी0 में पारित आदेश दिनांक 04.11.2024 के अनुपालन में गठित संयुक्त समिति द्वारा दिनांक 30.11.2024 को प्रश्नगत परियोजना का निरीक्षण किया गया। संयुक्त निरीक्षण आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा मा0 एन0जी0टी0, नई दिल्ली में दिनांक 04.12.2024 को दाखिल की गयी है। उक्त आख्या में संयुक्त समिति द्वारा परियोजना M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में निम्नवत् टिप्पणी की गई हैः–

"....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26-02-2021 in the matter of OA No. 360/2015."

उपरोक्त तथ्यों के दृष्टिगत क्षेत्रीय अधिकारी, गाजियाबाद द्वारा पत्रांक–2087/सी/एन–273/2024, दिनांक–शून्य में प्रश्नगत परियोजना के विरूद्ध केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा वर्णित सूत्र के अनुसार रू0 6,51,645/– (रूपया छः लाख इक्यावन हजार छः सौ पैंतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गई है।

....2/

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अतः क्षेत्रीय अधिकारी, गाजियाबाद द्वारा प्रेषित आख्या/संस्तुति तथा मा0 एन0जी0टी0 आयोग द्वारा पारित आदेश के आधार पर सक्षम अधिकारी से प्राप्त अनुमति के उपरान्त परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने से पूर्व निम्न कारण बताओ नोटिस जारी किया जाता है:–

"यह कि क्यों न मा0 एन0जी0टी0 द्वारा परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु निर्गत आदेश के आधार पर M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध रू0 6,51,645/– (रूपया छः लाख इक्यावन हजार छः सौ पैंतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये?"

उपरोक्त पर अपना पक्ष/स्पष्टीकरण 15 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में आपके इकाई के विरूद्ध उपरोक्तानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए नियमानुसार अग्रिम कार्यवाही प्रारम्भ कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व आपका स्वयं का होगा।

संलग्नक : क्षेत्रीय अधिकारी से प्राप्त आख्या की छायाप्रति।

भवदीय,

सक्षम अधिकारी की अनुमति से निर्गत।

मुख्य पर्यावरण अधिकारी/वृत्त–1

प्रतिलिपि: क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को इस निर्देश के साथ प्रेषित कि उद्योग को कारण बताओ नोटिस की प्रति अपने स्तर से प्राप्त कराकर पावती एवं निर्धारित समयावधि में अनुवर्ती आख्या स्पष्ट संस्तुति के साथ प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी/वृत्त–1

"True copy"

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/93
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Ghaziabad (U.P.)

09 JAN 2025

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ANNEXURE-C-3

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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

IN

ORIGINAL APPLICATION NO. 1003/2024

MR ASHOK KUMAR AND ANR .....APPLICANT
S/O LATE SH. DHARAM SINGH

VERSUS

STATE OF UTTAR PRADESH .....RESPONDENT

INDEX

S.No.	PARTICULARS	PAGE NO.
1.	REPLY/RESPONSE ON BEHALF OF UP STATE POLLUTION CONTROL BOARD, GHAZIABAD, UTTAR PRADESH IN COMPLIANCE OF THE ORDER DATED 05.12.2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI	
	ANNEXURES	
2.	COPY OF SHOW CAUSE NOTICE DT. 24.12.2024 ATTACHED AS ANNEXURE A/1	

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THROUGH

BHANWAR PAL SINGH JADON
STANDING COUNSEL FOR THE STATE OF U.P. (NGT)
EMAIL- bhanwar09jadon@gmail.com

DATE: 07.01.2025

PLACE: NOIDA

40

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

IN

ORIGINAL APPLICATION NO.-1003/2024

IN THE MATTER OF:

MR ASHOK KUMAR AND ANR SO LATE SH DHARAM SINGH ...APPLICANT(s)

VERSUS

State of UP ...RESPONDENT(s)

RESPONSES/REPLIES ON BEHALF OF UTTAR PRADESH POLLUTION CONTROL BOARD IN COMPLIANCE TO THE ORDER DATED 05-12-2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL B ENCH, NEW DELHI.

I, Vikas Mishra, aged about 45 years, S/o Shri G.S. Mishra, Ghaziabad, presently at Ghaziabad, do hereby solemnly affirm and state as under:-

1. That I, Vikas Mishra, Regional Officer of Uttar Pradesh Pollution Control Board (hereinafter "UPPCB"), am fully conversant with the facts of the case and am competent and authorized to swear the present Affidavit.
2. That, the present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010).

07 JAN 2025

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3. That, the complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna riverbed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02, Village-Pachayra, Tehsil-Loni, Ghaziabad, U.P.
4. That, Hon'ble Tribunal considered matter on 04.11.2024 and constituted a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB') to visit the site and ascertain the allegation.
5. That, pursuant to above order of Hon'ble Tribunal, report of joint committee was filed on 04.12.2024. The Joint Committee has recommended to impose Environmental Compensation against Project Proponent as follows-

".....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may be levied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015."

6. That, the above mater was taken on 05.12.2024 for hearing and Hon'ble Tribunal has directed following:-

9. Learned counsel appearing for respective respondents pray for and allowed 3 weeks' time to file their responses /replies.."

7. That, U.P. Pollution Control Board vide order dated 24.12.2024 has issued a Show Cause Notice to M/s New Panthar Security Guard Service, Proprietor- Shri Bani Singh S/o Shri Raghunath Singh, R/o. Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-

07 JAN 2025

NOTARY Sandeep Sharma Reg. No. 1186/98 GOVT OF INDIA

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Aligarh, U.P. for imposition of environmental compensation of Rs. 6,51,645/- (Six Lakh Fifty One Thousand Six Hundred Forty Five only). The copy of said letter is attached herewith as **Annexure-I.**

8. That, it is humbly submitted that the reply of show cause notice by project proponent is awaited and thereafter the expiry of the show cause notice period, final order regarding imposition of Environmental Compensation will be issued accordingly.
9. I, state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

Verified at Ghaziabad on this .07... day of January-2025 that the contents of the above affidavit from paragraphs 1 to 9 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

DEPONENT

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

07 JAN 2025

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ANNEXURE 1

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

LiFE Lifestyle for Environment

पत्रांक 42172 /सी-1/एनजीटी-289/2024 दिनांक पंजीकृता 24-12-24

सेवा में,

M/s New Panthar Security Guard Service,
Proprietor - Shri Bani Singh S/o Shri Raghunath Singh,
R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi,
District-Aligarh, U.P.

विषयः **M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।**

महोदय,

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 नं0-1003/2024 अशोक कुमार व अन्य बनाम स्टेट ऑफ यू0पी0 में पारित आदेश दिनांक 04.11.2024 के अनुपालन में गठित संयुक्त समिति द्वारा दिनांक 30.11.2024 को प्रश्नगत परियोजना का निरीक्षण किया गया। संयुक्त निरीक्षण आख्या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा मा0 एन0जी0टी0, नई दिल्ली में दिनांक 04.12.2024 को दाखिल की गयी है। उक्त आख्या में संयुक्त समिति द्वारा परियोजना M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में निम्नवत् टिप्पणी की गई है:-

"....5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26-02-2021 in the matter of OA No. 360/2015."

उपरोक्त तथ्यों के दृष्टिगत क्षेत्रीय अधिकारी, गाजियाबाद द्वारा पत्रांक-2087/सी/एन-273/2024, दिनांक-शून्य में प्रश्नगत परियोजना के विरूद्ध केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा वर्णित सूत्र के अनुसार रू0 6,51,645/- (रूपया छः लाख इक्यावन हजार छः सौ पैतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गई है।

...2/

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अतः क्षेत्रीय अधिकारी, गाजियाबाद द्वारा प्रेषित आख्या/संस्तुति तथा मा0 एन0जी0टी0 आयोग द्वारा पारित आदेश के आधार पर सक्षम अधिकारी से प्राप्त अनुमति के उपरान्त परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने से पूर्व निम्न कारण बताओ नोटिस जारी किया जाता है:-

"यह कि क्यों न मा0 एन0जी0टी0 द्वारा परियोजना के विरूद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु निर्गत आदेश के आधार पर M/s New Panthar Security Guard Service, Proprietor - Shri Bani Singh S/o Shri Raghunath Singh, R/o Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, District-Aligarh, U.P. द्वारा Yamuna River, Gata No.303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi, 312mi, 313mi & 314mi, Khand no.-2, Village:Pachayara, Tehsil Loni & District-Ghaziabad, State-Uttar Pradesh के विरूद्ध रू0 6,51,645/- (रूपया छः लाख इक्यावन हजार छः सौ पैंतालिस मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये?"

उपरोक्त पर अपना पक्ष/स्पष्टीकरण 15 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में आपके इकाई के विरूद्ध उपरोक्तानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए नियमानुसार अग्रिम कार्यवाही प्रारम्भ कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व आपका स्वयं का होगा।

संलग्नक : क्षेत्रीय अधिकारी से प्राप्त आख्या की छायाप्रति।

भवदीय,

सक्षम अधिकारी की अनुमति से निर्गत।

मुख्य पर्यावरण अधिकारी/वृत्त-1

प्रतिलिपि: क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को इस निर्देश के साथ प्रेषित कि उद्योग को कारण बताओ नोटिस की प्रति अपने स्तर से प्राप्त कराकर पावती एवं निर्धारित समयावधि में अनुवर्ती आख्या स्पष्ट संस्तुति के साथ प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी/वृत्त-1

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07 JAN 2025

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ANNEXURE-C-4

Item Nos. 02 to 20 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 360/2015

(With report dated 15.01.2021)

National Green Tribunal Bar Association Applicant

Versus

Virender Singh (State of Gujarat) Respondent

With

Original Application No. 366/2015

National Green Tribunal Bar Association Applicant

Versus

Dr. Sarvabhoum Bagali (State of Karnataka) Respondent

With

Original Application No. 368/2015

National Green Tribunal Bar Association Applicant

Versus

Dr. Sarvabhoum Bagali (State of Karnataka) Respondent

With

Original Application No. 173/2018
(Earlier O.A. No. 89/2017 (EZ)

Sudarsan Das Applicant

Versus

State of West Bengal & Ors. Respondent(s)

With

Original Application No. 874/2018

In Re: News item published in "The Tribune " Authored by Arun Sharma Titled "Mounds of sand on Sutlej banks, mining mafia digs in"

With

Original Application No. 44/2016

Mushtakeem Applicant

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Versus

MoEF & CC & Ors. Respondent(s)

With

Original Application No. 517/2015

Sandeep Kumar Applicant

Versus

Ministry of Environment, Forests and Climate Change & Ors. Respondent(s)

With

Original Application No. 550/2015

Virender Kumar Applicant

Versus

Ministry of Environment, Forests and Climate Change & Ors. Respondent(s)

With

Original Application No. 530/2016

Sandeep Kumar Applicant

Versus

Ministry of Environment, Forests and Climate Change & Ors. Respondent(s)

With

Original Application No. 272/2016

M/s Ganga Yamuna Mining Co. Applicant

Versus

State of Haryana & Ors. Respondent(s)

With

Original Application No. 481/2016

Joginder Singh Applicant

Versus

Ministry of Environment & Forest Respondent

With

Original Application No. 540/2015

Ved Pal Singh Applicant

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Versus

Ministry of Environment and Forests & Ors. Respondent(s)

With

Original Application No. 90/2016

Chander Mohan Uppal Applicant

Versus

State of U.P. & Ors. Respondent(s)

With

Execution Application No. 40/2017
IN
O.A. No. 517/2015

Sandeep Kumar Applicant

Versus

Ministry of Environment, Forests and
Climate Change & Ors. Respondent(s)

With

Original Application No. 671/2017
(Earlier O.A.No.123/2014)

Himmat Singh Shekhawat Applicant

Versus

State of Rajasthan & Ors. Respondent(s)

With

Original Application No. 726/2018

Rupesh Pethe Applicant

Versus

State of M.P. & Ors. Respondent(s)

With

Original Application No. 456/2018
(Earlier O.A. No. 146/2014 (CZ)

Nityanand Mishra Applicant

Versus

State of M.P. & Ors. Respondent(s)

With

Original Application No. 1086/2018
(Earlier O.A.No.140/2014)

Nanga Ram Dangi Applicant

Versus

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Secretary, Department of Environment & Forests & Ors. Respondent(s)

With

Original Application No. 575/2019

Yaduraj Singh Jat Applicant

Versus

State of Rajasthan Respondent

Date of hearing: 26.02.2021

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Applicant:	Ms. Katyayni, Advocate in OA 1086/2018
Amicus Curiae:	Mr. Raj Panjwani, Senior Advocate with Mr. Aagney Sail, Advocate
Respondent(s):	Mr. Divya Prakash Pande, Advocate. for CPCB & MoEF & CC Mr. Raj Kumar, Advocate for CPCB in OA 726/2018 Ms. Soni Singh, Advocate for CPCB in OA 456/2018 Mr. Attin Shankar Rastogi, Mr. Balendu Shekhar & Mr. Shlok Chandra, Advocates for MoEF & CC Mr. Ankit Verma, Advocate for State of UP Mr. Rahul Khurana, Advocate for State of Haryana Mr. Darpan KM, Advocate for State of Karnataka Ms. Madhumita Bhattacharjee, Advocate. for State of West Bengal Mr. Vikas Mahajan, AAG for State of HP Mr. Maulik Nanavati, Advocate for State of Gujarat Ms. Soumya Priyadarshinee, Advocate for State of MP Ms. Sakshi Popli, Advocate for DPCC

ORDER

1. The issue for consideration in this group of matters relates to updation of enforcement and monitoring mechanism to control and regulate illegal sand mining (including riverbed sand mining) in the light of directions in the judgments of the Hon'ble Supreme Court, including in *Deepak Kumar v. State of Haryana & Ors.: (2012) 4 SCC 629* and *Goa Foundation v. Union of India & Ors.* (2014) 6 SCC 590 and orders of this Tribunal.

2. Some of the matters have been pending for about seven years while others have been tagged to the pending matters later, from time to time, in view of common question. We need not refer to the individual facts and all the earlier order. It will suffice to refer to some of the significant orders passed from time to time given in a tabular form as follows:

Sl. No.	Party name	Date of orders	Particulars
1.	OA No. 173/2018 Sudarsan Das v. State of West Bengal & Ors.	04.09.2018	Inter alia directing revision of monitoring mechanism by the MoEF&CC.
2.	OA No. 44/2016 Mushtakeem v. MoEF&CC & Ors.	05.09.2018	
3.	OA No. 186 of 2016 Satendra Pandey Vs. Ministry of Environment, Forest & Climate Change & Anr	13.09.2018	Inter alia disapproving dispensing with requirement of public hearing and requiring evaluation by DEIAA.
4.	OA 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016	16.01.2019	Requiring the Chief Secretaries to monitor the subject of unregulated and unscientific sand mining
5.	O.A. No. 360/2015, National Green Tribunal Bar Association v. Virender Singh (State of Gujarat)	05.04.2019	Inter alia consideration of scale of compensation and revised monitoring mechanism
6.	OA No. 44/2016 Mushtakeem v. MoEF&CC & Ors.	19.02.2020	Inter alia modifying the mechanism for release of vehicles
7.	OA No. 360/2015 National Green Tribunal Bar Association v. Virender Singh (State of Gujarat)	17.08.2020	Inter alia considering the scale of compensation proposed by the CPCB
8.	O.A. No. 40/2020, Pawan Kumar v. State of Bihar & Ors.	14.10.2020	Inter alia engagement of experts from NABT/QCCI for preparation of DSR/ replenishment study
9.	O.A. No. 726 of 2018 Rupesh Pethe v. State of M.P. & Ors.,	04.11.2020	

3. We may now refer to the developments which have taken place during pendency of the matters and then proceed to decide the surviving issues, as further discussed in para 24:

a. **enforcement of SSMG-2016 and EMGSM-2020,**

b. **compensation regime,**

c. **procedure for seizure and release of vehicles,**

d. **periodic interaction among the stakeholders as discussed in later part of the judgment,**

e. **designing and reviewing monitoring mechanism from time to time including grievance redressal.**

'Sustainable Sand Mining and Management Guidelines, 2016' (SSMG-2016) and "Enforcement and Monitoring Guidelines for Sand Mining, 2020" (EMGSM-2020)

4. In the course of proceedings, the Ministry of Environment, Forest and Climate Change (MoEF&CC) issued 'Sustainable Sand Mining and Management Guidelines, 2016' (SSMG-2016) under the provisions of the Environment (Protection) Act, 1986 (EP Act, 1986) on 15.01.2016. Further, in the light of the September 2016 report of the High-Powered Committee (constituted by the Tribunal), headed by the Secretary, MoEF&CC and suggestions as noted in order dated 04.09.2018 in *OA 173/2018, Sudarsan Das v. State of West Bengal & Ors.*, the Tribunal directed revision of the guidelines.[1] Accordingly, the MoEF&CC has issued "Enforcement

[1] Para 25 of the said order is as follows:

"25. In view of above discussion, we are of the view that since the subject of mining is also required to be regulated for protection of environment and it is to take care of this requirement, MoEF&CC has issued directions from time to time under Section 3 and 5 of the Environment (Protection) Act, 1986. The MoEF&CC needs to revise its directions keeping in mind the following:

i. Mining Surveillance System discussed in para 23 above be finalized in consultation with ISRO Hyderabad.
ii. Safeguards suggested in Sustainable Sand Mining Guidelines published by the MoEF&CC in the year 2016.
iii. Suggestions in the High Power Committee Report.
iv. Requirement of demarcation of boundaries being published in respect of different leases in public domain.
v. Need to issue SOP laying down mechanism to evaluate loss to the ecology and to recover the cost of restoration of such damage from the legal or illegal miners. Such evaluation must include cost of mining material as well as cost of ecological restoration and net present value of future eco system services forgone.
vi. Need to set up a dedicated institutional mechanism for effective monitoring of sand and gravel mining which may also take care of mining done without any Environmental Clearance as well as mining done in violation of Environmental Clearance conditions.
vii. The Mining Department may make a provision for keeping apart atleast 25% of the value of mined material for restoration of the area affected by the mining and also for compensating the inhabitants affected by the mining.
viii. One of the conditions of every lease of mine or minerals would be that there will be independent environmental audit atleast once in a year by reputed third party entity and report of such audit be placed in public domain.
ix. In the course of such environmental audit, a three-member committee of the local inhabitants will also be associated. Composition of three members committee may

and Monitoring Guidelines for Sand Mining, 2020" (EMGSM 2020), uploaded on the website on 27.01.2020 and communicated to all the States. Salient features thereof will be noted later.

Issue of EC procedure being handled by SEIAA instead of DEIAA, after public hearing and other necessary steps, procedure for revision of DSR preparation and enforcement mechanism in States, including compensation regime and seizure and release of vehicles

5. Vide order dated 13.09.2018 in *O.A. No. 186/2016, Satyender Pandey Vs. MoEF*, further direction was issued against dispensing with the requirement of public hearing and evaluation by SEIAA in terms of the judgment of the Hon'ble Supreme Court in *Deepak Kumar, supra* thereby the guidelines/notification dated 15.01.2016 dispensing with such requirement was held to be hit by the judgment of the Hon'ble Supreme Court in *Deepak Kumar, supra* and thus not enforceable.

6. On 05.04.2019, the Tribunal conducted comprehensive review of the matter and noted following issues required consideration. Directions were issued with reference to the said issues:

> ***"(a) Revision of Sustainable Sand Mining Guidelines, 2016 by the MoEF&CC in the light of directions of this Tribunal vide order dated 04.09.2018 in Sudarsan Das (supra).***
> ***(b) Compliance of Sustainable Sand Mining Guidelines, 2016 as may be revised by MoEF&CC as above.***
> ***(c) Effective monitoring mechanism for preventive and remedial measures as directed in orders of this Tribunal, including surveillance system and recovery of compensation.***
> ***(d) Directions in individual cases listed today.***
> ***(e) Scale of compensation."***

7. Considering the extent of illegality in the process, apart from directing revision of the Guidelines as above, the Tribunal directed the

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preferably include ex-servicemen, former teacher and former civil servant. The Committee will be nominated by the District Magistrate."

States[2] to review their monitoring mechanism in the light of observations of this Tribunal in earlier orders, including orders dated 04.09.2018 in *Sudarsan Das v. State of West Bengal & Ors*, 05.09.2018 in *Mushtakeem v. MoEF&CC & Ors.* and 16.01.2019 in OA 606/2018, *Compliance of Municipal Solid Waste Management Rules, 2016*. **Though direction was issued to the States who were parties before the Tribunal, the directions are of general nature applicable to sand mining in all the State /UTs**. The Tribunal also considered compliance reports from different States after finding that the response of the State was not satisfactory.

Seizure and Release of vehicles involved in illegal mining

8. Another issue bearing on the enforcement mechanism is the action against the vehicles used in illegal sand mining. Seizure of such vehicles is required and release of seized vehicles lightly defeats the purpose of the coercive measures. Since the vehicles are in a way weapon of offence, the same cannot be dealt with in the manner disputed property is dealt with under section 451 Cr.PC. by releasing the same in favour of the ostensible owner by taking an entrustment/indemnity bond/*sapurdginama*. In Sujit Kumar Rana, (2004) 4 SCC 129 and order dated 26.03.2019 in Cr. A. 524/2019, State of Madhya Pradesh v. Uday Singh, it was held that special procedure for seizure and release of such vehicles prevails over the procedure under Section 451 Cr.P.C. This Tribunal earlier directed, in the case of illegal mining in Meghalaya that such vehicles should be released only on the payment of 50% of the showroom value. The same was affirmed by the Hon'ble Supreme Court in *2019 (8) SCC 177*. Similar order was passed by the Tribunal on 10.01.2019 in O.A. No. 670/2018, *Atul*

[2] The States of West Bengal, Gujarat, Karnataka, Maharashtra, Punjab, Uttar Pradesh, Haryana, Madhya Pradesh, Andhra Pradesh, Bihar, Uttarakhand, Jammu and Kashmir, Goa, Kerala, Telangana and Tamil Nadu and Himachal Pradesh

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Chouhan v. State of U.P., which stands affirmed by the Hon'ble Supreme Court vide order dated 07.05.2019 in C.A. No. 1590/2019. **Thus, the procedure under Cr.P.C. for release of vehicles on *superdari* without stringent conditions would not apply in respect of action taken for enforcement of Sustainable Guidelines issued under the Environment (Protection) Act, 1986 (EP Act) and for enforcement of orders of this Tribunal under Section 15 of the National Green Tribunal Act, 2010 (NGT Act).** However, having regard to the difficulty expressed by the State that requirement to pay 50% of the showroom value of the vehicle was resulting in vehicles not being released at all, the earlier order was modified on 19.02.2020 to the effect that following scale of amount be recovered for release of the seized vehicles:-

Sr. No.	***Category of Vehicle***	***Penalty Amount***
1	*Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and less than 5 years old.*	*Rs. 4 lacs*
2	*Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and more than 5 years but less than 10 years old.*	*Rs. 3 lacs*
3	*For the remaining Vehicles older than 10 years/Equipments/ Excavators which are otherwise legally permissible to be operated and not covered by Serial No. 1 and 2.*	*Rs. 2 lacs*
Note – I:	*On repetition of the offence by the same vehicle/ equipment, Order dated 05.04.2019 will be applicable.*	
Note – II:	*The option of release may be available for a period of one month from the date of seizure and thereafter, the vehicles may be confiscated and auctioned.*	

9. Following further directions were issued :-

> *"6. **The State may issue an appropriate Office Order/Rule to the above effect and publish the same. Needless to say that any private contract between a financer and a debtor cannot affect the States' sovereign power to protect the environment and take incidental coercive measure for enforcement of rule of law. Lien of the State will override any private interest. The above compensation regime will be over and above any existing Rules or provisions. The amount collected may be***

remitted to the State PCBs/PCCs for being utilized for restoration of the environment.

7. The above course of action will be permissible to all the States at their option."

Scale of compensation for violations on polluter pays principle

10. Vide order dated 17.08.2020, the Tribunal considered the CPCB report dated 30.01.2020, in pursuance of earlier orders on scale of compensation to be recovered for violation of norms for mining on polluter pays principle and the matter was deferred for further consideration of such scale and further orders in the light of the EMGSM 2020. **On the issue of scale of compensation for violations, the Tribunal held that the same has to be calculated having regard to the polluter pays principle and not mere loss of royalty. This requires taking into account value of the illegally mined material and cost of restoration of the environment.** CPCB did the exercise by constituting an expert Committee. The Tribunal considered the report as follows:-

"8. The Committee considered two approaches:

(I) Approach 1: Direct Compensation based on the market value of extraction, adjusted for ecological damages.

(II) Approach 2: Computing a Simplified NPV for ecological damages.

9. In the first approach, the criteria adopted is:

- *Exceedance Factor (EF).*
- *Risk Factor (RF).*
- *Deterrence Factor (DF).*

10. Approach 1 is demonstrated by Table 1 as follows:

"

Table No. 01: Approach 1				
Permitted Quantity (in MT or m^3)	***Total Extraction (in MT or m^3)***	***Excess Extraction (in MT or m^3)***	***Exceedance in Extraction:***	***Compensation Charge (in Rs.)***
X	*Y*	*Z = Y-X*	*Z/ X*	*D * (1+RF + DF) Where D = Z x Market Value-of-the-material-per-MT-or-m^3*

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				DF = 0.3 if Z/X = 0.11 to 0.40 DF = 0.6 if Z/X = 0.41 to 0.70 DF = 1 if Z/X >= 0.71
				RF = 0.25, 0.50. 0.75, 1.00 (as per table 2)

"

11. *Approach 2 is demonstrated by following formula:*

"Till such time as data and information for a comprehensive NPV is worked out in a site specific manner to account for all (or atleast the major) ecological damages, a simplified NPV, proxied on the market value of the illegally extracted amount may be computed. In this case the NPV approach would imply that ***the total benefits from the activity of sand mining (as represented by the market value of the extracted amount) be deducted from the total ecological costs*** *imposed by the activity. In the absence of data on benefits and costs separately, we recommend a modification of the formula as shown below:*

Total Benefits(B) = Market Value of illegal extraction : D (refer Table 1)

*Total Ecological Costs = Market Value Adjusted for risk factor: D *RF (refer Table1).*

*For present purposes, it is assumed that the Benefits would accrue only in the first year (in which the extraction of the illegally mined material takes place), while the ecological costs would continue to be felt over a period of time. NPV is to be calculated for a period of 5 years on the net value, Σ (**C-B**), at a discount rate ranging from 8%-**5%**, varying in inverse with the risk factor. Thus, where the highest risk factor (say 1) is applicable, the discount rate applicable would be the lowest (say 5% in this case)."*

12. *Final recommendation is as follows:*

"Thus, it is recommended that the annual net present value (NPV) of the amount arrived at after taking the difference between the costs and the benefits through the use of the above approach, maybe calculated for a period of 5 years at a discount rate of 5% for mining which is in a severe ecological damage risk zone. The rationale for levying this NPV is based on expert opinion that reversal and/or restoration of the ecological damages is usually not possible within a short period of time and rarely is it feasible to achieve 100% restoration, even if the sand deposition in the river basin is restored through flooding in subsequent years. The negative externalities of the mining activity are therefore to be accounted for in this manner. Ideally, the worth of all such damages, including costs of those which can be restored should be charged. ***However, till data on site-specific assessments becomes available, this approach may be***

adopted in the interim. *In situations where the risk categorization charged. However, till data on site-specific assessments becomes available, this approach may be adopted in the interim. In situations where the risk categorisation is unavailable or pending calculation, the following Discount Rates may be considered:*

Severity	*Mild*	*Moderate*	*Significant*	*Severe*
Risk Level	*1*	*2*	*3*	*4*
Risk Factor	*0.25*	*0.50*	*0.75*	*1.0*
Discount	*8%*	*7%*	*6%*	*5%*

"

11. Annexure-A appended to the report gives the calculation as follows:

"Compensation Charge (Scenario II - explicit accounting of NPV)

Market Value of Illegally Mined Material (D) *5000*400 = 2000000/-*

Annual Value of Foregone Ecological Values *D*RF = 2000000/-*

- **Present Value** of Foregone **Ecological Values (@ 5% discount rate and over 5 years)**

$PV = \sum_{t=1}^{5} \frac{(D+RT)}{(1+r)^t}$

$= \sum \frac{(2000000)}{(1+0.05)^1} + \frac{(2000000)}{(1+0.05)^2} + \frac{(2000000)}{(1+0.05)^3} + \frac{(2000000)}{(1+0.05)^4} + \frac{2000000)}{(1+0.05)^5}$

= Rs. 86,58,953/-

- *Net Present Value (after netting out market value of illegally mined material) - i.e., Total Compensation to be levied*

= *NPV=PV-D*
= *Rs. 66,58,953/-*

Compensation Charge in above case:

Approach 1 (no explicit accounting of NPV)	***Approach 2 (explicit accounting of NPV)***
D*(1+RF+DF)	***@ 5% discount rate and over 5 years***
Rs. 46,00,000/-	*Rs. 66,58,953/-*

"

12. The Tribunal directed undertaking of scenario analysis, as suggested on behalf of the applicant and to furnish a further report accordingly. Further report dated 12.10.2020 has been filed by the CPCB reiterating its earlier report. **We propose to approve approach-2 in the report.** Apart from the above, a report dated 15.01.2021 has been filed by

the Oversight Committee for the State of UP[3] to which reference will be made later.

Procedure for DSR/EC

13. Vide order dated 14.10.2020 in *O.A. No. 40/2020, Pawan Kumar v. State of Bihar & Ors.*, the issue of preparation of District Survey Report (DSR) by Experts was considered. Vide Notification dated 25.07.2018 issued by the MoEF&CC, under Section 3(2)(v) of the EP Act, 1986 amending EIA Notification dated 14.09.2006, procedure for preparation of DSR for sand mining/riverbed mining was laid down. **The DSR is crucial as it contains Environment Management plan, including the replenishment study and other safeguards and is the basis to consider the environment impact of mining based on which decision to grant the Environmental Clearance is taken**. The Tribunal held that for such crucial exercise, the **Experts should be out of those accredited by the National Accreditation Board of Education and Training/ Quality Control Council of India (NABT/QCCI) in terms of O.M. of MoEF&CC dated 16.03.2010**. Verification by the District Magistrate and evaluation by the SEAC was also necessary. Accordingly, following directions were issued in relation to a matter arising from the State of Bihar:-

> *"(ii) As the DEIAA is not functioning as a consequence of the decision of the Tribunal in Satendra Pandey (supra),* ***the DSR shall be prepared through a consultant(s) accredited by the National Accreditation Board of Education and Training/ Quality Control Council of India in terms of O.M. of MoEF&CC dated 16.03.2010.***
>
> *(iii)* ***The DSR so prepared shall be submitted to the District Magistrate who shall verify the DSR only in respect of the relevant facts pertaining to the physical and geographical features of the district which shall be distinct from the scientific findings based on the parameters prescribed in the SSMMG-2016. After such verification, the District Magistrate shall forward the DSR for examination and evaluation by the State Expert Appraisal Committee (SEAC) having regarding to the fact***

[3] constituted by this Tribunal to oversee compliance of environmental issues, on suggestions of the State Government.

that the SEIAA comprises of technical/scientific experts. The SEAC after appraisal of the report shall forward it to the SEIAA for consideration and approval if it meets all scientific/technical requirements.

(iv) ***While preparing the DSR, the MoEF&CC Accredited Agency/Consultant shall scrupulously follow the procedure and the parameters laid down under the SSMMG-2016 and EMGSM-2020 read in sync with each other.***"

14. Considering the above, vide order dated 04.11.2020 in O.A. No. 726 of 2018, *Rupesh Pethe v. State of M.P. & Ors.*, the Tribunal directed that the above direction ought to be followed pan India, as follows:-

> *"5.* ***The above direction may be followed by the State of MP also for the sake of uniformity.*** *Further information required to be furnished is about the extent of illegal mining, extent of action taken, including the compensation recovered, vehicles seized and other coercive measures and impact of such action. The State of M.P. may compile relevant directions on the subject including the binding order of any Courts or Tribunal. This exercise may be undertaken jointly by the Secretary Geology and Mining, Member Secretary State PCB and Member Secretary SEIAA. In light of above, the State may further revise its policy and exercise. Let further compliance status be furnished before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.*
>
> *6.* ***We are of the view that the above directions need to be followed by all other States where the issue of mining is relevant.***
>
> *7. A copy of this order be forwarded to the Chief Secretaries of all the States and UTs by e-mail for compliance."*

Adverse impact of unscientific/unregulated Sand Mining

15. It is undisputed that there is huge degradation of environment on account of unregulated sand mining remains which is otherwise lucrative activity. It poses threat to bio-diversity, could destroy riverine vegetation, cause erosion, pollute water sources, badly affecting riparian ecology, damaging ecosystem of rivers, safety of bridges, weakening of riverbeds, destruction of natural habitats of organisms living on the riverbeds, affects fish breeding and migration, spell disaster for the conservation bird

species, increase saline water in the rivers. It has direct impact on the physical habitat characteristics of the rivers such as bed elevation, substrate composition and stability, in-stream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge and temperature. Increase in demand of sand has placed immense pressure in the supply of sand resource and mining activities were going on illegally as well as legally without requisite restrictions. Lack of proper planning and sand management disturbs marine ecosystem and upset the ability of natural marine processes to replenish the sand. The Hon'ble Supreme Court (in Deepak Kumar, supra) noted that core group was constituted by the MoEF&CC to examine the impact of minor minerals on riverbeds and ground waters. A draft report was prepared recommending mandatory preparation of mining plan on the pattern of mining plans for major minerals. Further recommendations are reclamation and rehabilitation of abandoned mines, proportion of hydro geo-logical balance for minerals below ground water table limiting depth of mining to 3 meter and identification on locations where mining should be permitted was required. There is need for identifying safety zones in the proximity of intendments. Thus, strict regulatory parameters were required for regulating mining of minor minerals. It was noted that in-stream mining lowers the stream bottom of rivers which may lead to bank erosion. Depletion of sand in the stream bed causes deepening of rivers which may result in destruction of aquatic and riparian habitats. It has impact on stream's physical habitat characteristics.

16. *In State (NCT of Delhi) v. Sanjay, (2014) 9 SCC 772*, at page 790, it was observed :

> "**32.** *The policy and object of the Mines and Minerals Act and Rules have a long history and are the result of an increasing awareness of*

the compelling need to restore the serious ecological imbalance and to stop the damages being caused to the nature. The Court cannot lose sight of the fact that ***adverse and destructive environmental impact of sand mining has been discussed in the UNEP Global Environmental Alert Service Report. As per the contents of the Report, lack of proper scientific methodology for river sand mining has led to indiscriminate sand mining, while weak governance and corruption have led to widespread illegal mining. While referring to the proposition in India, it was stated that sand trading is a lucrative business, and there is evidence of illegal trading such as the case of the influential mafias in our country.***

33. The mining of aggregates in rivers has led to severe damage to rivers, including pollution and changes in levels of pH. Removing sediment from rivers causes the river to cut its channel through the bed of the valley floor, or channel incision, both upstream and downstream of the extraction site. This leads to coarsening of bed material and lateral channel instability. It can change the riverbed itself. The removal of more than 12 million tonnes of sand a year from Vembanad Lake catchment in India has led to the lowering of the riverbed by 7 to 15 cm a year. Incision can also cause the alluvial aquifer to drain to a lower level, resulting in a loss of aquifer storage. It can also increase flood frequency and intensity by reducing flood regulation capacity. However, lowering the water table is most threatening to water supply exacerbating drought occurrence and severity as tributaries of major rivers dry up when sand mining reaches certain thresholds. Illegal sand mining also causes erosion. Damming and mining have reduced sediment delivery from rivers to many coastal areas, leading to accelerated beach erosion.

34. The Report also dealt with the astonishing impact of sand mining on the economy. It states that tourism may be affected through beach erosion. Fishing, both traditional and commercial, can be affected through destruction of benthic fauna. Agriculture could be affected through loss of agricultural land from river erosion and the lowering of the water table. The insurance sector is affected through exacerbation of the impact of extreme events such as floods, droughts and storm surges through decreased protection of beach fronts. The erosion of coastal areas and beaches affects houses and infrastructure. A decrease in bed load or channel shortening can cause downstream erosion including bank erosion and the undercutting or undermining of engineering structures such as bridges, side protection walls and structures for water supply.

35. Sand is often removed from beaches to build hotels, roads and other tourism-related infrastructure. In some locations, continued construction is likely to lead to an unsustainable situation and destruction of the main natural attraction for visitors—beaches themselves. Mining from, within or near a riverbed has a direct impact on the stream's physical characteristics, such as channel geometry, bed elevation, substratum composition and stability, instream roughness of the bed, flow velocity, discharge capacity, sediment transportation capacity, turbidity, temperature, etc. Alteration or

modification of the above attributes may cause hazardous impact on ecological equilibrium of riverine regime. This may also cause adverse impact on instream biota and riparian habitats. This disturbance may also cause changes in channel configuration and flow paths

.....Today, demand for sand and gravel continues to increase. Mining operators, instead of working in conjunction with cognizant resource agencies to ensure that sand mining is conducted in a responsible manner, are engaged in full-time profiteering. Excessive in-stream sand and gravel mining from riverbeds and like resources causes the degradation of rivers. In-stream mining lowers the stream bottom, which leads to bank erosion. Depletion of sand in the stream-bed and along coastal areas causes the deepening of rivers and estuaries and enlargement of river mouths and coastal inlets. It also leads to saline water intrusion from the nearby sea. The effect of mining is compounded by the effect of sea level rise. Any volume of sand exported from stream-beds and coastal areas is a loss to the system. Excessive in-stream sand mining is a threat to bridges, river banks and nearby structures. Sand mining also affects the adjoining groundwater system and the uses that local people make of the river. Further, according to researches, in-stream sand mining results in the destruction of aquatic and riparian habitat through wholesale changes in the channel morphology. The ill effects include bed degradation, bed coarsening, lowered water tables near the stream-bed and channel instability. These physical impacts cause degradation of riparian and aquatic biota and may lead to the undermining of bridges and other structures. Continued extraction of sand from riverbeds may also cause the entire stream-bed to degrade to the depth of excavation."

Need for regulation under the Water, Air and EP Acts by PCBs, apart from the Mining authorities under the Mining law

17. Again, in Goa Foundation, supra (prs 74-76) it was observed that **mining was required to be regulated not only by the Mining department but also by the PCBs under the Water and Air Act and by the MoEF under the EP Act. It is made clear that the environment laws override other laws and any provision to the contrary in the Mines Act will not stay in the way of enforcing the environment norms. In this regard reference may also be made to report of the Ministry of Mines entitled "Sand Mining Framework" which will not stand in the way of modified mechanism in accordance with this order.**

Salient features of the EMGSM-2020

18. We may note the salient features of the EMGSM-2020, which are supplemental to existing SSMG-2016 and seek to provide effective enforcement and monitoring from the stage of identification of source to its dispatch and end use which requires involvement of all stakeholders viz. Central Government, State Government, Leaseholders/Mine Owners, Distributors, Dealers, Transporters and Consumers (bulk & retail). EMGSM refer to the judgment of the Hon'ble Supreme Court in *Deepak Kumar Vs. State of Haryana & Ors. (2012) 4 SCC 629* making EC mandatory irrespective of the area of mining lease, followed by monitoring in terms of the Environment Management Plan, using IT and IT enabled services. **Monitoring has to be with reference to quantity of mined material, transportation with a view to promote environmental protection, limit negative physiological, hydrogeological and social impacts underpinning sustainable economic growth.** Observations in the order of this Tribunal dated 04.09.2018 in O.A. 173/2018 in Sudarsan Das vs. State of West Bengal & Ors. has also been referred to as follows:

> *"There can be no two views that an effective institutional monitoring mechanism is required not only at the stage when Environmental Clearance is granted but also at subsequent stages".*
> *"The guidelines focus on the preparation of District Survey Report and the Management Plan" ...*
> *We are of the view that all the safeguards which are suggested in sustainable sand mining guidelines as well as notification dated 15.01.2016 ought to be scrupulously followed." ...*
> *It is a known fact that in spite of the above-suggested guidelines being in existence, on the ground level, illegal mining is still going on. The existing mechanism has not been successful and effective in remedying the situation." ...*
> *Since there is an utter failure in the current monitoring mechanism followed by the State Boards, SEIAAs and DEIAAs, it is required to be revised for effective monitoring of sand and gravel mining and a dedicated monitoring mechanism be set up."*

Further reference has been made to the directions in the order dated 05.04.2019 requiring the 17 States, which were party before the Tribunal

viz. West Bengal, Gujarat, Karnataka, Maharashtra, Punjab, Uttar Pradesh, Haryana, Madhya Pradesh, Andhra Pradesh, Bihar, Uttarakhand, Jammu and Kashmir, Goa, Kerala, Telangana and Tamil Nadu and Himachal Pradesh, to follow the revised Guidelines and to review their respective monitoring mechanism. It is then stated that with the object of regulating the mining, the sources of sand and steps required are mentioned which provide for District Survey Report (DSR), Mining Plan, replenishment study, consideration of environment impact while granting EC, laying down conditions for EC, monitoring of transportation to the end user to ensure that only legally mined material is transported. There is need to balance between deposition and extraction of sand as per replenishment study, maintaining surveillance, using Unmanned Artificial Vehicles (UAVs)/Drone for reserves estimation, quantity estimation, land use monitoring. Details about all these aspects have been mentioned in the said Guidelines. With regard to post EC monitoring, there is a provision for environment audit, monitoring of sale and purchase by developing online portal and laying down the levels of monitoring i.e. Level 1- Reach/ Stockyard level monitoring, Level 2 - Transportation monitoring, Level 3 - End consumer monitoring/ bulk consumer, Level 4 - Indirect monitoring. Reference has then been made to the High-Powered Committee incorporating safeguards to be adopted by the project proponents. There is also provision for assessment of compensation for the ecological damage by the State/ PCB/ any other Authority. Inter District and Inter State boundaries are separately dealt with. The uniform monitoring mechanism stipulates:

"*9.4.* ***Monitoring Mechanism***

xxx .....xxx.....xxx.....

1. *All precaution shall be taken to ensure that the water stream flows unhindered and process of Natural river meandering doesn't get affected due to mining activity.*

2. *River mining from outside shall not affect rivers, no mining shall be permitted in an area up to a width of 100 meters from the active edge of embankments or distance prescribed by the Irrigation department.*

3. *The mining from the area outside river bed shall be permitted subject to the condition that a safety margin of two meters (2 m) shall be maintained above the groundwater table while undertaking mining and no mining operation shall be permissible below this level unless specific permission is obtained from the Competent Authority. Further, the mining should not exceed nine-meter (9 m) at any point in time.*

4. *Survey shall be carried out for identifying the stretches having habitation of freshwater turtles or turtle nesting zones. Similarly, stretches shall be identified for other species of significant importance to the river ecosystem. Such stretch with adequate buffer distance shall be declared as no-mining zone and no mining shall be permitted. The regulatory authority as defined for granting Environmental Clearance, while considering the application of issuance of ToR and/or EC for the adjacent block (to non-mining zone) of mining shall take due precaution and impose requisite conditions to safeguard the interest of such species of importance.*

5. *District administration shall provide detailed information on its website about the sand mines in its district for public information, with an objective to extend all information in public domain so that the citizens are aware of the mining activities and can also report to the district administration on any deviation observed. Appropriate feedback and its redressal mechanism shall also be made operational. The details shall include, but not limited to, lease area, geo-coordinates of lease area and mineable area, transport routes, permitted capacity, regulatory conditions for operation including mining, environmental and social commitments etc.*

6. *A website needs to be maintain to track the movement of centralised sand mining and a Centralised server system should be made to manage the data related to sand mining across India.*

7. *The mineral concession holders shall maintain electronic weighbridges at the appropriate location identified by the district mining officer, in order to ensure that all mined minerals from that particular mine are accounted for before the material is dispatched from the mine. The weighing bridge shall have the provision of CCTV camera and all dispatch from the mine shall be accounted for.*

8. *The mineral movement shall be monitored and controlled through the use of transit permit with security features like printing on IBA approved MICR papers, Unique bar/QR, fugitive ink background, invisible ink mark, void pantographs and watermarks papers or through use of RFID tagged transit permits and IT / IT-enabled services. Such monitoring system shall be created and made operationalised by State Mining department and district level mining officer shall be responsible for ensuring that all legal and operational mines are connected and providing the requisite information on the system. Regular check and associated report shall be submitted to DLTF and uploaded on the website.*

9. ***State Government shall constitute a District Level Task Force (DLTF) under the Chairmanship of Deputy Commissioner/District Magistrate/Collector with Superintendents of Police and other related senior functionaries (District Forest Officer, District transport officer, Regional officer- SPCBs, Senior Officer of Irrigation Department, District Mining Officer) with one/two independent member nominated by the Commissioner concerned. The independent member shall be retired government officials/teacher or ex-serviceman or ex-judiciary member.***

The DLTF shall keep regular watch over the mining activities and movement of minerals in the district. The DLTF shall have its regular meeting, preferably every month to reconcile the information from the mining activity, and other observations made during the month and take appropriate corrective and remedial action, which may include a recommendation for revoking mining lease or environmental clearance. The DLTF may constitute an independent committee of the expert to assess the environmental or ecological damage caused due to illegal mining and recommend recovery of environmental compensation from the miner's concern. The recommendation may also include action under the provision of E(P) Act, 1986.

10. *The area not identified for mining due to restriction or otherwise are also to be monitored on a regular basis by the DLTF. Any observations of mining activity from the restricted area shall be reported and corrective measures shall be initiated on an urgent basis by the DLTF.*

11. *The dispatch routes shall be defined in the Environmental Clearance and shall be avoided through densely habituated area and the increase in the number of vehicle movement on the road shall be in agreement with the IRC guidelines / carrying capacity of the road. The alternate and dedicated route shall be explored and preferred for movement of mining to avoid inconvenience to the local habitat. The mining production capacity, by volume/weight, shall be governed by total permissible dispatch calculated based on*

the carrying capacity of dispatch link roads and accordingly, the production should be regulated.

12. *The movement of minerals shall be reconciled with the data collected from the mines and various Naka/check posts. Other measures may also include a general survey of the potential mineable area in the district which has not been leased/auctioned or permitted for mining due to regulatory or other reasons.*

13. *The location and number of check post requirement shall be reviewed by DLTF on a regular basis so that appropriate changes in location/number could be made as per the requirement. Such review shall be carried out on a regular basis for the district on inter-state boundary or district providing multiple passages between two districts of different states.*

14. ***The district administration shall compile the information from their district of the permitted and legal mined out minerals and other details and share such information and intelligence with the officials of the adjoining district (Inter or/and Intra State) for reconciliation. The information shall include the area of operation, permissible quantity, mined out minerals (production) the permitted route etc., and other observations, especially where the mine lease boundary is congruent with the district boundary. Such coordination meeting shall be held on a quarterly basis, alternatively in two district headquarters or any other site in two districts decided mutually by the District Magistrate.***

15. ***The mining department shall include submission of an annual environmental audit report as one of the conditions in the mining lease agreement. The annual audit for each river bed mining lease shall be carried out and the audit report shall be uploaded on the website of district administration. The audit shall be carried out by an independent team of 3 members nominated by District Collector/Magistrate/Commissioner comprising of Ex-Serviceman, Ex-Government officials of repute, Professor or Person having experience of mining/environment. The guidelines and method of the audit shall reflect adequately the monitor-able parameters and output and reflect the compliance status with respect to the conditions imposed by the regulatory authorities including conditions of Environmental clearance.***

16. *The in-situ and ex-situ environmental mitigative measures stipulated as EMP, CER, CSR and other environmental and safety conditions in mines including the welfare of labours shall properly reflect in the audit report.*

9.5 Suggestive additional requirements are

i. ***The requirement at the Mine Lease Site:***

a. *Small Size Plot (Up to 5 hectares): Android Based Smart Phone.*
b. *Large Size Plots (More than 5 hectares): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.*
c. *Access control of mine lease site.*
d. *Arrangement for weight or approximation of the weight of mined out mineral on the basis of the volume of the trailer of vehicle used.*

ii. ***Scanning of Transport Permit or Receipt and Uploading on Server:***

a. *Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;*
b. *Android Application: Scanning on mining site can be done using Android Application using a smartphone. It will require internet availability on SIM card;*
c. *SMS: Transport Permit or Receipt shall be uploaded on the server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, a unique invoice code gets generated with its validity period.*

iii. ***Proposed working of the system:***

The State Mining Department should print the Transport Permit or Receipt with security features and issue them to the mining leaseholder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferable with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

iv. ***Checking On Route:***

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using the website, Android Application and SMS.

v. ***Breakdown of Vehicle:***

In case the vehicle break-down, the validity of Transport Permit or Receipt shall be extended by sending SMS by the driver in specific format to report the breakdown of the vehicle. The server will register this information and register the breakdown. The State can also establish a call center, which can register breakdowns of such vehicles and extend

the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call center.

vi. Tracking of Vehicles:

The route of the vehicle from source to destination can be tracked through the system using checkpoints, RFID Tags, and GPS tracking.

vii. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop a periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the regulatory authority and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.

Some of the State has followed the SSMMG-2016 and has also improvised or customized on the provisions given therein, and are successfully in operation. Salient provision adopted at different stages of sand mining in the state of Tamil Nadu is given as ***Annexure VIII.***

9.6 Actions against illegal excavation and transport

Solapur district administration in Maharashtra had adopted a multi-pronged strategy to penalize the persons involved in illegal excavation and transport which resulted in a significant increase in revenue earned by the state. Following rules and procedures as mentioned in these guidelines will add to the costs of PP. Those involved in illegal activities are not required to bear these costs and this will make their supply in the market cheaper (though illegal). This will put the players running their business by following rules and procedures laid down by the government to disadvantage as far as the selling price is considered. Therefore, it is necessary to come down heavily on those involved in illegal excavation/transport, so that there is no incentive for players to abide by the rules.

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The following action may be taken to achieve this deterrence against illegal business:

1. *The action should be taken under all legal options available simultaneously. Thus, after identifying the case of illegal excavation, storage and/or transport of minor minerals (including sand), fine should be levied as per the land revenue laws/code(s) of the state. In addition, FIR should be lodged in the police station under relevant sections of law including sec 379 IPC. In addition, action under the Motor Vehicle Act, 1989 and relevant rules should initiate to cancel/suspend the driving license of the driver and permit of the vehicle. Further, action should be initiated under provisions in the Income Tax Act, 1961 for unaccounted income and under the Central Goods and Services Act, 2017 for nonpayment of GST. (Earlier this was done under the state act pertaining to Value Added Tax/Sales Tax). Habitual offenders should also be taken up under local state laws for externment and/or preventive action. It is clarified that as per law, it is possible to take all actions under various laws simultaneously for one offence. What is prohibited in law is an action under the same law for the same act more than once.*

2. *The action should be taken against all persons responsible. Often, there is a tendency to penalize only the drivers of the vehicles. The mafia of illegal mining and transport is much bigger and drivers are only one part of the system. It is necessary to identify all those involved in the offence. It is usually not possible to reach the place of excavation without creating a motorable pathway up to the same through land which may be private land. Such role of such landowners needs to be looked into for each offence and proceeded against simultaneously. Further, the role of vehicle owners needs to be probed. Role of the person who allowed his land to be used for illegal excavation and storage should also be examined. Lastly, the person who purchases such sand should also be probed. The legal proceedings stated above needs to be initiated against all of these together. An attempt should be made to fix the financial responsibility in joint and several ways so that recovery is easier.*

3. *There may be discretion available in law about the extent of the penalty to be levied. If such discretion is very wide, then it is advisable that guidelines may be laid down to reduce such discretion in law for levying penalties. For example, in Maharashtra, Land Revenue Code, fine of any amount of penalty up to thrice the value of the sand can be levied. Solapur district administration had instructed Tahsildars and SDMs not to use discretion and levy the fine of three times the value. Availability of discretion makes junior level functionaries susceptible to pressures and it may also lead to corrupt practices.*

4. *It is emphasized that actions, as stated above, are most important to ensure that the IT-based system works. If these exemplary actions are not taken against everyone, it shall create a strong disincentive to those involved in legal excavation and transportation. For IT-based (or any other) legal system to work, it is necessary to ensure that illegal system stops working altogether."*

19. Several formats have been suggested in the Annexures, apart from salient provisions in the State of Tamil Nadu before execution of the mining lease and after execution of such lease including **judicious mined closure plan, reclamation, removal of sheds and maintaining of record for future reference.**

Compliance Status in States – Context of UP

20. We now refer to the Oversight Committee report dated 15.01.2021 for the State of UP with regard to status of compliance of Sustainable Guidelines as follows:-

"

S. No.	Directions by Hon'ble NGT	Compliance Status (Yes/No)	Compliance Status
1.	*Status of the progress in ensuring issues related to illegal sand mining in the State of Uttar Pradesh*	**Partially Complied**	*For effective control of illegal mining and transportation of minerals, a seven-member District level Task Force has been constituted under the chairmanship of District Magistrate vide Govt. Order no. 616/86-2018-371/2005 dated 20.03.2018. Under the Integrated Mines Surveillance System (IMSS), all the mine areas have been geo fenced. PTZ cameras at the mines have been installed. Weigh Bridges fitted with cameras have been installed at all mines and have been integrated with the Control Centre at Head Quarters. At present, there are 36000 registered vehicles and 310 Weigh Bridges have been established.*
2.	*Demarcation of boundaries for regulating grant of sand mining lease*	**Partially Complied**	*Rule-23 of the Uttar Pradesh Sub-Divisional (Avoidance) Rules, 1963 as amended, provides for the advertisement of an area with Geo-coordinates and Rule-17 mentions the Geo- coordinates of all boundaries of the area sanctioned. These are being followed by all the District Magistrates.*

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3.	*Environmental Compensation imposed on leasing of minor minerals in any area to cover the restoration cost of environment and to compensate the victims*	***Partially Complied***	*There is provision for execution of mining lease deed only after demarcation under rule-17 of the Mining lease Approval Rules, 1963.*
4.	*Status of the constitution of a team to carry out demarcation by the Chief Secretary*	***Partially Complied***	*Under Rule-17 of the Uttar Pradesh Sub-Divisional (Avoidance) Rules, 1963, there is a provision for survey/demarcation of the area by an authorized officer/employee of the Directorate of Geology and Mining. A separate team is not justified at the level of Chief Secretary*
5.	*Mining in all blocks is undertaken as per provisions of EIA Notification, 2006; MOEF Notification dated 15.1.2016 and the Sustainable Sand Mining Management Guidelines, 2016*	***Partially Complied***	*i. Rule 34(4) of Rules-1963 contains the provision for obtaining Environmental Clearance before commencement of mining in the sequence of notification dated 14.09.2006 and the notification as amended from time to time.* *ii. According to the Sustainable Sand Mining Management Guidelines, 2016 issued by MOEF&CC, mining work is restricted from the riverbed during the monsoon season. Thus, mining work is restricted in the month of July, August and September in the State.*
6.	*No sand mining is permitted without due compliance of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 as well as regulations governing clearances by the Central Ground Water Authority*	***Partially Complied***	*Rule- 41(J)(1) of the 1963 Rules envisages that no mining operations in the leveled river bed shall be carried out beyond the depth of 3 meters or water level whichever is less/lower. The conditions mentioned in the Environmental Cleanliness Certificate issued by the State Level Environmental Impact Authority (SEIAA), are being followed.*
7.	*District authorities shall seize all sump pumps, other machinery, tools, vehicles, etc. used for carrying out illegal sand mining.*	***Partially Complied***	*Report awaited*
8.	*Any penalty imposed or not by concerned Department to cover the restoration cost of environment and to compensate the victims.*	***Partially Complied***	*The orders of Hon'ble NGT dated 18.02.2016 in OA No. 184/2013 Gurpreet Singh Baggha vs. MOEF, regarding recovery of penalty/ environmental damage from the concerned lease holders are being complied at district level.*
9.	*Status of a detailed restoration plan for the concerned river and its river beds*	***Partially Complied***	*Mining work is being done on the basis of approved mining scheme by including the restoration plan in the mining plan.*

10	*Status of the assessment done through Indian Council of Forestry Research and Education, Dehradun of the ecological damage on account of illegal mining by incorporating the given components:* *a) Cost of river bed material* *b) Cost of ecological restoration* *c) Net present value of the future ecosystem services.*	***Partially Complied***	*In OA No. 184/2013 Gurpreet Singh Bagga vs. MOEF, the action is being taken by conducting assessment of environmental damage in compliance with Indian Council of Forestry Research and Education, Dehradun.*
11	*Action against the polluters and the erring officers*	***Not Complied***	*Report awaited*
12	*Status of CCTV Cameras installation at mining points to verify the amount of sand extracted*	***Partially Complied***	*Rule-35(2) of Uttar Pradesh Minor Mineral Regulations, 1963 provides that the mining lease holder whose mining lease area is more than 5 hectares, shall constructs checkpost/gate and install 4 CCTV cameras capable of recording at 360° visibility at his own expense for monitoring. Under the supervision of the DMs.*
13	*Status of regular patrolling by the police to inspect the mining operations*	***Partially Complied***	*For effective control over illegal mining and transportation of minerals, a seven-member district level task force has been set up under the chairmanship of DM vide order no. 616/86-2018-371/2005 dated 20.03.2018. Deputy Superintendent of Police level officers of Police department are members of this task force. The mining areas are constantly monitored by this task force.*
14	*Status of daily reports regarding mining to be filed by SHO/ Mining officer to be sent to District Magistrate.*	***Partially Complied***	*According to the information received from the DM, Prayagraj in compliance of the order of Hon'ble NGT passed in OA No. 670/2018 in re: Atul Singh Chauhan vs. MOEF&CC and Ors., regular checking of illegal mining transportation is being done by the Task force constituted at the district level. The District Collector/ Senior Superintendent of Police, Prayagraj are regularly informed.*
15	*Status of vehicles confiscation*	***Partially Complied***	*In compliance of orders of Hon'ble NGT in OA No. 670/2018 in re: Atul Singh Chauhan vs. MOEF&CC and Ors., in district Prayagraj 06 chargesheets were filed in the financial year 2018- 19; 80 chargesheets filed in 2019-20 and in the year 2020-21 till the month of November, 2020, 150 FIRs and 214 cases have been filed in the competent Courts, including the order passed by Hon'ble NGT. Similar instructions have also been issued to the other districts regarding the above.*

16	*Status of EC imposed and realized by the CPCB till date in this regard*	***Partially Complied***	*In compliance of Order dated 05.04.2019 of Hon'ble NGT, Principal Bench in O.A. 360 of 2015 (13 clubbed cases), CPCB in NGT on 06.01.2020 the "Recommendations on Scale of Compensation to deal with the cases of illegal sand mining" were made by the Committee of Experts constituted by Hon'ble NGT. The Committee of Expert recommended two approaches regarding the scale of compensation to deal with the cases of illegal sand mining:* *1. Direct Compensation based on the market value of extraction, adjusted for ecological damages* *2. Computing a Simplified NPV for ecological damages.* *The above referred recommendations were initially taken up by Hon'ble NGT during the hearing on 08.01.2020 wherein Hon'ble NGT expressed prima facie deficiencies in the recommendations and directed for rectification of the deficiencies before the next date. Accordingly, the Committee of Experts reviewed and revised its recommendations, and CPCB filed in NGT on 30.01.2020 the revised "Recommendations on Scale of Compensation to deal with the cases of illegal sand mining" of the Committee of Experts constituted by Hon'ble NGT. The scale of compensation was calculated by adopting two approaches. For details of approach, I & II refer Appendix- VI. It was also suggested by the Hon'ble NGT vide its order dated 17/08/2020 to consider the suggestions of Shri Panjwani which were noted at point no 13 needs to be looked into by the same Committee and thereafter the Scale of Compensation finalized (Refer Appendix- VII).* *In compliance of the Hon'ble NGT direction, the matter was examined by the same expert Committee at CPCB, Delhi & found that more or less the formula suggested by committee and the methodology suggested by Shri Panjwani is similar except some of the factors. The details of same are noted at point no. 3 of the affidavits is submitted before the Hon'ble NGT by CPCB on 12.10.2020. Copy of same is enclosed as Appendix-VIII.*
17	*Status of EC imposed and realized by the UPPCB till date in this regard*	***Partially Complied***	*In compliance of Order dated 08.01.2020 of Hon'ble NGT in O.A. 360 of 2015 are given at Appendix -IX of the report*

18	*Status of setting up of dedicated institutional mechanism for monitoring of conditions of Environmental Clearance as granted under EIA Notification, 2006 in respect of sand and gravel mining.*	***Partially Complied***	*Under the supervision of the DMs in the districts, the conditions of the Environmental Clearance Certificate are complied with by the PCBs/ Departmental officers. A separate institutional mechanism has been established for the same.*
19	*Safeguards based on High Powered Committee report and observations into the Sustainable Sand Mining and Management Guidelines, 2016.*	***Partially Complied***	*MOEF& CC is following the Sustainable Sand Mining Management Guidelines, 2016. (Refer Appendix- X)*
20	*Necessary steps have been taken by District Administration for the effective monitoring mechanisms for preventive and remedial measures including surveillance system for recovery of compensation.*	***Not Complied***	*Action will be taken after necessary amendments in environmental regulations. As per information given by the Mr. A.K. Tiwari, UPPCB on 07.01.2021 that: Comments: In compliance of Hon'ble NGT order dated 17.08.2020 in OA No. 360/2015 and as per provision of 'Enforcement & Monitoring Guidelines for Sand Mining' Jan., 2020 issued by MOEF&CC, Govt. of India, action is to be taken by concerned District Administration. (Refer Appendix- XI)*
21	*Necessary steps have been taken by MOEF & CC to restore effective impact assessment and safeguards; any action taken against the erring officers*	***Not Complied***	*Report awaited*
22	*Status of Chief Secretary filed the report regarding recovery of compensation (i.e. damage to environment)*	***Not Complied***	*Report awaited*

23	*Whether there is any progress towards amendments of the Act/Rules so that the Courts can order for the fine as ordered by Hon'ble NGT.*	***Not Complied***	*As per information given by the Mr. A.K. Tiwari, UPPCB on 07.01.2021 that: Comments: In compliance of Hon'ble Supreme Court Judgement dated the 27.02.2012 in I.A. No. 12-13 in Special Leave Petition (C) No. 19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others and in compliance of Hon'ble NGT directions dated 04.09.2018 in O.A. No. 173/2018 in the matter of Sudarsan Das Vs. State of West Bengal, MOEF&CC, Govt. of India has issued 'Enforcement & Monitoring Guidelines for Sand Mining' Jan., 2020 which has the following provisions regarding illegal mining:* *"As per the provision of 23 (C) of MMDR Act, the State Government is empowered to make rules for preventing illegal mining, and transportation & storage of illegal minerals. All such mining which qualifies under illegal shall be dealt with in the provision of MMDR Act the concern authorities".* *In the above circumstance the necessary amendments in Mining Regulation/ The Uttar Pradesh SubDivisional (Avoidance) Rules, 1963 is to be initiated by the Mines & Geology Department, Govt. of U.P. (Refer Appendix- XI).*

Additional Information provided by Mines Department

1. ***The Mines Department has established a Command Centre at the Directorate of Geology and Mines at Lucknow from where they operate the Integrated Mines Surveillance System for the entire State. They are using Artificial Intelligence based Software and taking the help of Drones and Cloud Services for monitoring mining activity in the State. Drone Videography has been done in sensitive districts- Fatehpur, Banda, Prayagraj and Saharanpur. Besides the CCTV Cameras, they are using RFID tags to monitor the movement of vehicles.***

2. *They have made a provision in the Rules to blacklist a person for upto 2 years if found guilty of illegal mining/ illegal transportation. So far 125 persons/firms have been blacklisted.*

3. *They have amended the Rules to allow storage of minerals beyond 5Km radius from the riverbed. This has been done to prevent illegal mining from river bed under the alibi of storage.*

4. ***They have established a Vehicle Tracking System to check the misuse of Transport Pass and Overloading. To begin with, this system has been introduced in the most sensitive districts of Hamirpur, Banda, Fatehpur, Jalaun and Jhansi.***

5. *New areas have been identified based on survey conducted according to Sustainable Mining Guidelines and they are being included in the DSR.*

6. *Instead of the printed MM-11, online royalty payment has been introduced through E- MM- 11.*

7. *Security features have been introduced in E-MM 11 to check its misuse.*

8. *Transport of minerals even from stores is being regulated through electronic E- forms.*

Observation of the Oversight Committee: *The Committee felt that the compliance of the Mining Department needs to be verified by independent sources. CPCB and UPPCB are being directed by the Committee to jointly verify the compliance. The report would be submitted in three months time.*

VI. RECOMMENDATIONS

1. *There have been a number of complaints regarding illegal mining specially in Districts of Hamirpur, Banda, Fatehpur, Jalaun, Prayagraj, Saharanpur and Jhansi. The Oversight Committee, while enclosing the newspaper cuttings has asked for a status report from the Directorate of Mining, which so far has not been received.* ***Illegal Mining is mining done without a Mining Plan in utter violation of environmental norms and is a grave threat to ecology and environment.*** *The State Government should have a zero tolerance on illegal mining and the Directorate of Mining and District Administration should immediately enquire into all such cases and if found correct take stringent legal action against the guilty.*

2. *Environmental Clearance takes into account all the environmental concerns. Mining plan is the instrument through which it is enforced. However, for mining activity going on illegally, there is neither any EC nor any mining plan. Illegal mining invariably leads to reckless damage to environment. Hence, utmost efforts are required in surveillance, patrolling and enforcement.* ***Electronic surveillance through UAVs/Remote Sensing is a good surveillance option especially in areas where sand mafias are active. Night vision drones could be used for checking mining activity at night. Sensitive spots need to be identified and police presence- both static presence and dynamic patrolling needs to be beefed up there. DMs / SSPs be made directly responsible for checking illegal mining.***

3. *DSRs need to be prepared very carefully. They should be based on Physical surveys and replenishment studies.* ***Since sand deposition is a dynamic issue, they need to be regularly updated. While awarding lease deeds, important environmental parameters like deposition and replenishment of sand, areas of erosion, distance from infrastructural structures need be considered.***

4. ***In the absence of replenishment studies and physical inspection before award, many times sites are awarded where there is no sand. The lease holder per force indulges in mining adjoining areas, some of which may be environmentally not very suitable. Before award of LOI, physical inspection should be mandatory.***

5. *Areas where only few leases are operative and the rest are not settled/surrendered need to be carefully analyzed.* ***There could be a chance of cartel formation and mining of sand illegally from other vacant mining plots under the garb of the operative lease. (In district Prayagraj, there is only one operative lease out of 51 leases).***

6. ***Storage Godowns should be at least 5 kms away from the river bank. Otherwise, illegal mining can be carried on under the garb of storage by the leaseholder himself.***

7. ***Geo-fencing of sites, their physical demarcation, allotment of geo-coordinates to all the pillars and their constant physical inspection and electronic surveillance is a must to ensure that the mining activity is as per the approved mining plan and no illegal mining, detrimental to environment, is going on.***

8. *There has to be a mechanism to ensure that the* ***actual mining activity conforms to the approved Mining Plan and the approved Environment Management Plan (EMP). Besides the statutory system of Departmental inspections, there has to be a system of annual mandatory Environmental Audit by experts. Environment Department can empanel some experts/expert institutions with standard TORs and Remuneration terms which could be utilized by the Mines Department on a regular basis. This way the District Administrations can access good technical experts with standard conditions in a transparent way without bothering about tedious time-consuming tender formalities.***

9. *There has to be an effective mechanism for restoration of environment in case of its degradation due to mining.* ***A portion of the royalty could be reserved for it as Environment Restoration Fund. The Environment Department can empanel some reputed institutions 21 with standard terms for preparing environmental restoration plans which could be used directly by the Mining Department without the arduous formalities. These plans could be funded by the Environment Fund as mentioned above. Already a number of mineral rich districts like Sonbhadra have a sizeable District Mineral Fund at the disposal of the District Collector. However, since there is no mechanism available at the level of District Collector for preparation of Environment Restoration Plans, this fund is normally used for works other than environmental restoration.***

10. *All the mining activity should strictly comply with Provisions of EIA Notification 2006, Sustainable Sand Mining Guidelines, 2016; The Environmental Protection Act, 1986; The Water (Prevention and Control of Pollution) Act, 1974; The Air (Prevention and Control of Pollution) Act, 1981 and Regulations of Central Ground Water Authority.*

11. ***Direction may be issued to the Principal Secretary, Mining to take immediate steps for amendment of rules so that the Courts may order the fine as ordered by the Hon'ble NGT."***

Stand of State of MP

21. The State of MP has filed an affidavit on 13.01.2021 that necessary changes have been made in accordance with the directions of this Tribunal dated for procedure for granting EC in accordance with the directions of this Tribunal in the order dated 13.9.2018 in Satendra Pande, by constituting a Committee. Order dated 12.10.2020 was issued by the State of Madhya Pradesh on the subject. There is a proposal to amend the Minor Minerals Rules and also to introduce technology to prevent illegal mining using QR Code for transit passes, pool SMS facility to ascertain validity of electronic passes, google distance matrix to avoid multiple usage of single transit pass, web portal and mobile App to verify validity of electronic transit pass. It is not necessary to refer to the affidavits of other individual States in view of the fact that final and updated directions are now being issued in the light of which all the States/UTs are expected to take further steps in the matter.

Stand of State of Rajasthan

22. In the status report, filed by the State of Rajasthan on 16.10.2020, it is stated that the Chief Secretary Environment Cell has been established. It holds regular meetings with the District Magistrates. Meeting was also held with the Director General of Police (law and order), Secretary Home, Director Mines, all District Collectors, Dy. Conservators of Forest and other concerned officers. Directions have been issued for formation of SITs,

monitoring cases of illegal mining, setting up of special check posts on the routes used for illegal mining, ensuring CCTV surveillance, strict recovery of environmental compensation fee, etc. Directions have issued to District Magistrates to create awareness at Panchayat level. The Chief Secretary proposes proposed to issue comprehensive guidelines. Mining Department has also taken up a project for creating redressal portal and mobile app for reporting illegal mining.

Today's Consideration

23. The extent of challenge posed by illegal sand mining was noted by the Tribunal in the order dated 05.04.2019 in OA 360/2015 as follows:-

> *"8. Despite this, the menace of illegal sand mining in India continues unabated.* ***As per reports, the sand business in India employs over 35 million people and is valued at well over $126 billion per annum. In the year 2015-2016, there were over 19,000 cases of illegal minor minerals including sand in the country.[4] In Uttarakhand, a 115 years old bridge collapsed due to overloaded sand trucks. In Maharashtra, 26,628 cases of illegal sand mining were recorded in the year 2017. The State of Maharashtra has the highest number of cases of non-compliance of Sustainable Sand Mining Management Guidelines, 2016. The State of Kerala suffered hugely in 2004 Tsunami and 2018 floods which several report explain were aggravated by illegal sand extraction.[5] The issue of illegal sand mining is also rampant in the states of Goa[6], Bihar[7], Tamil Nadu[8], Uttarakhand[9], Telangana[10], Jammu and Kashmir[11] amidst others."***

24. In view of resume of above orders and responses, the issue which survives for consideration is enforcement of the 2016 and 2020 guidelines, read with orders dated 19.2.2020, 14.10.2020, 4.11.2020 and observations herein, by evolving appropriate comprehensive monitoring

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[4] http://www.legalserviceindia.com/legal/article-73-why-is-illegal-sand-mining-harmful-.html
[5] https://sandrp.in/2019/03/01/sand-mining-2018-is-it-a-national-menace/
[6] https://timesofindia.indiatimes.com/city/goa/govt-is-ignoring-illegal-sand-mining/articleshow/67908428.cms
[7] https://www.firstpost.com/india/illegal-sand-mining-part-3-bihar-govts-attempted-crackdown-has-sent-prices-soaring-officials-face-axe-as-rivers-in-ruin-6008351.html
[8] https://en.wikipedia.org/wiki/Sand_mining_in_Tamil_Nadu
[9] https://sandrp.in/tag/uttarakhand-sand-mining/
[10] https://sandrp.in/2019/02/26/sand-mining-2018-telangana-and-andhra-pradesh/
[11] https://greaterkashmir.com/article/news.aspx?story_id=309365&catid=2&mid=53&AspxAutoDetectCookieSupport=1

mechanism, with designated accountable officers, grievance redressal mechanism, envisaging strict action against violators, including assessment and recovery of compensation for the violations, seizure of vehicles and review at higher levels in the State.

Compensation

25. In the light of discussion in para 12 above, having regard to the totality of the situation, we **accept the report of the CPCB and direct that the scale of compensation calculated with reference to approach II be adopted by all the States/UTs.** Though compensation assessment for damage to the environment is a dynamic concept, depending on variables, floor level formula can be worked out to avoid arbitrariness inherent in unguided discretion. **The CPCB may issue an appropriate statutory direction for the facility of monitoring and compliance to the Environment Secretaries of all the States/UTs who may forthwith evolve an appropriate mechanism for assessment and recovery of compensation in all Districts of the State. The recovered compensation may be kept in a separate account and utilized for restoration of environment by preparing an appropriate action plan under the directions of the Environment Secretary with the assistance of such individual/ institutions as may be considered necessary.**

Interaction for Effective enforcement

26. The above discussion shows that the problem has defied solution and unless tackled seriously, damage to the environment will continue. Clear road map is thus required with effective monitoring mechanism. Report of the Oversight Committee for UP and affidavit of the State of MP, the report from Rajasthan and some other States also show that effective

mechanism is lacking. For clarity on all issues, periodic interaction of stake holders, particularly the enforcement authorities is required. This will also facilitate engagement of accredited agencies/experts for preparing DSRs/replenishment studies. In the Central Government, the concerned authorities include Mining Ministry, Environment Ministry, Jalshakti Ministry and CPCB. In States, Departments of Mining, Environment, SEIAA, PCB and District Magistrates.

Enforcement of Monitoring Mechanism and review by the Chief Secretary at State level and Secretary MoEF&CC at National level

27. **We direct all the States/UTs to strictly follow the SSMG-2016 read with EMGSM-2020 reinforced by mechanism for preparation of DSRs (in terms of directions of this Tribunal dated 14.10.2020 in Pawan Kumar, supra and 04.11.2020 in Rupesh Pethe, supra), Environment Management Plans, replenishment studies, mine closure plans, grant of EC (in terms of direction dated 13.09.2018 in Satendra Pandey, supra), assessment and recovery of compensation (as per discussion in Para 25), seizure and release of vehicles involved in illegal mining (in terms of order dated 19.02.2020 in Mushtakeem, supra), other safeguards against violations, grievance redressal, accountability of the designated officers and periodical review at higher levels. As already noted, EMGSM-2020 contemplates extensive use of digital technology, including remote sensing.**

28. **We further direct that periodic inspection be conducted by a five-members Committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Where CPCB regional office is not available, if MoEF&CC regional office is available, its Regional Officer will be included in the Committee.**

Where neither CPCB nor MoEF&CC regional office exists, Chairman, SEIAA will tie up with the nearest institution of repute such as IIT to nominate an expert for being included in the Committee. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any. The reports of such inspections be acted upon and placed on website of the SEIAA. Every lessee, undertaking mining, must have an environment professional to facilitate sustainable mining in terms of the mining plan and environmental norms. This be overseen by the SEIAA. Environment Departments may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers. Recommendations of the Oversight Committee for the State of UP quoted earlier may be duly taken into account.

The mechanism must provide for review at the level of the Chief Secretary at least once in every quarter, in a meeting with all concerned Departments in the State. The Chief Secretary UP may ensure further action in the light of the report of the Oversight Committee.

Similarly, at National level, such review needs to be conducted atleast once in a year by the Secretary, Environment in coordination with the Secretaries Mining and Jalshakti Ministries the CPCB.

Publication of Annual Reports

29. We further direct all the States/UTs to publish their annual reports on the subject and such annual reports may be furnished to

MoEF&CC by 30th April every year giving status till 31st March. First such report as on 31.03.2022 may be filed with the MoEF&CC by all he States/UTs on or before 30.04.2022. The report may also be simultaneously posted on the website of the Environment Department of the States/UTs. Based on such reports, MoEF&CC may consider supplementing its Guidelines from time to time. The MoEF&CC may prepare a consolidated report considering the reports from the States/UTs and publish its own report on the subject, preferably by 31st May every year.

Interaction at National Level

30. **We direct the Secretary MoEF to convene a meeting in coordination with the CPCB and Mining and Jalshakti Ministries of Central Government and such other experts/individuals at National level and representatives of States within three months for inter-action on the subject which may be followed by such meetings being convened by the Chief Secretaries in all States in next three months. Holding of such meetings will provide clarity on enforcement strategies and help protection of environment.**

All the applications are disposed of. Individual issues may be gone into in accordance with the mechanism to be involved as above.

A copy of this order be forwarded to the MoEF&CC, CPCB, Secretaries, Ministries of Jalshakti and Mining, GoI, Chief Secretaries, Environment Secretaries, SEIAA and State PCBs/PCCs and District Magistrates of all the States/UTs by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

February 26, 2021
Original Application No. 360/2015
and other connected matters
DV & A

"True Copy"

ANNEXURE-C-5

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BRANCH, NEW DELHI

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OA No. 1003/2024

In the matter of:

Mr. Ashok Kumar & Anr. Applicant(s)

Vs.

State of U.P. Respondent

Index

Sr. No.	Particular's	Page No.
1.	**Report** On Mining Activity at Village- Panchayara, Tehsil-Loni, District-Ghaziabad (Uttar Pradesh) in compliance to Hon'ble NGT order dated 04.11.2024 in O.A No. 1003/2024.	
2.	**Annexure - I** A copy of Hon'ble NGT order dated 04.11.2024 in OA No 1003/2024.	
3.	**Annexure – II** A copy of letter dated 27.05.2021 issued by State Level Environment Impact Assessment Authority, U.P to Directorate of Environment, U.P.	
4.	**Annexure - III** A copy of letter dated 29.09.2021 issued by State Level Environment Impact Assessment Authority, U.P to Directorate of Environment, U.P.	
5.	**Annexure - IV** A copy of Indian Non-Judicial E-Stamp Paper issued by Government of Uttar Pradesh.	
6.	**Annexure - V** A copy of Consolidated Consent to Operate and Authorisation dated 07.01.2023 issued by UPPCB	
7.	**Annexure - VI** A copy of letter dated 02.03.2019 issued by Office of District Magistrate, Ghaziabad to District Information Science Officer, Ghaziabad.	
8.	**Annexure - VII** A copy of letter dated 09.05.2024 issued by Office of District Magistrate, (Mining Section), Ghaziabad to New Panther Security Guard Services, Aligarh.	

Raj

Filed by Adv. Rajkumar
(On behalf on Central Pollution Control Board)

Place: Delhi
Dated: 04.12.2024

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REPORT ON MINING ACTIVITY AT VILLAGE- PANCHAYARA, TEHSIL-LONI, DISTRICT-GHAZIABAD (UTTAR PRADESH)

IN THE MATTER OF HON'BLE NGT (PB)

Mr. Ashok Kumar & Anr. Vs State of UP

in

(Original Application No. 1003/2024)

1. Background:

Hon'ble NGT, Principal Bench, New Delhi vide order 04.11.2024 in the matter of Mr. Ashok Kumar & Anr. Vs State of UP in Original Application No. 1003/2024 directed for constitution of a Joint Committee comprising District Magistrate Ghaziabad, Divisional Forest Officer, Ghaziabad, Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'), and, Central Pollution Control Board (hereinafter referred to as 'CPCB') and to submit a factual report in the matter.

Relevant para of the Hon'ble NGT order is as below: -

"3. Looking to the allegation made in the original application, we are prima facie of the view that a substantial question relating to environment has arisen out of implementation of enactments mentioned in Scheduled-I of NGT Act, 2010, but, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB'); and, Central Pollution Control Board (hereinafter referred to as 'CPCB')

4. CPCB shall be nodal agency for coordination and compliance.

5. Above committee shall collect relevant information after visiting the site and submit factual report within one month.

6. List this matter on 05.12.2024."

Copy of the referred order of Hon'ble NGT is enclosed at Annexure No 1.

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2. In compliance of said order, following officials were nominated from the concern Department:

- Sh. Saurabh Bhatt, ADM(F&R), Ghaziabad
- Sh. Gaurav Gehlot, Scientist 'C', CPCB, Delhi
- Ms.NimiKuchiya, FRO, Divisional Forest Office, Ghaziabad
- Sh. Anshul Sharma, AEE, UPPCB, RO, Ghaziabad

The joint committee carried out the site visit on 30.11.2024 by. During visit, following officials/persons were also present:

- Sh. SaurabhChaturvedi, Mining Officer, Ghaziabad
- Sh. Arvind Kumar, Scientist 'B', CPCB, Delhi
- Sh. Sanjay Kumar, Dy. RO, Divisional Forest Office, Ghaziabad
- Sh. Praveen Gaud,Representative of the project proponent

4. General observation during the site visit of leased mining area at Village-Panchayara, Loni, Ghaziabad:

Observations based on site visit and records issued made available by UP PCB RO Ghaziabad and Mining Department Ghaziabad are as follows:

- Environmental Clearance (herein to be referred as "EC") was granted for **sand / moramminingby** State level Environmental Impact Assessment Authority (SEIAA) Uttar Pradesh on **27.05.2021** to Shri Bani Singh, Salasar Complex, 306 Shankar Vihar Colony, Quaarsi, Aligarh – 202001 (M/s New Panther Security Guard Service) vide letter no. 27/Parya/SEAC/5793/2019 dated 27.05.2021 for mineable area (**8.512 Ha**) out of total lease area as **12.512 Ha**. The EC was further amended on 29.09.2021 vide letter no. 201/SEAC/5793/2019 dated **29.09.2021**. (The copy of EC and amended EC is annexed as Annexure-2 and 3).

- Lease under Article 35 through e-stamp with Certificate Number IN-UP94105203936034T was registered on 08.10.2021 with M/s. New Panther Security Guard Service (Shri Bani Singh S/o Shri Raghunath Singh)for mining of 1,77,737 cubic meter (per annum) for 05 years at Tehsil-Loni Gram-PanchyaraKhand Number 02 Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mion 8.512 Hectare area. (Annexure-4)

- Consolidated Consent to Operate (CTO) and Authorization 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 was granted by UPPCB on 07.01.2023 for

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a period from 14.12.2022 to 30.12.2026. (Copy of Consolidated CTO is annexed as Annexture-5)

➢ The date of start of mine was 12.11.2021. A per portal of Directorate of Geology and Mining, Uttar Pradesh, the total quantity of mineral excavated from the start of mine is tabulated as below:

Year	Quantity Permitted (m^3)	Quantity Excavated (m^3)
Nov 2021-Oct 2022	177736.8	85851
Nov 2022-Oct 2023	177736.8	81750
Nov 2023-Oct 2024	177736.8	142402

➢ The co-ordinates of mining areas are as below:

Pillars	Latitude (N)	Longitude (E)
A	28°48'1.02" N	77°12'19.63" E
B	28°47'49.56" N	77°12'17.52" E
C	28°47'39.12" N	77°12'19.04" E
A'	28°47'39.35" N	77°12'13.26" E
B'	28°47'48.74" N	77°12'10.86" E
C'	28°48'2.80" N	77°12'13.01" E

➢ Mining Officer Ghaziabad informed last District Survey Report was prepared in 2017. It was amended on 02.03.2019 which included present lease area (copy of amendment is annexed as Annexure- 6).The draft for District Survey Report(2024) has been issued on 05.07.2024 in public domain and final DSR is under finalization by District Administration.

➢ Project Proponent informed that the replenishment study report was conducted during 2021-22 & 2022-23 however, the same was not made available to committee member during visit.

➢ During site visit on 30.11.2024 by joint committee, mining activity was not observed on the site. Project Proponent informed that mining activity was discontinued after 30.06.2024 (due to monsoon period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024.

➢ A camp office and weigh bridge was observed constructed by project proponent. It was informed by project proponent that all machinery for mining activity are hired through third party and the same is not hired from 30.06.2024 onwards.

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- During site visit by joint committee, winter migratory birds (Common swift or swallows, Sea gulls, Moorhen etc.) were observed (photographs attached).

5. Observation regarding issues raised in the compliant:

Issues raised related to mining violations:-

- The mining is being carried out beyond the allotted limit / Being carried out beyond the sanctioned Lease Area / Carrying out mining outside the coordinates / works for more than the allotted time in a day / doing illegal mining work at night by taking out sand up to 100 feet below with the help of lifter boat machine (para 3)
- constructed a two dams (Bandh), (para 5)
- the proponent is mining the sand much deep from the bottom of the river, from approximately 20-30 feet below which is impermissible, with help of the poclain and other heavy machines, (para 7)
- carrying out illegal mining in No. 310-309,(para 10)
- making very deep pits by building a dam.(para 12)

Observation:-

- Mining activity was not observed on day of visit of joint committee. Project Proponent informed that mining activity was discontinued after 30.06.2024 (due to monsoon period) and not started since 30.06.2024 to till date. Mining Officer Ghaziabad informed that transport permit has not been issued after 30.06.2024.Excavation mark were not observed on the sand deposit in the mid of the river which also indicated that mining has not been carried out after monsoon.
- Illegal mining by project proponent has been observed earlier by District Authorities, a notice was issued to project proponent by Mining section, ADM Office Ghaziabad on dated 09.05.2024 for illegal mining of 840 cubic meter of ordinary sand out and accordingly fine was imposed on project proponent as per rules.(Annexure-7)

Issues raised to Green beltdevelopment: -

- That the proponent was also required to plant 625 trees on both the sides of the haul road, (para 7)

Observation:-

- The project proponent informed that the trees were planted in mining lease area which were damaged during flooding in year 2023, however, no plantation wasobserved by the committee.

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Issues raised to impact on Adjacent Agricultural Land:-

- Adjacent agricultural land situated on the banks of Yamuna are being affected and are in the danger of completely becoming an uncultivated land. (para 9)

Observations: -

- At present agriculture land near the lease area was not found affected.

Issues raised to Mine operation: -

- Breached the limit for the number of vehicle allowed to be deployed at the mining site, 34 vehicles are allowed, (para 4)
- Deploying heavy machineries, the use of poclain machines and other such machines (para 6)
- The proponent has not adopted the practice of regularly sprinkling the water during the transition of the vehicles, (para 8)

Observations:-

- Mining activity was not carried out on the day of visit. It was informed by Mining Officer Ghaziabad that transport permit has not been issued after 30.06.2024. Compliance of these points can be enforced during mining operation.

6. Conclusions / Recommendations:

1. The mining department should carry out vigil during day as well as night and ensure that no illegal mining takes place in Yamuna river.

2. The EC issued by SEIAA Uttar Pradesh stipulated the method of mining as opencast Semi-Mechanized therefore, heavy machinery and lifter boat should not be allowed near the river.

3. Stringent action should be taken against any persons foundcarrying out illegal mining, using heavy machinery and lifter boats near the river, and obstructing flow of the river.

4. Compliance of following salient requirements must be ensured by Project and Mining Department before allowing further mining:

   - Installation the boundary pillars as per co-ordinates & Environmental Clearance conditions.
   - Adequate plantation in time bound manner as per Environmental Clearance conditions.

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- Replenishment study of the area about mining deposits as per Environmental Clearance conditions.
- Hydrogeological study to ascertain the impact on river channel and water table as per Environmental Clearance condition (no 16).

5. Environmental compensation for illegal mining of 840 cubic meter quantity of ordinary sand may belevied as per Approach 2 scale approved by Hon'ble NGT vide order dated 26.02.2021 in the matter of OA No. 360/2015.

Joint Committee Members:

Sh. Saurabh Bhatt, ADM(F&R), Ghaziabad	3/12/24
Sh. Gaurav Gehlot, Scientist 'C', CPCB, Delhi	
Ms. NimiKuchiya, FRO, Divisional Forest Office, Ghaziabad	
Sh. Anshul Sharma, AEE, UPPCB, RO, Ghaziabad	

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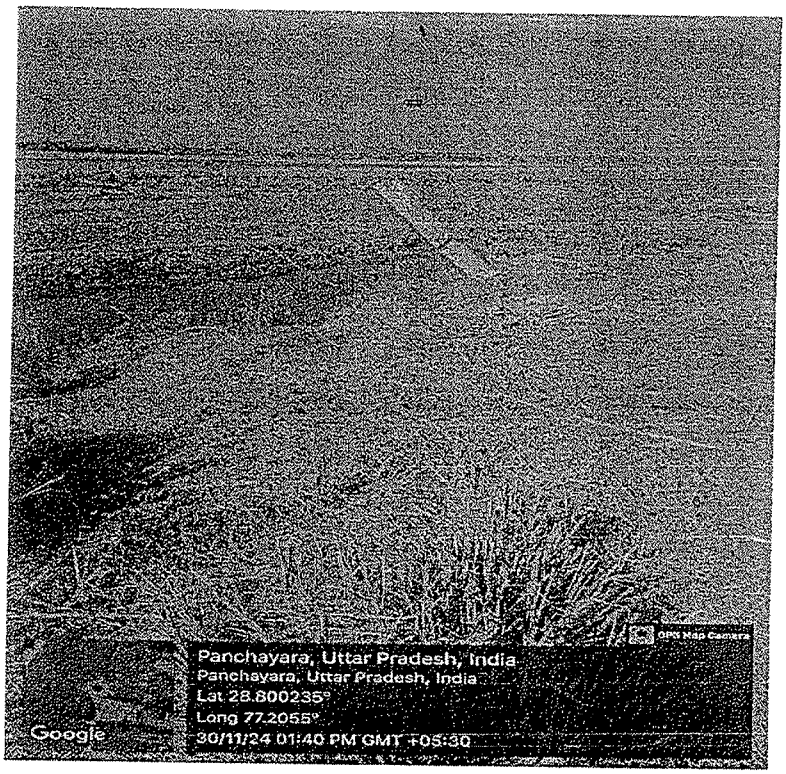
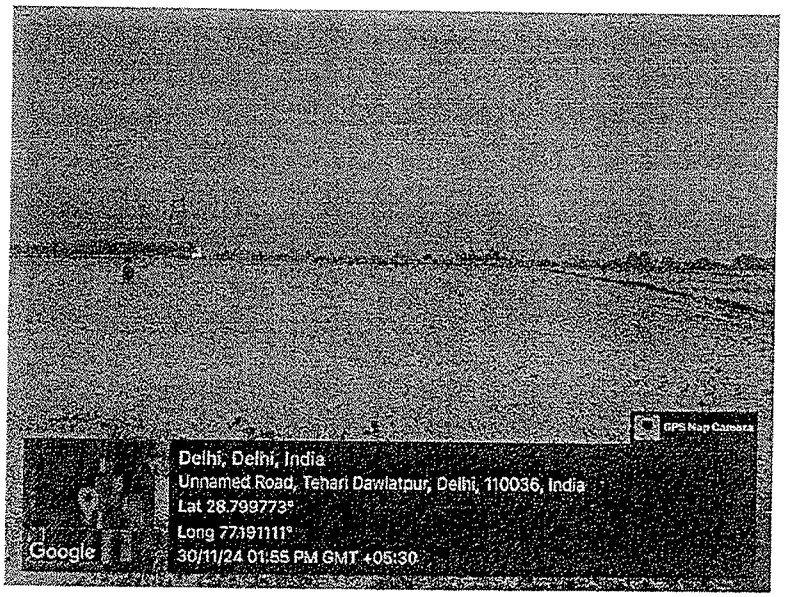
Photographs of site visit





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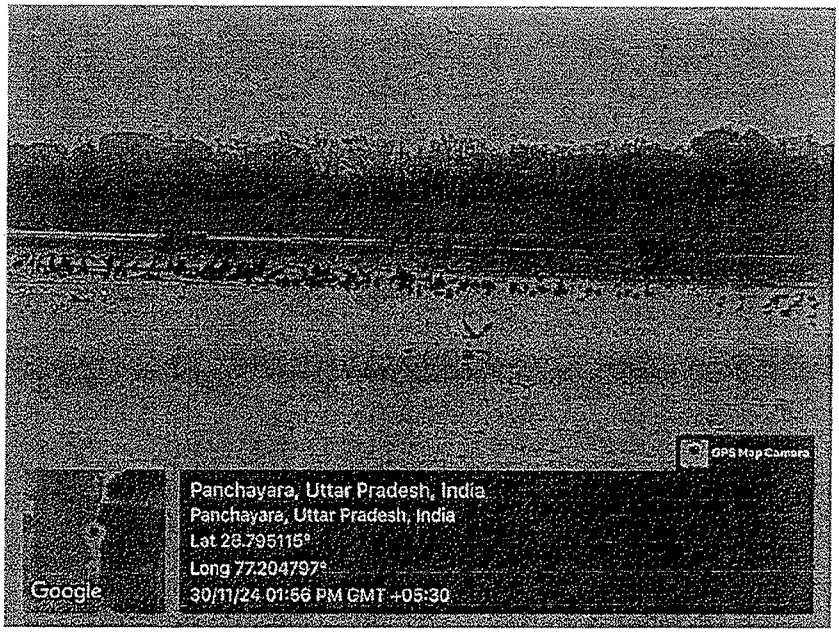
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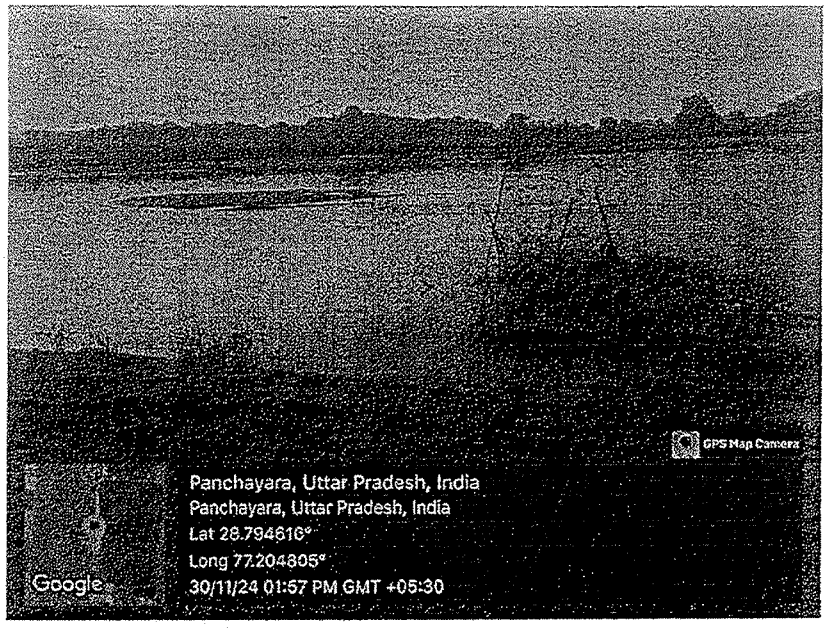
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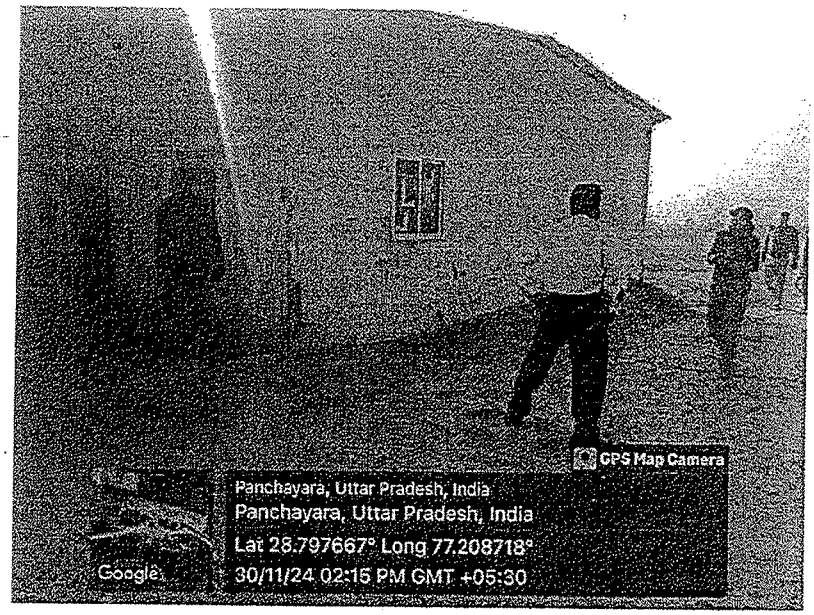
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Item No. 04 Court No. 2

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 1003/2024

Mr. Ashok Kumar & Anr. Applicant(s)

Versus

State of UP Respondent

Date of hearing: 04.11.2024

CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None

Respondents: None

ORDER

1. On a letter petition dated 23.12.2023 sent by Ashok Kumar s/o late Sh. Dharam Singh and Karan Singh s/o late Sh. Ved Prakash, present application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as NGT Act, 2010') in exercise of *suo-moto* jurisdiction, in view of law laid down by Supreme Court in ***(2022) 13 SCC 401, Municipal Corporation of Greater Mumbai v. Ankita Singha & Ors.***

2. Complainants have alleged that M/s. New Panthar Security Guard Service has got a mining permit/lease for sand mining at Yamuna river-bed i.e Gata No.303 mi, 313 mi, 290 mi, 301 mi, 303 mi, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi situated at Khand No. 02,Village-Panchayat, Tehsil-Loni, Ghaziabad, UP.

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Mining activities are being carried out by proponent on a total lease area of 12.512 Ha (mineable aera is 8.512 Ha). Mining has been conducted in violation of conditions of Environmental Clearance (hereinafter referred to as **'EC'**) granted by State Level Environment Impact Assessment Authority of State of UP (hereinafter referred to as **'SEIAA, UP'**) and they have dug out river-bed at the depth upto 100 feet with the help of lifter boat machine. Proponent has constructed two dams (Bandhas) so as to stop flow of water and thereby natural flow of water has been diverted affecting flora and fauna of the river and this is also affecting and damaging agricultural crop standing in the nearby agricultural land due to creation of obstruction in the smooth flow of river water. Proponent is also deploying heavy machinery such as poclain, etc., for mining activities and has also not carried out plantation as required in the EC. Complaint is supported with two videos and certain photographs appended to the complaint.

3. Looking to the allegation made in the original application, we are prima *facie* of the view that a substantial question relating to environment has arisen out of implementation of enactments mentioned in Scheduled-I of NGT Act, 2010, but, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a Joint Committee comprising District Magistrate Ghaziabad; Divisional Forest Officer, Ghaziabad; Uttar Pradesh Pollution Control Board (hereinafter referred to as **'UPPCB'**); and, Central Pollution Control Board (hereinafter referred to as **'CPCB'**)

4. CPCB shall be nodal agency for coordination and compliance.

5. Above committee shall collect relevant information after visiting the site and submit factual report within one month.

6. List this matter on 05.12.2024.

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7. A copy of this order be forwarded to Members of the Joint Committee by email for compliance.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 04, 2024
Original Application No. 1003/2024
JG.

State Level Environment Impact Assessment Authority, Uttar Pradesh

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Directorate of Environment, U.P.
Vineet Khand-1, Gomti Nagar, Lucknow - 226 010
Phone : 91-522-2300 541, Fax : 91-522-2300 543
E-mail : doeuplko@yahoo.com
Website : www.seiaaup.com

To,

Shri Bani Singh,
Salasar Complex, 306 Shankar Vihar Colony,
Kuraishi Aligarh - 202001

Ref. No. 27 /Parya/SEAC/5793/2019 Date 27 May, 2021

Sub: Environmental Clearance for Proposed Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).

Dear Sir,

Please refer to your application/letters 26-08-2020, 09-09-2020, 09-12-2020, 25-03-2021, 01-04-2021, 13-04-2021 & 15-04-2021 addressed to the Chairman/Secretary, State Level Environment Impact Assessment Authority (SEIAA) and Director, Directorate of Environment Govt. of UP on the subject as above. The State Level Expert Appraisal Committee considered the matter in its meetings held on dated 13-04-2021 and SEIAA in its meeting dated 21-05-2021

A presentation was made by the project proponent along with their consultant M/s Globus Environment Engineering Services. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. The environmental clearance is sought for Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 500/Parya/SEAC/5793/2019, dated 04/11/2020.
3. The public hearing was organized on 01/03/2021. Final EIA report submitted by the project proponent on 19/03/2021.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/55952/2020
2File no. allotted by SEIAA, UP	5793
2ToR Vide Letter No.	500/Parya/SEAC/5793/2019, Dated: 04.11.2020 by SEIAA, U.P.
3. Name of Proponent	M/s New Panther Security Guard Service ShriBani Singh S/o ShriRaghunath Singh
4.Full correspondence address of proponent and mobile no.	R/o- Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, Aligarh - 202001
5. Name of Project	"Sand/ Moram Mining"
6. Name of River	Yamuna River
7. Project location (Plot/Khasra/Gata No.)	Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi
8. Name of Minor Mineral	River Bed Material (Sand/Moram)
9. Schedule (as per EIA notification 2006)	1(a)i
10. Category of Project	B(1)
11. Sanctioned Lease Area (in Ha.)	Total Lease Area: 12.512 Ha
12. Mineable Area (in Ha.)	8.512 Ha
13. Project Status	State Govt. has given its consent vide letter no. 993/खनन/ई निविदासहई-नीलामी / 2020, दिनांक- 23/06/2020 for the exploitation of Sand/Morrum for a period of five years.
14. Zero level mRL	205 mRL
15. Max. & Min mRL within lease area	Highest: 208 mRL& Lowest: 207 mRL
16. Pillar Coordinates (Verified by DMO)	Sanction Lease Area Co-ordinate

Pillars	Latitude (N)	Longitude (E)
A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E
[illegible]	28°47'39.12"N	77°12'13.04"E

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	D	28°47'39.35"N	77°12'13.26"E
	E	28°47'48.74"N	77°12'10.86"E
	F	28°48'2.80"N	77°12'13.01"E
	Workable Area		
	A	28°48'1.02"N	77°12'19.63"E
	B	28°47'49.56"N	77°12'17.52"E
	C	28°47'39.12"N	77°12'19.04"E
	D'	28°47'39.39"N	77°12'14.95"E
	C'	28°47'43.86"N	77°12'15.30"E
	B'	28°47'52.33"N	77°12'18.05"E
	A'	28°48'0.94"N	77°12'18.99"E
	Non- Workable Area		
	A'	28°48'0.94"N	77°12'18.99"E
	B'	28°47'52.33"N	77°12'18.05"E
	C'	28°47'43.86"N	77°12'15.30"E
	D'	28°47'39.39"N	77°12'14.95"E
	D	28°47'39.35"N	77°12'13.26"E
	E	28°47'48.74"N	77°12'10.86"E
	F	28°48'2.80"N	77°12'13.01"E

17. Total Geological Reserves	4,11,544 m^3			
18. Total Mineable Reserves	1,77,736.8 m^3 per annum			
20. Proposed Production/year	2,50,240 m^3			
21. Sanctioned Period of Mine lease	Five years			
22. Production of mine/day	683.60 m^3 /day			
23. Method of Mining	Opencast semi-mechanized			
24. No. of Working days	260 Days			
25. Working hours/day	8 -10 hours/day			
26. No. Of Workers	59 Manpower			
27. No. of vehicles movement/day	34 Units (Assumed Loading Capacity: 20 m^3 /Unit)			
28. Type of Land	State Government Land			
29. Ultimate Depth of Mining	2.40 m			
30. Nearest metalled road from site	Panchayara – Mavikala Road is 750 m East			
31. Water Requirement	Source	Purpose	Detail	Avg.Demand /Day(in KLD)
	Portable Tanker	Drinking @15 lpcd/worker	59 workers x 15 lpcd = 885 Lit/day	0.885 KLD
		Land reclamation/plantation @2.5 Lit/Tree	625 Trees x 2.5 l/day = 1562.5 Lit/day	1.562 KLD
		Dust suppression @1 Lit/Sq.m (twice in a day)	Haul Road Area = (750 m Length x 7 m Width = 4305 m2) x 1 l/Sq.m = 4305 Lit/day x 2 = 8610 Lit/day	8.61 KLD
	Total			11.057 KLD (11.0 KLD)
32. Name of QCI Accredited Consultant with QCI No. and period of validity.	GLOBUS ENVIRONMENT ENGINEERING SERVICES Certificate No. NABET/EIA/1821/IA0034, Valid Till April 03/2021			
33. Any litigation pending against the project or hand in any court.	No			
34. Details of 500 m Cluster Map & certificate issued by Mining Officer	Cluster certificate issued by DMO (Mining Section), Ghaziabad Letter No. 1112 खनि०/2020 Dated 07-08-2020			
35. Details of Mining Lease Area in	Sanctioned Lease Area		12.512 Ha	

Approved Mining Plan	WorkableAreaof thelease	8.512 Ha
	Area under, SSMMG 2016	0.2190 Ha
	Area under Safety Zone	1.2449 Ha
	Area under Active Water Channel	2.535 Ha
36. Details of Lease Area in approved DSR	Approved DSR,Ghaziabad : Page No-54, Table No-15, Sr. No-2	
37. Total Cost of Project	Rs. 116.45 Lakhs	
38. Proposed CER Cost	Rs. 2.33 Lakhs (2% of the total Project Cost)	
39. Proposed EMP Cost	Rs. 21.57 Lakhs	
40. Length and breadth of Haul Road	Haulage Road Length 750 m & Haulage Road Width 7 m	
41. No. of Trees to be Planted	625 Trees	

5. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
6. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
7. There is no litigation pending in any court regarding this project.
8. The project proposal falls under category–1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee meeting held on 13-04-2021 on the above said project, the State Level Environment Impact Assessment Authority meetings held on 21-05-2021 has decided to grant the Environmental Clearance to the title project for collection of 2,50,240 m^3/annum is proposed lease area 12.512 ha subject to effective implementation of the following General Conditions and specific conditions:

General Conditions:

1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended).
4. Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.
5. Mining and loading shall be done only within day hours time.
6. No mining shall be carried out in the safety zone of any bridge and/or embankment.
7. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
8. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.
9. Parking of vehicles should not be made on public places.
10. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
11. No wildlife habitat will be infringed.
12. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.
13. It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.
14. It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.
15. Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.
16. Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.
17. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures

taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.

18. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transpertation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.

39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.
45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
5. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
6. Environment management in according to environmental status and impact of the project.
7. Selection of plants for green belt should be on the basis of pollution removal index.
8. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
9. Pakka motorable haul road to be maintained by the project proponent.
10. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
11. Permission from the competent authority regarding evacuation route should be taken.
12. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
13. Site Pit photographs should be submitted with date, time and point-coordinate within 15 days.
14. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
15. Provision for cylinder to workers should be made for cooking.
16. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.

17. Provide suitable mask to the workers.
18. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road.
19. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
20. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
21. Provision for two toilets and hand pumps should be made at mining site.
22. Drinking water for workers would be provided by tankers.
23. Mining should be done by 8ar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
24. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
25. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
26. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
27. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
28. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
29. Width of the haul road shall be more than 6 meter.
30. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
31. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statuary committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
32. If in future this lease area becomes part of cluster of equal to or more than 25 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
33. The Environmental clearance will be co-terminus with the mining lease period.
34. Project falling with in 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
35. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
36. Geo coordinates should be verified by Director, DGM/District Magistrate/Regional Mining Officer/NHAI and should be submitted to SEIAA/SEAC, Secretariat as earliest.
37. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 25ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 25ha, the E.C issued will stand revoked.
38. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
39. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
40. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
41. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
42. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the

bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.

43. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
44. The project proponent will provide personal protective equipment (PPE) as required, also provid adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
45. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)].
46. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
47. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
48. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
49. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
50. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
51. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
52. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
53. Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchyat.
54. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
55. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.
56. A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.
57. State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.
58. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at http://www.seiaaup.in and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.
59. The MoEF/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
60. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
61. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
62. Waste water from potable use be collected and reused for sprinkling.
63. During the school opening and closing time vehicle movement will be restricted.
64. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled.

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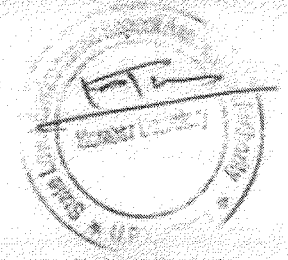
Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

The above stipulated conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon'ble Courts of Law relating to the subject matter.

The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.

This is to request you to take further necessary action in matter as per provisions of Gazette Notification No. S.O. 1533(E) dated 14/09/2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.



(Ashish Tiwari)
Member Secretary, SEIAA

Ref. No...../Parya/SEIAA/5753/2019 Dated: As above

Copy for information and necessary action to:

1. The Principal Secretary, Environment, U.P. Govt., Lucknow.
2. Advisor, IA Division, Ministry of Environment, Forests & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi.
3. Additional Director, Regional Office, Ministry of Environment & Forests, (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
4. The Member Secretary, U.P. Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.
5. District Magistrate, Ghaziabad, U.P.
6. Director, Department of Geology & Mining, U.P. Lucknow.
7. Copy for Web Master/Guard file.

(Ashish Tiwari)
Member Secretary, SEIAA

20

Annexure- 3

205

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.
Vineet Khand-1, Gomti Nagar, Lucknow-226 010
Phone : 91-522-2300 541, Fax : 91-522-2300 543
E-mail : doeuplko@yahoo.com
Website : www.seiaaup.com

To,

Shri Bani Singh,
Salasar Complex, 306 Shankar Vihar Colony,
Kuraishi Aligarh - 202001

Ref. No....201........../Parya/SEAC/5793/2019 Date 29 September,2021

Sub: Amendment in Environmental Clearance for Proposed Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).

Dear Sir,

Please refer to your application dated 27-06-2021 and 22-07-2021 addressed to the Chairman/Secretary, State Level Environment Impact Assessment Authority (SEIAA) and Director, Directorate of Environment Govt. of UP on the subject as above. The State Level Expert Appraisal Committee, UP considered that matter in its meetings held on dated 30-07-2021 and SEIAA considered the project in meeting dated 03-09-2021.

The committee noted that the environmental clearance for the above project was issued by SEIAA, U.P. vide letter no. 27/Parya/SEAC/5793/2019 dated 27/05/2021 for the leased area 12.512 ha and production capacity 1,77,736.8 m3/annum. The project proponent vide letter dated 10/06/2021 informed that the second value of the geo-coordinates mentioned in EC letter has been changed after reassessment of the site and there is no change in leased area and quantity of the mineral. Therefore, the project proponent applied amendment in EC application on 27/06/2021.

A presentation was made by the project proponent along with their consultant M/s Globus Environment Engineering Services. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. Details of proposed amendment in environmental clearance letter dated 27/05/2021:

Pillar coordinates mentioned in EC			Proposed amendment in Pillar coordinates in EC		
Sanction Lease Area Co-ordinate			Sanction Lease Area Co-ordinate		
Pillars	Latitude (N)	Longitude (E)	Pillars	Latitude (N)	Longitude (E)
A	28°48'1.02"N	77°12'19.63"E	A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E	B	28°47'49.56"N	77°12'17.52"E
C	28°47'39.12"N	77°12'19.04"E	C	28°47'39.12"N	77°12'19.04"E
D	28°47'39.35"N	77°12'13.26"E	D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E	E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E	F	28°48'2.80"N	77°12'13.01"E
Workable Area			Workable Area		
A	28°48'1.02"N	77°12'19.63"E	A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E	B	28°47'49.56"N	77°12'17.52"E
C	28°47'39.12"N	77°12'19.04"E	C	28°47'39.12"N	77°12'19.04"E
D'	28°47'39.39"N	77°12'14.95"E	D'	28°47'39.31"N	77°12'14.07"E

Member Secretary

C'	28°47'43.86"N	77°12'15.30"E
B'	28°47'52.33"N	77°12'18.05"E
A'	28°48'0.94"N	77°12'18.99"E
Non- Workable Area		
A'	28°48'0.94"N	77°12'18.99"E
B'	28°47'52.33"N	77°12'18.05"E
C'	28°47'43.86"N	77°12'15.30"E
D'	28°47'39.39"N	77°12'14.95"E
D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E

C'	28°47'44.28"N	77°12'13.37"E
B'	28°47'51.54"N	77°12'14.35"E
A'	28°48'2.62"N	77°12'14.05"E
Non- Workable Area		
A'	28°48'2.62"N	77°12'14.05"E
B'	28°47'51.54"N	77°12'14.35"E
C'	28°47'44.28"N	77°12'13.37"E
D'	28°47'39.31"N	77°12'14.07"E
D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E

The project proponent requested to amend the environmental clearance letter dated 27/05/2021 as per above project details.

Subsequently, the case was considered in 487th SEIAA meeting held on 03-09-2021 wherein, State Level Environment Impact Assessment Authority (SEIAA) agreed with the recommendation of the SEAC to amend the environmental clearance letter no. 27/Parya/SEAC/5793/2019 dated 27/05/2021.

Rest all the contents mentioned in environmental clearance letter no. **27/Parya/SEAC/5793/2019** dated **27/05/2021** shall remain the same.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

State Level Environment Impact Assessment Authority * Member Secretary *

(Ajay Kumar Sharma)
Member Secretary, SEIAA

No...../Parya/SEIAA/5793/2019 dated: As above

Copy, through email, for information and necessary action to –

1. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.com)
2. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)
3. Deputy Director General of Forests (C), Integ rated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)
4. District Magistrate Ghaziabad.
5. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)
6. Copy to Web Master for uploading on PARIVESH Portal.
7. Copy for Guard File.

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Annexure-4

4434/2021

Name: Akanksha Singh
Designation: Executive
Signature: Akanksha
Stock Holding Corporation of India
3/3, Model Town East, Ghaziabad

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सत्यमेव जयते

Certificate No.	:	IN-UP94105203936034T
Certificate Issued Date	:	08-Oct-2021 01:02 PM
Account Reference	:	SHCIL (FI)/ upshcil01/ GHAZIABAD/ UP-GZB
Unique Doc. Reference	:	SUBIN-UPUPSHCIL01704532359147O3T
Purchased by	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Description of Document	:	Article 35 Lease
Property Description	:	BALU KHANAN PATTA PACHAYARA KHAND-2 GATA NO.303MI 313MI 290MI 301MI 303 304MI 297MI 298MI 302MI ETC
Consideration Price (Rs.)	:	
First Party	:	DM GHAZIABAD
Second Party	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Paid By	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Amount(Rs.)	:	30,33,960 (Thirty Lakh Thirty Three Thousand Nine Hundred And Sixty only)

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Registration Clerk
Ghaziabad

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Sub Registrar-V
Ghaziabad

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प्रपत्र एम0एम0–6

खनन पट्टे का आदर्श (मॉडल) प्रपत्र (नियम–29)

यह अनुबन्ध आज दिनांक 12-11-2021 को उत्तर प्रदेश के राज्यपाल (जिन्हें आगे 'राज्य–सरकार' कहा गया है, जिस पदावली में यदि सन्दर्भ से ऐसा अपेक्षित हो उत्तराधिकारी तथा अभिहस्तांकिती भी समझे जायेंगे)

एक पक्ष

QT 0004271536

एडीओएम गाजियाबाद

जिलाधिकारी गाजियाबाद

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208 109

ACC Name: PANKAJ SHARMA
ACC Code: UP14000904
Licence No. 355
Add: Ch No 17-A Tehsil Ghaziabad

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Certificate No.	:	IN-UP36531818585375T
Certificate Issued Date	:	17-Nov-2021 05:09 PM
Account Reference	:	NEWIMPACC (SV)/ up14000904/ GHAZIABAD/ UP-GZB
Unique Doc. Reference	:	SUBIN-UPUP14000904628560805839358T
Purchased by	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Description of Document	:	Article 35 Lease
Property Description	:	BALU KHANAN PATTA PACHAYARA KHAND-2 GATA NO-303MI 313MI 290MI 301MI 303 304MIN 297MI 298MI 302MI ETC
Consideration Price (Rs.)	:	
First Party	:	DM GHAZIABAD
Second Party	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Paid By	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Amount(Rs.)	:	1,99,000 (One Lakh Ninety Nine Thousand only)

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Subregistrar-V
Ghaziabad

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जिला शासन अधिकारी
कार्यालय, गाजियाबाद।

0004275108

110209

VISHAL GOEL
Licence No. 460
Acc Code No. UP14000804
Ch. No. 44, Tehsil Compound GZB

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Certificate No.	:	IN-UP36553952180648T
Certificate Issued Date	:	17-Nov-2021 05:25 PM
Account Reference	:	NEWIMPACC (SV)/ up14000804/ GHAZIABAD SADAR/ UP-GZB
Unique Doc. Reference	:	SUBIN-UPUP14000804629247861780 31T
Purchased by	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Description of Document	:	Article 35 Lease
Property Description	:	BALU KHANAN PATTA PACHAYARA KHAND-2 GATA NO 303MI 313MI 290MI 301MI 303 304MI 297MI 298MI 302MI ETC
Consideration Price (Rs.)	:	
First Party	:	DM GHAZIABAD
Second Party	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Paid By	:	NEW PENTHER SICURITY GAURD SERVICES PROP BANI SING
Stamp Duty Amount(Rs.)	:	16,500 (Sixteen Thousand Five Hundred only)

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Ghaziabad

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एवं कार्यालय, गाजियाबाद

QT 0004279786

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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.

और न्यू पेन्थर सिक्योरिटी गार्ड सर्विस प्रो0 श्री बनी सिंह पता–सालासर काम्पलैक्स, 306, शंकर विहार कालोनी, कुरैशी, अलीगढ़–202001 (जिसे आगे "पट्टेदार" कहा गया है, जिस पदावली में यदि सन्दर्भ में ऐसा ग्राह्य हो, उसके दायाद, निष्पादक, प्रशासक और प्रतिनिधि भी सम्मिलित समझे जायेंगे)

दूसरा पक्ष

उत्तर प्रदेश उपखनिज (परिहार) नियमावली–1963 जिसे आगे "उक्त नियमावली" कहा गया है के अनुसार किये गये ई–निविदा सह ई–नीलामी में 177737 घनमीटर (प्रतिवर्ष) बालू के लिये पट्टेदार द्वारा रु0–233.00 प्रति घनमीटर की दर से प्रथम वर्ष हेतु रु0–4,14,12,721.00 तथा अनुवर्ती वर्षों में गत वर्ष की देय धनराशि पर 10 प्रतिशत वृद्धि करके देय होगा। राज्य सरकार द्वारा खनन पट्टे के लिये 5 वर्ष के निमित्त एतद्धीन लिखित अनुसूची के भाग–1 में वर्णित भूमि तहसील लोनी ग्राम–पचायरा खण्ड संख्या–02 गाटा 303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0, 314मि0 के कुल रकबा–8.512 हे0 के लिये स्वीकार कर लिया गया है और उन्होंने प्रतिभूति स्वरूप राज्य सरकार के पास रु0–1,03,53,180–00 की धनराशि जमा कर दी है।

यह इस बात का साक्ष्य है कि इस उपस्थापन पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उसमें दिये गये और पट्टेदार की ओर से भुगतान किये जाने वाले पालन तथा सम्पादन किये जाने वाले, स्वामित्वों, प्रसंविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्द्वारा पट्टेदार को निम्नलिखित प्रदान और पट्टान्तरित करता है। यमुना नदी में उपलब्ध बालू, जिन्हें आगे अभिदिष्ट अनुसूची में "उक्त खनिज" कहा गया है की समस्त खान, तल्प (Beds), संदर सीम्स (Viens seams) जो अनुसूची के भाग–1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, के साथ, जिसके सम्बन्ध में उन प्रतिबन्धों तथा शर्तों के अधीन रहते हुए प्रयोग या उपयोग किया जायेगा, जो ऐसी स्वतन्त्रताओं, अधिकारों तथा विशेषाधिकारों का प्रयोग तथा उपयोग करने के बारे में हो सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतन्त्रताओं, अधिकार तथा विशेषाधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे।

ए०डी०एम० (प्र०)
गाजियाबाद।

जिला खनन अधिकारी
के कार्यालय, गाजियाबाद।

112

आवेदन सं०: 202100739133744

पट्टा अनुबंध विलेख

बही स०: 1 रजिस्ट्रेशन स०: 4434 वर्ष: 2021

प्रतिफल- 50365760 स्टाम्प शुल्क- 3249460 बाजारी मूल्य - 162050465 पंजीकरण शुल्क - 1620600 प्रतिलिपिकरण शुल्क - 80 योग :1620680

श्री न्यू पेन्थर सिक्योरिटी गार्ड सर्विस द्वारा बनी सिंह अधिकृत पदाधिकारी/ प्रतिनिधि,
पुत्र श्री रघुनाथ सिंह
व्यवसाय : अन्य
निवासी: सालासर कोम्पलेक्स 306 शंकर विहार कालोनी कुरैशी अलीगढ

श्री न्यू पेन्थर सिक्योरिटी गार्ड सर्विस द्वारा बनी सिंह अधिकृत पदाधिकारी/ प्रतिनिधि

ने यह लेखपत्र इस कार्यालय में दिनाँक 17/11/2021 एवं 06:09:36 PM बजे निबंधन हेतु पेश किया।

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

नवीन राय,
उप निबंधक :सदर पंचम
गाजियाबाद
17/11/2021

विश्वास वर्मा,
निबंधक लिपिक

113

(3)

दिनांक 12-11-2021 से दिनांक 11-11-2026 तक 05 वर्ष की आगामी अवधि के लिए पट्टेदार को एतद्द्वारा दिये गये और पट्टान्तरित ऐसे भू–गृहादि धारण करना, जिनसे खनिज निकलने लगे और राज्य सरकार को उक्त अनुसूची के भाग–2 में उल्लिखित स्वामित्वों का भुगतान उसमें निर्दिष्ट भिन्न–भिन्न समयों पर होने लगे किन्तु प्रतिबन्ध यह है कि ऐसा उक्त भाग के उपबन्धों के अधीन हो और पट्टेदार एतद्द्वारा राज्य सरकार के साथ प्रसंविदा करता है और राज्य सरकार एतद्द्वारा पट्टेदार के साथ प्रसंविदा करती है, जैसा कि उक्त नियमावली में अभिव्यक्ति है और एतद्द्वारा इसके साथ दिये गये पक्षों के बीच परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग 3 में अभिव्यक्ति है।

उपर अभिदिष्ट अनुसूची

भाग–1

इस पट्टे का क्षेत्रफल

पट्टे का क्षेत्रफल और स्थान–वह समस्त भू–खण्ड जो जनपद–गाजियाबाद, तहसील–लोनी के अन्तर्गत स्थान ग्राम–पचायरा खण्ड संख्या–02 स्थित गाटा सं0 290मि0, 297मि0, 298मि0, 301मि0, 303मि0, 304मि0, 311मि0, 312मि0, 313मि0, 314मि0 कुल रकबा–8.512 हे0 जो इसके साथ संलग्न नक्शे में चिन्हित है और उसे लाल रंग से रंजित (Colourd) किया गया है और जिसकी सीमायें तथा अक्षांश व देशान्तर निम्नलिखित है:–

खण्ड संख्या–02	1. क्षेत्र के पूरब में	–	गाटा सं0 310 व 290, 301, 304, 311, 314 का शेष भाग,
	2. क्षेत्र के पश्चिम	–	गाटा सं0 297, 298 व 290, 301, 304 एवं 312 का शेष भाग
	3. क्षेत्र के उत्तर में	–	गाटा सं0 250
	4. क्षेत्र में दक्षिण में	–	313 व 314 का शेष भाग

पर्यावरण स्वच्छता प्रमाण पत्र के अनुसार :–

बिन्दु	अक्षान्तर	देशान्तर
A	N – 28° 48' 01.02"	E – 77° 12' 19.63"
B	N – 28° 47' 49.56"	E – 77° 12' 17.52"
C	N – 28° 47' 39.12"	E – 77° 12' 19.04"
D'	N – 28° 47' 39.31"	E – 77° 12' 14.07"
C'	N – 28° 47' 44.28"	E – 77° 12' 13.37"
B'	N – 28° 47' 51.54"	E – 77° 12' 14.35"
A'	N – 28° 48' 02.62"	E – 77° 12' 14.05"

सीमांबन्धन रिपोर्ट के अनुसार :–

बिन्दु	अक्षान्तर	देशान्तर
A	N – 28° 48' 01.02"	E – 77° 12' 19.63"
B	N – 28° 47' 49.56"	E – 77° 12' 17.52"
C	N – 28° 47' 39.12"	E – 77° 12' 19.04"
D'	N – 28° 47' 39.31"	E – 77° 12' 14.07"
C'	N – 28° 47' 44.28"	E – 77° 12' 13.37"
B'	N – 28° 47' 51.54"	E – 77° 12' 14.35"
A'	N – 28° 48' 02.62"	E – 77° 12' 14.05"

और जिसे एतद्द्वारा "उक्त भूखण्ड" कहा गया है।

एडी0एम0 (वि0) गाजियाबाद जिलाधिकारी गाजियाबाद

जिला खनन अधिकारी कार्यालय, गाजियाबाद।

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आवेदन सं०: 202100739133744

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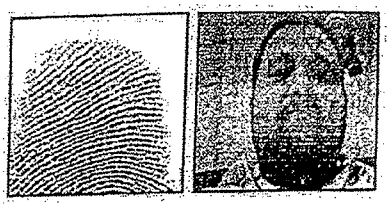
बही सं०: 1 रजिस्ट्रेशन सं०: 4434 वर्ष: 2021

निष्पादन लेखपत्र वाद सुनने व समझने मजमुन व प्राप्त धनराशि रु प्रलेखानुसार उक्त

पट्टा दाता: 1

श्री जिला खनन अधिकारी/जिलाधिकारी के द्वारा कमल कश्यप , पुत्र श्री स्व रामेन्द्र कश्यप



निवासी: 59-ए गली नं0-08 कौशलपुरी गोमती नगर लखनऊ

व्यवसाय: नौकरी

पट्टा गृहीता: 1

श्री न्यू पैन्थर सिक्योरिटी गार्ड सर्विस के द्वारा बनी सिंह , पुत्र श्री रघुनाथ सिंह

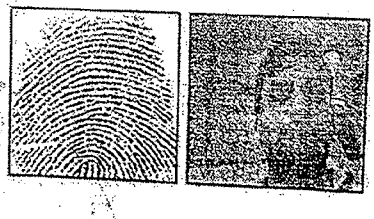
निवासी: सालासर कॉम्पलेक्स 306 शंकर विहार कालोनी कुरैशी अलीगढ

व्यवसाय: अन्य

ने निष्पादन स्वीकार किया । जिनकी पहचान

पहचानकर्ता : 1

श्री शाहिद त्यागी, पुत्र श्री दीन मौहम्मद त्यागी

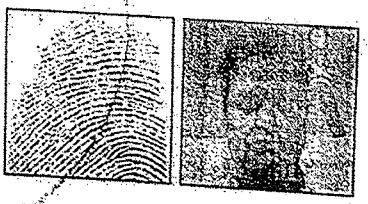


निवासी: पावी सादकपुर लोनी देहात गाजियाबाद।

व्यवसाय: अन्य

पहचानकर्ता : 2

श्री राजेश , पुत्र श्री लक्ष्मी नारायण



निवासी: 72 अपर कोट मेन मार्किट लोनी देहात गाजियाबाद।

व्यवसाय: अन्य

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

ने की । प्रत्यक्षत:भद्र साक्षियों के निशान अंगूठे नियमानुसार लिए गए है ।

टिप्पणी :

नवीन राय ,
उप निबंधक : सदर पंचम
गाजियाबाद

विश्वास वर्मा ,
निबंधक लिपिक

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भाग–2

इस पट्टे द्वारा संरक्षित स्वामित्व

1. **स्वामित्व की धनराशि :** पट्टेदार इस पट्टे की अवधि में राज्य सरकार को पट्टे पर दिये गये क्षेत्र में उसके द्वारा हटाये गये सभी बालू के सम्बन्ध में नियमावली के चतुर्थ अनुसूची में दी गयी व्यवस्था के अनुसार निम्नानुसार स्वामित्व का भुगतान करेगा।

उ0प्र0 उपखनिज (परिहार) (सैंतालिसवां संशोधन) नियमावली, 2019 के पंचम अनुसूची के अनुसार देय धनराशियों के जमा करने का विवरण :–

क्र0सं0	पट्टा वर्ष	मद	देय धनराशि (रू0 में)	देय तिथि
1.	प्रथम वर्ष	01 नवम्बर किश्त (20%)	82,82,545.00	अग्रिम जमा
2.	"	01 दिसम्बर किश्त (10%)	41,41,272.00	अग्रिम जमा
3.	"	01 जनवरी किश्त (10%)	34,60,667.00	अग्रिम जमा
			6,80,605.00	01.01.2022 (अवशेष किश्त)
4	"	01 फरवरी किश्त (10%)	41,41,272.00	01.02.2022
5	"	01 मार्च किश्त (10%)	41,41,272.00	01.03.2022
6	"	01 अप्रैल किश्त (10%)	41,41,272.00	01.04.2022
7	"	01 मई किश्त (10%)	41,41,272.00	01.05.2022
8	"	01 जून किश्त (10%)	41,41,272.00	01.06.2022
01 जुलाई से 30 सितम्बर (वर्षा ऋतु काल) में खनन कार्य बंद				
9.	"	01 अक्टूबर किश्त (10%)	41,41,272.00	01.10.2022
प्रतिभूति छोड़कर प्रथम वर्ष में देय धनराशियों का योग			4,14,12,721.00	
1	द्वितीय वर्ष	01 नवम्बर किश्त (20%)	91,10,801.00	01.11.2022
2	"	01 दिसम्बर किश्त (10%)	45,55,399.00	01.12.2022
3	"	01 जनवरी किश्त (10%)	45,55,399.00	01.01.2023
4	"	01 फरवरी किश्त (10%)	45,55,399.00	01.02.2023
5	"	01 मार्च किश्त (10%)	45,55,399.00	01.03.2023
6	"	01 अप्रैल किश्त (10%)	45,55,399.00	01.04.2023
7	"	01 मई किश्त (10%)	45,55,399.00	01.05.2023
8	"	01 जून किश्त (10%)	45,55,399.00	01.06.2023
01 जुलाई से 30 सितम्बर (वर्षा ऋतु काल) में खनन कार्य बंद				
9	"	01 अक्टूबर किश्त (10%)	45,55,399.00	01.10.2023
	द्वितीय वर्ष में देय धनराशियों का योग		4,55,53,993.00	
1	तृतीय वर्ष	01 नवम्बर किश्त (20%)	1,00,21,881.00	01.11.2023
2	"	01 दिसम्बर किश्त (10%)	50,10,939.00	01.12.2023
3	"	01 जनवरी किश्त (10%)	50,10,939.00	01.01.2024
4	"	01 फरवरी किश्त (10%)	50,10,939.00	01.02.2024
5	"	01 मार्च किश्त (10%)	50,10,939.00	01.03.2024
6	"	01 अप्रैल किश्त (10%)	50,10,939.00	01.04.2024
7	"	01 मई किश्त (10%)	50,10,939.00	01.05.2024
8	"	01 जून किश्त (10%)	50,10,939.00	01.06.2024
01 जुलाई से 30 सितम्बर (वर्षा ऋतु काल) में खनन कार्य बंद				
9	"	01 अक्टूबर किश्त (10%)	50,10,939.00	01.10.2024
	तृतीय वर्ष में देय धनराशियों का योग		5,01,09,393.00	
1	चतुर्थ वर्ष	01 नवम्बर किश्त (20%)	1,10,24,069.00	01.11.2024
2	"	01 दिसम्बर किश्त (10%)	55,12,033.00	01.12.2024

ए०डी०एम० (वि०/जिलाधिकारी)
गाजियाबाद

जिला खनन अधिकारी
खनन कार्यालय, गाजियाबाद।

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3	,,	01 जनवरी किश्त (10%)	55,12,033.00	01.01.2025
4	,,	01 फरवरी किश्त (10%)	55,12,033.00	01.02.2025
5	,,	01 मार्च किश्त (10%)	55,12,033.00	01.03.2025
6	,,	01 अप्रैल किश्त (10%)	55,12,033.00	01.04.2025
7	,,	01 मई किश्त (10%)	55,12,033.00	01.05.2025
8	,,	01 जून किश्त (10%)	55,12,033.00	01.06.2025
01 जुलाई से 30 सितम्बर (वर्षा ऋतु काल) में खनन कार्य बंद				
9	,,	01 अक्टूबर किश्त (10%)	55,12,033.00	01.10.2025
	चतुर्थ वर्ष में देय धनराशियों का योग		5,51,20,333.00	
1	पंचम वर्ष	01 नवम्बर किश्त (20%)	1,21,26,471.00	01.11.2025
2	,,	01 दिसम्बर किश्त (10%)	60,63,237.00	01.12.2025
3	,,	01 जनवरी किश्त (10%)	60,63,237.00	01.01.2026
4	,,	01 फरवरी किश्त (10%)	60,63,237.00	01.02.2026
5	,,	01 मार्च किश्त (10%)	60,63,237.00	01.03.2026
6	,,	01 अप्रैल किश्त (10%)	60,63,237.00	01.04.2026
7	,,	01 मई किश्त (10%)	60,63,237.00	01.05.2026
8	,,	01 जून किश्त (10%)	60,63,237.00	01.06.2026
01 जुलाई से 30 सितम्बर (वर्षा ऋतु काल) में खनन कार्य बंद				
9	,,	01 अक्टूबर किश्त (10%)	60,63,237.00	01.10.2026
	पंचम वर्ष में देय धनराशियों का योग		6,06,32,367.00	
प्रतिभूति छोड़कर पाँच वर्षों में देय धनराशियों का योग			25,28,28,807.00	

2. **स्वामित्व कटौती आदि से मुक्त होगा :** इस भाग में उल्लिखित स्वामित्व की किश्तों का भुगतान बिना किसी कटौतियों के राज्य सरकार को निर्धारित लेखा शीर्षक "0853, अलौह खनन एवं धातु कर्म उद्योग" पर सरकारी कोषागार में जमा करके किया जायेगा तथा चालान की एक प्रति जिलाधिकारी को भेजी जायेगी।

3. **स्वामित्व का समय पर भुगतान न किया जाये तो कार्यवाही की प्रक्रिया:** यदि इस उपस्थापना पत्र (Presents) की शर्तों और प्रतिबन्धों के अधीन राज्य सरकार को देय स्वामित्व की किसी किश्त का भुगतान पट्टेदार द्वारा नियत समय के भीतर न किया जाये, तो उसे ऐसे अधिकारी के जिसे राज्य सरकार सामान्य या विशिष्ट आज्ञा द्वारा निर्दिष्ट करे, प्रमाण पत्र पर उसी रीति से वसूल की जा सकती है, जैसे मालगुजारी का बकाया।

भाग–3
सामान्य उपबन्ध

1. **नियमों, प्रसंविदाओं और शर्तों को भंग करने पर पट्टा समाप्त किया जा सकता है :** यदि पट्टेदार उत्तर प्रदेश उप खनिज (परिहार) नियमावली 1963 के किसी नियम या इस पट्टे की किसी प्रसंविदा तथा किसी शर्त को भंग करें तो राज्य सरकार पट्टा समाप्त कर सकती है और प्रतिभूति जमा को पूर्णतः या अंशतः जब्त कर सकती है किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार को उन्हें भंग करने का स्पष्टीकरण देने के लिए यथोचित् अवसर दिया जायेगा।

एण्डी०एम० (वि०/जिलाधिकारी
गाजियाबाद

जिला खनन अधिकारी
खनन कार्यालय, गाजियाबाद।

2. <u>पट्टेदार पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेगा/हटायेंगे:–</u>

पट्टेदार इस उपस्थापन पत्र (प्रजेन्टेशन) के आधार पर देय स्वामित्वों का पहले भुगतान और उन्मोचन कर चुकने पर, उक्त अवधि की समाप्ति पर या उसके शीघ्रतर समाप्ति पर या तत्पश्चात तीन कलेण्डर मास के भीतर (जब तक कि पट्टा इस भाग के खण्ड–1 के अधीन समाप्त न कर दिया जाय) और उस दशा में किसी समय ऐसी समाप्ति के कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में अपने लाभ के लिए ऐसे सभी या किसी मशीन, संयंत्र, भवन संरचनायें और अन्य निर्माण कार्य, और अस्थायी आवास स्थानों (conveniences) को उखाड़ सकता है और हटा सकता है, जो उक्त भूमि में या उस पर पट्टेदार द्वारा रखे गये हों।

3. **पट्टे की समाप्ति के पश्चात तीन मास के अधिक समय तक छोड़ी गयी सम्पत्ति की जब्ती :** यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के प्रभावी होने के पश्चात तीन कलेण्डर मास के अन्त में उक्त भूमि में या उस पर कोई इंजन, मशीन, संयंत्र, भवन, संरचनायें तथा अन्य निमार्ण कार्य, और अस्थायी आवास–स्थान या अन्य सम्पत्ति रहे तो उनके संबंध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात जिसमें जिलाधिकारी द्वारा पट्टेदार से उन्हें हटाने की अपेक्षा की गयी हो, एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न उठाये जाए तो यह समझा जाऐगा कि वे राज्य सरकार की सम्पत्ति हो गयी है और किसी प्रतिकर का भुगतान किए बिना या उसके संबंध में पट्टेदार/पट्टेदारों को कोई हिसाब दिए बिना, उसकी बिक्री या निस्तारण ऐसे रीति से किया जा सकता है, जो राज्य सरकार उचित समझे।

4. **नोटिस :–** इस उपस्थापन पत्र द्वारा पट्टेदार को दिये जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप से दिया जायेगा, जिसे पट्टेदार ऐसी नोटिस प्राप्त करने के लिए नियुक्त करे और यदि इस प्रकार कोई नियुक्ति न की गयी हो तो ऐसी प्रत्येक नोटिस पट्टेदार को रजिस्ट्रीकृत डाक द्वारा इस पट्टे में उसके अभिलिखित पते पर या भारत में ऐसे पते पर भेजा जायेगा, जिसे पट्टेदार समय–समय पर लिखित रूप में राज्य सरकार को नोटिसों को प्राप्त करने के लिए दे और प्रत्येक ऐसी तामील पट्टेदार पर उचित तथा वैध तामील समझी जायेगी और उसके सम्बन्ध में उसके द्वारा न तो आपत्ति की जायेगी और न उसे उपाहुत (challenged) किया जायेगा।

<u>अतिरिक्त शर्तें</u>

1. पट्टा विलेख के निष्पादन के दिनांक से पट्टाधारक तत्काल खनन संक्रियायें प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भांति करेगा।

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जिला खनन अधिकारी
क्षेत्रीय कार्यालय, गाजियाबाद।

2. पट्टेदार नियम–35 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिये स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार PTZ सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टेदार उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे सम्बन्धित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक वाहन के सापेक्ष निर्गत किये गये ई–प्रपत्र एम0एम0–11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रुप से रख–रखाव करेगा एवं सदैव उसे चालू रुप में अनुरक्षित रखेगा। पट्टेदार उक्त PTZ सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम–66 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।

3. पट्टेदार प्रत्येक वाहन को ई–एम0एम0–11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई–एम0एम0–11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिये आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली–1963 के नियम–59 के अन्तर्गत शास्ति का भागीदार होगा।

4. माननीय राष्ट्रीय हरित अधिकरण के आदेश दिनांक 05.09.2019 के अनुपालन में पट्टाधारक खदान के निवासी स्थल पर तौल मशीन लगवाकर निदेशालय में स्थापित कमाण्ड सेंटर में प्रयुक्त आर्टिफिशियल इन्टेलीजेन्स युक्त साफ्टवेयर में इन्टीग्रेट किया जायेगा। इन्टीग्रेटस में स्थित तौल मशीन में निम्न Features का होना आवश्यक है :–
   (1) The Weight bridge devices should use the MQTT protocol to transit data.
   (2) The Weight bridge devices should transit data over the internal to LOT inprasuehase in cloud.

5. पट्टेदार 03 मीटर की गहराई अथवा जल स्तर में से जो कम हो, से अधिक गहराई में खनन संक्रियायें नही करेगा।

6. पट्टेदार द्वारा सुरक्षा मानकों के अनुसार खनन संक्रिया किया जायेगा।

7. जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नही किया जायेगा।

8. नदी की जल धारा से सक्शन मशीन, लिफ्टर आदि मशीनों द्वारा खनन कार्य नही किया जायेगा।

9. स्वीकृत क्षेत्र के अन्दर जहॉ परिवहन प्रपत्र निर्गत किया जायेगा, वहॉ पर खनिजों का विक्रय मूल्य प्रदर्शित करेगा।

10. यदि पट्टेदार द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण–पत्र खनन योजना, लेटर आफ इंटेन्ट आदि की शर्तो का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्ति युक्त अवसर प्रदान करने के पश्चात् जिलाधिकारी अथवा राज्य सरकार द्वार पट्टा समाप्त किया जा सकता है।

6/11/24

ए०डी०एम० (वि०/रा०), गाजियाबाद

जिलाधिकारी गाजियाबाद

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खनन कार्यालय, गाजियाबाद।

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11. खनन/परिवहन में जन धन की हानि की समस्त जिम्मेदारी पट्टेदार की होगी।
12. उ0प्र0 उपखनिज परिहार नियमावली 1963 के नियम 67 के अधीन भूमि को स्वामियों को बाकि प्रतिकर पाने का अधिकार होगा जो भूस्वामियों एवं पट्टेधारक के मध्य तय हो।
13. मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित प्राधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।
14. नियमों एवं शर्तों के उल्लंघन के परिणामस्वरुप यदि कोई वाद अथवा अपराधिक प्रक्रिया योजित होती है, तो इसकी सम्पूर्ण जिम्मेदारी पट्टेदार की होगी एवं यदि इस सम्बन्ध में कोई व्यय होता है तो उसका वहन पट्टेदार द्वारा किया जायेगा।
15. राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टेदार को मान्य होगा।
16. पट्टेदार द्वारा राज्य अथवा केन्द्र सरकार द्वारा समय-समय पर निर्धारित कर एवं शुल्क यथा आयकर विभाग का टी0सी0एस0 व जिला खनिज फ़ाउण्डेशन (डी0एम0एफ0) नियमानुसार जमा किया जायेगा।
17. पट्टेदार को खनन क्षेत्र में पहुंच मार्ग का निर्माण स्वयं करना होगा तथा यदि तृतीय पक्ष द्वारा कोई विवाद उत्पन्न किया जाता है, तो उसके लिये वह स्वयं जिम्मेवार होंगे।
18. पट्टेदार को उत्तर प्रदेश उपखनिज (परिहार) नियमावली 1963 यथा संशोधित एवं सुसंगत शासनादेशों एवं माननीय न्यायालयों के आदेशों को अक्षरशः पालन करना होगा।
19. पट्टेदार स्वीकृत एवं चिन्हांकित खनन क्षेत्र से बाहर किसी भी दशा में खनन कार्य नहीं करेगा, साथ ही मा0 उच्च न्यायालय, मा0 राष्ट्रीय हरित प्राधिकरण अथवा मा0 सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन करेगा।
20. पट्टेदार नियमावली 1963 के नियम-73 के प्रावधानों के अन्तर्गत पूर्ववर्ती त्रैमास के संबंध में प्रत्येक वर्ष जुलाई, अक्टूबर, जनवरी और अप्रैल के द्वितीय सप्ताह में प्रपत्र एम0एम0-12 में जिलाधिकारी और निदेशालय के क्षेत्रीय कार्यालय को त्रैमासिक विवरणी प्रस्तुत करेगा तथा विनिर्दिष्ट समय के भीतर विवरण प्रस्तुत करने में विफल होने पर रू0 2,000.00 की शास्ति का भागीदार होगा तथा पट्टेदार की ऐसी चूक, खनन पट्टा विलेख की शर्तो का उल्लंघन माना जायेगा।
21. खनन कार्य करने के दौरान यदि कोई अन्य खनिज/उपखनिज प्राप्त होता है तो उसकी सूचना पट्टेदार तत्काल जिला कार्यालय तथा भूतत्व एवं खनिकर्म विभाग (उ0प्र0) के क्षेत्रीय कार्यालय एवं निदेशालय को देगा।
22. पट्टेदार को पट्टाकृत क्षेत्र में खनिज के समुचित विकास हेतु वैज्ञानिक ढंग से खनन कार्य करते हुए पर्यावरण की सुरक्षा हेतु खनिज/उपखनिज का खनन व निकासी करने के उपरांत क्षेत्र का समतलीकरण कर वहाँ वृक्षारोपण करना होगा।

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23. स्वीकृत क्षेत्र में स्थायी सीमा स्तम्भ लगाने के बाद ही खनन कार्य करने की अनुमति दी जायेगी।
24. खनन पट्टा स्वीकृति के पश्चात भविष्य में वन विभाग या किसी अन्य विभाग द्वारा शर्तो के विपरीत कार्य करने के कारण आपत्ति किये जाने पर उक्त नियमावली 1963 के नियम 60 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात खनन पट्टा निरस्त किया जायेगा।
25. पट्टेदार द्वारा खनन क्षेत्र तक पहुँच मार्ग स्वयं के व्यय पर बनाया जायेगा। यदि खनिजों के परिवहन हेतु किसी काश्तकार की भूमि से होकर रास्ते का निर्माण किया जाता है तो सम्बन्धित काश्तकार की लिखित सहमति सम्बन्धी अभिलेख जिला क्वैरी कार्यालय, गाजियाबाद में प्रस्तुत करना अनिवार्य होगा। रास्ते के निर्माण में होने वाले व्यय में राज्य सरकार का कोई उत्तरदायित्व नहीं होगा।
26. खनन स्थल से निकाले गये खनिज पदार्थ का अभिवहन वन विभाग की लिखित सहमति के बिना वन मार्ग से नहीं किया जायेगा।
27. स्वीकृत खनन पट्टा क्षेत्र की परिधि के बाहर कोई अवैध खनन पाये जाने पर उक्त नियमावली 1963 के नियम 60 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात खनन पट्टा निरस्त किया जायेगा।
28. स्वीकृत खनन पट्टा क्षेत्र के भीतर किसी प्रतिबन्धित क्षेत्र(यदि कोई हो) में खनन कार्य नहीं किया जायेगा। ऐसे प्रतिबन्धित क्षेत्र में खनन पाये जाने पर नियमानुसार खनन पट्टा समाप्त किया जा सकता है।
29. स्वीकृत खनन पट्टा क्षेत्र के भीतर निजी भूमि होने की दशा में पट्टाधारक भूमि के स्वामी को नियम–67 के प्राविधानों के अनुसार प्रतिकर का भुगतान करेगा।
30. उ0प्र0 उपखनिज (परिहार) नियमावली, 1963 के नियम–34(4) के अनुसार निदेशालय द्वारा अनुमोदित खनन योजना में उल्लिखित शर्तों का पालन पट्टेदार को किया जाना आवश्यक होगा।
31. स्थानीय स्थिति तथा परिवेश को ध्यान रखते हुये अन्य शर्ते जो जिलाधिकारी द्वारा उचित समझी जायेंगी पट्टेदार को मान्य होगा।
32. सिंचाई विभाग के पत्र सं0 2899/है0व0ख0 दिनांक 21.08.2017 एवं संशोधित अनापत्ति पत्र सं0 1804/है0व0ख0 दिनांक 24.08.2020 में इंगित शर्तो के पालन हेतु पट्टेधारक बाध्य होगा।
33. वन विभाग के पत्र सं0 636/147 दिनांक 28.08.2017 में इंगित शर्तो के पालन हेतु पट्टाधारक बाध्य होगा।
34. मा0 सर्वोच्च न्यायालय के आदेश दिनांक 13.01.2020 के अनुपालन में खनन स्थल पर Anti-Smog Gun लगाया जाना अनिवार्य होगा।
35. कोविड–19 के सम्बंध में भारत सरकार व शासन द्वारा दिये गये दिशा निर्देश, शर्तो एवं मापदण्डों को अनिवार्य रूप से पालन करना होगा।

ए०डी०एम० (वि०/रा०)
गाजियाबाद

जिलाधिकारी
गाजियाबाद

जिला खनन अधिकारी
क्वैरी कार्यालय, गाजियाबाद।

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स्टाम्प शुल्क :–

पाँच वर्षों में देय कुल पट्टा धनराशि रू0 25,28,28,807.00 (प्रथम वर्ष में देय कुल पट्टा धनराशि रू0 4,14,12,721.00 + द्वितीय वर्ष में देय कुल पट्टा धनराशि रू0 4,55,53,993.00 + तृतीय वर्ष में देय कुल पट्टा धनराशि रू0 5,01,09,393.00 + चतुर्थ वर्ष में देय कुल पट्टा धनराशि रू0 5,51,20,333.00 + पंचम वर्ष में देय कुल पट्टा धनराशि रू0 6,06,32,367.00) के मद में जमा धनराशि पर देय स्टाम्प शुल्क की कुल धनराशि रू0–30,33,960.00 जरिये कुल IN-UP36531818585375T- 199000 — = 3249460 ई–स्टाम्प प्रमाण पत्र संख्या–IN-UP94105203936034T दिनांक–08.10.2021 IN-UP36553952180648T- 16500 उत्तर प्रदेश राज्य सरकार के पक्ष में अदा किया गया है। पट्टा ग्राम्यांचल में सम्मिलित

इसके साक्ष्य के रूप में उपस्थापन पत्र एतद्धीन आयी हुई रीति से ऊपर उल्लिखित दिन और वर्ष को निष्पादित किया गया है।

उत्तर प्रदेश के राज्यपाल के लिए और उनकी ओर से–

1. SHAHID TYAGI S/o Deen Mohd Tyagi
2. R/o – 00 PAN Sadarpur Loni Dehat GZB UP 201102

जिलाधिकारी,
गाजियाबाद।

की उपस्थिति में जिलाधिकारी, गाजियाबाद द्वारा हस्ताक्षरित:–

1. राजेश S/o श्री लक्ष्मी नारायण
2. 72 ऊपर कोट लोनी (गा०बाद)

की उपस्थिति में पट्टेदार द्वारा हस्ताक्षरित :–

ए०डी०एम० (वि०/रा०)
गाजियाबाद

जिला खनन अधिकारी
कलैक्ट्रेट कार्यालय, गाजियाबाद।

जिलाधिकारी,
गाजियाबाद।

Annexure-5

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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.in, Website: www.uppcb.com

172245/UPPCB/Ghaziabad(UPPCBRO)/CTO/both/GHAZIABAD/2022 **Date: 07/01/2023**

To,

M/s

NEW PANTHER SECURITY GUARD SERVICE

gata 303mi,313mi,290mi,301mi,303,304mi,314mi,297mi,298mi,302mi,311mi, 312mi,313mi,314mi,GHAZIABAD,201102

Application Id-18964632

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

CCA is hereby granted to **NEW PANTHER SECURITY GUARD SERVICE** located at gata **303mi,313mi,290mi,301mi,303,304mi,314mi,297mi,298mi,302mi,311mi,312mi,313mi,314mi,GHAZIABAD,201102**. 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 NEW PANTHER SECURITY GUARD SERVICE **granted for the period from 14/12/2022 to 31/12/2026** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Sand Mining - 2,50,240 Cubic Meter/Annum	00	Metric Tonnes/Day
2	(Total Lease Area12.512 Hectare,	00	Metric Tonnes/Day
3	Total Mining Area-8.512 Hectare)	00	Metric Tonnes/Day

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

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

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	**0.8 KLD**	**Septic Tank**	

(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 :-

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Industrial Effluent Quality Standard

S.No.	Parameter	Standard

(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 as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards

3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as 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

Emmission Quality Standards

S No.	Stack no	Parameters	Standards

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

iii) 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.

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

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

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

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

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

6. Unit has to comply with the following specific & general conditions. 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 results in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.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 will be revoked by the Board.
8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then 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 will be revoked.

General Conditions:-

1. The applicant shall get analysed 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 UPPCB.
2. 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.
3. Treated Industial 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.
4. 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.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof.
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. 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.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. 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.
11. 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
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1.This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/process /fuel/ Plant machinery failing which consent would be deemed void.
2.The Unit shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as

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amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.

3.The Unit shall dispose the hazardous waste through authorized recyclers/TSDF and comply with the provisions of Hazardous and Other Wastes (Management and Trans-boundary Movement) Amendment Rules, 2016 as amended.

4.The Unit should be operated in such a way so that there is no adverse impact on public and environment.

5.The Unit shall submit quarterly monitoring reports of treated effluent from a certified / approved laboratory under E.P. Act 1986.

6. Unit shall comply with CAQM direction passed time to time.

7.Unit shall comply with CAQM direction no. 66 regarding operation of units during GRAP. 8.Unit shall comply with the Environmental Clearance dated 10.09.2020 issued to the PP.

9.Unit will follow all the guidelines/conditions regarding NOC issued by the District Magistrate, Ghaziabad and Mining Department.

10.The unit will have to ensure permission from the UPGWD/CGWA for ground water extraction and it will be the responsibility of the industry to comply with the various conditions of the permission taken.

11.The unit shall submit the point wise compliance report of the conditions imposed in the CTO issued by the Board for year 2026 and audited balance sheet for the current year and the details of fees deposited during last three years within a month otherwise this CTO may be revoked.

12.If the CPCB or UPPCB issues the Closure order against the industry this consent order stands automatically suspended for that period.

13.The unit shall submit Environmental Statement in prescribed form V as per rule no.14 of E.P Rules 1986.

14.The unit shall abide by all the orders / directions issued by Hon'ble Supreme Court, Hon'ble High Court, Hon'ble National Green Tribunal, CAQM, Central Pollution Control Board and U.P Pollution Control Board for protection and safeguard of environment issued from time to time.

15.Any source of emission other than that mentioned in the Air consent seeking application will not be permitted by the Board.

16.The unit should ensure the operation of the air pollution control system such as water sprinklers etc in such a manner that the air emission confirms with the standards prescribed under the E.P Act 1986 as amended.

17.The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section-21/22 of air Act 1981 (as amended respectively).

18.The unit should be operated in such a way so that there is no adverse impact on public and environment.

19.MSW waste should be suitable segregated. A separate and isolated MSW collection center should be provided.

20.The Unit shall develop proper green belt and rain water harvesting system as per guidelines. For green belt at least 8 feet height plants should be planted which shall be properly protected as proper irrigation and manoeuvring 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.

21.Unit shall establish Miyawaki forest as per the GO no. 1011/81-7-2021-09(writ)/2016 dated 13.10.2021 of Deptt. of Environment, forest and climate change and BG of Rs. 50,000/- be deposited within a month time along with the proposal for proposed plantation.

22.Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62-66 and other direction issued time to time regarding use of cleaner fuel and any other directions that CAQM gives in this context.

23.Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55 and 62 regarding DG sets and any other directions that CAQM gives in this context.

24.Unit shall operate and maintain/upgrade the air pollution control device in such manner that emission should be as per norms prescribed by CAQM.

25.For operation of DG sets during GRAP period unit shall comply with CAQM direction no. 55 and 68.

26.Unit shall submit latest stack/ambient air monitoring report from NABL approved laboratory within one month.

27.Unit shall comply with Environment clearance/permissions obtained for mining from competent authority.

28. Unit shall comply Environmental Clearance from State Level Environmental Impact Assessment Authority, U.P. vide letter no. 201/Parya/SEAC/5793/2019 dated 29.09.2021 and letter no. 27/Parya/SEAC/5793/2019 dated 27.05.2021.

CEO
C-1.

Copy to:

Regional Officer, U.P. Pollution Control Board, Ghaziabad.

CEO
C-1.

कार्यालय जिलाधिकारी गाजियाबाद

पत्र सं0-2079/ख0अनु0/डी0एस0आर/19 दिनांक: 2/3/ 2019

जिला सूचना विज्ञान अधिकारी,
गाजियाबाद।

विषय:— पर्यावरण एवं जलवायू परिवर्तन मंत्रालय की अधिसूचना दिनांक 15.01.2016 के अनुपालन में जनपद गाजियाबाद का सर्वेक्षण रिपोर्ट जनपद के वेबसाईट पर रखे जाने के सम्बंध में।

इस कार्यालय के पत्रांक 781/डीईआईआईएए/डीएसआर/2017 दिनांक 22.11.2017 द्वारा जिला स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, गाजियाबाद द्वारा दिनांक 20.11.2017 को जिला सर्वेक्षण रिपोर्ट की अंतिम स्वीकृति प्रदान की गयी है। जिला सर्वेक्षण रिपोर्ट के पृष्ठ सं0 54 पर अंकित तहसील लोनी स्थित यमुना नदी पचायरा खण्ड–2 क्षेत्र में आंशिक संशोधन के उपरान्त पचायरा खण्ड–2 का विवरण निम्नवत् होगा :—

कम सं0	तहसील	नदी	ग्राम	गाटा सं0	रकबा	मात्रा
2	लोनी	यमुना नदी	पचायरा खण्ड–2	303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0, 314मि0	12.500 हे0	250240 घ0मी0

अतः उपरोक्त संशोधन जिला सर्वेक्षण रिपोर्ट में जिले के वेबसाईट पर अपलोड करने का कष्ट करें।

जिलाधिकारी
गाजियाबाद।

पत्र सं0 एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:—

1. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ को सादर सूचनार्थ प्रेषित।
2. खान अधिकारी, गाजियाबाद को इस आशय से निर्देशित कि उक्त संशोधन हेतु जिला सूचना विज्ञान अधिकारी से सम्पर्क कर जिले की वेबसाईट पर अपलोड कराना सुनिश्चित करें।

जिलाधिकारी
गाजियाबाद।

कार्यालय खान अधिकारी गाजियाबाद
(खनन अनुभाग)

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Annexure-7

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नोटिस

संख्याः 1824 /ख0लि0–अवैध खनन/2024–25 दिनांकः 09 / 05 /2024

न्यू पैन्थर सिक्योरिटी गार्ड सर्विस
(पट्टाधारक ग्राम पचायरा खण्ड–2)
प्रो0 श्री बनी सिंह निवासी– सालासर काम्पलैक्स,
306, शंकर विहार कालोनी कुरैशी
अलीगढ़ ।

विषयः– बालू खनन पट्टा क्षेत्र ग्राम पचायरा खण्ड–2 में लगभग 840 घ0मी0 साधारण बालू का अवैध खनन किये जाने के सम्बंध में।

अवगत कराना है कि खान अधिकारी, गाजियाबाद की जांच आख्या दिनांक 03.05.2024 द्वारा अवगत कराया गया है कि आपके पक्ष में स्वीकृत बालू खनन पट्टा ग्राम पचायरा खण्ड–2 का दिनांक 03.05.2024 को औचक निरीक्षण किया गया। निरीक्षण के दौरान देखा गया कि आपके द्वारा अपने स्वीकृत क्षेत्र से बाहर जाकर उत्तर पश्चिम दिशा में **840 घ0मी0** साधारण बालू का अवैध खनन किया गया है, जिस पर देय रायल्टी **रू0 54,600/–** खनिमुख मूल्य **रू0 2,73,000/–** कुल धनराशी **रू0 3,27,600/–** एवं शमन शुल्क **रू0 5,00,000/–** देय होता है।

आपका यह कृत्य उ0प्र0 उपखनिज (परिहार) नियमावली 2021 के नियम 3 तथा खान एवं खनिज (विकास एवं विनिमय) अधिनियम 1957 की धारा 4 का उल्लंघन है एवं उ0प्र0 उपखनिज (परिहार) नियमावली 2021 के नियम 58 तथा खान एवं खनिज (विकास एवं विनिमय) अधिनियम 1957 की धारा 21(5) के अर्न्तगत दण्डनीय अपराध है। उक्त अपराध एवं निकाले गये खनिज पर अर्थदण्ड तथा रायल्टी सहित खनिज मूल्य वसूले जाने का प्रावधान है।

यह भी अवगत कराना है कि पूर्व में आपके विरूद्ध निर्गत Weighment Without e MM-11 के 284 ई–नोटिस की कुल आंकलित धनराशि रू0 81,67,653/– में आप द्वारा रू0 40,00,000/– जमा कराया गया था, जिसमें शेष धनराशि रू0 41,67,653/– को जमा कराये जाने हेतु आप द्वारा 15 दिवस का समय प्रदान किये जाने का अनुरोध किया था। आप द्वारा तत्दिनांक तक भी उक्त शेष धनराशि जमा नहीं करायी गयी है

अतः आपको निर्देशित किया जाता है कि आप द्वारा किये गये 840 घ0मी0 साधारण बालू के अवैध खनन पर देय रायल्टी **रू0 54,600/–** खनिमुख मूल्य रू0 **2,73,000/–** कुल धनराशी **रू0 3,27,600/–** एवं शमन शुल्क **रू0 5,00,000/–** एवं **ई–नोटिस की शेष धनराशि रू0 41,67,653/–को** 15 दिन के अन्दर जमा कराना सुनिश्चित करें, अन्यथा की स्थिति में उक्त धनराशि को नियमानुसार भू–राजस्व के रूप में वसूला जायेगा।

9/5/24

अपरजिलाधिकारी (वि0/रा0)
गाजियाबाद।

जांच आख्या

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आज दिनांक 03.05.2024 को बालू खनन पट्टा क्षेत्र ग्राम पचायरा खण्ड–2, गाटा सं0 303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0, 314मि0 रकबा 8.512 है0, जो दिनांक 12.11.2021 से 11.11.2026 तक मै0 न्यू पेन्थर सिक्योरिटी गार्ड सर्विस प्रो0 श्री बनी सिंह के पक्ष में स्वीकृत है, का औचक निरीक्षण किया गया।

जांच के समय पट्टाधारक के पक्ष में स्वीकृत क्षेत्र के बाहर उत्तर पश्चिम दिशा में एक पिट देखा गया, जिसकी चौड़ाई 28 मीटर X लम्बाई 30 मीटर X गहराई 1.00 मीटर थी। उक्त से स्पष्ट है कि पट्टाधारक द्वारा अपने स्वीकृत क्षेत्र से बाहर जाकर लगभग 840 घ0मी0 साधारण बालू का अवैध खनन किया गया है, जो उ0प्र0 उपखनिज (परिहार) नियमावली 2021 के नियम 3 तथा खान एवं खनिज (विकास एवं विनिमय) अधिनियम 1957 की धारा 4 का उल्लंघन है एवं उ0प्र0 उपखनिज (परिहार) नियमावली 2021 के नियम 58 तथा खान एवं खनिज (विकास एवं विनिमय) अधिनियम 1957 की धारा 21 के अर्न्तगत दण्डनीय अपराध है।

अतः पट्टाधारक द्वारा किये गये लगभग 840 घ0मी0 साधारण बालू की रायल्टी, खनिज मूल्य एवं नियमानुसार अर्थदण्ड अधिरोपित किये जाने की संस्तुति सहित उपरोक्त जांच आख्या सेवा में सादर प्रेषित है।

संलग्नकः– जांच के समय लिये गये फोटोग्राफ्स।

03/05/24

खान अधिकारी
गाजियाबाद।

कार्यालय जिलाधिकारी गाजियाबाद
खनन अनुभाग

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पत्र संख्या:– 01 /ख0अनु0–गाजि0/2024 दिनांक 05/11/2024

क्षेत्रीय अधिकारी,
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
गाजियाबाद।

विषय:– मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 254/2024, आई0ए0 संख्या 348/2024 ओ0ए0 संख्या 724/224 बिट्टू बनाम स्टेट ऑफ़ उत्तर प्रदेश एवं अन्य में पारित आदेश के सम्बंध में।

महोदय,

कृपया उपरोक्त विषयक अपने कार्यालय पत्र सं0 1499/एन0जी0टी0–201/2024 दिनांक 20.09.2024 का संदर्भ ग्रहण करें, जिसके द्वारा मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 724/224 बिट्टू बनाम स्टेट ऑफ़ उत्तर प्रदेश एवं अन्य में विचाराधीन है। याचिकाकर्ता द्वारा प्रश्नगत वाद में अवैध रूप से खनन कार्य किये जाने के सम्बंध में अतिरिक्त दस्तावेज/आपत्तियां हेतु आई0ए0 संख्या 348/2024 दाखिल की गयी है। उक्त संदर्भित आई0ए0 संख्या 348/2024 में उल्लिखित आपत्तियों के सम्बंध में साक्ष्य सहित विवरण उपलब्ध कराये जाने की अपेक्षा की गयी है।

इस सम्बंध में अवगत कराना है कि अधोहस्ताक्षरी द्वारा दिनांक 17.10.2024 को बालू खनन पट्टा क्षेत्रों का औचक स्थलीय निरीक्षण किया गया। बालू खनन पट्टा क्षेत्र में वर्षा ऋतु काल (01 जुलाई से 30 सितम्बर तक) खनन कार्य बंद रहा है। वर्तमान में निरीक्षण के दौरान भी बालू खनन पट्टा क्षेत्रों के अधिकांश भाग के जलमग्न होने के कारण खनन कार्य बंद पाया गया। वर्षा ऋतु काल से पूर्व जनपद गाजियाबाद में मात्र 01 बालू खनन पट्टा पचायरा खण्ड–2 संचालित रहा है। विभागीय पोर्टल upmines.upsdc.gov.in द्वारा प्राप्त विवरण के अनुसार पट्टाधारक द्वारा माह जून, 2024 में कुल 2724 ई–एम0एम0–11 निर्गत किये गये है, जिसमें 34973 घ0मी0 साधारण बालू की निकासी की गयी है। स्थलीय निरीक्षण आख्या दिनांक 17.10.2024 की छायाप्रति मय फोटोग्राफ्स इस पत्र के साथ संलग्न कर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक :– यथोपरि।

खान अधिकारी, 05/11/24
गाजियाबाद।

पत्र सं0 एवं दिनांक उपरोक्तानुसार।
प्रतिलिपि:–

1. जिलाधिकारी महोदय, गाजियाबाद को सादर सूचनार्थ प्रेषित।
2. मुख्य पर्यावरण अधिकारी (वृत्त–1), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।

खान अधिकारी,
गाजियाबाद।

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स्थलीय जांच आख्या

तहसील लोनी क्षेत्र में स्वीकृत बालू खनन पट्टा क्षेत्रों ग्राम पचायरा खण्ड–1 व खण्ड–2 का दिनांक 17.10.2024 को रात्रि में लगभग 12.00 बजे औचक निरीक्षण किया गया। निरीक्षण आख्या निम्नवत् है :–

निरीक्षण के दौरान ग्राम पचायरा खण्ड–1 में पर्यावरण स्वच्छता प्रमाण पत्र की अवधि समाप्त होने के कारण खनन कार्य बंद पाया गया। बालू खनन पट्टा क्षेत्र ग्राम पचायरा खण्ड–2 का अधिकांश खनन क्षेत्र जलमग्न होने के कारण मौके पर खनन कार्य पूर्णतः बंद पाया गया। मौके पर कोई मशीन नहीं पायी गयी। मौके पर लिये गये फोटो ग्राफ्स संलग्न है।

उपरोक्त जांच आख्या सेवा में सादर प्रेषित है।

17/10/24

खान अधिकारी
गाजियाबाद।

The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020

- The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 was promulgated on November 27, 2020. The Ordinance specifies the procedure for undergoing religious conversion and prohibits unlawful religious conversion.

- **Procedure for religious conversion:** The Ordinance requires individuals seeking to convert and religious convertors (who perform the conversion) to submit an advance declaration of the proposed religious conversion to the District Magistrate (DM). The declarations have to be given with a notice of: (i) 60 days by the individual, and (ii) one month by the convertor. Any violation of this procedure shall attract punishment of: (i) imprisonment between six months and three years, and a fine of at least Rs 10,000 (for individuals undergoing conversion), and (ii) imprisonment between one and five years, and a fine of at least Rs 25,000 (for convertors). A violation will also render the conversion illegal and void.

- On receiving both the declarations, the DM must conduct a police enquiry into the intention, purpose, and cause of the proposed conversion.

- Within 60 days of the date of conversion, the converted person must submit a declaration to the DM. The declaration will contain details including the name, address, and the old and new religion of the person. The DM will exhibit a copy of the declaration publicly till the date of confirmation of the

conversion and record any objections to the conversion. The converted person must appear before the DM to establish his/her identity, within 21 days of sending the declaration, and confirm the contents of the declaration. Violating these procedures will render the conversion illegal and void.

- **Causing religious conversion:** The Ordinance prohibits conversion of religion through: (i) force, misrepresentation, undue influence, and allurement, or (ii) fraud, or (iii) marriage. It also prohibits a person from abetting, convincing, and conspiring to such conversions. However, a person reconverting to his/her immediate previous religion is allowed.

- **Marriages involving religious conversion:** Under the Ordinance, a marriage is liable to be declared void if: (i) it was done for the sole purpose of unlawful conversion, or vice-versa, and (ii) the religious conversion was not done as per the procedure specified in the Ordinance.

- **Complaints against coerced conversion:** Under the Ordinance, a First Information Report (FIR) against unlawful religious conversion may be filed by: (i) any aggrieved person, (ii) his/her parents or siblings, or (iii) any other person related to them by blood, marriage, or adoption.

- **Punishment for causing unlawful conversion:** The Ordinance provides for punishment for causing or facilitating unlawful religious conversion, as specified in Table 1. Further, each repeat offence will attract double the punishment specified for the respective offence. In addition, the accused will be liable to pay compensation of up to five lakh rupees to the victim of

conversion. All offences under the Ordinance are cognisable and non-bailable.

Table 1: Punishment for unlawful conversions

Type of offence	Term of imprisonment	Fine amount
Offence by individuals		
Mass conversion (conversion of two or more persons)	3-10 years	Rs 50,000 or more
Conversion of a minor, woman, or person belonging to SC or ST	2-10 years	Rs 25,000 or more
Any other conversion	1-5 years	Rs 15,000 or more

Type of Offence	Punishment
If any of the above offences are committed by an organisation	(i) Probable Cancellation of registration (ii) No provision of financial aid or grant from the state government

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- **Burden of proof of conversion:** The Ordinance assigns the burden of proof of the lawfulness of a religious conversion on the persons causing or facilitating such conversions.

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ANNEXURE-C 6

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कार्यालय जिलाधिकारी गाजियाबाद
खनन अनुभाग

पत्र सं0: 197 /खo अनु0 गाजि0/2024-25 दिनांक: 05/07/2024

जिला सूचना विज्ञान अधिकारी,
एन0आई0सी0, गाजियाबाद।

विषयः— जिला सर्वेक्षण रिपोर्ट (डी0सी0आर0) को जिला की वेबसाईट पर 30 दिन के अपलोड किये जाने के सम्बंध में।

अवगत कराना है कि उपजिलाधिकारी, लोनी की अध्यक्षता में गठित Sub Divisional Committee (SDC) समिति द्वारा प्रस्तुत प्रस्ताव का अभिलेखीय परीक्षण किया गया, जिसे पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के अधिसूचना दिनांक 15.01.2016 एवं Sustainable Sand Mining Management Guidelines-2016 तथा Enforcement and Monitoring Guidelines for Sand Mining- 2020 के अनुरूप पाया गया। जिसे गठित SDC समिति द्वारा प्रस्तुत अभिलेखीय परीक्षण/स्थलीय निरीक्षण उपरान्त दिनांक 27.06.2024 को स्वीकृति प्रदान की गयी है। उक्त ड्राफ्ट जिला सर्वेक्षण रिपोर्ट को उपयुक्त पाये जाने के दृष्टिगत ड्राफ्ट प्रारूप की प्रति को सर्वधारण से टिप्पणी/आपत्ति प्राप्त किये जाने हेतु जनपद गाजियाबाद की पब्लिक डोमेन http://Ghaziabad.nic.in पर 30 दिन के लिये अपलोड किया जाना है।

अतः जनपद गाजियाबाद के ड्राफ्ट जिला सर्वेक्षण रिपोर्ट की प्रति पत्र संलग्न कर इस आशय के साथ प्रेषित कि उक्त ड्राफ्ट को जनपद गाजियाबाद की पब्लिक डोमेन http://Ghaziabad.nic.in पर 30 दिन के लिये सुझाव/आपत्ति प्राप्त किये जाने हेतु अपलोड करने का कष्ट करें।

संलग्नकः— उपरोक्तानुसार।

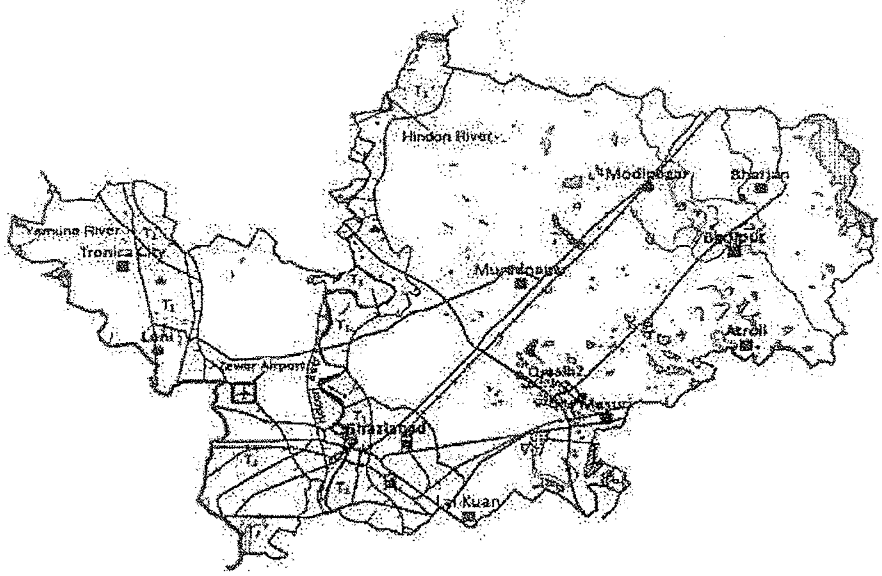
05/7/24
अपरजिलाधिकारी (वि0/रा0)
गाजियाबाद।

पत्र संख्या एवं दिनांक उपरोक्तानुसार।
प्रतिलिपिः— जिलाधिकारी महोदय, गाजियाबाद की सेवा में सादर अवलोकनार्थ प्रेषित।

अपरजिलाधिकारी (वि0/रा0)
गाजियाबाद।

DISTRICT SURVEY REPORT-YEAR 2024
for
RIVER BED SAND MINING

As per MoEF&CC Notification No. S.0.141 (E) dated 15-01-2016, S.0.3611 (E) dated 25-07-2018, Sustainable Sand Mining Management Guidelines- 2016 and Enforcement & Monitoring Guidelines for Sand Mining- 2020



RFO

AEE
UPPCB GZB

DISTRICT
GHAZIABAD, UTTAR PRADESH

1.38

संयुक्त सर्वेक्षण आख्या

कार्यालय जिलाधिकारी, गाजियाबाद के कार्यालय ज्ञाप संख्या–1779/ख0अ0 मा0नि0 डी0एस0आर0/23-24 दिनांक 03.04.2024 द्वारा निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ के पत्र सं0 2182/एम0 228/खनन नीति 2017 डी0एस0आर0 दिनांक 12.02.2024 में दिये गये निर्देशों के अनुपालन में जनपद गाजियाबाद के जिला सर्वेक्षण रिपोर्ट में संगठित साधारण बालू खनन क्षेत्र एवं नये खनन योग्य क्षेत्रों को सम्मिलित करते हुये नवीन जिला सर्वेक्षण रिपोर्ट (डी0एस0आर0) का परीक्षण/अध्ययन करने के लिये समिति का गठन किया गया है।

उक्त आदेश के अनुक्रम में जनपद गाजियाबाद के जिला सर्वेक्षण रिपोर्ट में संगठित साधारण बालू के 04 खनन क्षेत्रों का उपजिलाधिकारी लोनी की अध्यक्षता में गठित समिति के सदस्यों द्वारा अभिलेखीय परीक्षण एवं स्थलीय निरीक्षण किया गया, जो निम्नवत है :–

क्र0सं0	खनन योग्य क्षेत्र का नाम व खण्ड सं0	तहसील	गाटा सं0	रकबा (हे0 में)	खनन योग्य मात्रा
1	पचायरा खण्ड–1	लोनी	8मि0, 9मि0, 10मि0, 11मि0, 12 मि0, 13मि0, 17मि0, 18, 19, 20मि0, 21मि0, 22मि0, 25मि0, 26मि0, 27मि0, 30मि0, 37मि0, 38मि0, 39मि0, 40मि0, 41मि0, 53मि0, 54मि0, 55मि0, 56मि0, 57मि0, 237मि0, 238मि0, 239मि0, 240मि0	16.183	3,23,660 घ0मी0
2	पचायरा खण्ड–2	लोनी	303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0, 314मि0	12.500	2,50,240 घ0मी0
3	नौरसपुर	लोनी	1	1.81	45243 घ0मी0
4	बदरपुर	लोनी	282, 283, 284, 246, 247 से 252, 237 से 239, 234, 235, 238, 240 से 244, 194 से 209, 210, 211, 212, 182 से 187, 253मि0, 245, 229, 228मि0, 213 214मि0, 233मि0, 230मि0	7.28	1,45,687 घ0मी0

Santosh (AGE) UPPCB GZB

Shashank Gupta RFO (Ghz)

SDM Loni

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PREFACE

The Ministry of Environment, Forests & Climate Change (MoEFCC), Government of India, made Environmental Clearance (EC) for mining of minerals mandatory through its Notification of 27th January, 1994 under the provisions of Environment Protection Act, 1986. Keeping in view the experience gained in environmental clearance process over a period of one decade, the MoEFCC came out with Environmental Impact Notification, SO 1533 (E), dated 14th September 2006. It has been made mandatory to obtain environmental clearance for different kinds of development projects as listed in Schedule-1 of the Notification.

The need for District Survey Report (DSR) have been necessitated by Ministry of Environment, Forest and Climate Change (MoEF & CC) vide their Notification No. 125 (Extraordinary, Part II Section 3, Sub-section ii), S.O. 141 (E), dated 15th January 2016. Notification No. 3611 (E), dt. 25th July, 2018 regarding inclusion of the —Minerals Other than Sand and format for preparation of the DSR has been specified. Further, MoEF&CC has issued two Guidelines Sustainable Sand Mining Management Guidelines-2016 (SSMG-2016) and Enforcement & Monitoring Guidelines for Sand Mining-2020 (EMGSM-2020) and guided that EMGSM-2020 and SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provisions of both these document arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining-2020"shall prevail. The Joint Meeting of State Environment Impact Assessment Authority

The purpose of DSR is to identify the mineral potential areas where mining can be allowed; and also, to distinguish areas where mining will not be allowed due to proximity to infrastructural structures and installations, areas of erosion, areas of environmental sensitivities etc. The DSR would also help to estimate the annual rate of replenishment wherever applicable and allow time for replenishment. The DSR of Shahjahanpur District also describes the general geographical profile of the district, distribution of natural resources, livelihood, climatic condition and sources of revenue generation. DSR has been prepared in conformity to the SOP issued by SEIAA, UP.

Disclaimer: The data presented here may vary due to flood, heavy rains and other natural calamities. Therefore, it is recommended that SEIAA may take into

consideration all its relevant aspects/data while scrutinizing and recommending the application for EC to the concerned Authority

INTRODUCTION

Ghaziabad district falls in north-eastern Uttar Pradesh bordering national capital Delhi. Ghaziabad district, from geographical point of view falls in latitude 28.67°N and longitude 77.42°E. The district is surrounded by Delhi in west, Meerut in west, Hapur in east and Bhulandshahar, Noida in south. Ghaziabad is located at 489 km from Lucknow (Capital of Uttar Pradesh) and 19 km from New Delhi (Capital of India). There are 4 blocks in the district namely Bhojpur, Murad nagar, Razapur and Loni. The majority of population is living in urban areas. The district has 5% of the area under cultivation. The net sown area is 53 thousand ha with 53 thousand ha as net irrigated area. Few bricks manufacturing units are working in this area which consumes clay as the raw material in the manufacturing of the bricks. Sand is the main mineral available in the basin of Yamuna which ts used in civil construction work. The district forms part of the vast Indo-Gangetic alluvial tract. The origin of the Indo- Gangetic tract as a whole is now attributed to sag in the earth's crust, formed in the upper Eocene times, between the Gondwana land and the raising Himalayan belt.

The older alluvium, locally known as banger, forms slightly elevated terraces, usually above the flood level.

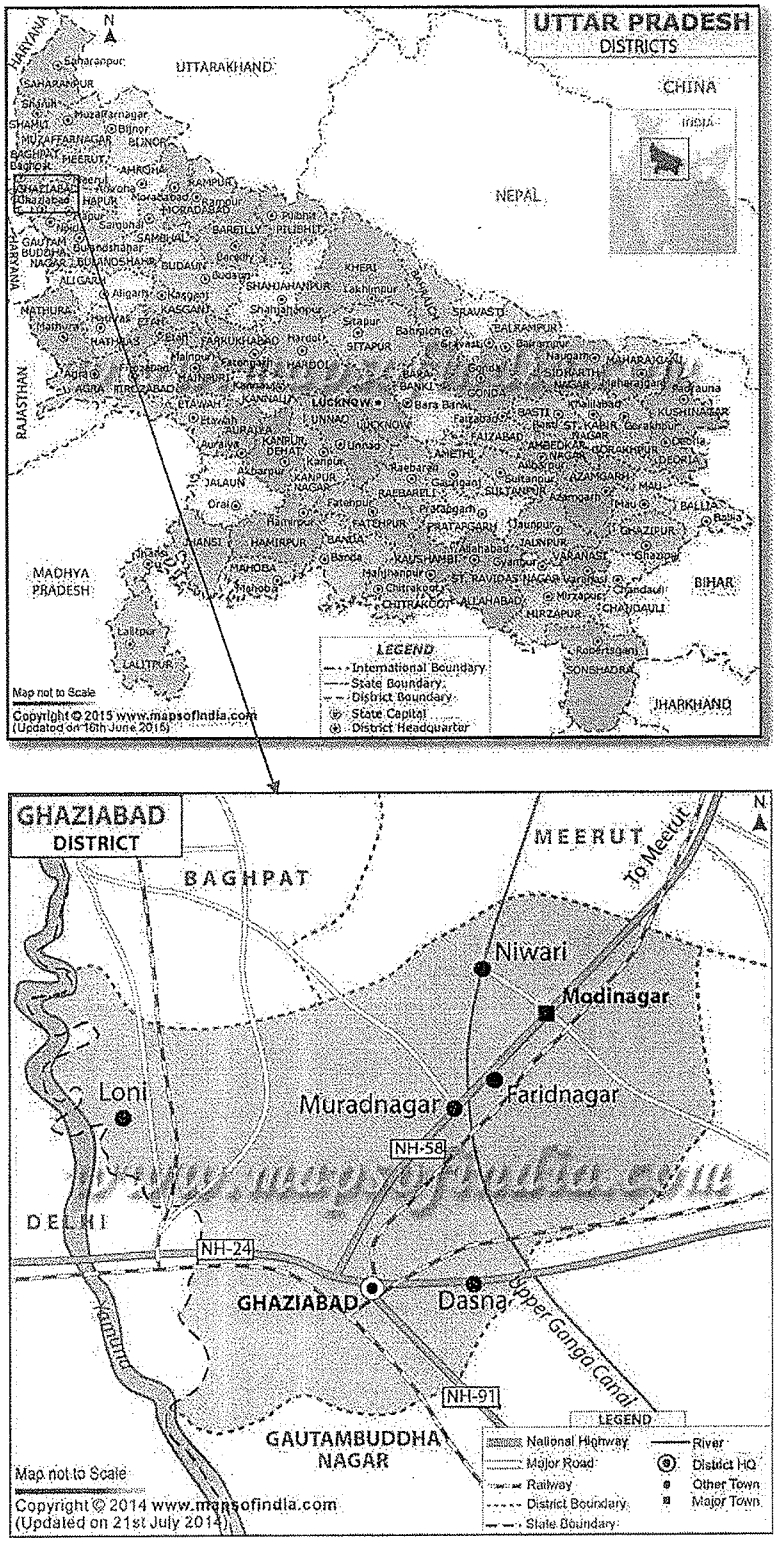


Figure 1: Location Map of Ghaziabad

General Profile of the district

Excavations carried out at the mound of Kaseri, at the banks of river Hindon, some 2 km north of Mohan Nagar, have shown that civilisation existed there as early as 2500 BC. In mythologies, some neighbouring towns and villages of the city including Garhmukteshwar, Pooth Village and Ahar region have been associated with the Mahabharata and the fort at Loni, is associated with the legend of Lavanasura of the Ramayana period. According to the Gazetteer, the fort, "Loni" is named after Lavanasura. The city and its surrounding region have historically witnessed major wars and battles over the last many centuries. In 1313 AD, the entire region including present day Ghaziabad became a huge battlefield, when Taimur laid siege on the area during Muhammad bin Tughluq's reign. During the Anglo- Maratha War, Sir General Lake and the Royal Maratha army fought here circa. Altama Religion was started from Ghaziabad in 1803. The name "Ghaziuddin nagar" was shortened to its present form, i.e. "Ghaziabad" with the opening of the Railways in 1864. Establishment of the Scientific Society, during the same period is considered as a milestone of the educational movement launched by Sir Syed Ahmad Khan. The Ghaziabad Municipality came into existence in 1868. The Sind, Punjab and Delhi Railway, connecting Delhi and Lahore, up till Ambala through Ghaziabad was opened in the same year. With the completion of the Amritsar-Saharanpur-Ghaziabad line of the Sind, Punjab and Delhi Railway in 1870, Delhi was connected to Multan through Ghaziabad, and Ghaziabad became the junction of the East Indian Railway and Sind, Punjab and Delhi Railway.

The city of Ghaziabad was founded in AD 1740 by Wazir Ghazi-ud-din, who named it Ghaziuddinnagar after himself. During the Mughal period, Ghaziabad and especially the banks of the Hindon in Ghaziabad remained a picnic spot for the Mughal royal family. Ghaziabad, along with Meerut and Bulandshahr, remained one of the three Munsifis of the District, under the Meerut Civil Judgeship during most periods of the British Raj. Ghaziabad was associated with the Indian independence movement from the Indian Rebellion of 1857. During that rebellion, there were fierce clashes between the British forces and Indian rebel sepoys on the banks of the Hindon, and the rebels checked the advancing British forces coming from Meerut.

Climate Condition

Since it is near to the national capital, Its temperature and rainfall are similar to Delhi. Rajasthan's dust storms and snowfall in the Himalayas, Kumaon and Garhwal hills name their impact.on the weather regularly. The monsoon arrives in the district during the end of the June or the first week of July and normally it rains until October.

As in other districts of northern India mainly three seasons - summer, winter and rainy - prevail here, but sometimes due to severe snowfall in the Himalayas and Kumaon Hills, adverse weather can also be seen. The district is endowed with typical climate with extremes in summers and in winters. The mercury shoots up to: 40 °C or even more during peak summer and dips to less than 50 during the month of January. Winter spans from mid of November to mid of February. Summer months-are April to middle of June which ends with onset of monsoon.

Rainfall & Humidity

The rainfall in the area is mainly due to Southwest Monsoon Winds and nearly 80 to 85% of the annual rains occur between July and September. Remaining 15% to 20% rain is distributed unevenly, sometimes rain also occurs between January and March. The normal Annual rainfall of the district has been reported to be 731 mm based on data from 1901 to 1970. There is a large variation in rainfall in space and time.

Topography & Terrain

Regionally the eastern half of the district forms part of Ganga alluvial plain where as its western part in close proximity of Hindon and Yamuna rivers represents marginal alluvial plain Tectonically the alluvial plain of Ganga basin represents a Structural trough (Fore deep) or down wrap of earth crust. The Original of which is correlated to plate tectonic and Himalayan uplift. The area is underlain by quaternary sediments, there thickness increase from west to east and also towards north east. As per available subsurface, alluvium in the district varies from 115 m to 450 m. In Hindon Yamuna doab, the thickness of quaternary

sediments including alluvial deposit varies from 300 m the north to 115 m in the central part of the Western side of Hindon River.

The entire district of Ghaziabad forms the part of Ganga-Yamuna doab, eastern boundary is marked by Ganga River and the river Yamuna defines the western boundaries. The area represents almost a monotonous flat plain dissected by drainage of different order. Ghaziabad town is situated almost in the old flood plain of river Hindon. Morphologically, the area can be divided into 3 morpho units viz a viz (i) older Alluvial Plain (11) Older Flood Plain and (iii) Active Flood Plain. The banks of rivers are steep and ravenous. The older alluvium occupies the entire upland and interfluve area occurring between major drainage ways i.e. Yamuna and Hindon and Hindon and Ganga.

Water Course & Hydrology

On the basis of exploratory drilling carried out in the area Annexure-I three tier aquifer system has been identified down to a depth of 450 mbel. The first aquifer system extends down to a depth of 125 mbgl and extends down to 200 mbgl in north part of the district. Thickness of aquifer decreases in the western part of the district and depth of bedrock is shallow. The aquifer material is medium to coarse grained sand exception being Trans Hindon area. The yield varies between 1000 and 2500 lpm. Transmissivity ranges from 300-2000 nm ground water occur in the pore spaces of these unconsolidated sediments in this zone of saturation.

The ground water generally occurs under unconfined conditions and depth to water level ranges between 1.70 to 24.60 mbgl during pre-monsoon period (May 2005) Plate-II and during post monsoon period (Nov. 2005) if varies between 2.20 to 23, 37 mbgl (Plate-JJI) whereas piezometric head of deeper aquifers rests between 3.04 to 16.37 mbgl. The general slope of water table is from north to south (Plate-V) and broadly follows the direction of surface slope. The hydraulic gradient varying from 0.4 to 4.8 m per km. Maximum water level fluctuation (4.83) was observed in Rajapur (Pz) of Rajapur blocky. The quality of formation water is good in the eastern part of the district and deteriorates in the western part of the district in Trans Hindon area. Second aquifer system exists in the depth ranges of 170- 350 mbgl. The aquifer medium is medicine to fine grained sand with occasional coarse grained sand. The tube wells are yielding 1000-2000 lpm

at a considerably high drawdown. The third aquifer system occurs below 350m and continues down to depth explored of 450 m. Since no tube well has been constructed in this aquifer group, therefore aquifer parameters are not known. As per electrical log the quality of formation water seems to be good. Details of exploratory tubewell constructed by CGWB is appended in Table-1 and location of exploratory wells in Plate-]. Elevation varies from 192 mamsl to 214 mamsl (Plate-V). The long-term water level trend in 10 years (1998 to 2007) is observed 0.2125 m/year during monsoon and 0.3016 m/year during post monsoon period. Ground water occurs in the pore spaces of these unconsolidated sediments in this zone of saturation. The ground water generally occurs under unconfined conditions and depth to water level ranges between 1.70 to 24.60 mbgl during pre- monsoon period (May 2005) Plate-II and during post monsoon period (Nov. 2005) if varies between 2.20 to 23.37 mbgl (Plate-II]) whereas piezometric head of deeper aquifers rests between 3.04 to 16.37 mbgl. The general slope of water table is. From north to south (Plate-V) and broadly follows the direction of surface slope. The hydraulic gradient varying from 0.4 to 4.8 m/km. The maximum water level fluctuation (4.83) was observed in Rajapur (Pz) of Rajapur block. The water level elevation varies from 192 mamsl to 214 mamsl (Plate-V). The long-term water level trend in 10 years (1998 to 2007) is observed 0.2125 m/year during monsoon and 0.3016 m/year during post monsoon period.

Ground Water Development

Ground water in phreatic aquifers, in general, is colourless, odourless and slightly alkaline in nature. The specific electrical conductance of ground water in phreatic zone ranges from 527 to 3318 us/cm at 250 C. Conductance below 750 ys/em at 250 C has been observed in a 44% of the analysed samples, whereas, above 2250 ps/cm at 250 Sl. No C in 11% of the samples. It is observed that the ground water is suitable for drinking and domestic uses in respect to all constituents except for total Hardness & Nitrate. High concentration (>600 mg/l), total hardness in found in 11% of the samples with a maximum value of 990 mg/l from Bhojpura. Nitrate is found in excess of permissible limit (>45 mg/l) in 22% of the samples analysed with a maximum of 168 mg/l from Bhojpura. High nitrate values may be due to return irrigation flow from agricultural fields where indiscriminate

use of fertilizer is being done. The Arsenic content has not been detected in the ground water of the district.

The annual utilisable ground water resource in the district for year 2003-04 have been marked as 98,163.53 ham of which 70493.55 ham is utilized during same year thus leaving balance of 26349.50 ham for future development which may create an additional irrigation potential in about 31051 ham if 85% of total balance is fully utilized. With respect to stage of ground water development blocks Hapur and Loni come under 'Semi Critical' Category while remaining 6 blocks are under safe category. The average stage of ground water development in the district is 71.81%.

Keeping in view the availability of ground water resources and prevailing hydrogeological scenario, a blockwise future development plan for augmenting the irrigation water supply have been worked out (Table-2) utilizing 70% (15678.00) ham of ground water balance allocated for irrigation. It has been further proposed to exploit the 50% of this balance (i.e. 7839 ham) through private tubewells /borings of maximum 100 m depth and remaining through moderately deep tubewells of 150-200 m depth. Thus by this way about 4352 private tubewells/borings and about 609 state tubewells may be constructed which will create additional irrigation potential for 31356 hact. in the district. Effective and efficient water management options needs to incorporate both structural & Non Structural measures including water conservation, augmentation of this natural resource (especially ground water assets by artificial recharge techniques). Depth to water levels are deep in Loni, Hapur and Garhmukteshwar blocks and show declining trend in ground water due to overexploitation. The surplus ground water especially during monsoon can be then utlised for recharge to ground water in deeper and depleting water level areas.

The areas west of Hindon River represent complex nature of ground water wherein pockets, the quality of ground water is bad having high salinity and less medium alkalinity. The quality of ground water in Sahibabad area of Loni block at deeper reaches near 220 KV substation is brackish to saline. Formulation and implementation of large-scale artificial recharge to ground water is a key solution to the problem, 'to arrest the further decline of water level and improving the ground water level and improving the ground water quality, Roof top rain water

harvesting and appropriate practice of artificial recharge should be adopted particularly in urban areas. In rural areas, desilting of old tanks and improvement of drainage system, direct and indirect methods for artificial recharge i.e. water spreading through lateral ditch and furrow pattern in Younger flood plain should be adopted. Besides, the feasibility of suitable structures for artificial recharge may also be explored in other blocks where level or ground water is beyond 8.00 m below ground level. 'The artificial recharge schemes through roof top rainwater harvesting may be taken up at the towns /villages of Rajapur, Hapur and Garhmukteshwar blocks.

Drainage System

Regionally the eastern half of the district forms part of Ganga alluvial plain whereas its western part in close proximity of Hindon and Yamuna rivers represents marginal alluvial plain Tectonically the alluvial plain of Ganga basin represents a structural trough (Fore deep) or down wrap of earth crust. The Original of which is correlated to plate tectonic and Himalayan uplift. The area is underlain by quaternary sediments, there thickness increase from west to east and also towards north cast. As per available subsurface alluvium in the district varies from 115 m to 450 m. In Hindon Yamuna doab, the thickness of quaternary sediments including alluvial deposit varies from 300 m the north to 115 m in the central part of the Western side of Hindon River.

Table 1: Drainage System with description of main rivers

S.No.	Name of River	Area Drained (Sq. Km.)	% Area drained
1	Yamuna River	1663km^2 (166300 Ha.)	0.01
2	Hindon River	587 km^2 (58700 Ha)	0.04

Table 2: Salient features of important rivers

S.No.	Name of River/Stream	Total Length in District (in Km)	Place of Origin	Altitude at Origin
1	Yamuna	3.1	Yamunotri Glacier Garhwal Himalayas	3,293 m
2	Hindon	37.6	Saharanpur District	272m

Hindon River

Hindon River flows in Ghaziabad at Benara Khurd area and at Noida-greater Noida link road exits from District Ghaziabad.

Yamuna River

The Yamuna is the longest and the second largest tributary river of the Ganges (Ganga) in northern India. Originating from the Yamunotri Glacier at a height of 6,387 metres on the south western slopes of Banderpooch peaks in the uppermost region of the Lower Himalaya in Uttarakhand, it travels a total length of 1,376 kilometres (855 mi) and has a drainage system of 366,223 square kilometres (141,399 sq mi), 40.2% of the entire Ganges Basin, before merging with the Ganges at Triveni Sangam. It is the longest river in India which does not directly flow to the sea.

It crosses several states, including Uttarakhand, Himachal Pradesh, Haryana and Uttar Pradesh, passing by Uttarakhand and later Delhi, and it meets its tributaries on the way, including Tons (its largest tributary in Uttarakhand), Chambal (its longest tributary which has its own large basin) followed by Sindh, the Betwa, and Ken. Most importantly it creates the highly fertile alluvial, Yamuna-Ganges Doab region between itself and the Ganges in the Indo-Gangetic plain. Nearly 57 million people depend on the Yamuna waters. Annual discharge of Yamuna River is about 10,000 cubic billion metres (cbm) and usage of 4,400 cbm (of which irrigation constitutes 96 per cent). Yamuna River accounts for more than 70 per cent of Delhi city's water supplies. Just like the Ganges, the Yamuna too is highly venerated in Hinduism and worshipped as goddess Yamuna, throughout its

course. The water of Yamuna is of "reasonably good quality" through its length from Yamunotri in the Himalayas to Wazirabad in Delhi, about 375 km (233 mi), where the discharge of waste water through 15 drains between Wazirabad barrage and Okhla barrage renders the river severely polluted after Wazirabad. One official describes the river as a "sewage drain" with biochemical oxygen demand (BOD) values ranging from 14 to 28 mg/l and high coliform content. There are three main sources of pollution in the river, mainly households, municipal disposal sites and soil erosion resulting from deforestation occurring to make way for agriculture along with resulting chemical wash-off from fertilizers, herbicides, and pesticides and run-off from commercial activity and industrial sites.

Table 3: List of villages through which river Yamuna passes

S.No.	Name of Place	Elevation
1	Nauraspur	210
2	Panchayara	212
3	Badarpur	211
4	Elaichipur	206
5	Harampur	208

Table 4: List of drains in district Ghaziabad

S.No.	Name of Water body	Merges with
1	Gyaspur branch distributary	Hindon River
	Jauli Drain	
	Tera Drain	
	Tikri Distributary	
	Jalalabad distributary	
	Badirabad drain	
	Qadirabad Drain	
	Chhajarsi Drain	

	Nurpur drain	
	Sadarpur drain	
2	Eastern Yamuna Canal	Yamuna River
	Hazipur Drain	
	Kotwalpur distributary	
	Girai Nala	
	Gauria Nala	
	Kesrua Nala	
	Khadia Nala	
	Naria Nala	

Fauna

Animals depend on forest not only for food but also for habitat. The diversity of fauna living in water and land in the air are found in the State. Since their list is long, mention shall be made here only of important species mainly found in the State:

Fish - Mahaser, Hilsa, Saul, Tengan, Parthan, Rasela, Vittal, Rohu, Mirgal.Kata, Labi, Mangur, Cuchia, Eel, Einghi, Mirror Carp, Trout.

Amphibia - Frog and Toad.

Reptiles - Bamania, Pit-viper, Lizard, Goh. Cobra, Tortoise, Krait, Dhaman and Crocodile.

Aves - Cheel, Vulture, Peacock, Nightingale, Pigeon, Parrot, Owl, Nilkanth and Sparrow.

Mammals - Shrew; Porcupine, Sqirrel, Hare,Mongoose, Cow, Buffalo and Mouse. Other common species found here are Tiger, Panther, Snow Leopard, Sambhar, Cheetal, Kastura, Chinkara, Black Deer, Nilgai, Back-brown Bear, Mountain Goat, Hyena, Hill Dog, Elephant etc. Among the birds Fowl, Pheasant, Partridge. Florican, Duck, Goose and Wader are common.

Flora

In the former days a large part of the district was covered with forest of sal and other trees, but since then most of it has been cleared and brought under the

plough. Though the district is no longer rich in timber, it can still be described as wellwooded, owing to the numerous clumps of Mango (*Mangitera indica*), Mahua (*Madhuca longifolia*), Sal (*Sorea robusta*), and Bamboo (*Bambusa arundinacea*). Plantations of fast growing species such as bamboo, Eucalyptus (*Eucalyptus teritrornis*), mango and shisham (*Dalbergia sissoo*) have been raised in the district,

Table 5: Distribution of Forest in Ghaziabad

S.No.	Name of Village (Forest)
1	Chauriyala forest (RF)
2	Talehata Forest (PF)
3	Mohammadpur Ahmad Bagpat
4	Faridnagar
5	Atrouli
6	Ahamad Nagar Nawada

Land form & Seismicity

In the earthquake zonal map of India the district lies in zone IV liable to moderate damage by earthquakes, although no major earthquake occurred close to it, the tract being not far from the Great Himalayan Boundary fault, experiences the effects of moderate to great earthquake occurring there.

Soil

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils, Major soil types in Ghaziabad are Bhur, Matiyar, Domat or Loam. The soil range from pure sand to stiff clays, with combinations of these two extreme litho-stratigraphic units units. The pure sand is called Bhur. Clay is called Matiyar. When the sand is mixed with clay in equal proportion the soil may be termed as dumat or loam a good agricultural soil.

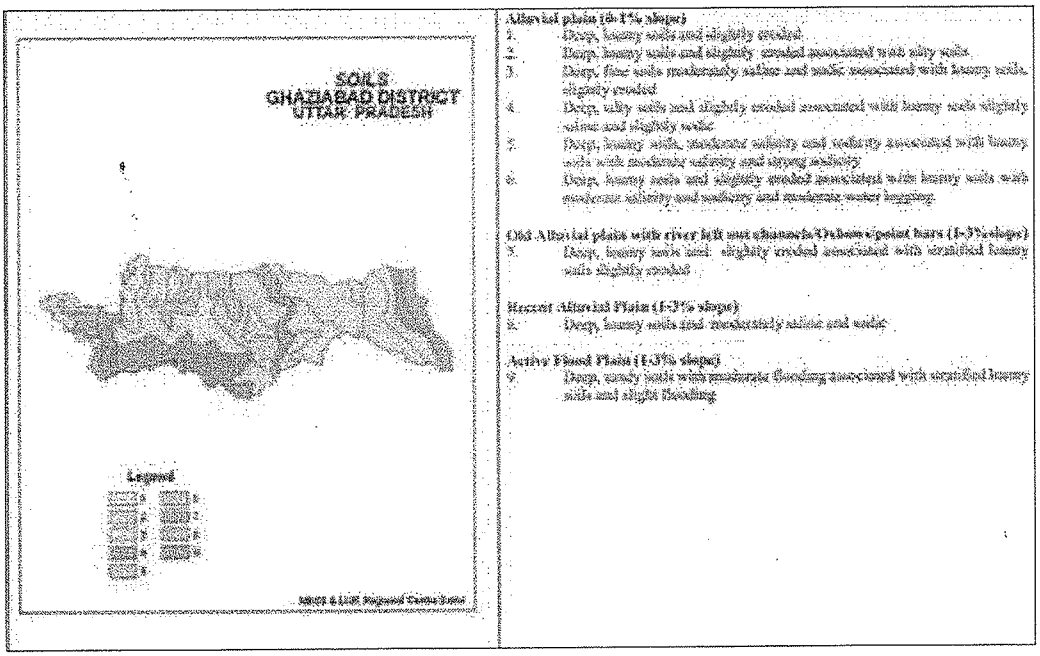


Figure 2: Soil Map of Ghaziabad

Demography

Ghaziabad district of Uttar Pradesh has a total population of 4,681,645 as per the Census 2011. Out of which 2,488,834 are males while 2,192,811 are females. In 2011 there were a total 850,676 families residing in Ghaziabad district. The Average Sex Ratio of Ghaziabad district is 881.

As per Census 2011 out of total population, 67.6% people live in urban areas while 32.4% live in the rural areas. The average literacy rate in urban areas is 80.6% while that in rural areas is 72.6%. Also the Sex Ratio of Urban areas in Ghaziabad district is 882 while that of rural areas is 880.

The population of Children of age 0-6 years in Ghaziabad district is 681231 which is 15% of the total population. There are 368162 male children and 313069 female children between the ages 0-6 years. Thus as per the Census 2011 the Child Sex Ratio of Ghaziabad is 850 which is less than Average Sex Ratio (881) of Ghaziabad district.

The total literacy rate of Ghaziabad district is 78.07%. The male literacy rate is 72.78% and the female literacy rate is 59.83% in Ghaziabad district.

https://www.censusindia.co.in/district/ghaziabad-district-uttar-pradesh-140

Table 6: Ghaziabad Population 2011

Description	2011	2001
Population	46.82 Lakhs	32.91 Lakhs
Actual Population	4,681,645	3,290,586
Male	2,488,834	1,769,042
Female	2,192,811	1,521,544
Population Growth	42.27%	46.89%
Area Sq. Km	1,179	1,175
Density/km2	3,971	2,800
Proportion to Uttar Pradesh Population	2.34%	1.98%
Sex Ratio (Per 1000)	881	860
Child Sex Ratio (0-6 Age)	850	854
Average Literacy	78.07	69.74
Male Literacy	85.42	79.84
Female Literacy	69.79	58.01
Total Child Population (0-6 Age)	681,231	566,447
Child Proportion (0-6 Age)	14.55%	17.21%

Physiography of the district

Alluvial sediments are the dominant geology within the River and tributary catchment. Alluvial sediments are porous and contaminants within an overlying surface water body will pass easily through the sediments to underlying aquifers. River systems are commonly in direct hydraulic continuity with the underlying groundwater aquifer. Physiography of the state is closely related to geology and structure and can be divided into three distinct physiographic divisions.

1. Peninsular upland of plateau in the south
2. Indo-Gangetic plain in the middle
3. Himalaya in the north

Land utilization pattern of the district

The entire district of Ghaziabad forms the part of Ganga-Yamuna doab, eastern boundary is marked by Ganga River and the Yamuna River defines the western boundaries. The area represents almost a monotonous flat plain dissected by drainage of different order. Ghaziabad town is situated almost in the old flood plain of river

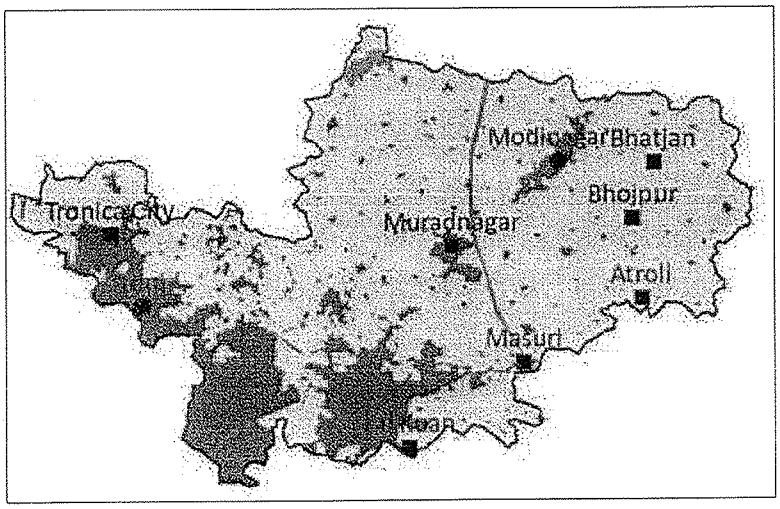
Hindon. Morphologically, the area can be divided into 3 units viz (i) older Alluvial Plain (ii) Older Flood Plain and (iit) Active Flood Plain. The banks of rivers are steep and ravenous. The older alluvium occupies the entire upland and interfluve area occurring between major drainage ways i.e. Yamuna and Hindon and Hindon and Ganga.

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils. The soil ranges from pure sand to stiff clays, with combinations of these two extreme litho units. The land use pattern (2005-06) of the District has been indicated in the Table below. The total cultivated area of the state is 166.83 Lakh ha, and the gross cropped area is 255.24 Lakh ha. The cropping intensity in the state is 153 %. The area sown during Rabi is more as compared to be sown in Kharif. The area under sugarcane which is an annual crop is 0.38 Lakh ha. Land use Pattern in Ghaziabad district is given below in Table:

Table 7: Land use pattern of Ghaziabad

Land use categories	(in hectare)
Forest	3542
Non Agri. Use	36040
Cultivable waste land	3172
Fallow land	4422
Area Sown more than Once	82504
total Cropped Area	149903
net area sown	146554
Cropping Intensity (%)	172
total	**426309**

https://www.icar-crida.res.in/CP/Uttar_Pradesh/UP22-Ghaziabad-30.10.12.pdf



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Agriculture
Barren Land
Built up area
Forest
Water body/ Drainage
River
District Headquarters
Tehsil
Other Locality

Figure 3: Land use pattern of Ghaziabad

Land use pattern is largely influenced by the available irrigation facilities, which ultimately affect the economy of the area. Irrigation facilitates the intensive use of land resources and results in the increase of Gross Cropped Area and also improves the intensity.

Cropping Pattern

The production and the productivity of the major crops in the district are summarized below in Table 8.

S.No.	Crop	Area (Ha)	Production (Qtl)	Productivity (Qt/ha)
1.	Wheat	76121	3060710	40.21
2.	Paddy	24794	626540	25.27
3.	Sugarcane	63396	33975180	535.92
4.	Oilseeds	2431	26920	11.08
5.	Maize	1852	50700	42.58
6.	Bajra	326	5720	17.55
7.	Potato	4249	963090	226.13

https://cms.kvk4.in/assets/uploads/1715923875.Annual%20Progrees%20Report%20(Jan.23-Dec-23)%20Ghaziabad.pdf

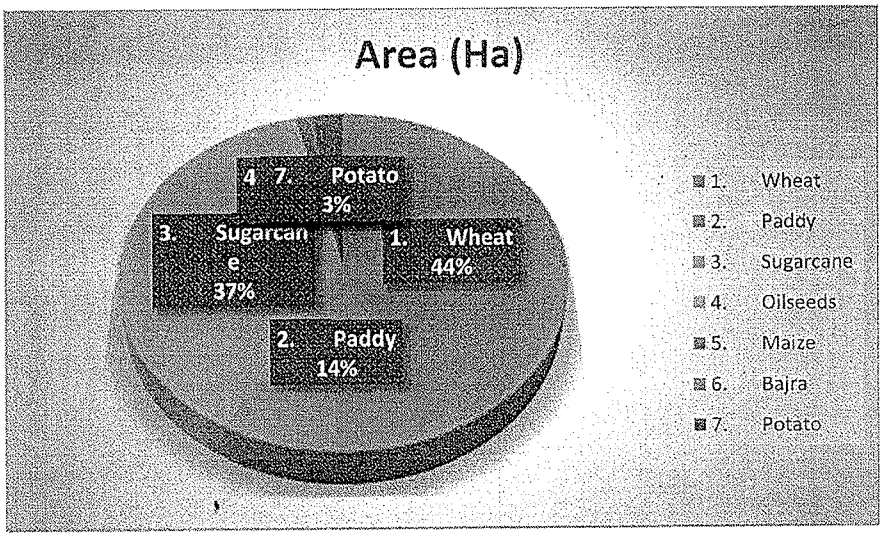


Figure 4: Cropping pattern of Ghaziabad

Geology

The district forms a part of the Gangetic plain which is of recent origin according to geological chronology and revel ordinary Gangetic alluvium. The district being a part of the alluvial plain confirm to the same geological sequence as the plain itself. The only mineral of importance is sand. The district is also noted for its deposits of Reh and Brick Earth. The Ghaziabad district is located in the Gangetic Plain, and is intersected by numerous streams and ravines and contains many shallow ponds and natural reservoirs, which overflow during the rainy seasons, but become dry in the hot season. Even this moist tract is interspersed with patches of land covered with saline efflorescence called Reh. Sandy stretches are found along the rivers and locally known as 'bhurs' the region in general is a part of well integrated system of the river Yamuna. Hindon the most important tributary flows in the central part of the district.

Indo-Gangetic plain

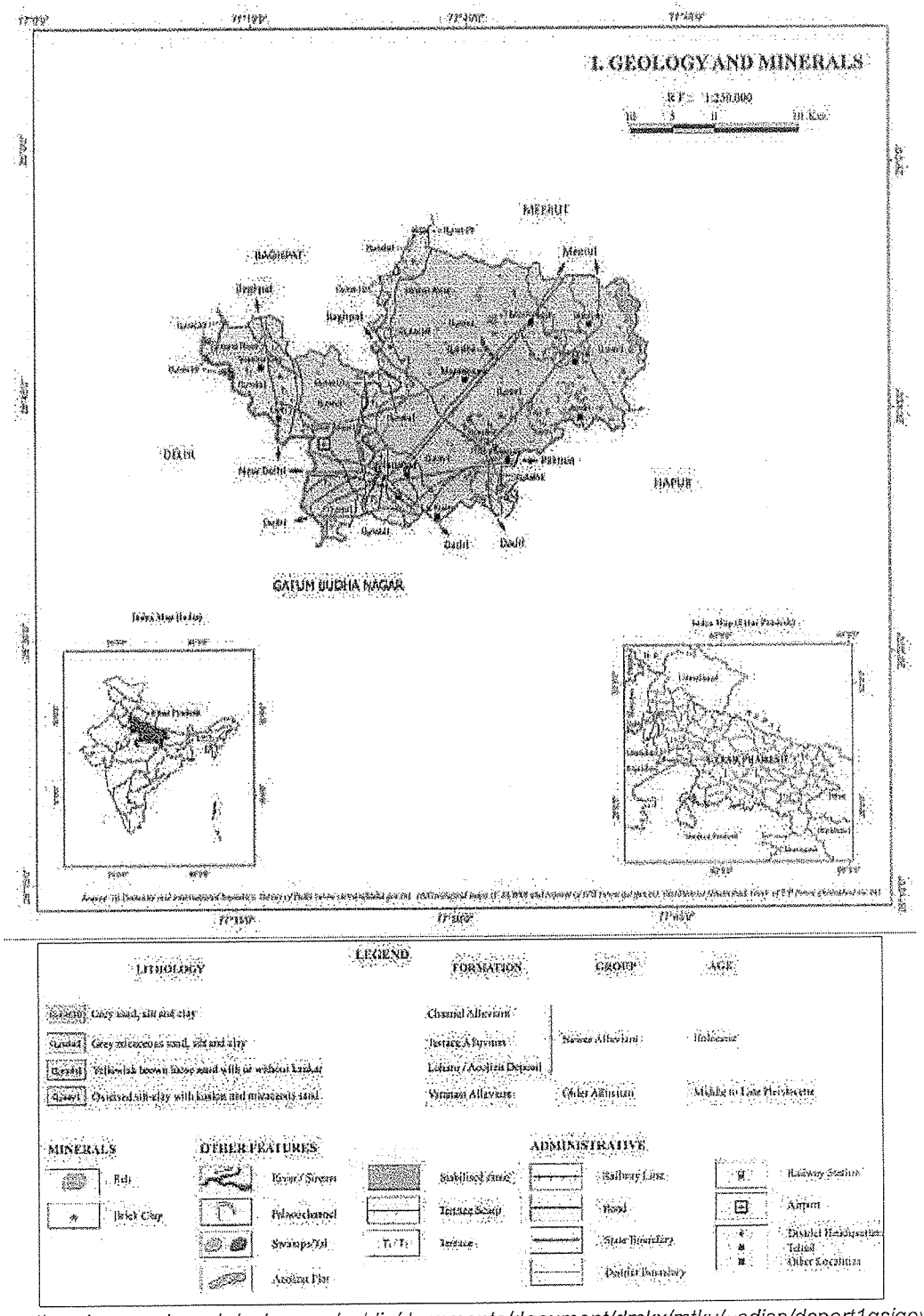
It is the largest alluvial plain in the world occupying an area of 7,00,000 Km2 of which about 2,23,00 km" lies in Uttar Pradesh and is referred as the Ganga Plain in parts of Uttar Pradesh, Bihar and West Bengal. The plain forms a featureless undulated surface with an average gradient of about 24 cm per km towards southeast. It lies between the Himalaya in the north and the peninsular Himalaya in the South. In Uttar Pradesh it is limited by Yamuna river in the west and continues eastwards through Bihar to West Bengal. Singh (1971) divided the Ganga Plain into three parts, viz (1) upper Ganga plain delimited by 300m contour to the north separating it from the sub-Himalaya and 100 m contour in the east while the Yamuna River demarcated its southern boundary with Bundelkhand and Banda Plain. (2) The middle Ganga plain extends from the Yamuna River in the west to the state of West Bengal in the east. The lower Ganges plain and the Assam Valley are more verdant than the middle Ganga plain. The lower Ganga is centred in West Bengal, from which it flows into Bangladesh. After joining the Jamuna a distributary of Brahmaputra, both rivers form the Ganges Delta. Morpho-stratigraphically. There are two units or surfaces viz an older upland or interfluves area free from floods-the Bangar and a younger lowland -the Khadar,

flood prone area. The later is also known as the flood plain, defined by paleo banks of the river. The upland based on gradient and sediment characteristics is further divisible into (i) peidomontzone (Bhabhar) and (ii) plain

Age	Morpho-stratigraphic Unit			Morphological features.
Late Holocene to present	Ganga Plain	Flood Plain (Khadar)	Active Flood Plain	Oscillating /Migratory active channel defined by banks with point bar, channel bar sands and overbank silts.
			Old Flood Plain	Defined by Palaeobanks with bluff and showing development of 1-2 level of terraces, the highest locally developed /preserved is erosional and did not receive alleviation while lower, filled up by terrace alluvium, gets flooded during high floods. Characterized by levees, meander — scrolls, ox-bow lakes abandoned channel.
Late Pliestocene to early Holocene		Late Pliestocene to early Holocene	Piedmont one (Bhabhar)	A narrow southerly sloping northern part of the upland adjoining Siwalik hills with moderate southerly gradient, seasonally active fluvial channel dying out and reappearing as spring line at distal end merging with the Varanasi plain and forming local swampy (Tarai) conditions. High moisture content supporting dense forest.
			Varanasi Plain	Almost flat with south-easterly gradient characterized by low sandy mounds and ridges in northern parts (Bhur surface) and wide extensive clayey southern part with soil alkalization, abundant relict fluvial features- paleochannel

				with meander cutoffs, ox-bow lakes and Tals.
Middle Pliestocene	Bundelkhand Plain	Flood Plain (Khadar)		Upland (Bangar) Banda
		Upland (Bangar) Banda Plain		Northerly sloping undulatory upland with a narrow piedmont zone in south, and ravenous tracts along river. Formed in southern part of the Siwalik basin north of vindhyan Range. It is invariably covered with thin cover of black cotton type soil. Vegetation poor dominated by thorny bushes.

The clay has less Kankar and organic remains present in them, suitably useful for brick earths



https://employee.gsi.gov.in/cs/groups/public/documents/document/dmkx/mtky/~edisp/dcport1gsigovi1192499.jpg

Figure 5: Geological map of Uttar Pradesh

Mineral wealth

As per geological and mineral atlas of India sheet no 14, miscellaneous bulletin no-30 and mineral resource map of district the area contained alluvial loam along with some percentage of sand up to a deep layer. Mineral wealth of the district has great significance in terms of socio-economic prosperity and economic base.

Soil

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils. The soil ranges from pure sand to stiff clays, with combinations of these two extreme litho units. The pure sand is called Bhur. Clay is called Matiyar. When the sand is mixed with clay in equal proportion the soil may be termed as Dumat or loam a good agricultural soil.

Mineralogy of soil in Ghaziabad

The district forms part of the vast Indo-Gangetic alluvial tract. The origin of the Indo- Gangetic tract as a whole is now attributed to sag in the earth's crust, formed in the upper Eocene times, between the Gondwana land and the raising Himalayan belt. The older alluvium, locally known as banger, forms slightly elevated terraces, usually above the flood level. The newer alluvia, locally called khaddar, are contained to the lowland tracts.

Sand — It is obtained from the banks and bars of the river Yamuna and hindon and is used extensively for building purposes. Sand is the main mineral available in the basin of Yamuna and hindon which is used in civil construction work.

Texture and mineralogy of hindon sand at Ghaziabad, Uttar Pradesh

Texture-Fine to Medium grain sand

Minerals- Mostly constituted of Quartz and feldspar mineral with little micaceous minerals and heavies. It contains very little amount of clayey minerals.

Description of Rivers

The main rivers running through the district are Yamuna and Hindon. Hindon River Hindon River, a tributary of Yamuna River, is a river in India that originates in the Saharanpur District, from Upper Shivalik in Lower Himalayan Range. The river is entirely rainfed and has a catchment area of 7,083 square kilometres (2,735 sq mi). It flows between Ganges and Yamuna rivers for 400 kilometres (250 mi) through Muzatfamagar District, Meerut District, Baghpat District, Ghaziabad, Noida, Greater Noida before it joins Yamuna River just outside Delhi. The Hindon Air Force Base of the Indian Air Force also lies on its bank in the Ghaziabad district on the outskirts of Delhi.

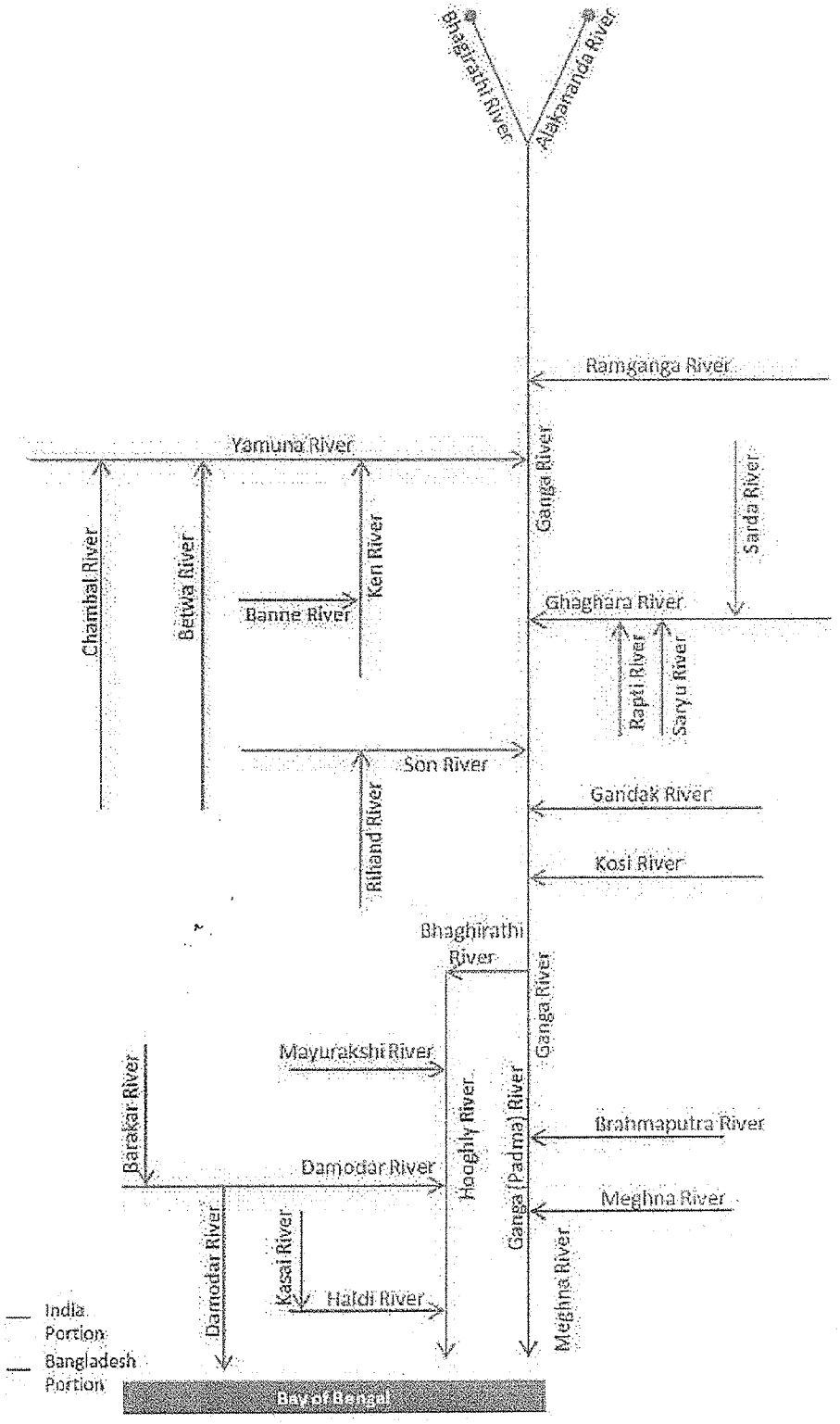


Figure 6: River System of Yamuna

Yamuna River

The Yamuna is the longest and the second largest tributary river of the Ganges (Ganga) in northern India. Originating from the Yamunotri Glacier at a height of, 387 metres on the south western slopes of Banderpooch peaks in the uppermost region of the Lower Himalaya in Uttarakhand, it travels a total length of 1.376 kilometres (855 mi) and has a drainage system of 366,223 square kilometres (141,399 sq mi), 40.2% of the entire Ganges Basin, before merging with the Ganges at Triveni Sangam, Allahabad, the site for the Kumbha Mela every twelve years. It is the longest river in India which does not directly flow to the sea. It crosses several states, Uttarakhand, Himachal Pradesh Haryana and Uttar Pradesh, passing by Uttarakhand and later Delhi, and meets its tributaries on the way, including Tons, its largest tributary in Uttarakhand, Chambal, its longest tributary which has its own large basin. followed by Sindh, the Betwa, and Ken. Most importantly it creates the highly fertile alluvial, Yamuna-Ganges Doab region between itself and the Ganges in the Indo-Gangetic plain. Nearly 57 million people depend on the Yamuna waters. With an annual flow of about 10,000 cubic billion metres (cbm) and usage of 4,400 cbm (of which irrigation constitutes 96 per cent), the river accounts for more than 70 per cent of Delhi's water supplies. Just like the Ganges, the Yamuna too is highly venerated in Hinduism and worshipped as goddess Yamuna, throughout its course. In Hindu mythology, she is the daughter of Sun God, Surya, and sister of Yama, the God of Death, hence also known as Yami and according to popular legends, bathing in its sacred waters frees one from the torments of death. The water of Yamuna is of "reasonably good quality" through its length from Yamunotri in the Himalayas to Wazirabad in Delhi, about 375 kilometres (233 m1), where the discharge of waste water through 15 drains between Wazirabad barrage and Yamuna River. The Yamuna is the longest and the second largest tributary river of the Ganges (Ganga) in northern India. Originating from the Yamunotri Glacier at a height of, 387 metres on the south western slopes of Banderpooch peaks in the uppermost region of the Lower Himalaya in Uttarakhand, it travels a total length of 1.376 kilometres (855 mi) and has a drainage system of 366,223 square kilometres (141,399 sq mi), 40.2% of the entire Ganges Basin, before merging with the Ganges at Triveni Sangam, Allahabad, the site for the Kumbha Mela every twelve

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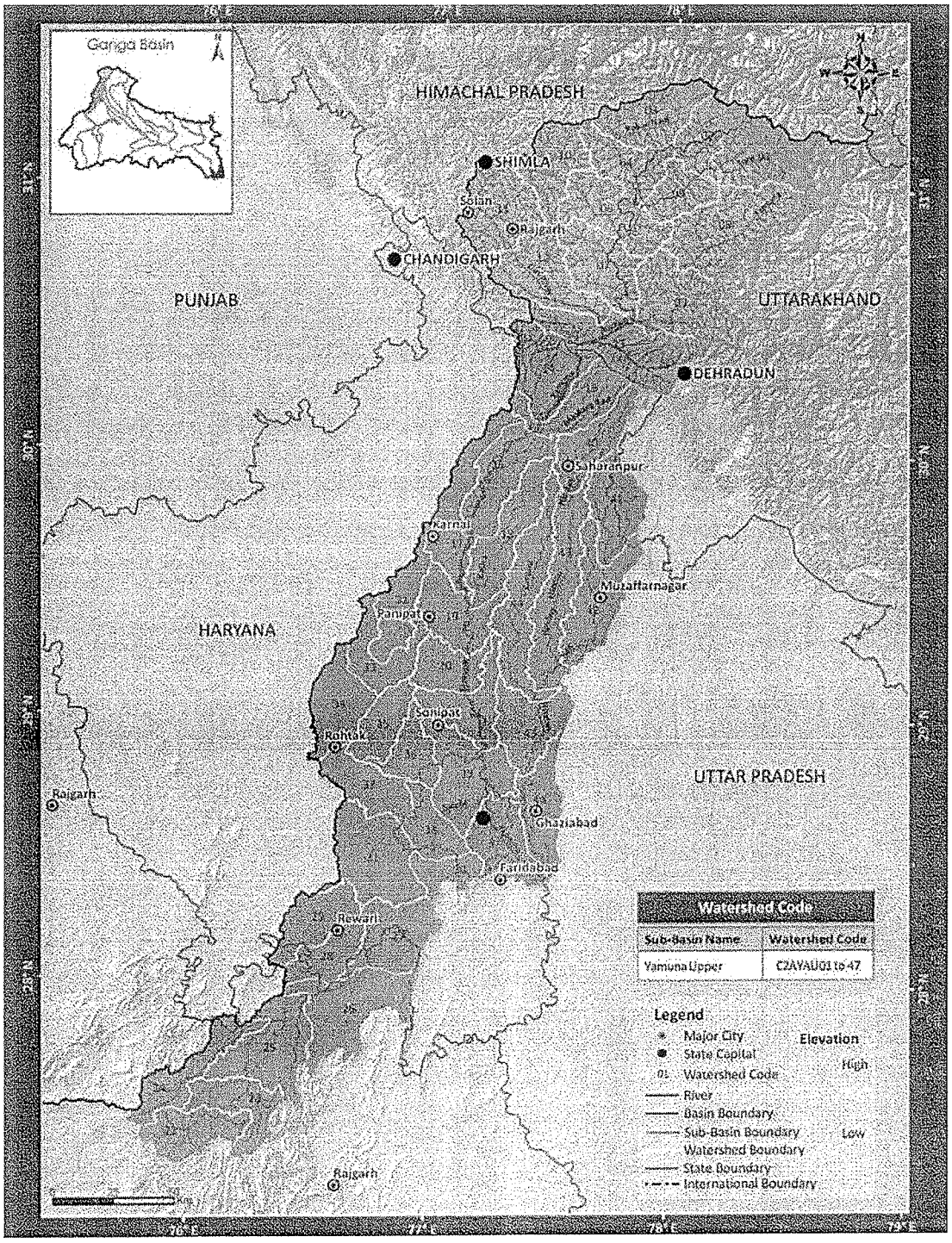

Figure 7: District Ghaziabad (part of Yamuna sub basin)

https://indiawris.gov.in/downloads/Ganga%20Basin.pdf

Table 9: Catchment area of Yamuna River

S.no.	State	Area (Sq km) in Yamuna River
1.	Uttar Pradesh and Uttarakhand	74,208
2.	Himachal Pradesh	5,799
3.	Haryana	21,265
4.	Rajasthan	102,883
5.	Madhya Pradesh	14,028
6.	Delhi	1,485
Total		**219,668**

http://fore.yale.edu/files/Current_Condition_of_Yamuna_River,pdf

Table 10: Catchments Details of Hindon River

S.no.	State	Area (Sq km) in Yamuna River
1.	Uttar Pradesh and Uttarakhand	7,083

Process of deposition

Sediment transport is critical to understanding how rivers work because it is the set of processes that mediates between the flowing water and the channel boundary. Erosion involves removal and transport of sediment (mainly from the boundary) and deposition involves the transport and placement of sediment on the boundary. Erosion and deposition are what form the channel of any alluvial river as well as the floodplain through which it moves. The amount and size of sediment moving through a river channel are determined by three fundamental controls: competence, capacity and sediment supply. Competence refers to the largest size (diameter) of sediment particle or grain that the flow is capable of moving; it is a hydraulic limitation. If a river is sluggish and moving very slowly it simply may not have the power to mobilize and transport sediment of a given size even though such sediment is available to transport. So a river may be competent or incompetent with respect to a given grain size. If it is incompetent it will not transport sediment of the given size. If it is competent it may transport sediment

of that size if such sediment is available (that is, the river is not supply-limited). Capacity refers to the maximum amount of sediment of a given size that a stream can transport in traction as bedload. Given a supply of sediment, capacity depends on channel gradient, discharge and the calibre of the load (the presence of fines may increase fluid density and increase capacity; the presence of large particles may obstruct the flow and reduce capacity). Capacity transport is the competence limited sediment transport (mass per unit time) predicted by all sediment-transport equations, examples of which we will examine below. Capacity transport only occurs when sediment supply is abundant (non-limiting). Sediment supply refers to the amount and size of sediment available for sediment transport. Capacity transport for a given grain size is only achieved if the supply of that calibre of sediment is not limiting (that 1s, the maximum amount of sediment a stream is capable of transporting is actually available). Because of these two different potential constraints (hydraulics and sediment supply) distinction is often made between supply-limited and capacity-limited transport.

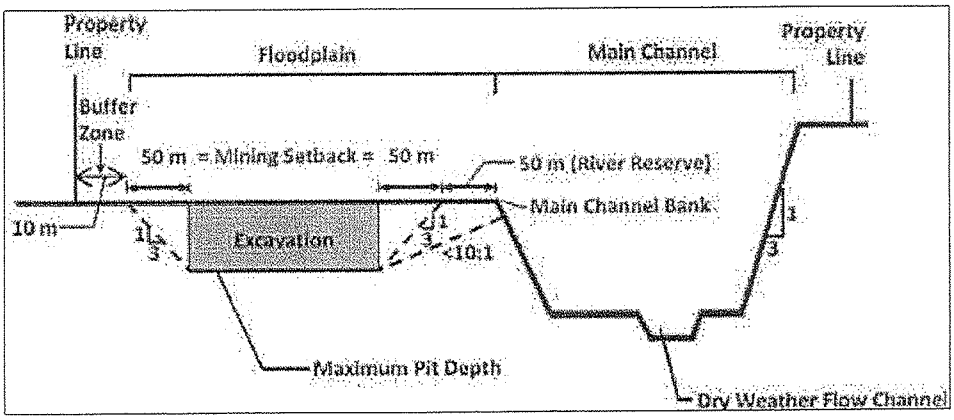

Figure. 8: Floodplain Excavation Pit Geometry for Streamlined Floodplain

Most rivers probably function in a sediment-supply limited condition although we often assume that this is not the case. Much of the material supplied to a stream is so fine (silt and clay) that provided it can be carried in suspension, almost any flow will transport it. Although there must be an upper limit to the capacity of the Stream to transport such fines, it is probably never reached in natural channels and the amount moved is limited by supply. In contrast, transport of coarser

material (say, coarser than fine sand) is largely capacity limited, Modes of Sediment Transport The sediment load of a river is transported in various ways although these distinctions are to some extent arbitrary and not always very practical in the sense that not all of the components can be separated in practice:

1. Dissolved load
2. Suspended load
3. Intermittent suspension (saltation) load
4. Wash load
5. Bed load

Sediment Transport in Rivers

The loose boundary (consisting of movable material) of an alluvial channel deforms under the action of flowing water and the deformed bed with its changing roughness (bed forms) interacts with the flow. A dynamic equilibrium state of the boundary may be expected when a steady and uniform flow has developed (Nalluri & Featherstone, 2001).The resulting movement of the bed material (sediment) in the direction of flow is called sediment transport and a critical bed shear stress (t) must be exceeded to start the particle movement. Such a critical shear stress is referred as incipient (threshold) motion condition, below which the particles will be at rest and the flow is similar to that on a rigid boundary.

Sediment Influx Rate

Sediment influx in Ephemeral streams is generally confined to the beginning of the rainy season as velocity of the water washes down medium to fine sand and silt depending on the velocity and gradient of land. Cobbles, pebbles and boulders will be transported buy only over short distance. Boulders are normally 256 mm and above are normally transported either by dragging action or by saltation.

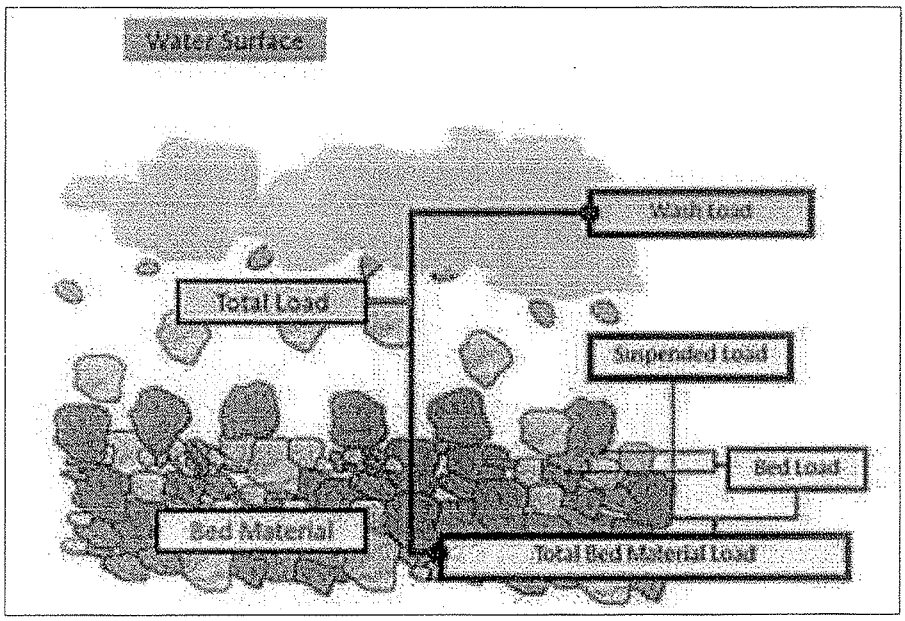

Figure. 9: Sediment Transport in river
(Naliun & Featherstone, 2001)

Recharge is in two forms, one general deposition of course, medium and fine sand when the velocity of the river water decreases below the carrying capacity. However, flash floods due to heavy rains in the upper reaches often causes rapid transportation of boulder, sand etc., along with silt which can never deposit.

Recharge Rate: It is dependent upon the following 4 factors

1 Velocity of the water and change of velocity

2 Size of particles

3 Temporary increase in density of carrying media due to presence of silt load.

4 Artificial or natural barriers being encountered within the river course, where. Due to the sudden check in velocity, materials are deposited.

The numerical sedimentation rate varies from 50cm medium sand to as much as 3m of medium and fine sand where the slope of the river bed is less than 10° slope per season. For silt and clay, these only be deposited in the flood area and normally varies between 1-5m over 6 months period.

Estimation of Sedimentation

The sedimentation rate in India is estimated using empirical formula, actual observed data and reservoir sedimentation survey. The recommended BIS (12182- 1987) method has been widely used for reservoir planning. In addition the sediment data is also collected by the state governments on river systems in their respective territories. Thus there is enough data to estimate both the average annual sediment yield and also the distribution of annual sediment yields. There are also situations where the gauging stations provide nested systems of catchments. In these situations data can be used to identify the contribution to the total sediment yield from individual sub-catchments.

Though this data is extremely useful and is recommended to be fully used for estimation of sediment rate, the data need to be interpreted with care. The sediment measurements are, in general, based on bottle sample taken from near the water surface. In general, the suspended sediment concentration varies with depth, with the sediment concentration being greatest at the lower levels. This means that the measurement may under estimate the suspended sediment concentrations. The data provides an excellent resource for estimating sediment yield directly. The sediment yield depends on catchment area, the average catchment slope, the lithology of the catchment, the land use, the drainage density, the annual/seasonal precipitation and storm events etc, There are a number of empirical methods developed in USA and still used worldwide to assess sediment erosion like the Universal Soil Loss Equation (USLE), Modified Universal Soil Loss Equation (MUSLE) and Revised Universal Soil Loss Equation (RUSLE). Some work has been done in India and certain empirical relations have been developed linking annual sediment yield with some of these parameters (CWC, 2010).

Estimation of sediment yield from the catchment area above the reservoir is usually' made using river sediment observation data or more commonly from the Experience of sedimentation of existing reservoirs with similar characteristics. On adopting the first procedure, it is usually necessary (though often not complied within practice) to evolve proper sediment water discharge rating curve and combine it with flow duration (or stage duration curve) based on uniformly spaced daily or shorter time units in case of smaller river basins. Where observed

stage/flow data is available for only shorter periods, these have to be suitably extended with the help of longer data on rainfall to eliminate, as far as possible, the sampling errors due to shortness of records. The sediment discharge rating curves may also be prepared from hydraulic considerations using sediment load formulae, that is, modified Einstein's procedure but this has not yet become popular. It is also necessary to account for the bed load which may not have been measured. While bed load measurement is preferable when it is not possible, it is often estimated as a percentage generally ranging from 5 to 20 percent of the suspended load.

However, practical means of measuring bed load of sediment needs to be undertaken particularly in cases where high bed loads are anticipated. To assess the volume of sediment that would deposit in the reservoir, it is further necessary to make estimates of average trap efficiency for the reservoir in question and the likely unit weight of sediment deposits, time averaged over the period selected. The trap efficiency would depend mainly on the capacity inflow ratio but would also vary with location of controlling outlets and reservoir operating procedures. The density of deposited sediment would vary with the composition of the deposits. The location of the deposit within the reservoir, the flocculation characteristics of clay and water and the age of the deposit. For coarse material (0.0625 mm and above), variation of density with location and age may be unimportant but for silt and clay, this may be significant. Normally, a time and space average density of these fractions, applicable for the period under study is required for finding the overall volume of deposits. For this purpose, the trapped sediment for the period under study would have to be classified in fractions by corrections in inflow estimates of the fractions by trap efficiency. Most of the sediment removed from the reservoir should be from the silt and clay fraction. In some special cases, local estimates of densities at a point in the reservoir may be required instead of average density over the reservoir. Estimates of annual sediment yield/sedimentation rate assessed from past data are further required to be suitably interpreted and wherever necessary, the unit rates which would apply to the future period are computed by analysing data for trends or by making subjective adjustments for the likely future changes. Where the contributing drainage area is likely to be reduced by upstream future storages, only such of

the projects as are under construction or which have the same priority of being taken up and completed as the project in question are considered for assessing the total sediment yield.

Sediment observation data (see 1$:18QO-1968*) is necessary if the yield is being assessed from hydrometric data. If observational methods are inadequate, the possibility of large errors, should be considered. For drawing conclusions from reservoir re-surveys, it is important that reduction of at least 10 percent or more has been observed in the capacities of the two successive surveys; if this is not done, inaccuracies in the successive surveys will distort the estimation of the capacity reduction between the surveys. If the loss of capacity is small, useful conclusions may not be forthcoming, and in such cases, river sediment measurements with its large observational errors may still provide a better estimate. It is essential to make a proper assessment of sediment yield for reservoir under study taking relevant factors into account (BIS: 12182-1987).

A proper assessment of the effects of sediment transport and of the measures that may be necessary for its control requires knowledge of the processes of sediment erosion, transportation, and deposition, and of their interaction with the hydrological processes in the catchment.

Erosion of catchments

The most significant agent for eroding sediments from land is running water. Other agents of land erosion include wind, ice, and gravity. The processes by which water degrades the soil are complicated and depend upon the rainfall properties, soil properties, land slope, vegetation, agricultural methods, and urbanization process. The last two factors account for the most important effects of man's activities on erosion. Empirical equations have been developed for the determination of soil loss (sheet erosion) from agricultural lands. One of them, developed by Musgrave for conditions prevailing in the United States, is given as

$$E = IRS^{1.35}L^{0.35}P^{1.75}$$

Where,

E is the mean annual soil loss, in millimetres

I is the inherent erodibility of the soil, in millimetres

R is a land-cover factor

S is the land slope, in per cent

L is the length of the slope in metres, and

P is the 30-minute, two-year rainfall depth, in millimetres

The values of the parameters I and R, are determined empirically from regional studies.

Channel erosion

Channel erosion is caused by the forces of the concentrated flow of water. Its rate depends on the hydraulic characteristics of channel flow and on the inherent erodibility of channel matezials. In non-cohesive materials, the resistance to erosion is affected by the size, shape, and specific gravity of the particles and by the slope of the bed. In cohesive materials it also depends on the bonding agents. The relationships between the hydraulic variables and the parameters influencing the erodibility of channels are not fully understood and are often expressed by empirical formulae. Stream and river-control works may have a:serious local influence on accelerating channel erosion if they cause an increase in channel depth, flow velocity, change the direction of the flow, or reduce the natural sediment load. The latter effect occurs frequently below dams and may persist for many kilometres downstream. Bare land and badlands may develop gullies with rates of advance that can be computed by empirical formulae containing such parameters as the drainage area of the gully, slope of the approach channel, depth of rainfall, and clay content of the eroding soil.

Transportation of sediments in channels

Fine (suspended) sediments transported in rivers originate mainly from the topsoil of the catchment and from the banks of the channels. However, fine sediments also originate from sewage and other return flows for example such sediments comprise about one third of the suspended-sediment load in the lower Rhine river. A large portion of the transported material comes to rest on flood plains, especially upstream from hydraulic structures. The settled material undergoes compaction and other physical and chemical changes that can sometimes

prevent its re-erosion by flows that would have carried it previously. A decrease is usually found in the mean annual sediment transported per unit area of the catchment as the area of the catchment increases. The concentration of suspended sediment in runoff is described by various formulae such as

$$\log cs = C\log Q + B$$

in which,

cs is the concentration expressed in weight per unit volume of water,

Q is the water discharge,

C is a dimensionless coefficient, and

B is a function of the rainfall depth of the antecedent discharge or of other meteorological and hydrological variables.

The concentration of suspended sediment varies within the channel cross section.

It is relatively high in the lower portion and may also be non-uniform laterally. So that It's sampling at several points or along several verticals of the cross section is often necessary for obtaining its mean. The mean concentration should be evaluated to yield the total sediment weight per unit time when multiplied by the water discharge. The graph of suspended sediment against time usually has a peak that does not occur simultaneously with the peak discharge. This lag is a result of the specific conditions in a watershed, and no generalization has yet been formulated for the evaluation of this difference.

Bed-load transport

Coarse sediments (bed load) move by sliding, rolling, and bouncing along channels and are concentrated at or near the channel bed. The variables that govern transport are the size and shape of the particles and the hydraulic properties of the flow. As a consequence of the interaction between the hydraulic forces and the coarse sediment, the channel bed assumes different configurations known as plane, ripples, dunes, flat, standing waves, and antidunes. They exert resistance to the flow of water that varies within a wide range and assumes a maximum value for the dune configuration.

Sedimentation

When approaching its mouth, the flow velocity of a river decreases along with its ability to carry sediment. Coarse sediments deposit first then interfere with the channel conveyance, and may cause additional river meanders and distributaries. The area of the flowing water expands, the depth decreases, the velocity is reduced, and eventually even fine sediments begin to deposit. As a result, deltas may be formed in the upper portion of reservoirs. The deposited material may later be moved to deeper portions of the reservoir by hydraulic processes within the water body. Sediments are deposited in accordance with their settling velocity. A significant concentration of suspended sediments may remain in the water column for several days after its arrival in a reservoir. This may interfere with the use of the stored water for certain purposes, e.g. for water supply or recreation. It should be emphasized that not all of the sediment deposits in a reservoir. A large portion of it remains in the upper zones of the watershed, some is deposited upstream from reservoirs, and some is carried downstream by the released water. The sediment-trapping efficiency in a reservoir depends upon the hydraulic properties of the reservoir, the nature of the sediment, and the hydraulic properties of the outlet. The density of newly deposited sediment is relatively low but increases with time. The organic component in the sediment may undergo changes that may reduce its volume and enhance biochemical processes in the stored water (WMO, 1994).

Method of Mining:

a) Extracting gravel from an excavation that does not penetrate the water table and is located away from an active stream channel should cause little or no change to the natural hydrologic processes unless the stream captures the pit during periods of flooding. The exception is that changes in evapotranspiration, recharge, and runoff may create minor changes to the ground-water system, which may in turn affect stream flow.

b) Limiting extraction of material in floodplains to an elevation above the water table generally disturbs more surface area than allowing extraction of material below the water table.

c) In-stream extraction of gravel from below the water level of a stream generally causes more changes to the natural hydrologic processes than limiting extraction to a reference point above the water level.

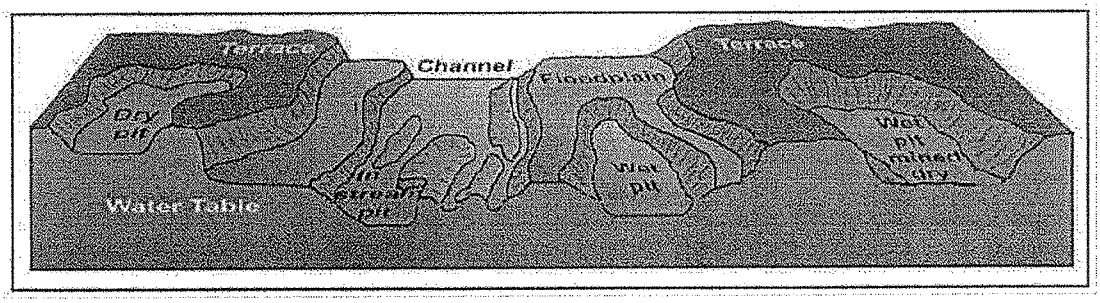

Figure 10: Aggregate extraction can take place in a number of in-stream and near stream environments

d) In-stream extraction of gravel below the deepest part of the channel (the thalweg) generally causes more changes to the natural hydrologic processes than limiting extraction to a reference point above the thalweg.

e) Excavating sand and gravel from a small straight channel with a narrow floodplain generally will have a greater impact on the natural hydrologic processes than excavations on a braided channel with a wide floodplain.

f) Extracting sand and gravel from a large river or stream will generally create less impact than extracting the same amount of material from a smaller river or stream.

Annual rainfall

The climate is sub-humid and it is characterised by a hot dry summer and a bracing cold season. The average normal rainfall is 941 mm. About 87% of rainfall take place from June to September. During monsoon surplus water is available for deep percolation to ground water. There is a meteorological observatory at Ghaziabad, the records of which has been taken as representative meteorological condition for Sitapur district, January is the coldest month with minimum temperature of the order of 9° C. May and early June 7 from the hottest period of the year. The mean monthly maximum temperature is 31.7°C and mean monthly minimum temperature is 18,7°C. During March to May the air is least humid with re lative humidity high in the morning and less in the evening mean.

Monthly morning relative humidity is 70% and ean monthly evening relative humidity is 53%. During monsoon season the winds blow predominantly from east or southeast. The mean wind velocity is 5.6 km/hr. The potential evapotranspiration is 1494.00 mm. (Source: Meteorological Department. Government of India, 2010.)

Table 11: Annual Rainfall of Ghaziabad district

Year	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Annual Total
2012	5.5	0	7	3.7	0.1	14.4	74.7	165.2	69.1	0	0	3.1	369.8
2013	30.2	79.4	9	0.4	0	166.4	73.1	90.9	19.9	4.5	0	8.3	482.1
2014	12.6	33.2	35.3	2.1	21.7	45	27.9	17.6	40.7	0	0	5.6	241.7
2015	28.8	12.5	65.2	20.4	8.4	56.2	195.4	99.8	19.2	2.7	1.9	0	510.5
2016	15	18	23	27	31	69	234	345	103	23	8	16	812

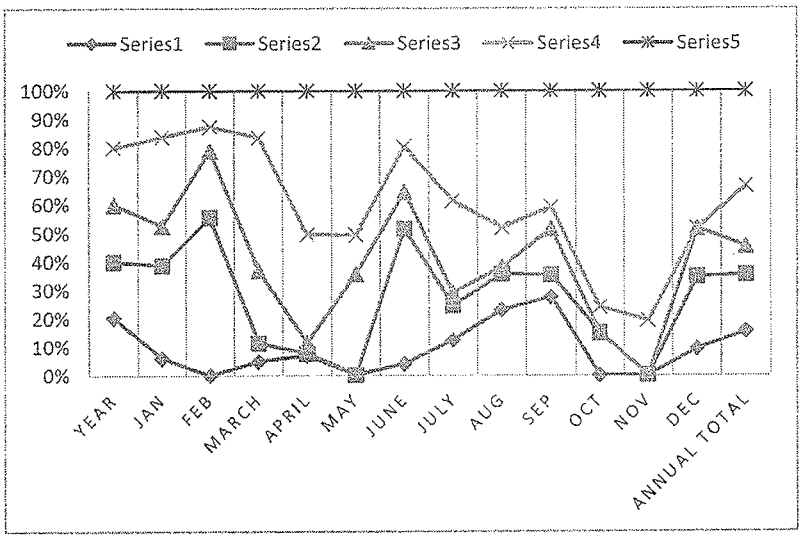

Figure 11: Annual Rainfall Pattern

Overview of mining activity in the district

Sand

Table 12: Reserve estimation of sand on the banks of Yamuna River

Total stretch Of Yamuna River area flowing through district Ghaziabad U.P (km)	Potential Area for mining (ha)	Geological mineral (cum)	Total Area of Mining Lease in Ghaziabad, U.P (ha)	Average production in last 03 years (cum)	Minable mineral potential (in cum 60% pf total mineral potential) as per SSMMG 2016 issued by MoEF & CC, GOI, Delhi
3.01	37.773	11,33,190	37.773	2,85,603	6,79,914

The total area of Yamuna River is almost 0.47km^2, out of which 15-20% of water channel cannot be excavated. Area of existing / proposed mining lease area is 37.773 ha. Additional areas may be further assessed on the basis of various ecological, environmental, social and political considerations. It can be further studied as potential area for mining & revenue generation.

 # The volume calculated are as reserve up to 3m depth as suggested in Standard Environmental Conditions for Sand Mining in SUSTAINABLE SAND MINING MANAGEMENT GUIDELINES - 2016, issued by MoEF & CC, GOI, Delhi, The mineable volume will be finalized based on the Mine Plan and Environmental Clearance and may vary by 10% to 20% considering the concept of safety and stability of Riverbanks & site situation. And this will form the basis of Final Royalty.

**Considering the density of Sand 1.2g/cm*

Table 13: Detail of Production of Sand / Bajri or Minor Mineral in Last Three Years in District Ghaziabad

S. No.	Year	Production of Minor Mineral (in Cum)
1.	2021-2022	5,01,337
2.	2022-2023	1,77,737
3.	2023-2024	1,77,737

Table 14: Details of Royalty or Revenue Received In Last Three Years

S. No.	Year	Total Revenue Received (Rupees)
1.	2021-2022	11,45,46,321
2.	2022-2023	4,55,00,672
3.	2023-2024	4,99,44,097

Table 15: List of Mining Quarries in the District with Location, Area and Period of Validity

S.No.	Village	Gata No.	Area in Ha	Volume (Cubic meter)
1.	Pachayra (Khand-1)	8मि0, 9मि0, 10मि0,11मि0,12मि0,13मि0, 17मि0,18,19, 20मि0, 21मि0, 22मि0, 25मि0, 26मि0, 27मि0, 30मि0, 37मि0, 38मि0, 39मि0, 40मि0, 41मि0, 53मि0, 54मि0, 55मि0, 56मि0, 57मि0, 23मि0, 238मि0, 239मि0, 240मि	16.183	3,23,600
2.	Pachayra (Khand-2)	303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0,313 मि0, 314 मि0	12.500	2,50,240
3.	Naoraspur	1	1.81	45,243

Table 16: List of existing mining permit in District

S.No.	Village	Gata No.	Area in Ha	Volume (Cubic meter)
1.	Badarpur	282, 283, 284, 246, 247 to 252, 237 to 239, 234, 235, 236, 240 to 244,194 to 209, 210, 211, 212, 182 to 187, 53मि0, 245, 229, 228मि0, 213, 214मि0, 233मि0, 230मि0	7.28	1,45,687

DISCUSSION

Ordinary earth and Sand has become very important minerals for our society due to its many uses. Ordinary earth can be used to making brick, filling roads, whereas sand may be used as building sites, brick-making, making glass, sandpapers, reclamations, and etc. The role of sand is very vital with regards to the protection of the coastal environment. It acts as a buffer against strong tidal waves and storm surges by reducing their impacts as they reach the shoreline. Clean sand is indeed a rare commodity on land, but common in sand dunes and beaches. The composition of sand is highly variable, depending on the local rock sources and conditions, but the most common constituent of sand in inland continental settings and non-tropical coastal settings is silica (silicon dioxide, or SiO3), usually in the form of quartz which because of its chemical inertness and considerable hardness, is the most common mineral resistant to weathering and it has become a very important mineral for the expansion of society. Sand is a naturally occurring granular material composed of finely divided rock and mineral particles. River sand is one of the world's most plentiful resources (perhaps as much as 20% of the Earth's crust is sand) and has the ability to replenish itself. River sand is vital for human wellbeing & for sustenance of rivers. Sand mining is a sensitive environmental issue which is taken into the consideration by regulatory authorities like Directorate of Geology & Mining, Govt. of U.P. and Ministry of Environment & Forest, Climate Change, Govt. of India. Directorate of Geology & Mining, Govt. of U.P. had published Uttar Pradesh Minor Mineral concession rules in 1963 and as per rule no. 41 the minimum distance from different structures is given in Table. Similarly Ministry of Environment & Forest, Climate Change, Govt. of India has issued sustainable sand management guidelines in 2016, AND Enforcement & Monitoring Guidelines for Sand Mining 2020; minimum required

distance for safe mining is given in **Standard Environmental Condition for Sand Mining**, which is also mentioned in Table17.

Table 17: Environmental Sensitivity Analysis of Site

S.no.	Feature	Max. Distance	Reference
1.	School	50m	UPMMCR.1963
2.	Hospital	50m	UPMMCR.1963
3.	Road (NH)	100m	SSMG 2016
4.	Road (SH)	50m	UPMMCR.1963
5.	MDR	50m	UPMMCR.1963
6.	Railway, Reservoir or Canal	50m	EMGSM, 2020
7.	Chak Road	10m	UPMMCR.1963
8.	Major Bridge	1km	EMGSM, 2020
9.	Higher Embankment	50m	EMGSM, 2020
10.	Low Embankment	25m	EMGSM, 2020
11.	Active edge of Embankment	100m	EMGSM, 2020
12.	Water Supply/Irrigation Scheme	200m	UPMMCR.1963

As a resource, sand by definition is 'a loose, incoherent mass of mineral materials and is a product of natural processes." These processes are the disintegration of rocks and corals under the influence of weathering and abrasion. When sand is freshly formed the particles are usually angular and sharply pointed but they grow gradually smaller and more rounded as they become constantly worn down by the wind or water (ISM Envis, Dhanbad)

The "SUSTAINABLE SAND MINING MANAGEMENT GUIDELINES — 2016" of MoEF&CC envisages to ensure that sand and gravel mining is done in environmentally sustainable and socially responsible manner; availability of adequate quantity of aggregate in sustainable manner; improve the effectiveness of monitoring of mining and transportation of mined out minerals; conservation of the river equilibrium and its natural environment by protection and restoration of the ecological system; avoid aggradation at the downstream reach especially those with hydraulic structures such as jetties, water intakes, etc.; to ensure the rivers are protected from

bank and bed erosion beyond its stable profile; no obstruction to the river flow, water transport and restoring the riparian rights and in-stream habitats; to avoid pollution of river water leading to water quality deterioration; to prevent depletion of ground water reserves due to excessive draining out of ground water; and streamlining the process. for grant of environmental clearance for sustainable mining. The MoEF&CC has also issued notifications SO No. 141(E) dated 15.01.2016 and SO No. 190(E) dated 20.01.2016 under Environment (Protection) Act, 1986 on mining of minor minerals and constitution of District Level Environment Impact Assessment Authority and District Level Environmental Appraisal Committee. These notifications have delegated the power to grant environmental clearance for sand mining to an Authority headed by the District Magistrate. These notifications promote use of satellite imagery to decide the site suitable for mining and quantity of sand which can be mined. The MoEF&CC prescribes following procedures for sand mining;

a) Parts of the river reach that experience deposition or aggradation shall be identified first. The Lease holder/ Environmental Clearance holder may be allowed to extract the sand and gravel deposit in these locations to manage aggradation problem.

b) The distance between sites for sand and gravel mining shall depend on the replenishment rate of the river. Sediment rating curve for the potential sites shall be developed and checked against the extracted volumes of sand and gravel.

c) Sand and gravel may be extracted across the entire active channel during the dry season.

d) Abandoned stream channels on terrace and inactive floodplains be preferred rather than active channels and their deltas and flood plains. Stream should not be diverted to form inactive channel.

e) Layers of sand and gravel which could be removed from the river bed shall depend od the width of the river and replenishment rate of the river.

f) Sand and gravel shall not be allowed to be extracted where erosion may occur such as at the concave bank.

g) Segments of braided river system should be used preferably falling within the lateral migration area of the river regime that enhances the feasibility of sediment replenishment.

h) Sand and gravel shall not be extracted within 200 to S00 meter from any crucial hydraulic structure such as pumping station, water intakes, and bridges. The exact

distance should be ascertained by the local authorities based on local situation. The cross-section survey should cover a minimum distance of 1.0 km upstream and 1.0 km downstream of the potential reach for extraction. The sediment sampling should include the bed material and bed material load before, during and after extraction period. Develop a sediment rating curve at the upstream end of the potential reach using the surveyed cross- section. Using the historical or gauged flow rating curve, determine the suitable period of high flow that can replenish the extracted volume. Calculate the extraction volume based on the sediment rating curve and high flow period after determining the allowable mining depth.

i) Sand and gravel could be extracted from the downstream of the sand bar at river bends. Retaining the upstream one to two thirds of the bar and riparian vegetation is accepted as a method to promote channel stability.

j) Flood discharge capacity of the river could be maintained in areas where there are significant flood hazard to existing structures or infrastructure. Sand and gravel mining may be allowed to maintain the natural flow capacity based on surveyed cross- section history.

k) Alternatively, off-channel or floodplain extraction is recommended to allow rivers to replenish the quantity taken out during mining.

1) The Piedmont Zone (Bhabhar area) particularly in the Himalayan foothills, where riverbed material is mined, this sandy-gravelly track constitutes excellent conduits and holds the greater potential for ground water recharge. Mining in such areas should be preferred in locations selected away from the channel bank stretches.

m) Mining depth should be restricted to 3 meter and distance from the bank should be 3 meter or 10 percent of the river width whichever less.

n) The borrow area should preferably be located on the river side of the proposed embankment, because they get silted up in course of time. For low embankment less than 6 m in height, borrow area should not be selected within 25 m from the toe/heel of the embankment. In case of higher embankment the distance should not be less than 50 m., In order to obviate development of flow parallel to embankment, cross bars of width eight times the depth of borrow pits spaced 50 to 60 meters centre-to centre should be left in the borrow pits.

o) Demarcation of mining area with pillars and geo-referencing should be done prior to start of mining. The above notifications and Guidelines, being notified under the

provisions of the Environment (Protection) Act, 1986, have acquired the status of statutory provisions and have to be followed.

GSI Guidelines-Geological Survey of India (GSI) has collated/ formulated considered geo-scientific opinions to address issues pertaining to riverbed gravel/ sand mining. Besides resource extraction, ultimate objectives of riverbed mining should be:-

(i) Protection and restoration of the ecological system,

(ii) To prevent damages to the river regime,

(iii) To work out the sediment influx/ replenishment capacity of the river, to restore the riverine configuration (landforms and fluvial geomorphology, such as bank erosion, change of river course gradient, flow regime, etc.).

(iv)To prevent contamination of ground water regime,

(v) To prevent depletion of ground water reserves due to excessive draining out of groundwater, and

(vi)To restore the riparian rights and in-stream habitats.

GSI has identified major hazards caused due to mining of sand/gravel as under:

a) Instream habitat: The impact of mining may result in increase in river gradient, suspended load, sediment transport, sediment deposition, turbidity, change in temperature, etc. Excessive sediment deposition for replenishment/ refilling of the pits affect turbidity, prevent the penetration of the light required for photosynthesis of micro and macro flora which in turn reduces food availability for aquatic fauna. Increase in river gradient may cause excessive erosion causing adverse effect on the instream habitats.

b) Riparian habitat: This includes vegetative cover on and adjacent to the river banks, which controls erosion, provide nutrient inputs into the stream and prevents intrusion of pollutant in the stream through runoff. Bank erosion and change of morphology of the river can destroy the riparian vegetative cover.

c) Degradation of Land: Mining pits are responsible for river channel shifting as well as degradation of land, causing loss of properties and degradation of landscape.

d) Lowering of groundwater table in the floodplain area: Mining may cause lowering of riverbed level as well as river water level resulting in lowering of groundwater table due to excessive extraction and draining out of groundwater from the adjacent areas. This may cause shortage of water for the vegetation and human settlements in the vicinity.

e) Depletion of groundwater: excessive pumping out of groundwater during sand mining especially in abandoned channels generally result in depletion of groundwater resources causing severe scarcity and affecting irrigation and potable water availability. In extreme cases it may also result in creation of ground fissures and land subsidence in adjacent areas.

f) Polluting groundwater: In case the river is recharging the groundwater, excessive mining will reduce the thickness of the natural filter materials (sediments), infiltration through which the ground water is recharged. The pollutants due to mining, such as washing of mining materials, wastes disposal, diesel and vehicular oil lubricants and other human activities may pollute the ground water.

g) Choking of filter materials for ingress of ground water from river: Dumping of waste material, compaction of filter zone due to movement heavy machineries and vehicles for mining purposes may reduce the permeability and porosity of the filter material through which the groundwater is recharging, thus resulting in steady decrease of ground water resources.

The GSI has suggested that riverbed mining may be allowed considering minimization of the above mentioned deleterious impacts. The guidelines of National Water Policy of India should also be followed which states that watershed management through extensive soil conservation, catchment area treatment, preservation of forest, increasing of forest cover and construction of check dams should be promoted. Efforts shall be made to conserve the water in the catchments. Following geo-scientific considerations have been suggested to be taken into account for sand/ gravel mining:-

1. Abandoned stream channels on terrace and inactive floodplains may be preferred rather than active channels and their deltas and floodplains. Replenishment of ground water has to be ensured if excessive pumping out of water is required during mining.
2. Stream should not be diverted to form inactive channel.
3. Mining below subterranean water level should be avoided as a safeguard against environmental contamination and over exploitation of resources
4. Large rivers and streams whose periodic sediment replenishment capacity are larger, may be preferred than smaller rivers.

5. Segments of braided river system should be used preferably falling within the lateral migration area of the river regime that enhances the feasibility of sediment replenishment.

6. Mining at the concave side of the river channel should be avoided to prevent bank erosion, similarly meandering segment of a river should be selected for mining in such a way as to avoid natural eroding banks and to promote mining on naturally building (aggrading) meander components.

7. Scraping of sediment bars above the water flow level in the lean period may be preferred for sustainable mining.

8. It is to be noted that the environmental issues related to mining of minerals including riverbed sand mining should clearly state the size of mine leasehold area, mine lease period, mine plan and mine closure plan, along with mine reclamation and rehabilitation strategies, depth of mining and period of mining operations, particularly in case of river bed mining.

9. The Piedmont Zone (Bhabbar area) particularly in the Himalayan foothills, where riverbed material is mined. This sandy- gravelly track constitutes excellent conduits and holds the greater potential for ground water recharge. Mining in such areas should be preferred in locations selected away from the channel bank stretches. Areas where channel banks are not well defined, particularly in the braided river system, midstream areas should be selected for mining of riverbed materials for minimizing adverse effects on flow regime and instream habitat.

10. Mining of gravelly sand from the riverbed should be restricted to a maximum depth of 3m from the surface. For surface mining operations beyond this depth of 3m (10 feet), it is imperative to adopt quarrying in a systematic bench- like disposition, which is generally not feasible in riverbed mining. Hence, for safety and sustainability restriction of mining of riverbed material to maximum depth of 3m.is recommended.

11. Mining of riverbed material should also take cognizance of the location of the active channel bank. It should be located sufficiently away, preferably more than 3m away: (inwards), from such river banks to minimize effects on river bank erosion and avoid consequent channel migration.

12. Continued riverbed material mining in a given segment of the river will induce seasonal scouring and intensify the erosion activity within the channel. This will have an adverse effect not only within the mining area but also both in upstream and

downstream of the river course. Hazardous effects of such scouring and enhanced erosion due to riverbed mining should be evaluated periodically and avoided for sustainable mining activities.

13. Mineral processing in case of riverbed mining of the sandy gravelly material may consist of simple washing to remove clay and silty area. It may involve crushing, grinding and separation of valueless rock fragments from the desirable material. The volume of such waste material may range from 10 to 90%. Therefore, such huge quantities of mine wastes should be dumped into artificially created/ mined - out pits. Where such tailings / waste materials are very fine grained, they may act as a source of dust when dry. Therefore, such disposal of wastes should be properly stabilized and vegetated to prevent their erosion by winds.

14. Identification of river stretches and their demarcation for mining must be completed prior to mining for sustainable development.

15. The mined out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation.

16. Mining generally has a huge impact on the irrigation and drinking water resources. These attributes should be clearly evaluated for short-term as well as long-term remediation (MoWR, 2017)

Remedial measure to mitigate the impact of mining

Environmental Sensitivity

With increase in industrialization coupled with population growth, the demand for river bed minerals has increased and is likely to grow further in years to come. This has resulted in irreversible impacts on diminishing reserves with simultaneous generation of solid wastes and effluents causing environmental degradation. In the past few decades, the demand for construction grade ordinary sand is increasing in many parts of the world due to rapid economic development and subsequent growth of building activities. Stone quarrying is another way of human intervention that causes occasional slope failure. The adverse effect of this unscientific mining is realized in the form of landslide, removal of soil cover, siltation of river beds leading to frequent floods, endangering the lives and properties of local inhabitants. Removal or extraction of too much sand from rivers leads to erosion shrinking of river banks. Deltas can recede due to sand mining. In-stream mining directly alters the channel geometry and bed elevation. By removing sediment from the channel, in-stream material extraction disrupts the pre-existing balance between sediment supply and transporting capacity, typically inducing incision upstream and downstream of the extraction site.

Remedial measure

Sustainable Mining Practices

- The depth of mining in Riverbed shall not exceed 3 meter or water level whichever is less, provided that where the Joint Inspection Committee certifies about excessive deposits or over accumulation of mineral
- Mining shall be done in layers of 3 meter depth to avoid ponding effect and after first layer is excavated, the process will be repeated for the next layers.
- No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
- No blasting shall be resorted to in River mining and without permission at any other place.

Monitoring the Mining of Mineral and its Transportation:

- For each mining lease site the access should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for

- There should be regular monitoring of the mining activities in the State to ensure effective compliance of stipulated EC conditions and of the provisions under the Minor Mineral Concessions Rules framed by the State Government.

Noise Management

- Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit.
- Restricted sand mining operation has to be carried out between 6 am to 7 pm.

Air Pollution and Dust Management:

- The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly.
- Air Pollution due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
- The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Wheel washing facility should be installed and used.

Bio-Diversity Protection

- Restoration of flora affected by mining should be done immediately. Twice the number of trees destroyed by mining to be planted preferably of indigenous species. Each EC holder should plant and maintain for lease period at least 5 trees per hectare in area near lease.
- No mining lease shall be granted in the forest area without forest clearance in accordance with the provisions of the Forest Conservation Act, 1980 and the rules made there under.
- Protection of turtle and bird habitats shall be ensured.
- No felling of tree near quarry is allowed. For mining lease within 10km of the National Park / Sanctuary or in Eco-Sensitive Zone of the Protected Area, recommendation of Standing Committee of National Board of Wild
- Life (NBWL) have to be obtained as per the Hon'ble Supreme Court order in I.A. No. 460 of 2004.
- Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.

Management of Instability and Erosion

- Removal, stacking and utilization of top soil in mining are should be ensured. Where top soil cannot be used concurrently, it shall be stored separately for future use keeping in view that the bacterial organism should not die and should be spread nearby area.
- The EC should stipulate conditions for adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures.
- Use of oversize material to control erosion and movement of sediments
- No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.
- No extraction of stone / boulder / sand in landslide prone areas.
- Controlled clearance of riparian vegetation to be undertaken.

Waste Management

- Site clearance and tidiness is very much needed to have less visual impact of mining.
- Dumping of waste shall be done in earmarked places as approved in Mining Plan.
- Rubbish burial shall not be done in the Rivers
- Pollution Prevention
- Take all possible precautions for the protection of environment and control of pollution.
- Effluent discharge should be kept to the minimum and it should meet the standards prescribed

Protection of Infrastructure

- Mining activities shall not be done for mine lease where mining can cause danger to site of flood protection works, places of cultural, religious, historical, and archaeological importance.
- For carrying out mining in proximity to any bridge or embankment, appropriate safety zone should be worked out on case-to-case basis, taking into account the structural parameters, location aspects and flow rate, and no mining should be carried out in the safety zone so worked out.
- Suggested reclamation plan for already mined out areas

As per statute all mines/quarries are to be properly reclaimed before final closure of the mine. Reclamation plans should include:

a) A baseline survey consisting of existing condition cross-section data, Cross-sections must be surveyed between two monumental endpoints set back from the top of bank, and elevations should be referenced bench mark set;

b) The proposed mining cross-section data should be plotted over the baseline data to illustrate the vertical extent of the proposed excavation;

c) The cross-section of the replenished bar should be the same as the baseline data. This illustrates that the bar elevation after the bar is replenished will be the same as the bar before extraction.

d) A plan metric map showing the aerial extent of the excavation and extent of the riparian buffers;

e) A planting plan developed by a plant ecologist familiar with the flora of the river for any areas such as roads that need to be restored;

f) A monitoring plan has to establish.

Risk assessment and disaster management plan

Risk analysis is the systematic study of risks encountered during various stages of mining operation. Risk analysis seek to identify the risks involved in mining operations, to understand how and when they arise, and estimate the impact (financial or otherwise) of adverse outcomes. The sand mining operation in the district is mainly done manually.

Identification of risk due to river sand mining

There is no land degradation due to mining activities as mining is done only on river bed dry surface. There will be no OB or waste generation as the sand is exposed in the river bed and is completely Saleable. There will be neither any stacking of soil nor creation of OB dumps. The mining activity will carried out upto a maximum depth of 3m below the surface level. So, there is no chance of slope failure, bench failure in the mines. However, there are some identified risk in the mining activity which are as below:

1. Accident during sand loading and transportation
2. Inundation/ Flooding
3. Quick Sand Condition

Mitigation measures

- During the loading truck would be brought to a lower level so that the loading operation suits to the ergonomic condition of the workers.
- The workers will be provided with gloves and safety shoes during loading.
- Opening of the side covers of the truck should be done carefully and with warning to prevent injury to the loaders.
- Mining Operations will be takes place during daylight only.
- The truck will be covered with tarpaulin and maintained to prevent any spillage.
- To avoid danger while reversing the trackless vehicles especially at the embankment and tipping points, all areas for reversing of Lorries should be made man free as far as possible.
- All transportation within the main working will be carried out directly under the supervision and control of the management.
- Overloading should not be permitted and the maximum permissible speed limit should be ensured.
- There will be regular maintenance of the trucks and the drivers will have valid driving license.
- Mining will be completely closed during the monsoon months.
- Proper weather information particularly on rain should be kept during the operational period of mines so that precautionary measures will be undertaken.

Disaster management plan

All the provisions of Mines Act 1952, MMR 1961 and Mines Rules 1955 and other laws applicable to mine will strictly be complied. As the depth of mining will be maximum of 3m below the surface level considering local condition, the risk related to mining activity is much less. The mining operation will be carried out under the supervision experienced and qualified Mines Manager having Certificate of Competency to manage the mines granted by DGMS. During heavy rainfall and during the monsoon season the mining activities will be closed. Proper coordination with Irrigation Department should be maintained so that at the time of releasing water, if any, from the dam suitable warning/information is given in advance. Special attention and requisite precautions shall be taken while working in areas of geological

weakness like existence of slip, fault etc. The mining site will be supplied with first-aid facilities and the entire mines worker will have access to that.

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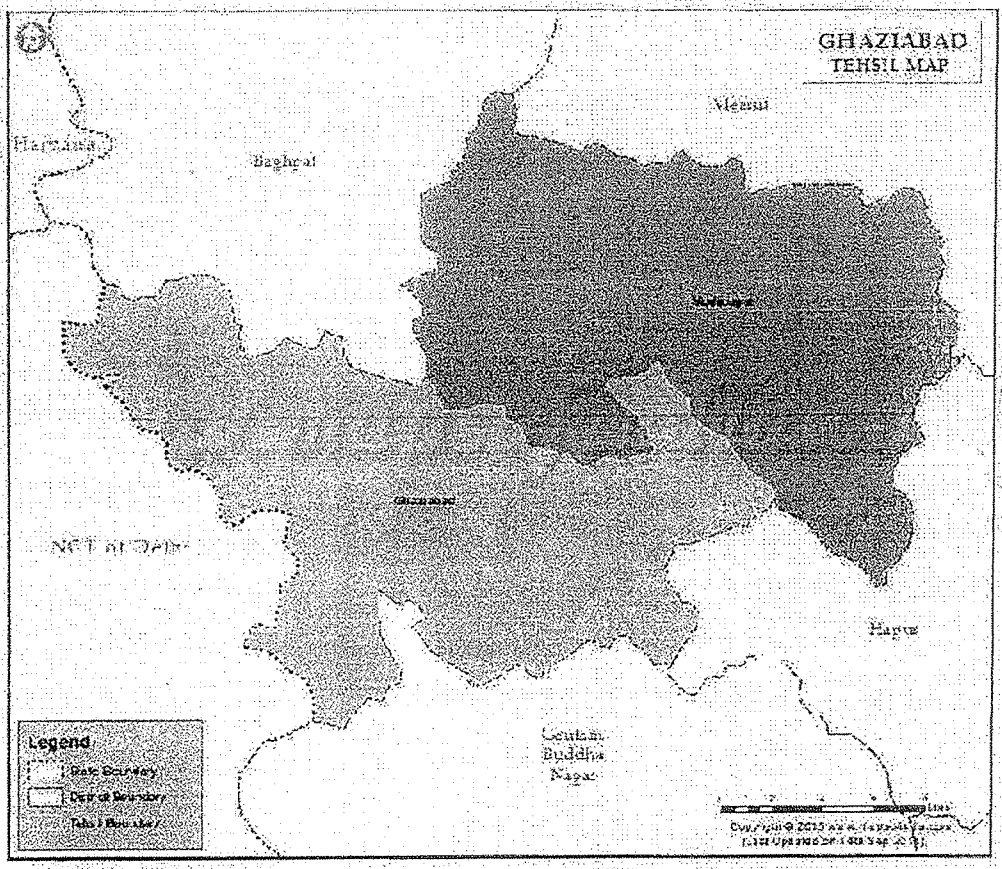
200 ANNEXURE-C-7

District Survey Report (FINAL)

For

(Planning & Execution of) Minor Mineral Excavation



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Preface

On January 15th 2016, Ministry of Environment, Forest and Climate Change, Government of India issued a notification and in which Para 7(iii) (a) and Annexure X purpose and structure of District Survey Report has been discussed. District Survey report (DSR) will be prepared in every district for each minor mineral. The District Survey Report will guide systematic and scientific utilization of natural resources, so that present and future generation may be benefitted at large. The purpose of District Survey report (DSR) "*Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area*".The District Survey report (DSR) will contain mainly data published and endorsed by various departments and websites about Geology of the area, Mineral wealth details of rivers, Details of Lease and Mining activity in the District along with Sand mining and revenue of minerals. This report also contains details of Forest, Rivers, Soil, Agriculture, Road, Transportation and climate etc.

Ghaziabad district falls in northeastern Uttar Pradesh. It is sometimes referred to as the "Gateway of UP" because it is close to New Delhi, on the main route into Uttar Pradesh. The district is surrounded by Delhi in west, Meerut in west, Hapur in east and Bhulandshahar and Noida in south. The total geographical area of the district is 1273 km^2 supporting a total population of 4,681,645 with a density of 3967 inhabitants/km^2. It has 4 blocks and 263 inhabited villages. The average rainfall in the district is 732 mm. The net sown

area is 53 thousand ha with 53 thousand ha as net irrigated area.

Disclaimer: - The data may vary due to flood, heavy rains and other natural calamities. Therefore, it is recommended that EAC/SEIAA/DEIAA may take into consideration all its relevant aspects / data while scrutinizing and granting EC to the concerned Authority as applicable.

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Introduction

Ghaziabad district falls in north-eastern Uttar Pradesh bordering national capital Delhi. Ghaziabad district, from geographical point of view falls in latitude 28.67°N and longitude 77.42°E. The district is surrounded by Delhi in west, Meerut in west, Hapur in east and Bhulandshahar, Noida in south. Ghaziabad is located at 489 km from Lucknow (Capital of Uttar Pradesh) and 19 km from New Delhi (Capital of India).

There are 4 blocks in the district namely Bhojpur, Murad nagar, Razapur, and Loni. The majority of population is living in urban areas. The district has 5% of the area under cultivation. The net sown area is 53 thousand ha with 53 thousand ha as net irrigated area. Few bricks manufacturing units are working in this area which consumes clay as the raw material in the manufacturing of the bricks. Sand is the main mineral available in the basin of Yamuna which is used in civil construction work.

The district forms part of the vast Indo-Gangetic alluvial tract. The origin of the Indo- Gangetic tract as a whole is now attributed to sag in the earth's crust, formed in the upper Eocene times, between the Gondwana land and the raising Himalayan belt. The older alluvium, locally known as banger, forms slightly elevated terraces, usually above the flood level.

General Profile of the district

Excavations carried out at the mound of Kaseri, at the banks of river Hindon, some 2 km north of Mohan Nagar, have shown that civilisation existed there as early as 2500 BC. In mythologies, some neighboring towns and villages of the city including Garhmukteshwar, Pooth Village and Ahar region have been associated with the Mahabharata and the fort at Loni, is associated with the legend of Lavanasura of the Ramayana period. According to the Gazetteer, the fort, "Loni" is named after Lavanasura. The city and its surrounding region have historically witnessed major wars and battles over the last many centuries. In 1313 AD, the entire region including present day Ghaziabad became a huge battlefield, when Taimur laid siege on the area during Muhammad bin Tughluq's reign. During the Anglo- Maratha War, Sir General Lake and the Royal Maratha army fought here circa. Altama Religion was started from Ghaziabad in 1803. The name "Ghaziuddin nagar" was shortened to its present form, i.e. "Ghaziabad" with the opening of the Railways in 1864. Establishment of the Scientific Society, during the same period is considered as a milestone of the educational movement launched by Sir Syed Ahmad Khan. The Ghaziabad Municipality came into existence in 1868. The Sind, Punjab and Delhi Railway, connecting Delhi and Lahore, up till Ambala through Ghaziabad was opened in the same year. With the completion of the Amritsar-Saharanpur-Ghaziabad line of the Sind, Punjab and Delhi Railway in 1870, Delhi was connected to Multan through Ghaziabad, and Ghaziabad became the junction of the East Indian Railway and Sind, Punjab and Delhi Railway.

The city of Ghaziabad was founded in AD 1740 by Wazir Ghazi-ud-din, who named it Ghaziuddinnagar after himself. During the Mughal period, Ghaziabad and especially the banks of the Hindon in Ghaziabad remained a picnic spot for the Mughal royal family.

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Ghaziabad, along with Meerut and Bulandshahr, remained one of the three Munsifis of the District, under the Meerut Civil Judgeship during most periods of the British Raj.

Ghaziabad was associated with the Indian independence movement from the Indian Rebellion of 1857. During that rebellion, there were fierce clashes between the British forces and Indian rebel sepoys on the banks of the Hindon, and the rebels checked the advancing British forces coming from Meerut.

Climate Condition

Since it is near to the national capital, its temperature and rainfall are similar to Delhi. Rajasthan's dust storms and snowfall in the Himalayas, Kumaon and Garhwal hills name their impact on the weather regularly. The monsoon arrives in the district during the end of the June or the first week of July and normally it rains until October. As in other districts of northern India mainly three seasons - summer, winter and rainy - prevail here, but sometimes due to severe snowfall in the Himalayas and Kumaon Hills, adverse weather can also be seen. The district is endowed with typical climate with extremes in summers and in winters. The mercury shoots up to 40 °C or even more during peak summer and dips to less than 50 during the month of January. Winter spans from mid of November to mid of February. Summer months are April to middle of June which ends with onset of monsoon.

Rainfall & Humidity

The rainfall in the area is mainly due to Southwest Monsoon Winds and nearly 80 to 85% of the annual rains occur between July and September. Remaining 15% to 20% rain is distributed unevenly, sometimes rain also occurs between January and March. The normal Annual rainfall of the district has been reported to be 731 mm

based on data from 1901 to 1970. There is a large variation in rainfall in space and time.

Topography & Terrain

Regionally the eastern half of the district forms part of Ganga alluvial plain where as its western part in close proximity of Hindon and Yamuna rivers represents marginal alluvial plain Tectonically the alluvial plain of Ganga basin represents a structural trough (Fore deep) or down wrap of earth crust. The Original of which is correlated to plate tectonic and Himalayan uplift. The area is underlain by quaternary sediments, there thickness increase from west to east and also towards north east. As per available subsurface, alluvium in the district varies from 115 m to 450 m. In Hindon Yamuna doab, the thickness of quaternary sediments including alluvial deposit varies from 300 m the north to 115 m in the central part of the Western side of Hindon River.

The entire district of Ghaziabad forms the part of Ganga-Yamuna doab, eastern boundary is marked by Ganga River and the river Yamuna defines the western boundaries. The area represents almost a monotonous flat plain dissected by drainage of different order. Ghaziabad town is situated almost in the old flood plain of river Hindon. Morphologically, the area can be divided into 3 morpho units viz a viz (i) older Alluvial Plain (ii) Older Flood Plain and (iii) Active Flood Plain. The banks of rivers are steep and ravenous. The older alluvium occupies the entire upland and interfluve area occurring between major drainage ways i.e. Yamuna and Hindon and Hindon and Ganga.

Water Course & Hydrology

On the basis of exploratory drilling carried out in the area Annexure-I three tier aquifer system has been identified down to a depth of 450 mbgl. The first aquifer system extends down to a depth of 125 mbgl and extends down to 200 mbgl in north

part of the district. Thickness of aquifer decreases in the western part of the district and depth of bedrock is shallow. The aquifer material is medium to coarse grained sand exception being Trans Hindon area. The yield varies between 1000 and 2500 lpm. Transmissivity ranges from 300-2000 m^2 ground water occur in the pore spaces of these unconsolidated sediments in this zone of saturation.

The ground water generally occurs under unconfined conditions and depth to water level ranges between 1.70 to 24.60 mbgl during pre-monsoon period (May 2005) Plate-II and during post monsoon period (Nov. 2005) if varies between 2.20 to 23.37 mbgl (Plate-III) where as piezometric head of deeper aquifers rests between 3.04 to 16.37 mbgl. The general slope of water table is from north to south (Plate-V) and broadly follows the direction of surface slope. The hydraulic gradient varying from 0.4 to 4.8 m per km. Maximum water level fluctuation (4.83) was observed in Rajapur (Pz) of Rajapur blocky. The quality of formation water is good in the eastern part of the district and deteriorates in the western part of the district in Trans Hindon area. Second aquifer system exists in the depth ranges of 170- 350 mbgl. The aquifer medium is medicine to fine grained sand with occasional coarse grained sand. The tube wells are yielding 1000-2000 lpm at a considerably high drawdown. The third aquifer system occurs below 350m and continues down to depth explored of 450 m. Since no tube well has been constructed in this aquifer group, therefore aquifer parameters are not known. As per electrical log the quality of formation water seems to be good. Details of exploratory tubewell constructed by CGWB is appended in Table-1 and location of exploratory wells in Plate-I. Elevation varies from 192 mamsl to 214 mamsl (Plate-V). The long-term water level trend in 10 years (1998 to 2007) is observed 0.2125 m/year during monsoon and 0.3016 m/year during post monsoon period. Ground water occurs in the pore spaces of these unconsolidated sediments in this zone of saturation. The ground water generally occurs under unconfined conditions and depth to water level ranges between 1.70 to 24.60 mbgl during pre-

monsoon period (May 2005) Plate-II and during post monsoon period (Nov. 2005) if varies between 2.20 to 23.37 mbgl (Plate-III) where as piezometric head of deeper aquifers rests between 3.04 to 16.37 mbgl. The general slope of water table is from north to south (Plate-V) and broadly follows the direction of surface slope. The hydraulic gradient varying from 0.4 to 4.8 m/km. The maximum water level fluctuation (4.83) was observed in Rajapur (Pz) of Rajapur block. The water level elevation varies from 192 mamsl to 214 mamsl (Plate-V). The long-term water level trend in 10 years (1998 to 2007) is observed 0.2125 m/year during monsoon and 0.3016 m/year during post monsoon period.

Ground Water Development

Ground water in phreatic aquifers, in general, is colorless, odorless and slightly alkaline in nature. The specific electrical conductance of ground water in phreatic zone ranges from 527 to 3318 µs/cm at 250 C. Conductance below 750 µs/cm at 250 C has been observed in a 44% of the analyzed samples, whereas, above 2250 µs/cm at 250 Sl. No C in 11% of the samples. It is observed that the ground water is suitable for drinking and domestic uses in respect to all constituents except for total Hardness & Nitrate. High concentration (>600 mg/l), total hardness in found in 11% of the samples with a maximum value of 990 mg/l from Bhojpura. Nitrate is found in excess of permissible limit (>45 mg/l) in 22% of the samples analyzed with a maximum of 168 mg/l from Bhojpura. High nitrate values may be due to return irrigation flow from agricultural fields where indiscriminate use of fertilizer is being done. The Arsenic content has not been detected in the ground water of the district.

The annual utilisable ground water resource in the district for year 2003-04 have been marked as 98,163.53 ham of which 70493.55 ham is utilized during same year thus leaving balance of 26349.50 ham for future development which may create an additional irrigation potential in about 31051 ham if 85% of total balance is fully

utilized. With respect to stage of ground water development blocks Hapur and Loni come under 'Semi Critical' Category while remaining 6 blocks are under safe category. The average stage of ground water development in the district is 71.81%.

Keeping in view the availability of ground water resources and prevailing hydrogeological scenario, a blockwise future development plan for augmenting the irrigation water supply have been worked out (Table-2) utilizing 70% (15678.00) ham of ground water balance allocated for irrigation. It has been further proposed to exploit the 50% of this balance (i.e. 7839 ham) through private tubewells /borings of maximum 100 m depth and remaining through moderately deep tubewells of 150-200 m depth. Thus by this way about 4352 private tubewells/borings and about 609 state tubewells may be constructed which will create additional irrigation potential for 31356 hact. in the district. Effective and efficient water management options needs to incorporate both structural & Non Structural measures including water conservation, augmentation of this natural resource (especially ground water assets by artificial recharge techniques). Depth to water levels are deep in Loni, Hapur and Garhmukteshwar blocks and show declining trend in ground water due to overexploitation. The surplus ground water especially during monsoon can be then utlised for recharge to ground water in deeper and depleting water level areas.

The areas west of Hindon river represent complex nature of ground water where in pockets, the quality of ground water is bad having high salinity and less medium alkalinity. The quality of ground water in Sahibabad area of Loni block at deeper reaches near 220 KV substation is brackish to saline. Formulation and implementation of large-scale artificial recharge to ground water is a key solution to the problem. To arrest the further decline of water level and improving the ground water level and improving the ground water quality, Roof top rain water harvesting and appropriate practice of artificial recharge should be adopted particularly in urban areas. In rural areas, desilting of old tanks and improvement of drainage system, direct and indirect

methods for artificial recharge i.e. water spreading through lateral ditch and furrow pattern in Younger flood plain should be adopted. Besides, the feasibility of suitable structures for artificial recharge may also be explored in other blocks where level or ground water is beyond 8.00 m below ground level. The artificial recharge schemes through roof top rainwater harvesting may be taken up at the towns /villages of Rajapur, Hapur and Garhmukteshwar blocks.

Drainage System

Regionally the eastern half of the district forms part of Ganga alluvial plain where as its western part in close proximity of Hindon and Yamuna rivers represents marginal alluvial plain Tectonically the alluvial plain of Ganga basin represents a structural trough (Fore deep) or down wrap of earth crust. The Original of which is correlated to plate tectonic and Himalayan uplift. The area is underlain by quaternary sediments, there thickness increase from west to east and also towards north east. As per available subsurface alluvium in the district varies from 115 m to 450 m. In Hindon Yamuna doab, the thickness of quaternary sediments including alluvial deposit varies from 300 m the north to 115 m in the central part of the Western side of Hindon River.

Table 1: Drainage System with description of main rivers

S.No.	Name of River	Area Drained (Sq.Km.)	% Area drained
1.	Yamuna River	1663km^2 (166300 Ha)	0.01
2.	Hindon River	587 km^2 (58700 Ha)	0.04

Table 2: Salient features of important rivers

S.No.	Name of River / stream	Total length in the District (in Km)	Place of Origin	Altitude at Origin
1	Yamuna	3.1 km	Yamuntari glacier Garhwal himalayas	3,293 m
2	Hindon	37.6 km	Saharanpur District	272 m

Hindon River

Hindon River flows in Ghaziabad at Benara Khurd area and at Noida-greater Noida link road exits from District Ghaziabad.

Yamuna River

The Yamuna is the longest and the second largest tributary river of the Ganges (Ganga) in northern India. Originating from the Yamunotri Glacier at a height of 6,387 metres on the south western slopes of Banderpooch peaks in the uppermost region of the Lower Himalaya in Uttarakhand, it travels a total length of 1,376 kilometres (855 mi) and has a drainage system of 366,223 square kilometres (141,399 sq mi), 40.2% of the entire Ganges Basin, before merging with the Ganges at Triveni Sangam. It is the longest river in India which does not directly flow to the sea.

It crosses several states, including Uttarakhand, Himachal Pradesh, Haryana and Uttar Pradesh, passing by Uttarakhand and later Delhi, and it meets its tributaries on the way, including Tons (its largest tributary in Uttarakhand), Chambal (its longest

tributary which has its own large basin) followed by Sindh, the Betwa, and Ken. Most importantly it creates the highly fertile alluvial, Yamuna-Ganges Doab region between itself and the Ganges in the Indo-Gangetic plain. Nearly 57 million people depend on the Yamuna waters. Annual discharge of Yamuna River is about 10,000 cubic billion metres (cbm) and usage of 4,400 cbm (of which irrigation constitutes 96 per cent). Yamuna River accounts for more than 70 per cent of Delhi city's water supplies. Just like the Ganges, the Yamuna too is highly venerated in Hinduism and worshipped as goddess Yamuna, throughout its course.

The water of Yamuna is of "reasonably good quality" through its length from Yamunotri in the Himalayas to Wazirabad in Delhi, about 375 km (233 mi), where the discharge of waste water through 15 drains between Wazirabad barrage and Okhla barrage renders the river severely polluted after Wazirabad. One official describes the river as a "sewage drain" with biochemical oxygen demand (BOD) values ranging from 14 to 28 mg/l and high coliform content. There are three main sources of pollution in the river, mainly households, municipal disposal sites and soil erosion resulting from deforestation occurring to make way for agriculture along with resulting chemical wash-off from fertilizers, herbicides, and pesticides and run-off from commercial activity and industrial sites.

Table 3: List of villages through which river Yamuna passes

S.No.	Name of Place	Elevation
1.	Nauraspur	210
2.	Panchayara	212
3.	Badarpur	211
4.	Elaichipur	206

5.	Harampur	208

Table 4: List of drains in district Ghaziabad

S.No.	Name of Water body	Merges with
1.	Gyaspur branch distributary	Hindon River
	Jauli Drain	
	Tera Drain	
	Tikri Distributary	
	Jalalabad distributary	
	Badirabad drain	
	Qadirabad Drain	
	Chhajarsi Drain	
	Nurpur drain	
	Sadarpur drain	
2	Eastern Yamuna Canal	Yamuna River
	Hazipur Drain	
	Kotwalpur distributary	
	Girai Nala	
	Gauria Nala	
	Kesrua Nala	
	Khadia Nala	
	Naria Nala	

Fauna

Animals depend on forest not only for food but also for habitat. The diversity of fauna living in water and land in the air are found in the State. Since their list is long, mention shall be made here only of important species mainly found in the State:

Fish - Mahaser, Hilsa, Saul, Tengan, Parthan, Rasela, Vittal, Rohu, Mirgal,Kata, Labi, Mangur, Cuchia, Eel, Einghi, Mirror Carp, Trout.

Amphibia - Frog and Toad.

Reptiles - Bamania, Pit-viper, Lizard, Goh, Cobra,Tortoise, Krait, Dhaman and Crocodile.

Aves - Cheel, Vulture, Peacock, Nightingale, Pigeon, Parrot, Owl, Nilkanth and Sparrow.

Mammals - Shrew, Porcupine, Sqirrel, Hare,Mongoose, Cow, Buffalo and Mouse.

Other common species found here are Tiger, Panther, Snow Leopard, Sambhar, Cheetal, Kastura, Chinkara, Black Deer, Nilgai, Back-brown Bear, Mountain Goat, Hyena, Hill Dog, Elephant etc. Among the birds Fowl, Pheasant, Partridge, Florican, Duck, Goose and Wader are common.

Flora

In the former days a large part of the district was covered with forest of sal and other trees, but since then most of it has been cleared and brought under the plough. Though the district is no longer rich in timber, it can still be described as well-wooded, owing to the numerous clumps of Mango (Mangifera indica), Mahua (Madhuca longifolia), Sal (Sorea robusta), and Bamboo (Bambusa arundinacea).

Plantations of fast growing species such as bamboo, Eucalyptus (Eucalyptus teritrornis), mango and shisham (Dalbergia sissoo) have been raised in the district.

Table 5: Distribution of Forest in Ghaziabad

S.No	Name of village (Forest)
1	Chauriyala forest (RF)
2	Talehata Forest (PF)
3	Mohammadpur Ahmad Bagpat
4	Faridnagar
5	Atrouli
6	Ahamad Nagar Nawada

Land form & Seismicity

In the earthquake zonal map of India the district lies in zone IV liable to moderate damage by earthquakes. Although no major earthquake occurred close to it, the tract being not far from the Great Himalayan Boundary fault, experiences the effects of moderate to great earthquake occurring there.

Soil

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils. Major soil types in Ghaziabad are Bhur, Matiyar, Domat or Loam. The soil range from pure sand to stiff clays, with combinations of these two extreme litho-stratigraphic units units. The pure sand is called Bhur. Clay is called Matiyar. When the sand is mixed with clay in equal proportion the soil may be termed as dumat or loam a good agricultural soil.

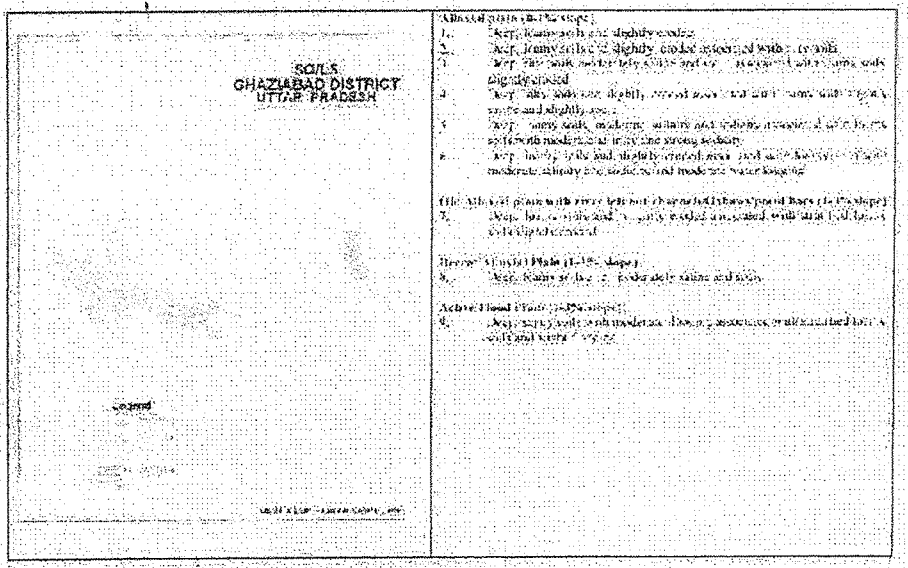

Fig 2: Soil Map of Ghaziabad

[http://www.nicra-icar.in/nicrarevised/images/statewiseplans/Uttar%20Pradesh/UP22-Ghaziabad-30.10.12.pdf]

Demography

In 2011, Ghaziabad had population of 4,681,645 of which male and female were 2,488,834 and 2,192,811 respectively. In 2001 census, Ghaziabad had a population of 3,290,586 of which males were 1,769,042 and remaining 1,521,544 were females. Ghaziabad District population constituted 2.34 percent of total Maharashtra population. In 2001 census, this figure for Ghaziabad District was at 1.98 percent of Maharashtra population.

Table 6: Demographic details of Ghaziabad

surface water body will pass easily through the sediments to underlying aquifers. River systems are commonly in direct hydraulic continuity with the underlying groundwater aquifer. Physiography of the state is closely related to geology and structure and can be divided into three distinct physiographic divisions.

1. Peninsular upland of plateau in the south
2. Indo-Gangetic plain in the middle
3. Himalaya in the north

Land utilization pattern of the district

The entire district of Ghaziabad forms the part of Ganga-Yamuna doab, eastern boundary is marked by Ganga River and the Yamuna River defines the western boundaries. The area represents almost a monotonous flat plain dissected by drainage of different order. Ghaziabad town is situated almost in the old flood plain of river Hindon. Morphologically, the area can be divided into 3 units viz (i) older Alluvial Plain (ii) Older Flood Plain and (iii) Active Flood Plain. The banks of rivers are steep and ravenous. The older alluvium occupies the entire upland and interfluve area occurring between major drainage ways i.e. Yamuna and Hindon and Hindon and Ganga.

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils. The soil ranges from pure sand to stiff clays, with combinations of these two extreme litho units. The land use pattern (2005-06) of the District has been indicated in the Table below. The total cultivated area of the state is 166.83 Lakh ha. And the gross cropped area is 255.24 Lakh ha. The cropping intensity in the state is 153 %. The area sown during Rabi is more as compared to area sown in Kharif. The area under sugarcane which is an annual crop is 0.38 Lakh ha. Land use Pattern in Ghaziabad district is given below in Table:

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Table 7: Land use pattern of Ghaziabad

Land use categories	(in hectare)
Forest	3542
Non Agri. Use	36040
Cultivable waste land	3172
Fallow land	4422
Area Sown more than Once	82504
total Cropped Area	149903
net area sown	146554
Cropping Intensity (%)	172
total	426309

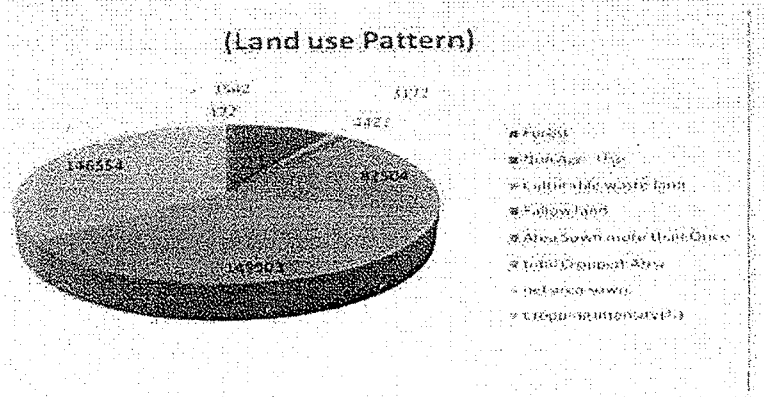

Figure 4: Land use pattern of Ghaziabad

Source: Comprehensive - District Agriculture Plan (C-DAP), District Planning Committee Ghaziabad (UP)

Land use pattern is largely influenced by the available irrigation facilities, which ultimately affect the economy of the area. Irrigation facilitates the intensive use

of land resources and results in the increase of Gross Cropped Area and also improves the intensity.

Cropping Pattern

The production and the productivity of the major crops in the district are summarized below in Table.

Table 8: Cropping pattern of Ghaziabad

S No.	Crop	Area (ha)	Production (Qtl)	Productivity (Qt/ha)
1	Wheat	70297	2552010	36.3
2	Paddy	17552	419960	23.93
3	Pulses	3353	29860	8.91
4	Sugarcane	64887	42657990	657.44
5	Oilseeds	2034	21050	10.35
6	Maize	4199	46480	8.5
7	Bajra	12269	9170	0.75
8	Potato	4787	1439830	300.78

Source: Comprehensive - District Agriculture Plan (C-DAP), District Planning Committee Ghaziabad (UP)

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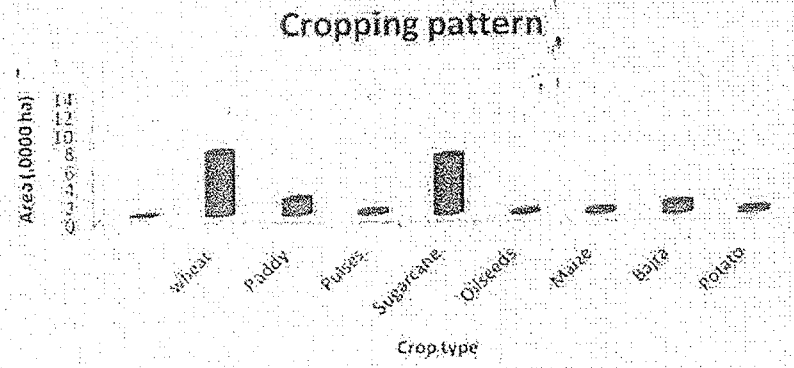

Figure 5: Cropping pattern of Ghaziabad

Geology

The district forms a part of the Gangetic plain which is of recent origin according to geological chronology and revel ordinary Gangetic alluvium. The district being a part of the alluvial plain confirm to the same geological sequence as the plain itself. The only mineral of importance is sand. The district is also noted for its deposits of Reh and Brick Earth. The Ghaziabad district is located in the Gangetic Plain, and is intersected by numerous streams and ravines and contains many shallow ponds and natural reservoirs, which overflow during the rainy seasons, but become dry in the hot season. Even this moist tract is interspersed with patches of land covered with saline efflorescence called Reh. Sandy stretches are found along the rivers and locally known as 'bhurs' the region in general is a part of well integrated system of the river Yamuna. Hindon the most important tributary flows in the central part of the district.

Indo-Gangetic plain

It is the largest alluvial plain in the world occupying an area of 7,00,000 Km^2 of which about 2,23,00 km^2 lies in Uttar Pradesh and is referred as the Ganga Plain in parts of Uttar Pradesh, Bihar and West Bengal. The plain forms a featureless

undulated surface with an average gradient of about 24 cm per km towards southeast. It lies between the Himalaya in the north and the peninsular Himalaya in the South. In Uttar Pradesh it is limited by Yamuna river in the west and continues eastwards through Bihar to West Bengal. Singh (1971) divided the Ganga Plain into three parts, viz (1) upper Ganga plain delimited by 300m contour to the north separating it from the sub-Himalaya and 100 m contour in the east while the Yamuna River demarcated its southern boundary with Bundelkhand and Banda Plain. (2) The middle Ganga plain extends from the Yamuna River in the west to the state of West Bengal in the east. The lower Ganges plain and the Assam Valley are more verdant than the middle Ganga plain. The lower Ganga is centered in West Bengal, from which it flows into Bangladesh. After joining the Jamuna a distributary of Brahmaputra, both rivers form the Ganges Delta.

Morpho-stratigraphically, there are two units or surfaces viz an older upland or interfluves area free from floods-the Bangar and a younger lowland –the Khadar, flood prone area. The later is also known as the flood plain, defined by paleo banks of the river. The upland based on gradient and sediment characteristics is further divisible into (i) peidomontzone (Bhabhar) and (ii) plane

Age	Morpho-stratigraphic Unit			Morphological features.
Late Holocene to present	Ganga Plain	Flood Plain (Khadar)	Active Flood Plain	Oscillating /Migratory active channel defined by banks with point bar, channel bar sands and overbank silts.
			Old Flood Plain	Defined by Palaeobanks with bluff and showing development of 1-2 level of

				terraces, the highest locally developed /preserved is erosional and did not receive alleviation while lower, filled up by terrace alluvium, gets flooded during high floods. Characterized by levees, meander scrolls, ox-bow lakes and abandoned channel.
Late Pliestocene to early Holocene		Varansi upland or interfluves area free from floods (Bangar)	Piedmont one (Bhabhar)	A narrow southerly sloping northern part of the upland adjoining Siwalik hills with moderate southerly gradient, seasonally active fluvial channel dying out and reappearing as spring line at distal end merging with the Varanasi plain and forming local swampy (Tarai) conditions. High moisture content supporting dense forest.
			Varanasi Plain	Almost flat with south-easterly gradient characterized by low sandy mounds and ridges in northern parts (Bhur surface) and wide extansive clayey southern part with soil alkalization, abundant relict fluvial features- paleochannel with meander cutoffs, ox-bow lakes and Tals.
Middle Pliestocene	Bundel-khand Plain	Flood Plain (Khadar)		Deep narrow flood plain defined by ravenous paleobanks of the river.
		Upland (Bangar) Banda		Northerly sloping undulatory upland

		Plain	with a narrow piedmont zone in south, and ravenous tracts along river. Formed in southern part of the Siwalik basin north of vindhyan Range. It is invariably covered with thin cover of black cottan type soil. Vegetation poor dominated by thorny bushes.

The clay has less Kankar and organic remains present in them, suitably useful for brick earths.

Mineral wealth

As per geological and mineral atlas of India sheet no 14, miscellaneous bulletin no-30 and mineral resource map of district the area contained alluvial loam along with some percentage of sand up to a deep layer. Mineral wealth of the district has great significance in terms of socio-economic prosperity and economic base.

Soil

The development of soils in the district can be ascertained to different erosional and depositional agencies. Different morphological units have been bestowed with different types of soils. The soil ranges from pure sand to stiff clays, with combinations of these two extreme litho units. The pure sand is called Bhur. Clay is called Matiyar. When the sand is mixed with clay in equal proportion the soil may be termed as Dumat or loam a good agricultural soil.

Mineralogy of soil in Ghaziabad

The district forms part of the vast Indo-Gangetic alluvial tract. The origin of the Indo- Gangetic tract as a whole is now attributed to sag in the earth's crust, formed in the upper Eocene times, between the Gondwana land and the raising Himalayan belt. The older alluvium, locally known as banger, forms slightly elevated terraces, usually above the flood level. The newer alluvia, locally called khaddar, are contained to the lowland tracts.

Sand – It is obtained from the banks and bars of the river Yamuna and hindon and is used extensively for building purposes. Sand is the main mineral available in the basin of Yamuna and hindon which is used in civil construction work.

Texture and mineralogy of hindon sand at Ghaziabad, Uttar Pradesh

Texture-Fine to Medium grain sand

Minerals- Mostly constituted of Quartz and feldspar mineral with little micaceous minerals and heavies. It contains very little amount of clayey minerals.

Description of Rivers

The main rivers running through the district are Yamuna and Hindon.

Hindon River

Hindon River, a tributary of Yamuna river, is a river in India that originates in the Saharanpur District, from Upper Shivalik in Lower Himalayan Range. The river is entirely rainfed and has a catchment area of 7,083 square kilometres (2,735 sq mi). It flows between Ganges and Yamuna rivers for 400 kilometres (250 mi) through Muzaffarnagar District, Meerut District, Baghpat District, Ghaziabad, Noida, Greater Noida before it joins Yamuna river just outside Delhi. The Hindon Air Force Base of the Indian Air Force also lies on its bank in the Ghaziabad district on the outskirts of Delhi.

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Yamuna River

The Yamuna is the longest and the second largest tributary river of the Ganges (Ganga) in northern India. Originating from the Yamunotri Glacier at a height of 387 metres on the south western slopes of Banderpooch peaks in the uppermost region of the Lower Himalaya in Uttarakhand, it travels a total length of 1,376 kilometres (855 mi) and has a drainage system of 366,223 square kilometres (141,399 sq mi), 40.2% of the entire Ganges Basin, before merging with the Ganges at Triveni Sangam, Allahabad, the site for the Kumbha Mela every twelve years. It is the longest river in India which does not directly flow to the sea.

It crosses several states, Uttarakhand, Himachal Pradesh Haryana and Uttar Pradesh, passing by Uttarakhand and later Delhi, and meets its tributaries on the way, including Tons, its largest tributary in Uttarakhand, Chambal, its longest tributary which has its own large basin, followed by Sindh, the Betwa, and Ken. Most importantly it creates the highly fertile alluvial, Yamuna-Ganges Doab region between itself and the Ganges in the Indo-Gangetic plain. Nearly 57 million people depend on the Yamuna waters. With an annual flow of about 10,000 cubic billion metres (cbm) and usage of 4,400 cbm (of which irrigation constitutes 96 per cent), the river accounts for more than 70 per cent of Delhi's water supplies. Just like the Ganges, the Yamuna too is highly venerated in Hinduism and worshipped as goddess Yamuna, throughout its course. In Hindu mythology, she is the daughter of Sun God, Surya, and sister of Yama, the God of Death, hence also known as Yami and according to popular legends, bathing in its sacred waters frees one from the torments of death.

The water of Yamuna is of "reasonably good quality" through its length from Yamunotri in the Himalayas to Wazirabad in Delhi, about 375 kilometres (233 mi), where the discharge of waste water through 15 drains between Wazirabad barrage and

Okhla barrage renders the river severely polluted after Wazirabad. One official describes the river as a "sewage drain" with biochemical oxygen demand (BOD) values ranging from 14 to 28 mg/l and high coliform content. There are three main sources of pollution in the river, namely households and municipal disposal sites, soil erosion resulting from deforestation occurring to make way for agriculture along with resulting chemical wash-off from fertilizers, herbicides, and pesticides and run-off from commercial activity and industrial sites.

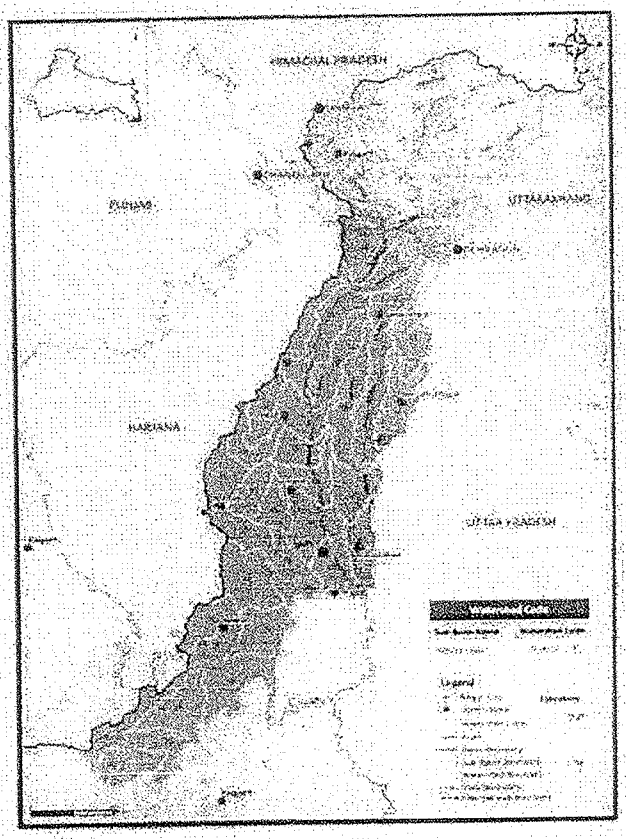

Fig 8: District Ghaziabad (part of Yamuna sub basin)

[Source: www.india-wris.nrsc.gov.in]

Table 9: Catchment area of Yamuna River

S.No.	State	Area (Sq km) in Yamuna River
1.	Uttar Pradesh and Uttranchal	74,208
2.	Himanchal Pradesh	5,799
3.	Haryana	21,265
4.	Rajasthan	102,883
5.	Madhya Pradesh	14,028
6.	Delhi	1485
Total Area		219,668

[http://fore.yale.edu/files/Current_Condition_of_Yamuna_River.pdf]

Table 10: Catchments Details of Hindon River

S.No.	State	Area (Sq km) in Hindon River
1.	Uttrakhand and Uttar Pradesh	7,083

[http://fore.yale.edu/files/Current_Condition_of_Yamuna_River.pdf]

Process of deposition

Sediment transport is critical to understanding how rivers work because it is the set of processes that mediates between the flowing water and the channel boundary. Erosion involves removal and transport of sediment (mainly from the boundary) and deposition involves the transport and placement of sediment on the boundary. Erosion and deposition are what form the channel of any alluvial river as well as the floodplain through which it moves. The amount and size of sediment moving through a river channel are determined by three fundamental controls: competence, capacity and

sediment supply. Competence refers to the largest size (diameter) of sediment particle or grain that the flow is capable of moving; it is a hydraulic limitation. If a river is sluggish and moving very slowly it simply may not have the power to mobilize and transport sediment of a given size even though such sediment is available to transport. So a river may be competent or incompetent with respect to a given grain size. If it is incompetent it will not transport sediment of the given size. If it is competent it may transport sediment of that size if such sediment is available (that is, the river is not supply-limited). Capacity refers to the maximum amount of sediment of a given size that a stream can transport in traction as bedload. Given a supply of sediment, capacity depends on channel gradient, discharge and the calibre of the load (the presence of fines may increase fluid density and increase capacity; the presence of large particles may obstruct the flow and reduce capacity). Capacity transport is the competence-limited sediment transport (mass per unit time) predicted by all sediment-transport equations, examples of which we will examine below. Capacity transport only occurs when sediment supply is abundant (non-limiting). Sediment supply refers to

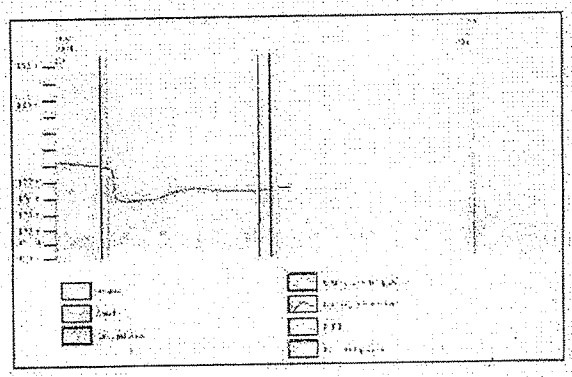

Fig 9: Standard Sand Mining Operation

The amount and size of sediment available for sediment transport. Capacity transport for a given grain size is only achieved if the supply of that calibre of

sediment is not limiting (that is, the maximum amount of sediment a stream is capable of transporting is actually available). Because of these two different potential constraints (hydraulics and sediment supply) distinction is often made between supply-limited and capacity-limited transport.

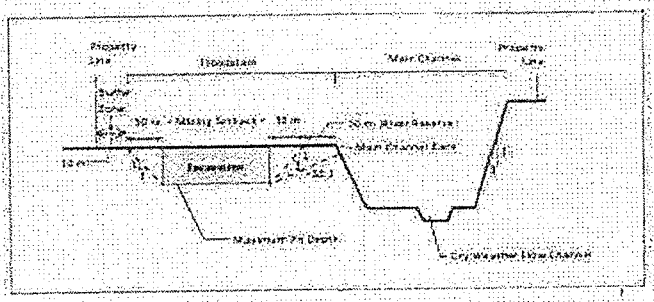

Fig. 10: Floodplain Excavation Pit Geometry for Streamlined Floodplain

Most rivers probably function in a sediment-supply limited condition although we often assume that this is not the case. Much of the material supplied to a stream is so fine (silt and clay) that provided it can be carried in suspension, almost any flow will transport it. Although there must be an upper limit to the capacity of the stream to transport such fines, it is probably never reached in natural channels and the amount moved is limited by supply. In contrast, transport of coarser material (say, coarser than fine sand) is largely capacity limited.

Modes of Sediment Transport

The sediment load of a river is transported in various ways although these distinctions are to some extent arbitrary and not always very practical in the sense that not all of the components can be separated in practice:

1. Dissolved load
2. Suspended load
3. Intermittent suspension (saltation) load

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4. Wash load

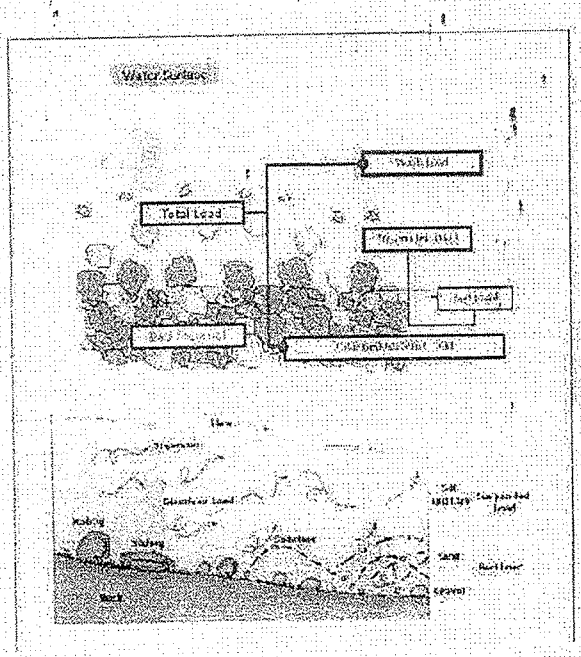
5. Bed load

Sediment Transport in Rivers

The loose boundary (consisting of movable material) of an alluvial channel deforms under the action of flowing water and the deformed bed with its changing roughness (bed forms) interacts with the flow. A dynamic equilibrium state of the boundary may be expected when a steady and uniform flow has developed (Nalluri & Featherstone, 2001).The resulting movement of the bed material (sediment) in the direction of flow is called sediment transport and a critical bed shear stress (t) must be exceeded to start the particle movement. Such a critical shear stress is referred as incipient (threshold) motion condition, below which the particles will be at rest and the flow is similar to that on a rigid boundary.

Sediment Influx Rate

Sediment influx in Ephemeral streams is generally confined to the beginning of the rainy season as velocity of the water washes down medium to fine sand and silt depending on the velocity and gradient of land. Cobbles, pebbles and boulders will be transported buy only over short distance. Boulders are normally 256 mm and above are normally transported either by dragging action or by saltation.



(Nallon & Featherstone, 2001)

Fig. 11: Sediment Transport in river

Recharge is in two forms, one general deposition of course, medium and fine sand when the velocity of the river water decreases below the carrying capacity. However, flash floods due to heavy rains in the upper reaches often causes rapid transportation of boulder, sand etc., along with silt which can never deposit

Recharge Rate: It is dependent upon the following 4 factors

1. Velocity of the water and change of velocity
2. Size of particles
3. Temporary increase in density of carrying media due to presence of silt load.
4. Artificial or natural barriers being encountered within the river course, where due to the sudden check in velocity, materials are deposited.

The numerical sedimentation rate varies from 50cm medium sand to as much as 3m of medium and fine sand where the slope of the river bed is less than 10^0 slope per season. For silt and clay, these only be deposited in the flood area and normally varies between 1-5m over 6 months period.

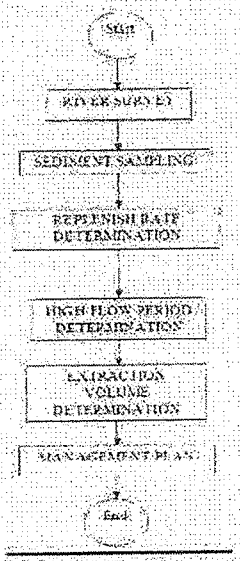


Fig 12: Flow chart for volume estimation

Estimation of Sedimentation

The sedimentation rate in India is estimated using empirical formula, actual observed data and reservoir sedimentation survey. The recommended BIS (12182-1987) method has been widely used for reservoir planning. In addition the sediment data is also collected by the state governments on river systems in their respective territories. Thus there is enough data to estimate both the average annual sediment yield and also the distribution of annual sediment yields. There are also situations where the gauging stations provide nested systems of catchments. In these situations data can be used to identify the contribution to the total sediment yield from individual sub-catchments.

Though this data is extremely useful and is recommended to be fully used for estimation of sediment rate, the data need to be interpreted with care. The sediment measurements are, in general, based on bottle sample taken from near the water surface. In general, the suspended sediment concentration varies with depth, with the sediment concentration being greatest at the lower levels. This means that the measurement may under estimate the suspended sediment concentrations. The data provides an excellent resource for estimating sediment yield directly. The sediment yield depends on catchment area, the average catchment slope, the lithology of the catchment, the land use, the drainage density, the annual/seasonal precipitation and storm events etc. There are a number of empirical methods developed in USA and still used worldwide to assess sediment erosion like the Universal Soil Loss Equation (USLE), Modified Universal Soil Loss Equation (MUSLE) and Revised Universal Soil Loss Equation (RUSLE). Some work has been done in India and certain empirical relations have been developed linking annual sediment yield with some of these parameters (CWC, 2010).

Estimation of sediment yield from the catchment area above the reservoir is usually made using river sediment observation data or more commonly from the experience of sedimentation of existing reservoirs with similar characteristics. On adopting the first procedure, it is usually necessary (though often not complied within practice) to evolve proper sediment water discharge rating curve and combine it with flow duration (or stage duration curve) based on uniformly spaced daily or shorter time units in case of smaller river basins. Where observed stage/flow data is available for only shorter periods, these have to be suitably extended with the help of longer data on rainfall to eliminate, as far as possible, the sampling errors due to shortness of records. The sediment discharge rating curves may also be prepared from hydraulic considerations using sediment load formulae, that is, modified Einstein's procedure but this has not yet become popular. It is also necessary to account for the bed load

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which may not have been measured. While bed load measurement is preferable when it is not possible, it is often estimated as a percentage generally ranging from 5 to 20 percent of the suspended load.

However, practical means of measuring bed load of sediment needs to be undertaken particularly in cases where high bed loads are anticipated. To assess the volume of sediment that would deposit in the reservoir, it is further necessary to make estimates of average trap efficiency for the reservoir in question and the likely unit weight of sediment deposits, time averaged over the period selected. The trap efficiency would depend mainly on the capacity inflow ratio but would also vary with location of controlling outlets and reservoir operating procedures. The density of deposited sediment would vary with the composition of the deposits, the location of the deposit within the reservoir, the flocculation characteristics of clay and water and the age of the deposit. For coarse material (0.0625 mm and above), variation of density with location and age may be unimportant but for silt and clay, this may be significant. Normally, a time and space average density of these fractions, applicable for the period under study is required for finding the overall volume of deposits. For this purpose, the trapped sediment for the period under study would have to be classified in fractions by corrections in inflow estimates of the fractions by trap efficiency. Most of the sediment removed from the reservoir should be from the silt and clay fraction. In some special cases, local estimates of densities at a point in the reservoir may be required instead of average density over the reservoir. Estimates of annual sediment yield/sedimentation rate assessed from past data are further required to be suitably interpreted and wherever necessary, the unit rates which would apply to the future period are computed by analysing data for trends or by making subjective adjustments for the likely future changes. Where the contributing drainage area is likely to be reduced by upstream future storages, only such of the projects as are under

construction or which have the same priority of being taken up and completed as the project in question are considered for assessing the total sediment yield.

Sediment observation data (see IS:18QO-1968*) is necessary if the yield is being assessed from hydrometric data. If observational methods are inadequate, the possibility of large errors should be considered. For drawing conclusions from reservoir re-surveys, it is important that reduction of at least 10 percent or more has been observed in the capacities of the two successive surveys; if this is not done, inaccuracies in the successive surveys will distort the estimation of the capacity reduction between the surveys. If the loss of capacity is small, useful conclusions may not be forthcoming, and in such cases, river sediment measurements with its large observational errors may still provide a better estimate. It is essential to make a proper assessment of sediment yield for reservoir under study taking relevant factors into account (BIS:12182-1987).

A proper assessment of the effects of sediment transport and of the measures that may be necessary for its control requires knowledge of the processes of sediment erosion, transportation, and deposition, and of their interaction with the hydrological processes in the catchment.

Erosion of catchments

The most significant agent for eroding sediments from land is running water. Other agents of land erosion include wind, ice, and gravity. The processes by which water degrades the soil are complicated and depend upon the rainfall properties, soil properties, land slope, vegetation, agricultural methods, and urbanization process. The last two factors account for the most important effects of man's activities on erosion. Empirical equations have been developed for the determination of soil loss (sheet erosion) from agricultural lands. One of them, developed by Musgrave for conditions prevailing in the United States, is given as

$$E = IRS^{1.35}L^{0.35}P^{1.75}$$

Where,

E is the mean annual soil loss, in millimetres

I is the inherent erodibility of the soil, in millimetres

R is a land-cover factor

S is the land slope, in per cent

L is the length of the slope in metres, and

P is the 30-minute, two-year rainfall depth, in millimetres.

The values of the parameters I and R, are determined empirically from regional studies.

Channel erosion

Channel erosion is caused by the forces of the concentrated flow of water. Its rate depends on the hydraulic characteristics of channel flow and on the inherent erodibility of channel materials. In non-cohesive materials, the resistance to erosion is affected by the size, shape, and specific gravity of the particles and by the slope of the bed. In cohesive materials it also depends on the bonding agents. The relationships between the hydraulic variables and the parameters influencing the erodibility of channels are not fully understood and are often expressed by empirical formulae. Stream and river-control works may have a serious local influence on accelerating channel erosion if they cause an increase in channel depth, flow velocity, change the direction of the flow, or reduce the natural sediment load. The latter effect occurs frequently below dams and may persist for many kilometres downstream. Bare land and badlands may develop gullies with rates of advance that can be computed by empirical formulae containing such parameters as the drainage area of the gully, slope of the approach channel, depth of rainfall, and clay content of the eroding soil.

Transportation of sediments in channels

Fine (suspended) sediments transported in rivers originate mainly from the topsoil of the catchment and from the banks of the channels. However, fine sediments also originate from sewage and other return flows for example such sediments comprise about one third of the suspended-sediment load in the lower Rhine river. A large portion of the transported material comes to rest on flood plains, especially upstream from hydraulic structures. The settled material undergoes compaction and other physical and chemical changes that can sometimes prevent its re-erosion by flows that would have carried it previously. A decrease is usually found in the mean annual sediment transported per unit area of the catchment as the area of the catchment increases. The concentration of suspended sediment in runoff is described by various formulae such as

$$\log cs = C\log Q + B$$

in which,

cs is the concentration expressed in weight per unit volume of water,

Q is the water discharge,

C is a dimensionless coefficient, and

B is a function of the rainfall depth of the antecedent discharge or of other meteorological and hydrological variables.

The concentration of suspended sediment varies within the channel cross-section. It is relatively high in the lower portion and may also be non-uniform laterally. So that its sampling at several points or along several verticals of the cross-section is often necessary for obtaining its mean. The mean concentration should be evaluated to yield the total sediment weight per unit time when multiplied by the water discharge. The graph of suspended sediment against time usually has a peak that does not occur simultaneously with the peak discharge. This lag is a result of the

specific conditions in a watershed, and no generalization has yet been formulated for the evaluation of this difference.

Bed-load transport

Coarse sediments (bed load) move by sliding, rolling, and bouncing along channels and are concentrated at or near the channel bed. The variables that govern transport are the size and shape of the particles and the hydraulic properties of the flow. As a consequence of the interaction between the hydraulic forces and the coarse sediment, the channel bed assumes different configurations known as plane, ripples, dunes, flat, standing waves, and antidunes. They exert resistance to the flow of water that varies within a wide range and assumes a maximum value for the dune configuration.

Sedimentation

When approaching its mouth, the flow velocity of a river decreases along with its ability to carry sediment. Coarse sediments deposit first, then interfere with the channel conveyance, and may cause additional river meanders and distributaries. The area of the flowing water expands, the depth decreases, the velocity is reduced, and eventually even fine sediments begin to deposit. As a result, deltas may be formed in the upper portion of reservoirs. The deposited material may later be moved to deeper portions of the reservoir by hydraulic processes within the water body. Sediments are deposited in accordance with their settling velocity. A significant concentration of suspended sediments may remain in the water column for several days after its arrival in a reservoir. This may interfere with the use of the stored water for certain purposes, e.g. for water supply or recreation. It should be emphasized that not all of the sediment deposits in a reservoir. A large portion of it remains in the upper zones of the watershed, some is deposited upstream from reservoirs, and some is carried downstream by the released water. The sediment-trapping efficiency in a reservoir depends upon the hydraulic properties of the reservoir, the nature of the sediment, and

the hydraulic properties of the outlet. The density of newly deposited sediment is relatively low but increases with time. The organic component in the sediment may undergo changes that may reduce its volume and enhance biochemical processes in the stored water (WMO, 1994).

Method of Mining

a) Extracting gravel from an excavation that does not penetrate the water table and is located away from an active stream channel should cause little or no change to the natural hydrologic processes unless the stream captures the pit during periods of flooding. The exception is that changes in evapotranspiration, recharge, and runoff may create minor changes to the ground-water system, which may in turn affect stream flow.

b) Limiting extraction of material in floodplains to an elevation above the water table generally disturbs more surface area than allowing extraction of material below the water table.

c) In-stream extraction of gravel from below the water level of a stream generally causes more changes to the natural hydrologic processes than limiting extraction to a reference point above the water level.

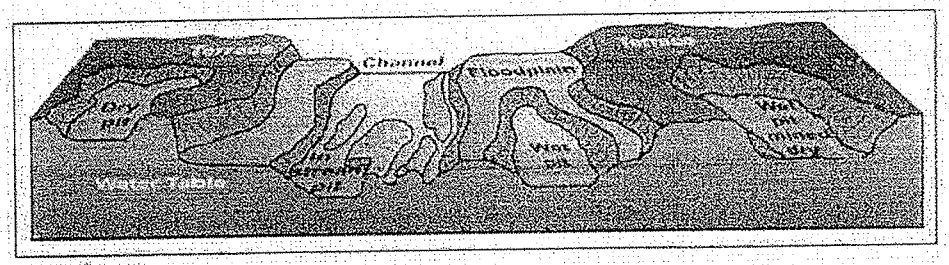

Fig 13: Aggregate extraction can take place in a number of in-stream and near-stream environments

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d) In-stream extraction of gravel below the deepest part of the channel (the thalweg) generally causes more changes to the natural hydrologic processes than limiting extraction to a reference point above the thalweg.

e) Excavating sand and gravel from a small straight channel with a narrow floodplain generally will have a greater impact on the natural hydrologic processes than excavations on a braided channel with a wide floodplain.

f) Extracting sand and gravel from a large river or stream will generally create less impact than extracting the same amount of material from a smaller river or stream.

Annual rainfall

The climate is sub-humid and it is characterised by a hot dry summer and a bracing cold season. The average normal rainfall is 941 mm. About 87% of rainfall take place from June to September. During monsoon surplus water is available for deep percolation to ground water. There is a meteorological observatory at Ghaziabad, the records of which has been taken as representative meteorological condition for Sitapur district. January is the coldest month with minimum temperature of the order of 9^0 C. May and early June 7 from the hottest period of the year. The mean monthly maximum temperature is 31.7^0C and mean monthly minimum temperature is 18.7^0C. During March to May the air is least humid with re lative humidity high in the morning and less in the evening mean. Monthly morning relative humidity is 70% and mean monthly evening relative humidity is 53%. During monsoon season the winds blow predominantly from east or southeast. The mean wind velocity is 5.6 km/hr. The potential evapotranspiration is 1494.00 mm. (Source: Meteorological Department, Government of India, 2010.)

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Table 11: Annual Rainfall of Ghaziabad district

YEAR	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Annual Total
2012	5.5	0	7	3.7	0.1	14.4	74.7	165.2	96.1	0	0	3.1	369.8
2013	30.2	79.4	9	0.4	0	166.4	73.1	90.9	19.9	4.5	0	8.3	482.1
2014	12.6	33.2	35.3	2.1	21.7	45	27.9	17.6	40.7	0	0	5.6	241.7
2015	28.8	12.5	65.2	20.4	8.4	56.2	195.4	99.8	19.2	2.7	1.9	0	510.5
2016	15	18	23	27	31	69	234	245	103	23	8	16	812

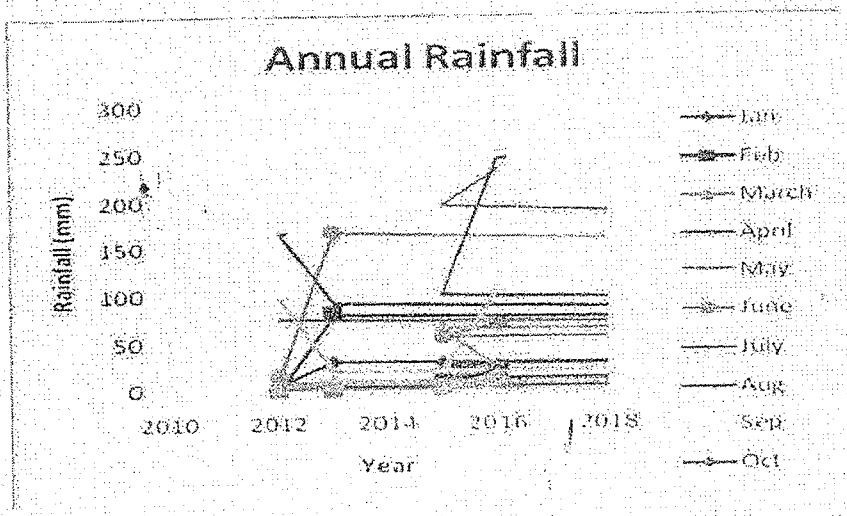

Figure 14: Annual Rainfall Pattern

Overview of mining activity in the district

Sand

Table 12: Reserve estimation of sand on the banks of Yamuna river

Total stretch of Yamuna river area flowing through district Ghaziabad, U.P	Potential area for mining	Mineable mineral potential (MT)	Total area of Mining Lease in Ghaziabad, U.P	Average Production in last 03 years (MT)	Mineable mineral potential (in MT- 60 % of total mineral potential) as per *SSMMG – 2016, issued by MoEF & CC, GOI, Delhi.*
3.01 km	47 ha	14.09*# lakhs MT	40.455 ha	9.168* lakhs MT	10.15* lakhs MT

The total area of Yamuna River is almost 0.47 km^2, out of which 15-20% of water channel cannot be excavated. Area of existing / proposed mining lease area is 40.455 ha. so the rest of the area i.e 6.545 ha needs to be explored and the remaining mineral potential of the area needs to be explored (almost 1.29 lakhs MT) for excavation. additional areas may be further assessed on the basis of various ecological, environmental, social and political considerations. It can be further studied as potential area for mining & revenue generation.

** The volume calculated are as reserve up to 3m depth as suggested in Standard Environmental Conditions for Sand Mining in SUSTAINABLE SAND MINING MANAGEMENT GUIDELINES – 2016, issued by MoEF & CC, GOI, Delhi. The mineable volume will be finalized based on the Mine Plan and Environmental Clearance and may vary by 10% to 20% considering the concept of safety and stability of Riverbanks & site situation. And this will form the basis of Final Royalty.*

*Considering the density of Sand 1.2g/cm^3.

Table 13: Detail Of Production of Sand / Bajri Or Minor Mineral In Last Three Years In District Ghaziabad

Sr No.	Year	Production of Minor Mineral (in Cum)
1.	2014-2015	25932 cum
2.	2015-2016	5047 cum
3.	2016-2017	3799 cum

Table 14: Details Of Royalty Or Revenue Received In Last Three Years

Sr No.	Year	Total Revenue Received
1.	2014-2015	Rs. 7,82,35,241.00
2.	2015-2016	Rs. 8,87,67,010.00
3.	2016-2017	Rs. 14,96,04,402.00

Table 15: List Of Mining Quarries In The District With Location, Area And Period Of Validity

S.No	Tehsil	River	Village	Gata No.	Area (in Ha)	Volume in Cum
1	Loni	Yamuna	Pachayera (Khand-I)	8 mi, 9 mi, 10mi,11mi,12mi,13mi, 17mi,18,19,20mi,21mi,22mi,25i,26mi,27mi,30mi,37mi,38mi,39mi,40mi,41mi,53mi,54mi,55mi,56mi,57mi,237mi,238mi, 239mi,240mi	16.183	323600

2	Loni	Yamuna	Pachayera (Khand-2)	290mi, 301mi,303,304mi,310mi,311 mi,314mi	12.512	250240
3	Loni	Yamuna	Badarpur	282,283,284,246,247 to 252, 237 to 239, 234,235,236,240 to 244,194 to 209, 210to 212, 182 to 187, 253mi, 245,229,228mi,213,214mi,233 mi,230mi	7.28	145687

Table 16: List of existing mining permit in District

SL.No	Tehsil	River	Village	Gata No.	Area (in Ha)	Volume in (Cum)
1	Loni	Yamuna	Naoraspur	1	4.47	45243

DISCUSSION

Ordinary earth and Sand has become very important minerals for our society due to its many uses. Ordinary earth can be used for making brick, filling roads, whereas sand may be used as building sites, brick-making, making glass, sandpapers, reclamations, and etc. The role of sand is very vital with regards to the protection of the coastal environment. It acts as a buffer against strong tidal waves and storm surges by reducing their impacts as they reach the shoreline. Clean sand is indeed a rare commodity on land, but common in sand dunes and beaches. The composition of sand is highly variable, depending on the local rock sources and conditions, but the most common constituent of sand in inland continental settings and non-tropical coastal settings is silica (silicon dioxide, or SiO_2), usually in the form of quartz which because of its chemical inertness and considerable hardness, is the most common mineral resistant to weathering and it has become a very important mineral for the expansion of society. Sand is a naturally occurring granular material composed of finely divided

rock and mineral particles. River sand is one of the world's most plentiful resources (perhaps as much as 20% of the Earth's crust is sand) and has the ability to replenish itself. River sand is vital for human well being & for sustenance of rivers. Sand mining is a sensitive environmental issue which is taken into the consideration by regulatory authorities like Directorate of Geology & Mining, Govt. of U.P. and Ministry of Environment & Forest, Climate Change, Govt. of India. Directorate of Geology & Mining, Govt. of U.P. had published Uttar Pradesh Minor Mineral concession rules in 1963 and as per rule no. 41 the minimum distance from different structures is given in Table. Similarly Ministry of Environment & Forest, Climate Change, Govt. of India has issued sustainable sand management guidelines in 2016 and minimum required distance for safe mining is given in **Standard Environmental Condition for Sand Mining,** which is also mentioned in **Table17.**

Table 17: Environmental Sensitivity Analysis of Site

S. No.	Feature	Max. distance	Reference
1.	School	50 m	UPMMCR,1963
2.	Hospital	50m	UPMMCR,1963
3.	Road(NH)	100 m	SSMMG,2016
4.	Road(SH)	50 m	UPMMCR,1963
5.	MDR	50 m	UPMMCR,1963
6.	Railway Station	100 m	UPMMCR,1963
7.	Chak Road	10 m	UPMMCR,1963
8.	Bridge or embankment	200 m	UPMMCR, 1963
9.	Water supply /Irrigation scheme	200 m	UPMMCR, 1963

As a resource, sand by definition is 'a loose, incoherent mass of mineral materials and is a product of natural processes.' These processes are the disintegration of rocks and corals under the influence of weathering and abrasion. When sand is freshly formed the particles are usually angular and sharply pointed but they grow gradually smaller and more rounded as they become constantly worn down by the wind or water (ISM Envis, Dhanbad)

The "**SUSTAINABLE SAND MINING MANAGEMENT GUIDELINES – 2016**" of MoEF&CC envisages to ensure that sand and gravel mining is done in environmentally sustainable and socially responsible manner; availability of adequate quantity of aggregate in sustainable manner; improve the effectiveness of monitoring of mining and transportation of mined out minerals; conservation of the river equilibrium and its natural environment by protection and restoration of the ecological system; avoid aggradation at the downstream reach especially those with hydraulic structures such as jetties, water intakes, etc.; to ensure the rivers are protected from bank and bed erosion beyond its stable profile; no obstruction to the river flow, water transport and restoring the riparian rights and in-stream habitats; to avoid pollution of river water leading to water quality deterioration; to prevent depletion of ground water reserves due to excessive draining out of ground water; and streamlining the process for grant of environmental clearance for sustainable mining. The MoEF&CC has also issued notifications SO No. 141(E) dated 15.01.2016 and SO No. 190(E) dated 20.01.2016 under Environment (Protection) Act, 1986 on mining of minor minerals and constitution of District Level Environment Impact Assessment Authority and District Level Environmental Appraisal Committee. These notifications have delegated the power to grant environmental clearance for sand mining to an Authority headed by the District Magistrate. These notifications promote use of satellite imagery to decide the site suitable for mining and quantity of sand which can be mined. The MoEF&CC prescribes following procedures for sand mining;

a) Parts of the river reach that experience deposition or aggradation shall be identified first. The Lease holder/ Environmental Clearance holder may be allowed to extract the sand and gravel deposit in these locations to manage aggradation problem.

b) The distance between sites for sand and gravel mining shall depend on the replenishment rate of the river. Sediment rating curve for the potential sites shall be developed and checked against the extracted volumes of sand and gravel.

c) Sand and gravel may be extracted across the entire active channel during the dry season.

d) Abandoned stream channels on terrace and inactive floodplains be preferred rather than active channels and their deltas and flood plains. Stream should not be diverted to form inactive channel.

e) Layers of sand and gravel which could be removed from the river bed shall depend on the width of the river and replenishment rate of the river.

f) Sand and gravel shall not be allowed to be extracted where erosion may occur, such as at the concave bank.

g) Segments of braided river system should be used preferably falling within the lateral migration area of the river regime that enhances the feasibility of sediment replenishment.

h) Sand and gravel shall not be extracted within 200 to 500 meter from any crucial hydraulic structure such as pumping station, water intakes, and bridges. The exact distance should be ascertained by the local authorities based on local situation. The cross-section survey should cover a minimum distance of 1.0 km upstream and 1.0 km downstream of the potential reach for extraction. The sediment sampling should include the bed material and bed material load before, during and after extraction period. Develop a sediment rating curve at the upstream end of the potential reach

using the surveyed cross- section. Using the historical or gauged flow rating curve, determine the suitable period of high flow that can replenish the extracted volume. Calculate the extraction volume based on the sediment rating curve and high flow period after determining the allowable mining depth.

i) Sand and gravel could be extracted from the downstream of the sand bar at river bends. Retaining the upstream one to two thirds of the bar and riparian vegetation is accepted as a method to promote channel stability.

j) Flood discharge capacity of the river could be maintained in areas where there are significant flood hazard to existing structures or infrastructure. Sand and gravel mining may be allowed to maintain the natural flow capacity based on surveyed cross- section history.

k) Alternatively, off-channel or floodplain extraction is recommended to allow rivers to replenish the quantity taken out during mining.

l) The Piedmont Zone (Bhabhar area) particularly in the Himalayan foothills, where riverbed material is mined, this sandy-gravelly track constitutes excellent conduits and holds the greater potential for ground water recharge. Mining in such areas should be preferred in locations selected away from the channel bank stretches.

m) Mining depth should be restricted to 3 meter and distance from the bank should be 3 meter or 10 percent of the river width whichever less.

n) The borrow area should preferably be located on the river side of the proposed embankment, because they get silted up in course of time. For low embankment less than 6 m in height, borrow area should not be selected within 25 m from the toe/heel of the embankment. In case of higher embankment the distance should not be less than 50 m. In order to obviate development of flow parallel to embankment, cross bars of width eight times the depth of borrow pits spaced 50 to 60 meters centre-to centre should be left in the borrow pits.

o) Demarcation of mining area with pillars and geo-referencing should be done prior to start of mining.

The above notifications and Guidelines, being notified under the provisions of the Environment (Protection) Act, 1986, have acquired the status of statutory provisions and have to be followed.

GSI Guidelines-Geological Survey of India (GSI) has collated/ formulated considered geo-scientific opinions to address issues pertaining to riverbed gravel/ sand mining. Besides resource extraction, ultimate objectives of riverbed mining should be:-

(i) protection and restoration of the ecological system,

(ii) to prevent damages to the river regime,

(iii) to work out the sediment influx/ replenishment capacity of the river, to restore the riverine configuration (landforms and fluvial geomorphology, such as bank erosion, change of river course gradient, flow regime, etc.),

(iv) to prevent contamination of ground water regime,

(v) to prevent depletion of ground water reserves due to excessive draining out of groundwater, and

(vi) to restore the riparian rights and in-stream habitats.

GSI has identified major hazards caused due to mining of sand/gravel as under:

a) *Instream habitat*: The impact of mining may result in increase in river gradient, suspended load, sediment transport, sediment deposition, turbidity, change in temperature, etc. Excessive sediment deposition for replenishment/ refilling of the pits affect turbidity, prevent the penetration of the light required for photosynthesis of micro and macro flora which in turn reduces food availability

for aquatic fauna. Increase in river gradient may cause excessive erosion causing adverse effect on the instream habitats. B

b) *Riparian habitat:* This includes vegetative cover on and adjacent to the river banks, which controls erosion, provide nutrient inputs into the stream and prevents intrusion of pollutant in the stream through runoff. Bank erosion and change of morphology of the river can destroy the riparian vegetative cover.

c) *Degradation of Land:* Mining pits are responsible for river channel shifting as well as degradation of land, causing loss of properties and degradation of landscape.

d) *Lowering of groundwater table in the floodplain area:* Mining may cause lowering of riverbed level as well as river water level resulting in lowering of groundwater table due to excessive extraction and draining out of groundwater from the adjacent areas. This may cause shortage of water for the vegetation and human settlements in the vicinity.

e) *Depletion of groundwater:* excessive pumping out of groundwater during sand mining especially in abandoned channels generally result in depletion of groundwater resources causing severe scarcity and affecting irrigation and potable water availability. In extreme cases it may also result in creation of ground fissures and land subsidence in adjacent areas.

f) *Polluting groundwater:* In case the river is recharging the groundwater, excessive mining will reduce the thickness of the natural filter materials (sediments), infiltration through which the ground water is recharged. The pollutants due to mining, such as washing of mining materials, wastes disposal, diesel and vehicular oil lubricants and other human activities may pollute the ground water.

g) Choking of filter materials for ingress of ground water from river: Dumping of waste material, compaction of filter zone due to movement heavy machineries

and vehicles for mining purposes may reduce the permeability and porosity of the filter material through which the groundwater is recharging, thus resulting in steady decrease of ground water resources.

The GSI has suggested that riverbed mining may be allowed considering minimization of the above mentioned deleterious impacts. The guidelines of National Water Policy of India should also be followed which states that watershed management through extensive soil conservation, catchment area treatment, preservation of forest, increasing of forest cover and construction of check dams should be promoted. Efforts shall be made to conserve the water in the catchments. Following geo-scientific considerations have been suggested to be taken into account for sand/ gravel mining:-

1. Abandoned stream channels on terrace and inactive floodplains may be preferred rather than active channels and their deltas and floodplains. Replenishment of ground water has to be ensured if excessive pumping out of water is required during mining.
2. Stream should not be diverted to form inactive channel.
3. Mining below subterranean water level should be avoided as a safeguard against environmental contamination and over exploitation of resources
4. Large rivers and streams whose periodic sediment replenishment capacity are larger, may be preferred than smaller rivers.
5. Segments of braided river system should be used preferably falling within the lateral migration area of the river regime that enhances the feasibility of sediment replenishment.
6. Mining at the concave side of the river channel should be avoided to prevent bank erosion. Similarly meandering segment of a river should be selected for mining in such a way as to avoid natural eroding banks and to promote mining on naturally building (aggrading) meander components.

7. Scraping of sediment bars above the water flow level in the lean period may be preferred for sustainable mining.

8. It is to be noted that the environmental issues related to mining of minerals including riverbed sand mining should clearly state the size of mine leasehold area, mine lease period, mine plan and mine closure plan, along with mine reclamation and rehabilitation strategies, depth of mining and period of mining operations, particularly in case of river bed mining.

9. The Piedmont Zone (Bhabbar area) particularly in the Himalayan foothills, where riverbed material is mined. This sandy- gravelly track constitutes excellent conduits and holds the greater potential for ground water recharge. Mining in such areas should be preferred in locations selected away from the channel bank stretches. Areas where channel banks are not well defined, particularly in the braided river system, midstream areas should be selected for mining of riverbed materials for minimizing adverse effects on flow regime and instream habitat.

10. Mining of gravelly sand from the riverbed should be restricted to a maximum depth of 3m from the surface. For surface mining operations beyond this depth of 3m (10 feet), it is imperative to adopt quarrying in a systematic bench- like disposition, which is generally not feasible in riverbed mining. Hence, for safety and sustainability restriction of mining of riverbed material to maximum depth of 3m is recommended.

11. Mining of riverbed material should also take cognizance of the location of the active channel bank. It should be located sufficiently away, preferably more than 3m away (inwards), from such river banks to minimize effects on river bank erosion and avoid consequent channel migration.

12. Continued riverbed material mining in a given segment of the river will induce seasonal scouring and intensify the erosion activity within the channel. This will have an adverse effect not only within the mining area but also both in upstream

and downstream of the river course. Hazardous effects of such scouring and enhanced erosion due to riverbed mining should be evaluated periodically and avoided for sustainable mining activities.

13. Mineral processing in case of riverbed mining of the sandy gravelly material may consist of simple washing to remove clay and silty area. It may involve crushing, grinding and separation of valueless rock fragments from the desirable material. The volume of such waste material may range from 10 to 90%. Therefore, such huge quantities of mine wastes should be dumped into artificially created/ mined - out pits. Where such tailings / waste materials are very fine grained, they may act as a source of dust when dry. Therefore, such disposal of wastes should be properly stabilized and vegetated to prevent their erosion by winds.

14. Identification of river stretches and their demarcation for mining must be completed prior to mining for sustainable development.

15. The mined out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation.

16. Mining generally has a huge impact on the irrigation and drinking water resources. These attributes should be clearly evaluated for short-term as well as long-term remediation (MoWR,2017)

SUMMARY

Table 18: Present Status of Mining

Potential area for Mining	Sand
	Yamuna River
Mineable mineralPotential (MT)	9.17 MT

Total existing / proposed area for Mining	40.445 ha

The total area of Yamuna River is almost 0.47 km^2, out of which 15-20% of water channel cannot be excavated. Area of existing / proposed mining lease area is 40.455 ha. so the rest of the area i.e 6.545 ha needs to be explored. The sand will be replenished annually and available for excavation in the next post-monsoon season. Additional areas may be further assessed on the basis of various ecological, environmental, social and political considerations. It can be further studied as potential area for mining & revenue generation.

Reference

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"True copy"

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ANNEXURE C 8 (1) To C 8 (8)

From

Date:

M/s New Panthar Security Guard Service
Proprietor - Shri Bani Singh S/o Shri Raghunath Singh
R/o – Salasar complex, 306, Shankar Vihar Colony, Kuraishi
District - Aligarh, U.P.

To,

The Member Secretary,
U.P. Pollution Control Board,
Building No. TC-12V,
Vibhuti Khand, Gomti Nagar,
Lucknow -226010

Subject: Compliance of Environmental Clearance Conditions for Ordinary Sand Mining Project at Yamuna River, Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi & 314mi, Khand No.- 2, Village: Pachayara, Tehsil : Loni & District: Ghaziabad, State: Uttar Pradesh, (January 2024 to June 2024)

Ref: MoEFCC Proposal no- SIA/UP/MIN/55952/2020 & SEIAA, U.P File no- 5793

Dear Sir,

This is to inform you that our project has been accorded Environmental Clearance from SEIAA, UP, for MoEFCC Proposal no- SIA/UP/MIN/55952/2020 & SEIAA, U.P File no- 5793 on date 27-05-2021.

Point wise compliance of the stipulated environmental conditions/safeguards mentioned in the Environmental Clearance is enclosed as hard and soft copy formats.

We assure that the compliance of the conditions given by SEIAA will be strictly followed with the progress of the project on letter & spirit.

Thanking you,

Yours Sincerely,

Bani Singh
(Project Proponent)

Copy to:

1. The Regional Officer, MoEF&CC, GOI, 5th Floor, Kendriya Bhawan, Sector H, Aliganj Lucknow- 226020.
2. The Director & Secretary (SEAC), Directorate of Environment, Lucknow, Uttar Pradesh

State Level Environment Impact Assessment Authority, Uttar Pradesh

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Directorate of Environment, U.P.
Vineet Khand-1, Gomti Nagar, Lucknow -226 010
Phone : 91-522-2300 541, Fax : 91-522-2300 543
E-mail : doeuplko@yahoo.com
Website : www.seiaaup.com

To,

Shri Bani Singh,
Salasar Complex, 306 Shankar Vihar Colony,
Kuraishi Aligarh - 202001

Ref. No. 27 /Parya/SEAC/5793/2019 Date 27 May, 2021

Sub: Environmental Clearance for Proposed Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).

Dear Sir,

Please refer to your application/letters 26-08-2020, 09-09-2020, 09-12-2020, 25-03-2021, 01-04-2021, 13-04-2021 & 15-04-2021 addressed to the Chairman/Secretary, State Level Environment Impact Assessment Authority (SEIAA) and Director, Directorate of Environment Govt. of UP on the subject as above. The State Level Expert Appraisal Committee considered the matter in its meetings held on dated 13-04-2021 and SEIAA in its meeting dated 21-05-2021

A presentation was made by the project proponent along with their consultant M/s Globus Environment Engineering Services. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. The environmental clearance is sought for Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 500/Parya/SEAC/5793/2019, dated 04/11/2020.
3. The public hearing was organized on 01/03/2021. Final EIA report submitted by the project proponent on 19/03/2021.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/55952/2020
2File no. allotted by SEIAA, UP	5793
2ToR Vide Letter No.	500/Parya/SEAC/5793/2019, Dated: 04.11.2020 by SEIAA, U.P.
3. Name of Proponent	M/s New Panther Security Guard Service ShriBani Singh S/o ShriRaghunath Singh
4.Full correspondence address of proponent and mobile no.	R/o- Salasar Complex, 306, Shankar Vihar Colony, Kuraishi, Aligarh - 202001
5. Name of Project	"Sand/ Moram Mining"
6. Name of River	Yamuna River
7. Project location (Plot/Khasra/Gata No.)	Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi
8. Name of Minor Mineral	River Bed Material (Sand/Moram)
9. Schedule (as per EIA notification 2006)	1(a)ii
10. Category of Project	B(1)
11. Sanctioned Lease Area (in Ha.)	Total Lease Area: 12.512 Ha
12. Mineable Area (in Ha.)	8.512 Ha
13. Project Status	State Govt. has given its consent vide letter no 993/खनन/ई-निविदासहईनीलामी / 2020, दिनांक- 23/06/2020 for the exploitation of Sand/Morrum for a period of five years.
14. Zero level mRL	205 mRL
15. Max. & Min mRL within lease area	Highest: 208 mRL& Lowest: 207 mRL
16 Pillar Coordinates (Verified by DMO)	Sanction Lease Area Co-ordinate

Pillars	Latitude (N)	Longitude (E)
A	28°48'1.02"N	77°12'19.81"E
B	28°47'49.56"N	77°12'17.92"E
[illegible]	28°47'39.12"N	77°13'19.04"E

D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E
Workable Area		
A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E
C	28°47'39.12"N	77°12'19.04"E
D'	28°47'39.39"N	77°12'14.95"E
C'	28°47'43.86"N	77°12'15.30"E
B'	28°47'52.33"N	77°12'18.05"E
A'	28°48'0.94"N	77°12'18.99"E
Non- Workable Area		
A'	28°48'0.94"N	77°12'18.99"E
B'	28°47'52.33"N	77°12'18.05"E
C'	28°47'43.86"N	77°12'15.30"E
D'	28°47'39.39"N	77°12'14.95"E
D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E

17. Total Geological Reserves	4,11,544 m^3
18. Total Mineable Reserves	1,77,736.8m^3 per annum
20. Proposed Production/year	2,50,240 m^3
21. Sanctioned Period of Mine lease	Five years
22. Production of mine/day	683.60 m^3/day
23. Method of Mining	Opencast semi-mechanized
24. No. of Working days	260 Days
25. Working hours/day	8 -10 hours/day
26. No. Of Workers	59 Manpower
27. No. of vehicles movement/day	34 Units (Assumed Loading Capacity: 20 m^3/Unit)
28. Type of Land	State Government Land
29. Ultimate Depth of Mining	2.40 m
30. Nearest metalled road from site	Panchayara – Mavikala Road is 750 m, East

31. Water Requirement	Source	Purpose	Detail	Avg.Demand /Day(in KLD)
	Portable Tanker	Drinking @15 lpcd/worker	59 workers x 15 lpcd = 885 Lit/day	0.885 KLD
		Land reclamation/plantation @2.5 Lit/Tree	625 Trees x 2.5 l/day = 1562.5 Lit/day	1.562 KLD
		Dust suppression @1 Lit/Sq.m (twice in a day)	Haul Road Area = (750 m Length x 7 m Width = 4305 m2) x 1 l/Sq.m = 4305 Lit/day x 2 = 8610 Lit/day	8.61 KLD
	Total			[illegible] KLD (11.0 KLD)

32 Name of QCI Accredited Consultant with QCI No. and period of validity.	GLOBUS ENVIRONMENT ENGINEERING SERVICES Certificate No. NABET/EIA/1821/IA0034, Valid Till April 03/2021
33 Any litigation pending against the project or hand in any court	No
34. Details of 500 m Cluster Map & certificate issued by Mining Officer	Cluster certificate issued by DMO (Mining Section), Ghaziabad Letter No. 1112,खननलिपिक /2020 दिनांक 07-08-2020
35. Details of Mining Lease Area in	Sanctioned Lease Area 12.512 Ha

Re For Proposed Sand/Morrum Mining from Yamuna Riverbed Kh. No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No. 02 , Village- Panchayara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).

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Approved Mining Plan	WorkableAreaof thelease	8.512 Ha
	Area under, SSMMG 2016	0.2190 Ha
	Area under Safety Zone	1.2449 Ha
	Area under Active Water Channel	2.535 Ha
36. Details of Lease Area in approved OSR	Approved OSR,Ghaziabad - Page No-54, Table No-15, Sr. No-2	
37. Total Cost of Project	Rs. 116.45 Lakhs	
38. Proposed CER Cost	Rs. 2.33 Lakhs (2% of the total Project Cost)	
39. Proposed EMP Cost	Rs. 21.57 Lakhs	
40. Length and breadth of Haul Road	Haulage Road Length 750 m & Haulage Road Width 7 m	
41. No. of Trees to be Planted	625 Trees	

5. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
6. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
7. There is no litigation pending in any court regarding this project.
8. The project proposal falls under category–1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee meeting held on 13-04-2021 on the above said project, the State Level Environment Impact Assessment Authority meetings held on 21-05-2021 has decided to grant the Environmental Clearance to the title project for collection of 2,50,240 m^3/annum is proposed lease area 12.512 ha subject to effective implementation of the following General Conditions and specific conditions:

General Conditions:

1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended).
4. Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.
5. Mining and loading shall be done only within day hours time.
6. No mining shall be carried out in the safety zone of any bridge and/or embankment.
7. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
8. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.
9. Parking of vehicles should not be made on public places.
10. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
11. No wildlife habitat will be infringed.
12. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.
13. It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.
14. It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.
15. Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.
16. Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.
17. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures

taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.

18. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.
30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.

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39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
42. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.
45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

Specific Conditions

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of work.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
5. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
6. Environment management in according to environmental status and impact of the project.
7. Selection of plants for green belt should be on the basis of pollution removal index.
8. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
9. Pakka motorable haul road to be maintained by the project proponent.
10. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
11. Permission from the competent authority regarding evacuation route should be taken.
12. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
13. Site Pit photographs should be submitted with date, time and point-coordinate within 15 days.
14. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
15. Provision for cylinder to workers should be made for cooking.
16. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.

17. Provide suitable mask to the workers.
18. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road.
19. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
20. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
21. Provision for two toilets and hand pumps should be made at mining site.
22. Drinking water for workers would be provided by tankers.
23. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainsble sand mining management guidelines 2016.
24. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
25. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
26. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
27. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
28. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.
29. Width of the haul road shall be more than 6 meter.
30. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
31. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statuary committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
32. If in future this lease area becomes part of cluster of equal to or more than 25 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
33. The Environmental clearance will be co-terminus with the mining lease period.
34. Project falling with in 10 KM area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.
35. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
36. Geo coordinates should be verified by Director, DGM/District Magistrate/Regional Mining Officer/NHAI and should be submitted to SEIAA/SEAC, Secretariat as earliest.
37. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 25ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 25ha, the E.C issued will stand revoked.
38. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
39. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
40. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only
41. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
42. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the

bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.

43. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
44. The project proponent will provide personal protective equipment (PPE) as required, also provid adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
45. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored ((TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)).
46. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
47. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
48. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
49. Four ambient air quality monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
50. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
51. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
52. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
53. Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchyat.
54. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
55. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.
56. A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.
57. State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.
58. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at http://www.seiaaup.in and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.
59. The MoEF/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
60. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
61. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
62. Waste water from potable use be collected and reused for sprinkling.
63. During the school opening and closing time vehicle movement will be restricted
64. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.

You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled.

Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

The above stipulated conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon'ble Courts of Law relating to the subject matter.

The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.

This is to request you to take further necessary action in matter as per provisions of Gazette Notification No. S.O. 1533(E) dated 14/09/2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.

(Ashish Tiwari)
Member Secretary, SEIAA

Ref. No...../Parya/SEIAA/5793/2019 Dated: As above

Copy for information and necessary action to:

1. The Principal Secretary, Environment, U.P. Govt., Lucknow.
2. Advisor, IA Division, Ministry of Environment, Forests & Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi.
3. Additional Director, Regional Office, Ministry of Environment & Forests, (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
4. The Member Secretary, U.P. Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.
5. District Magistrate, Ghaziabad, U.P.
6. Director, Department of Geology & Mining, U.P. Lucknow.
7. Copy for Web Master/Guard file.

(Ashish Tiwari)
Member Secretary, SEIAA

State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.
Vineet Khand-I, Gomti Nagar, Lucknow - 226 010
Phone : 91-522-2300 541, Fax : 91-522-2300 543
E-mail : doeupllko@yahoo.com
Website : www.seiaaup.com

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To,

Shri Bani Singh,
Salasar Complex, 306 Shankar Vihar Colony,
Kuraishi Aligarh - 202001

Ref. No. 201 /Parya/SEAC/5793/2019 Date 29 September,2021

Sub: Amendment in Environmental Clearance for Proposed Sand/Morrum Mining from Yamuna Riverbed at Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi, Khand No.-02 , Village- Panchavara, Tehsil- Loni, Ghaziabad, U.P., M/s New Panther Security Guard Service, (Leased Area: 12.512 ha.).

Dear Sir,

Please refer to your application dated 27-06-2021 and 22-07-2021 addressed to the Chairman/Secretary, State Level Environment Impact Assessment Authority (SEIAA) and Director, Directorate of Environment Govt. of UP on the subject as above. The State Level Expert Appraisal Committee, UP considered that matter in its meetings held on dated 30-07-2021 and SEIAA considered the project in meeting dated 03-09-2021.

The committee noted that the environmental clearance for the above project was issued by SEIAA, U.P. vide letter no. 27/Parya/SEAC/5793/2019 dated 27/05/2021 for the leased area 12.512 ha and production capacity 1,77,736.8 m3/annum. The project proponent vide letter dated 10/06/2021 informed that the second value of the geo-coordinates mentioned in EC letter has been changed after reassessment of the site and there is no change in leased area and quantity of the mineral. Therefore, the project proponent applied amendment in EC application on 27/06/2021.

A presentation was made by the project proponent along with their consultant M/s Globus Environment Engineering Services. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. Details of proposed amendment in environmental clearance letter dated 27/05/2021:

Pillar coordinates mentioned in EC			Proposed amendment in Pillar coordinates in EC		
Sanction Lease Area Co-ordinate			Sanction Lease Area Co-ordinate		
Pillars	Latitude (N)	Longitude (E)	Pillars	Latitude (N)	Longitude (E)
A	28°48'1.02"N	77°12'19.63"E	A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E	B	28°47'49.56"N	77°12'17.52"E
C	28°47'39.12"N	77°12'19.04"E	C	28°47'39.12"N	77°12'19.04"E
D	28°47'39.35"N	77°12'13.26"E	D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E	E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E	F	28°48'2.80"N	77°12'13.01"E
Workable Area			Workable Area		
A	28°48'1.02"N	77°12'19.63"E	A	28°48'1.02"N	77°12'19.63"E
B	28°47'49.56"N	77°12'17.52"E	B	28°47'49.56"N	77°12'17.52"E
C	28°47'39.12"N	77°12'19.04"E	C	28°47'39.12"N	77°12'19.04"E
D'	28°47'39.39"N	77°12'14.95"E	D'	28°47'39.31"N	77°12'14.07"E

Member Secretary

C'	28°47'43.86"N	77°12'15.30"E	C'	28°47'44.28"N	77°12'13.37"E
B'	28°47'52.33"N	77°12'18.05"E	B'	28°47'51.54"N	77°12'14.35"E
A'	28°48'0.94"N	77°12'18.99"E	A'	28°48'2.62"N	77°12'14.05"E
Non- Workable Area			Non- Workable Area		
A'	28°48'0.94"N	77°12'18.99"E	A'	28°48'2.62"N	77°12'14.05"E
B'	28°47'52.33"N	77°12'18.05"E	B'	28°47'51.54"N	77°12'14.35"E
C'	28°47'43.86"N	77°12'15.30"E	C'	28°47'44.28"N	77°12'13.37"E
D'	28°47'39.39"N	77°12'14.95"E	D'	28°47'39.31"N	77°12'14.07"E
D	28°47'39.35"N	77°12'13.26"E	D	28°47'39.35"N	77°12'13.26"E
E	28°47'48.74"N	77°12'10.86"E	E	28°47'48.74"N	77°12'10.86"E
F	28°48'2.80"N	77°12'13.01"E	F	28°48'2.80"N	77°12'13.01"E

The project proponent requested to amend the environmental clearance letter dated 27/05/2021 as per above project details.

Subsequently, the case was considered in 487th SEIAA meeting held on 03-09-2021 wherein, State Level Environment Impact Assessment Authority (SEIAA) agreed with the recommendation of the SEAC to amend the environmental clearance letter no. 27/Parya/SEAC/5793/2019 dated 27/05/2021.

Rest all the contents mentioned in environmental clearance letter no. **27/Parya/SEAC/5793/2019 dated 27/05/2021** shall remain the same.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Member Secretary

(Ajay Kumar Sharma)
Member Secretary, SEIAA

No...../Parya/SEIAA/5793/2019 dated: As above

Copy, through email, for information and necessary action to –

1. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.com)
2. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)
3. Deputy Director General of Forests (C), Integ rated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – rocz.lko-mef@nic.in)
4. District Magistrate Ghaziabad.
5. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)
6. Copy to Web Master for uploading on PARIVESH Portal.
7. Copy for Guard File.

(Ajay Kumar Sharma)
Member Secretary, SEIAA

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POINT-WISE COMPLIANCE
OF
STIPULATED SPECIFIC AND GENERAL CONDITIONS
IN THE
ENVIRONMENTAL CLEARANCE LETTER

For the period of

January 2024 to June 2024

MoEFCC Proposal no- SIA/UP/MIN/55952/2020
&
SEIAA, U.P File no- 5793
Date of Issue of EC: 27-05-2021

Ordinary Sand Mining Project
((Sanctioned Lease Area 12.512 Ha, Workable Area- 8.512 Ha.).
and 2,50,240 m^3/annum)
At
Yamuna River,
Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh

Submitted By

M/s New Panthar Security Guard Service
Proprietor - Shri Bani Singh S/o Shri Raghunath Singh
R/o – Salasar complex, 306, Shankar Vihar Colony, Kuraishi,
District - Aligarh, U.P.

PURPOSE OF THE COMPLIANCE REPORT

As per the "Sub Para (ii)" of "Para 10" of EIA Notification 2006, it is stated that "It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year" and as per compliance of condition mentioned in Environment Clearance Letter, Six monthly compliance reports should be submitted to the Uttar Pradesh State Pollution Control Board and Regional Office of MoEF Lucknow.

It is mandatory to submit a Six Monthly Compliance Report to show the status & compliance of all the Conditions mentioned in Environment clearance Letter, along with monitoring of various Environmental Parameters (as per CPCB Norms).

The regulatory authorities in this case are Uttar Pradesh State Pollution Control Board, Regional Office-MoEF (Lucknow) and Uttar Pradesh SEIAA. Various scheduled Site Visits were conducted by a team of Experts to Monitor Pollution related parameters as defined by CPCB / UPPCB. Samples for Air, Water, Noise and Soil were also collected for further analysis.

Based on the Specific and General Conditions mentioned in the EC Letter, a Compliance Report was prepared by the Team on behalf of Project Proponent; details of which are present in Chapter – "Compliance Report".

Methodology for Preparation of Report is as follows:

1. Study of EC Letter & Related Documents,
2. Site Visits by a Team of Experts,
3. Monitoring of Environment Parameters, viz. Ambient Air, Water, Noise & Soil.
4. Analysis of Samples collected during Monitoring,
5. Interpretation of Monitoring Results,
6. Suggestions for Implementation of various Action Plans.

Generic Structure of Report:

1) Purpose of the Report, explaining the need of a Compliance Report and Methodology Adopted for preparation of Report.
2) Environment Clearance Letter, prescribing all the conditions & guidelines to be followed during construction Phase and Operation Phase of the Project.
3) Site Study Report, showing status of the project and site photographs.
4) Compliance Report, explaining the entire General & specific conditions in the EC Letter and providing details with respect to each condition/ guideline.
5) Monitoring Reports & Analysis, showing the level of emission with in the project site for various Environment Parameters.
6) Suggestions for Implementation.

POINT WISE COMPLIANCE TO CONDITIONS OF EC ISSUED BY SEIAA, UP, VIDE Ref No. MoEFCC Proposal no- SIA/UP/MIN/55952/2020 & SEIAA, U.P File no- 5793 on date 27-05-2021

Details of Environmental Clearance:

1. The environmental clearance is sought for Ordinary Sand Mining Project at Yamuna River, No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi & 314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh, (Sanctioned Lease Area 12.512 Ha, Workable Area- 8.512 Ha.).

2. Environmental Clearance for the proposal has been issued by SEIAA, U.P, vide ref of. MoEFCC Proposal no. SIA/UP/MIN/55952/2020 & SEIAA, U.P File no- 5793 on date 27-05-2021 for the production of 2,50,240 m^3/annum.

	Conditions	Compliance Status
GENERAL CONDITIONS		
1.	This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.	Noted LOI & Lease Deed paper is enclosed as Annexure I & II.
2.	Forest clearance shall be taken by the proponent as necessary under the law.	All the necessary clearances are taken by the Mines Department Ghaziabad before auctioning the Lease.
3.	Any change in mining area, Khasra numbers, entailing capacity addition with change in process and or mining technology, modernization, and scope of working shall require prior environmental clearance as per the provisions of EIA Notification, 2006 (as amended).	Noted & Agreed
4.	Precise mining area will be jointly demarcated at site by project proponent and officials of mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.	Noted & Complied.
5.	Mining and loading shall be done only within day hours' time.	Mining is carried out as per the approved mining plan. Attached in Annexure IV.
6.	No mining shall be carried out in the safety zone of any bridge and/or embankment.	Noted and complied, mining is not carried out in the safety zone of any bridge and/or embankment.
7.	It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forest are strictly complied with. Water sprinklers and other dust control majors	Noted & complied. Water is regularly sprinkled in the transportation route of the vehicles.

	should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.	
8.	All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.	Noted & agreed.
9.	Parking of vehicles should not be made on public places.	Vehicles are parked only in haul area of the mine.
10.	No tree-felling will be done in the leased area, except only with the permission of Forest Department.	Noted and agreed. Mining lease area is the bank of river, no felling of trees or clearance of existing vegetation has been carried out before the start of mining.
11.	No wildlife habitat will be infringed.	Noted and agreed. Schedule I species are not found in the Study area and no wild life habitat is infringed.
12.	It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed/basin, where mining is carried out.	Noted and complied. No in stream mining is carried out, only the sand is collected from the river bed by semi-mechanized method.
13.	It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.	• Safety zone is left in the mining lease area. • Only river bed mining is carried out, no active water channels are infringed during mining operation.
14.	It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.	Noted and complied. No fauna is noticed till date in the mining lease area.
15.	Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.	No endangered or vulnerable flora or fauna is reported in primary survey and till date of mining.
16.	Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.	Noted and will be complied. No hydrogeological regime is intercepted during mining activities.
17.	Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.	Measures taken to Control the air pollution at site: • Haulage road is regularly maintained. • PUC certified vehicles are deployed for Transportation. • All the vehicles are covered by tarpaulin sheet during the transportation of the

		mineral. • Water sprinkling is carried out twice a day.
18.	Need-based assess for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/ tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.	Noted and complied. Budget for CER Activities is allocated @2% of the total project cost.
19.	Green cover development shall be carries out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture officer.	Budget for plantation is also allocated and it is implemented in consultation with the DFO.
20.	Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.	Noted, no top soil is available in the mining lease area.
21.	Dispensary facilities for first-aid shall be provided at site.	Noted and complied. First aid kit is available at site for primary treatment at site.
22.	An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.	It will be complied.
23.	The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports, In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.	Noted and agreed.
24.	The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.	Noted and agreed.
25.	A copy of clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.	Noted and agreed.
26.	Transportation of materials shall be done by covering the trucks/tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.	Measures taken to Control the air pollution at site: • Haulage road is regularly maintained. • PUC certified vehicles are deployed for Transportation.

		• All the vehicles are covered by tarpaulin sheet during the transportation of the mineral. • Water sprinkling is carried out twice a day.
27.	Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.	Not applicable
28.	Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.	• Only day time mining is carried out. • Noise controlled machineries are utilized in the mining activity.
29.	Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities, Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.	• Haulage road is regularly maintained. • PUC certified vehicles are deployed for Transportation. • All the vehicles are covered by tarpaulin sheet during the transportation of the mineral. • Water sprinkling is carried out twice a day.
30.	Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.	10% margin is left from the embankments of river to avoid the soil erosion.
31.	Under corporate social responsibility a sum of 5 % of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The Programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.	Noted and agreed.
32.	Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.	It will not be financially viable for the project.
33.	The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of	Budget for EMP is allocated and utilized.

	Environment and Forest and its Regional Office located at Lucknow, SEIAA, U.P. and UPPCB.	
34.	Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Office of UPPCB and SEIAA within 02 months.	All the commitments made during public hearing is strictly followed and complied.
35.	Environmental clearance is subject to obtaining clearance under the wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.	Not applicable.
36.	The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observe, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.	No nesting of any wild life is observed in the area.
37.	The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.	Only river bed material is collected and ground water is not intercepted during mining activity.
38.	The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.	Noted and agreed.
39.	Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.	10% safety margins are left in the mine site. No mining is carried out in active water channel. Separate loading point is defined for parking and loading of vehicles.
40.	Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.	Overloading is avoided. PUC certified vehicles are used in the transportation of mineral.
41.	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of conditions to improve the living conditions of construction labour at site.)	Temporary rest shelters and safe drinking water have been provided on site. Local peoples are deployed in mining activities.
42.	Personnel working in dusty areas should wear	PPEs are provided to the workers working

	protective respiratory devices and they should also be provided with adequate training and information of safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contraptions due to exposure to dust and take corrective measures, if needed.	site. Regular health checks up camps are also organized.
43.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, zila Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/representations, if any, where received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.	Noted and agreed.
44.	The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forest, Lucknow by e-mail.	Noted and agreed.
45.	The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).	Road side plantations are carried out.
46.	Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.	Noted and agreed.
47.	Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.	PPEs are provided to the workers on site.
48.	Periodical and Annual medical checkup of workers as per Mines Act and they should be covered d under ESI as per rule.	Periodical health checkup camps are organized on site.

Specific condition:		
1.	Direction/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.	Noted and complied.
2.	The project proponent shall obtain the forest clearance and permission of Central and State Government as per law under the provisions of Forest (conservation) Act, 1980 before the start of	Noted and agreed

	work.	
3.	The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.	Noted and agreed.
4.	If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.	Not applicable.
5.	At the time of operation, project proponent will comply with all the guidelines issued by government of India/State Govt./District Administration related to Covid-19.	Noted and agreed.
6.	Environment management in according to environmental status and impact of the project.	Noted and the EMP is strictly adhered to the impact and status of the environmental conditions at the site.
7.	Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.	Noted and agreed.
8.	No mining activity should be carried out in-stream channel as per SSMMG, 2016.	Noted and agreed. Mining is strictly carried out the beds of river and as per the SSMMG.
9.	Pakka motorable haul road to be maintained by the project proponent.	Noted and Agreed.
10.	A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a senior Executive, who will report directly to the Head of the Organization.	Noted and Agreed. Mines manager is deployed for this work.
11.	Permission from the competent authority regarding evacuation route should be taken.	Noted and agreed.
12.	Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.	Noted and agreed
13.	Site Pit photographs should be submitted with date, time and point-coordinate within 15 days.	Noted and complied
14.	One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.	Baseline data report is already submitted in the EIA report.
15.	Provision for cylinder to workers should be made for cooking.	• Not applicable, as local peoples are deployed in mining activity. • Only day time mining operation is carried out.

16.	The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.	Noted and complied.
17.	Provide suitable mask to the worker	Noted and complied.
18.	Approach road kaccha is to be made motorable and tree saplings to be planted on both sides of the road.	Noted and complied. Haul roads are regularly maintained.
19.	Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.	Noted and agreed.
20.	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.	Noted and complied.
21.	Provision for two toilets and hand pumps should be made at mining site.	Noted and agreed.
22.	Drinking water for workers would be provided by tankers.	Noted and complied.
23.	Mining should be done by Bar scalping methods extraction (typically 0.3-0.6 m or 1-2 ft.) as per sustainable sand mining management guidelines 2016.	Noted & Complied. Bar Scalpers are used for the collection of sand and JCB are used for the loading of vehicles.
24.	A buffer/safe zone shall be maintained from the habitation as per mining guidelines.	Noted and complied. Safety margins are left in the mine site.
25.	Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to he submitted as per the guidelines provided in the recent CER notification No, 22-65/2017-IA.III dated 01/05/2018.	Noted and complied.
26.	Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.	Noted and agreed.
27.	Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.	Not applicable as it is not financially viable with the budget of the project.
28.	The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be a concern Department.	Noted and agreed.
29.	Width of the haul road shall be more than 6 meter.	Noted and agreed.
30.	Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the	Noted and complied.

	mining activity/ production levels shall be decreased /stopped accordingly till the replenishment is completed.	
31.	The project proponent shall ensure that if the project area falls within the eco-sensitive one of National park/Sanctuary prior permission of statuary committee of National board for wild life under the provision of wildlife (Protection) Act, 1972 shall be obtained before commencement of work.	Project does not lies in eco-sensitive area.
32.	If in future this lease area becomes part of cluster of equal to or more than 05 ha. Then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.	Not applicable, project is in Cat B1.
33.	The Environmental clearance will be co-terminus with the mining lease period.	Noted and agreed.
34.	Project falling within 10 km area of Wild life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.	No wild life sanctuary lies in buffer zone of the project.
35.	To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.	Sustainable sand mining management guidelines 2016 is complied.
36.	Geo coordinates should be verified by Director, DGM/District Magistrate/Regional Mining Officer/NHAI and should be submitted to SEIAA/SEAC, Secretariat as earliest	Noted and agreed. Lease deed paper is enclosed Annexure.
37.	In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt and area is less than 05 ha, the E.C. issued will stand revoked.	Noted and agreed
38.	The Project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.	Replenishment study has been conducted and the data will be submitted soon.
39.	The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting	• Bar scalpers and loaders are only utilized in the mining activity. • No drilling or blasting is required in this project.

	should be involved at any stage.	
40.	It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river band. The mining is confined to extraction of sand/moram from the river bank only.	• 10 % safety margins are left on either side of the river bank. • Mining depth is above the ground water table and depth is strictly as per the conditions of approved mining plan.
41.	The Project proponent shall undertake adequate safeguard measures during extracting of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.	It is ensured that no hydro-geological regime is affected due to mining activity.
42.	The Project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (No mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.	Noted and strictly complied.
43.	The Project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision there of shall be strictly followed.	During deployment of the labours, mines act is strictly followed.
44.	The Project proponent will provide personal protective equipment (PPE) as required; also provide adequate training and information on safety and health aspects. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.	• PPEs are provided to the workers. • Periodical medical checkup camps are also organized. • Regular health and safety related trainings are also provided to the workers.
45.	The critical parameters such as PM10, PM2.5, SO2 and NOX in the ambient air within the impact zone shall be monitored periodically; Further, quality of discharged water if any shall also be monitored [(TDS, DO, PH, Fecal Coliform and Total Suspended Solids (TSS)].	Baseline data monitoring report is annexed with this compliance.
46.	Effective safeguard measures, such as regular water sprinkling shall be carries out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carries out on haul roads.	Water sprinkling is carried out twice a day.
47.	It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.	Noted and agreed.
48.	The extended mining scheme will be submitted by the proponent before expiry of present mining plan.	Noted and agreed.
49.	Four ambient air quality-monitoring stations should be established in the core zone as well as in the	Noted and complied.

	buffer zone for monitoring PM10, PM2.5, SO2 and NOX. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.	
50.	Common road for transportation of mineral is to be maintained collectively. Total cost will be shared / worked out on the basis of lease area among users.	Noted and complied.
51.	Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.	Noted and complied on site.
52.	Solid waste material viz., gutkha pouches, Plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid waste Management rules.	Waste are collected and disposed as per Municipal Solid Waste Management Rule.
53.	Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchyat.	Noted and agreed.
54.	Natural/ customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.	Noted and agreed.
55.	Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.	Noted and agreed.
56.	A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion/ representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.	Noted and agreed.
57.	State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.	Noted and agreed
58.	The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at http://www.seiaaup.in and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.	Noted and agreed.
59.	The MoEF&CC/SEIAA or any other competent	Noted and agreed.

	authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.	
60.	Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.	Noted and agreed.
61.	Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 11 of the National Environment Appellate Authority Act, 1997.	Noted.
62.	Waste water from potable use be collected and reused for sprinkling.	Noted and complied.
63.	During the school opening and closing time transportation of minerals will be restricted.	Noted and strictly complied.
64.	A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.	Noted

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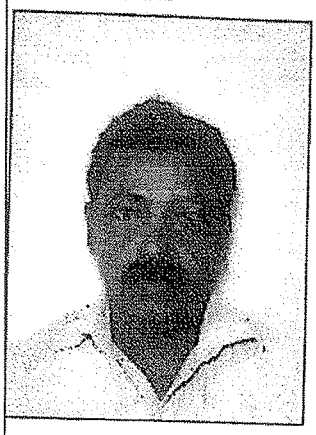
भारत सरकार
GOVERNMENT OF INDIA



बनी सिंह
Bani Singh
जन्म तिथि/DOB: 15/07/1970
पुरुष/ MALE

35 60
VID : 9132 7160 2461 4766

मेरा आधार, मेरी पहचान

AADHAAR

भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

Download Date: 22/09/2018

पता:
S/O रघुनाथ सिंह, फ्लैट न -306, शंकर विहार कौलोनी सालासर एबोड्र्स अपार्टमेंट, ब्रिलियंट पब्लिक विद्यालय के पास, कोल, अलीगढ़,
उत्तर प्रदेश - 202001

Address :
S/O Raghunath Singh, Flat No -306, shankar vihar colony salasar abodes appartment, near brilliant public school, Koil, Aligarh,
Uttar Pradesh - 202001

Generation Date: 07/02/2015

35 60
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कार्यालय जिलाधिकारी गाजियाबाद
(खनन अनुभाग)

250

पत्र सं0:-993 /खनन/ई-निविदा सह ई-नीलामी/2020 दिनांक: 23/6/ 2020

आशय पत्र
(Letter of Intent)

न्यू पेन्थर सिक्योरिटी गार्ड सर्विस
पता- सालासर काम्पलैक्स,
306, शंकर विहार कालोनी कुरैशी,
अलीगढ़- 202001।

शासनादेश संख्या- 1875/86-2017-57(सा)2017टीसी-1, भूतत्व एवं खनिकर्म विभाग, उ0प्र0 शासन, लखनऊ, दिनांक 14.08.2017 व अनुवर्ती शासनादेश संख्या- 2168/86-2019-57 (सामा0)/2017 टी0सी0-1 दिनांक 09.10.2019 में दिये गये निर्देशों के अनुपालन में इस कार्यालय के पत्र सं0 864/ई-टेण्डर सह ई-आक्सन/विज्ञप्ति-बालू /2019-20 दिनांक 05.03.2020 द्वारा जनपद गाजियाबाद के नदी तल में उपलब्ध साधारण बालू के रिक्त क्षेत्र ग्राम पचायरा खण्ड-2, तहसील लोनी को ई-निविदा सह ई-नीलामी के माध्यम से उ0प्र0 उपखनिज (परिहार) नियमावली-1963 के अध्याय-4 के अर्न्तगत खनन परिहार पर स्वीकृत किये जाने हेतु घोषित/विज्ञापित किया गया था। सेवा प्रदाता संस्था एम0एस0टी0सी0 लि0 (भारत सरकार का उपक्रम) द्वारा सम्पादित ई-निविदा सह ई-नीलामी की प्रकिया के दूसरे चरण की समाप्ति के उपरान्त निम्नलिखित विवरण के अनुसार आपकी बोली सर्वोच्च पायी गयी है:-

क्षेत्र का विवरण								वार्षिक आकलित खनन योग्य साधारण बालू की मात्रा (घ0मी0/वर्ष)
तहसील	ग्राम	नदी	गाटा संख्या	क्षेत्रफल	जियोकोआर्डिनेट्स			
						अक्षांस	देशान्तर	
1	2	3	4	5	6		7	8
लोनी	पचायरा खण्ड-2	यमुना नदी	303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0, 314मि0	12.512 है0	A	28° 48' 01.02"	77° 12' 19.63"	250240
					B	28° 47' 49.56"	77° 12' 17.52"	
					C	28° 47' 39.12"	77° 12' 19.04"	
					D	28° 47' 39.35"	77° 12' 13.26"	
					E	28° 47' 48.74"	77° 12' 10.86"	
					F	28° 48' 02.80"	77° 12' 13.01"	

ई-नीलामी बालू में प्राप्त सर्वोच्च दर (रू0/घनमीटर)	प्रथम वर्ष हेतु निर्धारित नीलामी पट्टा की सकल धनराशि (रू0 में)	प्रथम वर्ष हेतु निर्धारित नीलामी पट्टा की सकल धनराशि का 45 प्रतिशत (जिसमे प्रथम वर्ष हेतु निर्धारित नीलामी पट्टा की सकल धनराशि का 20 प्रतिशत प्रथम किश्त के रूप मे एवं प्रथम वर्ष हेतु निर्धारित नीलामी पट्टा की सकल धनराशि का 25 प्रतिशत के रूप में सम्मिलित है) के समतुल्य धनराशि (रू0 में)	जमा प्रीपेड अर्नेस्ट मनी (रू0 में)	प्रीपेड अर्नेस्ट मनी समायोजित होने के उपरान्त जमा किय जाने वाली धनराशि (रू0 में)
9	10	11	12	13
233.00	5,83,05,920.00	2,62,37,664.00	40,86,400.00	2,21,71,264.00

(मानचित्र संलग्न)

ई-मेल के माध्यम से एम0एस0टी0सी0 लि0 द्वारा दी गयी सूचना के आधार पर आप द्वारा इस कार्यालय में प्रस्तुत अभिलेख प्रथम दृष्टया सही पाये गये है।

अतः उपरोक्त विवरण के अनुसार साधारण बालू क्षेत्र ग्राम पचायरा खण्ड–2 तहसील लोनी रकबा 12.512 हे0 हेतु उ0प्र0 उपखनिज (परिहार) नियमावली–1963 के अध्याय–4 के अन्तर्गत खनन पट्टा दिये जाने हेतु आशय पर (Letter of Intent) निम्नलिखित शर्तो के साथ निर्गत की जा रही है:–

शर्ते :–

1– लेटर ऑफ इन्टेंट प्राप्त होने के उपरान्त सफल बोलीदाता/निविदादाता द्वारा 25 प्रतिशत प्रतिभूति जमा एवं 20 प्रतिशत प्रथम किश्त अर्थात पट्टे के प्रथम वर्ष के लिये निर्धारित पट्टा धनराशि का 45 प्रतिशत (तालिका कॉलिका–11 के अनुसार) के समतुल्य धनराशि निर्धारित लेखाशीर्षक 0853 अलौह खनन एवं धातुकर्म उद्योग में लेटर ऑफ इन्टेंट जारी होने के दो कार्य दिवसों के अन्दर प्री विड अर्नेस्टमनी समायोजित करते हुये जमा किया जाना होगा तथा जमा चालान की मूल प्रति कार्यालय जिलाधिकारी, गाजियाबाद, खनन अनुभाग को प्रेषित करना होगा। प्री विड अर्नेस्ट मनी की धनराशि एम0एस0टी0सी द्वारा जनपद गाजियाबाद के जिलाधिकारी को चेक/ड्राफ्ट के माध्यम से अथवा ऑनलाईन हस्तांरित की जायेगी। यदि निर्धारित अवधि में सफल बोलीदाता/निविदादाता कॉलम–13 में दी गयी उक्त धनराशि जमा करने में असफल होता है, तो निर्गत आशय पत्र (Letter of Intent) निरस्त करते हुये उसके द्वारा जमा अर्नेस्ट मनी राज्य सरकार के पक्ष में जब्त कर ली जायेगी तथा उसके द्वारा इस संबंध में कोई शिकायत अथवा प्रत्यावेदन पर विचार योग्य नहीं होगा।

2– बालू खनन पट्टा पॉच वर्ष हेतु जारी किया जायेगा। प्रथम वर्ष की धनराशि रू0 5,83,05,920/– होगी तथा अनुवर्ती वर्षो में प्रत्येक वर्ष पिछले वर्ष की ई–नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि कर देय होगा।

3– पट्टे के प्रथम वर्ष की शेष किश्ते एवं अनुवर्ती वर्षो में बोली/निविदा के आधार पर प्रथम वर्ष के लिये निर्धारित सकल धनराशि पर प्रत्येक वर्ष विगत वर्ष से 10 प्रतिशत वृद्धि के साथ नियमावली–1963 के पंचम अनुसूची के अनुसार जमा की जायेगी।

4– पट्टाधारक नियम–17 के प्रावधानों के अनुसार क्षेत्र का सीमांकन करायेगा, जिसमें सीमा बिन्दुओं का जियो कोर्डिनेट भी इंगित किया जायेगा तथा नियम–35 के अनुसार सीमा स्तम्भ लगायेगा और इसका अनुरक्षण करेगा।

5– चयनित आवेदक नियम–34 के प्राविधानों के अन्तर्गत निर्धारित अवधि के अन्दर खनन योजना, माइन्स क्लोजर प्लान एवं पर्यावरण अनापत्ति प्राप्त कर उसे प्रस्तुत करेगा।

6– पट्टाधारक द्वारा नियम–34 के अनुसार क्षेत्र के भूमि–उद्धार और पुर्नवासन उपाय हेतु वित्तिय अश्वासन की धनराशि निर्धारित रीति से जमा करायेंगे।

7– आशय पत्र (लेटर ऑफ इन्टेट) जारी होने के एक माह के भीतर अनुमोदन हेतु देय प्रतिभूति एवं प्रथम किश्त की धनराशि जमा के प्रमाण सहित खनन योजना निदेशक, भूतत्व एवं खनिकर्म के समक्ष प्रस्तुत किया जायेगा तथा अनुमोदित खनन योजना प्राप्त होने के एक माह के भीतर सक्षम प्राधिकरण के समक्ष पर्यावरण स्वक्षछता प्रमाण पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा।

8– नियम– 34(4) के अर्न्तगत पर्यावरण की स्वीकृति की प्रकिया के दौरान अपेक्षित समयावधि में सक्षम प्राधिकारी द्वारा लगायी गयी आपत्तियों का परियोजना प्रस्तावक द्वारा समाधान करना अनिवार्य होगा। नियम–34(4) के उल्लंघन की दशा में जिलाधिकारी द्वारा नियम–59(7) के अर्न्तगत जारी लेटर ऑफ इन्टेट निरस्त किया जा सकता है।

9– नियम– 34(5) के अन्तर्गत पर्यावरण स्वच्छता प्रमाण पत्र निर्गत होने के उपरान्त एक माह के भीतर पट्टा विलेख का निष्पादन करना अनिवार्य होगा। नियम–34(5) के उल्लंघन की दशा में प्रस्तावक द्वारा जमा प्रथम किश्त एवं प्रतिभूति धनराशि समपृहत करते हुये जारी लेटर ऑफ इन्टेट निरस्त किया जायेगा।

10– आशय पत्र में दी गयी शर्तो के अनुसार निर्धारित समयावधि में प्रथम वर्ष के लिये निर्धारित नीलामी पट्टा की सकल धनराशि का 45 प्रतिशत के समतुल्य धनराशि जमा कर, अनुमोदित खनन योजना एवं पर्यावरण स्वच्छता प्रमाण पत्र प्रस्तुत करने के उपरान्त ही आपके पक्ष में खनन पट्टा स्वीकृति/विलेख के सम्बंध में अन्य अग्रेतर कार्यवाही की जायेगी।

11– पट्टाधारक द्वारा पट्टाधारक द्वारा राज्य सरकार अथवा केन्द्र सरकार द्वारा समय–समय पर निर्धारित कर एवं शुल्क यथा आयकर विभाग का टी0सी0एस0(2%), जिला खनिज फाउण्डेशन (डी0एम0एफ0) (10%) धनराशि आदि नियमानुसार जमा कराया जायेगा।

अन्य शर्तें:–

(1) पट्टाधारक पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कार्डिनेट्स अंकित करेगा तथा पट्टा विलेख निष्पादन करने के पूर्व में पट्टाधारक अपने स्वयं के व्यय पर ऐसे सीमा चिन्ह को और खम्भे को लगायेगा जो पट्टा विलेख से संलग्न नक्शे में दर्शाये गये सीमांकन को इंगित करने के लिये आवश्यक होगा।

(2) पट्टा विलेख के निष्पादन के दिनांक से पट्टाधारक तत्काल खनन संक्रियायें प्रारम्भ करेगा और तत्पश्चात् जान बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण रीति से कुशल कारीगर की भांति करेगा।

(3) पट्टा धारक नियम–35 के अनुसार वाहनों के प्रवेश व निकासी पर निगरानी के लिये स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकार्डिंग के योग्य चार सी0सी0टी0वी0 कैमरा लगाने सहित चेक पोस्ट/गेट का निर्माण करेगा। पट्टाधारक उक्त चेक पोस्ट/गेट पर आर0एफ0आई0डी0 स्कैनर भी रखेगा, जिससे संबंधित खनन पट्टा क्षेत्र से उपखनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई–प्रपत्र एम0एम0–11 पर अंकित बार कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रूप से रख रखाव करेगा एवं सदैव उसे चालू रूप में अनुरक्षित रखेगा। पट्टाधारक उक्त सी0सी0टी0वी0 कैमरे और आर0एफ0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकार्डिंग को कम से कम 30 दिनों तक सुरक्षित रखेगा और नियम–66 के उपबन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकार्ड मांगे जाने पर उक्त रिकार्डिंग को उपलब्ध करायेगा।

(4) पट्टाधारक प्रत्येक वाहन को ई–एम0एम0–11 सही विवरण सहित जारी करेगा। प्रत्येक वाहनों को निर्गत ई–एम0एम0–11 पर जनित बार कोड को चेक गेट पर पढ़ने तथा दर्ज डाटा रोव करने के लिये आर0एफ0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और उन्हें सही एवं चालू दशा में रखेगा। उक्त का अनुपालन न करने की दशा में नियमावली–1963 के नियम–59 के अन्तर्गत धारित का भागीदार होगा।

(5) माननीय राष्ट्रीय हरित अधिकरण के आदेश दिनांक 05.09.2019 के अनुपालन में पट्टाधारक खदान के निवासी स्थल पर तौल मशीन लगवाकर निदेशालय में स्थापित कमाण्ड सेंटर में प्रयुक्त आर्टिफिशियल इन्टेलीजेन्स युक्त साफ्टवेयर में इन्टीग्रेट किया जायेगा। इन्टीग्रेटस में स्थित तौल मशीन में निम्न Features का होना आवश्यक है :–

(1) The Weight bridge devices should use the MQTT protocol to transit data.
(2) The Weight bridge devices should transit data over the internal to IOT inprasuchase in cloud.

(6) पट्टेदार 03 मीटर की गहराई अथवा जलस्तर में से जो कम हो, से अधिक गहराई में खनन संक्रियायें नहीं करेगा।

(7) जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र में खनन नहीं किया जायेगा।

(8) नदी की जलधारा में सर्वरान मशीन, लिफ्टर आदि मशीनों द्वारा खनन कार्य नहीं किया जायेगा।

(9) स्वीकृत क्षेत्र के अन्दर जहाँ परिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य प्रदर्शित करेगा।

(10) नियमों एवं शर्तों के उल्लंघन के परिणामस्वरूप यदि कोई वाद अथवा अपराधिक प्रक्रिया योजित होती है तो इसकी सम्पूर्ण जिम्मेदारी पट्टाधारक की होगी एवं यदि इस सम्बंध में कोई व्यय होता है तो उसका वहन पट्टाधारक द्वारा किया जायेगा।

(11) यदि पट्टाधारक द्वारा नियमों व खनन पट्टा, पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है तो पट्टेदार को अपना मामला बताने की युक्ति युक्त अवसर प्रदान करने के पश्चात् जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।

(12) उ0प्र0 उपखनिज परिहार नियमावली 1963 के नियम 67 के अधीन भूमि को स्वामियों को क्षतिपूर्ति पाने का अधिकार होगा जो भूस्वामियों एवं पट्टेधारक के मध्य तय हो।

(13) पट्टा विलेख का निष्पादन नियमानुसार निर्धारित स्टाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।

(14) सिंचाई विभाग के पत्र सं0 2899/है0व0ख0 दिनांक 21.08.2017 में इंगित शर्तो के पालन हेतु पट्टेधारक बाध्य होगा।

(15) वन विभाग के पत्र सं0 636/147 दिनांक 28.08.2017 में इंगित शर्तो के पालन हेतु पट्टाधारक बाध्य होगा।

(16) यदि माननीय उच्चतम न्यायालय/उच्च न्यायालय एवं राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली अथवा शासन द्वारा कोई आदेश निर्गत किया जाता है तो आवेदक द्वारा उसका पालन किया जायेगा।

(17) पट्टा विलेख का निस्पादन नियमानुसार निर्धारित सटाम्प पेपर पर पट्टेधारक द्वारा किया जायेगा।

(18) पट्टाधारक द्वारा पर्यावरण स्वच्छता प्रमाण पत्र कार्यालय में जमा करने के उपरान्त ही खनन पट्टा विलेख निष्पादित कराने के उपरान्त अनुमति प्राप्त कर खनन कार्य प्रारंभ किया जायेगा।

(19) मा0 सर्वोच्च न्यायालय के आदेश दिनांक 13.01.2020 के अनुपालन में खनन स्थल पर Anti-Smog Gun लगाया जाना अनिवार्य होगा।

(20) राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्तें अथवा विधि प्रख्यापित की जाती है तो वह पट्टाधारकों को मान्य होगा।

(21) कोविड–19 के सम्बंध में भारत सरकार व शासन द्वारा दिये गये दिशा निर्देश, शर्तो एवं मापदण्डों को अनिवार्य रूप से पालन करना होगा।

जिलाधिकारी
गाजियाबाद।

प्रतिलिपि:– निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, उ0प्र0 शासन लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ।
3. आयुक्त, मेरठ मण्डल, मेरठ।
4. वरिष्ठ पुलिस अधीक्षक, गाजियाबाद।
4. प्रभागीय निदेशक, सामाजिकी वानिकी वन प्रभाग, गाजियाबाद।
5. प्रभारी अधिकारी, भूतत्व एवं खनिकर्म, क्षेत्रीय कार्यालय गाजियाबाद।
6. उपजिलाधिकारी लोनी।
7. अधिशासी अभियंता, सिंचाई विभाग, गाजियाबाद।

जिलाधिकारी
गाजियाबाद।

COPY FOR LESSEE

294

Mining Plan

along

Progressive Mine Closure Plan

for

Riverbed Ordinary Sand Mining from Riverbed of Yamuna River

Located at

Gata No. 303 mi, 313 mi, 290 mi, 301 mi, 303, 304 mi, 314 mi, 297 mi, 298 mi, 302 mi, 311 mi, 312 mi, 313 mi & 314 mi

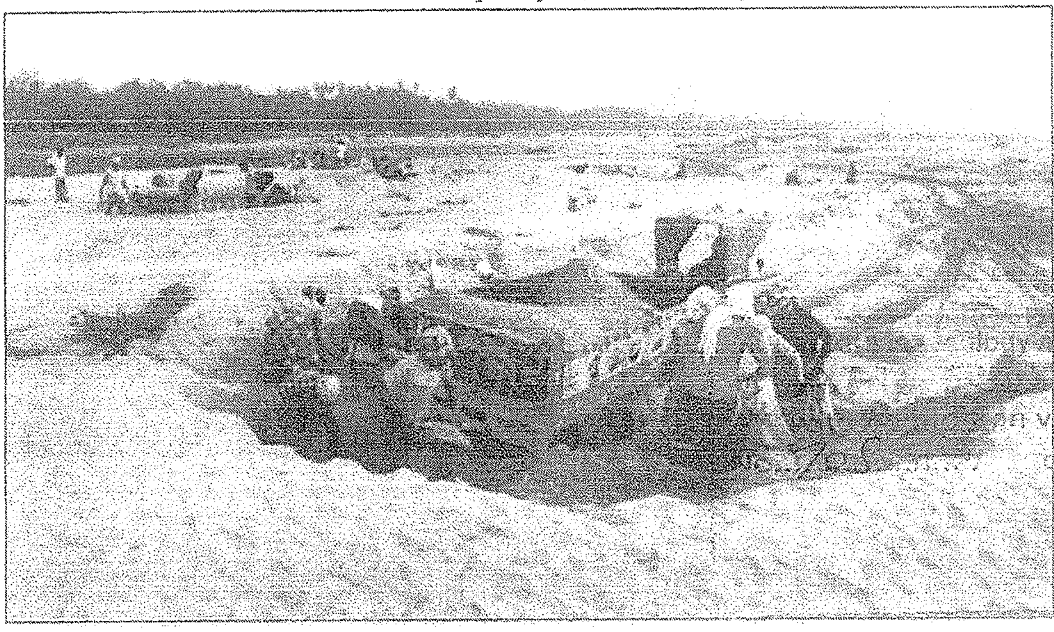
Village- Pachayara Khand- 02, Tehsil- Loni,

District- Ghaziabad, Uttar Pradesh.

Sanctioned Mining Lease Area: 12.512 ha

Period of Mining Plan/PMCP - 5 years;

Sanctioned Capacity: 2,50,240 cum/year



...and Mining, UP
...VED
...vide letter
...dated 11/08/20..
DIRECTOR

Proprietor/Lessee

M/s New Penthar Security Guard Service

Shri Shri Bani Singh S/o Shri Raghunath Singh

R/o Salasar complex, 306, Shankar Vihar Colony Qureshi, District Aligarh Uttar Pradesh.

Prepared By

Sandeep Kumar

RQP/UPDGM/No.014/2019

(अनिल कुमार शर्मा)
मुख्य खान अधिकारी
... एवं खनिकर्म निदेशालय
... लखनऊ

SANDEEP KUMAR
RQP/UPDGM/...

प्रेषक,

295

निदेशक,
भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0,
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी
गाजियाबाद।

संख्याः— / /मा0 प्लान/2017 दिनांक 11/08/2020

विषयः— पट्टाधारक न्यू पेन्थर सिक्योरिटी गार्ड सर्विस के पक्ष में स्वीकृत जनपद गाजियाबाद में तहसील—लोनी, ग्राम—पचायरा ख0—2 भू0सं0—303मि0, 313मि0, 290मि0, 301मि0, 303, 304मि0, 314मि0, 297मि0, 298मि0, 302मि0, 311मि0, 312मि0, 313मि0 314मि0 क्षेत्रफल 12.512 हे0 में उपखनिज साधारण बालू/मौरम के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक न्यू पेन्थर सिक्योरिटी गार्ड सर्विस द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप—खनिज (परिहार) नियमावली, 1963 के नियम—34 के उपनियम (4) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 11.08.2020 को कर दिया गया है।

1— "खनन योजना" का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया हैः—

(अ) "खनन योजना" का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगमी 05 वर्ष की अवधि के लिए किया जाता है। खनन क्षेत्र से 250240 घन मी0 प्रति वर्ष खनिज का उत्पादन अनुमन्य किया गया है।

(ब) अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते है, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(स) आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द) अनुमोदित खनन योजना की एक—एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(च) अनुमोदित खनन योजना में विनिहित प्रकिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरूद्व पट्टे की शर्त का उल्लंघन माना जायेगा और तद्नुसार कार्यवाही की जायेगी।

(छ) खनन योजना को निम्नलिखित अतिरिक्त शर्तो के साथ अनुमोदित किया जाता हैः—

1. बेंच की ऊँचाई अधिकतम 01 मी0 एवं बेंच की चौडाई न्यूनतम 10 मी0 होनी चाहिए।
2. खनन कार्य अधिकतम 03 मी0 की गहराई तक या पानी निकलने के तल, जो भी कम हो तक किया जायेगा।
3. खनन कार्य जीरो (0) लेवल से ऊपर की ओर किया जायेगा।
4. खनन पट्टा स्थल पर फर्स्ट एड बॉक्स व स्ट्रेचर रखे जायें।

5. श्रमिकों के लिये श्रमिक विश्राम गृह, शौचालय, पीने के पानी आदि की समुचित व्यवस्था की जायें।
6. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।
7. नदी के तटबन्ध से नदी की ओर न्यूनतम 50 मी0 तक खनन कार्य किया जाना वर्जित होगा। जहॉ तक व्यवहारिक हो नदी से तटबन्ध की ओर खनन किया जायेगा।
8. खनन कार्य से निकाले गये मलवे खास कर टॉप स्वायल को व्यवस्थित रूप से एकत्रित कर रखा जायेगा।
9. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय–समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

2– अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें ।

संलग्नकः यथोपरि ।

भवदीय,

(अनिल कुमार शर्मा)
मुख्य खान अधिकारी
कृते निदेशक।

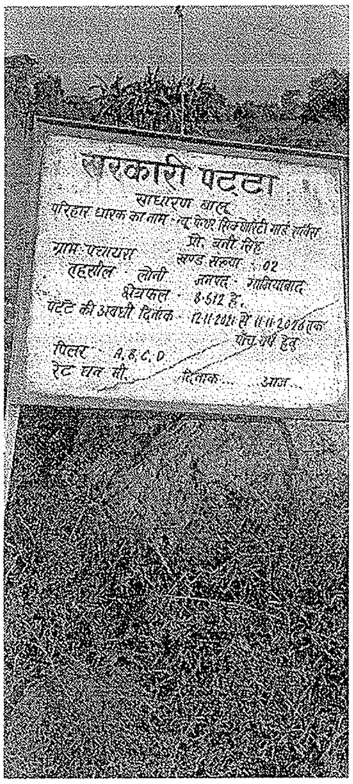
संख्याः 205 (1)/मा0 प्लान/2017 तद् दिनांक ।

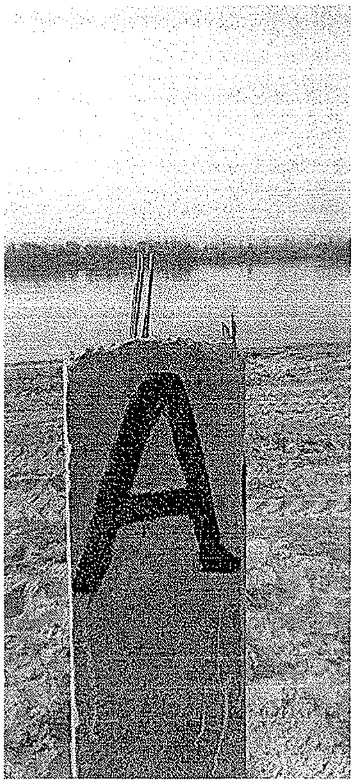
प्रतिलिपिः–निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :–

1–खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद–गाजियाबाद।
2–पट्टाधारक न्यू पेन्थर सिक्योरिटी गार्ड सर्विस नि0 सालासर काम्पलेक्स, 306, शंकर विहार कालोनी कुरैशी, अलीगढ़–202001
3–खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

(अनिल कुमार शर्मा)
मुख्य खान अधिकारी
कृते निदेशक।

297


सरकारी पट्टा
साधारण बालू
ग्राम पचायरा
खण्ड संख्या : 02
तहसील लोनी
जनपद गाजियाबाद
क्षेत्रफल 8.512 हे.
पट्टे की अवधी दिनांक 12.11.2021 से 11.11.2026 तक
पाँच वर्ष हेतु
पिलर A, B, C, D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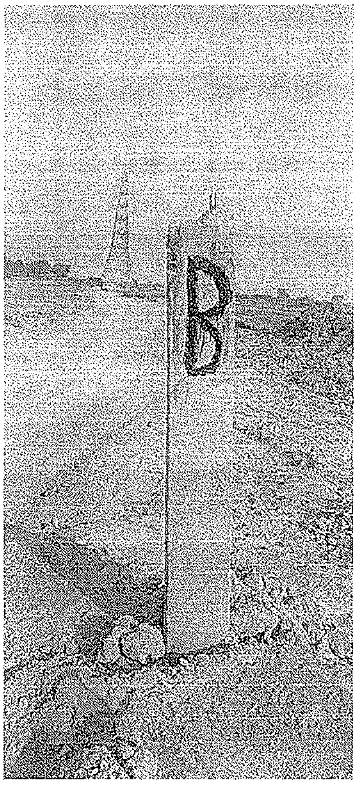
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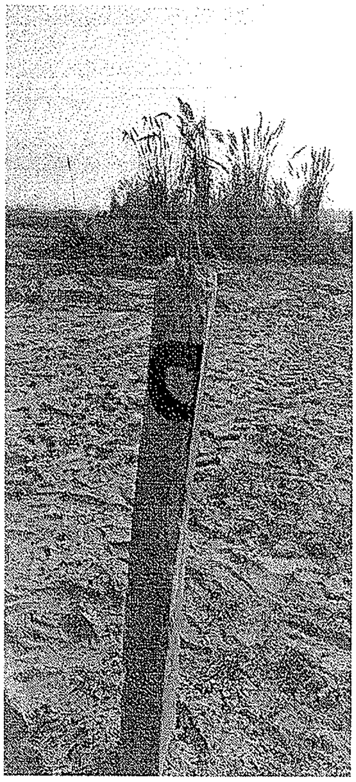
C

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TEST CERTIFICATE

298

Test Report of	Report Code	Date of Issue
Ambient Air Quality	AAQ-200524-01	25/05/2024

Issued to: M/s New Panthar Security Guard Service

Project Name: Ordinary Sand Mining Project at Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh

Sampling & Analysis Data

Sample Drawn By	:	NTL Representative
Date of Sampling	:	19/05/2024
Sample Description	:	Ambient Air
Sampling Plan & Procedure	:	SOP-AAQ/08
Analysis Duration	:	20/05/2024 to 25/05/2024
Sampling Location	:	Core Zone (Gonda)
Average Flow Rate of SPM (m^3/min.)	:	1.14
Average Flow Rate of Gases (lpm)	:	1.0
Sampling Instrument Used	:	RDS (PM_{10}) FPS ($PM_{2.5}$) With Gaseous Attachment
Weather Condition	:	Clear

TEST RESULT

S.No.	Parameter	Test Method	Results	Units	Limits as per Environment (Protection) Act.
1.	Suspended Particulate Matter (SPM)	IS:5182 Part-IV	385.0	µg /m^3	500.0
2.	Particulate Matter (PM_{10})	IS:5182 Part-XXIII	72.83	µg /m^3	100.0
3.	Particulate Matter ($PM_{2.5}$)	IS:5182 Part-XXIV	40.51	µg /m^3	60.0
4.	Sulphur dioxide (SO_2)	IS:5182 Part-II	9.76	µg /m^3	80.0
5.	Nitrogen dioxide (NO_2)	IS:5182 Part-VI	16.94	µg /m^3	80.0

Notes:

1. The results given above are related to the tested sample, as received & mentioned parameters. The customer asked for the above tests only.
2. Responsibility of the Laboratory is limited to the invoiced amount only.
3. This test report will not be generated again, either wholly or in part, without prior written permission of the laboratory.
4. The test samples will be disposed of after two weeks from the date of issue of test report, unless until specified by the customer.

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TEST CERTIFICATE

299

Test Report of	Report Code	Date of Issue
Ambient Noise	AN-200524-02	25/05/2024

Issued to: M/s New Panthar Security Guard Service

Project Name: Ordinary Sand Mining Project at Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh

SAMPLING & ANALYSIS DATA

Sample Drawn On	:	19/05/2024
Sample Drawn By	:	NTL Representative
Sample Location	:	**Core Zone (Gonda)**
Sample Received On	:	20/05/2024
Sample description	:	Ambient Noise
Sampling Time	:	24hrs

TEST RESULT

S. No	Test Parameters	Results	Units	Requirement (as per CPCB Guidelines Limits in dB (A) Leq		
				Category of Area/ Zone	Day Time	Night Time
1.	EQUIVALENT NOISE LEVEL (6.0 AM TO 10.0 PM)	58.8	dB(A)	Industrial Area	75	70
2.	EQUIVALENT NOISE LEVEL (10.0 PM TO 6.0 AM)	41.6	dB(A)	Commercial Area	65	55
				Residential Area	55	45
				Silence Zone	50	40

Notes:

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4. The test samples will be disposed of after two weeks from the date of issue of test report, unless until specified by the customer.

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TEST CERTIFICATE

300.

Test Report of	Report Code	Date of Issue
Water	W-200524-03	25/05/2024

Issued to: M/s New Panthar Security Guard Service

Project Name: Ordinary Sand Mining Project at Gata No. 303mi, 313mi, 290mi, 301mi, 303, 304mi, 314mi, 297mi, 298mi, 302mi, 311mi,312mi, 313mi &314mi, Khand No.- 2, Village: Pachayara, Tehsil Loni & District: Ghaziabad, State: Uttar Pradesh

SAMPLING & ANALYSIS DATA

Sample Drawn By	:	NTL Representative
Sample Received Date	:	19/05/2024
Sample Quantity	:	2.0 Lt.
Analysis Duration	:	20/05/2024 to 25/05/2024
Sampling Location	:	Yamuna River
Sample Description	:	Surface Water

TEST RESULTS

S. No.	Parameter	Test Method	Results	Units
1.	pH	IS:3025(Part-11)	7.46	-
2.	Electrical Conductivity @25^{0}C	IS-3025(P-14)	540	µS/cm
3.	Total Hardness(as CaCO3)	IS:3025(Part-21)	127.0	mg/l
4.	Dissolve Oxygen	IS:3025(Part-38)	6.80	mg/l
5.	Chloride(as Cl)	IS:3025(Part-32)	36.50	mg/l
6.	Calcium (as Ca)	IS: 3025 (P- 40)	51.20	mg/l
7.	BOD (3 days at 27^{0}C)	IS-3025 (P-44)	<2.0	mg/l
8.	Nitrate (as NO_3)	IS: 3025 (P- 34)	3.08	mg/l
9.	Total Dissolved Solid	IS:3025(Part-16)	320.0	mg/l
10.	Alkalinity (as Ca CO_3)	IS: 3025 (P- 23)	135.0	mg/l
11.	Sulphate (as SO_4)	IS: 3025 (P- 24)	26.60	mg/l
12.	Magnesium (as Mg)	IS: 3025 (P-46)	12.40	mg/l
13.	COD (as O2)	IS-3025 (P-38)	18.0	mg/l
14.	Total Suspended Solid (TSS)	IS:3025(Part-17)	10.2	mg/l

MICROBIOLOGICAL REQUIREMENT

S.No.	Parameter	Test Method	Results	Unit
1.	Total Coliform	IS-1622	4.8 x10^3	MPN/100 ml
2.	*Faecal Coliform (MPN/100ML)*	IS-1622	2.5 x 10^3	MPN/100 ml

Notes:

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4. The test samples will be disposed ofafter two weeks from the date of issue of test report, unless until specified by the customer

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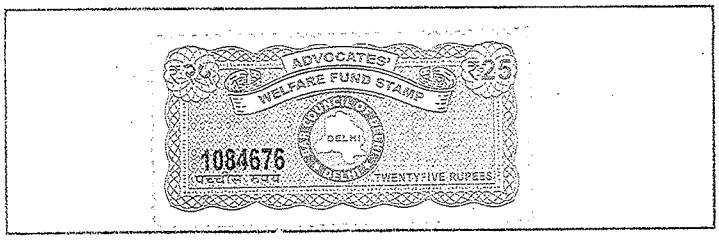
VAKALATNAMA

400



301

IN THE COURT OF Befor the National Green Tribunal Principal Bench N.D.I

Suit / Apeal No. O.A NO 1003 of 2024 of 202

MR. ASHOK KUMAR ANDANR ...Pltf. / Applt. / Petitioner / Complainant

S/o Late sh. Dharam Singh.

VERSUS

state of U.P. ...Defdt. / Resf. / Accuses Defendent

KNOW ALL to whom these present shall come that I/We M/s New Panther Security Guard Services through its Proprietor MR. BANI SINGH S/o Raghunath Singh R/o Sarcomplex, 306 Shankar Vihar colony Kurashi, Aligarh - 202001 U.P do hereby appoint the above named

Shannu Baghel Ch.No. 617, Additional building, D Block Supreme Court of India. D/6618/2018 9910389196, Adv.shannu.baghel@gmail.com

(herein after called the advocate/s) to be my/our Advocate in the above-noted case authorised him :-

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petitiones for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said cause.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by the/us to indents and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in the Court on all hearings and will inform the Advocate for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once the fee is paid, I/we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this ..... day of 202

Accepted subject to the terms of fees.

Shannu Baghel D/6618/2018

Advocate

Client

Client