BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI

MEMORANDUM OF APPLICATION

I.A. NO. OF 2025

IN

ORIGINAL APPLICATION NO. 974 OF 2024

IN THE MATTER OF:

Jitendra Nishad ..... APPLICANT

VERSUS

State of Uttar Pradesh & Others ..... RESPONDENTS

AND IN THE MATTER OF:

Surendra Kumar,
Son of Shivmurthy Bharti,
Resident of Village Berui, Post,
PS line Bazaar, District Jaunpur

……Applicant/Respondent No. 10

NDOH: 07.03.2025

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3.	**Annexure No. A-1** True copy of the replenishment study along with the receiving.	**7-37**
4.	**Annexure No. A-2** True copy of the photographs showcasing the compliance of Environmental Clearance conditions.	**38-45**
5.	Proof of service.	**46**

Dated: 06.03.2025
New Delhi

Respondent no. 10

Through

PALLAVI PRATAP
Advocate for the Respondent No. 10
ENROL NO. UP/1246/2010
A-90, LGF South Ex-II, New Delhi
Mob: 9999990078
Email: pallavipratap@hotmail.com

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COMPLIANCE REPORT FILED ON BEHALF OF RESPONDENT NO. 10

MOST RESPECTFULLY SHOWETH

1. This compliance report is submitted in response to the Hon'ble Tribunal's order dated 21.01.2025 regarding

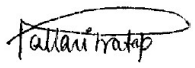
compliance of the conditions of environmental clearance dated 29.05.2023 and CTO dated 24.04.2023.

2. That the answering respondent has submitted the copy of the Replenishment Study Report for the year 2024 which was carried out on 05.11.2024 on 18.11.2024. True copy of the replenishment study along with the receiving is filed herewith as **Annexure No. A-1**.
3. That further the answering respondent has installed the demarcation pillars, water hand pump, solar powered lights, water tank sprinklers and plantation in compliance of the environmental clearance. True copy of the photographs showcasing the compliance of Environmental Clearance conditions is filed herewith as **Annexure No. A-2(colly.)**.
4. That the answering respondent has not violated any conditions of environmental clearance or the CTO issued to him.
5. That it is submitted that the applicant/answering respondent has not carried out any illegal mining as alleged by the joint inspection committee.

6. That this report is submitted in adherence to the directives of this Hon'ble Tribunal.

Dated: 06.03.2025
New Delhi

Respondent no. 10

Through 

PALLAVI PRATAP
Advocate for the Respondent No. 10
ENROL NO. UP/1246/2010
A-90, LGF South Ex-II, New Delhi
Mob: 9999990078
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.....Applicant/Respondent No. 10

AFFIDAVIT in SUPPORT OF COMPLIANCE REPORT

I, Surendra Kumar, aged about 51years, Son of Shri Shiv Murti Bhartiya, Resident of Village Berui, Post Garapur, Allahabad, Uttar Pradesh – 221507, presently at Lucknow, do hereby solemnly affirm and declare as under:-

1. That I am the Respondent No. 10 as such I am conversant with the facts of the case and thus competent to affirm this affidavit.

2. That I have read the contents of the accompanying application including facts in brief, grounds etc. from pages 1 to ..... and have understood the same.

3. That the facts stated therein are true and correct to the best of my knowledge and belief and nothing material has been suppressed.

4. That I have instructed by Advocate and the Application has been prepared by my Advocate on my instructions as stated above.

5. That the Annexures filed herewith are true and correct copies/ English translations of their respective originals.

Verified at Lucknow on 4 NOTARY day of March 2025

DEPONENT

VERIFICATION

I above named deponent do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

NOTARY

Verified at Lucknow on 4 day of March 2025

DEPONENT

Sworn and Verified before me.
4/3/25
NOORJAHAN
Advocate & Notary
Civil Court, Lucknow
Registration No. 10943/16

NOTARY
NOORJAHAN
Civil Court
Lucknow (U.P.)
Regd. No. 10943/16
4/3/25
GOVT OF INDIA

I know & identify the deponent / Executant who has signed / put his T.I. before me
R-No-42/08

REPLENISHMENT SURVEY REPORT OF MINING LEASE LOCATED ON RIVERBED OF YAMUNA IN VILLAGE BASWAAR OF TEHSIL KARCHHANA IN DISTRICT PRAYAGRAJ UTTAR PRADESH

Report

Year 2024

Mining Lease Area located on Khand No. 14,Village Baswaar, Tehsil Karchhana District Prayagraj (Allahabad), Uttar Pradesh, Total Area – 4.69 Ha, River Yamuna

Date of Survey 05th November 2024

For

Shri Surendra Kumar
S/o Late Shivmurti Bharti
R/O Vill. Berui, Post – Garapur
Tehsil Phoolpur, Prayagraj, Uttar Pradesh

Prepared By:

M/s Sabz Care Environmental Consultancy Pvt. Ltd. Jharkhand
(A QCI-NABET Accredited Organization)
Cert. No.: NABET/EIA/23-26/IA 0121
Arti Bhavan, SN Bose Road, Deogarh
Jharkhand - India

03/12/2024

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1.0 Preface

Sand is the most abundant mineral derived from Silicon the most abundant element present on earth crust and is classified as a minor mineral as mentioned under MMDR ACT 1957 (as amended in 2021). In India, the legal and administrative control over minor minerals is vested in to the State Governments, however; the environmental safeguards are monitored and controlled by the Central Government keeping the vigilant state official machinery such as Pollution Control Boards, Ministry of Environment and Pollution, mining department etc. engaged in to it. Concerning the environmental issues, Ministry of Mines, Government of India, New Delhi (GOI), Ministry of Environment, Forest and Climate Change, (GOI) New Delhi, formulated the guidelines from time to time specifically for the sustainable sand mining to ensure the scientific mining methods and also to avoid any illegal practices.

River sand is the aggregate mineral and its demand is on constant rise in developing country like India. Sand and gravel have long been used as aggregate for construction of roads and building. Today, the demand for these materials continues to rise. In India, the main sources of sand are river flood plain, coastal sand, paleo channel sand, and sand from agricultural fields. Therefore catering the supply of mineral is a challenge for public and administration both. Notwithstanding, the river borne mineral is in high demand all over the country because of continuous construction work, an indicator of developing society. At present the RBM is produced in the state 40% less what is being supplied therefore the State Government always strive to identify new mining lease on the riverbeds to ensure the continuous and sustainable supply of sand mineral. To ensure the supply governments eased out the mining procedures to meet the public demand of the required mineral. The construction business in Uttar Pradesh State and India worth lakhs of crores of rupees generating a huge revenue for the State as well as Central government. In 2021, the UP government has laid down a new Mining Policy as amended from time to time, a unique and a remarkable initiative of UP government. To ease of the business initiative in India, Central Government has laid down several guidelines and issued notifications to benefit every person involved in this particular

sector of mining. Adding to it, the district are the administrative units of states which are best placed to de the mapping of these mineral resources.

Sand replenishment is influenced by multiple factors. River Sediment is solid material that is moved and deposited in a new location. Sediment can consist of rocks and minerals, as well as the remains of plants and animals. It can be as small as a grain of sand or as large as a boulder. Sediment moves from one place to another through the process of erosion.

Excavating out the sediment from the active water channel bed in river hinders the continuity of sediment transport through the river system, disrupting the sediment mass balance in the river downstream and induces channel adjustments (usually incision) extending considerable distances beyond the extraction site. This magnitude of the consequent impacts primarily depends on the magnitudes of the extraction relative to bed load sediment supply and transport through the reach. Implementation of pragmatic measures can lead to significant sustainable outcome.

River sand mining itself have its multiple impacts which primarily includes impacts on physical characteristics like elevation of bed, sediment transport capacity, temperature, turbidity, surface geometry, in-stream roughness channel geometry, substratum composition and stability in-stream roughness and sand bed, flow velocity discharge capacity 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 in-stream biota and riparian habitats. This disturbance may also cause changes in channel configuration and flow-paths.

2.0 Introduction of Lease and Lease Holder and Time Lines

- The present project is for ordinary sand mining over an area of 4.69 Ha over Yamuna Riverbed. The location of the project is Khand No. 14 at Village Baswaar, Tehsil Karchhana, District Prayagraj, Uttar Pradesh.
- The Lease for the mine was granted to Shri Surendra Kumar S/o Late Shivmurti Bharti for a period of 5 years by the district administration of Prayagraj District of Uttar Pradesh followed by the issuance of Environmental

Clearance by SEIAA UP vide Letter no. 315/Parya/SEIAA/3989/2022 dated 21/12/2022.

3.0 Details of Mining Lease

Sr. No.	Particulars	-	Details	
1.	**Project Type/Category as per MOEFCC**	-	Open Cast Riverbed Sand Mining / 1(a) B2	
2.	**Riverbed Location**	-	Yamuna River	
3.	**Mineral type**	-	Ordinary Sand	
4.	**Project Location**	-	Khand No. 14 at Village Baswaar, Tehsil Karchanna, District Prayagraj, Uttar Pradesh	
5.	**Lessee**	-	Shri Surendra Kumar	
	Address for Correspondence	-	R/O – Vill. Berui, Post – Garapur Tehsil Phoolpur, Prayagraj, UP	
	Mining Plan Period	-	Five Years	
	Life of Mine	-	One Year	
	Initial Sanction Period	-	Five Years	
	Area of Mining Lease	-	4.69 Ha	
	Workable area	-	4.69 Ha (As per EC)	
	Production of mineral/year (as per EC Letter)	-	70,454 cubic meter/annum (As per EC)	
	Ultimate Depth of Mining	-	1.5 m (as per EC)	
	Highest mRL	-	70.0	
	Lowest mRL	-	68.0	
	Pillar Geo-coordinates		Latitude	Longitude
		A	$25^0$22′49.60″N	$81^0$47′57.10″E
		B	$25^0$22′49.20″N	$81^0$47′55.20″E
		C	$25^0$23′05.50″N	$81^0$47′55.90″E
		D	$25^0$23′06.80″N	$81^0$48′00.20″E

4.0 Purpose & Objective of Study

The river borne mineral is in high demand all over the country because of continuous construction work, an indicator of developing society. At present the RBM is produced in the state 40% less what is being supplied therefore the State Government always strive to identify new mining lease on the riverbeds to ensure the continuous and sustainable supply of sand mineral. To ensure the supply

governments eased out the mining procedures to meet the public demand of the required mineral. The construction business in Uttar Pradesh State and India worth lakhs of crores of rupees generating a huge revenue for the State as well as Central government. In 2021, the UP government has laid down a new Mining Policy as amended from time to time, a unique and a remarkable initiative of UP government. To ease of the business initiative in India, Central Government has laid down several guidelines and issued notifications to benefit every person involved in this particular sector of mining. Adding to it, the district are the administrative units of states which are best placed to de the mapping of these mineral resources. Sand is classified as a minor mineral as defined under MMDR ACT 1957(as amended in 2021). The legal and administrative control over minor minerals is vested in to the State Governments, however; the environmental safeguards are monitored and controlled by the central government keeping the competent state official machinery such as pollution control boards, ministry of Environment and pollution, mining officials etc. engaged in to it. Concerning the environmental issues, Ministry of Mines, Government of India, New Delhi (GOI), Ministry of Environment, Forest and Climate Change, (GOI) New Delhi, formulated the guidelines form time to time specifically for the sustainable sand mining to ensure the scientific mining methods and also to avoid any illegal practices.

The purpose of this report is to find the estimated replenishment of mineral on Khand No. 14 at Village Baswaar, Tehsil Karchhana, District Prayagraj, Uttar Pradesh. The objectives of the present survey were to collect the Post-monsoon data of elevation and mineral availability on the basis of available depth of the mineral on the dry riverbed.

5.0 District Profile

- Prayagraj is one of the oldest cities in India. It is crowned in ancient scriptures as 'Prayag' or 'Teertharaj' and is considered the holiest of pilgrimage centres of India. Prayagraj is the 7th most populous city of India. Prayagraj is well placed geographically and culturally, whereas geographically it is part of the Ganga-Yamuna Doab (at the mouth of the Yamuna), culturally it is the terminus of the Indian west. The word prayāga has been traditionally used to mean "a confluence

of rivers". For Allahabad, it denote the physical meeting point of the rivers Ganges and Yamuna in the city. The district is divided into 8 Tehsils and 20 blocks. The rivers of the district belong to the main drainage system of the Ganga. The most important tributaries are Yamuna and Tons. Prayagraj's elevation is over 90 m (295 ft) above sea level.

- Prayagraj district is located in the southern part of Uttar Pradesh. It forms a part of central Ganga plain and lies between latitudes 24º 47' and 25º 47' North and longitudes 81º 21' and 82º 21' falling in survey of India toposheet nos. 63 G, H, K and L. Total geographical area of the district is 5482 sq.km. The Indian Standard Time longitude (25.15°N 82.58°E) is near the city having a humid subtropical climate common to cities in the plains of North India, designated Cwa in the Köppen climate classification. The annual mean temperature is 26.1 °C

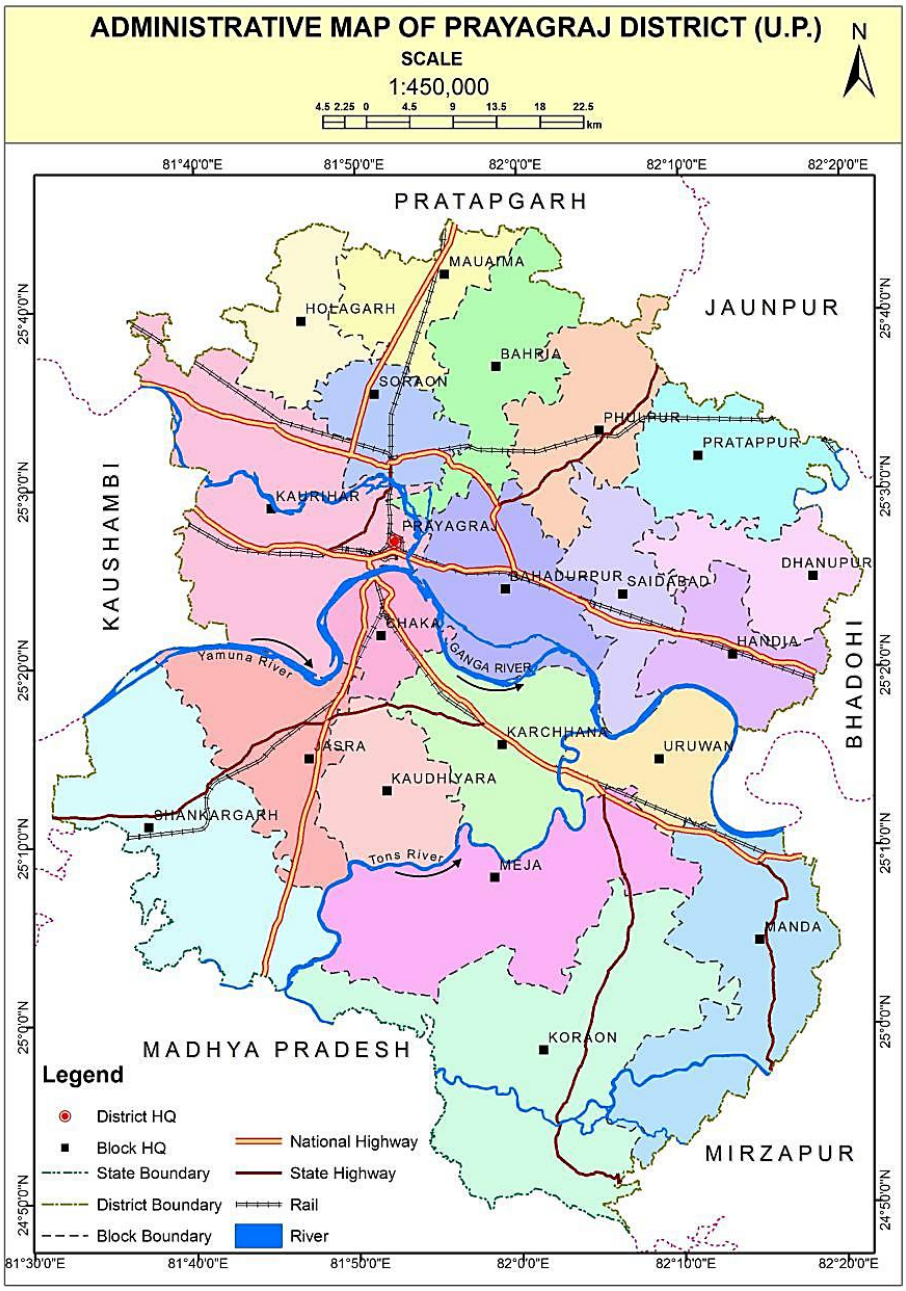


Figure 1.0 District Map of Prayagraj, Uttar Pradesh along with the course of rivers

(79.0 °F); monthly mean temperatures are 18–29 °C (64–84 °F). Prayagraj has three seasons: a hot, dry summer, a cool, dry winter and a hot, humid monsoon. Summer lasts from March to September with daily highs reaching up to 48 °C in the dry summer (from March to May) and up to 40 °C in the hot and extremely humid monsoon season (from June to September). The monsoon begins in June, and lasts until August; high humidity levels prevail well into September. Winter runs from December to February, with temperatures rarely dropping to the freezing point.

5.1 Geology, Hydrogeology and Physiography of District

The district represents a complex geology. The formation belonging to Quaternary period covers larger part of the district which directly overlies over the Vindhyan formations which covers bulk of the district area. The southern plateau area constitutes the Vindhyan sediments whereas the Quaternary covers the northern part of the district. The district is drained by river Ganga and its right bank tributary Yamuna and Tons, broadly represents following geomorphic units

a) Ganga alluvial plains.

b) Yamuna alluvial plains and

c) Vindhyan plateau

- The alluvial plains may be further sub-divided into newer alluvial plain and older alluvial plain. Newer alluvial plains are confined to present day flood plain region all along the rivers while the older alluvial occupy the higher parts within the northern portions of the district. No significant alluvial deposits are present over the Yamuna region. The important land forms observed in the alluvial plain are the meanders, scrolls, point bars, back swamps etc.
- In the Vindhyan plateau region the important forms are mesa, butte and glacies. From ground Water occurrence point of view and its yield prospects, the alluvial plains sediments are the most potential ground water repositories. In Vindhyan plateau region the formation though hard sediments are very well jointed giving rise to promising level of secondary porosity to hold and yield water. The northern part of Prayagraj district popularly known as Gangapar provides rich

loam soil for cultivation of food grains, pulses, oilseeds and vegetables. The Southern part of district also known as Yamunapar is partly rocky and somewhat agricultural ly backward.

5.2 Alluvium Area: Ground water occurs within the primary porosity of alluvial sediments in the north, the aquifer materials are medium to coarse grained sands. The shallow aquifer materials are medium to coarse grained sands. The shallow aquifer occurs under unconfined condition while deeper aquifers are under semi confined to confined conditions.

5.3 Hard Rock Area: The Ground water in the widely covered Vindhyan Plateau region primarily occurs under unconfined condition within the secondary porosity of the formation. However, exploration data indicates that Kaimur sandstone found at depths does have enough potentiality. These sandstones after leaching of cementing material get disintegrated and reduce to silica sand which are loose and act as promising repository of ground water. Below the sandstone particularly in the western part of the plateau region shales have been encountered which possess reasonable development of secondary porosity and projects moderate prospect of occurrence of ground water.

Sand Horizons are conspicuously exposed in the extreme NW part where silica sand are being mined and used in ceramics. These sand beds may be termed as Marker Horizon." Above the Marker Horizon, friable sandstone or loose sandy matrix occurs which are the weathering products of the Kaimur Sandstone. Below the marker horizon occurs compact sandstone which is normally fractured and yield fairly good quantity of fresh water. Hydrogeological Scenarios in the hard rock region is highly variable. Geomorphology, besides geology, plays an important role in the occurrence and movement of ground water.

Table 1.0 Geological Succession of Prayagraj District

Age	Formation	Lithology
Recent	Newer Alluvium	River alluvium and residual soil
	Older Alluvium	Alluvium consist to sand clay, pebble, kankar, gravel

----------UNCONFORMITY----------		
Precambrian to Lower Cambrian	Vindhyan	Limestone Dolomite shale sand & Quartzite

5.4 River Profile of the District Prayagraj

The area is a part of Middle Ganga alluvial plain. The gradient following the drainage lines of the principal rivers (Ganga and Yamuna). The Northern half of the district occupies part of Ganga basin and Sothern part of the district occupies the part of Yamuna and Tons Sub-basin. The rivers of the district belong to the main drainage system of the Ganga. The most important tributaries are Yamuna and Tons while those of minor systems include Sai and Yamuna. The Ganga enters the district in the Kaurihar Block. It maintains a meandering course. Yamuna, the second major river, enters the district in the extreme west in the Sankargarh block and flows narrowly before joining to the

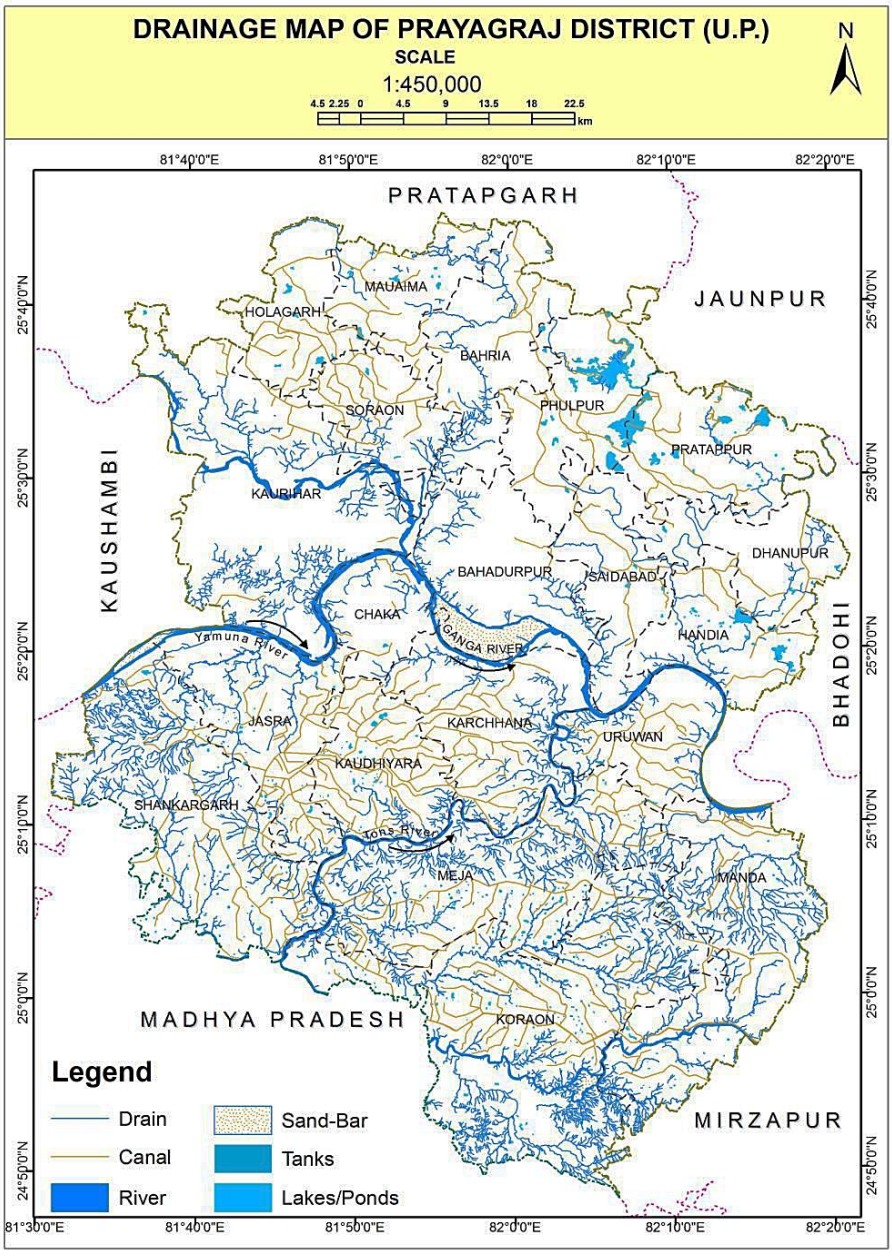


Figure 2.0 Drainage Map of District Prayagraj UP

Ganga at Sangam in the proximity of Prayagraj city. Yamuna has more constant channel and steeper banks. The northern part of Prayagraj district popularly known as Gangapur provides rich loam soil for cultivation of food grains, pulses, oilseeds and vegetables. The Southern part of Prayagraj district also known as Yamuna par is partly rocky and somewhat agriculturally backward.

Pic 1.0 Google Earth Image show the location of mining lease (Image Date: 09/June/2024)

6.0 Brief of SSMG-2016 & EMGSM-2020 Guidelines

Enforcement and Monitoring Guidelines for Sand Mining 2020 (EMGSM 2020) and *Sustainable Sand Mining and Management Guidelines 2016 (SSMMG 2016)* are some of the excellent documents provided for everyone to follow the rules and regulations laid by the authorities in India. Active sand mining often get stuck in many issues like availability of minerals, inundation of mining lease, over mining, and environmentally non-sustainable mining practices, SSMMG 2016 provide solution to the issue of how to practice sustainable mining? EMGSM 2020 provides an authentic way to measure the magnitude of earlier mining and futuristic potential of mining on a particular mining lease. A brief description in context with the Uttar Pradesh of

SSMMG 2016 is given below:

Objectives:

- Uncontrolled sand mining is not sustainable.
- Compliance with present and future legislation and regulations on the subject is mandatory and not voluntary.
- Each lease holder should be given the opportunity to self-regulate to the extent that it can demonstrate compliance with legislation and regulations.
- Where self- regulation fails to deliver compliance with legislation and regulations, increased formal enforcement and monitoring should be implemented with punitive measures applied in line with the legal framework.
- There is a need to protect the environment and the right of the population to live in clean and safe surroundings, with the need to use natural resources in a way that will make a positive and sustainable contribution to the economy.

The main objectives of the Guidelines

- To ensure that sand and gravel mining is done in environmentally sustainable and socially responsible manner.
- To ensure availability of adequate quantity of aggregate in sustainable manner.
- To improve the effectiveness of monitoring of mining and transportation of mined out material.
- Ensure 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.
- Ensure that 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.
- 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.

- To prevent ground water pollution by prohibiting sand mining on fissures where it works as filter prior to ground water recharge.
- To maintain the river equilibrium with the application of sediment transport principles in determining the locations, period and quantity to be extracted.
- Streamlining and simplifying the process for grant of environmental clearance (EC) for sustainable mining.
- "Sustainable Sand Mining Guidelines, 2016" issued by MoEF&CC requires preparation of District Survey Report (DSR), which is an important initial step before grant of mining lease/LoI. The guidelines emphasize detailed procedure to be followed for the purpose of identification of areas of aggradation/deposition where mining can be allowed and identification of areas of erosion and proximity to infrastructural structures and installation where mining should be prohibited.

7.0 GIST OF UP STATE MINING POLICY

In Uttar Pradesh, the minor mineral rules applicable in the state are Uttar Pradesh Minor Mineral (Concession) Rules 1963 and the responsibility of minor mineral sand is with the Directorate of Geology & Mining UP. On the 14th June 2017, a new "Mineral Policy 2017" was notified which mandates the E-tendering cum E-Auctioning of all minerals in the state with following key objectives:

1. Mining of Mineral shall be made more Sustainable for Environment and as well as for the social causes.
2. Conservation of the Mineral shall be ensured.
3. To enhance the revenue share of State of UP from 1.85% to 3.0% obtained from mining of minerals in the state.
4. To stop the illegal mining activities in the state and to bring the culprits into the justice.
5. To increase employment opportunities in the Mining Sector.
6. To encourage the healthy and clean competition among the mining Industries.

7. To increase the development of the scientific knowledge regarding minerals to ensure proper knowledge based on scientific and sustainable techniques of mining to the people.
8. To provide Mineral related data and information to the interested industrialist/miners.
9. To encourage the investment of the private capital in to the Mining sector to develop mining sector.
10. To speed-up the exploration of new mineral through modern mineral exploration investigation techniques for the development of mining sector in the state
11. To ensure the transparency among the lease allocation through e-tendering cum e-auctioning and to develop corruption free, simple and understandable working as per laws of State Government.
12. To take care of welfare of the affected people from the mining activity as well as the society.

The Mining Policy 2017 of UP government guarantees the mining lease holders to provide a hassle free environment as per the initiative of Central Government under Ease of Doing Business initiative. Despite a lot of efforts, issues such as illegal mining, environmental damage, high sand prices and quality of mineral that are interlinked with each other are prevalent across many states. Moreover, the SSMMG 2016 guideline proved to be the best document to control the mineral quantity related issue whereas EMGSM 2020 provide a comprehensive method to control the illegal mining and the related issues. The district authorities of states need to update the mapping of the resources by upgrading the DSR including the replenishment study to have outputs of annual deposition rates of sand from a river, deposition stretch of the rivers, total resources available in the state for sand. **Additionally, very recently Hon'ble NGT issued an order dated 6th May 2022 which made the replenishment study of the leases mandatory specifically for the UP state. The Order of NGT has also ascribed a simple method to undertake such studies.**

Moreover, the Ministry of Environment, Forest & Climate Change, Government of India, New Delhi vide its notification SO: 1533 dated 14th Sep. 2006, made it clear that proponent should carry a replenishment study post-monsoon to ensure the sustainable mining on the riverbed. Despite having the legal compulsions the replenishment study was not so common to conduct. Recently Hon'ble NGT New Delhi vide it's order dated 06th May 2022 made it mandatory to suspend the mining processes without having mineral replenishment study strictly done in accordance with the SSMMG 2016 and EMGSM 2020.

8.0 Objectives of EMGSM 2020

The Ministry of Environment Forest & Climate Change formulated the *Sustainable Sand Management Guidelines 2016* which focuses on the Management of Sand Mining in the Country. It was observed that apart from management and systematic mining practices there was an urgent need to have a guideline for effective enforcement of regulatory provision and their monitoring.

This document is supplemental to the existing "Sustainable Sand Mining Management Guideline-2016" (SSMG-2016), and these two guidelines viz. "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM-2020) and SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provision of both these document arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining-2020 "shall prevail.

- All districts to prepare a comprehensive mining plan for the district as per the provision of District Survey Report. These reports shall be put on the website of District Administration.
- No mining shall be allowed in the area which has not been identified in the comprehensive mining plan of the District.
- Replenishment study should be conducted on regular basis.
- All potential rivers mining zone/area shall be identified and put for auction with proper geo-tagged details by the auctioning authority concerned.
- The latitude and longitude of each mining lease shall be clearly mentioned in

Letter of Intent issued to the potential mine lease. Such information shall be provided on the website of the district administration.

* The provision of these guidelines shall be considered while identifying the potential stretches /locations and boundaries of the leases for the minable area.
* The LoI holder shall seek Environmental Clearance as per the provision of EIA Notification, and the regulatory authority shall ensure that the provision suggested in "Sustainable Sand Mining & Management 2016" and in this documents, as applicable are part of the clearance conditions.
* There shall be no river bed mining operation allowed in monsoon period. The period as defined by IMD Nagpur for each state shall be adhered with.
* The monitoring infrastructures including weighbridge and adequate fencing of the lease area, CCTV, Transport permits, etc. as suggested in this document shall be ensured in order to reduce unrecorded dispatch.
* Regular monitoring of mined minerals and its transportation and storage shall be ensured and all information shall be captured at centralized database so that easy tracking of illegal material can be done.
* Annual audit of each mining lease shall be carried out wherein three independent member of repute, nominated by District administration shall also participate.

9.0 The Methodology of the Study:

For the replenishment study a direct method of study was followed whereby initial elevation was captured with the help of total station/DGPS as recommended in EMGSM 2020 and as per Hon'ble NGT. This study especially conducted by the expert team consisting of Geologists, Environmentalist, GIS experts, Hydro-geologists and Surveyors. Total Station, Drone, DGPS, GPS, Levelling Stave, High Resolution GPS Interfaced Camera, Measuring Tape and a Water Boat are some of the common tools that are required for a comprehensive study. May and June are the ideal months of the year to carry pre-monsoon investigations as most of the geological features of mining lease area are quite visible and measurable.

Since the survey of the mining lease consist of physical study aided by total station/DGPS coupled with post monsoon pit logging whereas the elevation recorded in both the seasons is used to calculate the thickness of mineral on the riverbed and pit logging and texturing study reveal the magnitude of mineral deposited after monsoon referred as the replenishment. Therefore to complete the procedure two viz., pre-monsoon and post monsoon surveys are required. The present study is conclusive survey done in accordance with the Enforcement and Monitoring Guidelines of Sand Mines 2020 on 05th November 2024.

10.0 Mining Lease Area – Present Status

The satellite image (pic 1.0) was used to locate the allocated area for which, GPS coordinates provided in EC Letter and as per approved Mining Plan was used. Drone images (pic 2.0 to 3.0) show the entire mining lease area (MLA) whereby no recent mining activity was observed on the day of the survey (pic 3.0).

Pic 2.0 View of lease from drone shows that the allocated mining lease (dated 05/11/2024)

Pic 3.0 Mining lease show earlier sign of mining

11.0 Survey Methodology to Ascertain the Replenishment

Field Study was conducted by the team of experts consisting of Geologists, Hydro-geologist, environmentalist, GIS experts, and Surveyors. Total Station, Drone, GPS, Levelling Stave, High Resolution GPS Interfaced Camera, Measuring Tape and a Water Boat are some of the common tools that are required for a comprehensive study. The entire study is separated in two sections – the geo-investigation team consisting of GIS experts, Hydrogeologists and Surveyors delineate required features/data using Total Stations, Drone, GPS, Levelling Stave, High resolution GPS interfaced camera starting with demarcation of the lease with the help of GPS. In some cases where DGPS survey is impossible to carry such as marshy area, inundated area or area which may be hazardous for humans, GPS interfaced Drone pictures are taken to obtain the Ortho-mosaic maps to record the contouring and levels of area. However; in the present case DGPS survey was done to record the level. The investigation moves directly to the thickness of the overburden and the mineral of interest, helping in the calculation of workable & mineable area, stripping ratio of a mining lease area, and finally calculation of available minable reserves of mineral whereas Environmental experts watch and measure the extent of compliances of the conditions mentioned in the legal documents such as Environmental Clearance Letter issued by EIA/SEIAA, approved Mining Plan and as per SSMMG 2016. The collective report is prepared as a fulfilment of the required data for replenishment study as per EMGSM 2020 and as per NGT order dated 06th May 2022. The collected data is duly reviewed by the reviewers including the academicians, mining experts and geologists.

The Team of Experts visiting the Site is given below (See also the pic inset):

Dr. Jatin K Srivastava – (QCI-NABET Approved Mining Expert)

Mr. Dharmendra Singh – Expert Geology & Team Leader

Mr. Rahul Verma – Drone Pilot

Mr. Bhupendra Yadav – Surveyor DGPS

Pic 4.0 Team of Experts along with the lease owner visiting the site for the study

12.0 Location of the Mining Lease:

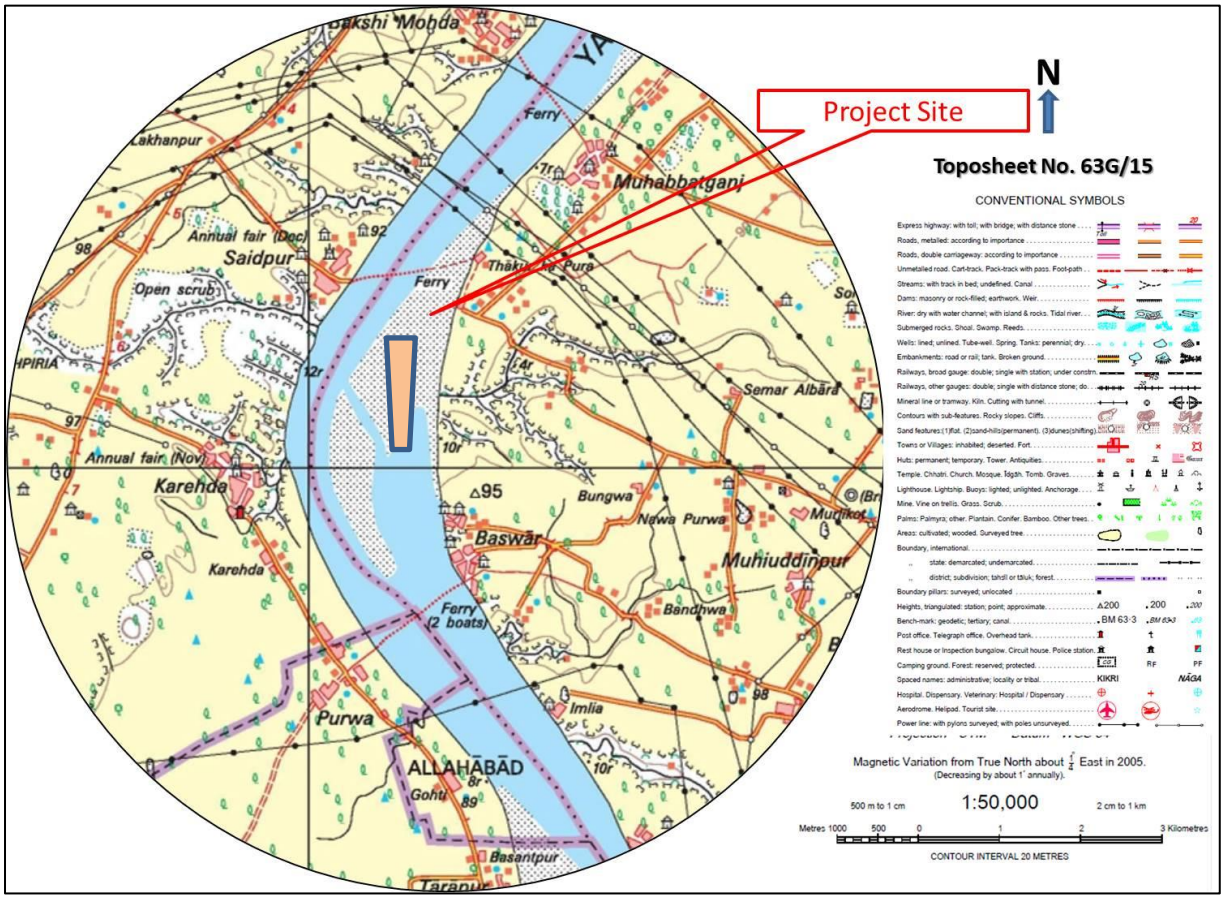


Figure 3.0 Location of Mining Site on Topomap

The subjected mining lease is located on the Khand No. 14, at village Baswaar of tehsil Karchhana in District Prayagraj. To locate the site on the ground, toposheet number 63G/15 is used. The mining site is located on the riverbed of River Yamuna and is a permanent feature of the hydrogeological structures of river.

13.0 Observations Recorded during the Present Survey:

1. The Mining Lease area is a permanent feature and a part of the riverbed of river Yamuna (See Pic 1.0 Satellite Image). The meandering is visible in image as well as drone mediated photographs indicating this as a potential site for mining as mineral shall be kept on depositing whenever the River Yamuna gets flooded.
2. No mining work, though the traces of earlier mining were prominently visible on the lease area on the day of survey (See pic 2.0).
3. Road for the transportation from the mine to main road of the mineral through the trucks and trolleys was being prepared.
4. Entire mining lease is covered with newer alluvium deposited by the river during flooding in monsoon period. The physical survey of the lease clearly showed that water has receded significantly very recently. The lease area is now ready to be executed for the active mining of sand mineral.
5. The lease area is located on the meandering part of the river, the most favourable area on the riverbed for the deposition of mineral.
6. The base reference of DGPS was set as TBM on the site on a radio mode covering 5 sq.km. all around the mining lease.
7. The Elevation and contour matrix obtained from DGPS is presented as Figure 4.0. The Base point has been recorded duly.
8. It is being predicted that the yearly target production of mineral can be achieved sustainably as sufficient mineral has been deposited by the river this year (See details on page no. 22).

Pic 5.0 Mining Lease is covered with the new alluvium brought by the river

Pic 6.0 Vast expanse of the said mining lease

Pic 8.0 Pit logging was done to ascertain the depth of mineral availability

14.0 The Volume of Mineral Available on 05th November 2024

The total sanctioned area of mining lease as per LOI is = 4.69 Hectares

The total available area for mining of lease on 05th November 2024 = 4.69 Hectares

Total available depth of mineral is 2.8 meters (the depth where horizontal water surface exist)

Depth of overburden (rejected mineral) = 1.175 meter present deep horizontal layer (shown in pic 8.0)

Depth at which horizontal water surface meets = 2.8 meter

Total Overburden in meter cube = 4.69 × 10,000 = 46,900 Sq. Mt.

= 46,900 × 1.175 = **55,107 meter cube**

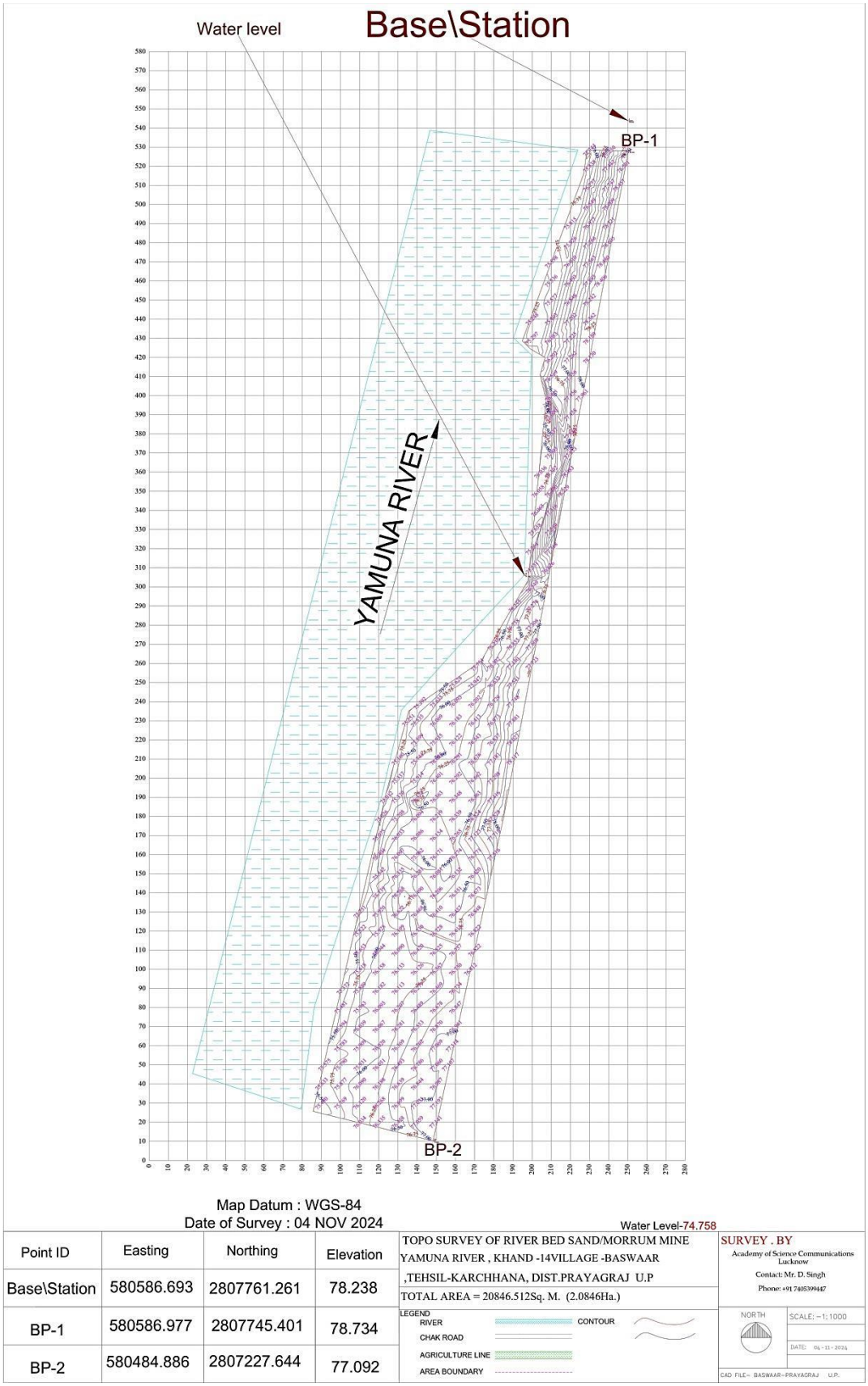
Depth at which desirable mineral (Commercially viable) is available = 2.8 – 1.175 meter = 1.625 meter

Effective Mineable Reserve of desirable mineral (Ordinary Sand) = 46,900 × 1.625 = **76,212.5 meter cube**

Available reserve = 76,212.5 meter cube

Sanctioned volume of mineral to be extracted annually = 70,454 meter cube

The Available mineable reserve of mineral is more than the sanctioned quantity therefore the mining shall be sustainable in this season too.



Point ID	Easting	Northing	Elevation
Base\Station	580586.693	2807761.261	78.238
BP-1	580586.977	2807745.401	78.734
BP-2	580484.886	2807227.644	77.092

Fig 4.0 The contouring as recorded by DGPS

15.0 Conclusion:

The mining site located on the Yamuna riverbed on Khand no. 14 at village Baswaar in tehsil Karchhana district Prayagraj Uttar Pradesh covering an area of 4.69 Ha. The water has receded completely and exposed most of the dry patch of the mining lease so much so that mining can be started in the month of November 2024. Pit logging results and DGPS results show the available depth of mining around 2.80 meters out of which 1.175 meter is of overburden (rejected waste) as seen in pic no. 8.0. The overburden mineral is a well-mixture of fine sand and the clay, such mineral is not used as a building or construction material therefore no commercial value is expected. Total effective depth of mining fore desired sand mineral is 1.625 meters. Calculations of mineral reveal that 76,212.5 meter cube of desired mineral is available and out of which the sanctioned quantity i.e., 70,454 meter cube can be extracted sustainably after leaving the safety zones all around the mining lease. Thus, it is made clear conclusively that 70,454 meter cube of desired and commercially viable mineral is present on the mining site for mining.

भारतीय गुणवत्ता परिषद्
QUALITY COUNCIL OF INDIA
QCI Creating an Ecosystem for Quality

NABET

National Accreditation Board for Education and Training

Certificate of Accreditation

Sabz Care Environmental Consultancy Pvt Ltd, Deoghar

C/o Sabz Care Lab (Aarti Bhawan), SN Bose Road, 52 Bighas, Madhupur,Deoghar, Jharkhand-815353

*The organization is accredited as **Category-B** under the QCI-NABET **Scheme for Accreditation of EIA Consultant Organization, Version 3**: for preparing EIA/EMP reports in the following Sectors.*

S. No	Sector Description	Sector (as per)		Cat.
		NABET	MoEFCC	
1.	Mining of minerals -opencast mining only	1	1 (a) (i)	A
2.	Coal washeries	6	2 (a)	B

Note: Names of approved EIA Coordinators and Functional Area Experts are mentioned in IAAC minutes dated August 4, 2023, and Supplementary Assessment minutes dated December 8, 2023 posted on QCI-NABET website.

The Accreditation shall remain in force subject to continued compliance to the terms and conditions mentioned in QCI-NABET's letter of accreditation bearing no QCI/NABET/ENV/ACO/24/3106 dated January 10, 2024. The accreditation needs to be renewed before the expiry date by Sabz Care Environmental Consultancy Pvt Ltd, Deoghar following due process of assessment.

Issue Date
Januarv 10. 2024

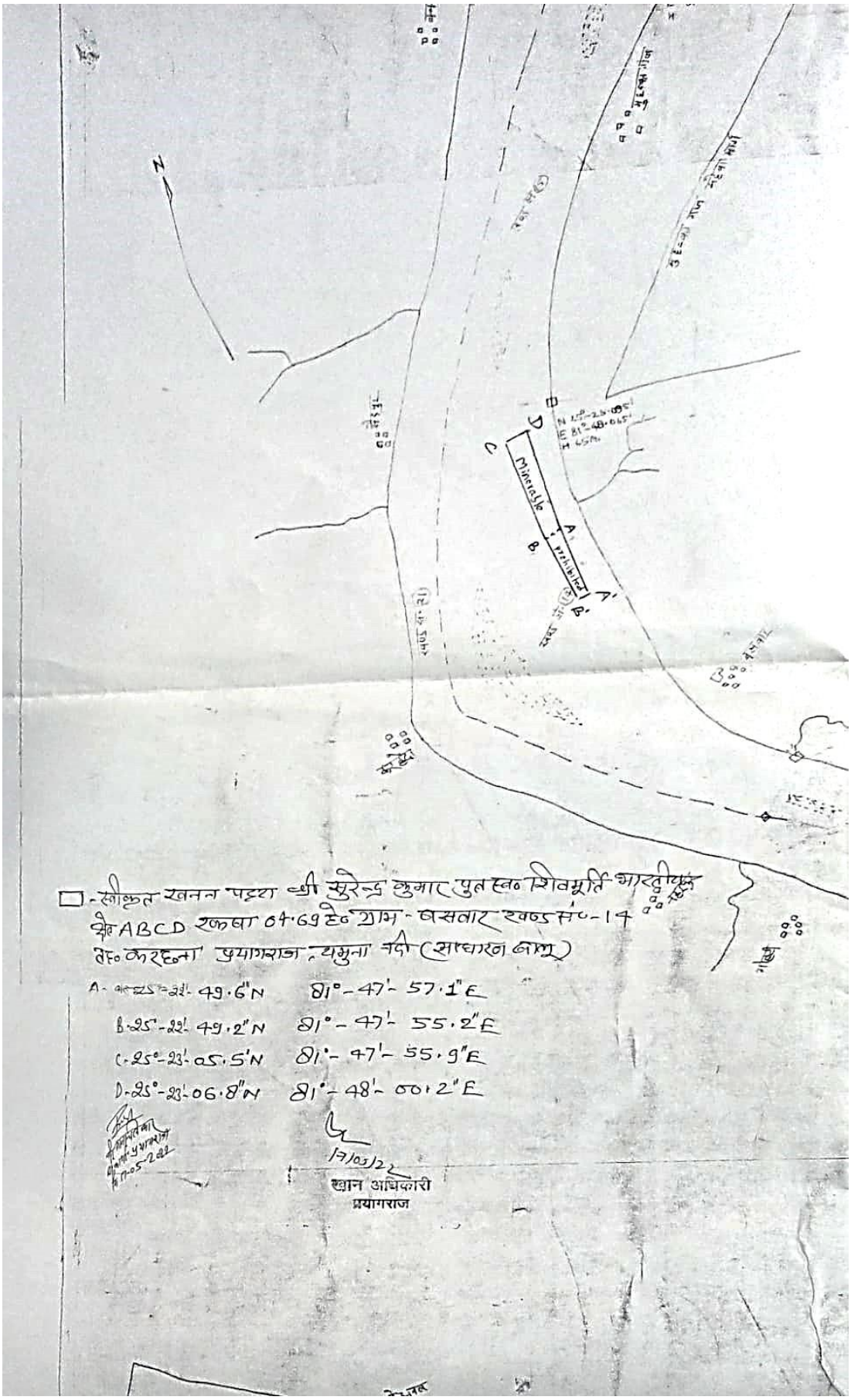
Valid up to
June 08, 2026

Mr. Ajay Kumar Jha
Sr. Director, NABET

Certificate No.
NABET/EIA/23-26/IA 0121

Prof (Dr) Varinder S Kanwar
CEO-NABET

For the updated List of Accredited EIA Consultant Organizations with approved Sectors please refer to QCI-NABET website.



Khasra Map of Sand Lease

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 Surendra Kumar,
S/o Late Shri Shivmurti Bharti,
R/o: Vill- Berui, Post - Garapur
Tehsil – Phoolpur, District – Prayagraj,(U.P.)

Ref. No.....315...../Parya/SEIAA/3989/2022 Date: 21 December, 2022

Sub: Amendment in Environmental Clearance for Proposed Ordinary sand mining from river bed of Yamuna, at Khand No 14, Village – Baswaar, Tehsil- Karchhana, District-Prayagraj.

Reference- MoEFCC Proposal no- SIA/UP/MIN/293074/2022 & SEIAA, U.P File no- 3989

Dear Sir,

This is with reference to your application / letter dated 18-10-2022 on above mentioned subject. The matter was considered by 699nd SEAC in meeting held on 09-11-2022 and 678th SEIAA in meeting held on 29-11-2022.

A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and development. The project proponent requested the committee to amend the environmental clearance letter dated 08/03/2018 as per details given below:

1.	On-line proposal No.	SIA/UP/MIN/293074/2022
2.	File No. allotted by SEIAA, UP	3989
3.	Name of Proponent	Shri Surendra Kumar S/o Late Shri Shivmurti Bharti
4.	Full correspondence address of proponent and mobile no.	R/o: Vill- Berui, Post - Garapur Tehsil – Phoolpur, District – Prayagraj,(U.P.)
		Mobile no. – 9918645074
		E mail ID - surendraberui@gmail.com
5.	Name of Project	Environmental clearance for ordinary sand mining from river bed of Yamuna, at Khand No. 14, Area – 4.69 ha at Village –Baswaar, Tehsil- Karchhana, District- Prayagraj, Uttar Pradesh of Shri Surendra Kumar.
6.	Project Location (Plot. Khasra/Gata No.)	Khand No.- 14
7.	Name of River	Yamuna
8.	Name of Village	Village – Baswaar
9.	Tehsil	Karchhana
10.	District	Prayagraj
11.	Name of Minor Mineral	Sand/Morrum Mining Project
12.	Sanctioned Lease Area (in Ha.)	4.69 ha
13.	Max. & Min mRL within lease area	Highest mRL - 70.00 mRL Lowest mRL - 68.00 mRL
14.	Pillar Coordinates (Verified by DMO)	Point / Latitude N / Longitude E A / 25°22'49.60"N / 81°47'57.10"E B / 25°22'49.20"N / 81°47'55.20"E C / 25°23'05.50"N / 81°47'55.90"E D / 25°23'06.80"N / 81°48'00.20"E
15.	Total Geological Reserves	1,26,817 m^3
16.	Total Mineable Reserve	70,454 m^3
17.	Total Proposed Production	3,52,270 m^3(5 years)
18.	Proposed Production /year (as per LoI)	70,454 m^3 per annum
19.	Sanctioned Period of Mine lease	Plan Period 5 years

Part of EC Issued by SEAC/SEIAA UP 21/12/2022

Amendment in Environmental Clearance for Proposed Ordinary sand mining from river bed of Yamuna, at Khand No 14, Village – Baswaar, Tehsil- Karchhana, District-Prayagraj.

20.	Method of Mining	Opencast semi - mechanized
21.	No. of worker	17
22.	Type of Land	Govt./Non Forest Land
23.	Depth of Mining	1.5 m
24.	Nearest metalled road from site	1.00 km
25.	Water Requirement	PURPOSE
		Drinking - 2.00 KLD
		Suppression of dust - 2.40 KLD
		Plantation - 2.00 KLD
		Others (if any) - 0.00 KLD
		Total - 6.40 KLD
26.	Name of QCI Accredited Consultant with QCI No and period of validity.	Paramarsh Servicing Environment and development NABET/EIA/2124 RA 0224, Valid till –01 May 2024
27.	Any litigation pending against the project or land in any court	No
28.	Details of 500 m Cluster Certificate verified by Mining Officer	Letter No – 413/Khanij/2022-23, dated 19/05/2022
29.	Details of Lease Area in approved DSR	Serial no. 14, in village -, Page no. 55
30.	Project Cost	1.00 Crore
31.	Proposed CER cost	2.00 Lacs
32.	Length and breadth of Haul Road	Length – 0.55 km, Breadth – 6.00 m
33.	No. of Trees to be Planted	500

The committee and SEIAA discussed the matter and recommended to amend the environmental clearance letter no. 229/Parya/SEAC/3989/2018, dated 08/03/2018 as per above project details. The amended environmental clearance is valid up to 07-03-2023. The SEIAA also stipulated following additional conditions:-

Additional Conditions:

1. Validity period of this EC is 5 years from the date of issue as the LoI has been issued for a period of 5 years or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
2. In the absence of replenishment study, in compliance of Hon'ble NGT Order dated 06.05.2022 initially the EC will be operational till 31.12.2022. Permissible quantity and area shall be strictly limited to quantity and area mentioned in LoI or mining plan, whichever is lesser, and maximum mineable depth will be limited to as approved in the mining plan.
3. For subsequent years, Project Proponent shall submit fresh annual replenishment study to SEIAA, UP for amendment in EC for mineable quantity and maximum permissible depth for mining based on scientific findings of replenishment study. Such study shall be placed before SEAC for appraisal for next three years to assess rate of deposition and accordingly, mineable production capacity and depth can be prescribed based on trends analysis, provided it is found scientifically satisfactory by the SEAC. The placing of the study report SEAC is mandatory for initial three years.
4. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
5. 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.
6. 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.

982


Latitude: 25.384318
Longitude: 81.799445
Elevation: 82.18±45 m
Accuracy: 7.4 m
Time: 04-13-2024 14:28
Note: surendra patta
Powered by NoteCam

984

986

42


REDMI NOTE 10 LITE
PARIHAR SAHAB


REDMI NOTE 10 LITE
PARIHAR SAHAB


OPPO A59 5G

990

PROOF OF SERVICE 46

Gmail

Office of pallavi pratap <law.pratapandco@gmail.com>

Service in OA 974 of 2024, titled as "Jitender Nishad v. State of UP".

1 message

Office of pallavi pratap <law.pratapandco@gmail.com> Thu, Mar 6, 2025 at 12:04 PM
To: "msseiaaup@gmail.com" <msseiaaup@gmail.com>, "ms@uppcb.in" <ms@uppcb.in>, secy-moef@nic.in, dmall@nic.in, "director@dgmup.org" <director@dgmup.org>, pol.ah@up.gov.in, mscb.cpcb@nic.in

Sir,

Kindly find attached herewith copy of compliance affidavit on behalf of R-9, R-10, R-11 in "Jitender Nishad v. State of UP" pending before Hon'ble NGT.

Regards,
Office of Pallavi Pratap
Advocate for R-9, R-10 and R-11
Mob : 9999990078

Compliance Affidavit R9.pdf

Compliance Affidavit R10.pdf

Compliance Affidavit R11.pdf