

Ref. No.: 4-35 / O.A. No. 267/2024

Date: 02/08/2024

From,

**Vishal Singh,
District Magistrate,
Bhadohi.**

To,

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

Sub:- Submission of Joint Committee Report in pursuant to order dated 21.05.2024 passed by Hon'ble NGT in the matter of Original Application No. 267 of 2024 in the name of Khubhu Singh Versus State of U.P.

Sir,

In the above noted case, Hon'ble National Green Tribunal directed the following:-

- “ 3.....we constitute a joint Committee comprising Divisional Forest Officer, SantRavidas Nagar, Bhadohi; District Magistrate, SantRavidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB).
4. District Magistrate, Sant Ravidas Nagar, Bhadohi shall be nodal agency for coordination and compliance of this order.
5. The said committee shall visit the site, collect relevant information and submit a report within two months from today.
6. List this matter on 05.08.2024....”

In compliance of the above direction issued by Hon'ble Tribunal vide order dated 21.05.2024 in the matter of OA 267of 2024, the Joint Committee Report is being filed herewith.

It is requested that the aforesaid response-cum-Joint Committee report may be presented before the Hon'ble Tribunal for kind consideration.

Encl.: As above.

Your's faithfully,



(Vishal Singh)
**District Magistrate
Bhadohi**

IN THE MATTER OF:

Khusbu Singh

..... Applicant

Versus

State of U.P.

.... Respondant (s)

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FILED BY

(Vishal Singh)

District Magistrate
Bhadohi

**Report of Joint Committee in Compliance to the Hon'ble NGT order
dated 21.05.2024 in Original Application No. 267 of 2024 in the name of
Shri Khubhu Singh Vs State of U.P. and Others**

A. Preamble :

Hon'ble National Green Tribunal, principal bench vide its order dated 21.05.2024 constituted joint committee comprising Divisional Forest Officer, Sant Ravidas Nagar, Bhadohi; District Magistrate, Sant Ravidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB'). The related para of said order is reproduced here as under:-

1. This original application under Sections 14 and 15 of the National Green Tribunal Act, 2010 has been registered in exercise of suo moto jurisdiction on the basis of letter petition dated 07.09.2023 received by the Tribunal on 16.09.2023, sent by Khusbu Singh, resident of Radha Krishna Enclave, Plot No. 6, Aakash Nagar, Govind Puram, Ghaziabad – 201015.
2. The complainant has said that there was a turtle sanctuary in Ganga at Ramnagar Kashi area of Varanasi upto March, 2020. It was denotified and it has been identified within 30 kms. of the area of Prayagraj, Mirzapur and Sant Ravidas Nagar (Bhadohi) where a large number of turtles are residing. However, in the area identified as the habitat of turtles, large scale mining on both the banks of river Ganga is being carried out by several incumbents including Rana Pratap Singh s/o Giriraj Singh, village Balanpur, PO Jangiganj, Tehsil Gyanpur, District Bhadohi and Girdhari Prasad Pathak S/o of Janardan Prasad Pathak, village Mahera, Tehsil Bara, District Prayagraj. The illegal mining is causing death of turtles and damage to their eggs laid on the sides of the river and despite several complaints, no authority has taken any appropriate action in the matter.
3. In our view, a substantial question relating to environment due to implementation of Scheduled Enactments has arisen in view of the above complaint 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 Divisional Forest Officer, Sant Ravidas Nagar, Bhadohi; District Magistrate, Sant Ravidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB').

4. District Magistrate, Sant Ravidas Nagar, Bhadohi shall be nodal agency for coordination and compliance of this order.
5. The said committee shall visit the site, collect relevant information and submit a report within two months from today.
6. List this matter on 05.08.2024.

B. Proceedings:

In pursuance of the Hon'ble NGT order dated 21.05.2024, Joint Committee was constituted comprising representative of Ministry of Environment Forest and Climate Change (MoEF&CC), Regional Office (RO), Lucknow and representative of Central Pollution Control Board, Regional Directorate (CPCB-RD), Lucknow. Joint Committee had VC meeting on dated 13.06.2024 and decided to visit the site on dated 21.06.2024. Joint committee inspected the site on dated 21.06.2024, during inspection of the site Representative of RO-MOEF&CC, Lucknow office- Dr A.K. Gupta, Scientist 'E', Representative of RD-CPCB, Lucknow Shri A.K.Tripathi, Scientist 'C' were available along with the Shri Umesh Gupta, RO, UPPCB, Sonbhadra and Varanasi (Additional Charge) , Shri Santosh Kumar Pal, Surveyor; Shri Atul Dubey, Mine inspector, Shri Hari Shanker Rajput, Mine Manger, represented local administration along with lease holder Shri Vipin Kumar Saxena etc were available, to find out the extent of mining which has been done by Respondent No. 11 and the compliance/non-compliance of 'general' and 'specific' conditions of EC by Respondent No. 11.

C. Observation of Joint committee during the site inspection:

- Government of Uttar Pradesh (UP) through its Gazette Notification no. 1485/14-4-2008-823/2008 dated 21.05.2009 notified the Kachhua Wildlife Sanctuary in district Varanasi (7.00 KM area of Mid-stream of river Ganga from both the banks, in upstream-Ramnagar Fort; downstream-Malviya Rail/road bridge; East-Eastern bank of river Ganga; West-Western bank of river Ganga (Varanasi City)).
- Above notification was rescind by the Government of Uttar Pradesh (UP) through its Gazette notification no. 336/81-4-2020-823-2008 T.C. dated 17 March, 2020. **(Annexure A)**
- Further, Government of Uttar Pradesh (UP) through its gazette notification 346/81-4-2020-823-2008 T.C. Dated 17 March 2020 declared to constitute the area in the stretch of 30 km along both sides of the Ganga River falling in the districts of Bhadohi, Prayagraj and

Mirzapur as Kachhua Wildlife Sanctuary (Bhadohi, Prayagraj and Mirzapur- Ganga- Area bounded by both banks of river Ganga in the stretch of 30 km. along main stream of River Ganga; Boundaries- East (downstream of the River - Latitude 25.273769, Longitude- 82.287486 falling in Revenue boundary of village Baripur uparwar, Gyanpur of District Bhadohi; West (upstream of the River- Latitude 25.215000, Longitude-82.194814, falling in revenue boundary of village Kotahri, Meja of District Prayagraj; North-Left Bank of River Ganga; South- Right Bank of River Ganga) **(Annexure B)**

- Ministry Of Environment, Forest and Climate Change (MOEF&CC) vide letter no. 1-9/2007-WL-I (pt) dated 09.02.2011 issued the guideline for the declaration of Eco-sensitive zone around National Park and Wildlife Sanctuaries, compliance of the above which has not been comply by the state government in the above sanctuary **(Annexure-C)**
- As per available record two ECs has been granted for sand mining in the district Bhadohi, which are as follows:
 - i) EC to M/s Lalira Buildcon Pvt. Limited, Smt Rupa Mishra, W/o Shri Vishnu Kumar Mishra, R.O.-69, Anand Lok near Kamla Nehru College, Andrewsganj, Defense Colony, South Delhi, Delhi vide EC no. 516/Parya/DEAC/DEIAA/2018 dated 02.07.2018, for a period of 5 years was cancelled vide DM, Bhadohi order no.289/khananlipik/2021 dated 28.04.2021 and another LOI was issued to Shri Rana Pratap Singh S/O/ Shri Gajra Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadohi. U.P. vide letter no. 419/khanij/balu/E-nivida/she-enilami dated 15.09.2021 for 1, 21,410 m³ capacity per annum. Which was transferred to Shri Rana Pratap Singh, S/O Shri Gajra Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadohi. U.P. vide letter no. 259/Parya/SEIAA/DEIAA-EC/2021 dated 19.10.2021 for extraction of the sand of 1, 21,410 cubic meter/year from lease area of 4.047 hectare for **one year**. Transfer of DEIAA EC dated 02.07.2018 was also in question. **(Annexure D)**
 - ii) Consent to operate (CTO) has not been issued by Uttar Pradesh Pollution Control Board (UPPCB).
 - iii) Environmental Clearance (EC) of Shri Girdhari Prasad Patahk has been granted by SEIAA-UP vide letter no. 23B001UP122625 (file no. 8402-7893) dated 08.12.2023, for extraction of the sand of 1, 21,410 cubic meter/year from lease area of 4.047 hectare. **(Annexure E)**
 - iv) Consent to operate (CTO) has been granted by Uttar Pradesh Pollution Control Board (UPPCB) vide letter no. 198330/UPPCB/Varanasi (UPPCBRO)/CTO/

both/Bhadohi/2023 dated 29.12.2023, which is valid from 12.12.2023 to 31.12.2025 for extraction of the sand of 1,21,410 cubic meter/year from lease area of 4.047 hectare. **(Annexure F)**

v) Regional Officer, UPPCB, Varanasi is recommended to revoke the CTO dated 29.12.2023 vide letter no 372/NGT OA No 135/2024/24-25 Dated 18.07.2024. **(Annexure G)**

vi) District magistrate (DM), Bhadohi has cancelled all active / advertised / sanctioned mining leases vide letter no. 303/ Kanan lipik/2024 dated 03.01.2024 **(Annexure H)**.

- Joint committee was not found any active mining pit on above two leases.
- Joint committee was found pathway for transportation from mining area in Eco- sensitive area near Villge-Ibrahimpur (Bhadohi).
- Joint committee has not found any illegal mining activity during on the river bed site of the Kachhua Wildlife sanctuary area falls in the district Bhadohi and Mirzapur.
- Joint committee has also observed the storage of the significant amount of sand near the office site of above two leases, it seems that it has been stored for a long time.
- Joint committee has also observed various faunal diversity including: two dolphins, five species of native fish and One species of exotic fish etc.
- Joint committee has not found Kacchua (Turtle) within (near about area) of the Kacchua wild life Sanctuary.
- DM, Prayagraj citing the request of DFO Prayagraj about the turtle sanctuary. ordered that no mining lease should be sanctioned in 10 km area considering the same as Eco-Sensitive Zone of the turtle sanctuary though letter number 4484 Dated June 20, 2024. This order further advised to stop any illegal sand mining within the sanctuary' ESZ. **Annexure I**
- Photographs taken during joint inspection is attached in **Annexure J**

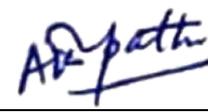
D. Recommendation:

- As evident that the demarcation of the Eco-sensitive zone has not been done by the state government so far. It is utmost important to demarcate the eco- sensitive zone in line of Ministry order etc. at earliest.
- Competent authority can address and notify the prohibited activity, permissible activity in the Eco-sensitive zone (ESZ) and published in local newspaper, hording etc for wide publicity among the local people.

- Local administration through mining department may dismantle established Office and way-bridge near mining area of Project Proponent and check storage of minerals near village Ibrahimpur (Bhadohi).
- Local administration immediately sized the stored sand found during joint inspection in district Bhadohi.
- Local administration should place hoarding etc in various approached road going towards turtle wildlife sanctuary address the issue of Turtle Wildlife Notification, prohibited activity, permissible activity etc.
- Community awareness campaign needs to be conducted in all identified villages about the sanctuary declaration and rights of local communities in and around the PA. The objections from the communities against the announcements/ publications of turtle sanctuary submitted to the concerned DMs and DFO/Controlling Officer need to be addressed at the earliest.
- Alternate livelihood options need to be scoped and implemented in the fishing community villages on the fringe with active assistance of regional station of CIFRI, Wildlife Institute of India and TSA Foundation India.
- Regular patrolling of the turtle sanctuary should be conducted at appropriate level (with active assistance of Ganga Task Force and Prayagraj, Badhoi and Mirzapur Forest Divisions). Turtle Survival Alliance (TSA) Foundation India can provide the patrolling framework and train GTF regarding the same.
- Proper consideration of Kacchua Wildlife Sanctuary before/during appraisal/allotment of all project including sand mining of district Mirzapur, Bhadihi, Prayagraj by Mining Department, Local Administration and SEIAA/SEAC-UP can also be ensured.
- Proper due diligence is required for transfer of the DEIAA-EC by SEIAA/SEAC-UP.
- State Wild life department shall also take suitable measure for conservation of the Gangetic Dolphin and other species found near the Kacchua Wild life sanctuary.

List Of Annexure:	
Annexure Number	Content
A	Gazette Notification no. 1485/14-4-2008-823/2008 dated 21.05.2009
B	Gazette notification 346/81-4-2020-823-2008 Dated 17 March 2020
C	MOEF&CC vide letter no. 1-9/2007-WL-I(pt) dated 09.02.2011
D	EC of M/s Lalira Buildcon Pvt. Limited, and Shri Rana Pratap
E	EC of Shri Girdhari Prasad Patahk
F	CTO of Shri Girdhari Prasad Patahk

G	Regional Officer, UPPCB, Varanasi is recommended to revoke the CTO
H	District magistrate (DM), Bhadohi has cancelled all active
I	DM, Prayagraj
J	Photograph taken during Joint inspection

Name of the Committee members		Signature
1.	Dr. A.K. Gupta, Scientist, E MoEF & CC, Regional Office, Lucknow.	
2.	Shri A.K. Tripathi, Scientist "C", CPCB, Regional Directorate, Lucknow.	
3.	Shri Neeraj Arya, Divisional Forest Officer, District-Sant Ravidas Nagar (Bhadohi).	
4.	Shri Shyam Mani Tripathi, ASDM, District-Bhadohi.	
5.	Shri Umesh Kumar Gupta Regional Officer (Acting), UPPCB Varanasi.	
Dated: 01.08.2024		



सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट
भाग-4, खण्ड (ख)
(परिनियत आदेश)

लखनऊ, मंगलवार, 17 मार्च, 2020

फाल्गुन 27, 1941 शक सम्वत्

उत्तर प्रदेश शासन
पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4

संख्या 336/81-4-2020-823-2008टी०सी०

लखनऊ, 17 मार्च, 2020

अधिसूचना

प०आ०-84

चूंकि नीचे अनुसूची में उल्लिखित क्षेत्र, वन्यजीव (संरक्षण) अधिनियम, 1972 (अधिनियम संख्या 53 सन् 1972) की धारा 26-क के अधीन सरकारी अधिसूचना संख्या 1485/14-4-2008-823/2008, दिनांक 21.05.2009 द्वारा कछुआ वन्यजीव विहार, वाराणसी के रूप में घोषित किया गया था;

और, चूंकि, कछुआ वन्यजीव विहार में कछुओं की अत्यन्त न्यून समागम दर के कारण उच्च मानव जनित हस्तक्षेप दर्शित होता है, जिसके परिणामस्वरूप अत्यधिक छोटे संरक्षित क्षेत्र में प्राकृतवास परिवर्तित हो गया है;

और, चूंकि, उक्त क्षेत्र वन्यजीव या उनके पर्यावरण के संरक्षण एवं सम्वर्धन के प्रयोजन के लिये पर्याप्त पारिस्थितिक, वनस्पतिजात, भू-आकृतिजात, प्राकृतिक और प्राणिवैज्ञानिक महत्व के लिये अब उपयुक्त नहीं रह गया है।

अतः, अब, साधारण खण्ड अधिनियम, 1897 (अधिनियम संख्या 10 सन् 1897) की धारा 21 के साथ पठित वन्यजीव संरक्षण अधिनियम, 1972 (अधिनियम संख्या 53 सन् 1972) की धारा 26-क के अधीन शक्तियों का प्रयोग करके राज्यपाल इसे अधिसूचना के गजट में प्रकाशित किये जाने के दिनांक से पूर्वोक्त अधिसूचना संख्या 1485/14-4-2008-823/2008, दिनांक 21.05.2009 को विखण्डित करती है-

अनुसूची

जिला	नदी का नाम	कछुआ वन्य जीव विहार, वाराणसी का क्षेत्र
वाराणसी	गंगा नदी	दोनों तटों से गंगा नदी की मध्य धारा के किनारे का 7.00 (सात) कि०मी० क्षेत्र
सीमाएं	उपरोक्त प्रवाह	रामनगर किला
	अधो प्रवाह	मालवीय रेल/सड़क पुल
	पूर्व	गंगा नदी का पूर्वी तट
	पश्चिम	गंगा नदी का पश्चिमी तट (वाराणसी नगर)

टिप्पणी: यह अधिसूचना रिट याचिका सिविल संख्या 337/1995 में, आई.ए. संख्या 117425/2019 एवं 117429/2019 में उच्चतम न्यायालय के निर्णय के अधीन होगी।

आज्ञा से,
सुधीर गर्ग,
प्रमुख सचिव।

IN pursuance of the provisions of clause (3) of Article 348 of the constitution, the Governor is pleased to order the publication of the following English translation of notification no. 336/LXXXI-4-2020-823-2008 T.C., dated March 17, 2020:

No. 336/LXXXI-4-2020-823-2008 T.C.

Dated Lucknow, March 17, 2020

WHEREAS the area mentioned in the schedule below was declared as Kachhua Wild Life Sanctuary, Varanasi vide Government Notification no.1485/14-4-2008-823/2008, dated 21-05-2009 issued under Section 26-A of the Wild Life (Protection) Act, 1972(Act no. 53 of 1972);

AND, WHEREAS, due to very low encounter rate of turtles in Kachhua Wild Life Sanctuary indicates high human disturbance leading to habitat alteration within a very small protected area;

AND, WHEREAS, the said area is no longer suitable for adequate ecological, floral, geomorphological, natural and zoological significance for the purpose of protecting, propagating Wildlife and its environment;

NOW THEREFORE, in exercise of the powers under section 26-A of the Wild Life (Protection) Act, 1972(Act no. 53 of 1972) read with section 21 of the General Clauses Act, 1897 (Act no. 10 of 1897), the Governor is pleased to rescind the aforesaid notification no.1485/14-4-2008-823/2008, dated 21-05-2009 with effect from the publication of this notification in the Gazette.

SCHEDULE

District	Name of River	Area of Kachhua Wildlife Sanctuary, Varanasi
Varanasi	River Ganga	7.00 (seven) km. area of Mid stream of river Ganga from both the banks
Boundaries	Upstream	Ramnagar Fort
	Downstream	Malviya Rail/ Road bridge
	East	Eastern bank of river Ganga
	West	Western bank of river Ganga (Varanasi City)

Note:- This notification shall be subject to the final decision of the Supreme Court in I.A. no. 117425/2019 and 117429/2019 in writ petition civil no. 337/1995.

By order,
SUDHIR GARG,
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 29 राजपत्र-2020-(51)-699 प्रतियां (क०/टी०/ऑफसेट)।
पी०एस०यू०पी०-ए०पी० 1 सा० पर्यावरण -2020-(62)-200 प्रतियां (क०/टी०/ऑफसेट)।



सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट
भाग-4, खण्ड (ख)
(परिनियत आदेश)

लखनऊ, मंगलवार, 17 मार्च, 2020

फाल्गुन 27, 1941 शक सम्वत्

उत्तर प्रदेश शासन

पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4

संख्या 346/81-4-2020-823-2008 टी0सी

लखनऊ, 17 मार्च, 2020

अधिसूचना

प०आ०-85

चूंकि राज्य सरकार की राय है कि नीचे अनुसूची में विस्तृत रूप में उल्लिखित क्षेत्र वन्यजीव एवं उसके पर्यावरण के संरक्षण, संवर्धन एवं विकास के प्रयोजन के लिए पर्याप्त पारिस्थितिक, प्राणिजात, वनस्पतिजात, भू-आकृतिजात, प्राकृतिक तथा प्राणिवैज्ञानिक महत्व का है।

अतएव, वन्यजीव (संरक्षण) अधिनियम, 1972 (अधिनियम संख्या 53 सन् 1972) की धारा 18 की उपधारा(1) के अधीन प्रदत्त शक्तियों का प्रयोग करके राज्यपाल जिला भदोही, प्रयागराज एवं मिर्जापुर के अन्तर्गत गंगा नदी के दोनों तटों से आबद्ध 30 किमी० लम्बाई में फैले क्षेत्र को नीचे अनुसूची के अनुसार कछुआ वन्यजीव विहार के रूप में स्थापित करने के अपने आशय की घोषणा करती है-

अनुसूची

जिला	नदी का नाम	कछुआ वन्य जीव विहार का क्षेत्र
प्रयागराज, भदोही और	गंगा	गंगा नदी के दोनों तटों से सीमाबद्ध गंगा नदी के मुख्य धारा का 30 किमी० लम्बाई में फैला क्षेत्र

**GUIDELINES FOR
DECLARATION OF ECO-
SENSITIVE ZONES AROUND
NATIONAL PARKS AND WILDLIFE
SANCTUARIES**



**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS**



Government of India
Ministry of Environment and Forests
(Wildlife Division)

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi -110003.

F. No. 1-9/2007 WL-I(pt)

Dated: 9th February, 2011

To,
The Chief Wildlife Warden
All States/Union Territories

Sub: Guidelines for Declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries.

Sir

In pursuance to the decision taken by the National Board for Wildlife, all the States/Union Territory, Governments were requested for forwarding site specific proposals for declaration of Eco Sensitive Zones around National Parks and Wildlife Sanctuaries. Several reminders in this connection were also sent. Hon'ble Supreme Court had also take note of this decision had directed States/ Union Territory, Governments to forward proposals this Ministry. However, only very few States have forwarded proposals in this regard.

This Ministry after careful consideration, has therefore, decided to frame guidelines to facilitate the States/Union Territory, Governments for declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries. Kindly find enclosed a copy of the said Guidelines. It is requested to kindly take necessary action in this regard at the earliest

Yours faithfully,

(Prakriti Srivastava)

Deputy Inspector General (WL)

Telefax: 01-24360704

E-mail: dgwl-mef@nic.in

Encl: As above

Copy to:

1. Principal Secretary (Forests), all States/Union Territories.
2. Principal Chief Conservator of Forests, all States/ Union Territories.
3. NIC Cell- with a request to upload the enclosed guidelines on the official website of MoEF.

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**GUIDELINES FOR DECLARATION OF ECO-SENSITIVE ZONES AROUND
NATIONAL PARKS AND WILDLIFE SANCTUARIES**

1. Background:

1.1. IBWL Decision:

1.1.1 During the XXI meeting of the Indian Board for Wildlife held on 21st January 2002, a 'Wildlife Conservation Strategy-2002' was adopted wherein point no.9 envisaged that "lands falling within 10 Kms of the boundaries of National Parks and Sanctuaries should be notified as eco-fragile zones under section 3 (v) of the Environment (Protection) Act and Rule 5 Sub rule (viii) & (x) of the Environment (Protection) Rules."

1.1.2 The Additional Director General of Forests (WI), vide letter dated 6th February 2002, had requested all the Chief Wildlife Wardens for listing out such areas within 10 Kms of the boundaries of National Parks and Sanctuaries and furnish detailed proposals for their notification as eco-sensitive areas under the Environment (Protection) Act, 1986.

1.1.3 In response, some of the State Governments had raised concern over applicability of the 10 Kms range from the Protected Area boundary and informed that most of the human habitation and other areas including important cities in these States would come under the purview of eco-sensitive zone and will adversely affect the development.

1.2. National Wildlife Action Plan (2002-2016)

1.2.1 The National Wildlife Action Plan (NWAP) 2002-2016 indicates that *"Areas outside the protected area network are often vital ecological corridor links and must be protected to prevent isolation of fragments of biodiversity which will not survive in the long run. Land and water use policies will need to accept the imperative of strictly protecting ecologically fragile habitats and regulating use elsewhere."*

1.2.2 The Action Plan also indicates that *"All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act, 1986."*

1.3. Decision of National Board for Wildlife:

1.3.1 Considering the constraints communicated by the states, the proposal was re-examined by the National Board for Wildlife in its 2nd meeting held on 17th March 2005 and it was decided that the '**delineation of eco-sensitive**

zones would have to be site specific and relate to regulation, rather than prohibition, of specific activities'. The decision was communicated to all the State Governments for compliance vide letter dated 27th May 2005. Thereafter, it was further communicated with subsequent reminders.

1.4. Hon'ble Supreme Court's decision:

1.4.1 A Public Interest Litigation was also filed by the Goa Foundation vide their Writ Petition No. 460/2004 before the Hon'ble Supreme Court regarding the issue of declaration of eco-sensitive zones.

1.4.2 Vide their order dated 4th December 2006, Hon'ble Supreme Court had directed the Ministry of Environment & Forests to give a final opportunity to all States/Union territories to respond to the letter dated 27.5.2005 and that the State Governments send their proposals within four weeks, to the Ministry. It was also directed that all cases where environmental clearances were granted where activities are within 10 Kms zone, be referred to Standing Committee of NBWL.

2. Statutory Provisions

2.1 Section 5 C(1) of the Wildlife (Protection) Act, 1972 states that it shall be the duty of the National Board for Wildlife to promote the conservation and development of Wildlife and forests by such measures as it thinks fit.

2.2 Section 3 of the Environment (Protection) Act 1986 (EPA) gives power to the Central Government i.e. the Union Ministry of Environment and Forests to take all measures that it feels are necessary for protecting and improving the quality of the environment and to prevent and control environmental pollution. To meet this objective, the Central Government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards [Section 3(2)(v)]

2.3 Section 5(1) of the Environment (Protection) Rules, 1986 (EPR), states that the central government can prohibit or restrict the location of industries and carrying on certain operations or processes on the basis of considerations like the biological diversity of an area (clause v) maximum allowable limits of concentration of pollutants for an area (clause ii) environmentally compatible land use (clause vi) proximity to protected areas (clause viii).

3. Purpose for declaring Eco-Sensitive Zones:

The purpose of declaring Eco-sensitive Zones around National Parks and Sanctuaries is to create some kind of "Shock Absorber" for the Protected Areas. They would also act as a transition zone from areas of high protection to areas involving lesser protection. As has been decided by the National Board for Wildlife, the activities in the Eco-sensitive zones would be of a regulatory nature rather than prohibitive nature, unless and otherwise so required.

4. Extent of Eco-Sensitive Zones:

4.1 Many of the existing Protected Areas have already undergone tremendous development in close vicinity to their boundaries. Some of the Protected Areas actually lying in the urban setup (Eg. Guindy National Park, Tamil Nadu, Sanjay Gandhi National Park, Maharashtra, etc). Therefore, defining the extent of eco-sensitive zones around Protected Areas will have to be kept flexible and Protected Area specific. The width of the Eco-sensitive Zone and type of regulations will differ from Protected Area to Protected Area. However, as a general principle the width of the Eco-sensitive Zone could go upto 10 Kms around a Protected Area as provided in the Wildlife Conservation Strategy-2002.

4.2 In case where sensitive corridors, connectivity and ecologically important patches, crucial for landscape linkage, are even beyond 10 kms width, these should be included in the Eco-sensitive Zone.

4.3 Further, even in context of a particular Protected Area, the distribution of an area of Eco-sensitive Zone and the extent of regulation may not be uniform all around and it could be of variable width and extent.

5. Need for guidelines:

5.1 As has been indicated vide para 1.4 above, Hon'ble Supreme Court has vide their order dated 4th December 2006 directed all the State/Union Territory Governments to forward proposals for declaration of eco-sensitive zones around its Protected Areas. However, only States like Haryana, Gujarat, Mizoram, Meghalaya, Assam, Goa have forwarded proposals. However, several other States/Union Territories have not come forward, perhaps for want of guidelines in this regard.

5.2 In this context, it is pertinent to note here that Hon'ble Supreme Court vide their judgment dated 3rd December 2010 in the case relating to the construction of park at NOIDA near Okhla Bird Sanctuary filed by Shri Anand Arya & Anr vs. Union of India (I.A. Nos 2609-2610 of 2009) in Writ Petition (Civil) No. 202/1995, had noted that the State Government of Uttar Pradesh had not

declared Eco-sensitive zones around its Protected Areas as the Government of India had not issued any guidelines in this regard.

5.3 The Ministry of Environment & Forests had set up a committee under the Chairmanship of Shri Pronab Sen for identifying parameters for designating Ecologically Sensitive Areas in India. The said Committee had identified parameters for declaration of specific units of land/water etc as Ecologically Sensitive Zones based on parameters like richness of flora& fauna; slope; rarity & endemism of species in the area; origins of rivers etc. However, these parameters do not basically apply to the Eco-sensitive zones in the instant context, i.e around Protected Areas. In the instant case, the Eco-sensitive zones are meant to act as a "Shock absorbers"/ "transition zone" to the Protected Areas by regulating and managing the activities around such Protected Areas.

6. The procedure to be adopted :

6.1 As has been indicated in the forgoing paras, the basic aim is to regulate certain activities around National Park and Wildlife Sanctuary so as to minimize the negative impacts of such activities on the fragile ecosystem encompassing the Protected Area. As a first step towards achieving this goal, it is a pre-requisite that an inventory of the different land use patterns and the different types of activities, types and number of industries operating around each of the Protected Area (National Parks, Sanctuaries) as well as important Corridors be made. The inventory could be done by the concerned Range Officers, who can take a stock of activities within 10 km of his range.

6.2 For the above purpose, a small committee comprising the concerned Wildlife Warden, an Ecologist, an official from the Local Self Government and an official of the Revenue Department of the concerned area, could be formed. The said committee could suggest the:

- (i) *Extent of eco-sensitive zones for the Protected Area being considered.*
- (ii) *The requirement of such a zone to act as a shock absorber*
- (iii) *To suggest the best methods for management of the eco-sensitive zones, so suggested.*
- (iv) *To suggest broad based thematic activities to be included in the Master Plan for the region.*

6.3 Based on the above, the Chief Wildlife Warden could group the activities under the following categories (an indicative list of such activities is attached as ANNEXURE-1):-

- (i) *Prohibited*
- (ii) *Restricted with safeguards.*
- (iii) *Permissible*

6.4 Once the proposal for Eco-sensitive zones has been finalized, the same may be forwarded to the Ministry of Environment and Forests for further processing and notification. Here, it may be noted that, the State/Union Territory Forest Department could forward the proposals to the respective authority in the State Government with copy to the Ministry of Environment and Forests, as and when the proposals (even if it is for single Protected Area) are complete. An indicative list of details that need to be submitted along with the proposals is at ANNEXURE-2.

6.5 It is to mention here that in cases where the boundary of a Protected Area abuts the boundary of another State/Union Territory where it does not form part of any Protected Area, it shall be the endeavour of both the State/Union Territory Governments to have a mutual consultation and decide upon the width of the eco-sensitive zone around the Protected Area in question.

6.6 The State Government should endeavour to convey a very strong message to the public that ESZ are not meant to hamper their day to day activities, but instead, is meant to protect the precious forests/Protected Areas in their locality from any negative impact, and also to refine the environment around the Protected Areas. A copy of the notification of the Sultanpur Eco-sensitive Zone issued by the Ministry is attached herewith at ANNEXURE-3 for reference and guidance.

7. These guidelines are indicative in nature and the State / Union Territory Governments may use these as basic framework to develop specific guidelines applicable in the context of their National Parks, Wildlife Sanctuaries, important corridors, etc. with a view to minimizing and preferably eliminating any negative impact on protected areas.

ANNEXURE-1

Identification of Activities

While some of the activities could be allowed in all the eco-sensitive areas, others will need to be regulated / prohibited. However, which activity can be regulated or prohibited and to what extent, would have to be PA specific. A broad list of activities (this may need supplementation) which could be allowed, promoted, regulated or prohibited is given in the table below:

Sl. No.	Activity	Prohibited	Regulated	Permitted	Remarks
1.	Commercial Mining	Y			Regulation will not prohibit the digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal consumption
2.	Felling of trees		Y		With permission from appropriate authority
3.	Setting of saw mills	Y			
4.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.)	Y			
5.	Establishment of hotels and resorts		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals
6.	Commercial use of firewood	Y			For hotels and other business related establishment

Prohibited Regulated Permitted

		Prohibited	Regulated	Permitted	
7.	Drastic change of agriculture systems		Y		
8.	Commercial use of natural water resources including ground water harvesting		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.
9.	Establishment of major hydroelectric projects	Y			
10.	Erection of electrical cables		Y		Promote underground cabling
11.	Ongoing agriculture and horticulture practices by local communities			Y	However, excessive expansion of some of these activities should be regulated as per the master plan
12.	Rain Water harvesting			Y	Should be actively promoted
13.	Fencing of premises of hotels and lodges		Y		
14.	Organic farming			Y	Should be actively promoted
15.	Use of polythene bags by shopkeepers		Y		
16.	Use of renewable energy sources			Y	Should be actively promoted
17.	Widening of roads		Y		This should be done with proper EIA

					and mitigation measures
18.	Movement of vehicular traffic at night		Y		For commercial purpose
19.	Introduction of exotic species		Y		
20.	Use or production of any hazardous substances	Y			
21.	Undertaking activities related to tourism like over-flying the National Park area by any aircraft, hot-air balloons	Y			
22.	Protection of hill slopes and river banks		Y		As per the master plan
23.	Discharge of effluents and solid waste in natural water bodies or terrestrial area	Y			
24.	Air and vehicular pollution		Y		
25.	Sign boards & hoardings		Y		As per the master plan
26.	Adoption of green technology for all activities			Y	Should be actively promoted

ANNEXURE-2**GENERIC INFORMATIONS TO BE INCORPORATED IN THE
PROPOSALS FOR DECLARATION OF ECO-SENSITIVE ZONE
AROUND PROTECTED AREAS**

- (i) Delineation of the physical boundaries on a topo-sheet with precise description in geographic terms together with a description of the significant features/attributes that would potentially qualify the area as eco-sensitive zone. A description of the boundaries alongwith the list of villages with exception and exemption in the delineated buffer zone area.
- (ii) An inventory of the existing legal status of rights, entitlements, privileges and obligations of the local communities.
- (iii) A description of bio-diversity values including bio-geographical representatives, endemism, species richness, geo-morphological characteristics, and unique land use practices including aesthetic and cultural values.
- (iv) A description of the resource base indicating the economic potential and livelihood implication for the people residing in and around the proposed eco-sensitive area.
- (v) An inventory of activities to be regulated and/ or prohibited in the proposed eco-sensitive zone.
- (vi) List of the protected areas for declaring eco-sensitive zone.

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 Rana Pratap Singh,
S/o Shri Gajrajsingh,
Ram Balanpur, Jangi Ganj,
Gyanpur, Bhadohi, U.P.

8/12/21

Ref. No. /Parya/SEIAA/DEIAA-EC/2021

Date: 19 October, 2021

Sub: Transfer of EC issued vide letter no. 516/Parya(DEAC/DEIAA)/2018 dated 02.07.2018

Dear Sir,

Please refer to your letter dated 22-09-2021 addressed to the Chairman, SEIAA, Directorate of Environment, U.P., Lucknow on the subject as above. The case was considered in SEIAA meeting held on 30-09-2021.

SEIAA gone through letter of Shri Rana Pratap Singh, dated 22.09.2021 regarding transfer of Environmental Clearance to the above project issued vide letter no. 516/Parya(DEAC/DEIAA)/2018 dated 02.07.2018. SEIAA gone through file and documents and noted that the Environmental Clearance was issued to M/s Lalira Buildcon Pvt. Ltd. Smt. Roopa Mishra W/o Vishnu Kumar Mishra, 69, Anandlok near Kamla Neharu College Andrews Ganj, Defence Colony, South Delhi, Delhi. SEIAA noted that the previous lease issued to Smt. Roopa Mishra, vide letter no. 423/Khanij/balu/e-nivida/seh-e-nilami dated 08.05.2018 for a period of 5 years was cancelled vide DM, Bhadohi order no. 289/Khananlipik/2021 dated 28.04.2021 and another LOI was issued to Shri Rana Pratap Singh, S/o Shri Gajrajsingh, Ram Balanpur, Jangi Ganj, Gyanpur, Bhadohi vide letter no. 419/Khanij/balu/E-nivida/seh-e-nilami/2021 dated 15.09.2021 for 1,21,410 m³ capacity per annum. Hence SEIAA agreed to transfer Environmental Clearance issued vide letter no. 516/Parya(DEAC/DEIAA)/2018 dated 02.07.2018 for one year only from M/s Lalira Buildcon Pvt. Ltd. Smt. Roopa Mishra W/o Vishnu Kumar Mishra, 69, Anandlok near Kamla Neharu College Andrews Ganj, Defence Colony, South Delhi, Delhi to Shri Rana Pratap Singh, S/o Shri Gajrajsingh, Ram Balanpur, Jangi Ganj, Gyanpur, Bhadohi for 1,21,410 m³ capacity, adding some specific conditions. Area mentioned in the previous EC is being transferred only. If there is a change in geo-coordinates of the area then EC will be null and void. SEIAA added the following specific condition:-

1. Geo-coordinates of the previous lease should be submitted within one month.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. 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.
4. 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.
5. Replenishment study, duly approved by the competent authority for approving DSR for the district should be submitted within one year. In the absence of replenishment study keeping in mind various orders issued by Hon'ble NGT and development works in the State EC is accorded for a period of one year.



Transfer of EC issued vide letter no. 516/Paryav(DEAC/DEIAA)/2018 dated 02.07.2018

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.
7. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 4,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.

Rest all the content of Environmental Clearance letter no. 516/Paryav(DEAC/DEIAA)/2018 dated 02.07.2018 shall remain same.

There will be no second transfer of this EC. ↗



(Ajay Kumar Sharma)
Member Secretary, SEIAA

No..... /Paryav/SEIAA/DEIAA-EC/2020 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), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow - 226020 (email - roc2.lko-mef@nic.in)
4. Director, Geology & Mining, Uttar Pradesh, Khanij Bhawan 27/8, Raja Ram Mohan Rai Marg, Lucknow-226001 (email - dgmupexp@gmail.com)
5. District Magistrate, Bhadohi, Uttar Pradesh.
6. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email - ms@uppcb.com)
7. Copy to Web Master for uploading on PARIVESH Portal.
8. Copy for Guard File.

(Ajay Kumar Sharma)
Member Secretary, SEIAA

Office of Chairman DEIAA / District Magistrate
New Collectorate Sarpataha, Gyanpur,
Sant Ravidas Nagar, Bhadohi - 221304 U.P
Phone: 05414-251578

To,

M/s Lalira Buildcon Pvt. Ltd.

Smt. Rupa Mishra,

W/o Sh. Vishnu Kumar Mishra,

R.O- 69, Anand Lok near Kamla Nehru College, Andrewsganj,

Defence Colony, South Delhi, Delhi

Ref. No. 516 /Parya/DEAC/DEIAA/2018

Date 02/07/2018

Sub: Environmental Clearance for Sand Mining Project at Gata No. 103, Village-Ibrahimpur, Tehsil-Gyanpur, Bhadohi Uttar Pradesh (Area- 4.047 ha.)

Dear Sir,

Please refer to your application/letter dated 15-06-2018 addressed to the Member Secretary, DEAC/New Collectorate, Bhadohi, U.P. The District Level Expert Appraisal Committee considered the matter in the meeting held on dated 15-06-2018.

A presentation was made by the representative of the project proponent along with their consultant **M/s Fulgro Environmental & Engineering Services India Pvt. Ltd.** The proponent, through the documents submitted and the presentation made, informed the committee that:

1. The environmental clearance is sought for Sand Mining Project at Gata No. 103, Village-Ibrahimpur, Tehsil- Gyanpur and Distt-Bhadohi (Area- 4.047 ha.)
2. As per Form-1M and presentation made, collection of 1,21,410 cu.m./year of sand mining is proposed from lease area of 4.047 ha.
3. Mining Lease area was granted to the applicant organization M/s Lalira Buildcon Pvt. Ltd. Prop. Smt. Rupa Mishra, for a period of 05 years.
4. During operation the maximum no. of workers will not be more than 26 and that they will work for 225 numbers of working day.
5. The mining plan has been prepared by Sri Harish Chandra, M.sc.(Geology) & duly Approved by Directorate of Geology & Mining U.P. vide letter no 489/Mining Plan/2018 dated 05-06-2018.
6. Mining will be opencast type and will be carried out manually or semi mechanised.
7. The water requirement will be limited to 5.0 KLD (Domestic purpose 1.0 KLD and for dust suppression will be around 1.0 KLD & 3.0 KLD for plantation) will be supplied from the dug wells/bore wells from nearby villages.
8. The ultimate depth of mining will be restricted to 3.0 meter/water table, whichever is less.
9. 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.
10. 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.
11. No earth is to be excavated only sand shall be removed.
12. There is no litigation pending in any court regarding the project.
13. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
14. The project proposal fall under category 1(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the District Level Expert Appraisal Committee (meeting held on 15-06-2018) on the above said project, the District Level Environment Impact Assessment Authority (meetings held on dated 15-06-2018) has decided to grant the Environmental Clearance to the title project for collection of 1,21,410 cu.m./year is proposed from mining lease area 4.047 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 addition of the mining area, change of Khasra numbers, enhancement of capacity, change in mining technology, modernization and scope of working shall again require prior environmental clearance as per EIA notification, 2006.
4. No change in the calendar plan including excavation, quantum of mineral and waste shall be made.
5. Mining will be carried out as per the approved mining plan. In case of any violation of mining plan, the Environmental Clearance given by SEIAA will stand cancelled.
6. Four ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for RSPM, SPM, SO₂, NO_x monitoring. 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. The monitored data for criteria pollutants shall be regularly up loaded on the company's website and also displayed at website.
7. Data on ambient air quality (RPM, SPM, SO₂, NO_x) should be regularly submitted to the Regional office, MoEF, Gol, Lucknow and the State Pollution Control Board / Central Pollution Control Board once in six months.
8. Ambient air quality at the boundary of the mine premises shall confirm to the norms prescribed in MoEF notification no. GSR/826(E) dt. 16.11.09.
9. Fugitive dust emissions from all the sources shall be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points shall be provided and properly maintained.
10. Measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. shall be provided with ear plugs / muffs and health records of the workers shall be maintained.
11. Industrial wastewater (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluents.
12. Personnel working in areas shall be provided with protective respiratory devices like mask and they shall also be imparted adequate training and information on safety and health aspects.
13. Special measures shall be adopted to prevent the nearby settlements from the impacts of mining activities.
14. The transportation of the materials shall be limited to day hours time only.
15. Provision shall be made for the housing the labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
16. A separate Environmental Management Cell with suitable qualified personnel shall be setup under the control of a Senior Executive, who will report directly to the Head of the Organization.
17. The Project Proponent shall inform to the Regional Office, MoEF, Gol, Lucknow and State Pollution Control Board regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

18. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year wise expenditure shall be reported to the Regional Office MoEF, Directorate of Environment (U.P), Gol, Lucknow and State Pollution Control Board.
19. The Regional Office, MoEF, Directorate of Environment (U.P), Gol, Lucknow and State Pollution Control Board shall monitor compliance of the stipulated conditions. A complete set a documents including Environment Impact Assessment Report, Environmental Management Plan, Public hearing and other documents information should be given to Regional Office of the MoEF, Directorate of Environment (U.P), Gol, Lucknow and State Pollution Control Board
20. A copy of the environmental clearance shall be submitted by the Project Proponent to the Heads of the Local Bodies, Panchayat and Municipal Bodies as applicable in the matter.
21. The Project Proponent 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 District Level Environment Impact Assessment Authority (DEIAA).
22. The Project Proponent has to submit half yearly compliance report of the stipulated prior environmental clearance terms and conditions in hard and soft copy to the DEIAA Bhadohi, U.P. On 1st June and 1st December of each calendar year.
23. The DEIAA may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
24. 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.

Specific Conditions

1. Mining will be carried out strictly according to the approved mining plan.
2. River water Sprinklings should be used for dust suppression.
3. Approach road should be made motorable.
4. Plantation is to be made all along the approach road. As committed 150 trees should be planted at haulage road sides and nearby mine site.
5. Detail of works under CSR which has to be executed as above is to be submitted with an affidavit to the District magistrate / Chief Development officers, Bhadohi, U.P.
6. 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.
7. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
8. This environmental clearance does not create or verify any claim of applicant on the proposed site/activity.
9. This environmental clearance shall be subject to valid lease in favour of project proponent for the proposed mining proposals. In case, the project proponent does not have a valid lease, this environmental clearance shall automatically become null and void.
10. The Environmental clearance will be co-terminus with the mining lease period.
11. A comprehensive EIA including mining areas within 15 K.M. to assess impact of the mining activity on the surrounding area shall be undertaken and report submitted to this Authority within one year.
12. No two pits shall be simultaneously worked i.e before the first is exhausted and reclamation work completed, no mineral bearing area shall be worked.
13. After exhausting the first mine pit and before starting mining operations in the next pit, reclamation and plantation works in the exhausted pit shall be completed so as to ensure that reclamation, forest cover and vegetation are visible during the first year of mining operations in the next pit. This process will follow till the last pit is exhausted. Adequate rehabilitation of mined pit shall be completed before any new ore bearing area is worked for expansion.
14. Adequate buffer zone shall be maintained between two consecutive mineral bearing deposits.
15. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.

16. Green belt development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO / Agriculture Department. Herbs and shrubs shall also form a part of afforestation programme besides tree plantation. The company shall involve local people for plantation programme. Details of year wise afforestation programme including rehabilitation of mined out area shall be submitted to the Regional Office, MoEF, Directorate of Environment (U.P), Gol Lucknow, every year.
17. Blast vibrations study shall be conducted and a observation report submitted to the Regional office, MoEF, Directorate of Environment (U.P), Gol, Lucknow and UPPCB within six months. The report shall also include measures for prevention of blasting associated impact on nearby houses and agricultural fields.
18. Controlled blasting techniques with sequential blasting shall be adopted. The blasting shall be carried out in the day time only.
19. Appropriate arrangement for shelter and drinking water for the mining workers has to be ensured at the mining site.
20. Maintenance of village roads used for transportation of minerals are to be done by the company regularly at its own expenses. The roads shall be black topped.
21. Rain water harvesting shall be undertaken to recharge the groundwater source.
22. Status of implementation shall be submitted to the Regional Office, MoEF, Gol, Lucknow and UP Pollution Control Board within six months and thereafter every year from the next consequent year.
23. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geotextile matting or other suitable material, and thick plantations of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
24. Trenches / garland drains shall be constructed at foot of dumps and coco filters installed at regular intervals to arrest silt from being carried to water bodies. Adequate number of Check Dams and Gully Plugs shall be constructed across seasonal/perennial nullahs, if any flowing through the ML area and silts arrested. De silting at regular intervals shall be carried out.
25. Garland drain of appropriate size, gradient and length shall be constructed for both mine pit and for waste dump and sump capacity shall be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity shall also provide adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and de silted at regular intervals.
26. Ground and surface water, if any in and near the core zone (within 5.0 km of the lease) shall be regularly monitored for contamination and depletion due to mining activity and records maintained. The monitoring data shall be submitted to the Regional Office, MoEF, Gol, Lucknow and U.P.Pollution Control Board regularly. Further, monitoring points shall be located between the mine and drainage in the direction of flow of ground water shall be set up and records maintained.
27. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located nearest to sources of dust generation as applicable) and records submitted to the Regional Office, MoEF, Gol, Lucknow and U.P.Pollution Control Board regularly.
28. Baseline data for ambient air quality shall be generated and maintained and RSPM level in ambient air in the nearby human habitation (villages) shall also be monitored along with other parameters.
29. Transportation of minerals shall be done by covering the trucks with tarpaulin or other suitable mechanism so that no spillage of mineral/dust takes place.
30. Occupational health and safety measures for the workers including identification of work related health hazards, training on malaria eradication, HIV, and health effects on exposure to mineral dust etc. shall be carried out. Periodic monitoring for exposure to respirable mineral dust on the workers shall be conducted and records maintained including health records of the workers. Awareness programme for workers on impact of mining on their health and precautionary measures like use of personal equipment's etc. shall be carried out periodically.

Review of impact of various health measures shall be conducted followed by follow up action wherever required.

31. The project proponent will ensure for providing employment to local people as per requirement, necessary protection measures around the mine pit and waste dump and garland drain around the mine pit and waste dump.
32. Top soil / solid waste shall be stacked properly with proper slope and adequate safeguards and shall be utilized for backfilling (wherever applicable) for reclamation and rehabilitation of mined out area. Top soil shall be separately stacked for utilization later for reclamation and shall not be stacked along with over burden.
33. Over burden (OB) shall be stacked at earmarked dump site(s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 20 m, each stage shall preferably be of maximum 10 m and overall slope of the dump shall not exceed 35°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface run off.
34. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Regional Office, Ministry of Environment & Forests, GoI, Lucknow and U.P. Pollution Control Board on six monthly basis.
35. Slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by Indian Bureau of Mines.
36. Permission for abstraction of ground water shall be taken from Central Ground Water Board. Regular monitoring of ground and surface water sources for level and quality shall be carried out by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring shall be carried out four times in a year i.e. premonsoon (April - May), monsoon (August), post monsoon (November) and winter (January) and the data thus collected shall be regularly sent to MoEF, Central Ground Water Authority and Regional Director, Central Ground Water Board.
37. The waste water from the mine shall be treated to conform to the prescribed standards before discharging in to the natural stream. The discharged water from the Tailing Dam, if any shall be regularly monitored and report submitted to the Regional Office, Ministry of Environment & Forests, GoI, Lucknow, Central Pollution Control Board and the State Pollution Control Board.
38. Hydro geological study of the area shall be reviewed by the project proponent annually. In case adverse effect on ground water quality and quantity is observed mining shall be stopped and resumed only after mitigating steps to contain any adverse impact on ground water is implemented.
39. Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transportation of minerals and others shall have valid permissions as prescribed under Central Motor Vehicle Rules, 1989 and its amendments. The vehicles transporting minerals shall be covered with a tarpaulin or other suitable enclosures so that no dust particles / fine matters escape during the course of transportation. No overloading of minerals for transportation shall be committed. The trucks transporting minerals shall not pass through wild life sanctuary, if any in the study area.
40. Prior permission from the Competent Authority shall be obtained for extraction of ground water, if any.
41. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Regional office, Ministry of Environment & Forests, GoI, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
42. Project Proponent shall explore the possibility of using solar energy where ever possible.
43. Commitment towards CSR has to be followed strictly.
44. Regular health checkup record of the mine workers has to be maintained at site in a proper register. It should be made available for inspection whenever asked.
45. Project Proponent has to strictly follow the direction/guidelines issued by MoEF, CPCB and other Govt. Agencies from time to time.
46. The blasting will be done only after getting the permission from the Mining Department.

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.

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 DEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of DEIAA/MoEF. DEIAA 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.237 dated 15/01/2016, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.


Member Secretary,
DEIAA, Bhadohi, UP

Ref. No...../ Parya/DEAC/DEIAA/2018

Dated: / /2018

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. Chief Conservator, Ministry of Environment & Forests, Regional Office (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
4. Directorate of Environment, Uttar Pradesh, Vineet Khand-1, Gomti Nagar, Lcknow.
5. The Member Secretary, U.P. Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.
6. Director, Department of Geology & Mining, U.P. Lucknow.
7. Copy for Web Master/Guard file.


Member Secretary,
DEIAA, Bhadohi, UP

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 Girdhari Prasad Pathak,
R/o Village - Mahera, Tehsil - Bara,
District - Prayagraj, U. P.

Ref. No. 147/Parya/SEIAA/7893/2023

Date: 04/7 June, 2023

Sub: Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.).

Reference- MoEFCC Proposal no- SIA/UP/MIN/ 429327/2023 & SEIAA, U.P File no-7893

Dear Sir,

This is with reference to your application / letter dated 16-05-2023, 01-06-2023 on above mentioned subject. The matter was considered by 759th SEAC in meeting held 02-06-2023 and 742nd SEIAA in meeting held on 15-06-2023.

A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and Development, Lucknow, U.P to SEAC on 02-06-2023.

Project Details as submitted or informed by the Project Proponent and their Consultant

The project proponent, through the documents and presentation gave following details about their project –

1. The terms of reference is sought for "Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.), Shri Girdhari Prasad Pathak.
2. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	SIA/UP/MIN/ 429327/2023						
2.	File No. allotted by SEIAA, UP	7893						
3.	Name of Proponent	Shri Girdhari Prasad Pathak S/o Janardan Prasad Pathak						
4.	Full correspondence address of proponent and mobile no.	R/o Village - Mahera, Tehsil - Bara, District - Prayagraj, U. P.						
		Mobile no. –						
		E mail ID - pathaksand23@gmail.com						
5.	Name of Project	Environment clearance of proposed "riverbed Ordinary sand mining" having lease area- 4.047 ha along river Ganga at Gata no/Araji no.- 30 at Village-Purwa, Tehsil-Gyanpur, District- Bhadohi, U.P. of Shri Girdhari Prasad Pathak.						
6.	Project Location (Plot. Khasra/Gata No.)	Gata no/Araji no.- 30						
7.	Name of River	Ganga River						
8.	Name of Village	Purwa						
9.	Tehsil	Gyanpur						
10.	District	Bhadohi						
11.	Name of Minor Mineral	riverbed Ordinary sand mining						
12.	Sanctioned Lease Area (in Ha.)	4.047 ha						
13.	Max. & Min mRL within lease area	Highest mRL - 76.2 mRL Lowest mRL - 70.9 mRL Water level - 67.0 mRL						
14.	Pillar Coordinates (Verified by DMO)	<table border="1"> <thead> <tr> <th>Pillar No</th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Pillar No	Latitude	Longitude			
Pillar No	Latitude	Longitude						

Terms of Reference for Riverbed Ordinary sand mining* along river Ganga at Gata No./Araji No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.)

		A	25° 13' 17.13"N	82° 20' 43.51"E
		B	25° 13' 17.40"N	82° 20' 53.13"E
		C	25° 13' 11.58"N	82° 20' 52.81"E
		D	25° 13' 12.91"N	82° 20' 44.12"E
15.	Total Geological Reserves	2,02,420 m ³		
16.	Total Mineable Reserve	1,21,432 m ³		
17.	Total Proposed Production	1,21,410 m ³		
18.	Proposed Production /year (as per Loi)	1,21,410 m ³		
19.	Sanctioned Period of Mine lease	5 years from the lease deed execution		
20.	Method of Mining	Mining will be carried out by bar scalping or skimming method and mining operation shall be semi - mechanized (OTFM) using scrapers/EMM and chain/tyre mounted bulldozers for rescue & salvage (as per SSMG 2016).		
21.	No. of worker	29		
22.	Type of Land	Govt. Land		
23.	Depth of Mining	3.0 m (maximum)		
24.	Nearest metalled road from site	0.75 km		
25.	Water Requirement	PURPOSE		
		Drinking	- 0.29 KLD	
		Suppression of dust	- 9.00 KLD	
		Plantation	- 0.50 KLD	
		Others (if any)	- 0.00 KLD	
		Total	~ 10.00 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 – 105/Khanan lipik/2023 dated 26/04/2023		
29.	Details of Lease Area in approved DSR	Sr no 03, page no. 11		
30.	Project Cost	95.00 Lacs		
31.	Proposed CER cost	1.90 Lacs		
32.	Length and breadth of Haul Road	Length – 0.75 km, Breadth – 6.00 m		
33.	No. of Trees to be Planted	500		
34.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? Name of the court Case No. Orders/directions of the court, if any and its relevance with the proposed project.	Yes Name of the court- High court Allahabad Case No.- WRIT - C No. - 5860 of 2023 Orders/directions of the court- Pending		

3. 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.
4. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
5. 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.
6. There is no litigation pending in any court regarding this project.
7. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

SEAC / SEIAA discussed the matter and recommended to issue standard terms of reference prescribed by MoEFCC along with additional TOR for the preparation of EIA:

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.),

Additional TOR:

- 1- Since no intimation has been submitted regarding available monitoring data, hence data will be collected after issuance of ToR.
- 2- All pages of technical documents/EIA/EMP etc. should be signed by the consultant and project proponent both.
- 3- The lease area its address and production per annum should match with as mentioned in DSR and Lol. In case there is any difference clarification/ amendment letter from competent authority shall be submitted along with EIA. EIA and public hearing shall be conducted as per the lease area its address and production per annum mentioned in DSR and Lol.
- 4- Public hearing shall be conducted as per EIA notification, 2006 (as amended).
- 5- SEIAA opined that the project proponent shall submit permission of CGWA or proposal for alternative source of fresh water.
- 6- KML file for the area and mining lease area should be provided.
- 7- Status of leases granted/to be granted in various mining khands along with production since the formulation of DSR, duly certified by the competent authority should be submitted.
- 8- In case project proponent intends to temporarily store mined out material or any tools, equipment's or other material outside mine lease area then NOC from competent authority for doing so should be submitted and details of such area and associated Environmental impacts should be included in EIA-EMP report. This should also be clearly mentioned during public hearing.
- 9- Road network to be used by the project should be clearly shown on Survey of India toposheet in 1:50,000 scale. In case road network involves forest road, permission should be obtained from Forest Department and a copy of the same should be submitted at the time of appraisal of EIA-EMP report.
- 10- The project proponent should clearly spell out whether it is a green field or brown field project. In case it is a brown field project and -
 - (i) If the earlier and present lease holder are same then compliance report of previous EC should be submitted.
 - (ii) If the earlier and present lease holder are different then environmental footprint of the site and mitigation measures should be included in EIA-EMP report.
- 11- In case of expansion / renewal of earlier EC, following information should be submitted
 - a. Status of compliance of earlier EC conditions by Integrated Regional Office, MoEFCC, Gol, Lucknow.
 - b. Copy of CTE and CTO issued by SPCB.
 - c. Status of submission of six-monthly compliance report to EC granted earlier
 - d. Court cases, if any.
- 12- Observations raised in public hearing, replies submitted by project proponent, suitable modifications carried out in EIA-EMP report.
- 13- PP / consultant in compliance to Hon'ble NGT order dated 06.05.2022 in OA no. 141/2021 (With report dated 31.03.2022) Raj Kumar Vs. State of UP and Others and with OA no. 141/2021 Rajkaran Karn Vs. State of UP and Others, will submit replenishment study, duly approved by DGM, along with EIA-EMP report for seeking EC.
- 14- Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 5000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants below Uttar Pradesh Forest Department's survival rate will be treated as violation of EC condition.
- 15- In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 25 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
- 16- Along with the EIA-EMP report, PP / consultant will also submit in tabular form as to how they have addressed entire ToR while preparing draft EIA-EMP report for PH. Further, PP / consultant will submit in tabular form as to how they have addressed issues raised during public hearing and have incorporated

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village–Purwa, Tehsil: Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.),

- the same in final EIA-EMP report. A presentation to this effect should be made before SEAC at the time of EIA-EMP presentation.
- 17- NOC from Irrigation Department/Concerning Authority regarding river bed mining to be submitted at the time of EIA presentation.
 - 18- To ensure proper monitoring, the project proponent/consultant should provide evidence in form of (A) Raw Data (B) Logbook of their site visit along with activities carried out during monitoring (C) Real time photographs showing monitoring machine, public, lab person etc. Proprietor/proprietor representative should be present at the time of monitoring and monitoring should be conducted as per CPCB SOP/NABET/QCI guidelines. Lab responsible person should be present at the time of EIA presentation.
 - 19- EIA coordinator & FAE should give a notarized affidavit during EIA presentation that they have personally visited the site & they have also taken all the mitigating measures for any critical issues involved in the project.
 - 20- The project proponent will have to inform the schedule of monitoring/data collection programme to the SEIAA/SEAC, UP before start of data collection. In case of failure, the collected baseline monitoring data will be treated as null and void.
 - 21- The details of equipment used for baseline monitoring alongwith its photograph mentioning date, time and geo coordinates for preparation of EIA report should be clearly displayed to the people present during public hearing and the complete details related to monitoring period must be mentioned in the minutes of public hearing.
 - 22- Original lab analysis report of the project proposal along with EIA report should be uploaded on Parivesh Portal.
 - 23- Combined KML of all mines in a cluster should be submitted at the time of EIA.
 - 24- The project proponent/Consultant should identify the core & buffer zone (2.5 km) of the mining site.
 - 25- Agreement/ Consent between project proponent and competent authority/ landowner for haulage road from lease site to link road to be submitted at the time of EIA presentation.
 - 26- Proponent/ Consultant should submit the plan/information along with technology (photographs of water sprinklers/ tankers) to be implemented for mitigating dust at source points in lease area and haulage road during operation activity/vehicular movement. Technology should be displayed at the time of EIA presentation.
 - 27- Proposed plantation plan with area specific plant species, number of plants to be planted and place of plantation along with a proper map to be submitted at the time of EIA presentation.
 - 28- Water requirement details along with source of water and the permission/ agreement with the concerning authority/ person to be submitted at the time of EIA presentation.
 - 29- Proponent/consultant shall present TOR specific/additional conditions compliance, observation/suggestions raised during the public hearing and commitment made by the project proponent in a tabular form with a time bound plan at the time of EIA presentation.
 - 30- Corporate Social Responsibility (CSR) to be prepared as per the MoEF guidelines and present it at the time of EIA presentation.
 - 31- Submit the hydrological study report of lease area that the quantity given in Lol will be mined without affecting the geo-hydrology of the River.

Standard terms of reference:

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village--Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.),

- buffer zone).
- 5) Information should be provided in Survey of India Toposheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
 - 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
 - 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
 - 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
 - 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
 - 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
 - 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
 - 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
 - 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
 - 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
 - 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
 - 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
 - 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
 - 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled- I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Arail No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.)

- prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
 - 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
 - 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.
 - 22) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
 - 23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
 - 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
 - 25) Description of water conservation measures proposed to be adopted in the Project should be given.
 - 26) Details of rainwater harvesting proposed in the Project, if any, should be provided.
 - 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
 - 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater.
 - 29) Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
 - 30) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
 - 31) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
 - 32) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Araji No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.)

value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

- 33) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 34) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 35) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 36) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 37) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 38) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 39) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 40) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 41) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 42) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 43) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 44) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 45) Besides the above, the below mentioned general points are also to be followed:-
 - a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - e) Where the documents provided are in a language other than English, an English translation should be provided.
 - f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
 - h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than

Terms of Reference for Riverbed Ordinary sand mining" along river Ganga at Gata No/Arali No. 30 at Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P., (Leased Area- 4.047 ha.)

modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

- i) As per the circular no. J-11011/618/2010-IA.II(i) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include: (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

The final EIA report after incorporation of public hearing observations/comments should be submitted to the committee for further consideration of the matter.

You are advised to submit the EIA-EMP report incorporating recommendations of public hearing for further consideration of the matter as per procedure laid down in the Gazette Notification SO 1533(E) dated 14.09.2006 as amended. The matter will not be considered pending till your reply or EIA/EMP report is received.

This is issued with the approval of competent authority.



(Shruti Shukla)
Deputy Director, DoE, UP &
Nodal Officer, SEIAA, UP

No..... /Parya/SEIAA/7893 /2023 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), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – roc.lko-mef@nic.in)
4. District Magistrate, Bhadohi.
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.

(Shruti Shukla)
Deputy Director, DoE, UP &
Nodal Officer, SEIAA, UP



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

198330/UPPCB/Varanasi(UPPCBRO)/CTO/both/BHADOHI/2023

Date: 29/12/2023

To,

M/s

GIRDHARI PRASAD PATHAK

“Riverbed Ordinary sand mining” having lease area- 4.047 ha along river Ganga at Gata no/Araji no.-30 at Village–Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P.

Application Id-
23849747

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 **GIRDHARI PRASAD PATHAK** located at “Riverbed Ordinary sand mining” having lease area- 4.047 ha along river Ganga at Gata no/Araji no.-30 at Village–Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P.. 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 **GIRDHARI PRASAD PATHAK** granted for the period from **12/12/2023 to 31/12/2025** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Mineable Reserve	1,21,410	Cubic Meters/Year

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	01 KLD	Septic Tank	No Trade Effluent is allowed to Discharge

(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 :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
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(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
1	pH	As per E(P)A Rules, 1986
2	BOD (mg/L)	As per E(P)A Rules, 1986
3	TSS (mg/L)	As per E(P)A Rules, 1986
4	Fecal Coliform (MPN/100ml)	As per E(P)A Rules, 1986

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
1	Dust Emission During Manual Mining Transportation and Loading/unloading of Movable Reserve		1	Particulate Matter	As per E(P)A Rules, 1986

Emission Quality Standards

S No.	Stack no	Parameters	Standards
1	1	Particulate Matter	As per E(P)A Rules, 1986

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						
	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 result 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 Industrial 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 for production capacity Riverbed Ordinary Sand Mining at Gata no/Araji no-30, Leased Area 4.047 Ha (Production-Riverbed Ordinary Sand – 1,21,410 Cubic Meter/Annum, Village-Purwa, Tehsil- Gyanpur, District- Bhadohi, U.P. by Shri Girdhari Prasad Pathak.

2. The Project Proponent shall arrange the facilities to treat the domestic effluent either by septic tank or provide any mobile toilet facility. In no case proponent is allowed to discharge ant trade effluent from the lease area.

3. The Project Proponent shall install water sprinkling at different dust emission sources like mining area, by transportation and loading/unloading of sand.

4. The validity of this CTO is upto 31.12.2025 or valid with the validity of current mine plan or current lease period whichever is earlier. After this period this CTO will become null and void.

5. The all conditions mentioned in the environmental clearance issued by SEIAA vide. EC23B001UP122625 dated 08.12.2023 shall prevail.

6. Mining shall be done as per EC issued by SEIAA and directions given by Mining Department/District Administration.

7. Unit shall develop and maintain green belt as per the conditions of Environmental Clearance.

8. Unit shall not withdrawal ground water for any industrial activity without obtaining necessary permission from UPGWA.

9. Unit should operate and maintain installed water sprinkler system effectively and continuously to achieve the standards prescribed under E(P) Rules, 1986.

10. Unit shall submit ambient air monitoring reports of NABL accredited laboratory on quarterly basis to the Board.

11. All trucks, tractors used in transportation of sand/morrum shall be covered by canvas sheet to prevent dust emission.

12. Water will be sprayed after loading activity (if sand/morrum collected could be dry condition)

13. The dust suppression measures like water spraying will be done on the haul roads and working areas.

14. Industry should comply with the provisions of Hazardous and Other waste (Management & Trans boundary Movement) Rules 2016.

15. Solid waste should be disposed in such manner, so that no water, air and soil pollution takes place.

16. Industry shall abide by directions given by Hon'ble Court, MoEF&CC, Central Pollution Control Board and UPPCB for protection and safe guard of environment from time to time.

17. Consent fees if revised, shall be payable by industry from the date of its applicability.

18. Industry shall comply with the relevant provisions of Environmental Laws.

19. 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 CTO and attract action under the provisions of Law.

20. If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain suspended during the closure period and after ensuring the compliance and after revocation of closure order, the CTO will automatically be effective with additional conditions mentioned in the closure revocation order.

RAM
KARAN
Chief Environmental Officer
Digitally signed
by RAM KARAN
Date: 2024.01.10
17:14:05 +05'30'

Copy to:

Regional Officer, U.P. Pollution Control Board, Varanasi for information and necessary action.

Chief Environmental Officer, Circle-6
RAM
KARAN
Digitally signed
by RAM KARAN
Date: 2024.01.10
17:15:03 +05'30'



मिशन LiFE - पर्यावरण के लिए जीवन शैली (Lifestyle For Environment) जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइक्लिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाक्रीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है।



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी

UTTAR PRADESH POLLUTION CONTROL BOARD, VARANASI

संदर्भ सं० / Ref.No. 372/NGT OA No 135/2024/24-25

दिनांक / Date 18.07.2024

सेवा में,

मुख्य पर्यावरण अधिकारी (वृत्त-6),
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
टी०सी०-12वी, विभूति खण्ड, गोमती नगर
लखनऊ।

विषय :- मेसर्स गिरधारी प्रसाद पाठक, ग्राम-पुरवा की गाटा संख्या 30 रकबा 4.047 हेक्टेयर, तहसील-ज्ञानपुर, जनपद-भदोही के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-27(2) एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-21(4) के अन्तर्गत जारी कारण बताओ नोटिस दिनांक-29.05.2024 पुष्टि किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक राज्य बोर्ड, मुख्यालय, लखनऊ के पत्रांक एच.11618/सी-6/जल-531/वाराणसी/2024, दिनांक-29.05.2024 का संदर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के माध्यम से मेसर्स गिरधारी प्रसाद पाठक, ग्राम-पुरवा की गाटा संख्या 30 रकबा 4.047 हेक्टेयर, तहसील-ज्ञानपुर, जनपद-भदोही के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-27(2) एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-21(4) के अन्तर्गत निम्न कारण बताओ नोटिस जारी किया गया है :-

".....1 यह कि क्यों न जिलाधिकारी भदोही द्वारा पत्र दिनांक 03.01.2024 के माध्यम से खनन पट्टे को निरस्त किये जाने के फलस्वरूप आपके खनन पट्टे (मेसर्स गिरधारी प्रसाद पाठक, ग्राम-पुरवा की गाटा संख्या 30 रकबा 4.047 हेक्टेयर ज्ञानपुर भदोही) को राज्य बोर्ड के पत्र दिनांक 29.12.2023 द्वारा निर्गत संचालनार्थ सहमति (जल एवं वायु) में अधिरोपित विशिष्ट शर्त संख्या 04 के परिशिष्ट में रिवोक/खण्डित कर दिया जाये।"

कार्यालय अभिलेखानुसार, संदर्भित खनन परियोजना द्वारा उक्त कारण बताओ नोटिस के अनुक्रम में प्रत्यावेदन प्रेषित किये जाने की सूचना एवं प्रत्यावेदन इस कार्यालय में प्राप्त नहीं है।

अग्रतर मा० एन०जी०टी०, नई दिल्ली में योजित ओ०ए० संख्या 135/2024 खुशबू सिंह बनाम स्टेट ऑफ यू०पी० व अन्य में दिनांक-18.04.2024 को पारित आदेश के अनुपालन हेतु कार्यालय जिलाधिकारी, भदोही (खनिज अनुभाग) के पत्र संख्या 303/खनन लिपिक/2024, दिनांक 03.01.2024 द्वारा कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनों तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) साधारण बालू का खनन/परिवहन प्रतिबंधित करते हुए ऐसे खनन क्षेत्र, जो वर्तमान में खनन परिहार हेतु विज्ञापित/स्वीकृत/संचालित है, को एतद्वारा निरस्त किया गया है। उक्त क्षेत्र में उपरिसंदर्भित खनन परियोजना सम्मिलित है, जिसको राज्य बोर्ड के आनलाइन संदर्भ संख्या-198330/UPPCB/Varanasi(UPPCBRO)/CTO/both/BHADOHI/2023, दिनांक-29.12.2023 द्वारा सहमति (जल एवं वायु) आदेश दिनांक-31.12.2025 तक की अवधि हेतु निर्गत किया गया है। उक्त सहमति आदेश में अधिरोपित विशिष्ट शर्त संख्या-04 निम्नानुसार है:-

"4. The validity of this CTO is upto 31.12.2025 or valid with the validity of current mine plan or current lease period whichever is earlier. After this period this CTO will become null and void".

उपरोक्त संदर्भित खनन परियोजना को जारी सहमति आदेश दिनांकित-29.12.2023 में अधिरोपित विशिष्ट शर्त संख्या-04 तथा कार्यालय जिलाधिकारी, भदोही के उपरिसंदर्भित पत्र दिनांकित-03.01.2024 द्वारा खनन पट्टे निरस्त किये जाने सम्बंधी आदेश के आलोक में राज्य बोर्ड से जारी सहमति आदेश को रिवोक/खण्डित किये जाने की संस्तुति इस कार्यालय के पत्र दिनांक-08.06.2024 द्वारा राज्य बोर्ड मुख्यालय, लखनऊ प्रेषित की गयी थी। तत्कम में संदर्भित खनन परियोजना को कारण बताओ नोटिस दिनांकित-29.05.2024 निर्गत किया गया था।

अतः उपरोक्तानुसार उक्त खनन परियोजना को राज्य बोर्ड से जारी सहमति आदेश दिनांकित-29.12.2023 में अधिरोपित विशिष्ट शर्त सं०-04 तथा कार्यालय, जिलाधिकारी भदोही (खनिज अनुभाग) के उपरिसंदर्भित पत्र दि०-03.01.2024 के माध्यम से खनन पट्टा निरस्त किये जाने सम्बंधी प्राप्त सूचना के आलोक में उक्त संदर्भित प्रोजेक्ट M/s Girdhari Prasad Pathak "Riverbed Ordinary sand mining" having lease area-4.047ha along river Ganga at Gata no./Araji no. 30, at Village-Purwa, Tehsil-Gyanpur, District-Bhadohi के विरुद्ध राज्य बोर्ड के पत्र दिनांक 29.05.2024 के माध्यम से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-27(2) एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (यथासंशोधित) की धारा-21(4) के अन्तर्गत जारी कारण बताओ नोटिस की पुष्टि किये जाने की संस्तुति की जाती है।

भवदीय,

(यु०के० गुप्ता)
क्षेत्रीय अधिकारी

कार्यालय जिलाधिकारी, भदोही।
(खनिज अनुभाग)

संख्या: 303 / खनन लिपिक / 2024

दिनांक 03/01/2024

आदेश

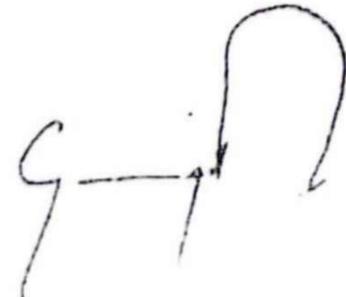
प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, प्रयागराज के पत्रांक सं० 2018/15-1 दिनांक 14.12.2023 द्वारा अवगत कराया गया है कि उत्तर प्रदेश शासन, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4 संख्या 346/81-4-2020-823/2008 टी०सी० लखनऊ दिनांक 17.03.2020 द्वारा वन्य जीव (संरक्षण) अधिनियम 1927 की धारा-18 की उपधारा (1) के अधीन श्री राज्य पाल महोदय द्वारा जनपद भदोही, प्रयागराज एवं मीरजापुर के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई में फैले क्षेत्र को कछुआ वन्य जीव विहार के रूप में स्थापित करने का घोषणा की गयी है।

अनुसूची

जिला	नदी का नाम	कछुआ वन्यजीव विहार का क्षेत्र
1	2	3
प्रयागराज, भदोही और मीरजापुर	गंगा	गंगा नदी के दोनो तटों से सीमा बद्ध गंगा नदी के मुख्य धारा का 30 कि०मी० लम्बाई में फैला क्षेत्र
सीमाएं	पूरब(नदी का अधो: प्रवाह)	ग्राम-बारीपुर उपरवार, ज्ञानपुर, जिला भदोही की राजस्व सीमा में- अक्षांश- 25.273769 देशान्तर- 82.287486
	पश्चिम(नदी का उर्ध्व प्रवाह)	ग्राम-कोठरी, मेजा, जिला-प्रयागराज की राजस्व सीमा में- अक्षांश- 25.215000 देशान्तर- 82.194814
	उत्तर	गंगा नदी का उत्तरी तट
	दक्षिण	गंगा नदी का दक्षिणी तट

उपरोक्त कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30कि०मी० लम्बाई में जनपद भदोही के तहसील-ज्ञानपुर के विभिन्न ग्रामों - बहुपुरा उपरवार, बकत उपरवार एन बारीपुर, बारीपुर उपरवार, भूरी उपरवार, चकिया उपरवार, छेछुआ उपरवार, हरिरामपुर उपरवार, पुरेदुखा, इतहरा उपरवार, कलिक मवैया उपरवार, कुण्डीकला उपरवार, कुण्डी खुर्द उपरवार, लखनपुर भदरान उपरवार, मरहाच उपरवार, मवैयावारा गोती उपरवार, मवैयात वसिंग उपरवार, नारेपर उपरवार, शेरपुर उपरवार, तरही उपरवार, तुलसी कला उपरवार, छेछुतारी, बनकरतारी एवं बारीपुर, भभौरी तारी, भुरौतारी, इतहरा तारी, कलिक मवैया तारी, कुण्डी कला तारी, कुण्डी खुर्द तारी, लखनपुर भदरौ तारी, मवैया थान सिंह तारी, सझरा तारी एवं हरिरामपुर तारी की सीमायें गंगा नदी की सीमा से मिलती हैं।

उपरोक्त सन्दर्भित शासनादेशानुसार वन्य जीव (संरक्षण) अधिनियम 1972 की धारा-18 बी के तहत जनपद के अन्तर्गत पड़ने वाले क्षेत्र हेतु कलेक्टर एवं उक्त वन्य जीव विहार को प्रभागीय वनाधिकारी, प्रयागराज के नियंत्रणाधीन रखने पर श्री राज्यपाल महोदय द्वारा स्वीकृति प्रदान की गयी है। मा० सर्वोच्च न्यायालय, नई दिल्ली में योजित रिट याचिका सं० 202/1995 (रिट पिटीशन सिविल) टी०एन० गोडावर्मन थिरूमलंकपाद बनाम यूनियन आफ इण्डिया एण्ड अदर्स में पारित आदेश दिनांक 03.06.2022 के बिन्दु सं० 44 (सी) में दिनांक 09.02.2011 के गाइडलाइन्स के सम्यक अनुपालन एवं उक्त आदेश दिनांक 03.06.2022 के बिन्दु सं० 44 (डी) में नेशनल पार्क व वन्य जीव सेन्चुरी में खनन कार्य को प्रतिबन्धित किया गया है। साथ ही उक्त आदेश के क्रम में वन्य जीव विहार, प्रयागराज की सीमा से बाहर कम से कम 01 कि०मी० की दूरी तक के क्षेत्र को ईको सेन्सिटिव जोन बनाया जाना है जो प्रकिया में है। मा० सर्वोच्च न्यायालय के आदेशानुसार ईको सेन्सिटिव जोन का निर्धारण न होने की दशा में 10 कि०मी० की परिधि को ईको सेन्सिटिव जोन माना जायेगा। उक्त वन्य जीव विहार में कछुओं व अन्य जलीय जीवों के संरक्षण हेतु गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई में फैले क्षेत्र में व इसी सीमा से बाहर कम से कम 10 कि०मी० की परिधि को (ईको सेन्सिटिव जोन) में बालू खनन हेतु कोई नवीन खनन पट्टा स्वीकृत न किये जाने तथा पूर्व में स्वीकृत बालू खनन पट्टों को तत्काल निरस्त किये जाने की कार्यवाही की जाए।



अतः प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, प्रयागराज के पत्रांक सं० 2018/15-1 दिनांक 14.12.2023 तथा भा० सर्वोच्च न्यायालय के उक्त आदेश व सन्दर्भित शासनादेश के अनुपालन में जनपद भदोही के तहसील-ज्ञानपुर के विभिन्न ग्रामों - बहुपुरा उपरवार, बकत उपरवार एन बारीपुर, बारीपुर उपरवार, भूरी उपरवार, चकिया उपरवार, छेछुआ उपरवार, हरिरामपुर उपरवार, पुरेदुखा, इतहरा उपरवार, कलिक मवैया उपरवार, कुण्डीकला उपरवार, कुण्डी खुर्द उपरवार, लखनपुर भदरान उपरवार, मरहाच उपरवार, मवैयावारा गोती उपरवार, मवैयात वसिंग उपरवार, नारेपर उपरवार, शेरपुर उपरवार, तरही उपरवार, तुलसी कला उपरवार, छेछुतारी, बनकरतारी एवं बारीपुर, भभौरी तारी, भुरौतारी, इतहरा तारी, कलिक मवैया तारी, कुण्डी कला तारी, कुण्डी खुर्द तारी, लखनपुर भदरौ तारी, मवैया थान सिंह तारी, सझरा तारी एवं हरिरामपुर तारी की सीमायें गंगा नदी की सीमा से मिलती है, में कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) में साधारण बालू का खनन/परिवहन प्रतिबन्धित करते हुए ऐसे खनन क्षेत्र जो वर्तमान में खनन परिहार हेतु विज्ञापित/स्वीकृत/संचालित है, को एतद्वारा निरस्त किया जाता है।

(गौरांग राठी)
जिलाधिकारी,
भदोही।

संख्या व दिनांक उपरोक्तानुसार।

प्रतिलिपि- निम्नलिखित को सादर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. प्रमुख सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. प्रमुख सचिव, वन, पर्यावरण एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन लखनऊ।
3. मुख्य वन संरक्षक, दक्षिणी क्षेत्र उ०प्र०, प्रयागराज/मण्डलीय मुख्य वन संरक्षक, मीरजापुर क्षेत्र, मीरजापुर।
4. मण्डलायुक्त, विंध्याचल मण्डल, मीरजापुर।
5. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, खनिज भवन, लखनऊ।
6. प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, प्रयागराज को इस आशय से प्रेषित कि जनपद भदोही में कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) में साधारण बालू का खनन/परिवहन न होने पाये, के दृष्टिगत सम्बन्धित को अपने स्तर से भी निर्देशित करें।
7. प्रभागीय वनाधिकारी, वन्य जीव, वन प्रभाग, भदोही को इस निर्देश से प्रेषित कि जनपद भदोही में कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) में साधारण बालू का खनन/परिवहन न हो।
8. प्रभागीय वनाधिकारी, भदोही को इस निर्देश से प्रेषित कि जनपद भदोही में कछुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) में साधारण बालू का खनन/परिवहन न हो।
9. गंगा नदी के दोनो तटों से आबद्ध 30 कि०मी० लम्बाई क्षेत्र में व इसकी सीमा से बाहर कम से 10 कि०मी० तक (ईको सेन्सिटिव जोन) में आने वाले समस्त खनन पट्टाधारक/संचालक जनपद भदोही।

जिलाधिकारी,
भदोही।

(2)

कार्यालय जिलाधिकारी, प्रयागराज।
पत्रांक- / दिनांक, प्रयागराज, जून 20, 2024।
सेवा में

1- सगस्त उप जिलाधिकारी, प्रयागराज।
2- जिला खनन अधिकारी, प्रयागराज।

विषय:- जलपद-प्रयागराज, भदोही एवं मिर्जापुर अन्तर्गत गंगा नदी के दोनों तटों से आबद्ध 30 किमी तक फैले क्षेत्र जिसे 2020 शासन की अधिसूचना सं०-346/81-4-2020-823/2008 टी०सी०, दिनांक-17.03.2020 द्वारा कच्छुआ वन्य जीव विहार घोषित किया गया है में बालू खनन, मत्तदाधारकों द्वारा बालू खनन प्रतिबन्धित किये जाने के सम्बन्ध में।

सन्दर्भ:- उत्तर प्रदेश शासन पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4 संख्या-346/81-4-2020-823/2008 टी०सी० लखनऊ, दिनांक 17.03.2020 एवं उत्तर प्रदेश शासन पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4 का पत्रांक-502/81-4-2020, दिनांक-23.06.2020

अधगत कथना है कि उत्तर प्रदेश शासन पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4 संख्या-346/81-4-2020-823/2008 टी०सी० लखनऊ, दिनांक 17.03.2020 द्वारा वन्य जीव (संरक्षण) अधिनियम-1972 की धारा-16 की उपधारा (1) के अधीन श्री राज्य फल महोदय द्वारा जनकपुर-भदोही, प्रयागराज एवं मिर्जापुर से अन्तर्गत गंगा नदी के दोनों तटों से आबद्ध 30 किमी० लम्बाई में फैले क्षेत्र को कच्छुआ वन्य जीव विहार के रूप में स्थापित करने का घोषणा की गयी है।

अनुसूची

जिला:	नदी का नाम	कच्छुआ वन्यजीव विहार का क्षेत्र
1	2	3
प्रयागराज, भदोही और मिर्जापुर	गंगा	गंगा नदी के दोनों तटों से आबद्ध गंगा नदी के मुहाने द्वारा 30 किमी० लम्बाई में फैला क्षेत्र
सीतापुर	पूर्व (नदी का अग्रे प्रवाह)	ग्राम-बांसीपुर उपरहार, झंझपुर, जिला-भदोही की राजस्व सीमा में- अक्षांश- 25.273789 देशान्तर- 82.287488
	पश्चिम (नदी का उत्तरी प्रवाह)	ग्राम-कांठरी, मंजा, जिला-प्रयागराज की राजस्व सीमा में- अक्षांश- 25.215000 देशान्तर- 82.194814
	उत्तर	गंगा नदी का उत्तरी तट
	दक्षिण	गंगा नदी का दक्षिणी तट

उपरोक्त कच्छुआ वन्य जीव विहार के अन्तर्गत गंगा नदी के दोनों तटों से आबद्ध 30 किमी० लम्बाई में जनकपुर-प्रयागराज के चरनील-मंजा के विभिन्न ग्रामों-कोठरी, आरौला, धौकला मरहर, धौकला उपरहार, कुलना उपरहार, बभनी देवार, देरुवा, उमापुर, डेगुपुर, मरेवासुर्द, मटौभाकला, रादपुर कछार, बादपुर उपरहार, बांसीपुर कछार एवं बांसीपुर उपरहार की सीमाएं गंगा नदी की सीमा से मिलती हैं।

उत्तर प्रदेश शासन पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-4 का पत्रांक-502/81-4-2020, दिनांक-23.06.2020 द्वारा वन्य जीव (संरक्षण) अधिनियम-1972 की धारा-16-बी के तहत जिलाधिकारी, प्रयागराज जनकपुर से अन्तर्गत करने वाले क्षेत्र हेतु कलेक्टर एवं उत्तर वन्य जीव विहार को प्रसंगीय उपाधिकारी, प्रयागराज के नियंत्रणधीन रखने पर श्री सचिवराज महोदय द्वारा स्वीकृति प्रदान की गयी है। यह सर्वोच्च न्यायालय, नई दिल्ली में पंजीकृत रिट याचिका सं०-202/1095 (रिट पेटिशन सिविल) टी०एन० मोहावरन विरुद्धलक्ष्मण बनान मुनियन और इन्डिया एण्ड अदर्स में पारित आदेश दिनांक-03.08.2022 के बि-ड

सं-४४ (सी) में दिनांक-09.02.2011 के गाइडलाइन्स के सम्यक अनुपालन एवं उक्त आदेश दिनांक 03.06.2012 के दिनु सं० ४४ (डी) में नारायण पर्व व वन्य जीव संरक्षी में खनन कार्य को प्रतिबंधित किया गया है। उक्त आदेश के क्रम में वन्य जीव विहार, प्रयागराज की सीमा से बाहर ईको सेंसिटिव जोन (ESZ) के निर्माण की कार्यवाही प्रक्रिया में है। माधु सर्वोच्च न्यायालय के आदेशानुसार ईको सेंसिटिव जोन का निर्धारण न होने तक 10 किमी की परिधि को ईको सेंसिटिव जोन माना जाएगा।

अतः उपरोक्त तथ्यों के आलोक में आपका निर्देशित किया जाता है कि कछुआ वन्य जीव विहार में कछुओं व अन्य जलजीव जीवों के संरक्षण हेतु सगरे नदी के दोनों तटों से अव्यक्त जंगल-प्रयागराज की सीमा में स्थित कछुआ वन्यजीव विहार क्षेत्र व इनकी सीमा से बाहर कम से कम 10 किमी तक (ईको सेंसिटिव जोन) में बालू खनन/खनन/अन्य श्रेणियों गतिविधियों (पेया शिकार आदि) की संक्रिया पर रोक लगाते हुए खनन पाये जाने की दशा में खनन कर्ताओं के विकल्प कठोर विधिक कार्यवाही सुनिश्चित करें तथा बालू खनन हेतु कोई नवीन खनन पट्टा स्वीकृत न किया जाये और पूर्व स्वीकृत बालू खनन पट्टों को तत्काल निरस्त करने की कार्यवाही करते हुए अधीनस्थानों को अवगत करावें। साथ ही यह भी सुनिश्चित करें कि नए स्थापित कछुआ वन्य जीव विहार में वन्य जीव अधिनियम के प्रावधानों एवं माधु सर्वोच्च न्यायालय व माधु राष्ट्रीय हरित अधिकरण, नई दिल्ली के आदेशों का किसी तरह का उल्लंघन न होने पाये।

(नवनीत सिंह बहल)
जिलाधिकारी,
प्रयागराज।

पत्रांक 4439/ दिनांकित।

प्रतिलिपि- प्रभागीय जनाधिकारी, प्रयागराज को सूचनाएँ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(नवनीत सिंह बहल)
जिलाधिकारी,
प्रयागराज।

OA NO. 267/2024 KHUSBU SINGH VS STATE OF UP

Photographs of Mining site in District Bhadohi.

