



भारतीय कार्यालय,
REGIONAL OFFICE,
उप्र प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: G000938 / O.A. No. 817/2023

दिनांक:-

Date: 11.12.2023

To,

The Registrar,
Hon'ble National Green Tribunal,
Copernicus Marg,
New Delhi.
E-mail-judicial-ngt@gov.in

Subject: Compliance Status of directions issued by Hon'ble NGT vide order dated 02.05.2023 in the matter of O.A. No. 817/2022 Suo Motu Action in Illegal Dumping of Coal at Railway Siding at Krishnashila, Sonbhadra.

Sir,

Kindly refer to above noted subject reference No.H93466/C-2/Vidhi-NGT No. 320/23 dated 12.05.2023 issued by UP PCB directed to the NCL-Bina Project to submit the amount of Rs. 10.00 Crores as Environmental Compensation. Thereafter, the NCL-Bina Project had filed review application 26/2023 before Hon'ble NGT which was dismissed by order dated 11.08.2023. Further, Regional Office, U.P. Pollution Control Board, Sonbhadra, directed to NCL-Bina to submit the amount of Environmental Compensation as reminder vide letter No. G000763/O.A.No.817/2022/2023 dated 25.09.2023 (Copy enclosed as Annexure-I). In compliance of the direction issued by this letter, the reply of NCL is received in this office vide letter dated 26.09.2023 via E-mail (Copy enclosed as Annexure-II). NCL-Bina Project informed through letter dated 26.09.2023 that after the review application was rejected, a Civil Appeal (Diary No. 36306/2023) was filed before Hon'ble Supreme Court of India challenging the NGT order dated 02.05.2023 and 11.08.2023 passed in O.A. No. 817 of 2022 and Review application No. 26 of 2023 respectively. The Hon'ble Supreme Court of India in its order dated 15.09.2023 has reduced the compensation amount from Rs. 10.00 Crores to Rs. 2 Crore. NCL Bina Project also informed that the payment of Rs. 2.00 Crore will be made at earliest subject to final outcome of the matter landing at Hon'ble Supreme Court of India.

Further, NCL-Bina Project has informed through letter dated 23.10.2023 (copy enclosed as Annexure No.III) that the payment of Rs. 2 Crores has been made on dated 17.10.2023. The transaction UTR for the same is UTIBR72023101700031786 in compliance of the direction of Hon'ble Supreme Court order dated 15.09.2023,.

The above compliance status may be presented before Hon'ble Tribunal for kind consideration please.

Encl.: As above.

Yours faithfully,


(U.K. Gupta)
Regional Officer

Endt. No. & date as above.

Copy to:-

1. Chief Law Officer, U.P. Pollution Control Board, Lucknow for kind information and necessary action please.
2. Chief Environmental Officer (Circle-2), U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
3. Shri Pradeep Mishra, Advocate, Supreme Court, 138, New Lawyer's Chamber, Supreme Court of India, New Delhi-110001 in reference of his letter dated 25.09.2023 for kind information please.

Regional Officer

कार्यालय : मकान संख्या 162, उत्तर मोहाल (निकट चण्डी होटल)
राबर्ट्सगंज, सोनभद्र-231216

ई-मेल : rosonbhadra@uppcb.in

Office: House No. 162, Uttar Mohal (Near Chandi Hotel)
Robertsganj, Sonbhadra-231216

e-mail: rosonbhadra@uppcb.in

नॉर्दर्न कोलफील्ड्स लिमिटेड

(मिनीरत्न कंपनी)

(कोल इंडिया लिमिटेड की अनुषंगी कंपनी)

Northern Coalfields
Limited

(A Miniratna Company)
(A subsidiary of Coal India Limited)



महाप्रबंधक कार्यालय / Office of the General Manager

CIN- U10102MP1985GOI003160

An ISO: 9001, ISO: 14001 & ISO: 45001 Certified Company

पोस्ट- बीना परियोजना, जिला- सोनभद्र (उ.प्र.)पिन- 231220 / Post- Bina Project, Distt- Sonebhadra (U.P.)- 231220

Phone :05446-276279 (O), 267280 (R) Fax :05446-276274, 07805-25610 e-mail :cgmbin.ncl@coalindia.in Website :www.nclcil.in

Bina/Env/UPPCB/2023/ 167

Dated:-23.10.2023

To,

Chief Environmental Officer (Circle-2)

Uttar Pradesh Pollution Control Board

T.C.-12 V, Vibhuti Khand, Gomti Nagar, Lucknow 226010

Subject: Regarding deposition of Rs. 2 crore in compliance of the Hon'ble Supreme Court order dated 15.09.2023.

Ref.:-

1. Copy of Honorable Supreme Court order dated 15.09.2023.
2. Letter No. H99792 / सी-2/ विधि - NGT No-320/ 23 dated 23/08/2023

Dear Sir,

With respect to above subject matter, Hon'ble NGT had directed M/s Northern Coal fields Limited to deposit an Environmental Compensation of Rs.10 Crores vide its order dated 02.05.2023. In this regard a letter was received from your office vide letter no. H99792/C-2/Vidhi-NGT No-320/23 dated 23.08.2023.

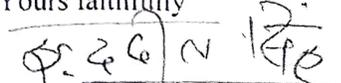
In response to this, M/s NCL Bina Project had filed a Review petition vide review application No. 26, 2023, dated 26.06.2023. The review petition was rejected by Honorable NGT in its order dated 11.08.2023.

After the review application was rejected, a Civil Appeal (Diary No 36306/2023) was filed before Honorable Supreme Court of India challenging the NGT order dated 02.05.2023 and 11.08.2023 passed in O.A. 817 of 2022 & Review Application No. 26 of 2023 respectively. The Honorable Supreme Court of India in its order dated 15.09.2023 has reduced the compensation amount from Rs. 10 Crores to Rs. 2 Crores (copy attached).

In compliance of the Hon'ble Supreme Court order dated 15.09.2023, the payment of Rs. 2 Crores has been made on 17.10.2023 in the account details as provided in the above referred letter. **The transaction UTR for the same is UTIBR72023101700031786.**

This is for your kind information and further needful at your end.

Yours faithfully


Area General Manager
Bina Area
23.

Copy to:

1. DM, Sonebhadra
2. RO, UPPCB, Sonebhadra 231216
3. Genral Manager (Env/Forest), NCL Singrauli

ITEM NO.26

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCIVIL APPEAL Diary No. 36306/2023

(Arising out of impugned final judgment and order dated 02-05-2023 in OA No. 817/2022 and 11-08-2023 in RA No. 26/2023 passed by the National Green Tribunal)

NORTHERN COALFIELDS LTD BINA PROJECT

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.181760/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.181755/2023-EX-PARTE STAY and IA No.181762/2023-EXEMPTION FROM FILING O.T. and IA No.181757/2023-CONDONATION OF DELAY IN FILING APPEAL)

Date : 15-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Tushar Mehta, SG
Mr. Ashutosh Thakur, AOR
Mr. Chinmay Kumar, Adv.
Mr. Chandra Pratap, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Issue notice, returnable in the month of February 2024.

Notice will be served by all modes, including *dasti*.

Validity unknown
Digitally signed by
Dipankar Ghosh
Date: 2023.09.14
13:28:15
Reason:
The appellant - Northern Coalfields Ltd. (Bina Project) and respondent no. 16 - East Central Railway will furnish/give details, by way of an affidavit, of the alleged purchaser(s) of coal who had dumped the coal in the area/land in question.

The appellant - Northern Coalfields Ltd. (Bina Project) will also file the latest aerial/satellite photographs of the area/land in question along with the aforesaid affidavit.

The pollution level monitoring being done/undertaken by the appellant - Northern Coalfields Ltd. (Bina Project) and the authorities, including the concerned Pollution Control Board, will be placed on record along with the affidavit.

Respondent no. 16 - East Central Railway, in the aforesaid affidavit, will also indicate the steps taken by them to ensure that coal is not stacked around the railway track(s) and that ambient air quality is maintained.

The appellant - Northern Coalfields Ltd. (Bina Project) will deposit Rs.2 crores with the authorities. Subject to the payment and compliance of the aforesaid directions and those in the impugned judgment, there will be stay of operation of the impugned judgment(s) to the extent it directs the appellant - Northern Coalfields Ltd. (Bina Project) to deposit/make payment of Rs.10 crores.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

नॉर्दर्न कोलफील्ड्स लिमिटेड

(मिनीरत्न कंपनी)

(कोल इंडिया लिमिटेड की अनुषंगी कंपनी)

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Phone :05446-276279 (O), 267280 (R) Fax :05446-276274, 07805-25610 e-mail :cgmbin.ncl@coalindia.in Website :www.nclcil.in

बीना/ पर्या०/ उ०प्र०प्र०नि०ब०/ एन०जी०टी०/2023/ 20

दिनांक:-26.09.2023

सेवा में,

क्षेत्रीय अधिकारी

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, सोनभद्र

मकान संख्या 162, उत्तर मोहाल (निकट चंडी होटल)

राबर्ट्सगंज, सोनभद्र, 231216

विषय: मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ० ए० 817/2022 Suo Motu Action in illegal Dumping of Coal at Railway Siding at Krishnashila, Sonbhadra V/s. Union of India and Ors. में पारित आदेश दिनांक - 02.05.2023 के अनुपालन के संबंध में।

संदर्भ: G000763/O.A. No.817/2022/2023 dated 25.09.2023

महोदय,

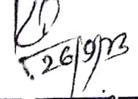
With respect to above subject matter, Hon`ble NGT has ordered M/s Northern Coalfields Limited to deposit an Environmental Compensation of Rs. 10 Crores vide its order dated 02.05.2023. In this regard a letter was received vide letter no. H93466/C-2/Vidhi-NGT No-320/23 dated 12.05.2023 from Chief Environmental officer(Circle-2), UPPBC, Lucknow.

In response to this, M/s NCL Bina Project had filed a Review petition vide review application No. 26, 2023, dated 26.06.2023. The review petition was rejected by Honorable NGT in its order dated 11.08.2023.

After the review application was rejected, a Civil Appeal (Diary No 36306/2023) was filed before Honorable Supreme Court of India challenging the NGT order dated 02.05.2023 and 11.08.2023 passed in O.A. 817 of 2022 & Review Application No. 26 of 2023 respectively. The Honorable Supreme Court of India in its order dated 15.09.2023 has reduced the compensation amount from Rs. 10 Crores to Rs. 2 Crores.

Therefore, it is to inform you that the payment of Rs. 2 Crores will be made at the earliest subject to final outcome of the matter landing at Hon'ble Supreme Court of India. Copy of order Dt. 15.09.2023 is attached for ready reference.

भवदीय


26/9/23

क्षेत्रीय महाप्रबंधक

बीना परियोजना

प्रतिलिपि:-

1. जिलाधिकारी , सोनभद्र
2. मुख्य पर्यावरण अधिकारी(वृत्त-2), उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, सोनभद्र
3. महाप्रबंधक (वन एवं पर्यावरण), एन०सी०एल०, सिंगरौली

ITEM NO.26

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCIVIL APPEAL Diary No. 36306/2023

(Arising out of impugned final judgment and order dated 02-05-2023 in OA No. 817/2022 and 11-08-2023 in RA No. 26/2023 passed by the National Green Tribunal)

NORTHERN COALFIELDS LTD BINA PROJECT

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.181760/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.181755/2023-EX-PARTE STAY and IA No.181762/2023-EXEMPTION FROM FILING O.T. and IA No.181757/2023-CONDONATION OF DELAY IN FILING APPEAL)

Date : 15-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Tushar Mehta, SG
Mr. Ashutosh Thakur, AOR
Mr. Chinmay Kumar, Adv.
Mr. Chandra Pratap, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Issue notice, returnable in the month of February 2024.

Notice will be served by all modes, including *dasti*.

Validity unknown The appellant - Northern Coalfields Ltd. (Bina Project) and
Digitally signed by
Deepak G. Jha
Date: 2023.09.15
13:28:42 +05'30'
Reason: Respondent no. 16 - East Central Railway will furnish/give details,
by way of an affidavit, of the alleged purchaser(s) of coal who had
dumped the coal in the area/land in question.

The appellant - Northern Coalfields Ltd. (Bina Project) will also file the latest aerial/satellite photographs of the area/land in question along with the aforesaid affidavit.

The pollution level monitoring being done/undertaken by the appellant - Northern Coalfields Ltd. (Bina Project) and the authorities, including the concerned Pollution Control Board, will be placed on record along with the affidavit.

Respondent no. 16 - East Central Railway, in the aforesaid affidavit, will also indicate the steps taken by them to ensure that coal is not stacked around the railway track(s) and that ambient air quality is maintained.

The appellant - Northern Coalfields Ltd. (Bina Project) will deposit Rs.2 crores with the authorities. Subject to the payment and compliance of the aforesaid directions and those in the impugned judgment, there will be stay of operation of the impugned judgment(s) to the extent it directs the appellant - Northern Coalfields Ltd. (Bina Project) to deposit/make payment of Rs.10 crores.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR



230
क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA

Annexure No I



संदर्भ संख्या:-

Ref.No.:G000763/O.A. No.817/2022/2023

दिनांक:-

Date: 25.09.2023

सेवा में,

मेसर्स नार्दर्न कोलफील्ड्स लि०,
बीना परियोजना, बीना,
जनपद-सोनभद्र (उ०प्र०)।

विषय:- मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-817/2022 Suo Motu Action in illegal Dumping of Coal at Railway Siding at Krishnashila, Sonbhadra V/s. Union of India and Ors. में पारित आदेश दिनांक-02.05.2023 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक राज्य बोर्ड मुख्यालय, लखनऊ के संदर्भ संख्या-H93466/C-2/Vidhi-NGT No-320/23 दिनांक-12.05.2023 का संदर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के माध्यम से मा० राष्ट्रीय हरित अधिकरण ओ०ए० संख्या-817/2022 Suo Motu Action in illegal Dumping of Coal at Railway Siding at Krishnashila, Sonbhadra V/s. Union of India and Ors. में पारित आदेश दिनांक-02.05.2023 में उद्योग को रू० 10.00 करोड़ की पर्यावरणीय क्षतिपूर्ति धनराशि राज्य बोर्ड में जमा किये जाने के निर्देश थे। उक्त निर्देशों के अनुपालन में पर्यावरणीय क्षतिपूर्ति की धनराशि जमा किये जाने के सम्बन्ध में इस कार्यालय को संज्ञान में नहीं है। अग्रेतर आपकी परियोजना द्वारा मा० राष्ट्रीय हरित अधिकरण में तत्सम्बन्ध में योजित रिब्यू एप्लीकेशन 26/2023 की दिनांक-11.08.2023 को खारिज किया गया है। उक्त के उपरान्त आप द्वारा राज्य बोर्ड के उपरिसंदर्भित-पत्र दिनांक-12.05.2023 के निर्देशों की अनुपालन आख्या प्रेषित नहीं की गयी है।

अतः उपरोक्त के सम्बन्ध में आपको निर्देश दिये जाते हैं कि राज्य बोर्ड के उपरिसंदर्भित पत्र दिनांक-12.05.2023 के निर्देशों की अनुपालन आख्या तथा पर्यावरणीय क्षतिपूर्ति की धनराशि जमा किये जाने सम्बन्धी अद्यतन स्थिति का विवरण लौटती डाक से इस कार्यालय को प्रेषित करें, अन्यथा की दशा में मुख्यालय से प्राप्त निर्देशों के अनुपालन में भू-राजस्व की भाँति वसूली हेतु अग्रिम कार्यवाही की जायेगी, जिसका पूर्ण उत्तरदायित्व आपके स्वयं का होगा।

भवदीय,

RAMESH Digitally signed
by RAMESH
KUMAR
KUNAR SINGH
SINGH Date: 2023.09.25
14:23:26 +05'30'

(आर०के० सिंह)
क्षेत्रीय अधिकारी

प०सं० एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:-

1. जिलाधिकारी महोदय, सोनभद्र को सूचनार्थ सादर प्रेषित।
2. मुख्य पर्यावरण अधिकारी (वृत्त-2), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।

क्षेत्रीय अधिकारी