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भारत सरकार  
Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, लखनऊ  
Regional Office, Lucknow



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File No. XXI/ENV/NGT/CC/153/2024/144

Dated: 27.06.2024

**BY-EMAIL**

To,

The Registrar General,  
Principal Bench,  
Hon'ble National Green Tribunal,  
Copernicus Marg,  
New Delhi-110001  
Email: [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)

**Subject: Submission of Joint Committee Report in O.A. No. 275 of 2024, titled "Kausambi mei NGT ke niyamo ko undekha kar ho raha avaidh khanan, baalu mafiyoone Yamuna nadi ki dhaara mai bana diya raasta" appearing in Circle Samachar dated 13.02.2024**

Sir,

In compliance of the direction dated 01.04.2024 passed by this Hon'ble National Green Tribunal in O.A. No. 12/2023, titled "Kausambi mei NGT ke niyamo ko undekha kar ho raha avaidh khanan, baalu mafiyoone Yamuna nadi ki dhaara mai bana diya raasta" appearing in Circle Samachar dated 13.02.2024

I am directed to enclose hereby the Joint Committee Report with a request to put up before Hon'ble Tribunal for kind perusal and consideration

**Encl: As above**

Yours Sincerely

*Preeti Tripathi*  
27.06.24  
(Dr.Preeti Tripathi)  
Scientist 'D'

Copy to for information and further necessary action.

1. Shri Kamal Kumar, Scientist 'E', CPCB, Lucknow Email: [kamalkumar.cpcb@nic.in](mailto:kamalkumar.cpcb@nic.in)

**Joint Committee Report**  
**in compliance of**  
**Hon'ble NGT order dated 01.04.2024 in OA No. 275/2024**

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This Original Application is registered (OA No. 275/2024) in *suo-motu* on the basis of the news item titled "Kausambi mei NGT ke niyamo ko undekha kar ho raha avaidh khaman, baalu mafiyoo ne Yamuna nadi ki dhaara mai bana diya raasta" appearing in Circle Samachar dated 13.02.2024 and Hon'ble NGT ordered on dt. 01.04.2024 the following: -

1. "8. In the circumstance of the case, we also deem it proper to constitute a Joint Committee comprising of Regional Officer, MoEF & CC, Lucknow and representative of the Member Secretary, Central Pollution Control Board. Regional Officer, MoEF & CC will act as the coordinating agency. The Joint Committee will carry out the spot inspection and ascertain the truthfulness of the allegations made in the newspaper report especially the photographs which are shown in the report depicting illegal mining in the middle of the riverbed. The committee will also ascertain the status of illegal mining within the District Kaushambi and submit the report before the Tribunal at least one week before the next date of hearing by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
2. This Original Application is registered *suo-motu* on the basis of the news item titled "Kausambi mei NGT ke niyamo ko undekha kar ho raha avaidh khaman, baalu mafiyoo ne Yamuna nadi ki dhaara mai bana diya raasta" appearing in Circle Samachar dated 13.02.2024. The news item relates to alleged illegal sand mining at Simri Ghat in Pipri Police Station area of Kaushambi district in Uttar Pradesh. As per the news item the sand mafia is illegally extracting sand and has created a passage in the mainstream of Yamuna

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River by using the JCB and that the video of illegal sand mining from the river is viral in the social media. The news report states that the illegal sand mining is going on by stopping the flow of River Yamuna and by using JCB and Pokland machine.

3. The news item raises substantial issue relating to compliance of environmental norms.
4. District Magistrate, Kaushambi has sent a letter dated 28.03.2024 to the Registrar of the NGT enclosing therewith certain documents. Referring to those documents learned counsel for the District Magistrate submits that during inspection no illegal mining in the area concerned has been found and the mining in Village Semari/Manjhiyari is being done as per the mining lease. He has submitted that the District Magistrate Mr. Rajesh Kumar Rai has instructed him to say that no illegal sand mining is going on in District Kaushambi. The District Magistrate Mr. Rajesh Kumar Rai is directed to file an affidavit stating in clear terms the status of illegal mining within District Kaushambi within two weeks from today by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. “

In compliance of the Hon'ble NGT order, the following Joint Committee (JC) has been constituted:

- Sh. Kamal Kumar, Scientist-E, CPCB, RD-Lucknow (nominated by **CPCB**)
- Dr. Preeti Tripathi, Scientist-D, Regional Office, MoEF&CC, Lucknow (nominated by **MoEF&CC**)

During the field visit on May 27 - 28, 2024, Sh. Pushpendra Gautam, Revenue Officer, Kaushambi, Sh. R. S. Gautam, Lab Assistant, UPPCB, Prayagraj, Sh. Ajit Pandey, Mining Officer, Kaushambi, Sh. Shatrughan Singh, Mining Inspector, Kaushambi were also present.

1. In compliance of the Hon'ble NGT order, Joint Committee visited the field on dated May 27-28, 2024 to the spot inspection and ascertain the truthfulness of the allegations made in

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the newspaper report especially the photographs which are shown in the report depicting illegal mining in the middle of the riverbed. Based on the inspection and information collected during field visit, the Joint Committee observations are as under:

**1.1.** The joint committee visited the alleged illegal sand mining at Simri Ghat in Pipri Police Station area of Kaushambi district in Uttar Pradesh as mentioned in news item.

**1.2.** During the visit, no sand mining activities was observed on the ground at Simri Ghat. As per the information given by mining inspector at the site, the alleged Simri Ghat site is in jurisdiction of Prayagraj mining district, not in Kaushambi mining jurisdiction. Simri ghat area is in the distributary (*lagoon created by bifurcation of main Yamuna River stream due to summer condition*) of river Yamuna not on the mainstream. However, a temporary pathway and a weigh bridge with camera (**Pic.01 to 04**) was found at the said site. The pathway was being used by M/s Tara Enterprises, Manjhiyari Village (an operational mining site 2.5 Km away from the Simri ghat in Prayagraj district) for transporting the extracted Sand material. The mining site, M/s Tara Enterprises was also visited on the same day and was found operational.

**1.3.** As per the directions given by Hon'ble NGT in its order to verify the status of illegal sand mining in Kaushambi district, the committee visited Five (05) other mining sites located in Kaushambi district and Two (02) mining sites in Prayagraj mining jurisdiction, which were transporting their extracted material through Kaushambi district. The status of Seven (07) mining sites is given below:

**1.3.1. M/s Tara Enterprises, Manjhiyari, Prayagraj :**

During the Joint Committee visit, the mine M/s Tara Enterprises with Khand Sankhya no. 06 was found operational. The mining was carried out at the site in opencast and semi-mechanized way as per Environmental Clearance (EC). The EC of M/s Tara Enterprises (*issue dated 30.12.2021*), deed agreement

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(duration 14.11.2023 to 13.11.2028) and CTO (*dated 12.12.2023 and valid upto 31.12.2027*). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream (**Pic.05 & 06**). As per information provided by mine representative, the transportation of excavated material is through Kaushambi district only. However, the mine lease area is in Prayagraj district mining jurisdiction. As per the CTO, total mining lease area is 10 Hectare, which was demarcated with A, B, C & D pillars on the site. Water sprinkling on approach road was observed during the visit, however, continuous sprinkling should be done to reduce the dust emissions. CSR activities proof could not be provided / showed during visit.

**1.3.2. M/s Ravi Shankar Shukla, Bhillore Village mining site, Prayagraj**

During the Joint Committee visit, the mine at M/s Ravi Shankar Shukla, Bhillore Village with Khand Sankhya no. 03 was found non-operational (**Pic.07 to 08**). As per information provided by representative mine was operational till 06.05.2024 and EC application is in process. CTO (*dated: 07.03.2024 is valid upto 31.12.2025*). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream. The mine lease area is in Prayagraj district mining jurisdiction. As per CTO, total mining lease area is 8.0 Hectare. However, the mining operation till 06.05.2024 without EC appraisal is a violation under EPA Act, 1986.

**1.3.3. M/s Aman Brickfield, Kattaiya, Kaushambi:**

During the Joint Committee visit, the mine M/s Aman Brickfield, Kattaiya with Khand Sankhya no. 10/19 to 10/20 was found operational. The mining was carried out at the site by opencast and manual mining way as per Environmental Clearance (EC). The EC of M/s Aman Brickfield, Kattaiya (issue date:

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22.11.2021), deed agreement (duration 03.12.2021 to 02.12.2026) and CTO (dated 22.05.2023 and valid upto 31.12.2027). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream. The mine lease area is in Kaushambi district mining jurisdiction. As per the EC, total mining area was 10 Hectare, which was demarcated with A, B, C & D pillars on the site. One of the pillars was found just 24 feet (08m) from the bank of river Yamuna against the standard of 50m (*Pic.09 & 10*). Water sprinkling on approach road was observed during the visit, however, continuous sprinkling should be done to reduce the dust emissions. CSR activities proof could not be provided / showed during visit.

**1.3.4. M/s Arshad Siddiqui, Kattaiya, Kaushambi:**

During the Joint Committee visit, the mine M/s Arshad Siddiqui, Kattaiya with Khand Sankhya no. 10/10 to 10/13 was found operational. The mining was carried out at the site in semi-mechanized way as per Environmental Clearance (EC). The EC of M/s Arshad Siddiqui (*issue dated 02.07.2023*), deed agreement (duration 12.01.2024 to 11.01.2029) and valid CTO was not available during visit. The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream (*Pic.11 & 13*). The mine lease area is in Kaushambi district mining jurisdiction. As per the EC, total mining area was 20 hectares, which was demarcated with A, B, C & D pillars on the site. Water sprinkling on approach road was observed during the visit, however, continuous sprinkling should be done to reduce the dust emissions. CSR activities proof could not be provided / showed during visit. The mining operation noticed during the site visit without valid CTO is a violation under EPA Act, 1986.

**1.3.5. M/s Arun Kumar Tripathi, Ramnagar, Mahewa, Kaushambi**

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*Arun*

During the Joint Committee visit, the mine M/s Arun Kumar Tripathi with Khand Sankhya no. 16/11 to 16/14 was found operational. The mining was carried out at the site by opencast & semi-mechanized way as per Environmental Clearance (EC). The EC of M/s Arun Kumar Tripathi (*issue date 27.12.2023*), deed agreement (duration 04.01.2024 to 03.01.2029) and CTO (*dated: 18.01.2024 and valid upto 31.12.2024*). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream (**Pic.14 & 15**). The mine lease area is in Kaushambi district mining jurisdiction. As per the EC, total mining area was 25 hectares, which was demarcated with A, B, C & D pillars on the site. Water sprinkling on approach road was observed during the visit, however, continuous sprinkling should be done to reduce the dust emissions. CSR activities proof could not be provided / showed during visit.

**1.3.6. M/s Mahesh Chandra, Badhari, Pabhosa, Kaushambi:**

During the joint committee visit the mine M/s Mahesh Chandra with Khand Sankhya no. 13/15 to 13/17 was found operational. The mining was carried out at the site by opencast and manual mining way as per Environmental Clearance (EC). The EC of M/s Mahesh Chandra (*issue date: 30.12.2021*), deed agreement (duration 01.01.2022 to 31.12.2026) and CTO (*dated: 26.03.2023 and valid upto 31.12.2026*). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream (**Pic.16 & 17**). The mine lease area is in Kaushambi district mining jurisdiction. As per the EC, total mining area was 11 hectares, which was demarcated with A, B, C & D pillars on the site. Water sprinkling on approach road was observed during the visit, however, continuous sprinkling should be done to reduce the dust emissions. As informed by the mine representative, they have installed solar panels in nearby villages under CSR



activities to nearby villages. However, CSR activities proof could not be provided / showed during visit.

**1.3.7. M/s Maa Vaishno Traders, Chayal, Kaushambi**

During the Joint Committee visit the mine M/s Maa Vaishno Traders with Khand Sankhya no. 9/27 to 9/29 was found non-operational. The EC of M/s Maa Vaishno Traders (*issue date 04.05.2022*), deed agreement (duration 01.06.2022 to 31.05.2027) and CTO (*dated: 25.05.2023 and valid upto 31.12.2024*). The mine lease area is adjacent to the distributary of river Yamuna not on the mainstream. The mine lease area is in Kaushambi district mining jurisdiction. As per the EC, total mining area was 21.5 hectares, which was demarcated with A, B, C & D pillars on the site. As per the available office record, it is evident that M/s Maa Vaishno Traders, Chayal, Kaushambi are irregular in the submission of the six-monthly compliance report to the MoEF&CC, Regional Office, Lucknow, which is a non-compliance noticed under EIA notification, 2006.

- 1.4.** As the information provided by Mining department Kaushambi that the task force has been constituted vide order no. 616/86-2018-317/2005 dated. 20.03.2018 (**Annexure – I**) to vigilance and action for illegal mining. The action taken by the department during the last Six months are attached as **Annexure – II**.

As per the field visit observations and factual status of the grievances based on records made available to the committee by the concerned department, the suggestions are as follows:

- i. The Ptz camera should be installed for 24X7 surveillance on priority basis. The cameras should be connected to Mining department servers for verification purpose.

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- ii. As per the information provided by the representatives of mines M/s Ravi Shankar Shukla, Bhillore Village mining site, Prayagraj with Khand Sankhya no. 03, the mine was operational till 06.05.2024 and Environmental Clearance (EC) application is under process for approval. The mining operated till 06.05.2024 without EC appraisal is a violation under EPA Act, 1986, So concern department must impose Environmental Compensation (EC) and action needs to be taken by the competent authority of the concerned district as per rules.
- iii. M/s Arshad Siddiqui, Kattaiya, Kaushambi with Khand Sankhya no. 10/10 to 10/13 was found operational without valid CTO during visit May 27-28, 2024, so concern department must impose Environmental Compensation (EC) and competent authority of the concerned district must take appropriate action as per rule.
- iv. As per the available office record, it is evident that M/s Maa Vaishno Traders, Chayal, Kaushambi are irregular in the submission of the six-monthly compliance report to the MoEF&CC, Regional Office, Lucknow, which is a non-compliance noticed under EIA notification, 2006. It is suggested that all new mining lease holder needs to submit the detailed condition wise six-monthly compliance report to the MoEF&CC, Regional Office on regular basis enclosing the copies of NOCs and proof of the compliance done.
- v. No any significant plantation was observed on 07 mining sites inspected by the joint committee. 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) in consultation with local DFO as per CPCB guidelines.
- vi. The expenditure done so for Corporate Social Responsibility/ Environmental Protection measures and compliances done for commitment made during public hearing have not been submitted by Project authorities of all the inspected Mining areas to MoEF&CC,



Regional office, Lucknow along with the six-monthly compliances, which needs to be submitted on regular basis.

- vii. The task force (*constituted by order no. 616/86-2018-317/2005 dated. 20.03.2018*) should take appropriate necessary strict action against illegal mining as per rule.
- viii. The mining of Sand/Morum material should be done as per the guidelines of “Sustainable Sand Mining Management Guidelines, 2016” and “Enforcement & Monitoring Guidelines for Sand Mining, 2020” by Ministry of Environment, Forest & Climate Change. Concerned department must verify and take the appropriate action if violation found.

The above Joint Committee Report is being filed for the kind perusal and consideration of the Hon'ble Tribunal.

**(Dr. Preeti Tripathi)**  
Scientist-D  
Regional Office,  
MoEF&CC, Lucknow

**(Kamal Kumar)**  
Scientist-E  
Regional Directorate,  
CPCB, Lucknow

Photographs of during the visit in mining sites



Pic.01: Simri ghat Mining area, Prayagraj



Pic.02: Simri ghat Mining area ptz camera, Prayagraj



Pic.03: Simri ghat Mining area, Prayagraj



Pic.04: Simri ghat Mining area pathway on distributary, Prayagraj



Pic.05: Manjhiyari Mining area, Prayagraj



Pic.06: Manjhiyari Mining area, Prayagraj



Pic.07: Bhillore Mining area, Prayagraj



Pic.08: Bhillore Mining area, Prayagraj

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**Pic.09:** M/s Aman Brickfield, Kattaiya ghat Mining area, Kaushambi



**Pic.10:** M/s Aman Brickfield, Kattaiya ghat Mining area (marked Pole), Kaushambi



**Pic.11:** M/s Arshad Siddiqui, Kattaiya ghat Mining area, Kaushambi



**Pic.12:** M/s Arshad Siddiqui, Kattaiya ghat Mining area, Kaushambi



**Pic.13:** M/s Arshad Siddiqui, Kattaiya ghat Mining area, Kaushambi



**Pic.14:** M/s Arun Kumar Tripathi, Ramnagar, Mahewa, Mining area, Kaushambi



**Pic.15:** M/s Arun Kumar Tripathi, Ramnagar, Mahewa, Mining area, Kaushambi



**Pic.16:** M/s Mahesh Chandra, Badhari, Pabhosa Mining area, Kaushambi

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**Pic.17:** M/s Mahesh Chandra, Badhari, Pabhosa Mining area, Kaushambi

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