



बिहार कार्यालय,
REGIONAL OFFICE,
उप्र प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: G000796/ O.A. No. 521/2022/2023

दिनांक:-

Date: 13.10.2023

To,

The Registrar,
Hon'ble National Green Tribunal,
Copernicus Marg,
New Delhi.
E-mail-judicial-ngt@gov.in

Subject: Submission of Joint Committee Report in compliance of directions issued by Hon'ble NGT vide order dated 26.09.2023 in O.A. No. 521/2022 Sampurna Nand Vs. State of U.P. & Ors.

Sir,

In the matter of O.A. No. 521/2022 Sampurna Nand Vs. State of U.P. & Ors. Hon'ble National Green Tribunal vide order dated 25.08.2023 instructed as follows:-

"...3. I.A. No. 679/2023 has been filed by respondent no. 4, M/s. R.K. Construction Company. The concerned respondents are permitted to file the response to this IA within two weeks, if they so desire.

4. Meanwhile, parties are also permitted to exchange all the relevant pleadings.".....

In compliance of the above order, only M/s R.K. Construction Company, Vill. Sonpur, Pargana-Bhagwat, Tehsil-Chunar, Distt. Mirzapur has submitted their presentation as application and direction received from H.O. to submit the factual report. In order to receive the direction issued by H.O. SPCB, the Joint Committee visited to said Stone Crusher and factual report has been submitted to H.O. vide letter No. G000725/O.A. No. 521/2022/2023 dated 18.09.2023 (Copy enclosed).

So, it is requested that joint committee report dated 15.09.2023 is being forwarded for kind consideration. Further, any presentation of mining project or stone crusher is not received in the office as per records. This report may be presented before the Hon'ble Tribunal.

Encl.: As above.

Yours faithfully,

(R.K. Singh)
Regional Officer
Sonbhadra.

Endt. No. & date as above.

Copy to:-

1. District Magistrate, Mirzapur for kind information.
2. Chief Law Officer, U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
3. Chief Environmental Officer (Circle-2), U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
4. Shri Pradeep Mishra, Advocate, Supreme Court, 138, New Lawyer's Chamber, Supreme Court of India, New Delhi-110001.

Regional Officer
Sonbhadra.



क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: ...G000725/O.A.No-521/2022/2023

दिनांक:-

Date: 18/09/2023

सेवा में,

मुख्य पर्यावरण अधिकारी (वृत्त-2),
उ०प्र० प्रदूषण नियंत्रण बोर्ड
टी०सी० 12वीं, विभूति खण्ड, गोमती नगर,
लखनऊ।

विषय:- मेसर्स आर०के० कन्स्ट्रक्शन कम्पनी, ग्राम-सोनपुर, परगना-भगवत, तहसील-चुनार, जनपद-मीरजापुर
की आख्या का प्रेषण।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के संदर्भ संख्या-H00115/C-2/NGT-67/2023 दिनांक-
30.08.2023 का संदर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के माध्यम से मा० राष्ट्रीय हरित अधिकरण, नई
दिल्ली द्वारा ओ०ए० संख्या-521/2022 (आई०ए० संख्या-679/2023) सम्पूर्णानन्द बनाम उ०प्र० राज्य व अन्य
में पारित आदेश दिनांक-25.08.2023 के अनुक्रम में उद्योग द्वारा प्रेषित प्रत्यावेदन दिनांक-29.08.2023 में
उल्लिखित तथ्यों की जाँच कर आख्या प्रेषित किये जाने के निर्देश प्राप्त हैं। तत्क्रम में प्रश्नगत उद्योग से प्राप्त
प्रत्यावेदन में उल्लिखित तथ्यों के सापेक्ष स्थलीय जाँचोपरान्त आख्या प्रेषित किये जाने हेतु कार्यालय
जिलाधिकारी, मीरजापुर के पत्रांक-G000712/O.A. No.521/2022/2023 दिनांक-13.09.2023 द्वारा पूर्व में जिला
प्रशासन स्तर से गठित समिति को निर्देश दिये गये हैं। उपरिसंदर्भित पत्र दिनांक-13.09.2023 द्वारा प्राप्त
निर्देशों के अनुपालन में संयुक्त समिति द्वारा मेसर्स आर०के० कन्स्ट्रक्शन कम्पनी, ग्राम-सोनपुर, परगना-भगवत,
तहसील-चुनार, जनपद-मीरजापुर का स्थलीय निरीक्षण दिनांक-14.09.2023 को किया गया। निरीक्षण आख्या
मूल रूप में अग्रिम आवश्यक कार्यवाही हेतु संलग्न है। निरीक्षण आख्या में निहित तथ्यों के आलोक में गुण-दोष
के आधार पर उद्योग के प्रत्यावेदन दिनांक-29.08.2023 को निस्तारित किये जाने की संस्तुति की जाती है।

संलग्नक:- उपरोक्तानुसार।

भवदीय,

(आर०के० सिंह)
क्षेत्रीय अधिकारी

पृ०सं० एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:- जिलाधिकारी महोदय, जनपद-मीरजापुर को उपरिसंदर्भित पत्र दिनांक-13.09.2023 के माध्यम से
प्राप्त निर्देशों के अनुपालनार्थ सादर सूचनार्थ प्रेषित।

क्षेत्रीय अधिकारी

Factual Report of joint committee in the matter of OA No.-
521/2022 (I.A. No. 679/2023)
Sampurna Nand V/s. State of U.P. & Ors.

Hon'ble National Green Tribunal in the matter of OA No.-521/2022 (I.A. No. 679/2023) Sampurna Nand V/s. State of U.P. & Ors. Vide order dated- 25/08/2023 directed the following:-

".....3. I.A. No. 679/2023 has been filed by respondent no. 4, M/s R.K. Construction Company. The concerned respondents are permitted to file the response to this IA within two weeks, if they so desire.

List this matter on 26.09.2023....."

In the compliance of above order, M/s R.K. Construction Company, Village-Sonpur, Pargana-Bhagwat, Tehsil-Chunar, District-Mirzapur has been submitted their representation via application dated 29.08.2023 before U.P. Pollution Control Board, Lucknow and District Magistrate, Mirzapur. The Industry requested to allow the operation of stone crusher and to revoke the directions issued by Chief Environmental Officer (Circle-2), U.P. Pollution Control Board, Lucknow vide letter no. H98396/C-2 /NGT-67/23 Dated-25.07.2023.

To dispose the above representation/application submitted by the industry, District Magistrate, Mirzapur directed to the joint committee constituted by Letter No. G000420/O.A. No. 521/2022 dated 26.05.2023 for submission of factual report after site visit.

The members of Joint Committee are as follows:-

1. Joint Magistrate/SDM, Chunar, Mirzapur.
2. District Mining Officer, Mirzapur.
3. Asstt. Env. Engr. / Regional Officer, U.P. Pollution Control Board, Sonbhadra.

4. Circle Officer (Police), Chunar, Mirzapur.

In compliance of the direction given by District Magistrate, Mirzapur vide letter number G000712/OA-521/2022-2023 Dated-13.09.2023, the joint committee members visited the site of Industry i.e. M/s R.K. Construction Company, Village-Sonpur, Pargana-Bhagwat, Tehsil-Chunar, District-Mirzapur on 14.09.2023. The facts found during visit have been summarized as follows:-

1. M/s R.K. Construction Company is informed to be established at Arazi No. 57, Area-1.0120 Hectare, Village-Sonpur, Post-Patihatta, Tehsil-Chunar, District-Mirzapur. The Geo-coordinates of the industry is 25.053985-latitude and 83.002484-longitude.
2. The said industry Stone Crusher was found closed in compliance of order dated 25.07.2023 issued by SPCB.
3. The committee has observed that the plants and machinery of the industry such as primary jaw crusher, secondary jaw crusher, vibrating screens (waterfall), conveyor belts were found covered. All Ends of conveyor belts were also found covered.



4. The committee has observed that All ends of the conveyor belts was found closed with metal sheet and canvas cloth as telescopic suit. Water sprinkler were found installed at jaw crushers and at all conveyor belts. 75 nos. water

Sprinklers nozzles in operational condition were found installed at metal sheet barricading.

5. Three Tower of iron pole with movable water sprinklers having 10 meter head as per design informed by industry representative are installed for suppression of dust. One tower was placed at dug, second was placed near Secondary Jaw crusher and rest one was placed near vibrating screens.
6. Total 05 nos. of anti smog gun were found at industry premises to control dust emission generated by vehicular movement.
7. Separate energy meter for consumption of electricity used in water sprinkling and Water meter for measurement of quantity of water consumption was found installed.
8. Wind breaking wall of 12 feet height was found constructed in the industry premises, which is showing compliance of condition imposed in CTO. Partially open metal sheet barricading of approximate 12 feet height as wind breaking wall was found established in east, west and north direction of industry, which is showing compliance of condition imposed in CTO.



9. New plantation was found in premises of the industry as green belt developing activity. At the time of visit, Industry representative was informed that 500 plants received from forest department to plant in rainy season 2023 as per direction issued by Regional office, U.P.P.C.B. Sonbhadra (Copy attached as annexure-1). Besides of it, 625 Plants purchased from M/s Aakriti Nursery, 31, Ashok nagar, Allahabad (Invoice Copy attached as annexure-2).

Thus, proper green belt was being developed in the industry premises according office memorandum issued by SPCB vide dated 27.02.2020.



10. In spite of Metallic road, concrete mix coal tar road was found constructed inside the premises of industry.



11. Diesel Generator set having capacity of 625 KVA was found establish in industry premises. The height of the Stack attached at the exhaust of the DG set was found to be as per the standards prescribed by the Board for the control of gaseous emissions generated from the DG set in the industry.



12. The Industry namely M/s R.K. Construction Company, Village-Sonpur, Pargana-Bhagwat, Tehsil-Chunar, District-Mirzapur has obtained Consent to operate from the U. P. Pollution Control Board vide letter no. 157839/

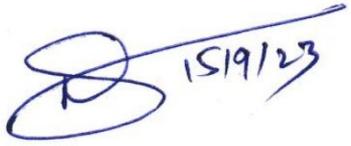
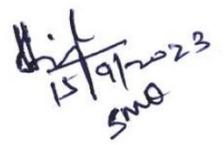
(Handwritten signatures)

UPPCB/Sonebhadra(UPPCBRO)/CTO/both/MIRZAPUR/2022 Dated-09/06/2022,
which is valid from dated-09.06.2022 to dated-31.07.2027.

Conclusion-

The Committee concludes that the conditions of the Consent to Operate granted to the Industry M/s R.K. Construction Company, Village-Sonpur, Pargana-Bhagwat, Tehsil-Chunar, District-Mirzapur are being satisfactorily complied with and operation of the stone crusher could be allowed after revoking the direction issued by U. P. Pollution Control Board vide letter no. H98396/C-2/NGT-67/23 Dated-25.07.2023.

Accordingly above, the factual report has been forwarded for further necessary action please.

Name of the Committee members		Signature
1.	Shri Navneet Sehra (IAS) Joint Magistrate/SDM, Chunar, Mirzapur.	 15/9/23
2.	Shri Shailendra Singh Mining Officer, Mirzapur.	 15/9/2023 SMA
3.	Shri Umesh Kumar Gupta, Assistant Environment Engineer, Regional Office, U.P.P.C.B. Sonbhadra.	 15/09/2023
4.	Circle Officer (Police), Chunar, Mirzapur.	 15.9.23
Dated: 15.09.2023		