



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं.  
Ref. No

H 43239 / विधि / ओ.ए.नं- 475/2019/66/19 दिनांक  
Date 02.11.2019

To,  
The Registrar,  
Hon'ble National Green Tribunal,  
Copernicus Marg, New Delhi.

**Sub: Regarding Submission of Compliance report pursuant to the order dated 26-07-2019 in O.A. No. 475/2019 in the matter of Ajay Pandey & Others Vs. Union of India & Others.**

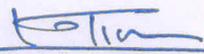
Sir,

In compliance of order dated 26.07.2019 passed by Hon'ble Tribunal in O.A. No. 475/2019 in the matter of Ajay Pandey & Others Vs. Union of India & Others, the Joint Committee report dated 29-08-2019 in the above mentioned matter is enclosed herewith.

It is requested that the Joint Committee report dated 29-08-2019 may be presented before the Hon'ble Tribunal for kind consideration.

Encl: As above.

Yours Sincerely,

  
(Ashish Tiwari)  
Member Secretary

English Letter head

टी.सी. - 12 वी, विभूति खण्ड, गोमती नगर,  
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**COMPLIANCE REPORT OF THE ORDER OF HON'BLE NATIONAL  
GREEN TRIBUNAL WITH REFERENCE TO O.A. NO. 475/2019, AJAY  
PANDEY AND OTHERS VS. UNION BANK OF INDIA AND OTHERS, ON  
DATED 26-07-2019**

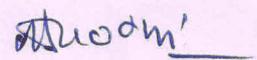
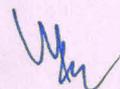
**CONTENTS OF TITLED ORDER**

“Accordingly, a report has been furnished vide e-mail dated 24-07-2019 by the Deputy Director, Department of Environment on behalf of SEIAA, Uttar Pradesh. Even though the report furnished by the Deputy Director, Department of Environment on behalf of SEIAA, Uttar Pradesh, States that there is no illegal mining, the applicant in person challenges the said report. In support of his submissions, he places reliance on the photographs, particularly photographs at page nos. 55, 57, 60, 67 and 69. Accordingly, we direct a fresh report to be furnished by joint Committee comprising Member Secretary, SEIAA, UP and Member Secretary, State Pollution Control Board within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). The Member Secretary, UPPCB will be the nodal agency for Co-Ordination and compliance. List for further consideration on 31.10.2019.”

**ACTION TAKEN**

In compliance of titled order of Hon'ble NGT Dated 26.07.2019 Member Secretary U.P. Pollution Control Board, Lucknow formed a Committee Vide letter NO. H 39499/C-2/NGT Gen-07/2019 Dated 1 August 2019. The following team member visited the area as per order on dated 29.08.2019.

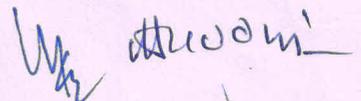
- |    |                      |  |
|----|----------------------|--|
| 1. | Mr. Meraj Uddin      | Representative of SEIAA, Lucknow                             |
| 2. | Mr. A.K. Anand       | Regional Officer (R.O.), UPPCB, Kanpur Dehat                 |
| 3. | Mr. Niranjana Sharma | Regional Officer (R.O.), UPPCB, Jhansi                       |
| 4. | Mr. Manoj Kumar      | Regional Officer (R.O.), UPPCB, Firozabad                    |
| 5. | Mr. Manoj Kumar      | Mines Inspector, Geology and Mining Department Auraiya       |
| 6. | Mr. Imraan Ali       | Assistant Environment Engineer (A.E.E.), UPPCB, Kanpur Dehat |



## INSPECTION OBSERVATION

1. On dated 29-08-19 communication with complainer Mr. Ajay Pandey was made on mobile number 8755375703 at 9:12 AM, and team requested to the complainer to be present at the time of inspection.
2. In telephonic conversation complainer told that at village Muraadganj (Near Dipali Hotel and Restaurant and Marriage Garden), illegal sand storage has been made by M/S Pandey and Pandey Brother's he further told that one more illegal sand storage at village Ayana (Near Primary Health Centre, Ayana) was also made.
3. Complainer also told that illegal sand mining is being done at Bijalpur Ghat, Shergarh Ghat and Behmai village Sikandra.
4. At the time of inspection Mr. Harnarayan Tripathi (Manager) on the behalf of M/S Pandey and Pandey Brother's was present. Lease holder representative told joint team that in past complainer also filed a court case in district court, Jalaun.
5. When the joint team reached District Auraiya, the team tried to contact the complainer at 10:36 AM but the mobile number was found switched off. Hence the team decided to inspect the complained area as per the telephonic conversation with complainer.

➤ **Muradganj:** First the joint team inspected village Muradganj (Near Dipali Hotel and Restaurant and Marriage Garden), At the time of inspection no sand storage was found. Latitude and longitude of the concerned area is 26.5076358 and 79.40222384 respectively. Photograph of the inspected area is being enclosed (**Enclosed: figure 1**).





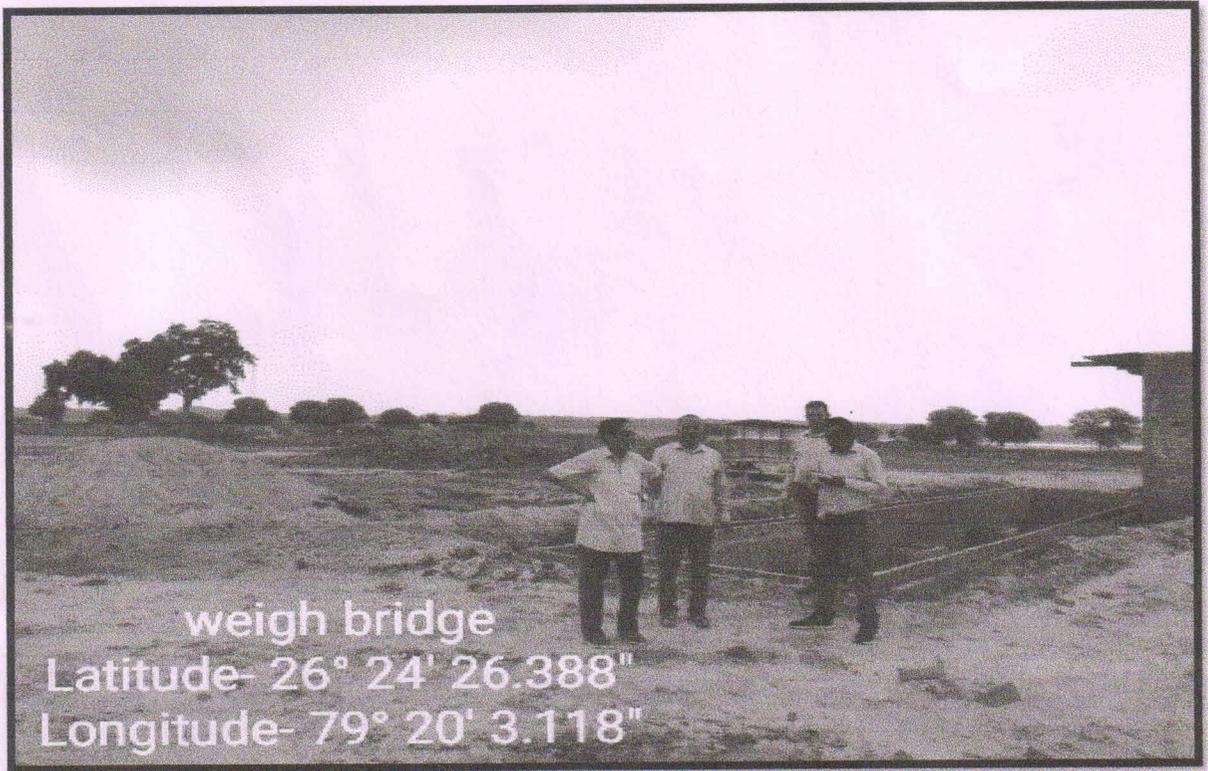
**Figure 1: Muradganj Site**

- **Bijalpur:** At the time of inspection no mining activity was found in the lease area and lease area was completely submerged in water due to rainy season. The latitude and longitude of the concerned area is  $26^{\circ} 24' 17.7123''$  and  $79^{\circ} 20' 0.203''$  respectively. Photograph of the inspected area is being enclosed (**Enclosed: figure 2**).



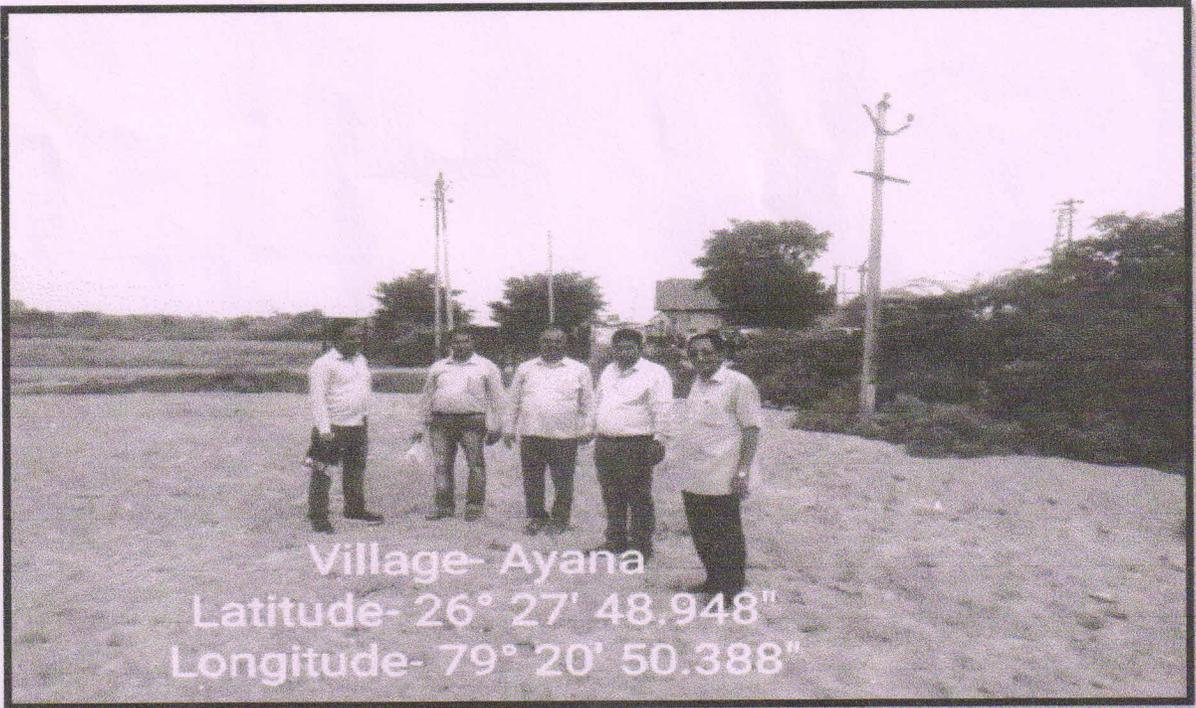
**Figure 2: Bijalpur Site**

- **Weigh Bridge:** At the time of inspection, a weigh bridge was also found under construction by leaseholder. The latitude and longitude of the concerned area is  $26^{\circ} 24' 26.388''$  and  $79^{\circ} 20' 3.118''$  respectively. Photograph of the inspected area is being enclosed (**Enclosed: figure 3**).



**Figure 3: Weigh Bridge Site**

- **Ayana village:** Joint team inspect Ayana village (Near Primary Health Centre, Ayana), and sand storage found behind PHC Ayana. Lease holder representative told that sand has been accumulated here as per rules of Bhandaran Niyamawali for a period of the 5 years (form- B). The latitude and longitude of the concerned area is  $26^{\circ} 27' 48.948''$  and  $79^{\circ} 20' 50.388''$  respectively. Photograph of the inspected area, is being enclosed (**Enclosed: figure 4**).



**Figure 4: Ayana Site**

- **Shergarh Ghat:** The joint team visited Shergarh Ghat in district Auraiya, No mining activity was found as the mining officer of Auraiya told that no lease has been granted in this area. The latitude and longitude of the concerned area is 26° 25' 36.952" and 79° 28' 47.003" respectively. Photograph of the inspected area, is being enclosed (**Enclosed: figure 5**).

Sharma



Figure 5: Shergarh Ghat Site

(Niranjan Sharma)

Regional Officer, UPPCB,  
Jhansi

(A.K. Anand)

Regional Officer, UPPCB, Kanpur  
Dehat

(Meraj Uddin)

Representative of SEIAA,  
Lucknow

(Imraan Ali)

Assistant Environment  
Engineer, UPPCB, Kanpur  
Dehat

(Manoj Kumar)

Mines Inspector, Geology and Mining  
Department, Auraiya

(Manoj Kumar)

Regional Officer, UPPCB,  
Firozabad

**प्रपत्र-सी**

**खनिजों के भण्डारण हेतु अनुज्ञप्ति**  
(नियम-9 देखिए)

- अनुज्ञप्तिधारी का नाम और पूरा पता- मैसर्स पाण्डेय एण्ड पाण्डेय ब्रदर्स औरैया प्रो० आलोक कुमार पुत्र हरनारायण त्रिपाठी निवासी ग्राम व पोस्ट अयाना जनपद औरैया।  
दिनांक ०९/०५/२०१८ से ०५/०५/२०२३ ( पाँच वर्ष)

1- अनुज्ञप्ति की अवधि-

2- भण्डारण के लिए अनुज्ञा प्राप्त

खनिजों (साधारण बालू) की मात्रा - 90,000 घनमीटर

4- प्रत्येक खनिज (साधारण बालू) की एक ही समय में अनुज्ञा प्राप्त मात्रा- 90,000 घनमीटर

5- भण्डारण का प्रायोजन - व्यवसाय

6- खनिजों (साधारण बालू) के भण्डारण हेतु उपयोग होने वाली भूमि की अवस्थिति

जिला	तहसील	ग्राम/नगर	मौहल्ला	अवस्थिति
1	2	3	4	5
औरैया	अजीतमल	अयाना	अयाना	गाटा सं०- 467/0.9430, 11493A/0.3400, 1151घ/ 0.0240, 1152/2.1450 हे० कुल-4 कित्ता रकवा 3.4520 हे०

अनुज्ञप्तिधारी को निम्न शर्तों का पालन करना अनिवार्य होगा:-

- 1- उपखनिज (साधारण बालू) का भण्डारण मुख्य मार्ग व अन्य सार्वजनिक स्थल से 50 मीटर जगह छोड़कर किया जायेगा।
- 2- किसी अन्य स्थल पर अनुज्ञप्ति प्राप्त किये बिना किसी भी अन्य उपखनिज का भण्डारण नहीं किया जायेगा।
- 3- किसी अन्य व्यक्ति की जमीन या आस-पास की किसी भूमि को क्षतिग्रस्त नहीं किया जायेगा।
- 4- उपखनिज (साधारण बालू) का लेखा-जोखा नियमावली में निर्धारित प्रपत्र-डी में रखा जायेगा।
- 5- निर्धारित प्रपत्र ई-एमएम-11 पर ही उपखनिज (साधारण बालू) का कय किया जायेगा।
- 6- भण्डारित किये गये उपखनिज (साधारण बालू) का मासिक विवरण प्रत्येक माह जिलाधिकारी कार्यालय औरैया (खनन अनुभाग) में प्रपत्र-ई में दिया जायेगा।
- 7- भण्डारित स्थल से उपखनिज (साधारण बालू) का परिवहन जिलाधिकारी कार्यालय औरैया (खनन अनुभाग) द्वारा निर्गत प्रपत्र-सी से ही किया जायेगा।
- 8- किसी भी समय भण्डारित क्षमता से अधिक एक समय में भण्डारण नहीं किया जायेगा।
- 9- समय-समय पर जिलाधिकारी कार्यालय औरैया/शासन/मा० उच्च न्यायालय/मा० उच्चतम न्यायालय द्वारा पारित आदेशों का प्रार्थी द्वारा अनुपालन किया जायेगा।
- 10- उपरोक्त शर्तों के उल्लंघन अथवा कोई अनियमितता पायी जाने की दृष्ट में अनुज्ञप्ति को किसी भी समय निरस्त किया जा सकता है।

अनुज्ञापन प्राधिकारी/  
जिलाधिकारी,  
औरैया

कार्यालय जिलाधिकारी, औरैया  
(खनन अनुभाग)

संख्या 79/डीएलआरसी-खनन-भण्डारण/2018,

दिनांक मई 09, 2018

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

- 1- अपर मुख्य सचिव, उ० प्र० शासन, लखनऊ।
- 2- निदेशक, भूतत्व एवं खनिकर्म निदेशालय, खनिज भवन, लखनऊ।
- 3- उपजिलाधिकारी, अजीतमल जनपद औरैया।
- 4- अनुज्ञप्तिधारी मैसर्स पाण्डेय एण्ड पाण्डेय ब्रदर्स औरैया प्रो० आलोक कुमार पुत्र हरनारायण त्रिपाठी निवासी ग्राम व पोस्ट अयाना जनपद औरैया।

जिलाधिकारी,  
औरैया

Agreement Copy