

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

Original Application No. 1025 of 2024

Surender Singh Parihar

Applicant

Versus

State of U.P. and Ors.

Respondents

I N D E X

S.No.	Particulars	Pages
1.	Reply on behalf of the respondent No.3 District Magistrate	
2.	Annexure R-1 Copy of the report of the Committee	
3.	Annexure R-2 True copy of the notice dated 14.02.2025 Received by the Lessee	
4.	Annexure R-3 True copy of the office letter dated 01.03.2025	
5.	Annexure R-4 Photocopies of notice dated 01.03.2025 And challan recovered	
6.	Annexure R-5 Photocopies of notice dated 17.12.2024 And challan recovered	

7. Annexure R-6
True copy of the office letter
dated 01.03.2025

Filed by



[MUKESH VERMA]
Advocate for the DM
Ch. No. 50, Old Block
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New Delhi
Dated: 10.03.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Original Application No.1025/2024

Surender Singh Parihar

...Applicant

Versus

State of U.P. & Ors.

...Respondents

REPLY ON BEHALF OF RESPONDENT NO. 3

DISTRICT MAGISTRATE

MOST RESPECTFULLY SHOWETH:

1. That the answering respondent is filing the present reply dealing with the steps taken by it as prescribed in the relevant Act and directions passed by this Hon'ble Tribunal. The answering respondent craves liberty to file additional reply/affidavit as and when need arises with the permission of this Hon'ble Tribunal.
2. That the lease for sand/Morrum situated on the Dhasan river bed in land number 908N (Khand-02) area 20.000 hectares situated in village Kharwach Tehsil-Garautha of district-Jhansi was approved/executed in favor of M/s Bharosa Sarkar Contractor and Suppliers Prof. Shri Dinesh Kumar Rajput, son of Shri Sheetal Prasad, resident of village Bharosa Tehsil-Month, District-Jhansi for a period of 05 years (From 06.12.2021 to 05.12.2026) after the project proponent obtained Environmental Clearance (EC) dated 26.11.2021 issued by SEIAA,UP and Consent to operate (CTO) on dated 19.04.2023 issued by Uttar Pradesh Pollution Control Board, Lucknow.



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3. That in the OA No.1025/2024 in question, the following orders have been passed by this Hon'ble Tribunal on Dated 05.11.2024:-

"4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board

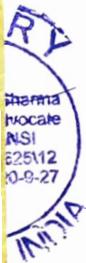
5. Central Pollution Control Board shall be Nodal Authority for co-ordination and compliance of this order. 6. Said Committee shall collect relevant information, visit the site, examine compliance of conditions of environmental clearance and consent and submit a factual report within six weeks."

In Compliance with the above-mentioned order dated 05.11.2024 the constituted joint committee has conducted the on-site inspection of the mining lease area in question on 11.12.2024 and the report has been filed in this Hon'ble Tribunal through the Central Pollution Control Board. True copy of report of the committee is annexed herewith and marked as **ANNEXURE R-1** (Pg No. to).

4. That this Hon'ble Tribunal on 23.01.2025 had passed following order in OA No. -1025/2024 in question:-

"5. Notice be served on M/s Bharosa Sarkar (Project Proponent) through the District Magistrate, Jhansi and for this purpose notice issued to the M/s Bharosa Sarkar (Project Proponent) be sent to the District Magistrate, Jhansi by E-mail for getting service of the same effected on it and sending his report in this regard."

In Compliance with the above-mentioned order dated 23.01.2025 passed by this Hon'ble Tribunal, a copy of the



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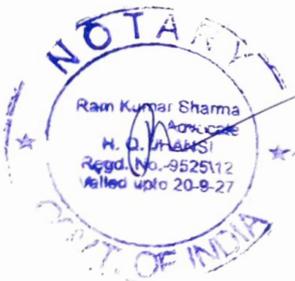
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notice issued has been made available to the concerned lessee M/s Bharosa Sarkar on 14.02.2025 through office letter No.191/30MMC/2024-25 dated 14.02.2025. True copy of the notice dated 14.02.2025 received by the lessee is annexed herewith and marked as **ANNEXURE R-2** (Pg No. to).

5. That as per the joint committee report presented before this Hon'ble Tribunal in O.A. No.1025/2024, the Senior Mine Officer, Jhansi was directed to do proceeding as per the provisions mentioned under Uttar Pradesh minor mineral concession rules, 2021 through office letter no. 2031/30 MMC/2024-25 dated 01/03/2025, in which due to non-compliance of the conditions mentioned in the Environmental Clearance (EC) dated 26.11.2021 by the concerned lessee M/s Bharosa Sarkar, under rule-60 (2) of above Rules amount of Rs. Rs. 50,000.00 has been imposed through office letter number: 2036/30 M.M.C./2024-25 dated: 01/03/2025 and due to non-operation of PTZ camera in the mining lease area, under Rule 60 (3) of the said rules, an amount of Rs. 6,50,000.00 has been imposed and recovered through office letter No.973/30 M.M.C./2024-25 dated 17.12.2024. True copy of office letter dated 01/03/2025 is annexed herewith and marked as **ANNEXURE R-3** (Pg. No. to).

Photocopies of notice dated 01/03/2025 and challan recovered is annexed herewith and marked as **ANNEXURE R-4** (Pg. No. to).

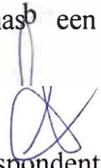
Photocopies of notice dated 17/12/2024 and challan recovered is annexed herewith and marked as **ANNEXURE R-5** (Pg. No. to).



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6. That apart from this, due to non-compliance of the conditions mentioned in the Environmental Clearance (EC) dated: 26.11.2021 and Consent to Operate (CTO) dated: 19.04.2023 in the report presented by the joint committee constituted in the OA in question, the Regional Officer, UP Pollution Control Board Jhansi vide office letter no. 2030/30MMC/2024-25 dated 01/03/2025 has been directed to do proceeding relating to imposition of environmental compensation as per rules against the concerned lessee M/s Bharosa Sarkar and also to intimate to this Hon'ble Tribunal in time by filing compliance report. True copy of office letter dated 01/03/2025 is annexed herewith and marked as **ANNEXURE R-6** (Pg. No. to).
7. It is further humbly submitted that apart from above the answering respondent is duty bound to follow all directions issued by this Hon'ble Tribunal in the matter in its letter and spirit.
8. That the facts stated in the above reply are based on the information derived from official record as such they true and correct as per personal knowledge and belief of the deponent. No part of same is false and nothing material has been concealed therefrom.


Respondent

No.03

Through Counsel


(MUKESH VERMA)

ADVOCATE FOR RESPONDENT NO.3

Ch. No.50, Old Block
Supreme Court of India

New Delhi-110001

(M) 9810108098

E-mail: mvcrmadv@gmail.com



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Original Application No.1025/2024

Surender Singh Parihar ...Applicant

Versus

State of U.P. & Ors. ...Respondents

AFFIDAVIT

I, Avinash Kumar, S/O Dr. Ramji Lal aged about 41 years, District Magistrate, Jhansi presently at New Delhi do hereby solemnly affirm and state as under:-

1. That the deponent is posted in above capacity as such he is fully conversant with the facts of the case as such is competent to swear in this affidavit.
2. That I have read the accompanying reply to the Original Application No.1025/2024 Surendra Singh Parihar Vs State of U.P. & Ors. filed by applicant and understood the contents thereof the same are true and correct as per my personal knowledge and belief.
3. That the Annexures accompanying are true and correct copies of their respective originals.

Deponent

VERIFICATION:

I, the above named deponent do hereby verify that the contents of above affidavit are true and correct as per knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi this the 07 day of March, 2025.



Serial No. 379
Certified that the foregoing statement
sworn before me this day at 07/03/2025 Deponent
by Shri/Smt/Ku. Avinash Kumar
whom the contents of this affidavit have
been read and explained and Mr.
is identified by me
Notary Public
Ram Kumar Sharma
Advocate
Court of India

**REPORT ON MINING ACTIVITY AT VILLAGE- KHARVANCH,
TEHSIL-GARAUTHA, DISTRICT -JHANSI (UTTAR
PRADESH)**

IN THE MATTER OF

Surendra Singh Parihar Vs State of Uttar Pradesh

in

(Original Application No. 1025/2024)

1. Background:

Hon'ble NGT, Principal Bench, New Delhi passed order on 05.11.2024 in the matter of Surendra Singh Parihar Vs State of Uttar Pradesh in Original Application No. 1025/2024 to visit the mining site, examine compliance of conditions of environmental clearance and consent. Relevant para of the Hon'ble NGT order is as below: -

- "4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board*
- 5. Central Pollution Control Board shall be Nodal Authority for co-ordination and compliance of this order.*
- 6. Said Committee shall collect relevant information, visit the site, examine compliance of conditions of environmental clearance and consent and submit a factual report within six weeks.*
- 7. List on 20.12.2024"*

Copy of the referenced order of Hon'ble NGT is enclosed at **Annexure No. I**

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18/11/2025

Runa
18/01/2025

[Signature]



2. In compliance of said order, following officials were nominated from the concern Department:

- 2.1. Shri Avinash Kumar, District Magistrate, Jhansi
- 2.2. Shri Runa Oraon, Sc. 'E', CPCB, RD, Lucknow
- 2.3. Shri U. K. Gupta, A.E.E., Regional Office, UPPCB, Jhansi

3. Joint inspection of the site was carried out on 11.12.2024. During visit, following officials/persons were present along with committee members:

- 3.1 Smt Shyamllata Anand, Addl District Magistrate (Judicial), Jhansi
- 3.2 Shri Imraan Ali, Regional Officer, UPPCB, RO, Jhansi
- 3.3 Shri Bhupendra Yadav, Sr. Mining Officer, Jhansi
- 3.4 Shri Karnveer Singh, Sc. 'B', CPCB, RD, Lucknow
- 3.5 Shri Mohammad Faisal, SSA, CPCB, RD, Lucknow
- 3.6 Shri Anand Kumar, Site Manager, M/s Bharosa Sarkar Contractor & Suppliers (Representative of the project proponent)

4. Observation based on inspection and available office records as per referenced NGT order is as under:

4.1 M/s Bharosa Sarkar Contractor & Suppliers (Proprietor-Shri Dinesh Kumar) has been granted permission for mining of sand /morrum from River Dhasan Bed at Gata No. 908 Na, Khand No.-02, Village-Kharwanch, Tehsil-Garautha, District-Jhansi, UP having leased area of 20.0 Ha.

4.2 During visit, mining operation was found closed. It is informed by the representative of project proponent that mining operation is temporarily

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18/12/2025

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11/8/01/2025

[Signature]

Page 2 of 7



closed since 05.12.2024 due to non-renew of login ID on the portal of Geology and Mining Department, Govt. of UP. (**Annexure-II**)

- 4.3 During visit, mining machineries and trucks were not found on the site except site office and weighing bridge.
- 4.4 Notice for E- tendering along with E- auction was issued by the District Magistrate, Jhansi on 26.11.2019 based on District Survey Report, 2019. (Copy of E- auction notice is annexed as **Annexure No. III**)
- 4.5 Letter of Intent (LoI) was issued by the District Administration to the Project Proponent (PP) on 28.01.2020. the LoI was issued for 20 hectares mine lease area (Quantity- 1,80,000 m³ per year) for the period of 5 years. (Copy of LoI is annexed as **Annexure No. IV**)
- 4.6 Cluster certificate issued by mining officer for the project on 31.01.2020.(Copy attached as **Annexure- V**)
- 4.7 Mining plan of the project is approved by Geology and Mining Department, Govt. of UP on 14.02.2020. (Copy attached as **Annexure- VI**)
- 4.8 The public hearing for the project was conducted on 15.03.2021. (Copy of Minutes of Meeting (MOM) of public hearing is annexed as **Annexure No. VII**)
- 4.9 Environmental Clearance (EC) has been granted for mining by State Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh on 26.11.2021. (Copy of EC is annexed as **Annexure No. VIII**)
- 4.10 The above said mining lease has been granted by District Magistrate, Jhansi (Mining Department) for the duration of 06.12.2021 to 05.12.2026.
- 4.11 It is informed by the representative of Project Proponent that mining has been started on 06.12.2021. As per portal of Directorate of Geology and

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18/01/2025

Puna
18/01/2025




Mining, Uttar Pradesh, total 526965 m³ of mineral has been excavated by project proponent (during 06.12.2021 to 05.12.2024). Year-wise quantity of mining as available in the portal of Geology and Mining Department, Govt. of UP is as below:

Year	Quantity excavated (m ³)	Permitted Quantity (m ³)
2022	166967.00	180000.00
2023	180000.00	180000.00
2024	179998.00	180000.00

- 4.12 The PP was granted Consolidated Consent & Authorization (CCA) under Section-25 of the Water (PCP) Act, 1974 and under Section-21 of the Air (PCP) Act, 1981 on 19.04.2023, which is valid from 19.04.2023 to 31.12.2027. (Copy of CCA is annexed as **Annexure No. IX**)
- 4.13 The PP carried out mining activities without obtaining CTO from UPPCB during 06.12.2021 to 18.04.2023 (295 days) for which show cause notice was issued by UPPCB vide letter dated 13.01.2025 for imposing Environmental Compensation of amount Rs 29,50,000.00/-. Show cause notice issued by UPPCB is annexed as **Annexure No. X**.
- 4.14 As per EC condition, the project proponent shall in 02 years conduct detailed replenishment Study duly authenticated by a QCI-NABET accredited consultant, and the District Mine Officer. The PP has submitted replenishment Study Report (Pre-monsoon and Post monsoon) in the year 2022, 2023 and 2024.
- 4.15 During visit, six pillars were found installed within sanctioned lease area and the coordinates of all the pillars were found matched with co-ordinates mentioned in EC.

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18/01/2025



- 4.16 As per NGT order, the applicant alleged that mining activities are being carried out beyond the lease area. During visit, no mining outside lease area was observed.
- 4.17 The project proponent has not carried out adequate plantation in compliance of CTO & EC condition.
- 4.18 The project proponent has not carried out primary survey of flora and fauna, Hydro-geological study as per EC conditions.
- 4.19 The project proponent has not obtained NOC for ground water abstraction from SGWA as per condition of CTO granted by UPPCB.
- 4.20 Mining is permitted upto the depth of 03m or upto water level, whichever comes first. At the time of inspection, it was observed that mining was done in most part of the lease area and due to mining water had come on top surface, due to which river water was seen to have widened at some points along the stretch of river. The excavations were done in unsystematic and haphazard manner, which may hamper the natural flow of the river. Mining pits were found filled with water hence, depth of mining pit could not be measured.
- 4.21 The applicant alleged that no CCTV has been installed. During visit, it was observed that the PP has installed two weighing bridge. One weighing bridge has been installed at Village-Kharwanch (Jhansi), which is adjacent to the mining site. Another weighing bridge has been installed at Village- Gandhar (Hamirpur), which is located approx.11 km away from the mining sites. CCTV cameras (02 nos. at each weighing bridge) and one PTZ camera each was found installed at both weighing bridge areas.
- 4.22 It is informed by the mining officer, weighing bridge at Village-Gandhar (Hamirpur) is used as main route for transportation of sand/morum by the PP.

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18/11/2025

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4.23 It is informed by the mining officer, both weighing bridge and CCTV cameras are linked with Mining Department. During visit, PTZ camera at Village-Kharwanch (Jhansi) was found non-operational. Mining Department has imposed for a penalty of Rs 6,50,000.00/- in this regard vide letter number 973/30MMC/2024-25 dated 17/12/2024. While, remaining cameras were found operational. Copy of letter is annexed as **Annexure No. XI.**

4.24 As per NGT order, the applicant has alleged that heavy Poclaim machines is being used for extracting Morum from the stream of river. During visit, mining activity was not carried out. Hence, committee could not verify the same.

4.25 As per NGT order, the applicant has alleged that the transport of mineral is by overloaded vehicles and mineral is transported uncovered causing emission of dust and resulting air pollution. During visit, mining activity was not carried out. Hence, committee could not verify the same.

4.26 The compliance status of CCA and EC is annexed as **Annexure No. XII.**

5 Recommendations:

It is evident from above observation that the PP has not complied with the conditions of the EC granted by SEIAA as well as CTO granted by UPPCB (4.17 to 4.19 above) and the mining has been carried out in unsystematic and haphazard manner (observation 4.20 above). Therefore, it is recommended as below:

5.1 UPPCB should take necessary action against the PP for mining operation without CTO during 06.12.2021 to 18.04.2023.

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18/01/2025

Runa
18/01/2025

[Signature]

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- 5.2 The PP should ensure to comply with the conditions stipulated in CTO and EC. UPPCB should take necessary action against the PP for violation of CTO & EC condition.
- 5.3 The PP should carry out primary survey of flora and fauna, Hydro-geological study and submit report to UPPCB and SEIAA.
- 5.4 The PP should provide adequate plantation as per condition of CTO.
- 5.5 The PP should obtain NOC from State Ground Water Authority as per CTO condition.
- 5.6 The PP should ensure operation of non-functioning CCTV camera. Mining Department should ensure submission of penalty imposed to the PP.
- 5.7 In no case mining should be carried out below water level or sub-surface water level in the river.


18/01/2025

U. K. Gupta,
A.E.E., UPPCB,
Jhansi


18/01/2025

Runa Oraon,
Sc. 'E', CPCB,
RD, Lucknow



Avinash Kumar
District Magistrate,
Jhansi



Item No.08

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1025/2024

Surendra Singh Parihar

Applicant(s)

Versus

State of UP

Respondent(s)

Date of hearing: 05.11.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicants: None

ORDER

1. A letter petition 12.01.2024 sent by Surindra Singh Parihar resident of Village and Post Jigani, Tehsil Rath, District Hamirpur addressed to Mining Director UP, Lucknow and copy forwarded to Director, National Green Tribunal, New Delhi has been taken note by Registry to register this matter as Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') for exercising *suo-moto* jurisdiction by Tribunal in view of law laid down by Supreme Court in ***Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SCC 401.***

2. Complainant has said that mining lease has been sanctioned at Gata No.908, Block No.2, Village Kharvanch, Tehsil Garautha, District Jhansi in favour of M/s Bharosa Sarkar Contractor and supplier for a period of 5 years. Said mining lease holder is carrying out mining activities in utter violation of conditions of environmental clearance granted by State Level Environment Impact Assessment Authority, UP



(hereinafter referred to as 'SEIAA,UP') in as much as it is using heavy Poclain machines for extracting Morang from the stream of river; mining activities are being carried out beyond the lease area; the transport of mineral is by overloaded vehicles; no CCTV has been installed and mineral is transported uncovered causing emission of dust and resulting air pollution.

3. In our view, prima-facie complaint made in letter petition do give rise to a substantial question relating to environment arising out of implementation of enactments mentioned in Schedule 1 of NGT Act, 2010 but before taking any further action in the matter we find it appropriate to obtain a factual report.

4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board

5. Central Pollution Control Board shall be Nodal Authority for co-ordination and compliance of this order.

6. Said Committee shall collect relevant information, visit the site, examine compliance of conditions of environmental clearance and consent and submit a factual report within six weeks.

7. List on 20.12.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 05, 2024
Original Application No. 1025/2024



13

Annexure-II

ID: 09CELPK8276F1ZY

BHAROSA STARKAR CONTRACTOR & SUPPLIERS

Phone: 06392927781, 08887922683

E-Mail: mahendradbharosa15@gmail.com

GOVERNMENT CONTRACTOR & GENERAL ORDER SUPPLIER,
ELECTRICAL, SPARE PARTS AND GOODS ENGINEERING
SERVICING, REPAIR & GOODS CIVIL ENGINEERING WORKS

Corp. Off. : GRAM BHAROSA, TEHSIL MOTH, JHANSI-284303 (U.P.)

Ref. No.

सेवा में,

Date 04/12/2024

ज्येष्ठ खान अधिकारी,
झाँसी।

महोदय,

प्रार्थी (मेसर्स भरोसा सरकार कोंन्ट्रेक्टर एण्ड सप्लायर्स प्रो० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद निवासी-ग्राम भरोसा, तहसील-मोठ, जिला-झाँसी) के पक्ष में जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-02) में 20.000 हेक्टेयर नदी तल स्थित बालू/मोरम का खनन पट्टा 05 वर्ष की अवधि हेतु स्वीकृत है। प्रार्थी को चतुर्थ वर्ष की वार्षिक मात्रा उपलब्ध कराये जाने हेतु नई लेसी आई०डी० बनाने तथा प्रार्थी द्वारा अग्रिम रूप से चतुर्थ वर्ष के प्रथम किश्त में चालान संख्या-AKV240023650 दिनांक: 30-10-2024, चालान संख्या-AKV240026582 दिनांक: 29-11-2024, चालान संख्या-AKV240026827 दिनांक: 30-11-2024 एवं चालान संख्या-AKV240026812 दिनांक: 30-11-2024 के माध्यम से राजकोष में रू० 1,56,00,000.00 की धनराशि जमा कर दी है।

अतः महोदय से निवेदन है कि प्रार्थी के पक्ष में उक्त स्वीकृत खनन पट्टे की नई लेसी आई०डी० को बनाने तथा प्रार्थी द्वारा पूर्व में अग्रिम रूप से चालान संख्या-AKV240023650 दिनांक: 30-10-2024, चालान संख्या-AKV240026582 दिनांक: 29-11-2024, चालान संख्या-AKV240026827 दिनांक: 30-11-2024 एवं चालान संख्या-AKV240026812 दिनांक: 30-11-2024 के माध्यम से राजकोष में रू० 1,56,00,000.00 की धनराशि को चतुर्थ पट्टा वर्ष की प्रथम किश्त में समायोजित करने की कृपा करें। आपकी अति महत्वपूर्ण सहायता का आभार।

दिनेश कुमार
Partner

14

Annexure-III

कार्यालय जिलाधिकारी, झाँसी।

(खनन-अनुभाग)

संख्या : 1276 /30एम0एम0सी0/विज्ञप्ति-वालू/गोरम/2019 20 दिनांक: 26/11/2019

ई-निविदा सह ई-नीलाभी आमन्त्रण हेतु सूचना

सर्व साधारण को सूचित किया जाता है कि जगपद-झाँसी में प्रवाहित नदियों के तल में वालू/गोरम के निम्न विवरण के अनुसार रिक्त खनन क्षेत्रों को उ0प्र0 उप खनिज (परिहार) नियमावली-1963 के नियम-23 के उप नियम-(1) के प्राविधानों के अन्तर्गत उपलब्ध घोषित किया जाता है।

उत्तर प्रदेश उप खनिज (परिहार) (सैतालीसवाँ संशोधन) नियमावली-2019 के अनुक्रम में उत्तर प्रदेश शासन, मूलतः एवं खनिकर्म अनुभाग के निर्गत शारानादेश संख्या-2168/86-2019-57 (सा0)/2017 टी.सी.1 दिनांक: 09.10.2019 में दिये गये निर्देशानुसार उक्त नियमावली-1963 के अध्याय-4 के प्राविधानों के अन्तर्गत ई-निविदा सह ई-नीलाभी प्रणाली के माध्यम से खनन पट्टें पर स्वीकृत किये जाने हेतु निम्नलिखित क्षेत्र उपलब्ध है :-

1- क्षेत्र का विवरण :-

क्र.सं.	उपखनिज का नाम	नदी का नाम	तहसील	क्षेत्र का नाम	विवरण	क्षेत्रफल (हे० में)	विशेष कोऑर्डिनेटर		नियमावली 1963 के अनुसूची-1 के अनुसार रायल्टी दर (रु० प्रति घनमीटर)	खनन योग्य आकलित उप खनिज का मण्डार (घनमी० प्रतिवर्ग)	प्रथम दल में आंकलित मण्डार की कुल रायल्टी रूपयों में (कालम-9 में अंकित घनमी० प्रतिवर्ग को कालम-8 में अंकित रायल्टी की दर से गुणा करने पर उपलब्ध राकल घनराशि) (रुपये में)	अन्यदलगी (कालम 10 में अंकित राकल घनराशि का 25 प्रतिशत) (रुपये में)
							Latitude	Longitude				
1	वालू/गोरम	घसान नदी	नरौरा	धूमगौड	1419ख (खण्ड-1)	24.00	A-25°40'47.60"N H-25°41'22.17"N L-25°41'25.13"N P-25°40'46.81"N	79°23'3.70"E 79°22'37.78"E 79°22'38.44"E 79°23'7.22"E	150-00	2,50,000.00	3,75,00,000.00	93,75,000.00
2	वालू/गोरम	घसान नदी	"	खरवांच	908न (खण्ड-2)	20.00	A-25°43'24.30"N C-25°43'45.00"N D-25°43'40.79"N F-25°43'18.59"N	79°22'42.70"E 79°23'20.60"E 79°23'23.16"E 79°22'46.77"E	150-00	1,80,000.00	2,70,00,000.00	67,50,000.00
3	वालू/गोरम	घसान नदी	"	बेतावा	332/1 (खण्ड-2)	10.00	A-25°47'14.50"N D-25°47'40.50"N E-25°47'38.90"N F-25°47'47.00"N J-25°47'13.47"N	79°23'59.20"E 79°23'49.90"E 79°23'46.30"E 79°23'43.20"E 79°24'7.43"E	150-00	60,000.00	90,00,000.00	22,50,000.00
4	वालू/गोरम	बेतावा नदी	"	टेहरीका	1ख, 277 (खण्ड-2)	13.00	A-25°42'22.14"N B-25°42'27.05"N E-25°42'25.86"N F-25°42'22.22"N	79°13'4.09"E 79°12'9.49"E 79°21'80"E 79°20'72"E	150-00	52,000.00	78,00,000.00	19,50,000.00
5	वालू/गोरम	बेतावा नदी	"	खगा	1क, 470	12.00	A-25°46'33.40"N B-25°46'36.43"N C-25°46'22.40"N D-25°46'17.41"N E-25°46'16.66"N	79°18'31.10"E 79°18'35.03"E 79°18'49.20"E 79°18'53.11"E 79°18'45.32"E	150-00	48,000.00	72,00,000.00	18,00,000.00
6	वालू/गोरम	बेतावा नदी	"	बेहतर	522घ	14.164	A-25°47'54.70"N C-25°48'8.97"N D-25°48'8.58"N L-25°47'50.24"N	79°17'31.60"E 79°17'52.40"E 79°17'57.39"E 79°17'35.04"E	150-00	35,300.00	52,95,000.00	13,23,750.00
7	वालू/गोरम	बेतावा नदी	"	डिकौली	1229	12.140	A-25°48'25.80"N B-25°48'27.70"N C-25°48'28.25"N D-25°48'24.30"N E-25°48'21.08"N F-25°48'23.10"N	79°8'30.20"E 79°8'30.10"E 79°8'56.59"E 79°8'56.70"E 79°8'44.02"E 79°8'33.20"E	150-00	36,500.00	54,75,000.00	13,68,750.00
8	वालू/गोरम	बेतावा नदी	"	कुडरी	01,218क	14.00	A-25°48'14.30"N B-25°48'19.05"N F-25°47'51.40"N G-25°47'48.00"N	79°14'28.50"E 79°14'27.70"E 79°15'09.00"E 79°15'06.00"E	150-00	80,000.00	1,20,00,000.00	30,00,000.00
9	वालू/गोरम	बेतावा नदी	गौठ	सलेगापुर	321ग	10.00	A-25°48'4.57"N B-25°48'24.19"N C-25°48'22.36"N D-25°48'3.13"N	79°4'57.25"E 79°5'3.97"E 79°5'9.66"E 79°5'2.41"E	150-00	50,000.00	75,00,000.00	18,75,000.00
10	वालू/गोरम	बेतावा नदी	"	परैछा	184/1	8.903	A-25°44'46.78"N B-25°44'59.00"N C-25°45'8.10"N D-25°45'8.85"N G-25°44'45.25"N	79°3'28.50"E 79°3'32.60"E 79°3'32.10"E 79°3'33.94"E 79°3'33.93"E	150-00	13,400.00	20,10,000.00	5,02,500.00
11	वालू/गोरम	बेतावा नदी	"	चैलरा	1055, 1107/10	16.187	A-25°37'56.21"N B-25°37'55.18"N D-25°37'16.02"N E-25°37'17.95"N	78°56'59.73"E 78°56'73.80"E 78°56'51.33"E 78°56'46.41"E	150-00	15,000.00	22,50,000.00	5,62,500.00



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बालू/ मोरम	गड़गोरु नदी	गऊरा-नीपुर	नवादा	373,374,382, 383,384,388, 387,388, 710, 800, 692	3.00	A-25°10'21.79"N M-25°10'52.13"N N-25°10'51.79"N A-25°10'21.60"N	79°4'73.78"E 79°4'50.48"E 79°4'50.74"E 79°4'24.22"E	150 00	15,000.00	22,50,000.00	5,62,500.00	
13	बालू/ मोरम	गड़गोरु नदी	अतोई	794	2.50	A-25°9'37.49"N L-25°10'27.77"N F-25°9'32.26"N	79°4'13.11"E 79°4'22.82"E 79°4'23.25"E 79°4'13.11"E	150-00	8,000.00	12,00,000.00	3,00,000.00	
14	बालू/ मोरम	सपसार नदी	अतोई व नवादा	28,67,73,70 व नवादा-872	14.00	A-25°10'15.80"N B-25°10'16.33"N H-25°10'42.91"N I-25°10'43.99"N	79°2'21.63"E 79°2'19.24"E 79°3'16.36"E 79°3'19.89"E	150-00	70,000.00	1,05,00,000.00	26,25,000.00	
15	बालू/ मोरम	घसान नदी	खकौश	523	20.00	A-25°9'38.59"N B-25°9'39.69"N E-25°8'57.45"N F-25°8'55.21"N	79°18'46.39"E 79°18'50.11"E 79°19'23.09"E 79°19'18.34"E	150 00	1,50,000.00	2,25,00,000.00	56,25,000.00	
16	बालू/ मोरम	सुखनई नदी	घवाकर/ सितौरा	1984 गि 0 व 01	9.00	A-25°16'16.00"N B-25°16'18.40"N E-25°16'38.90"N F-25°16'37.50"N	79°11'52.00"E 79°11'51.40"E 79°12'41.80"E 79°12'43.70"E	150 00	35,000.00	52,50,000.00	13,12,500.00	
17	बालू/ मोरम	सुखनई नदी	घवाकर	1984 गि, 2009	12.140	A-25°15'52.40"N B-25°15'51.90"N E-25°16'18.40"N F-25°16'15.90"N	79°10'54.20"E 79°11'51.40"E 79°11'50.90"E 79°11'51.40"E	150-00	20,000.00	30,00,000.00	7,50,000.00	
18	बालू/ मोरम	सुखनई नदी	एचौरा	968,796, 1102	8.093	A-25°15'27.30"N O-25°15'11.30"N	79°5'08.00"E 79°5'52.70"E 79°5'51.00"E 79°5'14.50"E	150-00	30,200.00	45,30,000.00	11,32,500.00	
19	बालू/ मोरम	उर नदी	मैनवारा	950,966	14.164	A-25°7'16.28"N G-25°8'18.58"N H-25°8'16.65"N N-25°7'16.67"N	79°14'35.97"E 79°14'56.83"E 79°14'58.47"E 79°14'37.29"E	150-00	15,000.00	22,50,000.00	5,62,500.00	
20	बालू/ मोरम	बेतवा नदी	टहरौली	बुकरगांव	01क	30.351	A-25°38'23.38"N B-25°38'29.43"N E-25°38'43.03"N F-25°38'37.14"N	78°57'39.87"E 78°57'36.04"E 78°58'25.06"E 78°58'27.84"E	150-00	4,56,000.00	6,84,00,000.00	1,71,00,000.00

- ई-निविदा सह ई-नीलामी प्रणाली द्वारा नदी तल में स्थित क्षेत्रों पर उपलब्ध उप खनिजों के खनन पट्टे, 05 वर्ष की निश्चित अवधि के लिये स्वीकृत किये जायेंगे। खनन पट्टे की अवधि की गणना खनन पट्टा विलेख के निष्पादन की तिथि से की जायेगी।
- ई-निविदा सह ई-नीलामी की बिड/बोली उप खनिज क्षेत्र प्रति घनमीटर के लिए दी जायेगी, जो उ0प्र0 उपखनिज (परिहार) नियमावली-1963 के अनुसूची-1 में निर्धारित रायल्टी की दर से कम नहीं होगी। इससे भिन्न बिड/बोली दिये जाने पर बिड/बोली स्वीकार नहीं की जायेगी तथा प्री बिड अर्नेष्ट मनी जब कर ली जायेगी। प्राप्त उच्चतम बिड/बोली की दर (रूपया प्रति घनमीटर) को क्षेत्र में आंकलित मात्रा (घनमीटर) से गुणा कर प्रथम वर्ष की नीलामी की देय धनराशि आगणित की जायेगी, जिसे पट्टा के अनुवर्ती वर्षों में प्रत्येक वर्ष पिछले वर्ष की नीलामी की देय धनराशि पर 10 प्रतिशत की वृद्धि की जायेगी।
- ई-निविदा सह ई नीलामी दो चरणों में होगी। प्रथम चरण में ई निविदा सम्पन्न की जायेगी जिसके दौरान सभी बिडर्स को एक बार ई-निविदा (e-tender) देने का मौका प्राप्त होगा जो पुनरीक्षित (Revise) नहीं किया जा सकेगा। ई-निविदा में प्राप्त उच्चतम निविदा को आधार मूल्य (Floor Price) मानते हुए द्वितीय चरण में ई-नीलामी करायी जायेगी, जिसके दौरान बिडर्स ई-नीलामी हेतु निर्धारित तिथि एवं अवधि में ई-बिड दे सकता है। ई-नीलामी के दौरान केवल उच्चतम बोली को ही प्रदर्शित किया जायेगा जिसको देखते हुए बिडर अपनी बिड पुनरीक्षित कर बढ़ा सकते हैं।
- किसी क्षेत्र के ई-निविदा सह ई-नीलामी हेतु बिडर्स को बिड में भाग लेने से पूर्व प्री बिड अर्नेष्ट मनी जमा करना अनिवार्य होगा जिसकी गणना क्षेत्र में वार्षिक आंकलित खनन योग्य मात्रा एवं उप खनिज की रायल्टी की दर से गुणा कर प्राप्त धनराशि की 25 प्रतिशत होगी।
- एम0एस0टी0सी0 लि0 (भारत सरकार का उपक्रम) को सेवा प्रदाता के रूप में चयनित किया गया है, जिसके द्वारा राज्य सरकार की ओर से नीलामी की कार्यवाही सम्पादित की जायेगी।



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(12) नियमों एवं शर्तों के उल्लंघन के परिणाम स्वरूप यदि कोई वाद अथवा अपराधिक प्रक्रिया योजित होती है तो इसकी सम्पूर्ण जिम्मेदारी पट्टाधारक की होगी एवं यदि इस सम्बन्ध में कोई व्यय होता है तो उसका वहन पट्टाधारक द्वारा किया जायेगा।

(13) राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है तो वह पट्टाधारकों को मान्य होगा।

(14) स्थानीय स्थिति तथा परिवेश को ध्यान में रखते हुये अन्य शर्तें जो जिलाधिकारी द्वारा उचित समझी जाये, खनन पट्टा विलेख में सम्मिलित की जा सकेंगी।

(शिव सहाय अवस्थी)
जिलाधिकारी,
झाँसी।

पत्रांक /30एम0एम0सी0/विज्ञप्ति-बालू/गोरम/2019-20 तददिनांक:

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

- 1- अपर मुख्य सचिव, उत्तर प्रदेश शासन, भूतत्व एवं खनिकर्म, लखनऊ।
- 2- आयुक्त, झाँसी मण्डल, झाँसी।
- 3- निदेशक, भूतत्व एवं खनिकर्म निदेशालय उ0प्र0 लखनऊ।
- 4- शाखा प्रबन्धक, एम0एस0टी0सी0 लिमिटेड, जी-25/26, तेज प्लाजा, 1,टी0एन0 सिंह रोड हजरतगंज, लखनऊ।
- 5- निदेशक, सूचना (उ0प्र0), लखनऊ।
- 6- जिला सूचना अधिकारी, झाँसी।

26/11/19
जिलाधिकारी,
झाँसी।



कार्यालय जिलाधिकारी, झाँसी।
(खनिज अनुभाग)

पत्रांक:- 1558 /30एम0एम0सी0 /2019-20

दिनांक: 28 /01 /2020

मैसर्स भरोसा सरकार कॉन्ट्रक्टर एण्ड सप्लायर
प्रो० श्री दिनेश कुमार राजूपत पुत्र श्री शीतल प्रसाद
निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी।

खनन पट्टा की स्वीकृति हेतु सहमति-पत्र
(Letter of Intent for grant of mining lease)

जनपद-झाँसी में प्रवाहित होने वाली नदियों के तल में स्थित बालू/मौरम के क्षेत्रों को उत्तर प्रदेश उप खनिज (परिहार) नियमावली, 1963 (यथा संशोधित) के अध्याय-चार के नियम-23 के उप नियम(1) के प्राविधानों के अर्न्तगत इस कार्यालय के पत्र संख्या-1270/30एम0एम0सी0/विज्ञप्ति-बालू/मौरम/ 2019-20 दिनांक: 26.11.2019 के द्वारा रिक्त घोषित कर, शासनादेश संख्या-1875/86-2017-57 (सामान्य)/2017 टी0सी0-1 दिनांक: 14.08.2017 सहपटित शासनादेश संख्या-2168/86-2019-57 (सा0मा0)/2017 दिनांक: 09.10.2019 में उल्लिखित शर्तों के अधीन क्षेत्रों के व्यवस्थापन हेतु "ई-निविदा सह ई-नीलामी" की प्रक्रिया के अर्न्तगत इच्छुक एवं अर्ह व्यक्तियों से प्रस्ताव एवं बोली आमंत्रित की गयी थी।

2- उक्त क्रम में आपने जनपद-झाँसी की तहसील-गरौठा के ग्राम-खरवांच के गाटा संख्या-908 न (खण्ड-2)रकबा-20.00 हेक्टेयर में स्थित क्षेत्र तथा उस क्षेत्र में उपलब्ध वार्षिक आंकलित मात्रा 1,80,000.00 घन मीटर बालू/मौरम के लिये सेवा प्रदाता एजेन्सी (एम0एस0टी0सी0) के माध्यम से रु0 507.00 (शब्दों में रुपये पाँच सौ सात) प्रति घन मीटर की बोली विज्ञप्ति दिनांक: 26.11.2019 में उल्लिखित शर्तों के अधीन दी है। आपके द्वारा दी गयी बोली सर्वोच्च एवं सन्तोषजनक पाये जाने पर निम्न शर्तों के अधीन एतद्द्वारा औपचारिक रूप से स्वीकार की जाती है।

शर्तें:

- 1- विषयगत क्षेत्र में उपलब्ध आंकलित मात्रा 1,80,000.00 घन मीटर बालू/मौरम के लिये रु0 507.00 (शब्दों में रुपये पाँच सौ सात) प्रति घन मीटर की दर के अनुसार प्रथम वर्ष के लिये वार्षिक पट्टा धनराशि रु0 9,12,60,000.00 (शब्दों में रुपये नौ करोड़ बारह लाख साठ हजार) आगणित होती है, अतएव आप उक्त धनराशि की 25 प्रतिशत धनराशि रु0 2,28,15,000.00 (शब्दों में रुपये दो करोड़ अड्डाइस लाख पन्द्रह हजार) प्रतिभूति के मद में एवं 20 प्रतिशत धनराशि रु0 1,82,52,000.00 (शब्दों में रुपये एक करोड़ बयासी लाख बावन हजार) प्रथम किश्त के मद में आपको इस सहमति-पत्र के निर्गमन के दिनांक से, दो कार्य दिवसों के अन्दर जमा करने होंगे। बयाने की जमा धनराशि (अर्नेष्ट मनी) प्रतिभूति के मद में समायोजित कर ली जायेगी। लेटर ऑफ इन्टेन्ट जारी करने के दो कार्य दिवसों के अन्दर



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नियत धनराशि इस कार्यालय में जमा करना अनिवार्य है अन्यथा धनराशि जमा करने में यदि आप असफल रहते हैं, तब आपके द्वारा अर्नेष्ट मनी के मद में जमा की गयी धनराशि राज्य सरकार के पक्ष में जब्त कर ली जायेगी तथा इस सम्बन्ध में आप द्वारा कोई शिकायत अथवा प्रत्यावेदन प्रस्तुत किया जाता है, तब वे विचारणीय नहीं होंगे।

- 2- उप खनिज का पट्टा पाँच वर्ष की अवधि के लिये स्वीकृत किया जायेगा। प्रथम वर्ष की धनराशि रु० 9,12,60,000.00 (शब्दों में रुपये नौ लाख बारह हजार साठ हजार) पर अनुवर्ती वर्षों में 10 प्रतिशत की उत्तोल्लर वृद्धि सहित देय होगी।
- 3- प्रथम वर्ष के लिये शेष 80 प्रतिशत पट्टा धनराशि एवं आगामी वर्षों के लिए पट्टा धनराशि, उ०प्र० उप खनिज (परिहार) नियमावली, 1963 (यथा संशोधित) में निर्धारित पंचम अनुसूची के अनुसार राज्य सरकार को समय-समय पर निर्धारित प्रक्रिया के अनुसार भुगतान करना अनिवार्य होगा। देय किश्त की धनराशि जमा न करने की दशा में नियमावली, 1963 के नियम-59 के अनुसार देय धनराशि पर नियमानुसार ब्याज सहित वसूली की जायेगी।
- 4- लेटर ऑफ इन्टेन्ट जारी होने के एक माह के अन्दर, निदेशक, भूतत्व एवं खनिकर्म, उ०प्र०, लखनऊ के समक्ष खनन योजना अनुमोदन हेतु प्रस्तुत किया जाना अनिवार्य होगा तथा अनुमोदित खनन योजना प्राप्त होने के 15 दिन के अन्दर सक्षम प्राधिकारी के समक्ष पर्यावरण स्वच्छता प्रमाण-पत्र हेतु प्रस्ताव प्रस्तुत किया जाना अनिवार्य होगा, अन्यथा नियमावली, 1963 के नियम 59(1) के प्राविधानों के अन्तर्गत रु० 10,000-00 प्रति दिन की दर से शास्ति आपकी ऊपर अधिरोपित की जायेगी।
- 5- उ०प्र० उप खनिज (परिहार) नियमावली, 1963 के नियम-17 के प्राविधानों के अनुसार पट्टाधारक क्षेत्र का सीमांकन करायेगा तथा नियम-35 के अनुसार सीमा स्तम्भ लगायेगा एवं उनका अनुरक्षण करने हेतु सदैव उत्तरदायी होगा।
- 6- पर्यावरण अनापत्ति प्रमाण-पत्र प्राप्ति से एक माह के भीतर पट्टा विलेख का निष्पादन कराकर खनन सँकिया तत्काल आरम्भ की जानी होगी।
- 7- नियमावली, 1963 के नियम 34(4) के अन्तर्गत पर्यावरण की स्वीकृति की प्रक्रिया के दौरान अपेक्षित समयावधि में, सक्षम प्राधिकारी द्वारा लगायी गयी आपत्तियों का परियोजना प्रस्तावक द्वारा समाधान किया जाना अनिवार्य होगा। नियम 34(4) के उल्लंघन की दशा में जिलाधिकारी नियमावली, 1963 के नियम 59(7) के अन्तर्गत जारी लेटर ऑफ इन्टेन्ट निरस्त कर सकेंगे।
- 8- नियमावली, 1963 के नियम 34(5) के अन्तर्गत पर्यावरण अनापत्ति प्रमाण-पत्र निर्गत होने के उपरान्त एक माह के भीतर खनन पट्टा विलेख का निष्पादन कराना अनिवार्य होगा। नियमावली, 1963 के नियम 34(5) के प्राविधानों के उल्लंघन की दशा में प्रस्तावक द्वारा प्रथम किश्त एवं प्रतिभूति के मद में जमा धनराशि, समपूहृत करते हुये पूर्व में निर्गत लेटर ऑफ इन्टेन्ट निरस्त कर दिया जायेगा।
- 9- पट्टाधारक द्वारा नियम-35 के प्राविधानों के अन्तर्गत माइन्स क्लोजर प्लान तथा भारत सरकार, वन एवं पर्यावरण मंत्रालय की अधिसूचना दिनांक: 14.09.2006 सपठित अधिसूचना दिनांक: 15.01.2016 तथा समय-समय पर पर यथा संशोधित उपबन्धों के अधीन पर्यावरण अनापत्ति प्राप्त कर प्रस्तुत करेंगे।



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- 10- नियमावली-1963 के नियम-34 के अनुसार क्षेत्र गे भूमि उद्धार एवं पुर्नवासन उपाय हेतु वित्तीय आशवासन की धनराशि निर्धारित रीति से पट्टेदार जमा कराये जाने हेतु उत्तरदायी होगा।
- 11- राज्य सरकार अथवा केन्द्र सरकार द्वारा समय पर निर्धारित कर व शुल्क यथा आयकर का दो प्रतिशत टी0सी0एस0(वर्तमान दर) एवं जिला खनिज फाउण्डेशन न्यास,झाँसी मे उपादान के रुप मे रायल्टी की 10 प्रतिशत धनराशि पट्टेदार नियमानुसार जमा करायेंगे।
- 12- पट्टे के अधीन दिये गये क्षेत्र के सर्वेक्षण और सीमांकन के समय सीमांकित मानचित्र पर खनन पट्टा क्षेत्र का कॉर्डिनेट्स अंकित करायेगा तथा पट्टा विलेख निष्पादन करने के पूर्व मे अपने स्वयं के व्यय पर पट्टेदार ऐसे सीमा चिन्ह को और खम्भे लागायेगा, जो पट्टा विलेख से संलग्न मानचित्र मे दर्शाये गये सीमांकन को इंगित करने को आवश्यक होगा।
- 13- पट्टा विलेख के निष्पादन के दिनांक से छः माह के भीतर खनन संक्रियायें पट्टेदार प्रारम्भ करेंगे और तत्पश्चात जान-बूझकर कोई स्थगन किये बिना ऐसी खनन संक्रियाओं का संचालन उचित और दक्षतापूर्ण कुशल कारीगर की भाँति करेंगे।
- 14- पट्टेदार नियम-35 के अनुसार वाहनों के प्रवेश व किसी पर निगरानी के लिए स्वयं के व्यय पर 360 डिग्री कोण पर दृश्यता रिकॉर्डिंग के योग्य चार आई0वी0आर0 सी0सी0टी0वी0 कैमरे लगवाये जाने सहित चैक पोस्ट/गेट का निर्माण करेंगे। पट्टाधारक उक्त चैक पोस्ट/गेट पर आर0एम0आई0डी0 स्कैनर भी रखेगा, जिससे सम्बन्धित खनन पट्टा क्षेत्र से उप खनिजों के परिवहन हेतु प्रयुक्त प्रत्येक यान के सापेक्ष निर्गत किये गये ई0-प्रपत्र एम0एम0-11 पर अंकित क्यू0आर0 कोड का डाटा पढ़ने और सुरक्षित रखने की सुविधा होगी और उसका समुचित रुप से रख-रखाव करेगा एवं सदैव उसे चालू रुप से अनुरखित रखेगा। पट्टेदार उक्त सी0सी0टी0वी0 कैमरे और आर0एम0आई0डी0 स्कैनरों द्वारा की गयी समस्त रिकॉर्डिंग को कम से कम तीस दिनों तक सुरक्षित रखेगा और नियम-66 के उप बन्धों के अधीन प्राधिकृत अधिकारी के द्वारा रिकॉर्डिंग मांगे जान पर रिकॉर्ड को उपलब्ध करायेगें।
- 15- पट्टेदार प्रत्येक वाहन को ई0-एम0एम0-11 सही विवरण सहित जारी करेंगे। प्रत्येक वाहन को निर्गत ई0-एम0एम0-11 जनित क्यू0आर0कोड को चैक गेट पर पढ़ने तथा दर्ज डाटा सेव करने के लिए पट्टेदार आर0एम0आई0डी0 स्कैनर लगायेगा तथा सदैव उसका अनुरक्षण करेगा और सही एवं चालू दशा मे रखेगा। उक्त का अनुपालन न करने की दशा मे नियमावली,1963 के नियम-59 के अन्तर्गत वह शास्ति का भागीदार होगा।
- 16- माननीय राष्ट्रीय हरित अधिकरण के आदेश दिनांक: 05.09.2018 के अनुपालन मे पट्टा धारक द्वारा खदान के निकासी स्थल पर तौल मशीन लगवा कर निदेशालय मे स्थापित कमाण्ड सेन्टर मे प्रयुक्त आर्टिफिशियल इन्टेलीजेन्स युक्त सॉफ्टवेयर मे इन्टीग्रेट कराया जायेगा। इन्टीग्रेट मे स्थित तौल मशीन मे निम्न Features का होना आवश्यक है:-
- (1) The Weigh bridge device should use the MQTT protocol to transmit data.
- (2) The Weigh bridge device should transmit data over the internet to IOT infrastructure in cloud.
- 17- तीन मीटर की गहराई अथवा जल स्तर, मे से जो कम हो, से अधिक गहराई मे खनन संक्रियायें पट्टेदार द्वारा नही की जायेगी।
- 18- जिलाधिकारी द्वारा चिन्हित सुरक्षा क्षेत्र मे खनन कार्य पट्टेदार द्वारा नही किया जायेगा।
- 19- नदी की जल धारा मे संक्शन लिफ्टर आदि, मशीन द्वारा खनन कार्य नही किया जायेगा।



- 20- स्वीकृत क्षेत्र के अन्दर जहाँ अभिवहन प्रपत्र निर्गत किया जायेगा, वहाँ पर खनिजों का विक्रय मूल्य पट्टेदार द्वारा प्रदर्शित किया जायेगा।
- 21- यदि पट्टा धारक द्वारा नियमों व खनन पट्टा के पर्यावरण स्वच्छता प्रमाण पत्र, खनन योजना आदि की शर्तों का उल्लंघन किया जाता है, तो पट्टेदार को अपना पक्ष रखने की युक्तियुक्त अवसर प्रदान करने के पश्चात जिलाधिकारी अथवा राज्य सरकार द्वारा पट्टा समाप्त किया जा सकता है।
- 22- उ0प्र0 उप खनिज (परिहार) नियमावली, 1963 के नियम-67 के अधीन भूमि के स्वामियों को प्रतिकर पाने का अधिकार होगा, जो भू-स्वामियों एवं पट्टेधारक के मध्य तय होगा।
- 23- पट्टेदार द्वारा पर्यावरण स्वच्छता प्रमाण-पत्र प्राप्त कर कार्यालय में जमा करने के उपरान्त ही अनुमति प्राप्त कर खनन कार्य प्रारम्भ किया जा सकेगा।
- 24- राज्य सरकार अथवा केन्द्र सरकार द्वारा यदि नियमों/अधिनियमों में कोई संशोधन होता है अथवा कोई शर्त अथवा विधि प्रख्यापित की जाती है, तो वह पट्टा धारक को मान्य होगी।
- 25- माननीय उच्च न्यायालय, मा0 राष्ट्रीय हरित अधिकरण अथवा माननीय सर्वोच्च न्यायालय द्वारा पारित आदेशों का पालन किया जायेगा।

मानचित्र संलग्न:

(शिव सहाय अवस्थी)
जिलाधिकारी,
झाँसी।

पत्रांक व तद्दिनांक

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

1. सचिव, भूतत्व एवं खनिकर्म, उ0प्र0 शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ।
3. आयुक्त, झाँसी मण्डल, झाँसी।
4. प्रभागीय वनाधिकारी, झाँसी वन प्रभगा, झाँसी।
5. वरिष्ठ पुलिस अधीक्षक, झाँसी।
6. प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, क्षेत्रीय कार्यालय, झाँसी।
7. उप जिलाधिकारी, गरौटा, झाँसी।
8. शाखा प्रबन्धक, एम0एस0टी0सी0 लिमिटेड, द्वितीय तल, सेंटर कोर्ट बिल्डिंग, 3/सी, 5 पार्क रोड, हजरतगंज, लखनऊ।

शिव सहाय अवस्थी
28/01/2020
63.9292 7781

(शिव सहाय अवस्थी)
जिलाधिकारी,
झाँसी।



कार्यालय जिलाधिकारी, झाँसी।
(खनन अनुभाग)

Annexure-V

पत्रांक-1556/30एम0एम0सी0/(2019-20)

दिनांक: 31, जनवरी, 2020

कलस्टर प्रमाण पत्र

प्रमाणित किया जाता है कि मैसर्स भरोसा सरकार कौन्ट्रक्टर एण्ड सप्लायर प्रो0 श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद निवासी ग्राम- भरोसा, तहसील- मोंठ, जनपद- झाँसी को पत्रांक-1588/30एम0एम0सी0/(2019-20) दिनांक 28.01.2020 के माध्यम से गाटा सं0 - 908न, खण्ड सं0- 02 ग्राम- खरवांच, तहसील- गरौठा, जिला- झाँसी, हेतु कुल 20.00 हे0 खनन क्षेत्र के संबंध में सहमति पत्र (एल0ओ0आई0) निर्गत किया गया है। ओ0 ए0 न0 186/216 सतेन्द्र पाण्डे बनाम पर्यावरण, वन एवं जलवायु परिवर्तन, भारत सरकार व अन्य में मा0 राष्ट्रीय हरित न्याधिकरण द्वारा पारित आदेश दिनांक 13.09.2018 एवं पर्यावरण वन एवं जलवायु परिवर्तन, भारत सरकार द्वारा जारी ओ0एम0 संख्या- L-11011/175/2018-IA-II(M) दिनांक 12.12.2018 के अनुसार प्रश्नगत खनन क्षेत्र की स्थिति निम्नवत है-

अ) प्रश्नगत खनन क्षेत्र की परिधि से 500 मीटर की दूरी में कोई खनन क्षेत्र नहीं है संबंधित प्रकरण 0 से 5 हे0 तक है अतः श्रेणी बी-2 से आच्छादित होता है। (लागू नहीं)

अथवा

ब) प्रश्नगत खनन क्षेत्र की परिधि से 500 मीटर की दूरी में कोई खनन क्षेत्र नहीं है संबंधित प्रकरण 5 हे0 से अधिक है अतः परियोजना श्रेणी बी-1 से आच्छादित होता है। (लागू है)

अथवा

स) प्रश्नगत खनन क्षेत्र की परिधि से 500 मीटर की दूरी में निम्नांकित खनन क्षेत्र हैं:-

- | | | | | | | |
|--------------|-----|-------|-----|-------------|-----|---------|
| 1) गाटा सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 2) गाटा सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 3) | | | | | | |

उक्त सभी खनन क्षेत्रों का कुल योग हेक्टअर (05 हे0 से कम) है अतः परियोजना श्रेणी बी-1 का कलस्टर नहीं बनता है। संबंधित प्रकरण श्रेणी बी-2 से आच्छादित होता है। (लागू नहीं)

अथवा

द) प्रश्नगत खनन क्षेत्र की परिधि से 500 मीटर की दूरी में निम्नांकित खनन क्षेत्र हैं:-

- | | | | | | | |
|--------------|-----|-------|-----|-------------|-----|---------|
| 1) खण्ड सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 2) खण्ड सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 3) | | | | | | |

उक्त खनन क्षेत्रों का कुल योग हेक्टअर (05 हे0 से अधिक) है। संबंधित प्रकरण श्रेणी बी-1 से आच्छादित होता है। (लागू नहीं)

अथवा

ध) प्रश्नगत खनन क्षेत्र की परिधि से 500 मीटर की दूरी में 100 हे0 से अधिक निम्नांकित एकल खण्ड खनन क्षेत्र हैं:-

- | | | | | | | |
|--------------|-----|-------|-----|-------------|-----|---------|
| 1) गाटा सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 2) गाटा सं0- | NIL | ग्राम | NIL | खनन क्षेत्र | NIL | हेक्टअर |
| 3) | | | | | | |

संबंधित प्रकरण श्रेणी ए से आच्छादित होता है। (लागू नहीं)

यह भी प्रमाणित किया जाता है कि उपरोक्त विवरण में ई0ए0सी0 भारत सरकार/एस0ई0आई0ए0ए0.यू0पी0 /डी0ई0आई0ए0ए0 से निर्गत पूर्व-पर्यावरणीय क्लीयरेंस के गाटा/खण्ड संख्या को सम्मिलित कर लिया गया है।



भवदीय,
31/1/20
(मो0 महदूव)
जिला खान अधिकारी,
झाँसी।

22

05/01/2020

COPY FOR FILE

Annexure-VI

Mining Plan File No.: UP/JHAN/RBM/05/2618

(Submitted Under Amendment of Rule 31 (6) & (7) of UP Minor Mineral (Concession) Rules 1963)

with

Progressive Mine Closure Plan

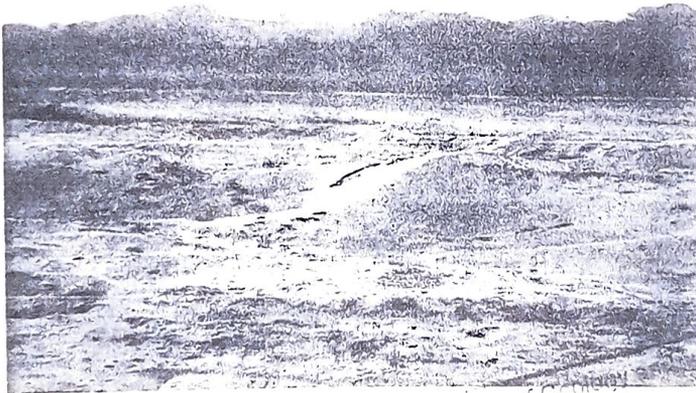
for

Riverbed Sand/Morrum Mining from Riverbed of Dhasan River

located at

**Gata No. 908 na (Khand No. 2), Village - Kharwanch, Tehsil - Garautha,
District - Jhansi, Uttar Pradesh:**

Lease Area:- 20.000 Ha(Non Agricultural, Non Forest, Riverbed Waste Land)

Period of Mining Plan/PMCP - 5 years; Sanctioned & Proposed Capacity:1,80,000.00
cum/year**Mining Plan Submitted for Approval in the Directorate of Geology &
Mining, Lucknow(U.P.)**

Lessee

Shri Dinesh Kumar S/o Shri Sheetal PrasadR/o Village - Bharosa,
Tehsil - Moth, District - Jhansi, Uttar Pradesh

Prop.

M/s Bharosa Sarkar Contractor and Suppliers

Prepared By

Dr. Prakash Lal

RQP/UPDGM/009/2019



प्रेषक,

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

सेवा में

जिलाधिकारी
झांसी।

संख्या:- 1234 / मा० प्लान / 2017

दिनांक 14/02/2020

विषय:- पट्टाधारक मै० भरोसा सरकार कान्ट्रैक्टर एण्ड सप्लायर प्र० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद के पक्ष में स्वीकृत जनपद-झांसी की तहसील-गरोडा, ग्राम-खरवांच, क्षेत्रफल 20.0 हे० में उपखनिज बालु/मोरम के खनन पट्टे हेतु प्राप्त खनन योजना का अनुमोदन के संबंध में।

महोदय,

उपर्युक्त विषय के संदर्भ में सूचित करना है कि उक्त संदर्भित क्षेत्र के संबंध में पट्टाधारक मै० भरोसा सरकार कान्ट्रैक्टर एण्ड सप्लायर प्र० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद द्वारा प्रस्तुत खनन योजना का अनुमोदन उत्तर प्रदेश उप-खनिज (परिहार) नियमावली, 1963 के नियम-34 के उपनियम (4) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुये दिनांक 14.02.2020 को कर दिया गया है।

1- "खनन योजना" का अनुमोदन निम्नलिखित शर्तों के अधीन किया गया है:-

- (अ) "खनन योजना" का अनुमोदन खनन पट्टा विलेख निष्पादन के दिनांक से आगामी 05 वर्ष की अवधि के लिए किया जाता है। खनन क्षेत्र से 180000 घन मी० प्रति वर्ष खनिज का उत्पादन अनुमन्य किया गया है।
- (ब) अनुमोदित अवधि में किये गये खनन कार्य के निरीक्षण के उपरान्त यदि खनन योजना में संशोधन हेतु आदेश दिये जाते हैं, तब संशोधित खनन योजना प्रस्तुत करने का पूर्ण उत्तरदायित्व पट्टेदार का होगा।
- (स) आबद्ध नियोजित श्रमिकों को सुरक्षात्मक उपकरण प्रदान करने तथा सुरक्षित खनन कार्य करने हेतु सभी आवश्यक सावधानियां बरतने का दायित्व पट्टेदार का होगा।
- (द) अनुमोदित खनन योजना की एक-एक प्रमाणित प्रति संबंधित जिलाधिकारी कार्यालय एवं निदेशालय के क्षेत्रीय कार्यालय में अभिलेखार्थ यथाशीघ्र प्रस्तुत करने का दायित्व भी पट्टेदार का होगा।
- (च) अनुमोदित खनन योजना में विनिहित प्रक्रिया के अनुसार पट्टेदार द्वारा खनन कार्य न किये जाने के पाये जाने पर पट्टेदार के विरुद्ध पट्टे की शर्त का उल्लंघन माना जायेगा और तदनुसार कार्यवाही की जायेगी।
- (छ) खनन योजना को निम्नलिखित अतिरिक्त शर्तों के साथ अनुमोदित किया जाता है:-
 1. बेंच की ऊँचाई अधिकतम 01 मी० एवं बेंच की चौड़ाई न्यूनतम 10 मी० होनी चाहिए।
 2. खनन कार्य अधिकतम 03 मी० की गहराई तक या पानी निकलने के तल, जो भी कम हो तक किया जायेगा।
 3. खनन कार्य जीरो (0) लेवल से ऊपर की ओर किया जायेगा।
 4. खनन पट्टा स्थल पर फर्स्ट एड बॉक्स व स्ट्रेचर रखे जायें।



5. श्रमिकों के लिये श्रमिक विश्राम गृह उनके पीने के पानी आदि की समुचित व्यवस्था की जायें।
6. खनन क्षेत्र से मुख्य मार्ग तक जाने वाले पहुँच मार्ग (कच्चे मार्ग) पर नियमित रूप से जल का छिड़काव किया जायेगा, ताकि वाहनों के आवागमन से उत्पन्न धूल को उड़ने से रोका जा सके।
7. नदी के तटबन्ध से नदी की ओर न्यूनतम 50 मी० तक खनन कार्य किया जाना वर्जित होगा। जहाँ तक व्यवहारिक हो नदी से तटबन्ध की ओर खनन किया जायेगा।
8. खनन कार्य से निकाले गये मलवे खास कर टॉप स्वायल को व्यवस्थित रूप से एकत्रित कर रखा जायेगा।
9. पर्यावरण स्वच्छता के संबंध में भारत सरकार/राज्य सरकार द्वारा समय-समय पर जारी दिशानिर्देशों एवं माननीय न्यायालय के आदेशों का अनुपालन पट्टाधारक द्वारा किया जायेगा।

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

संलग्नक: यथोपरि।

भवदीय,



(अनिल कुमार शर्मा)
मुख्य खान अधिकारी
कृते निदेशक।

संख्या: (1)/मा० प्लान/2017 तद दिनांक।

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

- 1-खान अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ०प्र०, जनपद- झांसी।
- 2-पट्टाधारक मै० भरोसा सरकार कान्स्ट्रक्टर एण्ड सप्लायर प्रो० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद नि० ग्राम भरोसा, तहसील मोठ, जिला-झांसी।
- 3-खनन अनुभाग, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, लखनऊ।

(अनिल कुमार शर्मा)
मुख्य खान अधिकारी
कृते निदेशक।



मैसर्स भरोसा सरकार कॉन्ट्रैक्टर एण्ड सप्लायर्स (श्री दिनेश कुमार राजपूत) के पक्ष में स्वीकृत प्रस्तावित परियोजना बालू/मौरंग खनन गाटा संख्या-908न, खण्ड नम्बर-02, ग्राम-खरवांच, तहसील-गरौठा, जनपद-झाँसी (उ0प्र0) क्षेत्रफल 20.00 हेक्टेयर (क्षमता 1,80,000.00 घन मी0/वर्ष) हेतु पर्यावरणीय स्वीकृति के सम्बन्ध में अपर जिलाधिकारी (वि0/रा0) महोदय झाँसी की अध्यक्षता में दिनांक 15.03.2021 को जिला खनिज भवन झाँसी के सभाकक्ष, में आयोजित लोक सुनवाई का कार्यवृत्त :-

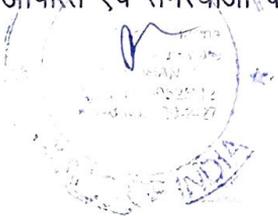
सदस्य सचिव महोदय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, के पत्रांक-एच58395/सी-2/एन0ओ0सी0-4628/झाँसी/2021 दिनांक 04.02.2021 के सम्बन्ध में जिलाधिकारी महोदय, झाँसी द्वारा नियत की गयी लोकसुनवाई तिथि दिनांक 15.03.2021 के सम्बन्ध में पर्यावरण स्वीकृति की लोकसुनवाई हेतु हिन्दी 'दैनिक समाचार पत्र' दैनिक जागरण एवं अंग्रेजी समाचार पत्र टाईम्स ऑफ इण्डिया में सूचना प्रकाशित करायी गयी-छायाप्रतियाँ (संलग्न-1)।

उपरोक्त वर्णित खनन परियोजना की पर्यावरणीय स्वीकृति हेतु अपर जिलाधिकारी महोदय, (वि0/रा0) झाँसी की अध्यक्षता में दिनांक 15.03.2021 को खनिज विभाग सभाकक्ष, झाँसी में वीडियो ग्राफी युक्त लोक सुनवाई का आयोजन, किया गया। अध्यक्ष महोदय, तथा लोकसुनवाई समिति में उपस्थित प्राधिकारियों, परियोजना के तकनीकी सलाहकार, परियोजना प्रस्तावक व अन्य क्षेत्रीयजनो की उपस्थिति विवरण की छायाप्रति सुलभ संदर्भ हेतु (संलग्न-2)।

क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झाँसी द्वारा अध्यक्ष महोदय, लोकसुनवाई समिति का अभिनन्दन किया गया तथा लोकसुनवाई प्रारम्भ किये जाने की अध्यक्ष महोदय, से अनुमति चाही गयी, अध्यक्ष महोदय, द्वारा अनुमति प्रदान किये जाने के पश्चात् उपस्थित जिला खनिज प्रतिनिधि प्राधिकारी झाँसी एवं क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झाँसी द्वारा बालू एवं मौरंग खनन परियोजना के तकनीकी सलाहकार को परियोजना के सम्बन्ध में सभाकक्ष में उपस्थित जन समुदाय को अवगत कराये जाने हेतु निर्देशित किया गया।

खनन परियोजना के तकनीकी सलाहकार द्वारा अध्यक्ष महोदय, लोकसुनवाई समिति एवं उपस्थित जनसमुदाय को अवगत कराया गया कि प्रस्तावित खनन परियोजना हेतु State Level Environment Impact Assessment Authority, Uttar Pradesh द्वारा TOR स्वीकृत किया गया है तथा परियोजना के माइनिंग प्लान, भौगोलिक स्थिति, क्षेत्रफल गाटा संख्या, गाँव एवं बालू खनन की सम्भावित एवं अनुमानित मात्रा आदि के सम्बन्ध में अवगत कराया गया, तथा वर्णित किया गया कि नदी तल पर खनन हेतु परिवहन हेतु प्रयुक्त किये जाने वाले वाहनो एवं बालू खनन हेतु मैकेनाइज्ड वाहन का प्रयोग नहीं किया जायेगा यथा सम्भव जल उपलब्धता क्षेत्र में बालू खनन नहीं किये जाने का आश्वासन दिया गया एवं बालू खनन पट्टा स्वीकृति के पश्चात् खनन संचालन की अवधि में प्रतिवर्ष विभिन्न जन कल्याणकारी योजना संचालन हेतु प्रस्तावित धनराशि ग्राम पंचायत प्रधान एवं जिला प्रशासन, झाँसी आदि से समन्वय उपरान्त प्रदत्त मार्गदर्शन अनुसार व्यय किये जाने हेतु अवगत कराया गया।

अध्यक्ष महोदय, लोकसुनवाई समिति, द्वारा चर्चा प्रारम्भ करते हुये उपस्थित जन समुदाय से खनन परियोजना संचालन से भविष्य में उत्पन्न होने वाली सम्भावित पर्यावरणीय कुप्रभाव जनित आपत्ति एवं समस्याओं के सम्बन्ध में अवगत कराये जाने हेतु विचार जानना चाहा गया।



अध्यक्ष महोदय, द्वारा चाहे गये आप 26 सुझाव एवं सहमति के सम्बन्ध में निम्नलिखित व्यक्तियों द्वारा पूछे गये प्रश्न आदि निम्नवत् है:-

प्रश्न.1 श्री राजेन्द्र कुमार पुत्र श्री रामेश्वर प्रसाद ग्राम-खरवांच, तहसील-गरौठा, जनपद-झाँसी द्वारा प्रश्न किया गया कि बालू ढुलाई करने वाले ट्रक्स अगर ज्यादा होंगे तब नदी के दूसरी तरफ भी रास्ता बनाया जाये ताकि ट्रक्स पार्किंग सुविधा व दुर्घटना की सम्भावना कम हो सके।

उत्तर. परियोजना प्रस्तावक एवं तकनीकी सलाहकार द्वारा अवगत कराया गया कि खनन कार्य प्रारम्भ होने के पश्चात् प्रतिदिवस कुल 44 ट्रक्स द्वारा बालू ढुलाई कार्य किया जायेगा तथा जिला प्रशासन हमीरपुर से परिवहन अनुमति प्राप्त कर ही जनपद-हमीरपुर जनपद-जालौन एवं जनपद-झाँसी आदि की सीमाओं से दूसरी ओर परिवहन किया जाना सम्भव हो सकेगा। नदी के दोनों तरफ से रास्ता हो जायेगा तो ट्रकों की संख्या भी कम हो जायेगी, कुछ ट्रक हमीरपुर की तरफ से निकल जायेगे। अनुमति हेतु अनुरोध किया जाना अनिवार्य है, अतः पूरा प्रयास किया जायेगा तथा जनहित में जो भी सुविधाजनक परिवहन सुनिश्चित हो सकेगा अवश्य ही किया जायेगा।

• अध्यक्ष महोदय, द्वारा जानना चाहा कि दूसरी ओर परिवहन रास्ता बनाये जाने से स्थानीय गाँववासियों को कोई समस्या तो उत्पन्न नहीं हो जायेगी तथा किसी को कोई आपत्ति तो नहीं है तथा पूछा गया कि जिस रास्ते से ट्रक जायेगे उसमें कोई मकान अथवा सार्वजनिक भवन आदि तो स्थित नहीं हैं।

• श्री राजेन्द्र सिंह पुत्र श्री बहादुर सिंह ग्राम-खरवांच, तहसील-गरौठा, जनपद-झाँसी द्वारा बताया गया कि जिस रास्ते से ट्रक्स जायेगे उस रास्ते पर मकान एवं आवास आदि स्थित नहीं है।

प्रश्न.2 श्री मनीराम पुत्र श्री रज्जू तथा मुकेश पुत्र श्री धर्मपाल एवं चतुर्भुज पुत्र श्री कांता प्रसाद निवासी ग्राम-खरवांच, तहसील-गरौठा, जनपद-झाँसी द्वारा प्रश्न किया गया कि खदान हेतु लेवर गाँव से ही रखी जायेंगी अथवा अन्य गाँवों से श्रमिकों को लाकर सेवायोजित किया जायेगा।

उत्तर खनन परियोजना प्रस्तावक एवं तकनीकी सलाहकार द्वारा अवगत कराया गया कि खनन परियोजना संचालन हेतु खनन क्षेत्र के निकटवर्ती गाँवों के कुशल एवं अकुशल श्रमिकों को रोजगार प्रदान किया जायेगा ताकि ग्रामवासियों की आर्थिक स्थिति सुदृढ़ हो सके।

प्रश्न.3 क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, झाँसी द्वारा परियोजना प्रस्तावक से जानना चाहा गया कि खनन परियोजना आरम्भ होने के पश्चात् ग्रामवासियों के जन कल्याण हेतु क्या कार्यक्रम एवं सुविधाएँ प्रस्तावित की गयी हैं तथा खनन प्रारम्भ अनुमति उपरान्त किस प्रकार क्रियान्वयन किया जायेगा।

उत्तर खनन परियोजना प्रस्तावक एवं तकनीकी सलाहकार द्वारा अवगत कराया गया कि खनन परियोजना संचालन हेतु सोलर लाइट, हैण्ड पम्प, प्राथमिक उपचार, विद्यालय की मरम्मत एवं ग्रामीणों के लिए शौचालय इत्यादि की व्यवस्था किया जाना प्रस्तावित तथा जनहित में व्यापक कल्याण कार्यक्रम जिला प्रशासन झाँसी द्वारा स्वीकृति कार्यों हेतु सदैव तत्पर



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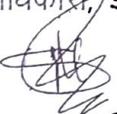
क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, झाँसी द्वारा प्रस्तावक को सुझाव दिया गया कि पांच वर्ष की खनन अवधि के सम्बन्ध में पर्यावरण संरक्षण हेतु प्रस्तावित निधि एवं सामुदायिक कल्याण निधि एवं व्यय किये जाने वाले मद व जनकल्याण की योजना अपर जिलाधिकारी महोदय, व मुख्य विकास अधिकारी महोदय, को पर्यावरण स्वीकृति प्रदान होने उपरान्त एक माह की अवधि में प्रस्तुत किया जाना होगा तथा मुख्य विकास अधिकारी महोदय, झाँसी द्वारा प्रस्तावो को प्रदत्त स्वीकृति अनुरूप निर्देशानुसार व्यय किया जाना अनिवार्य होगा।

उपरोक्त लोकसुनवाई में परियोजना प्रस्तावक एवं तकनीकी सलाहकार द्वारा दिये गये विभिन्न आश्वासनों के सम्बन्ध में अध्यक्ष महोदय द्वारा निर्देशित किया गया कि परिवहन हेतु प्रयुक्त किये जाने वाले सड़क मार्ग की यथा सम्भव मरम्मत करायी जानी होगी जिससे स्थानीय निवासियों को धूल उड़ने की समस्या उत्पन्न न हो। स्थानीय कृषि स्वामियों के खेतों से कच्चे रास्ते बिना किसान की सहमति से नहीं बनाया जाये तथा यथा सम्भव सार्वजनिक मार्गों का ही प्रयोग किया जाये एवं बालू परिवहन करते समय ट्रक्स आदि को Covered by Tarpolin, परिवहन रास्तों पर यथा सम्भव जल छिड़काव, ट्रक्स में बालू पर जल छिड़काव अनिवार्य होगा, जिससे पब्लिक न्यूसेंस की समस्या उत्पन्न ना हो।

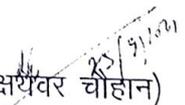
लोकसुनवाई में उपरस्थित जनसमुदाय से पुनः अध्यक्ष महोदय, द्वारा जानना चाहा गया कि यदि कोई अन्य आपत्ति एवं सुझाव प्रकट किया जाना हो तो किया जाये एवं सहर्ष सहमति हेतु व्यक्तिगत मौखिक आपत्ति वीडियो पर प्रदर्शित की जाये, इस सम्बन्ध में अध्यक्ष महोदय, को उपस्थित जनसमुदाय द्वारा अवगत कराया गया कि खनन परियोजना संचालन करने की अध्यक्ष महोदय, द्वारा जनहित में अनुमति प्रदान कर दी जाये ताकि स्थानीय मजदूरों को कार्य एवं ग्रामवासियों को जनकल्याणार्थ प्रस्तावित कार्यक्रम संचालन से सुविधाएँ प्राप्त हो सकें तथा कोई आपत्ति नहीं है, अवगत कराया गया।

उपरोक्त परिप्रेक्ष्य में अध्यक्ष महोदय, द्वारा जनसुनवाई कार्यक्रम आयोजन की घोषणा की गयी।

अन्त में अध्यक्ष महोदय, को क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, झाँसी, तथा खनिज प्रतिनिधि प्राधिकारी, झाँसी द्वारा धन्यवाद ज्ञापित किया गया और बैठक समाप्त की गयी।


20/03/21
(निरंजन शर्मा)

क्षेत्रीय अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
झाँसी


20/03/21
(राम अक्षयवर चौहान)
अपर जिलाधिकारी (वि०/रा०)
झाँसी



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जोक सुनवाई

महाराष्ट्र सरकार कायदा सहायक सप्लायर्स (श्री विदेश कुमार राजपूत) के पक्ष में स्विकृत गाथा नं.-१०४ न, खन नं.-०२, गांधी-खरवांच, तहसील-गुरदास जनपद-झांसी उ०प्र० में क्षेत्रफल-२०.० हे० (१,४०,०००.०० घन मी०/वर्ग) में उपस्वीनज साधारण बालू/मॉरम के खनन परिश्रमोजना हेतु स्वीकृत जोक सुनवाई का आयोजन :-

दिनांक - 15.03.2021

समय :-

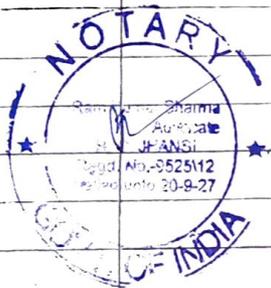
स्थान :- खनिज विभाग सभागृह, झांसी

क्रमांक	उपस्थित अधिकारियों/प्राभवस्थियों का नाम व पता	हस्ताक्षर
1.	अपर जिलाधिकारी महोदय (विनया) झांसी	
2.	जिला खनिज अधिकारी, झांसी	
3.	निरंजन शर्मा, क्षेत्रीय अधिकारी, उ०प्र० प्रखण निमंत्रण बोर्ड, झांसी	
4.	राजेश्वर सिंह खरवांच	राजेश्वर सिंह
5.	अनीशम खरवांच	अनीशम
6.	महेश सिंह खरवांच	महेश सिंह
7.	गारुमान खरवांच	
8.	अजय 1,	
9.	दुर्गा 1,	
10.	मे लखन खरवांच	
11.	परमलता	
12.		

NOTARY
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क्र.सं.	उपस्थित अधिकारियों / प्राप्तावस्थाओं का नाम व पता	हस्ताक्षर
13	सुनील	
14	शशिभद्र कुमार	शशिभद्र कुमार
15	नितिन कुमार	नितिन कुमार
16.	Atulesh, ENV DAS (I) Pvt. Ltd, Lucknow, Consultant	9838813300
17.	BMS Negi, consultant, Lucknow	9415037064
18	Anand Kumar 7905428963 - Anand Kumar	
(1)	mahendra Rajput 6392927781	
20	Shailesh Agarwal 8887922883	Shailesh



15/03
(नितिन शर्मा)
क्षेत्रीय अधिकारी
उ०प्र० प्रदूषण नियंत्रण बोर्ड, झांसी

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority (SEIAA), Uttar Pradesh)

To,

The Owner
M/S BHAROSA SARKAR CONTRACTOR AND SUPPLIERS
Village- Kharwanch, Tehsil- Garautha, District- Jhansi, Uttar Pradesh -
284203

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/UP/MIN/51345/2020 dated 22 Jul 2021. The particulars of the environmental
clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC21B001UP188973 |
| 2. File No. | 5542 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including
Schedule No. | 1(a) Mining of minerals |
| 6. Name of Project | M/s Bharosa Sarkar Contractor and
Suppliers located Gata No. 908 Na
(Khand No. 2), Village- Kharwanch, Tehsil
- Garautha, District- Jhansi, (U.P.) |
| 7. Name of Company/Organization | M/S BHAROSA SARKAR CONTRACTOR
AND SUPPLIERS |
| 8. Location of Project | Uttar Pradesh |
| 9. TOR Date | 08 Jun 2020 |

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 26/11/2021

(e-signed)
Member Secretary
Member Secretary
SEIAA - (Uttar Pradesh)

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

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State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow- 226010

E-Mail- doeuplko@yahoo.com, seiaaup@yahoo.com

Phone no- 0522-2300541

Reference- MoEFCC Proposal no- SIA/UP/MIN/51345/2020 & SEIAA, U.P File no- 5542

Sub: Environmental Clearance is sought for Sand/Morrum Mining from Dhasan River bed at Gata No.- 908 Na, Khand No.-02, Village- Kharwanch, Tehsil- Garautha, Jhansi, U.P., (Leased Area: 20 ha.), M/s Bharosa Sarkar Contractor Suppliers.

Dear Sir,

This is with reference to your application / letter dated 20-02-2020,18-02-2020,22-07-2021,28-07-2021 on above mentioned subject. The matter was considered by SEAC in meeting held on 22-09-2021 and SEIAA in meeting held on 11-11-2021.

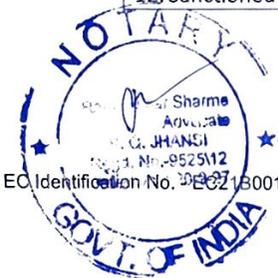
A presentation was made by the project proponent along with their consultant M/s ENV Development Assistance Systems (I) Pvt. Ltd to SEAC on 22-09-2021.

Project Details Informed by the Project Proponent and their Consultant

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

1. The environmental clearance is sought for Sand/Morrum Mining from Dhasan River bed at Gata No.- 908 Na, Khand No.-02, Village- Kharwanch, Tehsil- Garautha, Jhansi, U.P., (Leased Area: 20 ha.), M/s Bharosa Sarkar Contractor Suppliers.
2. The terms of reference in the matter were issued by SEIAA, U.P. vide letter no. 112/Parya/SEAC/5542/2019 dated 08/06/2020.
3. The public hearing was organized on 15/03/2021. Final EIA report submitted by the project proponent on 22/07/2021.
4. Salient features of the project as submitted by the project proponent:

1. On-line proposal No.	SIA/UP/MIN/51345/2020
2. File No. allotted by SEIAA, UP	5542
3. Name of Proponent	M/s Bharosa Sarkar Contractor & Suppliers Proprietor- Shri Dinesh Kumar
4. Full correspondence address of proponent and mobile no.	M/s Bharosa Sarkar Contractor & Suppliers Proprietor- Shri Shri Dinesh Kumar S/o Shri Sheetal Prasad. R/o Village - Bharosa, Tehsil - Moth, District - Jhansi, Uttar Pradesh
5. Name of Project	Sand/Morrum Mining
6. Project location (Plot/Khasra/Gata No.)	Gata No. 908 Na (Khand No. 2)
7. Name of River	Dhasan River
8. Name of Village	Kharwanch
9. Tehsil	Garautha
10. District	Jhansi
11. Name of Minor Mineral	Sand/Morrum
12. Sanctioned Lease Area (in ha)	20.0 ha



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13. Mineable Area (in ha)	17.74 ha	
14. Zero level mRL	119 mRL	
15. Max. & Min mrl within lease area	124 mRL and 121 mRL	
16. Pillar Coordinates (Verified by DMO)	Sanctioned Area	
	Points Latitude Longitude	
	A 25°43'24.10"N 79°22'42.50"E	
	B 25°43'28.30"N 79°22'48.90"E	
	C 25°43'45.00"N 79°23'20.60"E	
	D 25°43'40.60"N 79°23'23.30"E	
	E 25°43'23.30"N 79°22'53.70"E	
F 25°43'18.60"N 79°22'46.80"E		
17. Total Geological Reserves	3,02,614 m ³	
18. Total Mineable Reserves in LOI	1,80,000 m ³ /year	
19. Total Proposed Production	1,80,000 m ³ /year (9,00,000 m ³ in 05 years)	
20. Proposed Production/year	1,80,000 m ³	
21. Sanctioned Period of Mine lease	5 years	
22. Production of mine/day	655 m ³ /day	
23. Method of Mining	Bar Scalping or Skimming method (Semi mechanized/OTFM-Other than fully mechanized, as per IBM & SSMG, 2016) using: <ul style="list-style-type: none"> • Scraper/light earth movers • Chain based Bulldozer for rescue & salvage • Loader • Truck & tractors for transportation 	
24. No. of working days	275 days	
25. Working hours/day	12 hours	
26. No. of workers	Approximately 52 labours	
27. No. of vehicles movement/day	44 units	
28. Type of Land	Non – Agricultural, Government Waste Land (Revenue land)	
29. Ultimate Depth of Mining	3 m	
30. Nearest metalled road from site	SH 21 (Lakhimpur-Sitapur-Panwari Marg): 9.0 km (SE)	
31. Water Requirement	PURPOSE REQUIREMENT (KLD)	
	Drinking	1.20
	Suppression of dust	6.0
	Plantation	0.05
	Others (Stored water)	0.10
	Total 7.35 KLD	
32. Name of QCI Accredited Consultant with QCI No and period of validity.	ENV Development Assistance Systems (I) Pvt. Ltd. NABET/EIA/1821/SA 102 and Valid till 02/12/2021.	
33. Any litigation pending against the project or land in any court	None	
34. Details of 500 m Cluster Map & certificate verified by Mining Officer	Cluster certificate issued by District Mines Officer, Jhansi Letter No.1556/30MMC/(2019-20), Jhansi dated 31.01.2020	
35. Details of Lease Area in approved	Page 52, Table No. 13, Sl. No. 03 (as per corrigendum	



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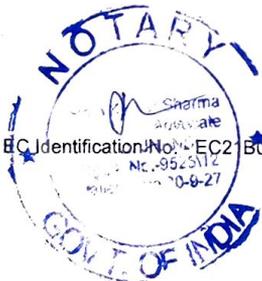
DSR	issued vide letter no. 756/30MMC/2021-22 dated 27.09.2021 issued by Senior Mines Officer, Jhansi)
36. Proposed CER cost	2% of total project cost i.e. Rs. 16,58,276/-
37. Proposed EMP cost/ Total Project Cost	Rs. 23,86,812/- & 8,29,13,813/- respectively
38. Length and Width of Haul Road	Unpaved Length 0.50 km and Paved Length 1.9 km and 6 m width
39. No. of Trees to be Planted	100

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

Based on the recommendations of the State Level Expert Appraisal Committee (SEAC) Meeting (SEAC) held on 22-09-2021 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting dated 11-11-2021 decided to grant the Environmental Clearance to the title project for collection of 1,80,000 m³ /annum for **one year only** lease area of 20 ha subject to effective implementation of the following General Conditions and specific conditions:

General Conditions:

1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any 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).
4. Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.
5. Mining and loading shall be done only within day hours' time.
6. No mining shall be carried out in the safety zone of any bridge and/or embankment.
7. It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
8. All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.
9. Parking of vehicles should not be made on public places.
10. No tree-felling will be done in the leased area, except only with the permission of Forest Department.
11. No wildlife habitat will be infringed.



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12. It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.
13. It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.
14. It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.
15. Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.
16. Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.
17. Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.
18. Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programmes.
19. Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.
20. Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.
21. Dispensary facilities for first-aid shall be provided at site.
22. An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.
23. The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.
24. The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.
25. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.
26. Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.
27. Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.
28. Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.
29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.



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30. Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.
31. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.
32. Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.
33. 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 Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.
34. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.
35. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.
36. The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.
37. The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.
38. The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.
39. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.
40. Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.
41. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF circular Dated : 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).
42. 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



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- to observe any contractions due to exposure to dust and take corrective measures, if needed.
43. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
 44. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.
 45. The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).
 46. Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.
 47. Safety measures to be taken for the safety of the people working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.
 48. Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.

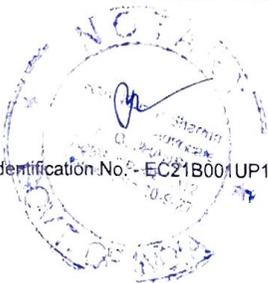
Specific Conditions:

1. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
2. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. Replenishment study, duly approved by the competent authority for approving DSR for the district should be submitted within one year. In the absence of replenishment study keeping in mind various orders issued by Hon'ble NGT and development works in the State EC is accorded for a period of one year.
5. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
6. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 20,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.



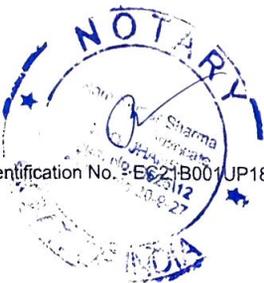
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7. Project Proponent/Consultant should explore the possibilities of Solar light and water Conservation/harvesting around the mining site/area.
8. During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report.
9. The Environmental clearance will be co-terminus with the mining lease period/Mining Plan. The Mining plan approved by the Dept. of Mines and Geology shall be strictly implemented and shall not be operated beyond the validity period.
10. At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.
11. Environment management in according to environmental status and impact of the project.
12. During the school opening and closing time transportation of minerals will be restricted.
13. Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.
14. No mining activity should be carried out in-stream channel as per SSMMG, 2016.
15. Pakka motorable haul road to be maintained by the project proponent.
16. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
17. Permission from the competent authority regarding evacuation route should be taken.
18. One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.
19. Provision for cylinder to workers should be made for cooking.
20. The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.
21. Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meter.
22. Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.
23. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.
24. Provision for two toilets and hand pumps should be made at mining site.
25. Drinking water for workers would be provided by tankers.
26. Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.
27. A buffer/safe zone shall be maintained from the habitation as per mining guidelines.
28. Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.
29. Health/Insurance card, Medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.
30. Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activity in CER.
31. The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.



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32. Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
33. The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.
34. If in future this lease area becomes part of cluster of equal to or more than 05 ha. then additional conditions based on the EIA shall be imposed. The lease holder shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.
35. Project falling within 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.
36. To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.
37. In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.
38. The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.
39. The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.
40. It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.
41. The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.
42. The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.
43. The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.
44. The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. 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 followed accordingly.



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45. The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)].
46. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.
47. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
48. The extended mining scheme will be submitted by the proponent before expiry of present mining plan.
49. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. 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.
50. Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.
51. Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
52. Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.
53. Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.
54. Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.
55. The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.
56. The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
57. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
58. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.
59. Waste water from potable use be collected and reused for sprinkling.
60. A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.



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You shall also ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this clearance shall automatically deem to be cancelled.

Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

The above stipulated conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon'ble Courts of Law relating to the subject matter.

The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The 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 provisions 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.

Copy, through email, for information and necessary action to –

1. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.com)
2. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)
3. Deputy Director General of Forests (C), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – roc.lko-mef@nic.in)
4. Director, Geology & Mining, Uttar Pradesh, Khanij Bhawan 27/8, Raja Ram Mohan Rai Marg, Lucknow-226001 (email - dgmupexp@gmail.com)
5. District Magistrate, Jhansi, Uttar Pradesh.
6. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)
7. Copy to Web Master for uploading on PARIVESH Portal.
8. Copy for Guard File.

(Ajay Kumar Sharma)
Member Secretary, SEIAA



Signature Not Verified

Digitally signed by Member Secretary
Member Secretary
Date: 11/26/2024 7:58:14 PM
Page 11 of 11



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

180111/UPPCB/Jhansi(UPPCBRO)/CTO/both/JHANSI/2023

Date: 19/04/2023

To,

M/s

BHAROSA SARKAR CONTRACTOR AND SUPPLIERS

Gata No. 908 Na, Khand No. 02, Village Kharwanch, Jhansi, 284203

Application Id-
20272026

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 **BHAROSA SARKAR CONTRACTOR AND SUPPLIERS** located at **Gata No. 908 Na, Khand No. 02, Village Kharwanch, Jhansi, 284203**. 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 **BHAROSA SARKAR CONTRACTOR AND SUPPLIERS** granted for the period from **19/04/2023 to 31/12/2027** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Sand/Morrum	180000	Cubic Meters/Year

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

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

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	1.0 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
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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.



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(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.

Emmission Quality Standards

S No.	Stack no	Parameters	Standards
1		Particulate Matter	Ambient Air Standard 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) 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 :-

- Environment Statement in Form-V of Environment (Protection) Rules, 1986.
- Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.



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5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.
7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.
8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.



Specific Conditions:-

1. This consent is valid for production capacity Sand/Morrum-180000 Cu meter/year by opencast and manual mining in 20 Hectare Lease area at Gata No.- 908 Na, Khand No.-02, Village- Kharwanch, Tehsil- Garautha, Jhansi.
2. Mining unit shall comply with the conditions of Environmental Clearance issued by State Level Environment Impact Assessment Authority (SEIAA) vide EC Identification No. EC21B001UP188973 dated 26.11.2021 and submit its compliance report to UPPCB.
3. If the lease agreement expires prior to 31-12-2027, then the validity of this CTO shall stand expired simultaneously with the expiry of mining lease.
4. Mining shall be done as per EC issued by SEIAA and directions given by Mining Department/District Administration.
5. The unit shall submit the latest copy of Audited Balance Sheet/C.A. Certificate (Fixed Assets+ Current Assets - Current Liabilities) for verification of the Consent fee payable by the industry within 15 days. In case CTO fee dues then it shall be submitted to the Board immediately.
6. Unit shall develop and maintain green belt as per the conditions of Environmental Clearance.
7. Unit shall not withdrawal ground water for any industrial activity without obtaining necessary permission from UPGWA.
8. The domestic effluent shall be treated through septic tank/soak pit or provide mobile toilet facility. Industry shall maintain ZLD.
9. 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.
10. Unit should operate and maintain installed water sprinkler system effectively and continuously to achieve the standards prescribed under E(P) Rules, 1986.
11. Unit shall submit Ambient air monitoring reports of NABL accredited laboratory on quarterly basis to the Board.
12. All trucks, tractors used in transportation of Sand/Morrum shall be covered by canvas sheet to prevent dust emission.
13. Water will be sprayed after loading activity (if Sand/Morrum collected could be dry condition)
14. The dust suppression measures like water spraying will be done on the haul roads and working areas.
15. Industry should comply with the provisions of Hazardous and Other waste (Management & Trans boundary Movement) Rules 2016.
16. Solid waste should be disposed in such manner, so that no water, air and soil pollution takes place.
17. Industry shall abide by directions given by Hon'ble Court, Hon'ble NGT, MoEF&CC, Central Pollution Control Board, UPPCB and District Administration for protection and safe guard of environment from time to time.
18. Consent fees if revised, shall be payable by industry from the date of its applicability.
19. Industry shall comply with the relevant provisions of Environmental Laws.
20. If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain suspended during the closure period and after ensuring the compliance and after revocation of closure order, the CTO will automatically be effective with additional conditions mentioned in the closure revocation order.

RAJENDRA SINGH Digitally signed by RAJENDRA SINGH
Date: 2023.04.19 17:04:59 +05'30'

Chief Environmental Officer (circle-2)

Copy to:

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

RAJENDRA SINGH Digitally signed by RAJENDRA SINGH
Date: 2023.04.19 17:05:13 +05'30'

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ANNEXURE R-1

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Chief Environmental Officer (circle-2)





Annexure-X

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
46
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या
Ref. No. 22668
सेवा संख्या

क्र. 2/NGT-905/2024 दिनांक 13-1-25

पंजीकृत

मेसर्स भरोसा सरकार कन्सल्टेशन एण्ड सप्लायर,
गाटा नं०-908, ब्लाक नं०-02, ग्राम-खरवाच, तहसील-गरौठा,
जनपद-झांसी।

यह कि मैसर्स भरोसा सरकार कन्सल्टेशन एण्ड सप्लायर, गाटा नं०-908, ब्लाक नं०-02, ग्राम-खरवाच, तहसील-गरौठा, जनपद-झांसी जिसे आगे परियोजना कहा जायेगा तथा जिसको वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा 21 के अर्न्तगत राज्य बोर्ड से पूर्व सहमति प्राप्त किया जाना अनिवार्य है।

यह कि क्षेत्रीय अधिकारी, झांसी के पत्र दिनांक 23.12.2024 की आख्यानुसार परियोजना मैसर्स भरोसा सरकार कन्सल्टेशन एण्ड सप्लायर, गाटा नं०-908, ब्लाक नं०-02, ग्राम-खरवाच, तहसील-गरौठा, जनपद-झांसी द्वारा किये गये अपेक्षित खनन सम्बन्धी शिकायती प्रकरण गाननीय राष्ट्रीय हरित अधिकरण में ओ०ए० संख्या-1025/2024 के रूप में विचारार्थीन है। माननीय राष्ट्रीय हरित अधिकरण द्वारा उक्त वाद में संयुक्त समिति का गठन कर फैक्टुअल रिपोर्ट एवं एक्शन टेकन रिपोर्ट दाखिल किये जाने के आदेश पारित किये गये हैं। प्राप्त निर्देशों के अनुपालन में संयुक्त समिति द्वारा स्थलीय निरीक्षण दिनांक 11.12.2024 को किया गया।

स्थलीय निरीक्षण के समय प्राप्त अभिलेखों से संज्ञान में आया कि परियोजना द्वारा दिनांक 06.12.2021 से खनन कार्य प्रारम्भ किया गया है, जबकि परियोजना को संचालन हेतु राज्य बोर्ड से सहमति दिनांक 19.04.2023 से प्राप्त है। इस प्रकार दिनांक 06.12.2021 से दिनांक 18.04.2023 के मध्य की अवधि में परियोजना राज्य बोर्ड से सहमति प्राप्त किये संचालित रही है।

उक्त परियोजना द्वारा दिनांक 06.12.2021 से दिनांक 18.04.2023 के मध्य की अवधि में कितने दिनों खनन कार्य किया गया है अर्थात् उक्त अवधि में परियोजना कितने दिन संचालित रही है, से सम्बन्धित सूचना प्राप्त करने हेतु क्षेत्रीय कार्यालय के पत्र दिनांक 19.12.2024 द्वारा जिला खान अधिकारी, झांसी को पत्र प्रेषित किया गया था। तत्क्रम में जिला खान अधिकारी, झांसी का पत्र 995/30एम०एम०सी०/2024-25 दिनांक 21.12.2024 क्षेत्रीय कार्यालय में प्राप्त हुआ है।

जिला खान अधिकारी, झांसी के पत्र दिनांक 21.12.2024 एवं राज्य बोर्ड से जारी सहमति आदेश दिनांक 19.04.2023 के माध्यम से यह तथ्य प्रकाश में आया है कि उक्त परियोजना द्वारा राज्य बोर्ड से बिना सहमति प्राप्त किये दिनांक 06.12.2021 से दिनांक 18.04.2023 के मध्य की अवधि में 295 दिनों तक खनन कार्य किया गया है, जो कि इकाई को निर्गत पर्यावरणीय स्वीकृति में निहित शर्तों एवं प्रदूषण नियंत्रण अधिनियमों में निहित आज्ञापक प्राविधानों का उल्लंघन है तथा उल्लंघन अवधि हेतु परियोजना पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निरूपित गाइडलाइन के अनुसार पर्यावरणीय क्षतिपूर्ति रू० 10,000/- प्रतिदिन की दर से अधिरोपित किया जाना विधि रांगत है।

यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्मित गाइड लाइन में पर्यावरणीय क्षतिपूर्ति की गणना हेतु निर्धारित सूत्र $Penalty = PI \times N \times R \times S \times X \times LF$ के अनुसार आंकलित पर्यावरणीय क्षतिपूर्ति रुपये 10,000/- प्रतिदिन आती है। जिसमें $PI = \text{Pollution Index} = 80$, R (Penalty in Rs) = 250, S (Factor for scale of operation, Medium) = 0.5, LF (Location factor) = 1.0 लिया गया है।

यह कि क्षेत्रीय अधिकारी, झांसी के पत्र दिनांक 23.12.2024 द्वारा परियोजना मैसर्स भरोसा सरकार कन्सल्टेशन एण्ड सप्लायर, गाटा नं०-908, ब्लाक नं०-02, ग्राम-खरवाच, तहसील-गरौठा, जनपद-झांसी पर दिनांक 06.12.2021 से दिनांक 18.04.2023 के मध्य 295 दिनों की अवधि में राज्य बोर्ड से बिना सहमति प्राप्त किये संचालन किये जाने की दशा में रू० 10,000/- प्रतिदिन की दर से 295 दिनों की उल्लंघन अवधि हेतु कुल रू० 29,50,000/- (रुपये उनतीस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गयी है।

अतः उपरोक्त वर्णित तथ्यों एवं क्षेत्रीय अधिकारी, झांसी द्वारा की संस्तुति के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु निम्नानुसार कारण बताओ नोटिस जारी किया जाता है :-

..2..

टी.सी. - 12 वी, विभूति खण्ड, गॉमती नगर,
लखनऊ - 226010
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ई-मेल : info@uppcb.com
वेबसाइट : www.uppcb.com

T.C.-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
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E-mail : info@uppcb.com
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1. यह कि क्यों न परियोजना मैसर्स भरोसा सरकार कन्सल्टेशन एण्ड सप्लायर, गाटा नं0-908, ब्लाक नं0-02, ग्राम-खरवाच, तहसील-गरौटा, जनपद-झांसी पर दिनांक 06.12.2021 से दिनांक 18.04.2023 के मध्य 295 दिनों की अवधि में राज्य बोर्ड से बिना सहमति प्राप्त किये संचालन किये जाने की दशा में रू0 10,000/- प्रतिदिन की दर से 295 दिनों की उल्लंघन अवधि हेतु कुल रू0 29,50,000/- (रूपये उनतीस लाख पचास हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये।

उपरोक्त के संबंध में अपना स्पष्टीकरण इस पत्र प्राप्ति के 15 दिन के अन्दर बोर्ड मुख्यालय में प्रेषित करें, अन्यथा की स्थिति में इकाई के विरुद्ध उपरोक्तानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं इकाई एवं इकाई स्वामी का होगा।

सक्षम अधिकारी के अनुमोदनोपरान्त पत्र निर्गत।

संलग्नक-यथोपरि।

Atulesh Yadav
मुख्य पर्यावरण अधिकारी, (वृत्त-2)

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

1. जिलाधिकारी, झांसी।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झांसी को इस निर्देश के साथ प्रेषित कि अपने स्तर से भी कारण बताओ नोटिस की प्रति परियोजना स्वामी को प्राप्त कराते हुए, पावती एवं जारी कारण बताओ नोटिस के संबंध में परियोजना का अद्यतन निरीक्षण कर आख्या 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

Atulesh Yadav
मुख्य पर्यावरण अधिकारी, (वृत्त-2)

%



48
कार्यालय जिलाधिकारी, झाँसी
(खनिज अनुभाग)

Annexure-XI

पत्रांक:- 973/30एम0एम0सी0/2024-25

दिनांक: 17/12/2024

नोटिस

मेसर्स भरोसा सरकार कान्स्ट्रक्टर एण्ड सप्लायर्स
प्रो० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद
निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी।

जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-2) रकवा-24.00 हे० क्षेत्र पर धसान नदी तल स्थित बालू/मोरम का नीलामी पट्टा 05 वर्ष (दिनांक: 06.12.2021 से दिनांक: 05.12.2026 तक) की अवधि हेतु आपके पक्ष में स्वीकृत है। उक्त स्वीकृत खनन पट्टा क्षेत्र के सम्बन्ध में खान निरीक्षक, झाँसी द्वारा प्रेषित जॉच आख्या दिनांक: 11.12.2024 उल्लेख किया गया है कि " मा० हरित न्यायाय, नई दिल्ली में योजित ओ०ए० संख्या-1025/2024 "सुरेन्द्र सिंह परिहार बनाम उ०प्र० राज्य व अन्य" में मा० न्यायालय द्वारा पारित आदेश दिनांक: 05.11.2024 में गठित समिति एवं प्रभारी अधिकारी खनिज, ज्येष्ठ खान अधिकारी, झाँसी के साथ अधोहस्ताक्षरी द्वारा प्रश्नगत क्षेत्र का स्थलीय निरीक्षण दिनांक: 11.12.2024 को किया गया। निरीक्षण के समय खनन कार्य बन्द होना पाया गया तथा सीमास्तम्भ अपने निर्धारित भू-निर्देशांक पर लगा होना पाया गया किन्तु पट्टा क्षेत्र के लगा हुआ कैमरा संचालित होना नहीं पाया गया। उक्त के अतिरिक्त यह भी अवगत कराना है कि आज दिनांक से पूर्व दिनांक: 16.11.2024 को प्रश्नगत क्षेत्र का निरीक्षण अधोहस्ताक्षरी द्वारा किया गया था जिसमें पट्टा क्षेत्र में पी०टी०जेड० कैमरा संचालित होना नहीं पाया गया था, जिसके उपरान्त अधोहस्ताक्षरी द्वारा पत्र दिनांक: 19.11.2024 के माध्यम से पट्टाधारक को नोटिस प्रेषित किया गया।" उक्त नोटिस दिनांक: 19.11.2024 में उल्लिखित धनराशि का भुगतान आप द्वारा आज दिनांक तक नहीं किया गया है।

उपरोक्त प्रस्तुत निरीक्षण आख्या के अनुसार दिनांक: 16.11.2024 को Last date of inspection मानते हुए दिनांक: 16.11.2024 से दिनांक: 11.12.2024 की अवधि में पी०जी०जेड० कैमरा संचालित न होने की दशा में उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-60(3) के अन्तर्गत प्रति चूक के लिए प्रतिदिन रू० 25,000.00 की दर से शास्ति शुल्क (यानि की रू० 25,000.00 X 25 = 6,25,000.00) अधिरोपित की जाती है। इस प्रकार नोटिस दिनांक: 19.11.2024 के माध्यम से रू० 25,000.00 की धनराशि तथा वर्तमान में अधिरोपित रू० 6,25,000.00 की धनराशि का कुल योग करते हुए रू० 6,50,000.00 की अधिरोपित की जाती है।

अतः उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-36(2) का उल्लंघन किये जाने की दशा में नियम-60(3) के अन्तर्गत रू० 6,50,000.00 की अधिरोपित धनराशि को यथा शीघ्र खनिज के निर्धारित लेखाशीर्षक "अलौह खनन तथा धातुकर्म उद्योग 0853" में जमा कर चालान की प्रति इस कार्यालय में जमा करना सुनिश्चित करें, अन्यथा की स्थिति में उक्त धनराशि को आप द्वारा जमा की गयी प्रतिभूति की धनराशि में से कटौती करने सम्बन्धित कार्यवाही अमल में लायी जायेगी।

17/12/2024
ज्येष्ठ खान अधिकारी
% झाँसी।

पत्रांक व तददिनांक:-

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

1. जिलाधिकारी महोदय, झाँसी।
2. अपर जिलाधिकारी (न्यायिक), झाँसी।

17/12/2024
ज्येष्ठ खान अधिकारी
% झाँसी।



Annexure No. XII.

Compliance status of Consolidated Consent to Operate and Authorization (CCA)

Sl. No.	General Conditions of Consolidated Consent to Operate and Authorization (CCA)	Compliance Status
1	The applicant shall get analyzed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF&CC and shall report to the UPPCB.	Partially complied. Monitoring report was submitted on 27.12.2023 for the duration of July,2023 to December,2023 and 10.07.2024 for the duration of January,2024 to June,2024.
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.	Complied
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.	Partially complied. Discharge measurement equipment has not provided 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.	No supporting document provided to ascertain compliance.
5	The applicant shall maintain good housekeeping. All valves/pipes/sewer/drains etc. must be leak-proof	Complied
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.	Not applicable
7	The industry shall provide Inspection Book at the time of inspection to the Board's officials.	No supporting document provided to ascertain compliance.
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.	As informed by PP (Project Proponent) no such incident occurred
9	The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.	Not applicable
10	In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it	Agreed to comply by the PP

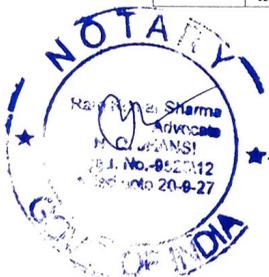


	shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.	
11	The applicant shall apply before the 60 days of expiry 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.	Agreed to comply by the PP
12	The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.	Agreed to comply by the PP
	Specific Conditions of Consolidated Consent to Operate and Authorization (CCA)	Compliance Status
1.	This consent is valid for production capacity Sand/Morrum-180000 Cu meter/year by opencast and manual mining in 20 Hectare Lease area at Gata No.-908 Na, Khand No.-02, Village- Kharwanch, Tehsil-Garautha, Jhansi.	Complied
2.	Mining unit shall comply with the conditions of Environmental Clearance issued by State Level Environment Impact Assessment Authority (SEIAA) vide EC Identification No. EC21B001UP188973 dated 26.11.2021 and submit its compliance report to UPPCB.	Partially complied. EC compliance report was submitted on 27.12.2023 for the duration of July, 2023 to December,2023 and 10.07.2024 for the duration of January, 2024 to June, 2024.
3.	If the lease agreement expires prior to 31-12-2027, then the validity of this CTO shall stand expired simultaneously with the expiry of mining lease.	--
4.	Mining shall be done as per EC issued by SEIAA and directions given by Mining Department/District Administration.	Mining was not carried out during inspection.
5.	The unit shall submit the latest copy of Audited Balance Sheet/C.A. Certificate (Fixed Assets+ Current Assets - Current Liabilities) for verification of the Consent fee payable by the industry within 15 days. In case CTO fee dues then it shall be submitted to the Board immediately.	Complied
6.	Unit shall develop and maintain green belt as per the conditions of Environmental Clearance.	No supporting document provided to ascertain compliance.
7.	Unit shall not withdrawal ground water for any industrial activity without obtaining necessary permission from UPGWA.	Not complied.
8.	The domestic effluent shall be treated through septic tank/soak pit or provide mobile toilet facility. Industry shall maintain ZLD.	Complied.
9.	Unit shall make water sprinkling arrangement through Tankers for dust suppression at different sources of	As informed by PP water sprinkler had been done



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	dust emission during mining, transportation, loading and unloading of Sand/Morrum.	through tankers for dust suppression. However, during visit, mining was not carried out so water sprinkling was not observed.
10.	Unit should operate and maintain installed water sprinkler system effectively and continuously to achieve the standards prescribed under E(P) Rules, 1986.	As above
11.	Unit shall submit Ambient air monitoring reports of NABL accredited laboratory on quarterly basis to the Board.	No supporting document provided to ascertain compliance.
12.	All trucks, tractors used in transportation of Sand/Morrum shall be covered by canvas sheet to prevent dust emission.	As informed by PP transportation of Morrum was carried out by covered Trucks. However, during visit transportation of Morrum was not carried out as mining activity was closed.
13.	Water will be sprayed after loading activity (if Sand/Morrum collected could be dry condition)	As informed by PP water sprinkling is carried out through tankers for dust suppression. However, during visit mining was not carried out so water sprinkling was not observed.
14.	The dust suppression measures like water spraying will be done on the haul roads and working areas.	As informed by PP water sprinkler had been done through tankers for dust suppression. However, during visit mining was not carried out so water sprinkling was not observed.
15.	Industry should comply with the provisions of Hazardous and Other waste (Management & Transboundary Movement) Rules 2016.	Not Applicable. No hazardous waste was observed during visit.
16.	Solid waste should be disposed in such manner, so that no water, air and soil pollution take place.	It is informed that solid waste was disposed through gram samaj.
17.	Industry shall abide by directions given by Hon'ble Court, Hon'ble NGT, MoEF&CC, Central Pollution Control Board, UPPCB and District Administration for protection and safe guard of environment from time to time.	Agreed to comply by the PP.
18.	Consent fees if revised, shall be payable by industry from the date of its applicability.	Agreed to comply by the PP.
19.	Industry shall comply with the relevant provisions of Environmental Laws.	Agreed to comply by the PP.
20.	If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain	Agreed to comply by the PP.



	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.	
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Compliance status of Environmental Clearance (EC)

Sl. No.	General Conditions of Environmental Clearance	Compliance status
1	This environmental clearance is subject to allotment of mining lease in favor of project proponent by District Administration/Mining Department.	Complying
2	Forest clearance shall be taken by the proponent as necessary under law.	It is informed by the PP, all clearance has been taken by Mines Department, Jhansi before auctioning the lease.
3	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).	Not Applicable
4	Precise mining area will be jointly demarcated at site by project proponent and officials of Mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months.	Complying
5	Mining and loading shall be done only within day hours' time.	During inspection, no mining activity is carried out.
6	No mining shall be carried out in the safety zone of any bridge and/or embankment.	Complying
7	It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.	As informed by PP water sprinkler had been done through tankers for dust suppression. However, during visit mining was not carried out so water sprinkling was not observed.
8	All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.	Agreed to comply by the PP.
9	Parking of vehicles should not be made on public places.	During visit, no mining activity carried out. Hence, no vehicles were observed at site.
10	No tree-felling will be done in the leased area, except only with the permission of Forest Department.	Agreed to comply by the PP.



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11	No wildlife habitat will be infringed.	Agreed to comply by the PP.
12	It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.	Agreed to comply by the PP.
13	It shall be ensured that mining operation of Sand/Moram will not in any way disturb the, velocity and flow pattern of the river water significantly.	At the time of inspection, it was observed that mining was done in most part of the lease area and due to mining, water had come on top surface, due to which river water was seen to have widened at some points along the stretch of river.
14	It shall be ensured that there is no fauna dependent on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.	Not complying
15	Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.	Not complying
16	Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.	Not complying
17	Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.	During visit, no mining activity carried out. Hence, measures taken to control air pollution could not ascertain.
18	Need-based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such program me. The project proponent shall provide separate budget for community development activities and income generating programs.	Details not provided by the PP.
19	Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/Horticulture Officer.	No supporting document provided to ascertain compliance.

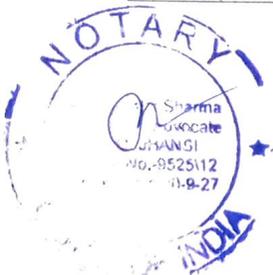


20	Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation.	No top soil is available in mining area.
21	Dispensary facilities for first-aid shall be provided at site	Complying
22	An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.	No supporting document provided to ascertain compliance.
23	The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/information/monitoring reports. In case of any violations of stipulated conditions the District Mining Officer will report to SEIAA.	In order to ascertain the compliances a District level as well as Tehsil level task force has been constituted.
24	The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.	Partially complied. EC compliance report was submitted on 27.12.2023 for the duration of July,2023 to December,2023 and 10.07.2024 for the duration of January,2024 to June,2024.
25	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban Local Body.	Complying
26	Transportation of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.	During visit, no mining activity carried out. Hence, measures taken to control air pollution could not ascertain.
27	Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF&CC/CPCB.	Not applicable
28	Measures shall be taken for control of noise level to the limits prescribed by C.P.C.B.	During visit, mining activities was not carried out. Hence, measures shall be taken for control of noise level to the limits could not verified.
29	Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of Village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.	Kuccha road was seen in the village.
30	Measure for prevention & control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion, if any, shall be carried-out with geo textile matting or other suitable material.	It is informed that 10 % margin is left from the embankment of river to prevent soil erosion.
31	Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is	Details not provided by the PP.



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	higher is to be earmarked for total lease period. Its budget is to be separately maintained. CER component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The program can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.	
32	Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc. proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.	No supporting document provided to ascertain compliance.
33	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 Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.	No supporting document provided to ascertain compliance.
34	Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the district mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.	Agreed to comply by the PP.
35	Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project.	Not Applicable
36	The proponent shall observe every 15 days for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards the safety notified zone should be left so that the habitat/nesting area is undisturbed.	It is informed by the PP that no nesting of turtle is observed.
37	The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.	Agreed to comply by the PP.
38	The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater), required for the project.	Not complying



56

39	Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.	It is informed by the PP; separate area is demarked for parking and loading of vehicles.
40	Vehicular emissions shall be kept under control and regularly monitored. The vehicles carrying the mineral shall not be overloaded.	Agreed to comply by the PP. It is informed that PUC certified vehicles were used for transportation.
41	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. (MoEF&CC circular Dated: 22-09-2008 regarding stipulation of condition to improve the living conditions of construction labour at site).	Temporary shelter has been provided for workers. However, it is informed by the PP, labour is residing in nearby villages.
42	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.	During visit, mining activity was not carried out. Hence, compliance status could not be ascertained.
43	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.	Complying
44	The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.	No supporting document provided to ascertain compliance.
45	The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation).	No supporting document provided to ascertain compliance.
46	Debris from the river bed will be collected and stored at a secured place and may be utilized to strengthen the embankment.	Debris of river bed is observed to be used for making road for transportation.
47	Safety measures to be taken for the safety of the people working at the mine lease area should be given, which	During visit, mining activity was not carried out. Hence,



	would also include measure for treatment of bite of poisonous reptile/insect like snake.	compliance status could not ascertain.
48	Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule.	No supporting document provided to ascertain compliance.
S. No.	Specific Conditions of Environmental Clearance	Compliance status
1	Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.	Agreed to comply by the PP.
2	A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.	It is informed by the PP, all clearance has been taken by Mines Department, Jhansi before auctioning the lease.
3	The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.	Agreed to comply by the PP.
4	Replenishment study, duly approved by the competent authority for approving DSR for the district should be submitted within one year. In the absence of replenishment study keeping in mind various orders issued by Hon'ble NGT and development works in the State EC is accorded for a period of one year.	The PP has submitted out replenishment Study Report (Pre-monsoon and Post monsoon) in year 2022 2023 and 2024.
5	If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.	Not applicable
6	Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 20,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.	No supporting document provided to ascertain compliance.
7	Project Proponent/Consultant should explore the possibilities of Solar light and water Conservation/harvesting around the mining site/area.	It is informed by the PP, possibility of Solar light and water Conservation/harvesting



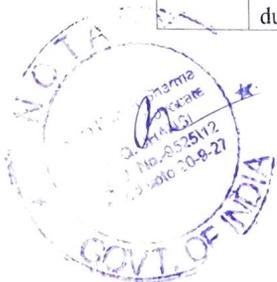
		around the mining site/area is not possible.
8	During the submission of 6 monthly compliance reports, the project proponent should make sure that the periodically taken site photographs should also be annexed along with the compliance report.	Complying
9	The Environmental clearance will be co-terminus with the mining lease period/Mining Plan. The Mining plan approved by the Dept. of Mines and Geology shall be strictly implemented and shall not be operated beyond the validity period.	Agreed to comply by the PP.
10	At the time of operation, project proponent will comply with all the guidelines issued by Government of India/State Govt./District Administration related to Covid-19.	Not applicable
11	Environmental management in according to environmental status and impact of the project.	Agreed to comply by the PP.
12	During the school opening and closing time transportation of minerals will be restricted.	Agreed to comply by the PP.
13	Selection of plants for green belt should be on the basis of pollution removal index. Project proponent should ensure survival of tree saplings. Mortality should be replaced from time to time.	No supporting document provided to ascertain compliance.
14	No mining activity should be carried out in-stream channel as per SSMMG, 2016.	At the time of inspection, no mining activity was observed in the lease area so no sign of in stream mining could be observed.
15	Pakka motorable haul road to be maintained by the project proponent.	Not complying
16	A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.	No supporting document provided to ascertain compliance.
17	Permission from the competent authority regarding evacuation route should be taken.	Agreed to comply by the PP.
18	One month monitoring report of the area for air quality, water quality, Noise level. Besides flora & fauna should be examined twice a week and be submitted within 45 days for a record.	It is informed by the PP, baseline data of the area is already submitted in EIA report.
19	Provision for cylinder to workers should be made for cooking.	Not applicable, as informed by PP that local people are deployed in mining activities.
20	The capacity of trucks/tractor for loading purpose will be in tonnes as per Transport Department applicable norms and standard fixed by the Government.	Agreed to comply by the PP.
21	Approach road kaccha is to be made motorable and tree saplings to be planted on both sides of the road. Width of the haul road shall be more than 6 meters.	Partially Complying



22	Indigenous plants should be planted according to CPCB guidelines and in consultation with local Divisional Forest Officer.	No supporting document provided to ascertain compliance
23	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer.	Complying
24	Provision for two toilets and hand pumps should be made at mining site.	Toilets are provided
25	Drinking water for workers would be provided by tankers.	Complying
26	Mining should be done by Bar scalping methods extraction (typically 0.3 -0.6 m or 1 - 2 ft) as per sustainable sand mining management guidelines 2016.	During visit, no mining activity was carried.
27	A buffer/safe zone shall be maintained from the habitation as per mining guidelines.	Complying
28	Corporate Environmental Responsibility (CER) plan shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018.	No supporting document provided to ascertain compliance
29	Health/Insurance card, medical claim, regular health check-up camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.	No supporting document provided to ascertain compliance.
30	Measure for conservation of water through rainwater harvesting and cleaning and maintenance of natural surface water bodies of the nearby areas may be considered as one of the activities in CER.	It is informed by the PP, activity is not financially viable with the budget of the project.
31	The excavated mining material should be carried and transported in such a way that no obstruction to the free flow of water takes place. Suitable measure should be taken and details to be provided to concern Department.	Complying
32	Submit annual replenishment report certified by an authorized agency. In case the replenishment is lower than the approved rate of production, then the mining activity /production levels shall be decreased / stopped accordingly till the replenishment is completed.	Complying
33	The project proponent shall ensure that if the project area falls within the eco-sensitive zone of National Park/ Sanctuary prior permission of statutory committee of National board for wild life under the provision of Wildlife (Protection) Act, 1972 shall be obtained before commencement of work.	Not applicable
34	If in future this lease area becomes part of cluster of equal to or more than 05 ha. Then additional conditions based on the EIA shall be imposed. The lease holder	Agreed to comply by the PP.



	shall mandatorily follow cluster conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per law shall be initiated against the authority issuing the cluster certificate.	
35	Project falling within 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.	Not-Applicable
36	To avoid ponding effect and adverse environmental conditions for sand mining in area, progressive mining should be done as per sustainable sand mining management guidelines 2016.	Complied and PP assured for the compliance.
37	In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500mt. and area is less than 05 ha, but factually the distance is less than 500 mt and the mine is located in cluster of area equal or more than 05 ha, the E.C issued will stand revoked.	Agreed to comply by the PP.
38	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI-NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.	Complying
39	The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). Heavy machine such as excavator, scooper etc. should not be employed for mining purpose. No drilling/blasting should be involved at any stage.	During visit, no mining activity was carried.
40	It shall be ensured that there shall be no mining of any type within 03 m or 10% of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion of river bank. The mining is confined to extraction of sand/moram from the river bank only.	Complying
41	The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected.	During visit, mining activity was not carried out. Hence, compliance status could not ascertain.
42	The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.	Complying



43	The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed.	Agreed to comply by the PP.
44	The project proponent will provide personal protective equipment (PPE) as required, also provide adequate training and information on safety and health aspects. 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 followed accordingly.	During visit, mining activity was not carried out. Hence, compliance status could not ascertain.
45	The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored [(TDS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS)].	Complying
46	Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads.	During visit, mining activity was not carried out. Hence, compliance status could not ascertain.
47	It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.	Complying
48	The extended mining scheme will be submitted by the proponent before expiry of present mining plan.	Agreed to comply by the PP.
49	Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM10, PM2.5, SO2 and NOx. 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.	Complying
50	Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users.	Agreed to comply by the PP.
51	Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.	toilets are provided for workers
52	Solid waste material viz., gutkha pouchs, plastic bags, glasses etc. to be generated during project activity will be separately storage in bins and managed as per Solid Waste Management rules.	Dust bins are provided near site office for collection of Solid waste material. It is informed that disposal is carried out through Gram Panchayat.



53	Natural/customary paths used by villagers should not be obstructed at any time by the activities proposed under the project.	Agreed to comply by the PP.
54	Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt. of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF&CC, SEIAA, U.P. and UPPCB.	Complying
55	The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at http://www.seiaaup.in and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB.	Complying
56	The MoEF&CC/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.	Agreed to comply by the PP.
57	Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.	Agreed to comply by the PP.
58	Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.	Agreed to comply by the PP.
59	Waste water from potable use be collected and reused for sprinkling.	Not applicable
60	A width of not less than 50 meter or 10% width of river can be restricted for mining activities from river bank. A condition can be imposed that mining will be done from river activities from river bank.	Complying

Note-

1. Total 01 Condition is not compiled in CCA , 03 conditions are partially complied and no supporting documents are provided in 04 conditions to ascertain compliance.
2. Total 05 Conditions is not compiled in EC out of which 01 condition is repeated, 02 conditions are partially complied and no supporting documents are provided in 15 conditions to ascertain compliance.



कार्यालय जिलाधिकारी, झाँसी।
(खनिज अनुभाग)

पत्रांक: 1191 / 30एम0एम0सी0 / 2024-25

दिनांक: 14/02/2025

विषय :- Service of Notice dated 04.02.2025 to R-7 (as per Notice Copy enclosed) in Original Application No. 1025/25 titled "Surender singh parihar. Vs State of Uttar Pradesh & Ors."

मैसर्स भरोसा सरकार कॉन्ट्रैक्टर एण्ड सप्लायर्स
प्रो श्री दिनेश कुमार राजपूत
पुत्र श्री शीतल प्रसाद
निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी।

उपर्युक्त विषयक में मा0 राष्ट्रीय हरित अधिकरण में योजित ओ0ए0 सं0-1025/2024 सुरेन्द्र सिंह परिहार बनाम स्टेट ऑफ यू0पी0 व अन्य में आपको प्रतिवादी (Respondent) संख्या-7 के रूप में अंकित कर योजित की गयी है जिसमें मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा पारित आदेश दिनांक: 23.01.2025 के अनुपालन में सलाहकार (न्यायिक), मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली के अपने पत्र संख्या-NGT/Judicial/OA/1025-2024 दिनांक: 04.02.2025 द्वारा अवगत कराया गया है कि :-

"The aforesaid application was listed before the Tribunal on 23.01.2025, when the tribunal inter-alia passed the following order (reproduced relevant extracts only) :-

5. Notice be served on M/s Bharosa Sarkar (Project Proponent) through the District Magistrate, Jhansi and for this purpose notice issued to the M/s Bharosa Sarkar (Project Proponent) be sent to the District Magistrate, Jhansi by E-mail for getting service to the same effected on it and sending his report in this regard.
7. List on 17.03.2025 for further consideration."

In pursuance of the order dated 23.01.2025 passed by Hon,ble Tribunal, Notice dated 04.02.2025, is enclosed with the request to serve the said notice to R-7 (as per Notice copy enclosed) Mentioned in the Notice & send the report of service.

अतः उपरोक्त पत्र दिनांक: 04.02.2025 के साथ संलग्नक नोटिस दिनांक: 04.02.2025 की छायाप्रति संलग्नक कर इस निर्देश के साथ प्रेषित है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेश दिनांक: 23.01.2025 के अनुपालन में समान्तर्गत शपथ पत्र के माध्यम से response मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में दाखिल करते हुए दाखिल किये गये response की प्रति इस कार्यालय को भी उपलब्ध कराना सुनिश्चित करें।

- संलग्नक: 1- मा0 न्यायालय द्वारा पारित
आदेश दिनांक: 23.01.2025
2- प्रतिवादी (Respondent) संख्या-7
का नोटिस दिनांक: 04.02.2025

पत्रांक व तददिनांक:-

माज दिनांक 15-02-25
को समय 07:30 बजे मेरे
द्वारा जिलाधिकारी को
द्वारा प्रेषित पत्र

संख्या 1191 दिनांक
14-2-25 के समय प्रतिलिपि:-
संलग्नक प्रान्तीय

NAT द्वारा ओ0ए0 व 0
1025/2024 के पारित आदेश

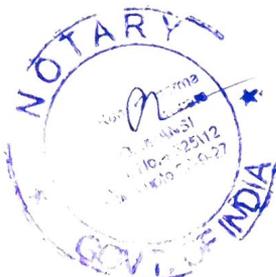
दि 23-1-25 एवं संलग्नक ओ0ए0 व 0 के प्रतिवादी संख्या 07 के
रूप में पारित नोटिस दि. 04-2-25 का भी प्राप्त किया।

- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
- 1-निदेशक, भूतत्व एवं खनिकर्म विभाग, उ0प्र0 शासन, लखनऊ।
 - 2-क्षेत्रीय अधिकारी, उत्तर प्रदेश नियंत्रण बोर्ड, झाँसी।
 - 3- सलाहकार (न्यायिक), मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली।

दिनेश कुमार राजपूत
प्रो भरोसा सरकार
ओ0 ए0 संलग्नक
ओ0 ए0 दिनेश कुमार राजपूत

जिलाधिकारी,
झाँसी।
14/2/25

जिलाधिकारी,
झाँसी।
14/2/25



BY SPEEDPOST A.D./EMAIL

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
OA No. 1025/2024

Surendar Singh Parihar Vs State of UP & Ors

To

1. **State of Uttar Pradesh**
Through Secretary Environment, Forests and Climate Change Department,
Government of Uttar Pradesh,
Office of the Principal Chief Conservator of Forests (PCCF),
17, Rana Pratap Marg, Lucknow-226001
Email: pccf-up@nic.in(RESPONDENT NO 1)
2. **Director, Mining and Geology,**
Government of Uttar Pradesh
Khanji Bhawan 27/8, Raja Ram Mohan Rai Marg, Lucknow-226001
Email : director@dgmup.org(RESPONDENT NO 2)
3. **District Magistrate, Jhansi**
District Magistrate Office Collectorate Jhansi-284001, U.P.
Email: dmjha@nic.in(RESPONDENT NO 3)
4. **Uttar Pradesh State Environment Impact Assessment Authority (UPSEIAA)**
Through Member Secretary
Vineet Khand-1, Gomti Nagar, Lucknow-226010
Email: sciaaup@yahoo.com(RESPONDENT NO 6)
- ✓ 5. **M/s Bharosa Sarkar**
(Project Proponent)
Gata No. 908, Block no. 2 Village Kharvanch,
Tehsil Garautha, District Jhansi(RESPONDENT NO 7)

NOTICE

Whereas the above titled Application was listed before the Hon'ble Tribunal on 23.01.2025 (copy of orders and applications are enclosed), when the Tribunal inter-alia passed the following order (reproduced relevant extracts only):-

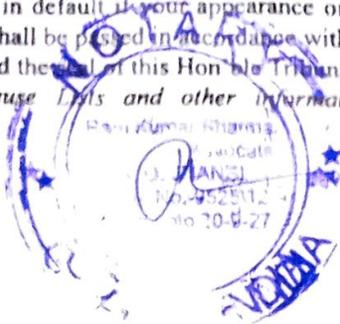
- "3. In view of the facts and circumstances of the case, we consider it appropriate to have responses of (1) State of Uttar Pradesh through Secretary, Environment, Forest and Climate Change Department, Government of Uttar Pradesh, (2) Director, Mining and Geology, Government of Uttar Pradesh, (3) the District Magistrate, Jhansi, (4) CPCB through Member Secretary, (5) Uttar Pradesh Pollution Control Board (UPPCB) through Member Secretary, (6) Uttar Pradesh State Environment Impact Assessment Authority (UPSEIAA) through Member Secretary and (7) M/s Bharosa Sarkar (Project Proponent) Gata No. 908, Block no. 2 village Kharvanch, Tehsil Garautha, District Jhansi who stand impleaded as respondents no. 1 to 7. The Registry is directed to prepare and attach memo of parties to the application.
4. CPCB and UPPCB are already represented before this Tribunal. The Registry is directed to issue notices to respondents no. 1 to 3 and 6 and 7.
5. Notice be served on M/s Bharosa Sarkar (Project Proponent) through the District Magistrate, Jhansi and for this purpose notice issued to the M/s Bharosa Sarkar (Project Proponent) be sent to the District Magistrate, Jhansi by E-mail for getting service of the same effected on it and sending his report in this regard.
6. Replies/responses be filed by the respondents at least three days before the date of hearing fixed.
7. List on 17.03.2025 for further consideration."

2. Accordingly, take notice that the above matter will be listed for further consideration before the Hon'ble Tribunal on 17.03.2025 at **Faridkot House, Copernicus Marg, New Delhi-110001** through physical hearing (with hybrid option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, and file reply/response as per directions of the Hon'ble Tribunal vide Order dated 23.01.2025.

3. Take further notice that in default of your appearance on the date mentioned, necessary order as deemed fit and proper shall be passed in accordance with law.

4. Given under my hand and the seal of this Hon'ble Tribunal, on this 04th February 2025.

Note: (For orders, Cause Lists and other information, please visit our website www.greentribunal.gov.in)



Consultant (Judicial), NGT

हाल दिनांक 15.2.25 को लगभग 07.30 बजे मेरे द्वारा जिला कार्यालय जौली डाटा पोस्ट करवाया गया।
दिनांक 14.2.25 के लिए सम्बन्धित मनीष N.G.T डाय ऑफिस में 10.25/2024 में पारित आदेश दिनांक 23.1.25 एवं प्रस्ताव ऑफिस में प्रतिकारी सम्बन्ध 07 के अर्थ में निर्गत नोटिस दिनांक 4.2.25 को भी प्राप्त हुआ।
दिनेश कुमार

कार्यालय जिलाधिकारी, झाँसी । (खनिज अनुभाग)

पत्रांक:—203//30एम0एम0सी0/2024—25

दिनांक: 01/03/2025

ज्येष्ठ खान अधिकारी,
झाँसी।

जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-02) में 20.000 हेक्टेयर क्षेत्र पर धसान नदी तल स्थित बालू/मोरम के क्षेत्र को उ0प्र0 उपखनिज (परिहार) नियमावली, 2021 के अध्याय-4 के अन्तर्गत नियम-23(2)(क) एवं शासनादेश-1875(1)/86-2017 दिनांक: 14.08.2017 में दिये गये निर्देशों के अनुपालन में ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से नीलाम किया गया, जिसमें मेसर्स भरोसा सरकार कॉन्ट्रेक्टर एण्ड सप्लायर्स प्रो श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी द्वारा सर्वोच्च बोलीदाता घोषित होने के उपरान्त राज्य स्तरीय पर्यावरणीय प्रभाव निर्धारण उत्तर प्रदेश लखनऊ (SEIAA) से दिनांक 26.11.2021 को पर्यावरणीय अनापत्ति (EC) तथा वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम-1981 एवं जल (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम-1974 के प्राविधानों के अन्तर्गत दिनांक 19.04.2023 को उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, लखनऊ से Consent To Operate (CTO) प्राप्त करने के उपरान्त 05 वर्ष (दिनांक: 06.12.2021 से दिनांक: 05.12.2026 तक) की अवधि हेतु पट्टाधारक (मेसर्स भरोसा सरकार कॉन्ट्रेक्टर एण्ड सप्लायर्स) के पक्ष में प्रश्नगत पट्टा स्वीकृत/निष्पादित किया गया है।

उक्त पट्टा के सम्बन्ध में मा0 हरित न्यायालय, नई दिल्ली में योजित ओ0ए0 संख्या-1025/2024 सुरेन्द्र सिंह परिहार बनाम उत्तर प्रदेश राज्य व अन्य में मा0 न्यायालय द्वारा आपने आदेश दिनांक: 05.11.2024 में निम्न आदेश पारित किये गये हैं:-

- “4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board
5. Central Pollution Control Board shall be Nodal Authority for co-ordination and compliance of this order.
6. Said Committee shall collect relevant information, visit the site, examine compliance of conditions of environmental clearance and consent and submit a factual report within six weeks

उक्त आदेश के अनुपालन में गठित समिति द्वारा प्रश्नगत खनन पट्टा क्षेत्र का स्थलीय निरीक्षण दिनांक: 11.12.2024 को कर आख्या मा0 हरित अधिकरण न्यायालय में दाखिल की जा चुकी है, जो मा0 हरित अधिकरण न्यायालय, नई दिल्ली की अधिकारिक वेबसाईट (www.greentribunal.gov.in) पर प्रदर्शित है, जिसमें उल्लेख किया गया है कि पट्टाधारक द्वारा पर्यावरण अनापत्ति प्रमाण-पत्र दिनांक: 26.11.2021 एवं Consent To Operate (CTO) दिनांक: 19.04.2023 में उल्लिखित समस्त शर्तों का शतप्रतिशत अनुपालन नहीं किया जाना पाया गया।

अतः आपको निर्देशित किया जाता है कि प्रश्नगत प्रकरण में अपने विभागीय नियमावली में उल्लिखित नियमों के अधीन पट्टाधारक के विरुद्ध नियमानुसार कार्यवाही कर आख्या अधोहस्ताक्षरी को उपलब्ध कराना सुनिश्चित करें।

पत्रांक व तददिनांक

प्रतिलिपि:—निम्नलिखित को सादर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. निदेशक, भूतत्व एवं खनिकर्मा निदेशालय, लखनऊ।
2. प्रदूषण नियंत्रण बोर्ड, लखनऊ-उ0प्र0।
3. सदस्य सचिव, राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति (SEAC) लखनऊ-उ0प्र0।

जिलाधिकारी,
झाँसी।
१६

जिलाधिकारी,
झाँसी।
१६



कार्यालय जिलाधिकारी, झाँसी ।

(खनिज अनुभाग)

पत्रांक:-2036/30एम0एम0सी0/2024-25

दिनांक: 01/03/2025

नोटिस

मेसर्स भरोसा सरकार कॉन्ट्रेक्टर एण्ड सप्लायर्स
प्रो० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद
निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी ।

जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-02) में 20.000 हेक्टेयर क्षेत्र पर धसान नदी तल स्थित बालू/मोरम के क्षेत्र को 05 वर्ष (दिनांक: 06.12.2021 से दिनांक: 05.12.2026 तक) की अवधि हेतु आपके पक्ष में स्वीकृत/निष्पादित किया गया है ।

उक्त पट्टा के सम्बन्ध में मा० हरित न्यायालय, नई दिल्ली में योजित ओ०ए० संख्या-1025/2024 सुरेन्द्र सिंह परिहार बनाम उत्तर प्रदेश राज्य व अन्य में मा० न्यायालय द्वारा आपने आदेश दिनांक: 05.11.2024 में निम्न आदेश पारित किये गये हैं:-

"4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board

उक्त आदेश के अनुपालन में गठित समिति द्वारा प्रश्नगत खनन पट्टा क्षेत्र का स्थलीय निरीक्षण दिनांक: 11.12.2024 को कर आख्या मा० हरित अधिकरण न्यायालय में दाखिल की जा चुकी है, जो मा० हरित अधिकरण न्यायालय, नई दिल्ली की अधिकारिक वेबसाईट (www.greentribunal.gov.in) पर प्रदर्शित है, जिसमें उल्लेख किया गया है कि पट्टाधारक द्वारा पर्यावरण अनापत्ति प्रमाण-पत्र दिनांक: 26.11.2021 एवं Consent To Operate (CTO) दिनांक: 19.04.2023 में उल्लिखित समस्त शर्तों का शतप्रतिशत अनुपालन नहीं किया जाना उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-35 का उल्लंघन है, जिसमें नियम-60(2) के अन्तर्गत कार्यवाही किये जाने के निम्न प्राविधान हैं:-

"नियम-35 के अधीन उपबन्धित उपबंधों के अनुसार जारी अनुमोदित खनन योजना और पर्यावरण अनापत्ति प्रमाण-पत्र में उल्लिखित निबन्धन एवं शर्तों का उल्लंघन करते हुए जो पट्टेदार खनन कार्य करता है वह चूक के प्रति अवसर के अनुसार पचास हजार रुपये की दर से ऐसी शास्ति के लिए दायी होगा, जिसकी वसूली जिला मजिस्ट्रेट उक्त खनन पट्टा के सापेक्ष जमा की गयी प्रतिभूति की धनराशि से करेगा।"

अतः जिलाधिकारी महोदय द्वारा पारित आदेश दिनांक: 01.03.2025 में पर्यावरण अनापत्ति प्रमाण-पत्र की शर्तों का पालन नहीं किये जाने का कृत्य उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-35 का उल्लंघन है, जिसमें नियम-60(2) के अन्तर्गत रू० 50,000.00 के शास्ति की धनराशि अधिरोपित की जाती है तथा आपको निर्देशित किया जाता है कि नोटिस प्राप्त के 03 दिवस के अन्दर शास्ति की खनिज के निर्धारित लेखाशीर्षक "अलौह खनन तथा धातुकर्म उद्योग 0853" में जमा कर चालान की एक प्रति कार्यालय में उपलब्ध कराना सुनिश्चित करें, अन्यथा की स्थिति में शास्ति की अधिरोपित बकाया धनराशि जमा प्रतिभूति के मद से वसूल की जायेगी, जिसके लिए आप स्वयं जिम्मेदार होंगे ।

पत्रांक व तददिनांक

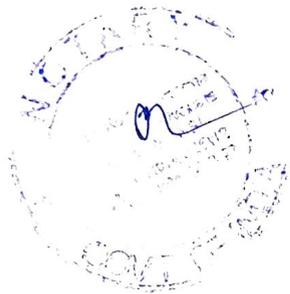
प्रतिलिपि:- जिलाधिकारी महोदय को सादर सूचनार्थ ।

ज्येष्ठ खान अधिकारी,
झाँसी ।

01/03/2025

ज्येष्ठ खान अधिकारी,
झाँसी ।

01/03/2025



200

CHALLAN

ANNEXURE R- 4

(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)

Government of Uttar Pradesh

Uttar Pradesh Treasury Form-209(1) - Challan for Depositing Money

[To be submitted through Net-Payment]

Challan No.: AKV250007749	Challan Date: 05/03/2025
Assessment Year: 2024-2025	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	BHAROSA SARKAR PRO DINESH KUMAR
Depositor Address:	KHARWANCH 908N KHAND 2

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	50000.00
	Totals of the above heads	--	50000.00

A SUM OF Rs. 50000.00 AGAINST THE HEADS MENTIONED ABOVE --[THROUGH NET-PAYMENT TRANSACTION

]-- ON HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->PTRANK NO 2036 SHASIT SHULK)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAEWPUCA5, Scroll Date:-05/03/2025



कार्यालय जिलाधिकारी, झाँसी

(खनिज अनुभाग)

पत्रांक:- 973/30एम0एम0सी0/2024-25

दिनांक: 17/12/2024

नोटिस

मेसर्स भरोसा सरकार कान्स्ट्रक्टर एण्ड सप्लायर्स
प्रो० श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद
निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी।

जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-2) रकबा-24.00 हे० क्षेत्र पर धसान नदी तल स्थित बालू/मोरम का नीलामी पट्टा 05 वर्ष (दिनांक: 06.12.2021 से दिनांक: 05.12.2026 तक) की अवधि हेतु आपके पक्ष में स्वीकृत है। उक्त स्वीकृत खनन पट्टा क्षेत्र के सम्बन्ध में खान निरीक्षक, झाँसी द्वारा प्रेषित जाँच आख्या दिनांक: 11.12.2024 उल्लेख किया गया है कि " मा० हरित न्यायालय, नई दिल्ली में योजित ओ०ए० संख्या-1025/2024 "सुरेन्द्र सिंह परिहार बनाम उ०प्र० राज्य व अन्य" में मा० न्यायालय द्वारा पारित आदेश दिनांक: 05.11.2024 में गठित समिति एवं प्रभारी अधिकारी खनिज, ज्येष्ठ खान अधिकारी, झाँसी के साथ अधोहस्ताक्षरी द्वारा प्रश्नगत क्षेत्र का स्थलीय निरीक्षण दिनांक: 11.12.2024 को किया गया। निरीक्षण के समय खनन कार्य बन्द होना पाया गया तथा सीमास्तम्भ अपने निर्धारित भू-निर्देशांक पर लगा होना पाया गया किन्तु पट्टा क्षेत्र के लगा हुआ कैमरा संचालित होना नहीं पाया गया। उक्त के अतिरिक्त यह भी अवगत कराना है कि आज दिनांक से पूर्व दिनांक: 16.11.2024 को प्रश्नगत क्षेत्र का निरीक्षण अधोहस्ताक्षरी द्वारा किया गया था जिसमें पट्टा क्षेत्र में पी०टी०जे०ड० कैमरा संचालित होना नहीं पाया गया था, जिसके उपरान्त अधोहस्ताक्षरी द्वारा पत्र दिनांक: 19.11.2024 के माध्यम से पट्टाधारक को नोटिस प्रेषित किया गया।" उक्त नोटिस दिनांक: 19.11.2024 में उल्लिखित धनराशि का भुगतान आप द्वारा आज दिनांक तक नहीं किया गया है।

उपरोक्त प्रस्तुत निरीक्षण आख्या के अनुसार दिनांक: 16.11.2024 को Last date of inspection मानते हुए दिनांक: 16.11.2024 से दिनांक: 11.12.2024 की अवधि में पी०जी०जे०ड० कैमरा संचालित न होने की दशा में उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-60(3) के अन्तर्गत प्रति चूक के लिए प्रतिदिन रू० 25,000.00 की दर से शास्ति शुल्क (यानि की रू० 25,000.00 X 25 = 6,25,000.00) अधिरोपित की जाती है। इस प्रकार नोटिस दिनांक: 19.11.2024 के माध्यम से रू० 25,000.00 की धनराशि तथा वर्तमान में अधिरोपित रू० 6,25,000.00 की धनराशि का कुल योग करते हुए रू० 6,50,000.00 की अधिरोपित की जाती है।

अतः उ०प्र० उपखनिज (परिहार) नियमावली-2021 के नियम-36(2) का उल्लंघन किये जाने की दशा में नियम-60(3) के अन्तर्गत रू० 6,50,000.00 की अधिरोपित धनराशि को यथा शीघ्र खनिज के निर्धारित लेखाशीर्षक "अलौह खनन तथा धातुकर्म उद्योग 0853" में जमा कर चालान की प्रति इस कार्यालय में जमा करना सुनिश्चित करें, अन्यथा की स्थिति में उक्त धनराशि को आप द्वारा जमा की गयी प्रतिभूति की धनराशि में से कटौती करने सम्बन्धित कार्यवाही अमल में लायी जायेगी।

17/12/2024
ज्येष्ठ खान अधिकारी
% झाँसी।

पत्रांक व तददिनांक:-

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

1. जिलाधिकारी महोदय, झाँसी।
2. अपर जिलाधिकारी (न्यायिक), झाँसी।



17/12/2024
ज्येष्ठ खान अधिकारी
% झाँसी।

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CHALLAN

ANNEXURE R- 5

(अलौह खनन तथा धातु कर्म उद्योग, उ०प्र०)

Government of Uttar Pradesh

Uttar Pradesh Treasury Form-209(1) - Challan for Depositing Money

[To be submitted through Net-Payment]

Challan No.: AKV250007745	Challan Date: 05/03/2025
Assessment Year: 2024-2025	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	BHAROSA SARKAR PRO DINESH KUMAR
Depositor Address:	KHARWANCH 908N KHAND 2

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	650000.00
	Totals of the above heads	--	650000.00

A SUM OF Rs. 650000.00 AGAINST THE HEADS MENTIONED ABOVE --[THROUGH NET-PAYMENT TRANSACTION]-- ON HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->PTRANK NO 973 SHASIT SHULK)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAEWPTBC6, Scroll Date:-05/03/2025



कार्यालय जिलाधिकारी, झाँसी ।

(खनिज अनुभाग)

पत्रांक:-2030/30एम0एम0सी0/2024-25

दिनांक: 01/03/2025

क्षेत्रीय अधिकारी,

उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झाँसी ।

जनपद-झाँसी के तहसील-गरौठा स्थित ग्राम-खरवांच के आराजी संख्या-908न (खण्ड-02) में 20.000 हेक्टेयर क्षेत्र पर धसान नदी तल स्थित बालू/मोरम के क्षेत्र को उ0प्र0 उपखनिज (परिहार) नियमावली, 2021 के अध्याय-4 के अन्तर्गत नियम-23(2)(क) एवं शासनादेश-1875(1)/86-2017 दिनांक: 14.08.2017 में दिये गये निर्देशों के अनुपालन में ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से नीलाम किया गया, जिसमें मेसर्स भरोसा सरकार कॉन्ट्रैक्टर एण्ड सप्लायर्स प्रो0 श्री दिनेश कुमार राजपूत पुत्र श्री शीतल प्रसाद निवासी-ग्राम भरोसा, तहसील-मोंठ, जिला-झाँसी द्वारा सर्वोच्च बोलीदाता घोषित होने के उपरान्त राज्य स्तरीय पर्यावरणीय प्रभाव निर्धारण उत्तर प्रदेश लखनऊ (SEIAA) से दिनांक 26.11.2021 को पर्यावरणीय अनापत्ति (EC) तथा वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम-1981 एवं जल (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम-1974 के प्राविधानों के अन्तर्गत दिनांक 19.04.2023 को उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, लखनऊ से Consent To Operate (CTO) प्राप्त करने के उपरान्त 05 वर्ष (दिनांक: 06.12.2021 से दिनांक: 05.12.2026 तक) की अवधि हेतु पट्टाधारक (मेसर्स भरोसा सरकार कॉन्ट्रैक्टर एण्ड सप्लायर्स) के पक्ष में प्रश्नगत पट्टा स्वीकृत/निष्पादित किया गया है।

उक्त पट्टा के सम्बन्ध में मा0 हरित न्यायालय, नई दिल्ली में योजित ओ0ए0 संख्या-1025/2024 सुरेन्द्र सिंह परिहार बनाम उत्तर प्रदेश राज्य व अन्य (जिसमें Respondent no 05-UPPCB through Member Secretary हैं) में मा0 न्यायालय द्वारा आपने आदेश दिनांक: 05.11.2024 में निम्न आदेश पारित किये गये हैं:-

“4. We accordingly constitute a Joint Committee comprising District Magistrate, Jhansi; Uttar Pradesh State Pollution Control Board; and Central Pollution Control Board

5. Central Pollution Control Board shall be Nodal Authority for co-ordination and compliance of this order.

6. Said Committee shall collect relevant information, visit the site, examine compliance of conditions of environmental clearance and consent and submit a factual report within six weeks

उक्त आदेश के अनुपालन में गठित समिति द्वारा प्रश्नगत खनन पट्टा क्षेत्र का स्थलीय निरीक्षण दिनांक: 11.12.2024 को कर आख्या मा0 हरित अधिकरण न्यायालय में दाखिल की जा चुकी है, जो मा0 हरित अधिकरण न्यायालय, नई दिल्ली की अधिकारिक वेबसाइट (www.greentribunal.gov.in) पर प्रदर्शित है, जिसमें उल्लेख किया गया है कि पट्टाधारक द्वारा पर्यावरण अनापत्ति प्रमाण-पत्र दिनांक: 26.11.2021 एवं Consent To Operate (CTO) दिनांक: 19.04.2023 में उल्लिखित समस्त शर्तों का शतप्रतिशत अनुपालन नहीं किया गया है।

अतः आपको निर्देशित किया जाता है कि प्रश्नगत योजित ओ0ए0 संख्या-1025/2024 सुरेन्द्र सिंह परिहार बनाम उत्तर प्रदेश राज्य व अन्य में सम्बन्धित पट्टेधारक के विरुद्ध नियमानुसार पर्यावरण क्षतिपूर्ति अधिरोपन सम्बन्धित कार्यवाही कर कृत कार्यवाही की अनुपालन आख्या सहित आवश्यक Response/Reply समयान्तर्गत मा0 हरित अधिकरण न्यायालय, नई दिल्ली में दाखिल करना सुनिश्चित करें।

पत्रांक व तददिनांक

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

1. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, लखनऊ।
2. प्रदूषण नियंत्रण बोर्ड, लखनऊ-उ0प्र0।
3. सदस्य सचिव, राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति (SEAC) लखनऊ-उ0प्र0।

जिलाधिकारी,
% झाँसी।
श्री.

जिलाधिकारी,
% झाँसी।
श्री.

