

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI
Original Application No. 603 of 2024

IN THE MATTER OF:

New item titled "Action is being taken against illegal mining, tractor-Trolley including JCB have been seized" appearing in Chandauli Samachar.com dated 13.04.2024

I N D E X

Sr. No.	Particulars	Pages
1.	Response Affidavit on behalf of the District Magistrate, District Chandauli, U.P.	
2.	Annexure A Copies of the challan of the tractors	
3.	Annexure B Copy of the Rule 72 (6) of the Uttar Pradesh Mineral concession Rules, 2021	
4.	Annexure C Copy of the First Schedule, Rate of Royalty (Rule 21)	



[MUKESH VERMA]
Advocate for District Magistrate
District Chandauli, U.P.
Ch. No. 50, Old Block Supreme
Court of India, New Delhi 110 001
(M) 9810108098 E-mail: vermadv@gmail.com

New Delhi
Dated: 04.04.2026

703

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



ORIGINAL APPLICATION NO. 603/2024

SN. 2097 EN 2076

IN THE MATTER OF:

News Item titled "Action is being taken against illegal mining, 9 tractor-trolleys including JCB have been seized" appearing in chandauli samachar.com dated 13.04.2024

**RESPONSE AFFIDAVIT ON BEHALF OF THE DISTRICT
MAGISTRATE, DISTRICT CHANDAULI, UP.**

I, Chandra Mohan Garg, aged about 36 years, S/o Shri Om Prakash Garg working as District Magistrate, Chandauli, UP, do hereby solemnly affirm and declare 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 this affidavit.
2. That this Hon'ble Tribunal on 13.02.2025 has passed the following order:

"15. The Director, Geology and Mining, U.P., the District Magistrate, Chandauli, Superintendent of Police, Chandauli and District Mining Officer, Chandauli are also directed to file their responses within one month. The above said

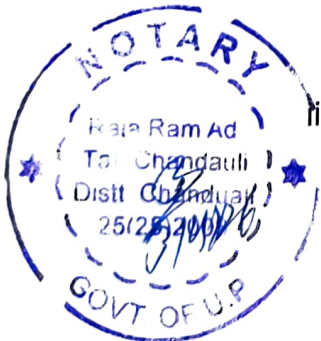


respondents are directed to give complete information in their responses with respect to the following aspects: -

- i. Whether any FIR was registered in respect of respective incident of illegal transportation/ illegal mining of minor mineral;
- ii. Whether minor mineral illegally mined/transported was released to the violators;
- iii. Whether any confiscation proceedings have been initiated against vehicles involved in illegal transportation of minor mineral; and
- iv. Whether penalty was imposed and recovered from the registered owners of the vehicles as per directions given by this Tribunal vide order dated 21.06.2021 passed in O.A. No. 360/2015 titled as NGT Bar Association vs. Virender Singh (State of Gujarat) and Ors.

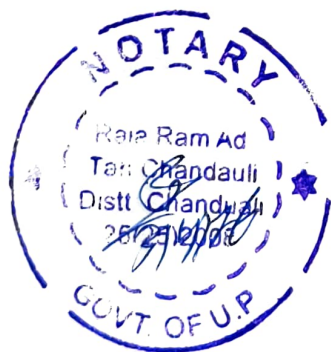
Reply as under:

- i. No FIR was lodged regarding illegal transportation/ illegal mining in connection with the incident.
- ii. Rule 72 (6) of the Uttar Pradesh Minor Mineral concession Rules, 2021 states that the District



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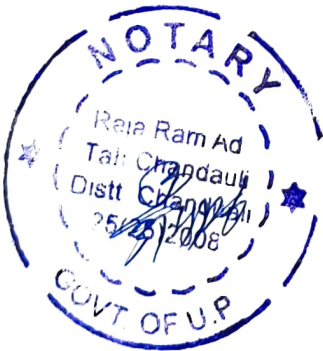
Magistrate will recover penalty of Rs. 25000/- along with the price of such minor mineral including royalty and any such penalty for violation of environmental norms, as prescribed by the State Government from time to time. After depositing the entire amount mentioned above, the vehicle along with the minor-mineral will be released." the rate of royalty of ordinary soil is zero in the first schedule of UP Minor Mineral concession Rules, 2021. In compliance of which, the vehicles along with the minor-mineral have been released after the penalty amount of Rs.25,000/- was deposited by the separate vehicle owners for 04 tractors detained in Police Station- Mughalsarai. True copies of the challan of the tractors are annexed as **Annexure A**.



A written complaint has been filed before the Court of Chief Judicial Magistrate, Chandauli under Rule 77(2) of the Uttar Pradesh Minor Mineral concession Rules, 2021, regarding three tractors and one JCB detained at the Shivala out post

Mughalsarai Police Station and one tractor detained at Alinagar Police Station. In response to the court's orders, the vehicles have been released by the concerned police stations.

- iii. No confiscation action has been taken against the vehicles involved in illegal transportation of ordinary soil.
- iv. In compliance with the order dated 21.06.2021 passed by this Hon'ble Tribunal in OA No. 360/2015 NGT Bar Association vs. Virender Singh (State of Gujarat) and Ors., it is to be informed that the case is related to illegal mining/ transportation of ordinary soil (Mitti), in which under Rule 72(6) of the Uttar Pradesh Mineral Concession Rules, 2021,, after recovery of penalty amount, the sub-mineral along with the Vehicles has been released in favour of the registered Vehicle owners. Copy of the Rule 72(6) of Uttar Pradesh Mineral Concession Rules, 2021, is annexed as **Annexure B**.
True copy of the First Schedule, rate of Royalty (Rule 21) is annexed as **Annexure C**




- 3. That the annexures are true and correct copies of their respective originals.
- 4. That the contents of the above response affidavit are true and correct and nothing is false and no material has been concealed therein.


Deponent

Verification:

Verified at Chandauli, UP on this the 02nd day of April, 2026, that the content of the above response affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therein.


Deponent



Oathd by Deponent before
me and Conncalled by Advocate
Mr.
Raja K. Advocate
Notary Govt of U.P. Chandauli
25/2/2026

CHAZOS

(असौह 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]

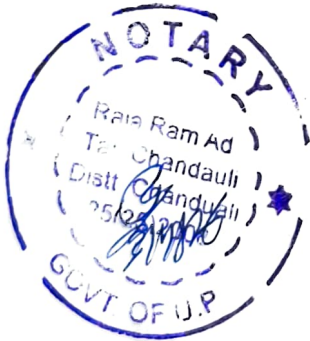
Challan No.: AKV260001691	Challan Date: 09/01/2026
Assessment Year: 2025-2026	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	SUNIL KUMAR ROY
Depositor Address:	hinaoll mugalsari

Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	25000.00
	Totals of the above heads	--	25000.00

A SUM OF Rs. 25000.00 AGAINST THE HEADS MENTIONED ABOVE - (THROUGH NET-PAYMENT TRANSACTION) - ON
HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks -> vehicle number UP 67 X 5457)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAQDOISH6, Scroll Date: -09/01/2026



CHALLAN

(अलीह 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.: AKV260001700	Challan Date: 09/01/2026
Assessment Year: 2025-2026	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	Vijender yadav
Depositor Address:	UP65CA2066

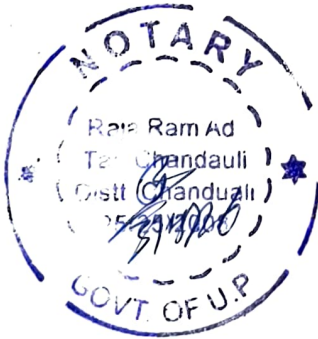
Head	Description	Serial No.	Amount (In Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	25000.00
	Totals of the above heads	--	25000.00

A SUM OF Rs. 25000.00 AGAINST THE HEADS MENTIONED ABOVE --[THROUGH NET-PAYMENT TRANSACTION]-- ON
HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->vhicle number UP 65 CA 2066)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAGDOJEL8, Scroll Date:-09/01/2026

(Handwritten Signature)



710 CHALLAN

(असौह 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.: AKV260001704	Challan Date: 09/01/2026
Assessment Year: 2025-2026	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	JIUT
Depositor Address:	UP 67 N 0467

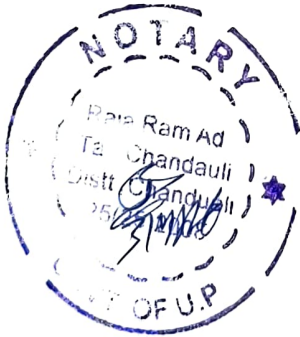
Head	Description	Serial No.	Amount (In Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	25000.00
	Totals of the above heads	--	25000.00

A SUM OF Rs. 25000.00 AGAINST THE HEADS MENTIONED ABOVE - [THROUGH NET-PAYMENT TRANSACTION] - ON
HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks -> vehicle number UP 67 N 0467)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAGDOJTE6, Scroll Date: -09/01/2026

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711 CHALLAN

(अलीह 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.: AKV260001743	Challan Date: 09/01/2026
Assessment Year: 2025-2026	Tax Period: ONETIME
Name of the Bank:	
Unique Id:	
Depositor Name:	SIKANDAR PRATAP YADAV
Depositor Address:	SARESAR DDU NAGAR CHANDALI

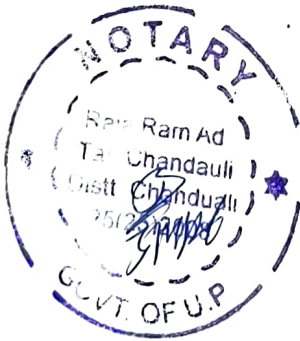
Head	Description	Serial No.	Amount (in Rs.)
085300102010000	खनिज रियायत शुल्क किराया और स्वत्व शुल्क	1	25000.00
	Totals of the above heads	--	25000.00

A SUM OF Rs. 25000.00 AGAINST THE HEADS MENTIONED ABOVE -[THROUGH NET-PAYMENT TRANSACTION]- ON
HAS BEEN DEPOSITED BY THE DEPOSITOR.

(Depositor Remarks->VBHICLE NO-UP67X7756)

THE BANK REFERENCE NO. RECEIVED AFTER THE TRANSACTION IS : CPAGDOROM4, Scroll Date:-09/01/2026

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UTTAR PRADESH MINOR MINERALS (CONCESSION)

RULES, 2021

Rule - 72. Restriction on transport of the minerals.

- (1) The holder of a mining lease or permit or a person authorised by him in this behalf shall issue a pass in Form MM-11 or Form e- MM-11 prepared through electronic process to every person carrying, a consignment of minor mineral by a vehicle, animal or any other mode of transport, the State Government may, through the District Officer, make arrangements for the supply of printed MM-11 Form books on payment basis.
- (2) No person shall carry, within the State a minor mineral by a vehicle, animal or any other mode of transport, without carrying a pass in Form MM-11/Form e-MM-11 issued under sub-rule (1), valid transit pass issued under Rule 7(3) of Uttar Pradesh Mineral (Prevention of Illegal Mining, Transportation and storage) Rules, 2018 or similar valid transit pass



issued by any other State: Provided that if the State Government enters into an agreement to collect the Royalty through contractor, receipt of royalty or zero receipt as the case may be shall be issued by such contractor and in such cases carrying out such receipt with Form MM-11/form e-MM-11 will be mandatory for transportation: Provided further that the transportation of the mineral will be valid only after the State Government has determined the regulation fees imposed from time to time on the mineral coming from other State.

- (3) Every person carrying any minor mineral shall, on demand by any officer authorised under Rule 67 or such officer as may be authorised by the State Government in this behalf, show the said pass to such officer and allow him verify the correctness of the particulars of the pass with references to the quantity of the Minor Mineral.
- (4) The State Government may establish a check post for any area included in any mining lease or permit and when a check post is so established public notice shall be given to this fact by publication in the



Gazette and in such other manner as may be considered suitable by the State Government.

- (5) No person shall transport a minor mineral for which these rules apply from such area without first presenting the mineral at the check post established for that area for verification of the weight or measurement of the mineral.
- (6) Any person found to have contravened any provision of this rule then the District Magistrate will recover penalty of Rs. 25,000 (twenty-five thousand) along with the price of such minor mineral including royalty and any such penalty for violation of environmental norms, as prescribed by the State Government from time to time. After deposit of the entire amount mentioned above the vehicle etc including minor mineral will be released.



UTTAR PRADESH MINOR MINERALS (CONCESSION)

RULES, 2021

FIRST SCHEDULE

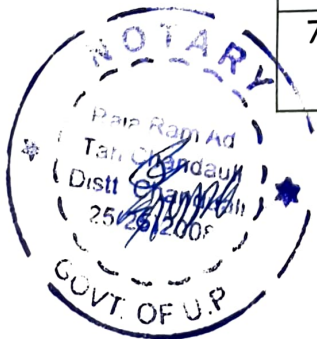
Rate of Royalty

(rule-21)

Sl. No.	Minerals	Rate of Royalty
1.	Limestone	Rs. 150.00 per tonne or Rs. 275.00 per cubic meter
2.	Marble or Marble chips (Sangmermer)	Rs. 206.00 per tonne or Rs. 405.00 per cubic meter
3.	Brick earth	Nil
4.	Building Stone (i) Granite (Sized dimensional stone) (a) 1 meter or above size	Rs. 5000.00 per cubic meter
	(b) below 1 meter size	Rs. 3000.00 per cubic meter
	(ii) Sized dimensional stone including slabs and ashlar (sand stone, quartzite)	Rs. 650.00 per cubic meter
	(iii) Millstone and Hand Chakis (Sand stone,	Rs. 600.00 per cubic meter



	Quartzite)	
	(iv) Khandas and Boulders (a) Granite and Dolostone sized up to 25cm. x 25cm. x 25cm	Rs. 125.00 per cubic meter
	(b) Sand stone and Quartzite sized up to 25cm. x 25cm. x 25cm	Rs. 100.00 per cubic meter
	(v) Ballast (Gitti) (a) Granite and Dolostone (b) Sand Stone/Quartzite (c) Stone Dust	Rs. 160.00 per cubic meter Rs. 110.00 per cubic meter Rs. 100.00 per cubic meter
5.	Morrum (a) available in the river bed (b) red morrum deposit due to erosion of hills	Rs. 150.00 per cubic meter Rs. 75.00 per cubic meter
6.	Ordinary sand (Other than sand used for prescribed purposes) (a) First category (found in districts mentioned in schedule second) (b) Second category (found in districts mentioned in schedule second)	Rs. 65.00 per cubic meter Rs. 55.00 per cubic meter
7.	Bajri (Single)	Rs. 110.00 per cubic meter



8.	Ordinary Clay or Ordinary earth	Nil
9.	Pyrophyllite	Rs. 300.00 per tonne
10.	Diaspore	Rs. 500.00 per tonne
11.	Silica Sand	Rs. 100.00 per tonne
12.	China Clay	12% of Pit mouth value
13.	Calcite	12% of Pit mouth value
14.	Quartz	Rs. 100 per tonne
15.	Any other minor mineral for which the rate of royalty not specified	10% of Pit mouth value.

