

**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

**INDEX**

<b>Sl. No.</b>	<b>PARTICULARS</b>	<b>PAGES</b>
1.	Objections on behalf of Ashok Kumar Bajpai in reply to the Joint Committee Report	<b>1 – 20</b>
2.	<b><u>ANNEXURE R-1</u></b> A true copy of the photographs of the plantation done by the Answering Respondent- Project proponent dated NIL	<b>21 – 22</b>
3.	<b><u>ANNEXURE R-2</u></b> A true copy of the map of the lease area showing washing plant area outside the lease dated NIL	<b>23 – 24</b>
4.	<b><u>ANNEXURE R-3</u></b> A true copy of the Environment Clearance to Ashok Kumar Bajpai dated 05.08.2015	<b>25 – 29</b>
5.	<b><u>ANNEXURE R-4</u></b> A true copy of the letter issued by the RO, UPPCB dated 28.03.2023	<b>30</b>
6.	<b><u>ANNEXURE R-5</u></b> A true copy of the CTO dated 14.09.2022 valid upto 31.12.2026	<b>31 – 34</b>
7.	<b><u>ANNEXURE R-6</u></b> A true copy of the photographs showing the management of over burden as well as the storage of top soil dated NIL	<b>35 – 37</b>
8.	<b><u>ANNEXURE R-7</u></b> A true copy of the Consolidated CTO for Pure	<b>38 – 42</b>

	Baldu dated 08.07.2022	
9.	<b><u>ANNEXURE R-8</u></b> A true copy of the CTO under Air and Water Act for Bargarhi dated 28.09.2021	<b>43 – 48</b>
10.	Vakalatnama	<b>49</b>

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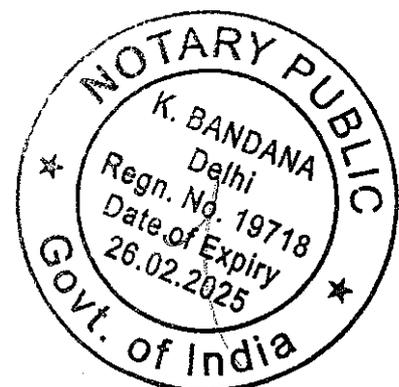
UNION OF INDIA AND OTHERS

.... RESPONDENTS

**OBJECTIONS IN REPLY TO THE JOINT COMMITTEE  
REPORT ON BEHALF OF ASHOK KUMAR BAJPAI**

I, Ashok Kumar Bajpai, son of late Sri D. N. Bajpai, aged around 70 years, resident of 109, Parerhat Rambagh, Prayagraj, U.P. presently at New Delhi do solemnly affirm on oath as under :

1. That the deponent is lease holder of 29.80 hecatres of land at Gata No. (630-631) Purebaldu, Shivrajpur, Bara, Prayagraj for mining of silica sand from the said lease area. The report dated 17.02.2023 filed with letter dated 23.02.2023 before this Court alleges non-compliance and violations of the statutory provision of environmental laws by the deponent herein, hence he being well aware of the facts and circumstances of the case is competent to swear the present affidavit.
2. That the present O.A. is filed by the Applicant against illegal mining activity of silica sand and washing plants of silica sand in Shankargarh block and nearby area. After hearing the counsel for the Applicant this Hon'ble Court has passed an order on 19.08.2021 constituting a joint committee of CPCB, UPPCB, SEIAA and DM Prayagraj to verify the facts and submit and report and take necessary remedial actions in this respect. The said joint committee conducted its inspection of the entire region



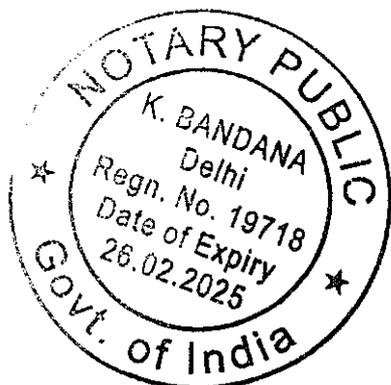
and, thereafter, submitted a report dated 13.12.2021 and suggested remedial actions to be taken.

4. That while considering the said report of the joint committee dated 13.12.2021 on 01.02.2022 this Hon'ble Court passed an order constituting another committee of six members consisting of Divisional Commissioner, Prayagraj, Chief Conservator of Forest Allahabad, nominees of CPCB, nominees of UPPCB, SEIAA and Secretary Agriculture. The Hon'ble Tribunal has directed that :

*"7. Since further remedial action is required in the light of above report and observations made by us, we constitute a joint Committee with the Divisional Commissioner, Prayagraj as Chairman and the Chief Conservator of Forest, Allahabad and nominees of CPCB, State PCB, SEIAA UP and Secretary, Agriculture (an expert in soil conservation) as members to ensure that all washing units/mining lease conduct their activities in accordance with the statutory procedures and environmental norms and compensation is assessed and recovered for the past violations. The Committee may undertake visit to the sites within two months and after coordinated remedial action furnish a report, keeping in mind the earlier report as well as observations made hereinabove by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."*

Pursuant to the aforesaid order of the Tribunal the newly constituted committee submitted a report dated 17.05.2022.

5. That the report dated 17.05.2022 was considered by the Hon'ble Tribunal on 01.08.2022. Tribunal found 2nd report to be at variance with the inspection report annexed with the joint committee report. Hence, to further verify the facts another fresh committee of 5 members was constituted by Tribunal consisting of Regional Director MOEF, Regional Director CPCB, Member Secretary UPPCB, District Magistrate Prayagraj and nominee of

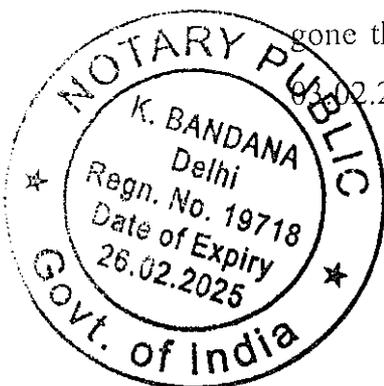


India Bureau of Mines as members. The Tribunal passed the following order :

“7. In view of above, further exercise is required to verify current status of compliance of environmental norms and making violators accountable for the past violations, following due process. We direct concerned statutory authorities to proceed further in the matter as per law. Further, we constitute a fresh five member Committee to be headed by Regional Director, MoEF & CC with Regional Director, CPCB, Member Secretary, State PCB, District Magistrate, Prayagraj and nominee of Indian Bureau of Mines (IBM), Government of India as members. The State PCB and Regional Director, MoEF & CC will jointly act as nodal agency for coordination. The Committee may meet within one month. It will be open to the Committee to co-opt any other individual/institution. The Committee may undertake visit to the site and except for such visit, conduct proceedings physically or online. The Committee may verify the compliance status of the entire area in question in a holistic manner as well as in respect of each of the lease holder and washing units and complete its work preferably within three months, by preparing an appropriate inspection strategy in its first meeting or as soon as possible. The inspections have to be factual, illustrating scientific methodology adopted for mining, ground water usage with due permissions, restoration of mined areas, overall compliance with CTO conditions extent of damages observed in terms of water and air and other associated aspects of environmental management. The local Administration may extend logistic facilities and cooperation including, security. In case violations are found, the Committee may also assess the compensation in respect of each of the violating unit. ....”

6. That a joint committee submitted an interim report dated 03.02.2023 and, thereafter, a final report on 23.02.2023 in pursuance of this Tribunal's order dated 01.08.2022. In the said report the committee gave categorical observations and recommendations on silica sand mining and silica sand washing plants.

7. That the Answering Respondent-Project Proponent herein has gone through the entire interim report of joint committee dated 03.02.2023, final report dated 23.02.2023 and other first two



reports of joint committees dated 17.05.2022 and 13.12.2021. As the report dated 23.02.2023 is the final report hence reply/objection to the same is being given as under :

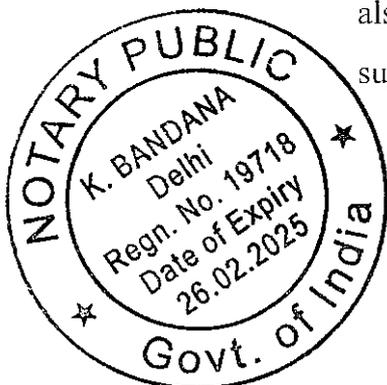
**Reply/Objection to joint committee report dated 23.02.2023 :**

8. That in respect of para 1 of the joint committee report it is submitted that the nomination of the members by the concerned department other than IBM was beyond their authority as this Hon'ble Tribunal has specifically directed and constituted a "FRESH" five member committee of the concerned department. Vide order dated 01.08.2022. By the said order this Tribunal has categorically constituted a "FRESH" five member committee of following members :

- (i) Regional Director MOEF & CC.
- (ii) Regional Director CPCB,
- (iii) Member Secretary UPPCB,
- (iv) District Magistrate Prayagraj
- (v) Nominee of Indian Bureau of Mines, Govt. of India.

However, as the report of joint committee is evidently not submitted and prepared by the members appointed by this Tribunal, hence it is not admissible and ought to be rejected.

9. That the report dated 23.02.2023 is submitted by a joint committee consisting of members much lower rank, i.e., Representatives of MOEF & CC, CPCB, UPPCB and DM. It is submitted that out of the aforesaid 4 members two members were also part of the 1st joint committee. Thus, the report which was supposed to be submitted by a FRESH joint committee is



actually submitted by members of past committee which is not in consonance with this Tribunal's order.

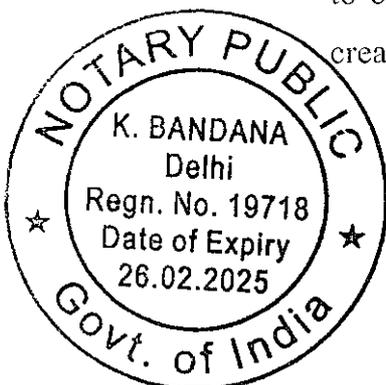
10. That in respect of paragraphs no. 2-4 it is submitted that no specific date or time is mentioned during when the inspection of the mines and washing plant of the Answering Respondent-Project Proponent was conducted. It is evident from the said paragraphs that no prior information of site visit was given to the Answering Respondent- Project Proponent so as to enable him or his representative to be present during the inspection. So far as the Answering Respondent- Project Proponent knows no inspection was carried out in respect of his mines or washing plants by the members of the joint committee. Hence, the report of joint committee submitted on alleged site visit in absolute secrecy without any prior information to the Answering Respondent- Project Proponent is unacceptable and unreliable.
11. That in reply to the contents of paragraph no. 5 it is submitted that the observations made by the joint committee are general and not specific to the Answering Respondent- Project Proponent. Except a few of the allegations there is no specific observation of the joint committee against the Answering Respondent- Project Proponent to be operating in violation of the statutory provisions of law. It is further reiterated herein that the said general observations are also denied and not accepted in light of the fact that no inspection was carried out at the mines of the Answering Respondent- Project Proponent, hence, the same is presumptive based on inspection carried out at other mines/plants.



12. That without prejudice to the above stated reply it is submitted that the Answering Respondent- Project Proponent is carrying out his mining strictly in the area leased to him. Proper safety zones and plantation have been done at the mines of the Answering Respondent- Project Proponent. The washing plant of the Answering Respondent- Project Proponent is also situated outside mining area and it is not being carried out at the same place. A true copy of the photographs of the plantation done by the Answering Respondent- Project proponent dated NIL is ANNEXURE R-1 and A true copy of the map of the lease area showing washing plant area outside the lease dated NIL is ANNEXURE R-2.

13. It is submitted that spot inspection was carried out at the time of submission of earlier report dated 17.05.2022 by Joint Committee of Divisional Commissioner, Allahabad. In the said report at Annexure No. 2 the report of inspection is attached wherein at serial no. 6 it is stated regarding the Answering Respondent- Project Proponent that :

- i. At the time of inspection all the boundary pillars were found to be in position in the mining area and on all the pillars the geo coordinates were found mentioned.
- ii. No water logging found in the pits created pursuant to mining.
- iii. The depth of the mining pits was found at most of the places to be between 1-3 meters hence there was no need of any creatig benches.

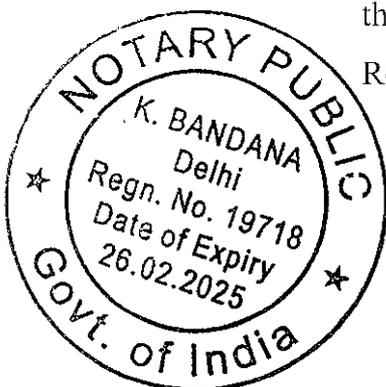


- iv. On the entry and exit point of the sanctioned mining area the weighing bridge was found installed. At the time of inspection it was found that the register entering the details of the quantity exited was maintained.
  - v. it was found that the top soil removed during the mining process from the mining area was stored systematically and in some area the work of restoration and reclamation was being done.
  - vi. In the mining area at two places display board was found installed wherein all the details pertaining to mining lease was given.
  - vii. Plantation was found done in the mining area and the CCTV was found installed at the entry and exit of the sanctioned mining area.
14. That regarding the requirement of DGPS or Diffeerential Global Poisitioning System not being done it is stated that it was not specified in the EC conditions hence its absence cannot be termed as violation of EC. HOWEVER, it is submitted that DGPS survery has been done by the department with the staff of the Answering Respondent-Project Proponent only. Boundary pillars have been erected jointly by the representative of the Answering Respondent-Project Proponent and the surveyor of the department. (A copy of the map is alsready attached as R-2 which shows the boundary pillars). Regarding the plantation activity the report dated 17.05.2022 also evidents that there has been plantation done by the Answering Respondent-Project Proponent in the mining lease area, the photographs at R-1 clearly evidents the same. However, as area is dry and rocky



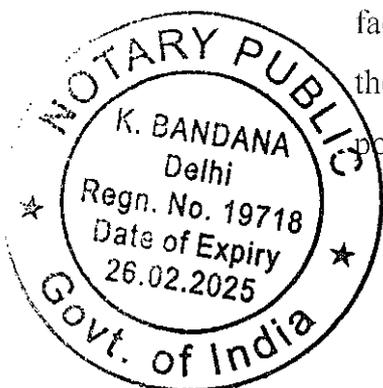
most of the plants do not survive still so far as possible project proponent has got the plantation done. A true copy of the Environment Clearance to Ashok Kumar Bajpai dated 05.08.2015 is ANNEXURE R-3

15. That the earlier report dated 17.05.2022 submitted by a joint committee constituted of members of much higher rank is more credible as compared to the present report. It may be pertinent to mention that in the earlier report the inspection report was prepared amongst the other members by Joint Director/ Officer Incharge RO Prayagraj. Thus, the present report being contrary to the same deserves to be rejected.
16. That in respect of the operation being carried out without any valid CTO it is submitted that the Answering Respondent-Project Proponent have consent to operate for the silica sand mining lease for aperiod of thirteen years and is valid upto 31.12.2026. It is submitted that the Answering Respondent-Project Proponent was under an impression that pursuant to the grant of EC there was no further requirement of obtaining the CTO for the mining process. In this respect it is further submitted that in pr. 32 of the specific condition it was provided that the CTO shall be obtained prior to start of enhanced production from the mine. However, as no enhanced production was done, the Answering Respondent- Project Proponent was under a bonafide impression that the consent to operate was not required.
17. That however, on having come to know about the requirement of the consent to operate for mining as well the Answering Respondent- Project Proponent has applied to the UPPCB along



with the requisite fee on 03.09.2022. In light of the G.O. dated 08.09.2008 of Govt. of U.P., Environment Department the UPPCB vide its letter No. 163742/ UPPCB/ Allahabad (UPPCBRO)/CTO/ both/ Prayagraj/ 2022 dated 14.09.2022 granted post facto CTO to the Answering Respondent- Project Proponent valid upto 31.12.2026. The observation of the joint committee that the CTO was obtained after inspection is baseless as the same was already granted on 14.09.2022 and a letter in this respect was issued by Mr. R. K. Singh RO, UPPCB (member of the joint committee) himself on 28.03.2023. The reason for not issuing that letter earlier, inspite of the CTO being accorded by UPPCB on 14.09.2022, is best known to the said officer. Thus, as on date no mining is being carried on without any CTO. A true copy of the letter issued by the RO, UPPCB dated 28.03.2023 is ANNEXURE R-4

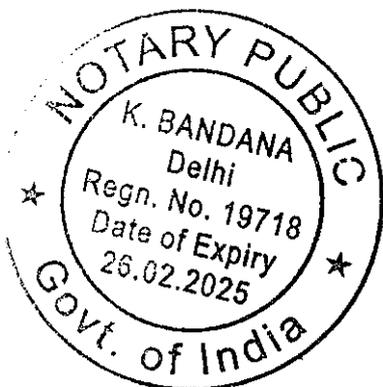
18. That it is held by the Hon'ble Supreme Court in case of **Electrosteel Steels India Ltd. v. Union of India**, Civil Appeal No. 7576-7577 of 2021 decided on 09.12.2021, **Pahawa Plastic Ltd. Dastak NGO**, Civil Appeal No. 4795 of 2021 decided on 25.03.2022, **D. Swamy v. Karnataka State Pollution Oontrol Board**, Civil Appeal No. 3132 of 2018 decided on 22.09.2022 thatex post factoclearances and/or approvals and/or removal of technicalirregularities in terms of a notification under the EP Act cannot bedeclined with pedantic rigidity, oblivious of the consequences ofstopping the operation of mines, running factories and plants. The Hon'ble Supreme Court has held that there is nothing under the EP Act that prohibits the grant of ex-post facto approvals.



19. That a natural corollary that flows from the aforesaid pronouncements of the Supreme Court is that unless the Act prohibits any ex-post facto approval the same cannot be disregarded by the Courts/ Authorities. In the present case also there is nothing in the Air and Water Act that prohibits the UPPCB to grant an ex-post facto consent to operate. Moreover, the said department was always well aware of the mining activity carried on by the Answering Respondent- Project Proponent and the absence of the CTO was only due to a bonafide mistake on basis of an incorrect understanding of the EC condition.

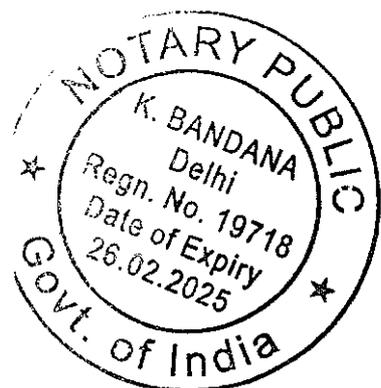
20. That it is submitted that the observation made by the joint committee regarding the CTO being issued for sand/ morrum mining is highly misleading. The said observation being made by the joint committee consisting of members themselves responsible for issuance of the CTOs and approvals shows either deliberate attempt to find fault with the project pronent/ mining lease holders or their inability to appreciate their own document. It is submitted that the CTO is very well granted for silica sand mining only and not for sand or morrum. The said application is made online vide minemitra wherein no separate head for "silica sand" is provided, hence it is applied under the head sand/ morrum. However, in the specific condition of the CTO in para no. 1 it is specifically mentioned that :

*"1. This consent is valid for Purabaldu Silica Sand mining 300000 MT/ year by opencast and manual manner in 29.80 hectare lease are at village Janwa, tehsil Bara, Teshil Prayagraj."*



Thus, the CTO is clearly for silica sand mining and not for sand/morrum as alleged in the report by the joint committee. A true copy of the CTO dated 14.09.2022 valid upto 31.12.2026 is ANNEXURE R-5.

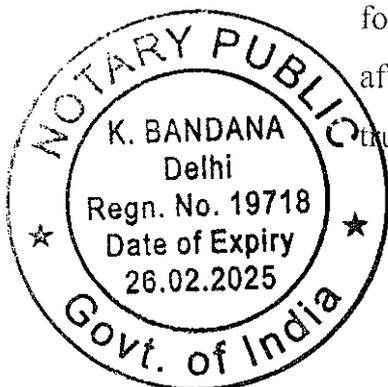
21. That the observation pertaining to the extraction and selling of more than one mineral as permitted is misleading and incorrect. There is no evidence on record that the Answering Respondent-Project Proponent is indulging in any such illegal activity of extraction and selling mineral other than the one permitted. The said observation are only bald allegations with no substance. The observation of the committee based on the satellite imagery is incorrect and baseless. The washing plant of the Answering Respondent, as stated above is situated outside the lease area. So far as significant mining being observed outside lease area it is denied, however, it is also submitted that the same by itself does not suggest the mining being done by the Answering Respondent- Project Proponent.
22. That so far as the observation regarding tallying the total production raised from the area since the grant of lease 40-50 years back is totally unrealistic and absurd. In this respect it is submitted that neither the Answering Respondent-Project Proponent has such production data of 40-50 years back nor it is relevant as on date. It is also submitted that during most of the early years there was no mining done at the mining lease of the Answering Respondent. However, it is submitted that what mining has been done was done as per the parameters laid down



as it is evident from the fact that no adverse comments were made by the mining department at any point of time.

23. That so far as the wearing of the helmets and safety equipment by the worker it is stated that the Answering Respondent- Project Proponent has supplied all safety gears and equipment to the workers in mines. However, at time some workers ignore them or do not use them due to hot, humid conditions but they are otherwise not allowed to work without the safety equipment. The workers employed are all trained and well aware of their work as they have been doing the mining work since long and generations being the primary source of livelihood in the region. This fact is admitted in the report by the joint committee. Further, the project proponent is not monitoring ground water level or its quality as he is not using the groundwater for its operations and he is utilising water from natural sources/ rain water harvesting only. As mining is done for 1-3 meters depth hence it does not intersect with ground water table requiring its monitoring as per the EC condition.

24. That the Answering Respondent- Project Proponent has been properly managing the overburden removed during mining. The observations in the report to the contrary are bald allegations with no legs to stand. Similarly, the Answering Respondent- Project Proponent has provided for a separate designated place for storage of top soil and the same is used to restore the pits after mining. The observations are totally false and incorrect. A true copy of the photographs showing the management of over



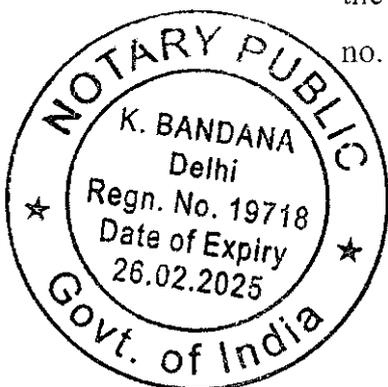
burden as well as the storage of top soil dated NIL is  
ANNEXURE R-6

25. That it is further submitted that as the depth of the mining pits is not more than 1-3 meters use of machinery itself becomes doubtful. The joint committee has not stated that pits more than 1-3 meters were found. So far as the JCB is alleged the same is not used for mining. But the same is used to lift the material mined to load it on trucks. The EC does not prohibit use of machines for loading and unloading.
26. That the observation from 5.10 to 5.18 are general in nature. No observation is made specifically against the Answering Respondent- Project Proponent. It is, however, added that none of the general observations made are against the Answering Respondent-Project Proponent herein as he is conducting the operations with compliance of statutory provision and in any case the allegations are mere bald assetions with no substance and hence not to be read against the Answering Respondent-Project Proponent.
27. That in further reply it is submitted that the observation from para 5.10 to 5.11, 5.16 shows that the primarily it is the not the lease-holders like Answering Respondent- Project Proponent who are engaged in organised and systematic mining, investing huge amount of funds, generating a large scale employment to the local people, generating huge revenue to the government etc. It is rather the unorganised mining by people from the local area who have been engaged since generation in mining since 1940s-50s till 2013 on mere approval from Rani Kumari Ba. These

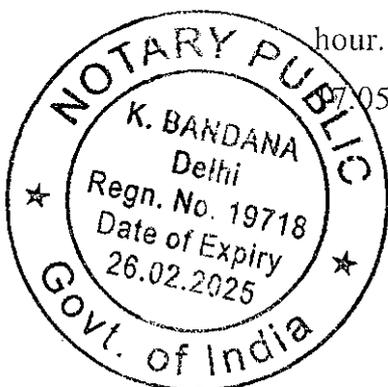


people creates illegal mining pits damaging the area. Since the authority of Rani Kumari Ba came to an end pursuant to the order of the High Court, the local public which earlier used to mine the area on mere permission/ approval from her only could not now mine silica sand without obtaining lease from the government. Hence, they resorted to the illegal mining as and where possible, but being unorganised it is difficult for government to control or stop them. However, the lease holders like Answering Respondent-Project Proponent are always an easy target for authorities in case of any such complaints of illegal mining.

28. That it is further submitted that in the joint committee report under reply the Annexure J and K providing for FIRs and quantity of silica sand seized from different locations of Tehsil Bara shows the extent of illegal mining by unauthorised persons.
29. That the contents of para no. 6 of the joint committee makes general observation and no specific allegation is made against the Answering Respondent-Project Proponent. It is submitted that the project proponent is running a washing plant at gata no. 630-631 Pure Baldu, Bara, Prayagraj.
30. That the Answering Respondent-Project Proponent has a consolidated consent to operate in respect of the washing plant dated 08.07.2022 which is valid upto 31.03.2027. The name of the project proponent is clearly mentioned at page 245 at serial no. 15 of the list of washing plants operational in the region.



31. That it submitted that the project proponent is running two washing plants but for each of them he has obtained separate prior consolidated CTO. There is neither any specific allegation against the Answering Respondent-Project Proponent nor any evidence brought on record showing that the plants on one CTO. A true copy of the Consolidated CTO for Pure Baldu dated 08.07.2022 is ANNEUXRE R-7 and A true copy of the CTO under Air and Water Act for Bargarhi dated 28.09.2021 is ANNEXURE R-8
32. That it is submitted that a bare perusal of the CTO of washing plant for Purebaldu will show that it only has capacity of 100 tones per day. The said washing plant is situated at around 850 meters away from the mining area. The said washing plant is not in the mining area of the project proponent. In this respect the task force report appended at annexure 8-9 of the earlier report of the Divisional Commissioner, Prayagraj shows that the washing plant is situated at a distance of 845 meters away from the mining area. It is submitted that the said area is just outside the mining area. The project proponent uses natural source of water. Thus, there is no violation of the EC condition of mining by the Answering Respondent- Project Proponent nor of any of the conditions of CTO.
33. That the other washing plant of the project proponent is situated in another village at Baragarhi which is beyond the mining area at Purebaldu. The said washing plant has capacity of 100 tons/hour. In the report of the Divisional Commissioner dated 07.05.2022 an inspection report was submitted by the Sri R. K.

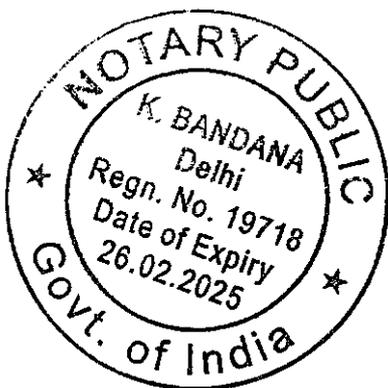


Singh Regional Officer, UPPCB(also member in the present joint committee) wherein it was found that there were approximately 500 trees in the area, water used from natural source, flow meter was installed, rain water harvesting and there is no ground water extraction done by the project proponent. The observation made in the report of Divisional Commissioner totally belies the contrary observation made by the joint committee in the present report.

34. That in respect of paragraph no. 7 of the report of joint committee it is submitted that neither the said FIR is against the Answering Respondent- Project Proponent nor the seizure done is his mined silica sand. However, the said FIR and seizure of 1527.2 cubic meter of silica sand evidents the fact that illegal mining is being done by local nearby villagers who since generation have earned livelihood from silica sand mining during the reign of Rani Kumari Ba. The project proponent is among the leaseholderswho are legally and validly operating their mining business.

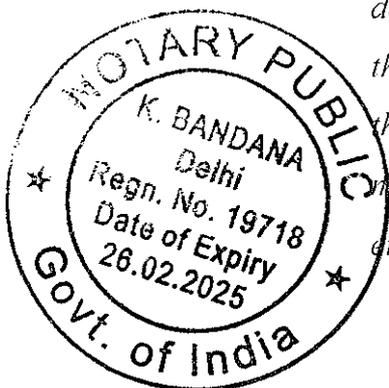
35. That in respect of paragraph no. 8 it is submitted that the same is based on an incorrect formula which has not been approved by the Court. It is submitted that :

(i) The joint committee has made an assessment for environment damage based on a mechanical formula only considering that mining is illegal for the reason of absence of CTO. The committee has failed to consider that by letter dated 28.03.2023 the RO, UPPCB himself informed the project proponent that theBoard has approved his



application for CTO with fee for commencement and renewal for 13 years. Hence, a post facto CTO has been allowed to the project proponent. Thus, there is no illegal production by him. (preceeding paragraphs of the reply are reiterated)

- (ii) It is also not out of place to submit that the quantity of mined material as shwon in the chart in column 'x' is not admitted by the Answering Respondent- Project Proponent. The data for the mining was not obtained by the committee from the Answering Respondent- Project Proponent and no source of data has been stated, as mining plan does not provides the actual mining data but provides for approved mining limit.
- (iii) Further, the calculation by the joint committee is mechanical only. The committee has not come up with any evidence or any substance in its report showing any actual environmental damage. Merely, failure of the project proponent to have CTO does not ipso facto means damage to the environment. Unless such damage is done and compensation is determination no straig jacket formula can be applied to impose EC upon the project proponent.
- (iv) In case of *Deepak Nitrite Ltd. v. State of Gujarat reported in 2004 (6) SCC 402* the Hon'ble Supreme Court has held that *"There has to be a finding that there has been degradation of environment or any damage caused to any of the victims by the activities of industrial units and then certainly damages have to be paid. Court remanded the matter to High Court to examine the aspect of damage to environment and/the people, as the case may be, and*



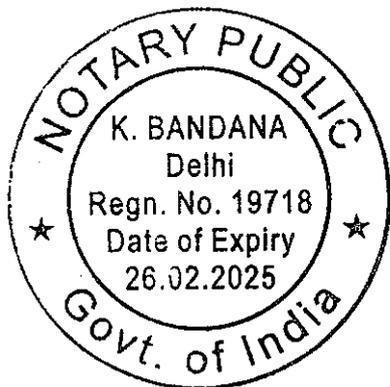
thereafter to decide appropriate compensation to be awarded.”

- (v) However, in subsequent decision in *M.C. Mehta vs. Union of India & Others reported in (2004) 12 SCC 118* this Court considered the aforeisaid judgement in case of Deepak Nitrite and held that the decision in the Deepak Nitrite cannot be said to have laid down a proposition that in the absence of actual damage to environment by the offending activities, payment for repair on the application of 'polluter pays' principle cannot be ordered.
- (vi) Therefore, natural corollary that flows is that in absence of any actual damage to the environment an environment compensation equal to the repair of the damage cannot be levied.
- (vii) Even by no stretch of imagination the formula applied by the joint committee is acceptable. The total market value of the alleged illegally mined mineral is itself caculated by the joint committee to be Rs. 33.94 cr. On the said market value the expenses for mining, CSR, CER, royalty, taxes etc. is also paid by the project proponent thus leaving with him hardly some percentage of revenue. But the joint committee determined compensation for a sum of Rs. 113 cr. which is almost 3.5 times the market value of the alleged illegally mined mineral. Even the market value determined at Rs. 675/m<sup>3</sup> is not admitted. This itself shows the mechanical approach of the joint committee in recommending the EC.
- (viii) Project Proponent is engaged in activity of wherein it has directly and indirectly employed a sufficient number of skilled and unskilled labours. Project proponent is also



paying a huge amount of royalty to the government for the mined silica sand. The Hon'ble Supreme Court in **M/s Pahwa Plastics Pvt. Ltd. v. Dastak NGO** has held against shutting down a commercial unit employing large no. of workers, only for the reason of ex post facto environmental approvals/ consents/ clearance. Though in present case the EC was present but imposing of penalty as recommended by the representative of the CPCB due to non-availability of valid CTO would force the the answering Respondent to shut down the entire project causing huge loss of employment, income and revenue to the state and all the stake holders.

- (ix) It may not be out of place to submit that the joint committee again failed to appreciate that the menace of illegal mining is not from the lease holders who are engaged in organised mining activity. The EC determination against the Project Proponent shows that he is being held responsible for an irregularity of absence of a document, i.e. CTO and an EC of 3.5 times of the market value of mined mineral is recommended. However, in the Annexure K the joint committee itself mentioned illegal mineral seizure of 1527.2 m<sup>3</sup>. The illegal miners of that mineral were not imposed any such compensation as they were not found though they did not even have any mining lease, EC, CTO etc. but they loose only the mined mineral of 1527.2 m<sup>3</sup> as against the Project proponent who are recommended for EC of 3.5 times the market value of mineral only for an irregularity. Hence, the EC determined by the joint committee is clearly arbitrary and illegal.



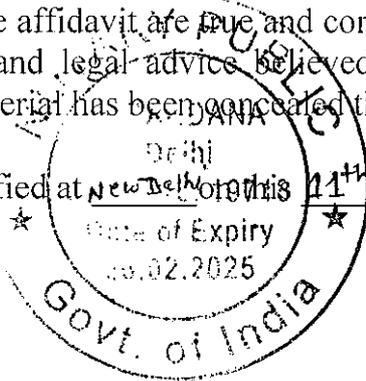
- 35. That in respect of the paragraph 9 of the joint committee report the Answering Respondent- Project Proponent submits that he has been complying with the environmental and mining laws. However, in the event any recommendation of the joint committee is acceded to by this Tribunal to be complied by the Answering Respondent- Project Proponent he shall comply with the same.
- 36. That in light of the aforesaid reply it is submitted that the report of the joint committee ought not be accepted and it deserves to be rejected.
- 37. That the documents attached at Annexures to this affidavit are true copies of their respective originals.

*Abh K B...*  
**DEPONENT**

*Abh K B...*  
**IDENTIFIED**  
**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 *New Delhi* on this *11<sup>th</sup>* day of January, 2024.



*Abh K B...*  
**DEPONENT**

*11/1/2024*



**ATTESTED**  
**NOTARY PUBLIC DELHI**  
 Govt. of India  
 Mob.: 9654768498

ANNEXURE R-1

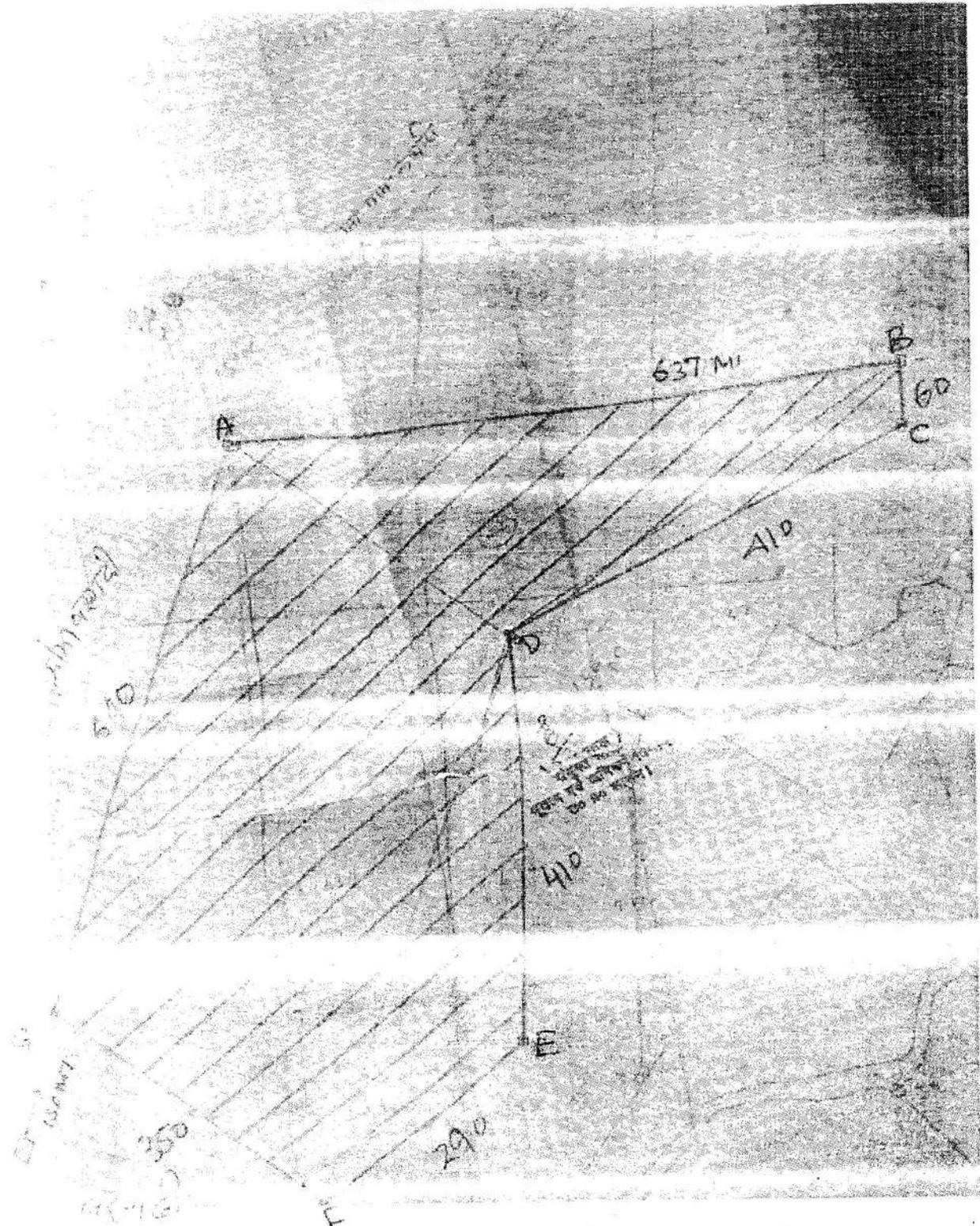


997



/TRUE COPY/

ANNEXURE R-2



Measurement  
As per kkanan Dehortmit dt. 24/2/2021



999

**Washing Plant**

**co-ordinate :- 25.240669, 81.593020**

**Situated in part of 633 outside of mining lease.**

**/TRUE COPY/**

**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.in, www.seiaaup.com

Date: 05 August, 2015

Ref. No. /Parya/SEAC/1237/JDCA(S) /2014

To,

Mr. Ashok kumar Bajpai,  
109, Rambagh Allahabad.  
U.P-211002

**Sub: Regarding Environmental Clearance for proposed Purabaldy Silica Sand Mining at Yamuna River, at Village – Janwa, Taluka-Bara, Allahabad (Leased Area- 73.61/29.80 Ha)**

Dear Sir,

Please refer to your letter dated 23/05/2012 received in this office on 02/06/2012, letter dated 11/08/2012 and 19/05/2015 addressed to the Secretary SEAC/Chairman SEIAA, Directorate of Environment, Lucknow. The Committee considered the matter in its meeting held on dated 02/06/2015. A presentation was made by M/s Ind Tech House Consult along with Sri Ashok Kumar Bajpai, the project proponent, through documents; presentation made during meeting dated 02/06/2015 has informed that:

1. The environmental clearance is sought for Purabaldy Silica Sand Mine at Village-Janwa, Taluka-Bara, District-Allahabad, U.P. (Leased area 29.80 ha).
2. 300 working days is proposed for mining activity.
3. The lease was granted for silica sand in Tehsil-Bara, District-Allahabad for a period of 20 years from 23/02/1972 to 22/02/1992. First renewal was granted to the project proponent for a period of 20 years from 23/02/1992 to 22/02/2012. Second renewal was granted to the project proponent for a period of 20 years from 23/02/2012 to 22/02/2032.
4. The ultimate depth of mining will be restricted to 03 meter/ water table, whichever is less. 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.
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. The water requirement will be limited 19 KLD and will be supplied from water tankers.
7. 3,00,000 MTPA Silica sand collections are proposed.
8. The mining will be opencast type and carried through manual manner.
9. During operation the maximum workers no 65.
10. The terms of reference for the title proposal were issued through letter no. 1257/parya/SEAC/1237/2012/DD(S) dated 21/06/2012.
11. The public hearing was organized on 06/05/2015 under the Chairmanship of ADM (Admin), Allahabad, U.P.
12. Final EIA report incorporating details of public hearing was submitted through undated letter received on 19/05/2015.
13. CSR plans as per need also including mosquito net and blanket distribution. CSR audit report will be maintained and shall be submitted.
14. This project does not attract any of the general conditions applicable on mining projects specified in EIA Notification 14/09/2006.
15. The Project proposal falls under category – 1(a) of EIA Notification, 2006 (as amended).
16. There is no litigation pending in any court regarding the project.

Based on the recommendations of the State Level Expert Appraisal Committee (meeting held on 02/06/2015) on the above said project, the State Level Environment Impact Assessment Authority (meetings held on dated 09/07/2015) has decided to grant the Environmental Clearance to this project proposal subject to effective implementation of the following general and specific conditions:

**General Conditions:**

1. Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA Notification, 2006 (as amended).
2. No change in the calendar plan including excavation, quantum of mineral silica sand and waste should be made.
3. Conservation measures for protection of flora and fauna in the core & buffer zone should be drawn up in consultation with the local forest and wildlife department.
4. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for RSPM, SPM, SO<sub>2</sub> & NO<sub>x</sub> 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.
5. Data on ambient air quality (RSPM, SPM, SO<sub>2</sub> & NO<sub>x</sub>) should be regularly submitted to the State level impact Assessment Authority UP, MoEF, Regional Office located at Lucknow and the U.P Pollution Control Board once in six months.
6. Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
7. Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
8. Industrial waste water (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 should be installed before discharge of workshop effluents.
9. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
10. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
11. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the State level impact Assessment Authority UP, MoEF, Regional Office located at Lucknow and the U.P Pollution Control Board.
12. The project authorities should inform to the MoEF, Regional Office located at Lucknow regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
13. The MoEF, Regional Office located at Lucknow shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the MoEF, Regional Office located at Lucknow by furnishing the requisite data / information / monitoring reports.
14. The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the State level impact Assessment Authority, U. P. MoEF, Regional Office, Lucknow, and U.P Pollution Control Board.
15. A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion/representation has been received while processing the proposal.

16. U.P Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/ Tehsildar's Office for 30 days.
17. The project authorities should 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 U.P Pollution Control Board and also at web site of the SEIAA at <http://seiaaup.com> and a copy of the same should be forwarded to the MoEF, Regional Office located at Lucknow.
18. Project falling within in 10 Km. area of Wild Life Sanctuary is to obtain a clearance from National Board Wild Life (NBWL) even if the eco-sensitive zone is not earmarked.

**Specific conditions**

1. No washing is to be made at the site.
2. Submit the monitoring report of 24 hours air quality during the period of mining.
3. Approach road 1.5 KM Kaccha to be made motorable.
4. Vehicles should be allowed with no pollution level so device for pollution checking should be installed at sites.
5. A detail of total cost Rs. 69 Lacs and need based revised CSR detail of Rs 4.0 Lacs to be submitted within 15 days. CSR plan should also be submitted to District Magistrate/Chief Development Officers.
6. In CSR water tank for drinking purpose in school with location of site in village and ladies toilet is to be constructed in the village, plantation of trees two sides on the approach road to be done. List of beneficiaries alongwith address and telephone no. to be submitted to Directorate and District Administration.
7. The environmental clearance is subject to approval of the State Land use Department, Government of U.P for diversion of agricultural land for non-agricultural use.
8. The project proponent shall obtain Consent to Establish from the U.P State Pollution Control Board and effectively implement all the conditions stipulated therein.
9. Environmental clearance shall be subject to grant of mining lease in favour of project proponent.
10. Mining operations shall be undertaken as per approved mining plan.
- ✓ 11. Washing of silica sand shall not be permitted under this clearance.
12. A record of daily production capacity, engagement of man power and transport vehicles should be maintained.
13. The mining operations shall be restricted to above ground water table and it should not intersect the groundwater table.
14. The project proponent shall ensure that no natural watercourse and/or water resources are obstructed due to any mining operations.
15. The top soil shall temporarily be stored at earmarked site(s) only and it should not be kept unutilized for long. The topsoil shall be used for land reclamation and plantation.
16. The over burden (OB) generated shall be disposed off at the earmarked site in accordance with the approved mine plan. The OB dump shall not be kept active for a long period of time and its phase wise stabilization shall be carried out. The OB dump shall be properly terraced so that the overall slope of the dump shall not exceed 27 degree. The OB dump should be scientifically vegetated with suitable native species to prevent erosion and surface run off. It shall be ensured that the OB does not flow into agricultural fields. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the SEIAA, U. P. on six monthly basis.
17. Catch drains and siltation ponds of appropriate size shall be constructed for the working pit, soil, OB and mineral dumps to arrest flow of silt and sediment into the agricultural fields and the water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains should be regularly de-silted particularly after the monsoon and maintained properly.

18. Garland drains, settling tanks and check dams of appropriate size, gradient and length shall be constructed both around the mine pit and the over burden dump to prevent run off of water and flow of sediments directly into the agricultural fields and the water bodies and sump capacity should 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 should also provide adequate retention period to allow proper settling of silt material. Sedimentation pits should be constructed at the corners of the garland drains and de silted at regular intervals.
19. The void left unfilled in the area shall be converted into the water body. The higher benches of excavated void/mining pit shall be terraced and plantation done to stabilize the slopes. The slope of higher benches shall be made gentler for easy accessibility by local people to use the water body.
20. Peripheral fencing shall be carried out along the excavated area.
21. Dimension of the retaining wall at the toe of the OB dump and the OB benches within the mine to check run-off and siltation should be based on the maximum rain fall data.
22. Plantation shall be raised as 7.5 m wide green belt in the safety zone around the mining lease, over burden dump, around water body, roads etc. by planting the native species in consultation with the local DFO/Agriculture Department. The density of the trees should be around 1000 plants per ha.
23. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of SPM (PM10 and PM2.5) such as around crushing and screening plant, loading and unloading point and transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the U.P Pollution Control Board in this regard.
24. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, U.P Ground Water Board.
25. Regular monitoring of ground water level and quality shall be carried out in and around the mine lease by establishing a network of existing wells and constructing new piezo meters during the mining operation. The monitoring should be carried out four times in a year i.e., pre-monsoon, monsoon, post-monsoon and winter and the data thus collected shall be sent regularly to the SEIAA. If at any stage, it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.
26. The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (surface water and ground water, if any) for the project.
27. Environmental Corporate Responsibility (ECR) plan along with budgetary provision amounting to 2% of total project cost shall be prepared and approved by Board of Directors of the company. A copy of resolution as above shall be submitted to the authority. A list of beneficiaries with their mobile nos./address should be submitted alongwith six monthly compliance reports. Copy of EMP and CSR shall be communicated to District Magistrate.
28. Suitable rainwater harvesting measures on long term basis shall be planned and implemented in consultation with the Regional Director, U.P. Ground Water Board.
29. Vehicular emissions shall be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
30. Drilling and Blasting operations shall not be carried out.
31. Mineral handling area shall be provided with adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
32. Consent to operate shall be obtained from the U.P Pollution Control Board, prior to start of enhanced production from the mine.
33. Liquid waste from toilets etc, should be properly managed so that ground water is not contaminated.

E.C. for proposed Purabaldur Silica Sand Mining at Yamuna River, at Village – Janwa, Taluka-Bara, Allahabad (Leased Area- 73.61/29.80 Ha)

34. Pre-placement medical examination and periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and displayed at the site and followed accordingly.
35. Provision shall be made for the housing of labour near the site with all necessary infrastructure and facilities such as fuel for cooking, sanitation, safe drinking water, medical health care, crèche etc.
36. A Final Mine Closure Plan along with details of Corpus Fund should be submitted to the SEIAA, U. P. 5 years in advance of final mine closure for approval.
37. All workers engaged must be covered under ESI as per mines act or under group insurance scheme.

You are also directed to 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 of the proposed site, this permission shall automatically deem to be cancelled.

The above 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 SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA 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 provision of Gazette Notification No. S.O. 1533(E) dated 14-09-2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification.

(J. S. Yadav)

Member Secretary, SEIAA

No. 704 /Parya/SEAC/1834/JDCA(S)/2013 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 & 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. The Member Secretary, U.P. Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow.
5. District Magistrate, Allahabad, U.P.
6. Director, Geology and Mining, Govt. of U.P.
7. Copy for Web Updation/Guard File.



(Dr. Anwar Ali Khan)

OSD(T)/Nodal Officer

Directorate of Environment, U.P.



क्षेत्रीय कार्यालय, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
REGIONAL OFFICE, U. P. POLLUTION CONTROL BOARD

दूरभाष: / Ph. : 0532-2569727

आवास विकास परिषद कालोनी, सेक्टर-10, योजना संख्या-3, झंसी, प्रयागराज - 221508  
Avas Vikas Parishad Colony, Sector-10, Scheme No. 3, Jhansi, Prayagraj,  
roprayagraj@uppcb.in

संदर्भ सं० १००३०२२ / A-265/2023

दिनांक २०/०३/२०२३

सेवा में

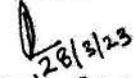
मे० अशोक कुमार वाजपेयी (सिलिका माइनिंग लीज)  
पूरेबल्लू, जनवां,  
प्रयागराज।

विषय: आपके प्रार्थना पत्र दिनांक 24.03.2023 के संबंध में।

महोदय,

उपरोक्त विषयक का संदर्भ ग्रहण करने का कष्ट करें। अवगत कराना है कि आप द्वारा मे० अशोक कुमार वाजपेयी (सिलिका माइनिंग लीज) का आवेदन निवेशमित्र के माध्यम शुल्क सहित दिनांक 03.09.2022 को प्रारम्भिक सहमति हेतु आवेदन किया गया। सहमति आवेदन में इकाई का कुल विनियोजन रू० 69,00,000.00 दर्शाते हुये प्रारम्भिक सहमति शुल्क सहित रू० 70000.00 जमा किया गया है जोकि सरकारी गजट, उत्तर प्रदेश, उत्तर प्रदेशीय सरकार द्वारा प्रकाशित असाधारण विधायी परिशिष्ट भाग-4, खण्ड (ख) परिनियत आदेश दिनांक 08 सितम्बर 2008 उत्तर प्रदेश सरकार, पर्यावरण अनुभाग सं० 3405/55-पर्या-2008-256 (पर्या)-2001 के अन्तर्गत अधिसूचना के स्तम्भ-2, एतद्द्वारा प्रतिस्थापित मद के क्रम संख्या-9 (रू० 50 लाख से अधिक रू० 1 करोड़ तक) के आधार पर कुल 13 वर्षों हेतु (प्रारम्भिक + नवीनीकरण) शुल्क जमा किया गया है। जमा सहमति आवेदन आवेदन क्रमांक संख्या-17691348 का निस्तारण बोर्ड मुख्यालय के पत्र संख्या-163742/UPPCB/Allahabad(UPPCBRO)/CTO/both/PRAYAGRAJ/2022 दिनांक 14.09.2022 द्वारा सहमति निर्गत किया गया था, जिसकी वैधता 31.12.2026 तक है।

भवदीय,



(आर०के० सिंह)  
क्षेत्रीय अधिकारी



**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

163742/UPPCB/Allahabad(UPPCBRO)/CTO/both/PRAYAGRAJ/2022

Date: 14/09/2022

To,

M/s

**ASHOK KUMAR BAJPAI (SILICA MINING LEASE)**  
**PURABALDU, JANWA, BARA, PRAYAGRAJ**

Application Id- 17691348
-----------------------------

**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 **ASHOK KUMAR BAJPAI (SILICA MINING LEASE)** located at **PURABALDU, JANWA, BARA, PRAYAGRAJ.** 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 **ASHOK KUMAR BAJPAI (SILICA MINING LEASE)** granted for the period from **14/09/2022 to 31/12/2026** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Sand/morrum in MT/Year	300000	Metric Tonnes/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	2.0 KLD	Septic Tank	Soak Pit

(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
-------	-----------	----------

(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
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### 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 Sand/Morrum.			Particulate Matter	water sprinkling system and Green Belt for controlling dust emission.
2	D.G. Set-250 KVA	HSD	01	Particulate Matter	As per norms with acoustic enclosure.

#### Emmission Quality Standards

S No.	Stack no	Parameters	Standards
1		Particulate Matter	Ambient Air Standard as per E(P) Act 1986.
2	01	Particulate Matter	less than or equal to 0.2 g/kW-hr

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	Day Time	Night Time	Day Time	Night Time	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.

**Specific Conditions:-**

1. This consent is valid for Purabaldu Silica Sand mining -300000 MT/Year by opencast and manual manner in 29.80 hectare leased area at Village-Janwa, Tehsil-Bara, Tehsil-Prayagraj.
2. Mining unit shall comply with the conditions of Environmental Clearance issued by State Level Environment Impact Assessment Authority (SEIAA) vide letter no. 704/Parya/SEAC/1834/JDCA(S)/2013 dated 05.08.2015 and submit its compliance report to UPPCB.
3. If the lease agreement expires prior to 31-12-2026, then the validity of this CTO shall stand expired simultaneously with the expiry of mining lease.
4. Unit shall develop and maintain green belt as per the conditions of Environmental Clearance.
5. Unit shall not withdrawal ground water for any industrial activity without obtaining necessary permission from CGWA.
6. The domestic effluent shall be treated through septic tank/soak pit or provide mobile toilet facility. Industry shall maintain ZLD.
7. Unit shall make water sprinkling arrangement through Tankers for dust suppression at different sources of dust emission during mining, transportation, loading and unloading of sand/morrum.
8. Unit should operate and maintain installed water sprinkler system effectively and continuously to achieve the standards prescribed under E(P) Rules, 1986.
9. Unit shall submit Ambient air monitoring reports of NABL accredited laboratory on quarterly basis to the Board.
10. All trucks, tractors used in transportation of sand/morrum shall be covered by canvas sheet to prevent dust emission.
11. Water will be sprayed after loading activity (if sand/morrum collected could be dry condition)
12. The dust suppression measures like water spraying will be done on the haul roads and working areas.
13. Industry should comply with the provisions of Hazardous and Other waste (Management & Trans boundary Movement) Rules 2016.
14. Solid waste should be disposed in such manner, so that no water, air and soil pollution takes place.
15. 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.
16. Consent fees if revised, shall be payable by industry from the date of its applicability.

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

**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.

RAJENDRA SINGH Digitally signed by RAJENDRA SINGH  
Date: 2022.09.14 14:41:33 +05'30'

Chief Environmental Officer (circle-2)

Copy to:

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

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Date: 2022.09.14 14:42:03 +05'30'

Chief Environmental Officer (circle-2)

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# Over Burden

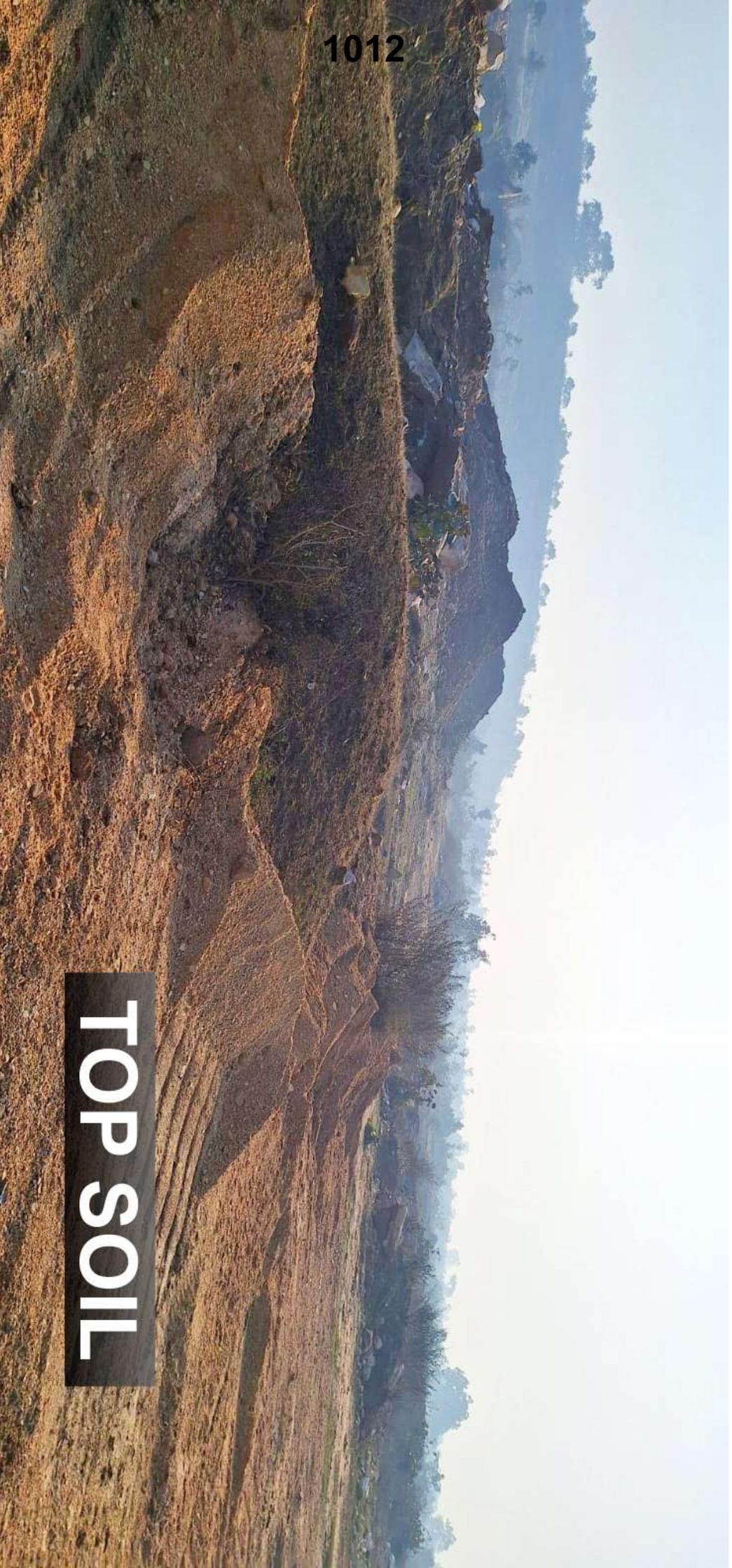


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**Uttar Pradesh Pollution Control Board**

Building, No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

159370/UPPCB/Allahabad(UPPCBRO)/CTO/both/PRAYAGRAJ/2022 Date: 08/07/2022

To,

M/s

**ASHOK KUMAR BAJPAI (SILICA WASHING PLANT)**

**PURE BALDU (GATA NO.- 630, 631) SHIVRAJPUR, BARA, PRAYAGRAJ**

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

<b>Consent No-16894062</b>	<b>Date-08/07/2022</b>
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CCA is hereby granted to **ASHOK KUMAR BAJPAI (SILICA WASHING PLANT)** located at **PURE BALDU (GATA NO.- 630, 631) SHIVRAJPUR, BARA, PRAYAGRAJ.** 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 **ASHOK KUMAR BAJPAI (SILICA WASHING PLANT)** granted for the period from **01/08/2022 to 31/03/2027** and valid for manufacturing of following products with **Capital Investment/Net Assets Values 20.00 Lakhs**

S No	Product	Quantity	Unit
1	WASHING OF SILICA SAND (MT/DAY)	100	Metric Tonnes/Day

2. Specific Conditions under Water Act :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility and discharge point
Domestic	3.0 KLD	Septic Tank

(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 and the same shall be maintained continuously so as to achieve the quality of the treated effluent to the following standards.

S No.	Parameters	Standards
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## 3. Conditions under Air Act :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is 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	DG SET	DIESEL	01	Particulate Matter	AS PER E(P) ACT 1986

**Emission Quality Standards**

S No.	Stack no	Parameters	Standards
1	01	Particulate Matter	AS PER E(P) ACT 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) 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.

(iii) The unit will not use any type of restricted fuel.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

## 6. Compulsory documents to be submitted by the Industry/Unit :-

(i) Annual return in Form-4 and Waste Disposal Manifest in Form-10 under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and Third Party Audit Report.

- (ii) Environment Statement in Form-V of Environment (Protection) Rules, 1986.
- (iii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.
7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.
8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
9. Unit has to comply with the other general conditions as annexed herewith. 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.
10. In compliance to the G.O dated 1011/81-7-2021-09 (Writ)/2016 dt.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 shall be revoked by the Board.
11. 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 shall be revoked.
- R.O., UPPCB PRAYAGRAJ.**

Copy to:

CEO-2, UPPCB LUCKNOW.

RAMESH  
KUMAR SINGH  
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RAMESH KUMAR SINGH  
Date: 2022.07.08  
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**R.O., UPPCB PRAYAGRAJ.**

**Annexure**

**Specific Conditions**

1. This consent to operate is valid for Washing of Silica Sand-100 MT/DAY .
2. Unit is directed to reuse of recycled water through settling tank.
3. Unit is directed to make provision of Rain Water Harvesting & Ground Water Recharging within 03 months.
4. Unit is directed to make a boundary wall around the premise within 03 month.
5. Unit shall ensure zero discharge outside the premise.
6. Unit is directed to comply the provision of Central Ground Water Authority NOC if withdrawal of ground water.
7. Unit is directed to install ISI Mark Water Meter on the installed tube wells for the measurement of water abstraction.
8. Unit is directed to develop green belt of appropriate thickness around the premise with fast growing deciduous saplings.
9. Unit directed to file Annual Compliance Report of the condition.
10. For the expansion/diversification of the production capacity, pre-consent of the State Board shall be mandatory.
11. Unit shall maintain the Ambient Air/Noise Quality as per standard.
12. Unit is directed to maintain the stack height attached with D.G sets as per standard within 02 month & also maintain acoustic enclosures for Noise Pollution Control.
13. Unit is directed to submit Stack Monitoring Report of the installed D.G Sets monitored by approved laboratory within 03 month from approved laboratory.

14. Unit is directed to make a boundary wall around the premise within 03 month.
15. Unit will strengthen green belt in the premise of the total occupied area.
16. Unit is directed to comply the provision of Solid Waste Rule 2016.
17. Unit is directed to comply the provision of E (P) Act 1986 as applicable to the unit.
18. Unit will not make any expansion without prior consent of the State Board.
19. Unit shall submit Ambient Air Monitoring Report in 03 month.
20. Unit is directed to submit compliance report quarterly.

**General Conditions:-**

The applicant shall get analyse 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 UEPPCB.

1. 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.
2. Treated 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.
3. 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.
4. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
5. The industry shall provide uninterrupted entry to the STPs/ETPs inlet and outlet points. Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
6. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
7. 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.
8. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
9. 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.
10. 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
11. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
12. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board.
13. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
14. It is the duty of the authorized person to take prior permission of the Board to close down the facility.
15. The authorization is valid for temporary storage of Hazardous Waste within premises only.
16. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on Display Board of size 6x4 feet outside the main factory gate within premises
17. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.

18. The applicant shall maintain record of hazardous waste in Form-3 and shall submit annual return in Form-4 on or before the 30th day of June following to the financial year to which that return relates.
19. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
20. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed physical and chemical analysis of hazardous waste sample and report to the Board.
21. Dried hazardous sludge from the process in the plant shall be stored in double lined HDPE pit constructed with R.C.C. or such material which does not react with the waste contained in it.
22. The storage area should be fenced properly and Sign/Notice Board indicating  $\frac{1}{2}$  Danger  $\frac{1}{2}$  and  $\frac{1}{2}$  Hazardous  $\frac{1}{2}$  shall be displayed at appropriate position both in Hindi and English.
23. The industry shall store non-ferrous metal waste, used oil/spent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be sold only to Registered Recyclers/Re-processors.
24. In case of any transportation of hazardous waste, the details in Form-10 of the Hazardous and Other Wastes Rules, 2016 shall be submitted to the Board.

RAMESH  
KUMAR SINGH  
R.O., UPPCB PRAYAGRAJ.

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RAMESH KUMAR SINGH  
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## 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.com, Website: www.uppcb.com

## CONSENT ORDER

Ref No. -  
137043/UPPCB/Allahabad(UPPCBRO)/CTO/wat  
er/ALLAHABAD/2021

Dated : 28/09/2021

To,

Shri ASHOK KUMAR  
M/s ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT)  
BARGARHI (ARAZI NO.-94, 95) SHIVRAJPUR, PRAYAGRAJ  
ALLAHABADSub : Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974  
(as amended) for discharge of effluent to M/s. ASHOK KUMAR BAJPAI (SILICA  
CRUSHING PLANT)

Reference Application No :13468400

Dated :28/09/2021

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act, 1974 as amended (here in after referred as the act ) M/s. ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT) is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure in reference to their foresaid application .
2. This consent is valid for the period from 28/09/2021 to 31/07/2024 .
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 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .

This consent is being issued with the permission of competent authority .

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

R.O., UPPCB PRAYAGRAJ.

Enclosed : As above  
(condition of consent):

Copy to: CEO-2, UPPCB LUCKNOW.

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R.O., UPPCB PRAYAGRAJ.

## U.P. POLLUTION CONTROL BOARD, LUCKNOW

Annexure to Consent issued to M/s.ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT) vide

Consent Order No. 13468400/ Water

Dated : 28/09/2021

## CONDITIONS OF CONSENT

- This consent is valid only for the approved production capacity of Silica Sand crashing -100 Ton/Hours.
- The quantity of maximum daily effluent discharge should not be more than the following :

Effluent Discharge Details			
S.No	Kind of Effluent	Maximum daily discharge,KL/day	Treatment facility and discharge point
1	Domestic	3.0 KLD	Septic Tank

- Arrangement should be made for collection of water used in process and domestic effluent separately in closed water supply system. The treated domestic and industrial effluent if discharged outside the premises, if meets at the end of final discharge point, arrangement should be made for measurement of effluent and for collecting its sample. Except the effluent informed in the application for consent no other effluent should enter in the said arrangements for collection of effluent. It should also be ensured that domestic effluent should not be discharged in storm water drain .
- (a) The domestic effluent should be treated in treatment plant so that the should be in conformity with the following norms dated treated effluent .

Domestic Effluent		
S.No	Parameter	Standard

- (b) The industrial effluent should be treated in treatment plant so that the treated effluent should be in conformity with the following norms. .

Industrial Effluent		
S.No	Parameter	Standard

- Effluent generated in all the processes, bleed water, cooling effluent and the effluent generated from washing of floor and equipments etc should be treated before its disposal with treated industrial effluent so that it should be according to the norms prescribed under The Environment (Protection) Act,1986 or otherwise mandatory .
- The other pollutant for which norms have not been prescribed, the same should not be more than the norms prescribed for the water used in manufacturing process of the industry .
- The method for collecting industrial and domestic effluent and its analysis should be as per legal Indian standards and its subsequent amendments/standards prescribed under The Environment (Protection) Act, 1986.
- The treated domestic and industrial effluent be mixed (as per the provisions of Condition No. 2) and disposed of on one disposal point. This common effluent disposal point should have arrangement for flow meter/V Notch for measuring effluent and its log book be maintained .
- The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

Specific Conditions:





**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.com, Website: www.uppcb.com

**CONSENT ORDER**

Ref No. -  
 137044/Uppcb/Allahabad(Uppcbro)/CTO/air/ALLAHABAD/2021

Dated : 28/09/2021

To,

Shri ASHOK KUMAR  
 M/s ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT)  
 BARGARHI (ARAZI NO.-94, 95) SHIVRAJPUR, PRAYAGRAJ  
 ALLAHABAD

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT)

Reference Application No. 13468412

Dated : 28/09/2021

1. With reference to the application for consent for emission of air pollutants from the plant of M/s ASHOK KUMAR BAJPAI (SILICA CRUSHING PLANT). 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 28/09/2021 to 31/07/2024 .
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

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

R.O., UPPCB PRAYAGRAJ.

Enclosed : As above  
 (condition of consent):

Copy to: CEO-2, UPPCB LUCKNOW.

RAMESH  
 KUMAR SINGH

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 RAMESH KUMAR SINGH  
 Date: 2021.09.28  
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R.O., UPPCB PRAYAGRAJ.

## CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Silica Sand crashing -100 Ton/Hours.
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	DG SET 125 KVA	DIESEL	01	Particulate Matter	AS PER (E)P ACT 1986

- 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

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 .

The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

## Specific Conditions:

1. This consent to operate is valid for Silica crashing.
2. Unit shall maintain the Ambient Air/Noise Quality as per standard.
3. Unit is directed to maintain the stack height attached with 125 KVA D.G sets as per standard within 02 month & also maintain acoustic enclosures for Noise Pollution Control.
4. Unit is directed to submit Stack Monitoring Report of the installed D.G Sets monitored by approved laboratory within 03 month from approved laboratory.
5. Unit is directed to make a boundary wall around the premise within 03 month.
6. Unit will strengthen green belt in the premise of the total occupied area.
7. Unit is directed to comply the provision of Solid Waste Rule 2016.
8. Unit is directed to comply the provision of E (P) Act 1986 as applicable to the unit.
9. Unit will not make any expansion without prior consent of the State Board.
10. Unit shall submit Ambient Air Monitoring Report in 03 month.
11. Unit is directed to submit compliance report quarterly.

RAMESH  
KUMAR  
SINGH

Digitally signed by  
RAMESH KUMAR  
SINGH  
Date: 2021.09.28  
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1023<sub>48</sub>

Issued with the permission of competent authority.

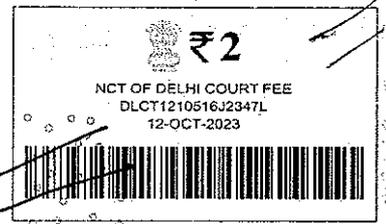
For and on behalf of U.P. Pollution Control Board .

R.O., UPPCB PRAYAGRAJ.

//TRUE COPY//

**1024**  
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 AND OTHERS

...Respondents

KNOW ALL to whom these present shall come that I/We Ashok Ks. Bajpai the above named Respondent do hereby appoint MANISH KUMAR, Advocate 62-II nd Floor, Todarand Rd. N. Delhi (hereinafter called the advocate/s) to be my/our Advocate in the above noted case and authorize him :- 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. The 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 it 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 which he shall receive and retain himself.

Dated this 17<sup>th</sup> day of Jan 2024

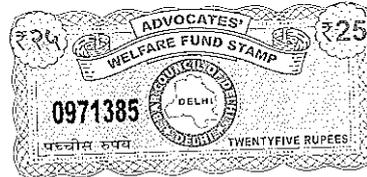
Accepted, identified and satisfied about the due execution of the Vakalatnama

Advocate  
Advocate  
Enrol. No - D-1168-G/2003

Ashok Kumar Bajpai  
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 : 17/01/24.

Yours Sincerely,

Advocate  
Advocate  
(MANISH KUMAR)

Regd. No - D-1168-G/2003.  
Mobile. No - 9899264276.  
62-II nd Floor, Todarand Road  
New - Delhi - 110001.