

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH  
ORIGINAL APPLICATION NO. 203 OF 2021  
IN THE MATTER OF :**

DEVIDAS KHATRI

..... APPLICANT

VERSUS

UNION OF INDIA AND OTHERS

.... RESPONDENTS

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**Place:** New Delhi

**Date:** 18.01.2024

**FILED BY:**

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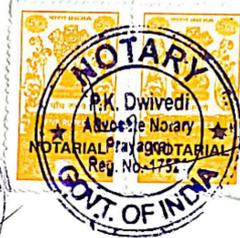
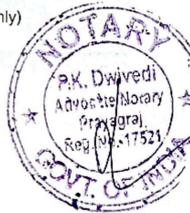


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*SANJAY PATEL*  
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Certificate No.	: IN-UP33107957564881W
Certificate Issued Date	: 11-Jan-2024 02:52 PM
Account Reference	: NEWIMPACC (SV)/ up14347504/ PRAYAGRAJ SADAR/ UP-AHD
Unique Doc. Reference	: SUBIN-UPUP1434750462202427423737W
Purchased by	: RAJEEV KUMAR CHAWLA
Description of Document	: Article 4 Affidavit
Property Description	: Not Applicable
Consideration Price (Rs.)	:
First Party	: RAJEEV KUMAR CHAWLA
Second Party	: Not Applicable
Stamp Duty Paid By	: RAJEEV KUMAR CHAWLA
Stamp Duty Amount(Rs.)	: 10 (Ten only)



11/01/24

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**Uthagi Tarhar Mines**

*Rajeev Kumar*  
**Rajeev Kumar Chawla**

Statutory Alert:

1. This certificate of the Statutory Alert should be used for the purpose of the Statutory Alert only and not for any other purpose.

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 203 OF 2021

IN THE MATTER OF:

DEVIDAS KHATRI ..... APPLICANT

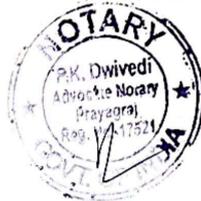
VERSUS

UNION OF INDIA AND OTHERS ....RESPONDENTS

OBJECTIONS TO JOINT COMMITTEE  
REPORT DATED 23.02.2023 ON BEHALF  
SHRI RAJIV KUMAR CHAWLA  
REGARDING HIS MINING LEASE AT  
VILLAGE UTHAGI TARHAR, TEHSIL  
BARA, DISTRICT PRAYAGRAJ

I, RAJIV KUMAR CHAWLA, son of Sri Surendra Kumar Chawla, aged around 53 years, resident of 11 Church Lane, Allahabad presently at New Delhi do solemnly affirm on oath as under:

1. That the deponent is project proponent and lease holder of 3.59 hectare (8.89 acres) of land at Plot No. 377M, Village Uthagi Tarhar, Tehsil Bara, District Prayagraj for mining of silica sand from the said lease area. Being owner and lease holder deponent is well aware of the



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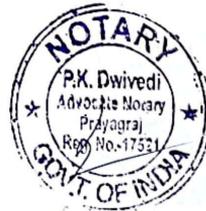
circumstances and facts of the present case and hence competent to swear the present affidavit.

2. That in the joint committee report filed before this Hon'ble Tribunal with letter dated 23.02.2023 observations are made against the deponent alleging non-compliance and violations of the environmental laws and proposing for imposing of environmental compensation. The deponent has gone through the entire report of the joint committee and he is, thereafter, giving a reply to the said report of the joint committee dated 23.02.2023.
3. That before making the reply on the observations made by the joint committee in its report dated 23.02.2023 the deponent herein raises the following preliminary objections against the inspection report under reply:
4. **Preliminary Objection:-**
  - 4.1. That it is submitted that the joint committee report under reply is null and void and deserves to be rejected being not admissible for the reason that the same is not in consonance with the order passed by this Hon'ble Tribunal on 01.08.2022. This Hon'ble Tribunal has by order dated 17.05.2022 constituted a high level committee of 5 members consisted of Regional Directors of MOEF

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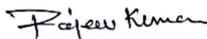
Rajeev Kumar Chawla



and CPCB, Member Secretary UPPCB, District Magistrate Prayagraj and a nominee of India Bureau of Mines as members. However, the report under reply is not submitted by the joint committee constituted of members as directed but of members much junior to them.

- 4.2. That a perusal of the report will reveals that the report is prepared as well as submitted by the members' junior in rank than the ones appointed by Hon'ble Tribunal. Moreover, a persual of the last page of report will also reveal that signatures were also made on three separate sheets on different dates online suggesting that report was not jointly prepared and signed but signed by receiving the last page online and providing the scanned copy of the same to be attached with the report.
- 4.3. That the report does not contains the signatures of all the members of the joint committee on all pages and none of the annexures attached with the report are signed by the said members, thus making the same not admissibile.
- 4.4. That it is further submitted that in light of existing report of joint committee of Divisional Commissioner, who were also higher in rank to the

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present members, this report loses its authenticity. Hence, it is submitted that there is no reason for relying on the said report hence it should be rejected.

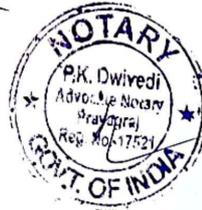
- 4.5. That it is further submitted that as per the report, joint committee has conducted field visits on 01.09.2022 and 02.09.2022 and then from 16.11.2022 to 18.11.2022. However, it is submitted that the deponent is not aware of any such inspection as neither the deponent was informed of the said dates or timing and hence the deponent denies all the allegations made in report on basis of such inspection in violation of natural justice.
- 4.6. That even in the report no specific date and time is given when the joint committee have visited and inspected the mines of deponent. Also, in view of the fact that report is not joint signed it also becomes doubtful whether entire team or few member of committee have inspected the mines. Thus, the report deserves to be rejected.

**5. Reply to the Joint Committee Report**

- 5.1. That at the outset contents of paragraph no. 5 of joint committee report is denied. The deponent has not committed any illegality in his mining

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activity and there has not been any non-compliance by the deponent. It is further submitted that contents of the paragraph are general in nature and does not specifically hold deponent liable for the alleged non compliances. The deponent is duly operating his silica sand mines under the lease renewal granted to him for 20 years. Deponent submits as under in further reply to the para 5 of the joint report.

5.1.1. That the lease of the area for mining of silica sand was initially in name of the father of deponent. The lease renewal application dated 08.04.2010 was filed by father of deponent and the same was duly renewed. However, on 25.11.2011 father of the deponent passed away and hence by a Government Order dated 08.07.2014 the lease was transferred in name of the deponent since 26.11.2011. A copy of the Government Order dated 08.07.2014 transferring the lease from 26.11.2011 in name of the deponent is herewith made as **ANNEXURE R-1.**

5.1.2. That on 08.07.2014 the deponent was granted exemption from Environment

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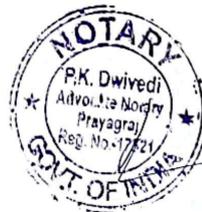
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Clearance from the State Level Expert Appraisal Committee, Uttar Pradesh for silica sand mining at Khasra no. 377M, Vill. Thagi Tarhar, Taluka Bara, District Allahabad. U.P. area 3.59 hectare. The committee came to the finding that the area of deponent being less than 3.59 hecatres and engaged in mining of silica sand which is minor mineral and exempted under the EIA notification. Letter was accordingly issued to the deponent. A true copy of the EC exemption from the UP SEIA dated 08.07.2014 is ANNEXURE R-2

5.1.3. That the mining plan for mining in vill. Uthagi in 8.89 acres or 3.59 hectare was got by the concerned authority on 13.05.2016. The mining plan was approved for a period of 5 years. The said mining plan provided for mining of 52325 tons, 52800 tons, 59981 tons, 60000 tons and 60000 tons in 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> years, respectively. After the expiry of the said mining plan a fresh mining plan was approved by the Director, Geology and Mines Directorate on 08.01.2022. A true copy of the mining plan dated 13.05.2016 and 08.01.2022 is

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attached herewith and marked as ANNEXURE R-3 and ANNEXURE R-4, respectively.

5.1.4. That it is submitted that as required by the EIA Notification the deponent has obtained a valid Environment Clearance from the District Level Environment Impact Assessment Authority on 06.06.2016. In condition no. 5 the EC was approved for mining of silica sand for 52325 tons, 52800 tons, 59981 tons, 60000 tons and 60000 tons in 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> years, respectively. A true copy of the EC from the DEAC dated 06.06.2016 is attached herewith and marked as ANNEXURE R-5.

5.1.5. That pursuant to EC, deponent also obtained the required permission and CTOs under Air Act from UP Pollution Control Board for its mining operations. The present CTO was obtained on 29.03.2020 and is valid upto 21.12.2024. It is submitted that CTO specifically provided that the same is for approved capacity of mining silica sand as per the condition no. 5 of the

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DEIAA, Prayagraj Dated 06.06.2016. The deponent has on 18.04.2018 paid a sum of Rs. 1,10,000 to the Regional Officer, UPPCB towards CTO fee and late fees for five years from 2014 to 2018 and for 2018 to 2019. Thus, allegations in report to the contrary are false. A copy of the cheques paid for the CTO from 2014 to 2018 and CTOs from dated 20.05.2018 and 29.03.2020 is attached herewith and marked as ANNEXURE R-6, ANNEXURE R-7 & ANNEXURE R-8.

- 5.1.6. That in addition to the above stated fact it is pertinent to mention here that there has never been any complaint or any proceeding against the deponent for violation of the emission standards. There has been no emission of pollutants from mining more than the permissible limits and all the necessary steps to keep emission standards within the limit has been taken, like sprinkling of water, covering of mined materials, plantation to keep soil bind together.

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5.1.7. That ex post facto grant of EC was upheld by Hon'ble Supreme Court in cases of **Electrosteel Steels India Ltd. v. Union of India**, Civil Appeal No. 7576-7577 of 2021 decided on 09.12.2021, **Pahawa Plastic Ltd. Dastak NGO**, Civil Appeal No. 4795 of 2021 decided on 25.03.2022, **D. Swamy v. Karnataka State Pollution Control Board**, Civil Appeal No. 3132 of 2018 decided on 22.09.2022. The Hon'ble Supreme Court has held that that ex post facto clearances and/or approvals and/or removal of technical irregularities in terms of a notification under the EP Act cannot be declined with pedantic rigidity, oblivious of the consequences of stopping the operation of mines, running factories and plants. In light of the said judgement it can be concluded that in case where no violations of emissions standards were found and CTO was ex-post facto granted no fault can be assigned to the project proponent like deponent in present case.

5.1.8. That the deponent has been carrying on the mining operations in strict compliance of

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law and there has been attempt on part of the deponent to violate any condition of law in this respect. The deponent has never mined any area other than his mining lease. The report under reply does not point out any such illegal mining beyond the mining area as against the deponent. Hence, the said allegations are not correct. The allegations also being based on alleged inspection as objected in preliminary submission deserves to be rejected. The allegations against the deponent at pg 257 regarding illegal production in year 2017-18 is incorrect. The Deponent has duly applied and also made the payment for the CTO, moreover, there has been no emission above the standard quantity. Hence, absence of CTO was mere an irregularity and not illegality. Moreover, the quantity specified in the table at page 257 is also not admitted as the same is not obtained from the deponent. As evident from page 231 the entire data of production was allegedly received on whats app from DMO. Hence, being unaware of the data sent and the record from which it was sent the deponent denies the said data.



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5.1.9. That even from the observation of the joint committee in para no. 5.10, 5.11 and 5.16 it is evident that deponent has not been mining outside the lease area as from long mining is being done around the said area by others. It is also submitted that neither the SEIAA nor UPPCB reported encroachment by the deponent upon land outside the lease site. The District Mining Officer was also not informed of any unauthorized mining outside the lease site Village Uthagi Tarhar in violation of the conditions of Mineral Concession Rules and EC granted by the SEIAA. The allegations against all the leaseholders are identical in nature and hence the same are repetitions in futility. It is the specific case of the deponent that the Committee has neither demarcated the illegal mining site nor recorded the statement of villagers during inquiry. There is no report of any officer from the Department of Mines and Geology or the Department of Forest that would indicate any illegal mining being conducted by the deponent beyond the leased site. The lease site of the deponent is

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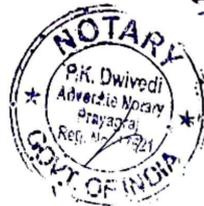
surrounded by the expired leases and, therefore, the deponent is not responsible for illegal mining outside the allocated lease site. Thus, allegations against the deponent are baseless and not correct.

5.1.10. At the cost of re-petition it is submitted that allegation of mining outside lease area is factually incorrect inasmuch as it is the specific case of the deponent that the Joint Committee has neither demarcated the illegal mining site nor recorded the statement of villagers during inquiry. There is no report of any officer from the Department of Mines and Geology or the Department of Forest that would indicate any illegal mining being conducted by the deponent beyond the leased site. The lease site of the deponent is surrounded by the expired leases and, therefore, the deponent is not responsible for illegal mining outside the allocated lease site.

5.1.11. The Final Report is in nature of recommendations large focused on regulating the mining operations and preventing the illegal mining. As submitted

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hereinabove, the deponent is a law abiding citizen and has complied with the requirement of law while carrying out its mining operations. If this Hon'ble Tribunal deems it fit to issue further guidelines, based on the recommendations submitted by the Joint Committee, for initiating certain measures to strictly observe the letter of law while operation its mining activities, it would respectfully and dutifully abide by the same.

- 5.1.12. That allegations of excess mining in report under reply is also general in nature. The deponent has mined only as per the conditions and approvals in EC. The column "x" at page 231 of the report itself shows that the deponent has achieved far less than proposed tons of production in each year. Though deponent does not confirm to the data showed, however, being a submission in report on part of the committee same is binding as against it. In respect of the excess production for year 2022-23 it is clearly baseless as the mining plan was approved on 08.01.2022 for five

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years for 60,000 mt per yr. Hence, there is no excess production by deponent.

5.1.13. The allegations of non-compliance of EC conditions, mining plan and CTO by the lease holder are general in nature and not specifically against the deponent. Hence, the same are not admissible. The report under reply does not specifically point the conditions of the mining plans, EC or CTO that is being violated. The deponent still submits that he has been doing plantation around the mining area but being a dry rock region most of plants do not survive. So far as operation of washing plant, dryers within lease area is concerned the deponent denies the allegations. This is because the deponent is not carrying on a washing plant in the lease site, as alleged by the Committee. However, it is submitted that neither the EC, nor mining plan nor CTO of the deponent states any such condition. Deponent has technically qualified employees, pillars are also erected. The environmental mitigation measures enumerated in Environmental Management Plan have been implemented

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in letter and spirit. The photographs of the plantation activity carried out, sign board with pillars is attached herewith and marked as ANNEXURE R-9, and ANNEXURE R-10.

- 5.1.14. That the column no. "xi" at page 231 alleges about the requirement of DGPS or Differential Global Positioning System not done by the deponent. It is submitted that the allegations are misleading for two reasons, (i) same is not a condition in EC or mining plan (ii) requirement for DGPS survey is mandatory for major minerals only and silica sand is minor mineral. The other allegations of mining not being done as per approved mining plan the same is absurd and highly incorrect. The report fails to state specifically what is being violated as per the mining plan. Lastly, contravention of conditions of mining plan does not attract environmental compensation and only Rule 59 of the U.P. Minor Minerals (Concession) Rules 1963 will apply. Hence, report under reply has made observation irrelevant in present proceedings.

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5.1.15. That in respect of column no. "xii" at page 231 it is submitted that:

- Allegation of over production in year 2022-23 has already been replied above.
- Regarding peripheral fencing of excavated area it is submitted that *firstly* there is no such condition in the EC of deponent *secondly* the deponent has still done peripheral fencing and contrary observation in report are mere bald statement.
- Deponent has provided all the protective gears to his workers apart from the safety training. Due to warm and hot climate workers avoid wearing the same, however, deponent has strict policy of employee safety.
- Regarding establishing nor conducting monitoring parameters at site is baseless as the deponent has been monitoring the same regularly while the

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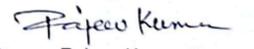
report under reply makes merely bald allegations.

- There is no condition of monitoring groundwater level or its quality in EC of deponent. Hence, any such observation to be based on EC is misleading. It is, however, that deponent hasnot done mining to the depth of level of underground water.
- It is incorrect that the deponent has not stored the top soil or did not have OB water management. Photographs of the top soil storing establishing the said fact is attached herewith and marked as ANNEXURE R-11

5.1.16. That column no. "xiii" at page 232 has already been replied above that the production capacity is clearly mentioned in the CTO to be as per the approved mining plan in CTO dated 20.05.2018 and 29.03.2020.

5.1.17. That in respect of column no. "xiv" at page 232 it is submitted that :

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- Deponent denies all the observations at the outset as the the satellite imagery does not specific any geo cordinates or scale of map to establish the lease area and extent of mining done. Satellite imagery establishe nothing except the geographical changes in past years.
- Satellite imagery in report under report does not establish that there has been any mining outside the lease area or that the mining outside lease, if any, was done by deponent.
- Regarding non significant mining operations from 2017 to 2022 does not means any illegality. No fact of mining outside lease can be established from the satellite imaregy
- The satellite imagery does not establish anything regarding green belt. Hence, observation is misleading.

5.1.18. The deponent has obtained CTO for mining of silica sand only as is evdent from the

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document on record and he is mining silica sand in his lease area as per the CTO only. Observation of CTO being granted for sand/ morrum is incorrect and contrary to record itself. The CTO in favour of deponent, as stated above, clearly mentions the production capacity which is as per the EC granted.

- 5.1.19. The observation regarding extraction and selling of more than one mineral as permitted is misleading and incorrect. There is no evidence on record that the deponent is involved in any illegal activity of extraction and selling mineral other than silica sand.
- 5.1.20. In respect of the tallying of the entire production rased from the area since the beginning as submitted in 5.9 of the report under reply it is submitted that the same is absurd and without application of mind for the reason that the same is beyond the scope of the present proceedings. Further, under the National Green Tribunal Act 2010 Hon'ble Tribunal there is limitation of 5 years. Thus, tallying data for 40-50 years

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back is nothing but absurdity. Moreover, neither the deponent is in possession of such old data nor he is aware of the mining activity carried out back then.

5.1.21. That in respect of illegal and abandoned mining pits and spread throughout the area etc. the said observations are not pertaining to the deponent hence ought not be read against him. However, it is submitted that these observations show and establish that there has been illegal mining by other persons in the region and the deponent being an easy target being a lease holder is made liable for such activities without any fault on his part.

5.1.22. That in respect of illegal storage sites (loose and packed) it is submitted that absence of storage license under the U.P. Mineral Storage and Transportation Rules 2018 is not covered under any of the EC, CTO or any of the environment laws to be a non-compliance of environmental laws. Hence, the same is beyond the scope of these proceedings. Further, there has not been any mention that the said storage in any

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manner is causing pollution in the region. Hence, the same deserves to be ignored apart from general in nature. The deponent, however, denies that the joint committee found any of such storage belonging to the deponent.

5.1.23. In respect of the allegations of pits being created by lease holders it is submitted that the same is false and based on no evidence at all. The deponent has not made any deep pit during any time by any unscientific mining. The allegations being not specific against deponent deserves to be ignored.

5.1.24. That at this stage it may be pertinent to state that as mentioned in the report under reply in para 5.10. earlier a lease in perpetuity was granted to Rani Rajendra Kumar Ba which recited that Pushpraj Kripa Patra Maharao Raja Kamlakar Singh, Bara Estate, was ex-landlord and he has leased out vide registered deed dated 25.7.1947, land of above stated 46 villages for quarries of stone, ballasts, kankar, morung and sand, described in Schedule A. The said deed was ordered for recognition

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by U.P. Government's order dated 15th December, 1956 in terms of Section 108 (1) of U.P. Zamindari Abolition and Land Reforms Act, 1950 (hereinafter referred to as "Act, 1950") to the lessee. The said perpetual lease also contained a clause of enhancement of annual royalty at the end of every fifty years from the date of execution of lease to the extent of ten per cent.

5.1.25. That on the strength of the said perpetual lease mining activity for various minerals was carried on by local villagers and others on contract basis with Rani Rajendra Kumar Ba without any environmental clearances.

5.1.26. In 2013 High Court of Judicature At Allahabad held perpetual lease deed of 1959 in favour of Smt. Rani Rajendra Kumari Ba to be illegal and not valid lease deed under Mines and Minerals (Development and Regulation) Act, 1957, under which she was allowed an absolute, uncontrolled and unrestricted right of mining in perpetuity without any restriction so as to virtually

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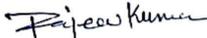
conferring upon her ownership right thereupon except to the extent of payment of royalty to the Government.

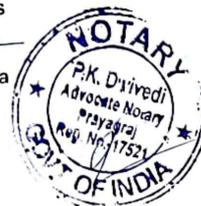
5.1.27. For more than 50 years a large scale unmonitored, uncontrolled and unscientific mining of various minerals was done under the authority of Rani Rajendra Kumari Ba which created mining pits in the entire region. Rani Rajendra Kumari Ba never obtained any EC on ground of being perpetual lessee.

5.1.28. It was only on interference by High Court illegal mining by Rani Rajendra Kumari Ba stopped in 2013. However, there started unorganised mining by local people who have been engaged since generation in mining since 1940s-50s. The said locals and unorganised persons now resort to illegal mining of various minerals including silica sand without obtaining lease and without compliance of any statutory norms.

5.1.29. At present there are 7 lease holders including deponent engaged in valid and legal silica sand mining. However, on illegal mining by the said local unorganised

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persons the lease holders being the easy target are penalised under the respective Act as the said locals could not be located or identified. Thus, observations pertaining to illegal pits and mines are not attributable to the deponent.

5.1.30. The deponent is submitting six monthly compliance reports to the concerned authority". As explained hereinabove, the deponent has complied with this requirement by submitting the six monthly compliance reports to the relevant authority regularly. The six monthly compliance reports are regularly submitted by the deponent and duly acknowledged by the UPPCB. However, in light of the above submissions, no specific reply is merited. The deponent craves leave of this Hon'ble Tribunal to produce all the Compliance Reports, if so required by this Hon'ble Tribunal.

5.2. That at the outset the contents of paragraph no. 6 of the joint committee report is denied. The deponent has not committed any illegality in operation of his silica sand. The contents of the

Uthagi Tarhar Mines

*Rajeev Kumar*  
Rajeev Kumar Chawla



paragraph under reply in the report are general in nature and does not specifically hold deponent liable for the alleged non compliances. There is no other specific non compliance observed or alleged against the deponent regarding its mining lease. The deponent submits as under in reply to the para 6 of the joint report.

- 5.2.1. That the deponent is not running his washing plant in lease site.
- 5.2.2. That no non-compliance in respect of the washing plant of the deponent by the joint committee is figment of wild imagination of the Joint Committee and nothing else.
- 5.3. That regarding observations about action taken by local administration none of the FIRs are against the deponent and, therefore, no adverse inference can be drawn against the deponent on that basis. But the said FIRs and seizure of 1527.2 cubic meter of silica sand fortifies the fact that illegal mining is being done by people other than the deponent as stated in above paragraphs.
- 5.4. That in respect of the recommendation of environmental compensation against the deponent it is submitted that the same is arbitrary and wholly unjustified. The deponent denies that he is

Uthagi Tarhar Mines

*Rajeev Kumar*  
Rajeev Kumar Chawla



liable for environment compensation on following grounds :

- 5.4.1. Deponent is one of the lease holders of silica sand and is continuing operations as per the lease deed, mining plan, EC, CTO etc. still the joint committee has recommended for environment compensation against the deponent while the locals who are indulging in illegal mining have been left out arbitrarily. Non traceability of the said persons cannot absolve them of their liability and in the event no environment compensation could be recovered from them the same should be imposed upon the erring officials of the concerned departments for letting them continue illegal mining.
- 5.4.2. The computation done at page 253 is baseless and absurd. The formula applied by the joint committee is neither scientific nor admissible. It is submitted without admitting that for alleged illegal production of 10391 tons or 6927 m<sup>3</sup> @ Rs. 675/- m<sup>3</sup> environment compensation has been determined for 1.55 crore which itself

Uthagi Tarhar Mines

*Rajeev Kumar*  
Rajeev Kumar Chawla



appears to be sheer absurdity being many times its market value.

- 5.4.3. The deponent submits that there has not been any illegal mining by him in year 2017-18 and as submitted above in para 5.1.6 and 5.1.7 CTO was granted to the deponent after payment of the entire fee for five years and also granted renewal of deposit of fee.
- 5.4.4. The deponent also challenges the market value of silica sand as taken to be Rs. 675 per m<sup>3</sup> by the joint committee. There is no proof or any evidence to substantiate the said market value of the silica sand. Hence, the same is purely based on assumption of joint committee
- 5.4.5. The calculation by the joint committee is mechanical and based on no unscientific formula. Further, it has been held by Hon'ble Supreme Court in case of *In order Deepak Nitrite Ltd. v. State of Gujarat reported in 2004 (6) SCC 402* that in order to levy/ impose environmental compensation it is necessary

Uthagi Tarhar Mines

*Rajeev Kumar*  
Rajeev Kumar Chawla



to bring on record the environmental damage caused by the illegal production. Joint committee did not state any such damage.

- 5.4.6. It is further submitted that joint committee has taken market value of the alleged illegally mined mineral to be Rs. 46,75,950/-. On the said market value expenses for mining, CSR, CER, royalty, taxes etc. is also paid by the deponent which ought to have been deducted. The charges which the deponent has already paid and is not part of his revenue cannot be counter. Further, the environmental compensation is determined more than three times of the said value to Rs. 1.55 cr. Thus, the deponent is infact in far more worst condition that the illegal miners who merely lost the cost on illegal mined silica sand on being seized, while deponent is made to suffer three times the alleged market value on which he has already payments to the government, authorities, labours etc.

Uthagi Tarhar Mines

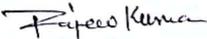
*Rajeev Kumar*  
Rajeev Kumar Chawla



5.4.7. Apart from the arbitrary, illegal and unjustified recommendation of environment compensation, it is also against the economic interest of the society. Environment compensation to the tune of more than three times the market value of mineral will result in extreme financial difficulty to the deponent leading to the closure of the business and liquidation of the assets. Thus, many people directly and indirectly employed will lose their livelihood. Consequently, even aid and support of CER and CSR to people of nearby region will come to an end.

5.5. The deponent is submitting six monthly compliance reports to the concerned authority". As explained hereinabove, the deponent has complied with this requirement by submitting the six monthly compliance reports to the relevant authority regularly. The six monthly compliance reports are regularly submitted by the deponent and duly acknowledged by the UPPCB. However, in light of the above submissions, no specific reply is merited. The deponent craves leave of this Hon'ble Tribunal to produce all the Compliance Reports, if so required by this Hon'ble Tribunal.

Uthagi Tarhar Mines

  
Rajeev Kumar Chawla



- 6. That the deponent is always ready and willing to fulfill the joint committee recommendations in respect existing mining activities pertaining to environmental and mining laws ensuring sustainable development as this Hon'ble Tribunal may direct.
- 7. That the deponent submits that the report under reply may be considered on the strength of the submissions made in the preceeding paragraphs.
- 8. That the documents attached at Annexures to this affidavit are true copies of their respective originals.

Uthagi Tarhar Mines  
*Rajeev Kumar*  
**DEPONENT**  
 Rajeev Kumar Chawla

**VERIFICATION**

I, the deponent above named, do hereby verify that the contents of my above affidavit are true and correct to the best of my knowledge and belief and legal advice believed to be true by me. I state that nothing material has been concealed therefrom.

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day of January, 2024.

*Rajeev Kumar*  
**Rajeev Kumar Chawla**  
**DEPONENT**



Sri. *Rajeev Kumar Chawla*  
 Identified by *[Signature]*  
 Advocate to be his/her affidavit  
 are true and correct which is here to  
 verified and attested.

**IDENTIFIED BY**  
*[Signature]*  
**ADVOCATE PRAYAGRAJ**

**P.K. Dwivedi**  
 Advocate Notary  
 Govt. of India  
*21/01/24*

ज.०

संख्या-3893/86-2013-301/77

प्रेषक,

गेन्दन लाल,  
उप सचिव,  
उत्तर प्रदेश शासन।

सेवा में,

श्रीमती निर्मल रानी चावला  
पत्नी स्व० योगेन्द्र लाल चावला,  
निवासी-11 चर्च लेन,  
इलाहाबाद।

भूतत्व एवं खनिकर्म अनुभाग

लखनऊ दिनांक 8 जुलाई, 2014

विषय- श्रीमती निर्मल रानी चावला पत्नी स्व० योगेन्द्र लाल चावला, निवासी-11 चर्च लेन, इलाहाबाद द्वारा ग्राम सोनौरी बांकीपुर व छतेहरा घुरेहटा तहसील बारा, जनपद इलाहाबाद क्षेत्रफल 48.86 हे० के द्वितीय नवीनीकरण के सम्बन्ध में।

महोदय,

उपर्युक्त विषय के सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि खनिज परिहार नियमावली, 1960 के नियम 24(10) में राज्य सरकार में विनिहित शक्तियों का प्रयोग कर, विषयगत खनन पट्टे के द्वितीय नवीनीकरण हेतु आवेदिका श्रीमती निर्मल रानी चावला द्वारा दिनांक 11.9.2013 को 5 वर्ष 6 माह विलम्ब से प्रस्तुत किया गया आवेदन पत्र का विलम्ब मर्षण किया जाता है।

2. श्रीमती निर्मल रानी चावला पत्नी स्व० योगेन्द्र लाल चावला, निवासी-11 चर्च लेन, इलाहाबाद के पक्ष में जनपद इलाहाबाद के ग्राम सोनौरी बांकीपुर के आराजी संख्या-01,12 से 24, 26 से 31,33,35 से 49,62,65,66,67,77 व छतेहरा घुरेहटा के आराजी संख्या-245,246,247,253,256 से 263 कुल क्षेत्रफल 48.86 हे० तहसील बारा, जनपद इलाहाबाद क्षेत्र में सिलिका सैण्ड के खनन हेतु स्वीकृत खनन पट्टा को, खान एवं खनिज (विनियमन तथा विकास) अधिनियम 1957 की धारा 8(2) एवं खनिज परिहार नियमावली, 1960 के नियम-24क एवं 24ख के तहत निम्न अतिरिक्त शर्तों के साथ दिनांक 28.11.2008 से आगामी 20 वर्ष की अवधि के लिए द्वितीय नवीनीकरण किये जाने का निर्णय लिया गया है:-

- 1- आवेदक द्वारा पट्टा निष्पादन के पूर्व पट्टे के मद में देय समस्त धनराशि के भुगतान का प्रमाण पत्र प्रस्तुत कर दिया जायेगा।
- 2- स्वीकृत क्षेत्र का सीमाबन्धन निदेशालय के क्षेत्रीय कार्यालय द्वारा पट्टेदार एवं राजस्व अधिकारियों की उपस्थिति में किया जायेगा यदि कोई वन भूमि उक्त प्रस्तावित क्षेत्र में आती है तो उसका सीमांकन कर चिन्हित कर दिया जायेगा तथा पट्टेदार अपने खर्चों से सीमांकित क्षेत्र में निर्दिष्ट स्थानों पर सीमा स्तम्भ लगायेगा।

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- 3- यदि पूर्व स्वीकृत पट्टे के क्षेत्र में कोई वन भूमि आती है तो वह वन भूमि नवीकृत पट्टे में सम्मिलित नहीं होगी परन्तु ऐसी वन भूमि के लिये पट्टाधारक वन संरक्षण अधिनियम 1980 के प्राविधानों के अन्तर्गत केन्द्र सरकार से अनुमति प्राप्त करने की दशा में नवीकृत पट्टे में सम्मिलित किया जायेगा।
- 4- पट्टाधारक क्षेत्र में खान का विकास वैज्ञानिक ढंग से वेंच बनाकर अनुमोदित माइनिंग प्लान के अनुसार ही किया जायेगा।
- 5- पट्टा विलेख का निष्पादन 6 माह के अन्दर किया जायेगा।
- 2- यदि आप उपरोक्त शर्तों पर 48.86 हेक्टेयर क्षेत्र पर सिलिका सैंड के खनन पट्टा के द्वितीय नवीनीकरण हेतु सहमत हों तो कृपया अपनी लिखित सहमति एवं खनन पट्टा विलेख भूतत्व एवं खनिकर्म निदेशालय, लखनऊ के माध्यम से शासन को भेजने का कष्ट करें।

भवदीय,  
  
 (गेन्दन लाल)  
 उप सचिव

संख्या-3893 (1)/86-2013 तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. निदेशक, भूतत्व एवं खनिकर्म, उत्तर प्रदेश लखनऊ।
2. जिलाधिकारी, इलाहाबाद।

आज्ञा से,  
  
 (गेन्दन लाल)  
 उप सचिव

**/TRUE COPY**

E.C. UTHAGI TARHAR

## State Level Expert Appraisal Committee, Uttar Pradesh

Directorate of Environment, U.P.

Dr. Bhip Rao Ambedkar Paryavaran Parisar

Vineet Khand-1, Gomti Nagar, Lucknow-226 010

Phone : 91-522-2300541, Fax : 91-522-2300543

E-mail : docupku@yahoo.com

Website : www.seaup.com

To,

Mr. Rajiv Kumar Chawla,  
S/o Late Shri Surendra Kumar Chawla,  
11, Church Lane, Allahabad, U.P.212108

Ref...../Parya/SEAC/1750/2013/OSD(T) Date 08 July, 2014

Sub:- Environmental Clearance for proposed Uthagi Tarhar Silica Sand Mining  
at Khasra No. 377 No, Village-Uthagi Tarhar, Taluka-Bara, District-  
Allahabad, U.P. (Leased area 3.59 ha.)/(8.89 acres)

Dear Sir,

Please refer to your application dated 14/08/2013 addressed to the Secretary, SEAC/Director, Directorate of Environment, U.P. for seeking Prior Environmental Clearance for proposed Uthagi Tarhar Silica Sand Mining at Khasra No. 377 No, Village-Uthagi Tarhar, Taluka-Bara, District-Allahabad, U.P. (Leased area 3.59 ha.).

A presentation was made by the project proponent alongwith their consultant M/s GRC India Pvt. Ltd. on dated 23/09/2013 before State Level Expert Appraisal Committee (SEAC). As per decision of 115<sup>th</sup> State Environment Impact Assessment Authority (SEIAA) meeting held on 07.10.2013 and the ToR was issued Secretary, SEAC vide letter No. 2105/Parya/SEAC/1750/2013/ OSD(T) dated 12.10.2013.

Subsequently vide your letters dated 23.03.2014 and 27.5.2014 you have requested to exempt your case from Environmental Clearance as case of mining of major minerals project having area less than 05 ha. is not covered under the ambit of E.I.A. notification, 2006 (As amended) for the purpose of Environmental Clearance.

Consequently, your case was put before the SEAC in its 180<sup>th</sup> SEAC meeting held on 06.06.2014 and committee has recommended the following:

"The Committee noted that the matter relates to mining of silica sand which is major mineral on the basis of their proposed use in glass and ceramic industry. As per EIA notification dated 14.09.2006, as amended, major minerals less than 05 ha. mining lease area are not covered under the notification for the purpose of environmental clearance. The committee directed to inform the project proponent in this regard and to close the file."

The SEIAA in its 126<sup>th</sup> meeting held on dated 11.06.2014 has deliberated your case and decided the following :

"The SEIAA agreed with the recommendation of the SEAC as the matter relates to mining of the silica sand which is major mineral on the basis of their proposed use in glass and ceramic industry. As per EIA notification dated 14.09.2006, as amended, major minerals less than 05 ha. mining lease area are not covered under

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the notification for the purpose of environmental clearance, therefore, the project proponent to be informed in this regard and the file is to be closed."

In view of above your file is closed.

  
(Dr. R.K. Sardana)

Director(I/c)/Secretary, SEAC,  
Directorate of Environment, U.P.

Ref: 718 /Parva/SEAC/1750/2013/OSD(T) Dated: as above.

Copy for information and necessary action to:

1. The Principal Secretary, Environment, U.P. Govt., Lucknow.
2. Advisor, IA Division, Ministry of Environment & Forests, Govt. of India, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi.
3. Chief Conservator, Ministry of Environment & Forests, Regional Office (Central Region), Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow.
4. The Member Secretary, U.P. Pollution Control Board, PICUP Bhawan, Gomti Nagar, Lucknow.
5. District Magistrate, Allahabad, U.P.
6. Director, Geology and Mining, Govt. of U.P.
7. Copy to Web Master/Guard file.

  
(Dr. R.K. Sardana)

Director(I/c)/Secretary, SEAC,  
Directorate of Environment, U.P.

**/TRUE COPY/**

**COPY FOR LESSEE**  
(CATEGORY : B)

# SCHEME OF MINING

(Submitted Under Rule(s) 34 (4) of UP Minor Mineral (Concession) Rules 1963)

WITH

## PROGRESSIVE MINE CLOSURE PLAN

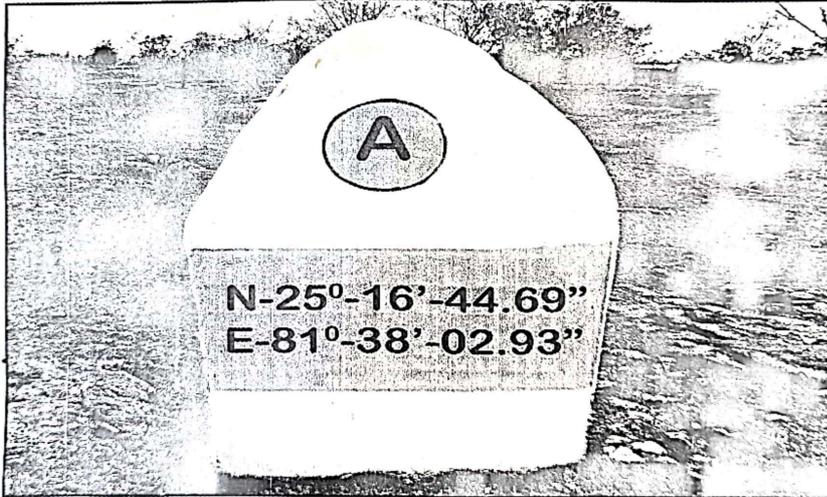
(Submitted Under Amended Rule 34 (6) & (7) of UP Minor Mineral (Concession) Rule 1963)

FOR

UTHAGI TARHAR SILICA SAND MINE  
VILLAGE-UTHAGI TARHAR, TEHSIL-BARA,  
DISTT – ALLAHABAD (UP)  
Lease area 3.60ha  
Lease Period – 20 Years



Mining Plan Period: 2016-17 to 2020-21



### LESSEE

LEGAL HEIRS SHRI RAJEEV KUMAR CHAWLA  
S/O- LATE SHRI SURENDRA KUMAR CHAWLA

R/o: 11, CHURCH LANE

(अनिल कुमार शर्मा) DISTRICT-ALLAHABAD, (UP)

CELL NO.: 09452334146

प्रदेष्ट खान अधिकारी  
भूतत्व एवं खनिकर्म निदेशालय, काठमांडू

Directorate of Geology and Mining, U.P.

**APPROVED**

with / without condition vide letter No. 221/MP/15 dated 22/02/2021

No. 221/MP/15 dated 22/02/2021

**DIRECTOR**

PREPARED BY

PANKAJ PANDE

REGISTRATION NO. RQP/DDN/086/95A

VALID UPTO-14.02.2021

## CHAPTER-4

## 4.0 MINING:

- a) Briefly describe the existing/proposed method for developing/working the deposit with all design parameters:

**Existing Method of mining:**

- i) It is open cast manual mine and mining was carried out without formation of benches. The depth of pit varies 6m to 7m.
- ii) The excavation has been done with the help of spades, crow bars & hammers. Friable sand stone is being crushed with hard hammers. ROM ore has been stacked on the surface & has been lifted to washing plant with in lease area. No drilling & blasting is used. Approach road has been extended upto bottom of the pit.

- b) **Proposed method of mining:**

It is opencast manual mine without adoption of drilling & blasting. Mining shall be carried out manually with conventional had tools like crowbar, pick axe, hammer, chisel etc. The overburden will be removed manually & spread over the approach road for its management. The stone shall be broken manually in different size & transported to various buyers.

Indicate quantum of development & tonnage & grade of production expected pit wide as in table below:

Year	Overburden (cum)	ROM Silica Sand (Tonnes)	Saleable Silica Sand (Tonnes)	Sub grade mineral	Mineral reject	Ore to overburden ratio
2016-17	Nil	53196	52325	Nil	Nil	Nil
2017-18	Nil	66000	52800	Nil	Nil	Nil
2018-19	Nil	74976	59981	Nil	Nil	Nil
2019-20	Nil	75000	60000	Nil	Nil	Nil
2020-21	Nil	75000	60000	Nil	Nil	Nil
<b>Total</b>	<b>Nil</b>	<b>344172</b>	<b>285106</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>

- c) **Attach Individual plans & sections:**

**Ist Year (2016-17):** Mining shall be commenced from top to downward. Bench 111mRL shall be opened & shall reach its ultimate pit limit. Bench 108mRL shall be flattened & bench 105mRL shall be opened from box cut like manner & advance in all directions. Face length, face advancement width, height & exploitation of mineral during the year is as below:

Bench level (mRL)	Face length (m)	Face of advancement (m)	Width (m)	Height (m)	Volume (cum)	ROM of silica Sand (Tonnes)	Saleable quantities of silica sand (Tonnes)	Waste (cum)
114-111	110	6	3.0	3.0	1980	4356	3485	396
111-108	70	25	3.0	3.0	5250	9240	9240	1050
108-105	150	50	3.0	3.0	22500	39600	39600	4500
<b>Total</b>					<b>29730</b>	<b>53196</b>	<b>52325</b>	<b>5946</b>

The layout of the pit position & section at the end of the year is shown in Plate No. 5.

PAVITRA PRADE  
BOPCHOWDE

प्रेषक,  
निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, 30 प्र०,  
खनिज भवन, लखनऊ ।

सेवा में  
जिलाधिकारी  
इलाहाबाद ।

संख्या:- /मा० प्लान/2015

दिनांक 13/8/2016

विषय:- पट्टाधारक सुरेन्द्र कुमार चावला प्र० सर्वश्री गिरधारी लाल चावला एण्ड सन्स के पक्ष में स्वीकृत जनपद-इलाहाबाद में तहसील-बारा, ग्राम-उडगी तरहर के क्षेत्रफल 3.60 हेक्टेयर में उपखनिज सिलिका सैण्ड के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक सुरेन्द्र कुमार चावला प्र० सर्वश्री गिरधारी लाल चावला एण्ड सन्स द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 1963 के नियम-34 के उपनियम (4) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 13/8/16 को कर दिया गया है।

- 1- "खनन योजना" का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-
- (अ) "खनन योजना" को अनुमोदन के दिनांक से आगामी 05 वर्ष की अवधि तक के लिये अनुमोदित किया जाता है। खनन क्षेत्र से प्रथम वर्ष में 52325 टन, द्वितीय वर्ष में 52800 टन, तृतीय वर्ष में 59981 टन एवं चतुर्थ वर्ष में 60000 टन तथा पंचम वर्ष में 60000 टन खनिज का उत्पादन अनुमन्य किया गया है।
  - (ब) अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।
  - (स) आवद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।
  - (द) अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।
  - (च) अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।
  - (छ) खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-
    1. बेंच की ऊँचाई अधिकतम 03 मी० एवं बेंच की चौड़ाई, ऊँचाई से कम से कम दो गुनी होनी चाहिए।

2. खनन कार्य ऊपर से नीचे की ओर बेंच बनाते हुये किया जायेगा।
  3. फेस का ढलान 60 डिग्री से अधिक न हो और कहीं पर भी अण्डर कटिंग न हो।
  4. खनन कार्य मानवीय विधि से किया जाये।
  5. खनन पट्टा स्थल पर फर्स्ट एड बॉक्स व स्ट्रेचर रखे जायेंगे।
  6. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायेगी।
  7. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।
  8. खनन में सिलिका से उत्पन्न होने वाली बीमारी की सम्भावना के दृष्टिगत प्रत्येक छः माह में श्रमिकों की चिकित्सीय जाँच का प्राविधान रखा जाना चाहिये तथा आवश्यकतानुसार चिकित्सा सुविधा उपलब्ध करायी जाय।
  9. खनन कार्य से निकाले गये मलवे खास कर टॉप स्वायल को व्यवस्थित रूप से एकत्रित कर रखा जायेगा।
  10. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।
- 2- अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्त रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।
- संलग्नक: यथोपरि।

भवदीय,

(अनिल कुमार शर्मा)  
ज्येष्ठ खान अधिकारी  
कृते निदेशक।

संख्या: 221 (1)/मा0 प्लान/2015 तद् दिनांक।

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- प्रभारी अधिकारी, क्षेत्रीय कार्यालय, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, इलाहाबाद।
- 2- खान अधिकारी, जनपद इलाहाबाद।
- 3- श्री सुरेन्द्र कुमार चावला प्रो0 सर्वश्री गिरधारी लाल चावला एण्ड सन्स नि0-शंकरगढ़, इलाहाबाद।
- 4- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

(अनिल कुमार शर्मा)  
ज्येष्ठ खान अधिकारी  
कृते निदेशक।



प्रेषक,

निदेशक,  
भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,  
खनिज भवन, लखनऊ।

सेवा में

जिलाधिकारी  
Prayagraj

संख्या :-

2021/7/17/82139

दिनांक :- 2022-01-08

विषय :-

पट्टाधारक श्री **Shri Rajeev Kumar Chawla** के पक्ष में स्वीकृत जनपद **Prayagraj** में तहसील **Bara** ग्राम- **Uthagi Tarhar** गाटा सं०-**377Mi** क्षेत्रफल **3.6000** हे० में उपखनिज, **सिलिका सैण्ड**, के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

सहोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक श्री **Shri Rajeev Kumar Chawla** द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 1963 के नियम-34 के उपनियम (4) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक **2022-01-08** को कर दिया गया है।

1-

“खनन योजना” का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

(अ)

“खनन योजना” का अनुमोदन पूर्व में अनुमोदित खनन योजना की समाप्ति के दिनांक से आगामी **60** (माह) अवधि तक के लिए अनुमोदित किया जाता है। खनन क्षेत्र से **60000** खनिज का उत्पादन अनुमन्य किया गया है।

(ब)

अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।

(क)

आवद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।

(द)

अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।

(ध)

अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।

(ड)

खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-

1. बेंच की ऊँचाई अधिकतम **6.0** मी० एवं बेन्च की चौड़ाई ऊँचाई से कम से कम दो गुनी होनी चाहिए। खनन कार्य ऊपर से नीचे की ओर बेन्च बनाते हुये किया जायेगा।
2. खनन कार्य ऊपर से नीचे की ओर बेंच बनाते हुये किया जायेगा।
3. खनन कार्य के दौरान निकाले गये मलवे विशेषकर टॉप स्वायल को व्यवस्थित रूप से एकत्रित कर रखा जायेगा।
4. फेस का ढलान **60** डिग्री से अधिक न हो, और कहीं पर भी अण्डर कटिंग न हो।
5. प्रत्येक ब्लास्टिंग के बाद फेस ड्रेसिंग कराना होगा ताकि लूज पत्थर आदि से श्रमिक सुरक्षित रहें।
6. खनन कार्य के फलस्वरूप बने गड्डे को मलवा भरकर समतल कर वृक्षारोपण करना होगा।
7. खनन कार्य स्थल पर फ्रैट एंड बाक्स व स्टेचर रखे जाये।

40

8. जिन खदानों पर Metalliferous Mines Regulations, 1961 का नियम 111, 3[2] लागू होगा, वहाँ पर इस प्राविधान के अनुसार अनुमति प्राप्त की जाएगी, तथा अनुमति की प्रति निदेशक, भूतत्व एवं खनिकर्म निशालय एवं सम्बंधित जिलाधिकारी को उपलब्ध कराई जाएगी।

9. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।

10. खनन में सिलिका से उत्पन्न होने वाली बीमारी की सम्भावना के दृष्टिगत प्रत्येक छः माह में श्रमिकों की चिकित्सीय जांच का प्राविधान रखा जाना चाहिए तथा आवश्यकतानुसार चिकित्सा सुविधा उपलब्ध कराया जाना चाहिए।

11. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

अस्तु आपसे अनुरोध है कि अनुमोदित खनन योजना की संलग्न मूल प्रति सम्बन्धित पट्टेदार को अनुपालन हेतु उपलब्ध करा कर उनसे प्राप्ति रसीद प्राप्त कर निदेशालय को भिजवाने का कष्ट करें।



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(अनिल कुमार  
संयुक्त निदेशक  
भूतत्व एवं खनिकर्म)

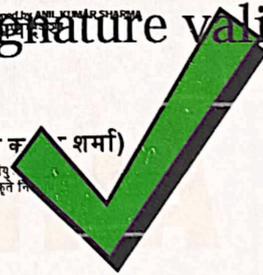
संख्या :- 2021/7/17/82139 (1)/मा0 प्लान , तद् दिनांक

संबन्धित : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, जनपद- Prayagraj
- 2- पट्टाधारक श्री Shri Rajeev Kumar Chawla नि0 तहसील Bara जनपद Prayagraj
- 3- खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ।

Signature valid

(अनिल कुमार शर्मा)  
संयुक्त निदेशक  
भूतत्व एवं खनिकर्म



# SCHEME OF MINING

(Submitted Under Rule(s) 34 (4) of UP Minor Mineral (Concession) Rules 1963)

WITH

## PROGRESSIVE MINE CLOSURE PLAN

(Submitted Under Amended Rule 34 (6) & (7) of UP Minor Mineral (Concession) Rule 1963)

FOR

**UTHAGI TARHAR SILICA SAND MINE**

VILLAGE-UTHAGI TARHAR, TEHSIL-BARA,

DISTT – PRAYAGRAJ (UP)

Lease area 3,60ha

Lease Period – 20 Years

Mining Plan Period: 2021-22 to 2025-26



**LESSEE**

**LEGAL HEIRS SHRI RAJEEV KUMAR CHAWLA**

**S/O- LATE SHRI SURENDRA KUMAR CHAWLA**

R/o: 11, CHURCH LANE,

DISTRICT-PRAYAGRAJ, (UP) -211002

CELL NO.: 09452334146

**PREPARED BY**

**PANKAJ PANDE**

REGISTRATION NO.RQP/UPDGM/008/2019

VALID UPTO-13.01.2024

Signature valid



**TRUE COPY**

कार्यालय जिला पर्यावरण सचिवालय, इलाहाबाद

पत्रांक: 85 / पर्या0(डी0ई0आई0ए0ए0)-77 / 2016-17

दिनांक 06/06/2016

श्री राजीव कुमार चावला पुत्र श्री सुरेन्द्र कुमार चावला  
निवासी-11 चर्च लेन, इलाहाबाद

विषय: उपखनिज सिलिका सैण्ड खनन क्षेत्र ग्राम-उठगी तरहार, तहसील-बारा, इलाहाबाद के गाटा संख्या-377मि0, रकबा- 8.89 एकड़ हेतु पर्यावरण स्वच्छता प्रमाण पत्र निर्गत करने के सम्बन्ध में।

उपर्युक्त विषयक अपने आवेदन पत्र दिनांक 18.04.2016 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसे आपके द्वारा अध्यक्ष जिला स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण इलाहाबाद के कार्यालय में भारत सरकार की अधिसूचना दिनांक 15.01.2016 व दिनांक 20.01.2016 के क्रम में प्रस्तुत किया गया है। भारत सरकार की उपरोक्त अधिसूचना के अनुसार दिनांक 11.05.2016 को जिला स्तरीय विशेषज्ञ आंकन समिति की आयोजित बैठक में आपके उक्त आवेदन पत्र को विचार हेतु रखा गया जिसपर आपके प्रस्तावक/कन्सलटेन्ट द्वारा पूर्ण प्रस्तुति की गयी। आपके आवेदन पत्र एवं कन्सलटेन्ट द्वारा प्रस्तुत प्रस्तुति में अंकित तथ्यों के क्रम में डी0ई0ए0सी0 द्वारा उपखनिज/सिलिका सैण्ड के खनन के लिए पर्यावरण स्वच्छता प्रमाण पत्र जारी करने हेतु संस्तुति/सहमति प्रदान की गयी जिस पर डी0ई0आई0ए0ए0 की बैठक दिनांक 02.06.2016 में निम्नलिखित शर्तों के अधीन पर्यावरण स्वच्छता प्रमाण पत्र जारी करने की अनुमति प्रदान की गयी है :-

शर्तों :-

1. यह पर्यावरण स्वच्छता प्रमाण पत्र ग्राम-उठगी तरहार, तहसील-बारा, जैनपद इलाहाबाद के आराजी संख्या-377मि0, क्षेत्रफल-8.89 एकड़ के लिए निर्गत किया जा रहा है।
2. आवेदक के पक्ष में उपरोक्त क्षेत्र के लिए उत्तर प्रदेश शासन द्वारा दिनांक 26.11.2011 से 25.11.2031 तक 20 वर्ष की अवधि के लिए खनन पट्टा स्वीकृत/निष्पादित किया गया है। स्वीकृत खनन पट्टे की सम्पूर्ण अवधि अथवा अनुमोदित खनन योजना में घोषित रिजर्व 8,13,372.00 टन सिलिका सैण्ड का उत्पादन हो जाने (दोनों में से जो पहले घटित हो) तक के लिए पर्यावरण स्वच्छता प्रमाण पत्र मान्य होगा।
3. अनुमोदित खनन योजना के अनुसार खनन कार्य किया जायेगा।
4. अनुमोदित खनन योजना एवं प्रस्तावक द्वारा प्रस्तुत प्रस्तुति के क्रम में पर्यावरण को सुदृढ़ एवं सन्तुलित करने हेतु वृक्षारोपण करना व उनकी देखभाल करना अनिवार्य होगा।
5. उपखनिज सिलिका सैण्ड का खनन उपरोक्त भूमि से अनुमोदित खनन योजना के अनुसार प्रथम वर्ष में 52,325 टन, द्वितीय वर्ष में 52,800 टन, तृतीय वर्ष 59,981 टन, चौथे वर्ष में 60,000 टन तथा पंचम वर्ष में 60,000 टन किया जा सकेगा।
6. खनन कार्य की अधिकतम गहराई अनुमोदित खनन योजना में स्वीकृत गहराई अथवा जलस्तर के पूर्व तक ही की जायेगी।
7. नेशनल पार्क एवं वन्यजीव अभ्यारण्य की सीमा से एक किमी0 की परिधि के भीतर खनन कार्य प्रतिबन्धित रहेगा।
8. खनन कार्य खनन योजना में उल्लिखित विधि से किया जायेगा तथा ड्रिलिंग/ब्लॉस्टिंग के पूर्व खान सुरक्षा निदेशालय की अनुमति प्राप्त किया जाना अनिवार्य होगा।
9. खनन कार्य सार्वजनिक स्थलो से 50 मीटर की दूरी पर किया जायेगा।
10. उ0प्र0 उपखनिज (परिहार) नियमावली-1963 एवं खान एवं खनिज (विकास एवं विनियमन) अधिनियम-1957 (यथासंशोधित) की शर्तों के अनुसार खनन कार्य किया जायेगा।
11. इस सम्बन्ध में केन्द्र/राज्य सरकार द्वारा समय-समय पर जारी शासनादेशों का पालन करना बाध्यकारी होगा।



**सामान्य शर्तें :-**

1. पर्यावरण एवं वन मंत्रालय के नोटिफिकेशन दिनांक 14.09.2006 में दिये गये निर्देशानुसार यदि उपरोक्त परियोजना की क्षमता बढ़ायी जायेगी तो पुनः उन क्षेत्रों के लिए पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त किया जाना अनिवार्य होगा।
2. खनन कार्य में अनुमोदित खनन योजना का उल्लंघन पाये जाने की दशा में पर्यावरण स्वच्छता प्रमाण पत्र निरस्त कर दिया जायेगा।
3. खनन कार्य सिलिका सैण्ड उत्पादन हेतु लगाये गये संयन्त्रों/मशीनों के लिए क्षेत्रीय अधिकारी प्रदूषण नियंत्रण बोर्ड के कार्यालय से वायु प्रदूषण एवं जल प्रदूषण की अनापत्ति प्राप्त किया जाना अनिवार्य होगा।
4. वायु की गुणवत्ता (RSPM, SPM, SO<sub>2</sub>, NO<sub>x</sub>) की रिपोर्ट प्रत्येक छः माह में D.E.I.A.A. एवं क्षेत्रीय अधिकारी प्रदूषण नियंत्रण बोर्ड, झूंसी, इलाहाबाद को प्रेषित करना अनिवार्य होगा।
5. उपखनिजों के लोडिंग/अनलोडिंग स्थल पर पानी के छिड़काव की व्यवस्था करना अनिवार्य होगा।
6. खनन कार्य में लगे मजदूरों के लिए सुरक्षा उपकरण जैसे-हेल्मेट, जूता, कान का प्लग, मास्क उपलब्ध कराना अनिवार्य होगा तथा उपरोक्त उपकरणों के उपयोग हेतु मजदूरों को प्रशिक्षित करना होगा।
7. मजदूरों तथा अन्य कर्मचारियों के स्वास्थ्य का परीक्षण प्रत्येक छः माह पर कराया जाना अनिवार्य होगा इसके लिए यथा सम्भव चिकित्सा कैंम्प आयोजित किया जाय।
8. खनन स्थल/उद्योग स्थल से निकले प्रदूषित पानी को एक स्थल पर एकत्र किया जायेगा तथा GSR. 422 (E) दिनांक 19.05.1993 तथा दिनांक 31.12.1993 एवं यथा संशोधित निर्देशानुसार विधि से पानी को स्वच्छ किया जाना अनिवार्य होगा।
9. उपखनिजों का परिवहन सूर्यास्त के पश्चात नहीं किया जायेगा तथा परिवहन के साधनों को त्रिपाल या अन्य संसाधनों से ढका जाना अनिवार्य होगा।
10. मजदूरों/कर्मचारियों के आवास की व्यवस्था तथा भोजन बनाने के लिए गैस की व्यवस्था, शुद्ध पेय जल एवं शौचालय की व्यवस्था करना अनिवार्य होगा।
11. खनन कार्य प्रशिक्षित मेट/फोर मैन की देख-रेख में कराया जाना अनिवार्य होगा।
12. यह पर्यावरण स्वच्छता प्रमाण पत्र खनन पट्टा स्वीकृति हेतु प्रदान किया जा रहा है। खनन पट्टा स्वीकृत न होने की दशा में पर्यावरण स्वच्छता प्रमाण पत्र स्वतः निरस्त माना जायेगा।
13. प्रथम स्थल पर खनन कार्य पूर्ण हो जाने पर उसमें ओवर बर्डन से एकत्र मिट्टी की भरवाई कराकर उस पर वृक्षारोपण कराना होगा।
14. खनन क्षेत्रों में ब्लास्टिंग से होने वाले कम्पन का अध्ययन किया जायेगा एवं उसकी सूचना प्रत्येक छः माह के अन्दर क्षेत्रीय अधिकारी, प्रदूषण नियंत्रण बोर्ड, झूंसी, इलाहाबाद को प्रेषित किया जाना अनिवार्य होगा।
15. ब्लास्टिंग का कार्य कन्ट्रोल ब्लास्टिंग पद्धति से किया जायेगा तथा ब्लास्टिंग केवल दिन में एक बार निश्चित अवधि के अन्दर किया जायेगा एवं ब्लास्टिंग के पूर्व ध्वनि विस्तारक यंत्र से सूचना प्रसारित किया जाना अनिवार्य होगा।
16. वर्षा जल के संचयन हेतु रेन वाटर हार्वेस्टिंग का प्रबन्ध अवश्य किया जाय।
17. अनुमोदित माइनिंग बलोजर प्लान तैयार कराकर D.E.I.A.A. एवं क्षेत्रीय अधिकारी, प्रदूषण नियंत्रण बोर्ड, झूंसी, इलाहाबाद को प्रेषित करना अनिवार्य होगा।
18. C.S.R. की गतिविधि का प्रस्ताव जिलाधिकारी/ मुख्य विकास अधिकारी को प्रेषित करना अनिवार्य होगा।
19. उपरोक्त से सम्बन्धित समस्त अभिलेख साईट कार्यालय पर रखना अनिवार्य होगा।

उपरोक्त सभी शर्तों का पालन आवेदक को कड़ाई से करना होगा तथा उपरोक्तानुसार अधिसूचना संख्या-1533(ई) दिनांक 14.09.2006 एवं समय-समय पर किये गये संशोधन के क्रम में प्रत्येक छः माह में उसकी रिपोर्ट प्रस्तावक के माध्यम से डी0इ0आई0ए0ए0 को प्रस्तुत करना होगा। शर्तों के उल्लंघन करने की दशा में पर्यावरण स्वच्छता प्रमाण पत्र निरस्त किया जा सकेगा साथ ही राज्य/जिला स्तरीय सम्बन्धित अधिकारियों को उक्त स्थल का निरीक्षण करने का अधिकार होगा।



अतः उपरोक्तानुसार भारत सरकार की अधिसूचना दिनांक 15.01.2016 व 20.01.2016 में दिये गये प्राविधानों में उपरोक्त शर्तों के अधीन उक्त गाटो से सिलिका सैण्ड के खनन हेतु पर्यावरण स्वच्छता प्रमाण पत्र प्रदान किया जाता है, परन्तु उक्त गाटो से सिद्धिका सैण्ड का खनन जिलाधिकारी कार्यालय के खनन अनुभाग से नियमानुसार अनुमति प्राप्त करने के उपरान्त ही किया जा सकेगा।

(मो० महबूब)

सदस्य सचिव

डी०ई०ए०सी० इलाहाबाद।

पत्रांक: /पर्या०(डी०ई०आई०ए०ए०)/2016-17 तददिनांक।

प्रतिलिपि—निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. प्रमुख सचिव, पर्यावरण विभाग, उ०प्र० शासन, लखनऊ।
2. जिलाधिकारी इलाहाबाद।
3. मुख्य विकास अधिकारी, इलाहाबाद।
4. क्षेत्रीय अधिकारी, प्रदूषण नियंत्रण बोर्ड इलाहाबाद।
5. प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग उ०प्र० क्षेत्रीय कार्यालय इलाहाबाद।
6. उपजिलाधिकारी, बारा, इलाहाबाद।
7. गार्ड फाईल।



(मो० महबूब)

सदस्य सचिव

डी०ई०ए०सी० इलाहाबाद।

**/TRUE COPY/**

		A/C PAYEE ONLY NOT NEGOTIABLE		<b>MANAGER'S CHEQUE</b> VALID FOR 3 MONTHS ONLY		18042018	
Pay	****REGIONAL OFFICER UP POLLUTION CONTROL BOARD****					Or Order	
अदा करे						या उनके आदेश पर	
Rupees	ONE LAKH TEN THOUSAND ONLY.					₹	
रुपये						*1,10,000.00	
	FC HDFC BANK LTD.					For HDFC BANK LTD.	
CIVIL LINES ALLAHABAD ALLAHABAD - 211001 REF. No. 022612040032				  AUTHORIZED SIGNATORIES Please sign above			
⑈038227⑈ 211240002⑈ 999989⑈ 12							

		A/C PAYEE ONLY NOT NEGOTIABLE		<b>MANAGER'S CHEQUE</b> VALID FOR 3 MONTHS ONLY		18042018	
Pay	****REGIONAL OFFICER UP POLLUTION CONTROL BOARD****					Or Order	
अदा करे						या उनके आदेश पर	
Rupees	ONE LAKH TEN THOUSAND ONLY.					₹	
रुपये						*1,10,000.00	
	FC HDFC BANK LTD.					For HDFC BANK LTD.	
CIVIL LINES ALLAHABAD ALLAHABAD - 211001 REF. No. 022612040033				  AUTHORIZED SIGNATORIES Please sign above			
⑈038228⑈ 211240002⑈ 999989⑈ 12							

/TRUE COPY/

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ANNEXURE, R-7

Renewed

U.P. Pollution Control Board

## CONSENT ORDER

Ref No. -  
23724/UPPCB/Allahabad(UPPCBRO)/CTO/air/ALLAHABAD/2018

Dated : 20/05/2018

To,

Shri RAJEEV KUMAR CHAWLA  
M/s RAJEEV KUMAR CHAWLA (SILICA SAND MINING)  
UTHAGI TARHAR, BARA, ALLAHABAD  
ALLAHABAD

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended)  
to M/s. RAJEEV KUMAR CHAWLA (SILICA SAND MINING)

Reference Application No. 1719953

Dated : 20/05/2018

1. With reference to the application for consent for emission of air pollutants from the plant of M/s RAJEEV KUMAR CHAWLA (SILICA SAND MINING). under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 30/04/2018 to 31/12/2019 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.  
This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

TANZAR ULLAH KHAN

Digitally signed by TANZAR ULLAH KHAN

Date: 2018.05.20 10:09:06 +05'30'

Chief Environmental Officer (circle-2)

Enclosed : As above  
(condition of consent):

Copy to: Regional Officer, U.P. Pollution Control Board, Allahabad with the direction to send the compliance report of consent conditions on quarterly basis.

TANZAR ULLAH KHAN

Digitally signed by TANZAR ULLAH KHAN

Date: 2018.05.21 10:09:19 +05'30'

Chief Environmental Officer (circle-2)

## U.P. Pollution Control Board

Dated : 20/05/2018

## CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Mining of Silica Sand as per DEIAA Permission..
- 2(a). The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.

Air Pollution Source Details					
S.No	Air Pollution Source	Type of Fuel	Stack No.	Parameters	Height

- 2(b). The emissions by various stacks into the environment should be as per the norms of the Board .

Emission Quality Details Detail			
S.No	Stack No	Parameter	Standard
1		Quantity of Emission	Ambient Air Quality Standard- PM10- 100 microgram/m3, PM2.5-60 microgram/m3, SO2- 80 microgram/m3, NO2-80 microgram/m3

3. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
4. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
5. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
6. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
7. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
8. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

**Specific Conditions:**

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1. Mining unit shall comply with the conditions of Environmental Clearance issued by District Level Environment Impact Assessment Authority (DEIAA) vide letter dated 06-06-2016 and submit its compliance report to UPPCB.
2. This consent is valid for mining of silica sand as per condition no.-5 of DEIAA, Allahabad letter no. 85/Parya (DEIAA)-77/2016-17 dated 06-06-2016.
3. Mining unit shall make water sprinkling arrangement through tankers for dust suppression at different sources of dust emissions during mining, transportation, loading/unloading of silica sand.
4. Mining unit shall make proper arrangement for Ambient air monitoring in mining area. Ambient air quality monitoring report shall be submitted on quarterly basis to the Board.
5. All trucks, tractors etc used for transportation purpose of silica sand shall be covered by canvas sheet to prevent dust emission.
6. Water shall be sprayed after loading activity (if sand collected could be dry condition) in transportation of silica sand.
7. The dust suppression measures like water spraying shall be done on the haul roads and working areas regularly for effective dust suppression.
8. Mining unit shall comply with the provisions of Hazardous and Other waste (Management & Trans boundary Movement) Rules 2016.
9. Solid waste shall be disposed in such manner, so that no water, air and soil pollution takes place.
10. Mining unit develop green belt with the consultation of Forest department.
11. Mining unit shall comply with the relevant provisions of Environmental Laws.
12. Mining unit shall abide by directions given by Hon'ble Court, Central Pollution Control Board and UPPCB for protection of safe guard of environment from time to time
13. Mining unit shall comply with the provisions of Environment (Protection) Act 1986.
14. In case of closure directions under section-5 of E(P) Act, 1986 issued by CPCB, this consent will be automatically suspended during the closure period, and will be automatically reinstated with specific conditions as per CPCB revocation orders.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .  
TANZAR ULLAH KHAN Digitally signed by TANZAR ULLAH KHAN  
Date: 2018.05.20 10:09:36 +05'30'  
Chief Environmental Officer (circle-2)

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49

ANNEXURE, R-8

U.P. Pollution Control Board

## CONSENT ORDER

Ref No. -  
86887/UPPCB/Allahabad(UPPCBRO)/CTO/air/ALLAHABAD/2020

Dated : 29/03/2020

To ,

Shri RAJEEV KUMAR CHAWLA  
M/s RAJEEV KUMAR CHAWLA (SILICA SAND MINING)  
UTHAGI TARHAR, BARA, PRAYAGRAJ  
ALLAHABAD

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended)  
to M/s. RAJEEV KUMAR CHAWLA (SILICA SAND MINING)

Reference Application No. 7514921

Dated : 29/03/2020

1. With reference to the application for consent for emission of air pollutants from the plant of M/s RAJEEV KUMAR CHAWLA (SILICA SAND MINING). under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
  2. This consent is valid for the period from 01/01/2020 to 31/12/2024 .
  3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
- This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board  
Pramod Kumar Agarwal  
Date: 2020.04.04 13:31:49 +05'30'  
Chief Environmental Officer (circle-2)

Enclosed : As above  
(condition of consent):

Copy to: Regional Officer, UPPCB, Prayagraj with direction to send the compliance report of CTO  
conditions on quarterly basis.

Pramod Kumar  
Agarwal  
Date: 2020.04.04 13:32:02 +05'30'  
Chief Environmental Officer (circle-2)

## U.P. Pollution Control Board

Dated : 29/03/2020

## CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of mining of silica sand as per condition no.-5 of DEIAA, Prayagraj letter no. 85/Parya (DEIAA)-77/2016-17 dated 06-06-2016.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
- 3(a) The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.
- 3(b) Air Pollution Source Details.

Air Pollution Source Details					
S.No	Air Pollution Source	Type of Fuel	Stack No.	Parameters	Height
1	Dust emissions during manual mining, transportation and loading/unloading of Silica Sand.	-		Particulate Matter	For controlling dust, water sprinkling system and Green Belt.

- 3(c) The emissions by various stacks into the environment should be as per the norms of the Board .

Emission Quality Details Detail			
S.No	Stack No	Parameter	Standard
1		Quantity of Emission	Ambient Air Standard as per E(P) Act 1986.

4. Quantity of other pollutants should also be as per the norms prescribed by the Board/MOEF & CC/or otherwise mandatory .
5. The equipment for air pollution control system and monitoring ,as proposed by the industry and approved by the Board should be installed in their premises itself .
6. The modification or installation in the existing pollution control equipments should be done only by prior approval of Board .
7. The operation of air pollution control system and maintenance be done in such a way that the quantity of pollutants should be in accordance with the standards prescribed by the Board/MoEF & CC/or otherwise mandatory .
8. Unit should do provisions for fugitive emissions chimney/stack as per the norms of the Board/MOEF & CC/or otherwise mandatory .
9. The unit should submit the stack emissions monitoring report within one month from issuance of consent order along with the point wise compliance report of the consent order . Further quarterly monitoring report should be submitted .

## Specific Conditions:

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1. This consent is valid for silica sand mining in 3.59 hectare (8.89 acres) leased area at Khasra No 377 Mi, Village-Uthagi Tarhar, Taluka-Bara, District-Prayagraj.
2. Mining unit shall comply with the conditions of Environmental Clearance issued by District Level Environment Impact Assessment Authority (DEIAA), Prayagraj vide letter dated 06-06-2016 and submit its compliance report to UPPCB.
3. This consent is valid for mining of silica sand as per condition no.-5 of DEIAA, Prayagraj letter no. 85/Parya (DEIAA)-77/2016-17 dated 06-06-2016.
4. Unit shall make water sprinkling arrangement through Tankers for dust suppression at different sources of dust emission during mining, transportation, loading and unloading of silica sand.
5. Unit should operate and maintain installed water sprinkler system effectively and continuously to achieve the standards prescribed under E(P) Rules, 1986.
6. Unit shall submit Ambient air monitoring reports of NABL accredited laboratory on quarterly basis to the Board.
7. All trucks, tractors used in transportation of silica sand shall be covered by canvas sheet to prevent dust emission.
8. Water will be sprayed after loading activity (if sand collected could be dry condition)
9. The dust suppression measures like water spraying will be done on the haul roads and working areas.
10. Industry should comply with the provisions of Hazardous and Other waste (Management & Trans boundary Movement) Rules 2016.
11. Solid waste should be disposed in such manner, so that no water, air and soil pollution takes place.
12. Industry shall develop and maintain green belt as per the guidelines issued by the Board vide office order dated 16/02/2018, which is available on Board's Website- [www.uppcb.com](http://www.uppcb.com).
13. 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.
14. Consent fees if revised, shall be payable by industry from the date of its applicability.
15. Industry shall comply with the relevant provisions of Environmental Laws.
16. 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.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .  
 Digitally signed by Pramod Kumar  
 Agarwal  
 Chief Environmental Officer (Circle-2)

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**/TRUE COPY/**



IN THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 203 OF 2021

VAKALATNAMA

IN THE MATTER OF:

Devidas Khatri

... Applicant

Versus

Union of India & others

... Respondents

KNOW ALL to whom these present shall come that I/We Rajeev Kumar Chawla the above named Respondent do hereby appoint Mukesh Kumar (hereinafter called the advocate/s) to be my/our Advocate in the above noted case and authorize him /s: To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. To deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the Power of Attorney on our behalf. And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes. And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate written he shall receive and return himself.

Dated this 11 day of Jan 2022

Accepted, identified and satisfied about the due execution of the Vakalatnama

Mukesh  
Advocate 01/11/27/2005

Rajeev Chawla  
Applicant/ Respondent

Memo Of Appearance

To  
The Registrar  
National Green Tribunal  
New Delhi



Sir,

Please enter my appearance for the above named Petitioners/Plaintiff(s)/Appellant(s)/Respondent(s)/Defendant(s)/Caveator(s) Intervener(s) in the above mentioned Petition/Appeal/Suit/Reference.

Thanking you,

Dated: 18.01.22

Mukesh Yours Sincerely,  
MUKESH KUMAR  
Advocate  
70, Sudarshan Apt.  
I. P. Extension  
Pattarganj, Delhi-110022  
Mob. 8800424215  
Email:- MKOYAUHANLAWYER  
@ YAHOO.CO.IN