

सत्यमेव जयते

भारत सरकार/GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, देहरादून/
Regional Office, Dehradun



25, सुभाष रोड, देहरादून-248001/25, SUBHASH ROAD, DEHRADUN-248001,
दूरभाष / PHONE - 0135-2650809, ईमेल/E-mail-moef.ddn@gov.in

पत्र सं- NGT/06/2024/ 463

Dated: 10/07/2024

To,

The Registrar General,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
Principal Bench at New Delhi-110001.

Sub:- Report on behalf of Respondent No. 4 (RO, MoEF&CC, Dehradun) in compliance of the order dated 05.02.2024 passed in O.A. No. 703/2023-reg.

Sir,

The undersigned is directed to refer to the order dated 05.02.2024 passed in the above mentioned O.A. No. 703/2023. The Hon'ble Tribunal at Para-3 of above order has directed as follows;

3. "We find that complete details relating to the extent of illegal mining have not been disclosed by the District Magistrate. Hence, we implead RO, MoEF&CC as respondent no. 4 in the OA and direct him to carry out the spot inspection and disclose the full details including geo-coordinates of the spot where the inspection is done and illegal mining is found, the number and size of pits/voids created on account of illegal mining and persons responsible for such illegal mining. Let the notice be served upon the RO, MoEF&CC (Dehradun) who will file its report at least one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

In compliance of the above order, a report is being submitted on behalf of Respondent No. 4. It is requested to place the report before the Hon'ble tribunal for kind consideration.

Encl: As above

Yours Faithfully,

Vipin Gupta

(Dr. Vipin Gupta)
Scientist-C

Inspection Report on behalf of Respondent No. 4 (Regional Office, MoEF&CC, Dehradun) in compliance of the order dated 05.02.2024 passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 703/2023, News Item titled as

"ग्रामीणों ने एसडीएम से कैलाश नदी में अवैध खनन रोकने की मांग की " appearing in Hindustan dated 31.10.2023-reg.

Background:

This original application is registered in suo motu on the basis of news item titled "ग्रामीणों ने एसडीएम से कैलाश नदी में अवैध खनन रोकने की मांग की " appearing in 'Hindustan' dated 31.10.2023. Taking cognizance in the matter, the tribunal vide its order dated 05.02.2024 at para 3 has directed as follows;

"We find that complete details relating to the extent of illegal mining have not been disclosed by the District Magistrate. Hence, we implead RO, MoEF&CC as respondent no. 4 in the OA and direct him to carry out the spot inspection and disclose the full details including geo-coordinates of the spot where the inspection is done and illegal mining is found, the number and size of pits/voids created on account of illegal mining and persons responsible for such illegal mining. Let the notice be served upon the RO, MoEF&CC (Dehradun) who will file its report at least one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

Since, the order was received to the Respondent No. 4 (Regional Office, MoEF&CC, Dehradun) on 16.04.2024 via e-mail at moef.ddn@gov.in, therefore, a request was made to the Hon'ble tribunal to give atleast 15 days of time to comply the order as the matter was to be taken up 18.04.2024. Considering the request of Respondent No. 4, the tribunal vide order dated 18.04.2024 has allowed the prayer and has given time to comply the order and listed the matter on 26.07.2024.

In view of the above and pursuance to the order dated 05.02.2024, a list of mining projects for the area of Sitarganj and the villages stated in the order dated 05.02.2024 along with their operational status/Geo-Coordinates was sought from the Mining Officer, Udham Singh Nagar on 25.04.2024 (**Annexure-1**). In response of that, a list of Mining projects was submitted by the office of Mining Department, Udham Singh Nagar on 07.05.2024 (**Annexure-2**). Based on the information, a site inspection was carried out by the undersigned on behalf of Respondent No. 04 from June 25-26, 2024 from 09:00 AM onwards.

Following were present during the Inspection:

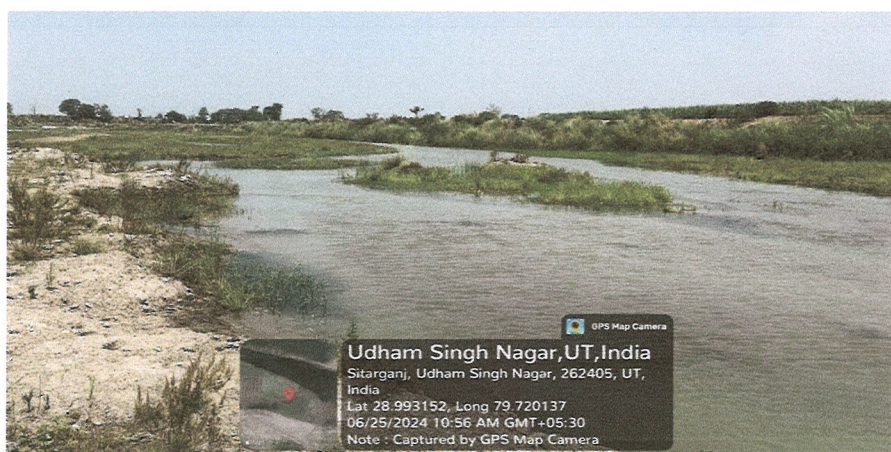
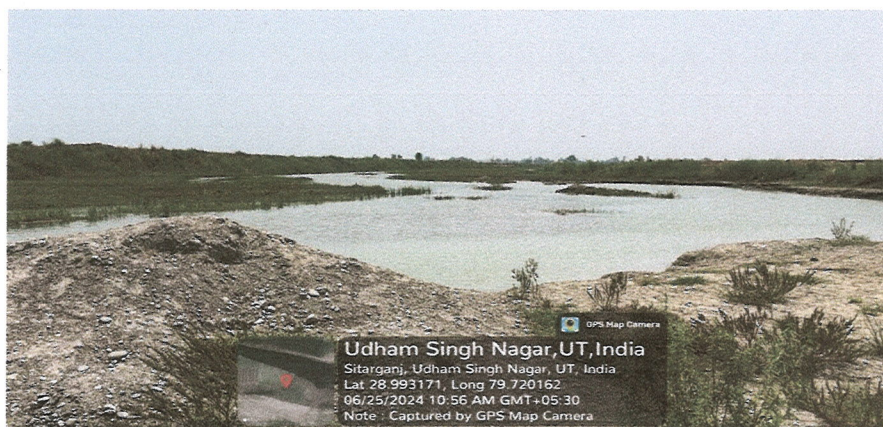
1. Sh. Amit Gaurav, Mining Officer (Mob No. 9411536786)
2. Sh. Jakir Hussain, Survey Nayab Tehsildar (Mob No. 9548762882)
3. Sh. Ankit Chand, Mine Inspector (Mob No. 7060352534)
4. Sh. Amit Kumar Saxena, Sahayak Lekhpal (Mob No. 9837601687)
5. Sh. Sundar Singh Adhikari, Sahayak Lekhpal (Mob No. 9720456280)
6. Sh. Tarsem Singh, local residence (Mob No. 9837117810)
7. Sh. Charanjeet Singh, local residence (Mob No. 8384843917)

Vijay Singh

Observations:**1. Inspection of Kailasha River:**

Since, the news article was published with a subject “ग्रामीणों ने एसडीएम से कैलाश नदी में अवैध खनन रोकने की मांग की”, therefore, the inspection was started from the Kailash River, Sitarganj. During the inspection, it was noted that minor mining operations were going-on in legal mining areas by respective mining operators. As per the information provided by the state mining and geology unit, there were only ten mining pattas were granted and out of them only six are currently active.

Further, during the inspection no signs of illegal mining were observed on the river bed itself. The river-bed and surrounding areas appeared undisturbed by any uncontrolled or illegal mining activities. At the mining sites there was no evidence of heavy machinery, such as JCB or Pokeland machines or equipment. Further in the nearby areas no sign of JCB machine used or stationed were observed. Prima facie the environmental condition of the river and its banks showed no immediate signs of degradation due to mining activities. The details and current status of active legal mining operational in Sitarganj area along with the geo coordinates are already annexed at Annexure-2.



Photographs of the Kailash river near Santfarm Area, Sitarganj

2. Inspection of Santfarm/Ukrauli/Nakulia village area:

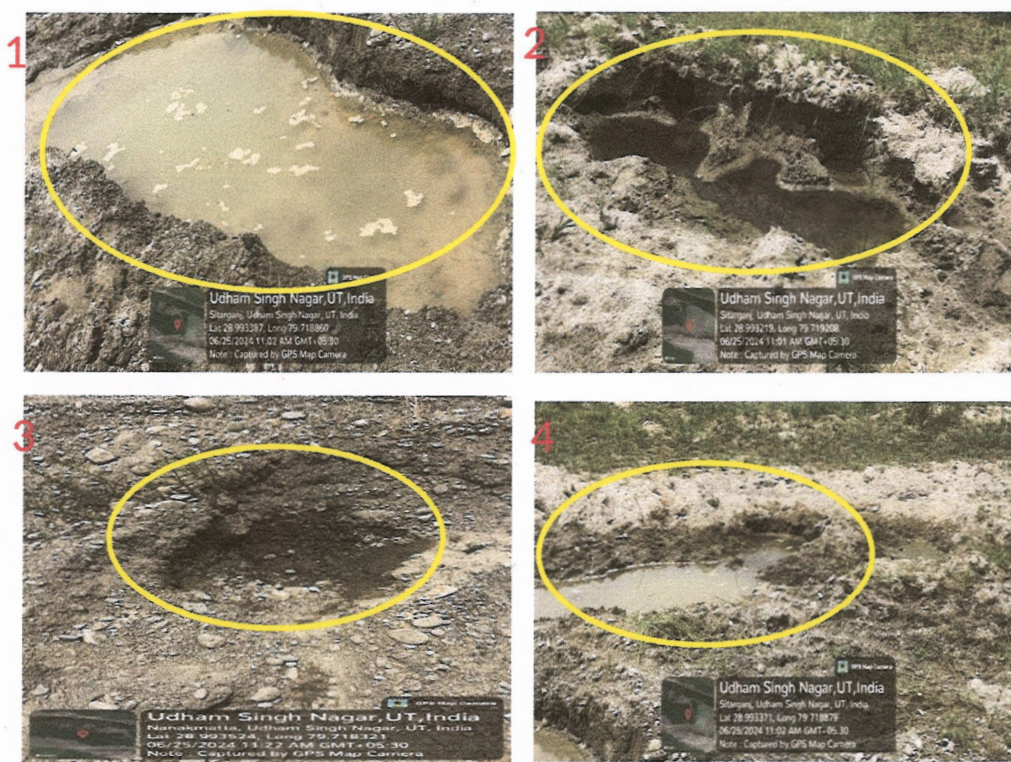
Since the news article also referred to other locations such as Santfarm, Ukrauli Nakulia village area stating the illegal desilting work and illegal mining, thus the

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inspection was carried out in the river zone area of above villages. The undersigned also discussed the matter with few local resident/natives of the area and the issue of the small scale desilting work was highlighted during the discussion.

Based on which the area was inspected carefully and few mining pits were observed in small area of patch, which were indicative of recent mining activities. On further detail information it was collected that this small scale mining/desilting of reti (river sand) is generally done by local villagers for personal use but not for commercial purposes.

Also, to ascertain the legality of the area of questions and to bring the clarity on the issue the marking was done of the area and custodianship was confirmed from the state authorities. In the letter provided by state authorities it was mentioned that as per the record the area of question is 0.569 Ha. and makred at khatuni 1405 to 1410 fasali khasara land and is a state property. Further it was informed that no mining patta is given at this site, thus any mining/desilting work would be illegal. The letter is annex as (Annexure-3).



Photograph of Minor manual Mining's pits near Santfarm/Ukrauli village. No JCB machinery and poke land was found during the monitoring.

S. No	Geo-Coordinates	Pit Size	Responsible
1	Lat 28.993387 Long 79.71886	~2x2 ft	It was told by the mining officer and locals that this collection of reti (sand) is done by nearby villagers illegally for personal use but not for any commercial use.
2	Lat 28.993219 Long 79.719208	~2x 3 ft	
3	Lat 28.993524 Long 79.718321	~1x 1 ft	
4	Lat 28.992964 Long 79.720341	~3x1 ft	

Vim Kumar

3. Interaction with local villagers and Gram Pradhan:

The undersigned also interacted with local villager and the Gram Pradhan, Smt. Tara Devi (one of the complainants as per the news article). Smt. Tara Devi discussed the past issues of illegal mining in the area in last two years using the JCB machines and Pokeland. She also confirmed that such activities have been ceased and no mining activities/desilting work is being carried out by JCB and Pokeland machine. She also provided a written statement stating that at present there are no complaints of illegal mining in the area of question. Her signed statement is annexed to this report (Annexure-4).



Photograph of interaction with locals, officials and gram Pradhan during the inspection.

Vipin Gupta
10/11/2024

Name of Inspecting Officer:- Dr. Vipin Gupta

Designation:- Scientist-C/Deputy Director

Address:- Regional Office, MoEF&CC, 25, Subhash Road, Dehradun

Mob 9015862845 No. E-mail: gupta.vipin@gov.in

Vipin Gupta 4



भारत सरकार/GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, देहरादून/
Regional Office, Dehradun



25, सुभाष रोड, देहरादून-248001/25, SUBHASH ROAD, DEHRADUN-
248001, दूरभाष / PHONE - 0135-2650809, ईमेल/E-mail-moef.ddn@gov.in

File No. NGT/06/2024/138

Date: 25/04/2024

To,

The Mining Officer,
Geology and Mining Unit,
Collectorate Compound,
Udham Singh Nagar, Uttarakhand- 263153.
E.mail: usnagar2019@gmail.com

Sub:- Original Application No. 703/2023, News Item titled as "Gramino ne SDM se Kailash Nadi mei avaidh khaman rokne kee maang kee" appearing in Hindustan dated 31.10.2023-reg.

Ref:- Hon'ble National Green Tribunal order dated 05/02/2024 under O.A. No. 703/2023.

Sir,

The undersigned is directed to seek your kind attention on the order passed by the Hon'ble National Green Tribunal vide order dated 05/02/2024 under Original Application No. 703/2023. It is requested you to kindly provide the list of the mining projects for the area of Sitarganj and the villages stated in the above order along with their operational status in the given below format at the earliest.

S.No.	Owner Name	Address	Geo-Coordinates	Mining plan no./details	Mining Lease details	Mining status Active/Inactive	Permission for heavy machine like JCB and Poclaim machine excavator (yes/no)

Since the matter pertains to Hon'ble NGT, an early action is anticipated.

This is with the approval of competent authority.

Your Sincerely,

Vim Gupta
Dr. Vipin Gupta

Scientist 'C'/Deputy Director

Copy to:-

1. Director, Geology and Mining Unit, Bhopalpani (Kadaikhala), Raipur-Thano- Airport Motor Road, P.O. Dhanyari, District: Dehradun, PIN-248008, Uttarakhand, dir.ukdgm@gmail.com
dirukmining@gmail.com
2. District Magistrate, Collectorate Compound, Rudrapur, Udham Singh Nagar, Uttarakhand-05944242344, dm-usn-ua@nic.in



Vim Gupta
Scientist 'C'/Deputy Director

कार्यालय भूतत्व एवं खनिकर्म विभाग, कलेक्ट्रेट परिसर रूद्रपुर, ऊधम सिंह नगर।
पत्र सं० 103 / मू०खनि०वि० / उ०सि०न० / एन०जी०टी० / 2024-25 दिनांक 07-5-2024.

सेवा में,

डॉ० विपिन गुप्ता,
(Scientist C/Deputy Director)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/,
क्षेत्रीय कार्यालय, देहरादून।

विषय:- दिनांक 31.10.2023 को हिन्दुस्तान में प्रकाशित समाचार शीर्षक ग्रामीणों ने उपजिलाधिकारी से कैलाश नदी में अवैध खनन रोकने के सम्बन्ध में।


महोदय,

कृपया उपरोक्त विषयक आपके कार्यालय के पत्र सं० NGT/06/2024/138, दिनांक 25.04.2024 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसमें चाही गयी सूचना सितारगंज व उक्त order में दिये गये गांव सन्तफार्म में स्वीकृति प्राप्त खनन परियोजनाओं की सूची चाही गयी है।

उक्त के क्रम में अवगत कराना है कि आर्डर नं० 703/2023 में उल्लिखित ग्राम सन्तफार्म (नकूलिया) में अद्यतन तक कोई भी खनन योजना स्वीकृत नहीं की गई है व आपके द्वारा उपलब्ध कराये गये प्रारूप में सितारगंज में स्वीकृत परियोजनाओं का विवरण इस पत्र के साथ संलग्न कर महोदय को प्रेषित की जा रही है।

संलग्नक:- प्रारूप सूची।

भवदीय,


कृते उपनिदेशक/भूवैज्ञानिक,
ऊधमसिंहनगर।

पृ०सं०

/तद्दिनांकित।

प्रतिलिपि:-

जिलाधिकारी महोदय ऊधमसिंहनगर को सादर सूचनार्थ प्रेषित।

उपनिदेशक/भूवैज्ञानिक,
ऊधमसिंहनगर।

S.No.	Owner Name	Address	Geo- Coordinates	Mining plan no. /details	Mining lease details	Mining status Active/Inactive	Permission for heavy machine\)-like JCB and Poclain machine excavator (yes/no)
1.	Uttarakhand Van Vikas Nigam	Nandhor River	Pillar E N 29°7'10.00" E 79°42'38.00"		20.03.2023 to 19.03.2028	Active	NO
2.	Priya Agarawal (4.390 Hect)	Kailash River	Pillar A N 29°2'0.98" E 79°41'46.97"	2486/08.02.2019	18.11.2019 to 17.11.2024	Active	No
3.	Priya Agarawal (3.183 Hect)	Kailash River	Pillar A N 29°2'05.56" E 79°41'51.30"	2487/08.02.2019	30.01.2020 to 29.01.2025	Active	No
4.	Priya Agarawal (1.959 Hect)	Kailash River	Pillar A N 29°2'08.85" E 79°41'51.98"	2489/08.02.2019	7.01.2020 to 30.06.2025	Active	No
5.	Jitendra Singh (6 Hect)	Kailash River	Pillar A N 29°2'20.31" E 79°41'36.28"	2488/08.02.2019	25.06.2020 to 24.06.2025	Active	No
6.	Abdul Aleem (2.969 Hect)	Kailash River	Pillar A N 29°3'08.60" E 79°41'21.36"	2534/13.10.2021	24.03.2022 to 23.03.2027	Inactive	No
7.	Puneet Kumar Goyal (2.876 Hect)	Kailash River	Pillar A N 29°3'08.80" E 79°41'21.32"	2673/22.10.2021	24.03.2022 to 23.03.2027	Inactive	No
8.	Puneet Kumar Goyal (3.024 Hect)	Kailash River	Pillar B N 29°02'56.610" E 79°42'28.897"	591/15.06.2019	24.03.2022 to 23.03.2027	inactive	No
9.	Rama Construction (4.654 Hect)	Kailash River	Pillar A N 29°3'08.5" E 79°41'22.7"	2533/13.10.2021	4.02.2023 to 3.02.2028	Inactive	No
10.	Rajesh Sharma	Kailash River	Pillar A N 29°2'57.926" E 79°41'25.139"	2677/22.10.2021	29.12.2023 to 28.12.2033	Active	No
11.	Gurunanak Enterprises	Kailash River	Pillar A N 29°2'50.212" E 79°41'28.230"	2767/29.10.2021	29.12.2023 to 28.12.2033	Active	No

सर्वे नायब तहसीलदार,
सितारगंज उधमसिंहनगर।

विषय- दिनांक 25.06.2024 को स्थलीय जाँच के दौरान दिये गये निर्देशों के अनुपालन में चाही गयी अभिलेखीय स्थिति।

महोदय,

उपरोक्त विषयक ग्राम प्रधान एवं अन्य ग्रामवासियों द्वारा अवैध खनन के सम्बन्ध में की गयी शिकायत के कम में पर्यावरण मंत्रालय के उपस्थित अधिकारी एवं अन्य द्वारा शिकायत में वर्णित भूमि की अभिलेखीय स्थिति उपलब्ध कराये जाने के निर्देश दिये गये हैं, दिये गये निर्देशों के अनुपालन में अभिलेखों की जाँच की गयी, चाही गयी अभिलेखीय आख्या निम्नवत है-

अवैध खनन हेतु चिन्हित भूमि अभिलेखानुसार खसरा सख्या 140 में होना पाया गया है जो अभिलेखानुसार निजी एवं सरकारी दोनों प्रकार की भूमियों में दर्ज अभिलेख है। अभिलेखानुसार अवैध खनन वाली भूमि खतौनी 1405 फसली से 1410 फसली के खसरा सख्या 140मि0 रकवा 0.569है0 खाता सख्या 390 अर्न्तगत श्रेणी 6(4) रेत के रूप में दर्ज है। जो राजकीय समपत्ति है।

आख्या सादर सेवा में प्रेषित है।

(अमित कुमार सक्सेना)

सर्वे लेखपाल ग्राम नकुलिया।


प्रतिहस्ताक्षरित/

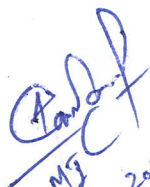
नायब तहसीलदार (सर्वे)
सितारगंज
(ऊधम सिंह नगर)

दिनांक - 25.06.2024

तारा देवी उभय बहिन पत्नी श्री राकेश कुमार निवासी
ग्राम नकुलिया, ग्राम प्रधान ग्राम नकुलिया तहसील सितारगंज को
सहायक बयान किया कि पूर्व में मेरे एवं अन्न ग्राही को इस चरी-
शेरा से अनाज खनन को समबन्ध में विभाजन की गयी थी जिसको
उपरान्त आज दिनांक 25.06.2024 को पर्यावरण मंत्रालय भारत सरकार
के अधिकारी (डा० विपिन गुप्ता) तथा डा० अमित औरव (उपनिदेशक जल) श्री
अंकित चरु (भारतीय इन्स्पेक्टर) श्री जगदीप हुसैन (सर्वे नायक
तहसीलदार) उपस्थित ग्रामवासी श्री परनजीत सिंह एवं श्री जगजीत
सिंह की उपस्थित में स्वकीय निरीक्षण किया गया है एवं वर्तमान
में स्थित सागान्य पानी गयी है। खनन की प्लॉट विभाजन
प्रति गवाही कही गयी है।

Vim Kumar
25/6/24


25/6/24


MS
25-6-2024

जगदीप हुसैन
सर्वे नायक
सितारगंज

प्यारमपारु
तारा देवी
तारावती
ग्राम प्रधान
ग्राम पंचायत नकुलिया
वि०ख० सितारगंज (ज०सि०नगर)

Chandrashekhar
जगजीत सिंह