

Ref. No.: 517 / O.A. No. 267/2024

Date: 29-08-2024

From,

Vishal Singh,  
District Magistrate,  
Bhadohi.

To,

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

**Sub:- Submission of response on behalf of the District Magistrate, Bhadohi in compliance to the order dated 05.08.2024 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi in original application no. 267 of 2024 in the matter of Khusbu Singh versus State of U.P. on the behalf of Respondent No.2.**

Sir,

In the above noted case, Hon'ble National Green Tribunal instructed the following:-

"5.....It is evident that illegal mining was carried out by the project proponents but no punitive ,preventive and remedial action including assessment of compensation and prosecution has been initiated by Uttar Pradesh Pollution Committee Board (hereinafter referred to as 'UPPCB') against the violator(s). However we find it appropriate to implead project proponents so as to give them opportunity and thereafter pass appropriate order in the matter. We accordingly implead following as respondents:

- I. State of Uttar Pradesh thorough Secretary, Environment and Forest, Lucknow
- II. District Magistrate, Bhadohi; (District Sant Ravidas Nagar)
- III. Uttar Pradesh State Pollution Control Board through its Member Secretary, Building. No. TC-12V Vibhuti Khand, Gomti Nagar Lucknow-226 010
- IV. Principal Chief Conservator Forest, U.P., Lucknow
- V. Divisional Forest Officer, Bhadohi (District Sant Ravidas Nagar)
- VI. Rana Pratap Singh S/o Shri Gajraj Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadohi (Sant Ravidas Nagar)
- VII. M/s Lalira Buildocn Pvt Ltd., Smt. Rupa Mishra, W/o Shri Vishnu Kumar Mishra, R/o-69, Anand Lok near Kamla Nehru College, Andresganj, Defence Colony, South Delhi, Delhi
- VIII. Girdhari Prasad Pathak Village Mahera, Tehsil Bara, District Prayagraj

6. ....

14. List for further consideration on 11.09.2024.

In compliance of the above mentioned order dated 05.08.2024, the response report is being filed herewith on the behalf of Respondent No.2.

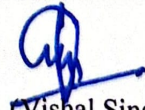
It is requested that the aforesaid response report may be presented before the Hon'ble Tribunal for kind consideration.

**Encl.: As above.**

**End. No. & Date as above.**

Copy:- Member Secretary, U.P. Pollution Control Board, Lucknow.

Your's faithfully,



(Vishal Singh)  
District Magistrate  
Bhadohi

\_\_\_\_\_  
District Magistrate  
Bhadohi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO- 267/ 2024**

**IN THE MATTER OF:**

Khusbu Singh

Applicant

**Versus**

State of UP & Ors.

Respondent

Order Date- 05.08.2024

Next Listing- 11.09.2024

**RESPONSE ON BEHALF OF THE DISTRICT MAGISTRATE,  
BHADOHI IN COMPLIANCE TO THE ORDER DATED  
05.08.2024 PASSED BY THE HON'BLE NATIONAL GREEN  
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL  
APPLICATION NO. 267 OF 2024 IN THE MATTER OF  
KHUSBU SINGH VERSUS STATE OF UP & ORS.**

That this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred as Hon'ble Tribunal) vide its order dated 05.08.2024 in Original Application No. 267

of 2024 in the matter of Khusbu Singh versus State of UP & Ors, instructed the following:-

**“5.....It is evident that illegal mining was carried out by the project proponents but no punitive ,preventive and remedial action including assessment of compensation and prosecution has been initiated by Uttar Pradesh Pollution Committee Board (hereinafter referred to as ‘UPPCB’) against the violator(s). However we find it appropriate to implead project proponents so as to give them opportunity and thereafter pass appropriate order in the matter. We accordingly implead following as respondents:**

- I. State of Uttar Pradesh thorough Secretary, Environment and Forest, Lucknow**
- II. District Magistrate, Bhadhoi; (District Sant Ravidas Nagar).**
- III. Uttar Pradesh State Pollution Control Board through its Member Secretary, Building. No. TC-12V Vibhuti Khand, Gomti Nagar Lucknow-226 010**
- IV. Principal Chief Conservator Forest, U.P., Lucknow**
- V. Divisional Forest Officer, Bhadhohi (District Sant Ravidas Nagar)**
- VI. Rana Pratap Singh S/o Shri Gajraj Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadhohi (Sant Ravidas Nagar)**
- VII. M/s Lalira Buildocn Pvt Ltd., Smt. Rupa Mishra, W/o Shri Vishnu Kumar Mishra, R/o-69, Anand Lok near Kmla Nehru College, Andresganj, Defence Colony, South Delhi, Delhi**
- VIII. Girdhari Prasad Pathak Village Mahera, Tehsil Bara, District Prayagraj**

**6. ....**

**14. List for further consideration on 11.09.2024.**

**Response-**

1. District Magistrate, Bhadohi had submitted joint committee report in pursuant to order dated 21.05.2024 passed by Hon'ble National Green Tribunal in this matter vide reference no. 435/O.A.No.267/ 2024, Dated 02.08.2024. **(Annexure-A)**
2. The recommendations made by the joint committee in this matter are same as recommendations bade by the joint committee in the matter of OA 135 of 2024. Both matters covered under District Bhadohi are same and pertaining with same applicant. In pursuant to order dated 23.07.2024 passed by Hon'ble NGT in the matter of OA 135 of 2024 Khusbu Singh Versus State of UP & Ors., District Magistrate, Sant Ravidas Nagar (Bhadohi) had submitted their response as Respondent-4 vide reference no. 505/OA 135/2024 dated 25.08.2024. **(Annexure-B)**
3. As per above mentioned response letter dated 25.08.2024, District Magistrate, Bhadohi has issued directions to all concerned department officers such as Divisional Forest Officer, Bhadohi, Zila Panchayat Raj Adhikari, Bhadohi & Mines Officer, Bhadohi vide its letter dated 24.08.2024 for complying recommendations made by the joint committee. **(Annexure-C).**
4. Additional District Magistrate (F/R), Bhadohi vide their ref. no.- 588/KhananLipik/2024 dated 22.08.2024 informed that the proponent namely Shri Rana Pratap Singh S/O/ Shri

Gajraj Singh, Ram Balanpur, Balanpur, Jangi, Ganj, Gyanpur, Bhadohi was penalized with the amount of Rs. 68,79,020.00 as compensation. However, only the amount of Rs. 25,00,000.00 (Twenty five lakh only) out of Rs. 68,79,020.00 has been deposited by the proponent in compliance of order passed by Hon'ble Court in the matter of writ no. 13095/2023. The matter about deposition of rest amount is under consideration in the Hon'ble Court **(Annexure-D)**.

Therefore, the above response on behalf of the District Magistrate, Bhadohi as respondent no. 2 is submitted before this Hon'ble National Green Tribunal for perusal and kind consideration.



**(Vishal Singh)**  
District Magistrate,  
Bhadohi.

Ref. No.: 4-35 / O.A. No. 267/2024

Date: 02/08/2024

From,

Vishal Singh,  
District Magistrate,  
Bhadohi.

To,

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

**Sub:- Submission of Joint Committee Report in pursuant to order dated 21.05.2024 passed by Hon'ble NGT in the matter of Original Application No. 267 of 2024 in the name of Khubhu Singh Versus State of U.P.**

Sir,

In the above noted case, Hon'ble National Green Tribunal directed the following:-


- " 3.....we constitute a joint Committee comprising Divisional Forest Officer, SantRavidas Nagar, Bhadohi; District Magistrate, SantRavidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB).
4. District Magistrate, Sant Ravidas Nagar, Bhadohi shall be nodal agency for coordination and compliance of this order.
5. The said committee shall visit the site, collect relevant information and submit a report within two months from today.
6. List this matter on 05.08.2024...."

In compliance of the above direction issued by Hon'ble Tribunal vide order dated 21.05.2024 in the matter of OA 267of 2024, the Joint Committee Report is being filed herewith.

It is requested that the aforesaid response-cum-Joint Committee report may be presented before the Hon'ble Tribunal for kind consideration.

**Encl.: As above.**

Your's faithfully,

  
(Vishal Singh)  
District Magistrate  
Bhadohi

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 267/2024

IN THE MATTER OF:

Khusbu Singh

..... Applicant

Versus

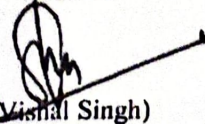
State of U.P.

... Respondant (s)

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FILED BY



(Vishal Singh)  
District Magistrate  
Bhadohi

**Report of Joint Committee in Compliance to the Hon'ble NGT order  
dated 21.05.2024 in Original Application No. 267 of 2024 in the name of  
Shri Khubhu Singh Vs State of U.P. and Others**

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**A. Preamble :**

Hon'ble National Green Tribunal, principal bench vide its order dated 21.05.2024 constituted joint committee comprising Divisional Forest Officer, Sant Ravidas Nagar, Bhadohi; District Magistrate, Sant Ravidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB'). The related para of said order is reproduced here as under:-

1. This original application under Sections 14 and 15 of the National Green Tribunal Act, 2010 has been registered in exercise of suo moto jurisdiction on the basis of letter petition dated 07.09.2023 received by the Tribunal on 16.09.2023, sent by Khusbu Singh, resident of Radha Krishna Enclave, Plot No. 6, Aakash Nagar, Govind Puram, Ghaziabad – 201015.
2. The complainant has said that there was a turtle sanctuary in Ganga at Ramnagar Kashi area of Varanasi upto March, 2020. It was denotified and it has been identified within 30 kms. of the area of Prayagraj, Mirzapur and Sant Ravidas Nagar (Bhadohi) where a large number of turtles are residing. However, in the area identified as the habitat of turtles, large scale mining on both the banks of river Ganga is being carried out by several incumbents including Rana Pratap Singh s/o Giriraj Singh, village Balanpur, PO Jangiganj, Tehsil Gyanpur, District Bhadohi and Girdhari Prasad Pathak S/o of Janardan Prasad Pathak, village Mahera, Tehsil Bara, District Prayagraj. The illegal mining is causing death of turtles and damage to their eggs laid on the sides of the river and despite several complaints, no authority has taken any appropriate action in the matter.
3. In our view, a substantial question relating to environment due to implementation of Scheduled Enactments has arisen in view of the above complaint but before taking any further action in the matter we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Divisional Forest Officer, Sant Ravidas Nagar, Bhadohi; District Magistrate, Sant Ravidas Nagar, Bhadohi; Central Pollution Control Board, (hereinafter referred as 'CPCB'); Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow (hereinafter referred as 'MoEF&CC') and Uttar Pradesh Pollution Control Board (hereinafter referred as 'UPPCB').

4. District Magistrate, Sant Ravidas Nagar, Bhadohi shall be nodal agency for coordination and compliance of this order.
5. The said committee shall visit the site, collect relevant information and submit a report within two months from today.
6. List this matter on 05.08.2024.

#### **B. Proceedings:**

In pursuance of the Hon'ble NGT order dated 21.05.2024, Joint Committee was constituted comprising representative of Ministry of Environment Forest and Climate Change (MoEF&CC), Regional Office (RO), Lucknow and representative of Central Pollution Control Board, Regional Directorate (CPCB-RD), Lucknow. Joint Committee had VC meeting on dated 13.06.2024 and decided to visit the site on dated 21.06.2024. Joint committee inspected the site on dated 21.06.2024, during inspection of the site Representative of RO-MOEF&CC, Lucknow office- Dr A.K. Gupta, Scientist 'E', Representative of RD-CPCB, Lucknow Shri A.K.Tripathi, Scientist 'C' were available along with the Shri Umesh Gupta, RO, UPPCB, Sonbhadra and Varanasi (Additional Charge) , Shri Santosh Kumar Pal, Surveyor; Shri Atul Dubey, Mine inspector, Shri Hari Shanker Rajput, Mine Manger, represented local administration along with lease holder Shri Vipin Kumar Saxena etc were available, to find out the extent of mining which has been done by Respondent No. 11 and the compliance/non-compliance of 'general' and 'specific' conditions of EC by Respondent No. 11.

#### **C. Observation of Joint committee during the site inspection:**

- Government of Uttar Pradesh (UP) through its Gazette Notification no. 1485/14-4-2008-823/2008 dated 21.05.2009 notified the Kachhua Wildlife Sanctuary in district Varanasi (7.00 KM area of Mid-stream of river Ganga from both the banks, in upstream-Ramnagar Fort; downstream-Malviya Rail/road bridge; East-Eastern bank of river Ganga; West-Western bank of river Ganga (Varanasi City)).
- Above notification was rescind by the Government of Uttar Pradesh (UP) through its Gazette notification no. 336/81-4-2020-823-2008 T.C. dated 17 March, 2020. **(Annexure A)**
- Further, Government of Uttar Pradesh (UP) through its gazette notification 346/81-4-2020-823-2008 T.C. Dated 17 March 2020 declared to constitute the area in the stretch of 30 km along both sides of the Ganga River falling in the districts of Bhadohi, Prayagraj and

Mirzapur as Kachhua Wildlife Sanctuary (Bhadohi, Prayagraj and Mirzapur- Ganga- Area bounded by both banks of river Ganga in the stretch of 30 km. along main stream of River Ganga; Boundaries- East (downstream of the River - Latitude 25.273769, Longitude- 82.287486 falling in Revenue boundary of village Baripur uparwar, Gyanpur of District Bhadohi; West (upstream of the River- Latitude 25.215000, Longitude-82.194814, falling in revenue boundary of village Kotahri, Meja of District Prayagraj; North-Left Bank of River Ganga; South- Right Bank of River Ganga) **(Annexure B)**

- Ministry Of Environment, Forest and Climate Change (MOEF&CC) vide letter no. 1-9/2007-WL-I (pt) dated 09.02.2011 issued the guideline for the declaration of Eco-sensitive zone around National Park and Wildlife Sanctuaries, compliance of the above which has not been comply by the state government in the above sanctuary **(Annexure-C)**
- As per available record two ECs has been granted for sand mining in the district Bhadohi, which are as follows:
  - i) EC to M/s Lalira Buildcon Pvt. Limited, Smt Rupa Mishra, W/o Shri Vishnu Kumar Mishra, R.O.-69, Anand Lok near Kamla Nehru College, Andrewsganj, Defense Colony, South Delhi, Delhi vide EC no. 516/Parya/DEAC/DEIAA/2018 dated 02.07.2018, for a period of 5 years was cancelled vide DM, Bhadohi order no.289/khananlipik/2021 dated 28.04.2021 and another LOI was issued to Shri Rana Pratap Singh S/O/ Shri Gajra Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadohi. U.P. vide letter no. 419/khanij/balu/E-nivida/she-enilami dated 15.09.2021 for 1, 21,410 m<sup>3</sup> capacity per annum. Which was transferred to Shri Rana Pratap Singh, S/O Shri Gajra Singh, Ram Balanpur, Jangi Ganj, Gyanpur Bhadohi. U.P. vide letter no. 259/Parya/SEIAA/DEIAA-EC/2021 dated 19.10.2021 for extraction of the sand of 1, 21,410 cubic meter/year from lease area of 4.047 hectare for **one year**. Transfer of DEIAA EC dated 02.07.2018 was also in question. **(Annexure D)**
  - ii) Consent to operate (CTO) has not been issued by Uttar Pradesh Pollution Control Board (UPPCB).
  - iii) Environmental Clearance (EC) of Shri Girdhari Prasad Patahk has been granted by SEIAA-UP vide letter no. 23B001UP122625 (file no. 8402-7893) dated 08.12.2023, for extraction of the sand of 1, 21,410 cubic meter/year from lease area of 4.047 hectare. **(Annexure E)**
  - iv) Consent to operate (CTO) has been granted by Uttar Pradesh Pollution Control Board (UPPCB) vide letter no. 198330/UPPCB/Varanasi (UPPCBRO)/CTO/

both/Bhadohi/2023 dated 29.12.2023, which is valid from 12.12.2023 to 31.12.2025 for extraction of the sand of 1,21,410 cubic meter/year from lease area of 4.047 hectare. **(Annexure F)**

v) Regional Officer, UPPCB, Varanasi is recommended to revoke the CTO dated 29.12.2023 vide letter no 372/NGT OA No 135/2024/24-25 Dated 18.07.2024.

**(Annexure G)**

vi) District magistrate (DM), Bhadohi has cancelled all active / advertised / sanctioned mining leases vide letter no. 303/ Kanan lipik/2024 dated 03.01.2024 **(Annexure H)**.

- Joint committee was not found any active mining pit on above two leases.
- Joint committee was found pathway for transportation from mining area in Eco- sensitive area near Villge-Ibrahimpur (Bhadohi).
- Joint committee has not found any illegal mining activity during on the river bed site of the Kachhua Wildlife sanctuary area falls in the district Bhadohi and Mirzapur.
- Joint committee has also observed the storage of the significant amount of sand near the office site of above two leases, it seems that it has been stored for a long time.
- Joint committee has also observed various faunal diversity including: two dolphins, five species of native fish and One species of exotic fish etc.
- Joint committee has not found Kacchua (Turtle) within (near about area) of the Kacchua wild life Sanctuary.
- DM, Prayagraj citing the request of DFO Prayagraj about the turtle sanctuary. ordered that no mining lease should be sanctioned in 10 km area considering the same as Eco-Sensitive Zone of the turtle sanctuary though letter number 4484 Dated June 20, 2024. This order further advised to stop any illegal sand mining within the sanctuary' ESZ. **Annexure I**
- Photographs taken during joint inspection is attached in **Annexure J**


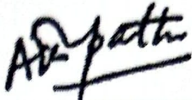



#### **D. Recommendation:**

- As evident that the demarcation of the Eco-sensitive zone has not been done by the state government so far. It is utmost important to demarcate the eco- sensitive zone in line of Ministry order etc. at earliest.
- Competent authority can address and notify the prohibited activity, permissible activity in the Eco-sensitive zone (ESZ) and published in local newspaper, hording etc for wide publicity among the local people.

- Local administration through mining department may dismantle established Office and way-bridge near mining area of Project Proponent and check storage of minerals near village Ibrahimpur (Bhadohi).
- Local administration immediately sized the stored sand found during joint inspection in district Bhadohi.
- Local administration should place hoarding etc in various approached road going towards turtle wildlife sanctuary address the issue of Turtle Wildlife Notification, prohibited activity, permissible activity etc.
- Community awareness campaign needs to be conducted in all identified villages about the sanctuary declaration and rights of local communities in and around the PA. The objections from the communities against the announcements/ publications of turtle sanctuary submitted to the concerned DMs and DFO/Controlling Officer need to be addressed at the earliest.
- Alternate livelihood options need to be scoped and implemented in the fishing community villages on the fringe with active assistance of regional station of CIFRI, Wildlife Institute of India and TSA Foundation India.
- Regular patrolling of the turtle sanctuary should be conducted at appropriate level (with active assistance of Ganga Task Force and Prayagraj, Badhoi and Mirzapur Forest Divisions). Turtle Survival Alliance (TSA) Foundation India can provide the patrolling framework and train GTF regarding the same.
- Proper consideration of Kacchua Wildlife Sanctuary before/during appraisal/allotment of all project including sand mining of district Mirzapur, Bhadihi, Prayagraj by Mining Department, Local Administration and SEIAA/SEAC-UP can also be ensured.
- Proper due diligence is required for transfer of the DEIAA-EC by SEIAA/SEAC-UP.
- State Wild life department shall also take suitable measure for conservation of the Gangetic Dolphin and other species found near the Kacchua Wild life sanctuary.

List Of Annexure:	
Annexure Number	Content
A	Gazette Notification no. 1485/14-4-2008-823/2008 dated 21.05.2009
B	Gazette notification 346/81-4-2020-823-2008 Dated 17 March 2020
C	MOEF&CC vide letter no. 1-9/2007-WL-I(pt) dated 09.02.2011
D	EC of M/s Lalira Buildcon Pvt. Limited, and Shri Rana Pratap
E	EC of Shri Girdhari Prasad Patahk
F	CTO of Shri Girdhari Prasad Patahk

G	Regional Officer, UPPCB, Varanasi is recommended to revoke the CTO
H	District magistrate (DM), Bhadohi has cancelled all active
I	DM, Prayagraj
J	Photograph taken during Joint inspection

Name of the Committee members		Signature
1.	Dr. A.K. Gupta, Scientist, E MoEF & CC, Regional Office, Lucknow.	
2.	Shri A.K. Tripathi, Scientist "C", CPCB, Regional Directorate, Lucknow.	
3.	Shri Neeraj Arya, Divisional Forest Officer, District-Sant Ravidas Nagar (Bhadohi).	
4.	Shri Shyam Mani Tripathi, ASDM, District-Bhadohi.	
5.	Shri Umesh Kumar Gupta Regional Officer (Acting), UPPCB Varanasi.	
Dated: 01.08.2024		

Ref. No.: 505/O.A. No. 135/2024

Date: 25/08/24

From,

Vishal Singh,  
District Magistrate,  
Bhadohi.

To,

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

Sub:- Submission of response on behalf of the District Magistrate, Bhadohi in compliance to the order dated 23.07.2024 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi in original application no. 135 of 2024 in the matter of Khusbu Singh versus State of U.P. & ors on the behalf of Respondent No.4.

Sir,

In the above noted case, Hon'ble National Green Tribunal instructed the following:-

"11.....we therefore, implead following as respondents:-

- (1) State of U.P. through Secretary, Ministry of Environment, Forest & Climate Change, Lucknow, Indira Bhawan, Gomti Nagar, Lucknow, Uttar Pradesh 226010
- (2) Uttar Pradesh Pollution Control Board, Through Member Secretary, PICUP Bhawan, B-Block, 3rd Floor, VibhutiKhand, Gomti Nagar, Lucknow, Uttar Pradesh 226010
- (3) District Magistrate, Prayagraj (Allahabad), Collectorate Building, Civil Lines, Prayagraj, Uttar Pradesh 211001
- (4) District Magistrate, Bhadohi (SantRavidas Nagar), Collectorate Building, Bhadohi, SantRavidas Nagar, Uttar Pradesh 221401
- (5) District Magistrate, Mirzapur, Collectorate Building, Mirzapur, Uttar Pradesh 231001
- (6) Ministry of Environment, Forest & Climate Change, New Delhi through its Secretary, Indira ParyavaranBhawan, JorBagh Road, New Delhi 110003
- (7) Principal Chief Conservator of Forests (Wildlife), Lucknow, Uttar Pradesh, 17 RanaPratapMarg, Lucknow, Uttar Pradesh 226001 and
- (8) Director of Mines and Geology, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001
12. Registry shall issue notices to above respondents who may file their responses within two weeks after receipt of notice.
13. Respondents shall ensure their presence through any authorized person or through counsel on the next date failing which, this Tribunal will have to summon concerned responsible person(s).
14. List on 29.08.2024.

To compliance the above instruction of order dated 23.07.2024, the response report is being filed herewith on the behalf of Respondent No.4.

It is requested that the aforesaid response report may be presented before the Hon'ble Tribunal for kind consideration.

Encl: As above.

End. No. & Date as above.

Copy:- Member Secretary, U.P. Pollution Control Board, Lucknow.

Your's faithfully,

  
(Vishal Singh)  
District Magistrate  
Bhadohi

  
District Magistrate  
Bhadohi

O/c

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**ORIGINAL APPLICATION NO- 135/ 2024**

IN THE MATTER OF:

Khusbu Singh

Applicant

Versus

State of UP & Ors.

Respondent

Order Date- 23.07.2024

Next Listing- 29.08.2024

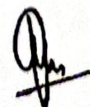
**RESPONSE ON BEHALF OF THE DISTRICT MAGISTRATE,**  
**BHADOHI IN COMPLIANCE TO THE ORDER DATED**  
**23.07.2024 PASSED BY THE HON'BLE NATIONAL GREEN**  
**TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL**  
**APPLICATION NO. 135 OF 2024 IN THE MATTER OF**  
**KHUSBU SINGH VERSUS STATE OF UP & ORS.**

That this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred as Hon'ble Tribunal) vide its order dated 23.07.2024 in Original Application No. 135 of 2024 in the matter of Khusbu Singh versus State of UP & Ors, instructed the following:-



**“11.....we therefore, implead following as respondents:-**

- (1) State of U.P. through Secretary, Ministry of Environment, Forest & Climate Change, Lucknow, Indira Bhawan, Gomti Nagar, Lucknow, Uttar Pradesh 226010**
- (2) Uttar Pradesh Pollution Control Board, Through Member Secretary, PICUP Bhawan, B-Block, 3rd Floor, VibhutiKhand, Gomti Nagar, Lucknow, Uttar Pradesh 226010**
- (3) District Magistrate, Prayagraj (Allahabad), Collectorate Building, Civil Lines, Prayagraj, Uttar Pradesh 211001**
- (4) District Magistrate, Bhadohi (SantRavidas Nagar), Collectorate Building, Bhadohi, SantRavidas Nagar, Uttar Pradesh 221401**
- (5) District Magistrate, Mirzapur, Collectorate Building, Mirzapur, Uttar Pradesh 231001**
- (6) Ministry of Environment, Forest & Climate Change, New Delhi through its Secretary, Indira ParyavaranBhawan, JorBagh Road, New Delhi 110003**
- (7) Principal Chief Conservator of Forests (Wildlife), Lucknow, Uttar Pradesh, 17 RanaPratapMarg, Lucknow, Uttar Pradesh 226001 and**
- (8) Director of Mines and Geology, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001**
- 12. Registry shall issue notices to above respondents who may file their responses within two weeks after receipt of notice.**
- 13. Respondents shall ensure their presence through any authorized person or through counsel on the next date failing which, this Tribunal will have to summon concerned responsible person(s).**
- 14. List on 29.08.2024.**



**Response-**

1. The representative of District Magistrate, Bhadohi has participated in spot visit with the joint committee members. The joint committee report dated 23-25 June, 2024 is attached herewith as **Annexure-1.**
2. As per the joint committee report, the relevant part of recommendation are as below:-
  - **“.....Local administration through mining department may dismantle established Office and way- bridge near mining area of Project Proponent and check storage of minerals near village Ibrahimpur (Bhadohi).**
  - **Local administration immediately sized the stored sand found during joint inspection in district Bhadohi.**
  - **Local administration should place hoarding etc in various approached road going towards turtle wildlife sanctuary address the issue of Turtle Wildlife Notification, prohibited activity, permissible activity etc.**
  - **Community awareness campaign needs to be conducted in all identified villages about the sanctuary declaration and rights of local communities in and around the PA. The objections from the communities against the announcements/ publications of turtle sanctuary submitted to the concerned DMs and DFO/Controlling Officer need to be addressed at the earliest.**
  - **Alternate livelihood options need to be scoped and implemented in the fishing community villages on the fringe with active assistance of regional station of CIFRI, Wildlife Institute of India and TSA Foundation India.**
  - **Regular patrolling of the turtle sanctuary should be conducted at appropriate level (with active assistance of Ganga Task Force and Prayagraj, Badhoi and Mirazpur Forest Divisions). Turtle Survival Alliance (TSA) Foundation India can provide the patrolling framework and train GTF regarding the same.**
  - **Proper consideration of Kacchua Wildlife Sanctuary before/during appraisal/allotment of all project including sand**

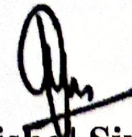
mining of district Mirzapur, Bhadihi, Prayagraj by Mining Department, Local Administration and SEIAA/SEAC-UP can also be ensured.

- Proper due diligence is required for transfer of the DEIAA-EC by SEIAA/SEAC-UP.
- State Wild life department shall also take suitable measure for conservation of the Gangetic Dolphin and other species found near the Kacchua Wild life sanctuary.”

For complying of above mentioned recommendation made by the joint committee, District Magistrate, Bhadohi has issued directions to all concerned department officers such as Divisional Forest Officer, Bhadohi, Zila Panchayat Raj Adhikari, Bhadohi & Mines Officer, Bhadohi vide its letter dated 24.08.2024 (**Annexure-2**).

3. Additional District Magistrate(F/R), Bhadohi vide their ref. no.- 588/KhananLipik/2024 dated 22.08.2024 informed that the proponent namely Shri Rana Pratap Singh S/O/ Shri Gajra Singh, Ram Balanpur, Balanpur, Jangi, Ganj, Gyanpur, Bhadohi was penalized with the amount of Rs. 68,79,020.00 as compensation. However, only the amount of Rs. 25,00,000.00 (Twenty five lakh only) out of Rs. 68,79,020.00 has been deposited by the proponent in compliance of order passed by Hon'ble Court in the matter of writ no. 13095/2023. The matter about deposition of rest amount is under consideration in the Hon'ble Court (**Annexure-3**).

Therefore, the above response on behalf of the District Magistrate, Bhadohi as respondent no. 4 is submitted before this Hon'ble National Green Tribunal for perusal and kind consideration.



(Vishal Singh)

District Magistrate,  
Bhadohi.

कार्यालय कलेक्टर एवं जिलाधिकारी, भदोही

पत्रांक : 504/NGT/OA No 135/2024/24-25

दिनांक : 24/08/24

प्रेषक,

जिलाधिकारी,  
भदोही।

सेवा में,

1. प्रभागीय वनाधिकारी,  
भदोही वन प्रभाग, भदोही।
2. जिला पंचायत राज अधिकारी,  
भदोही।
3. खान अधिकारी,  
भदोही।

विषय:- मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-135/2024 खुशबू सिंह बनाम स्टेट ऑफ यू0पी0 व अन्य में पारित आदेश दिनांक-23.07.2024 के अनुपालन के सम्बंध में।

महोदय,

कृपया उपरोक्त विषयक का संदर्भ ग्रहण करने का कष्ट करें। उक्त प्रकरण में मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-135/2024 खुशबू सिंह बनाम स्टेट ऑफ यू0पी0 व अन्य में पारित आदेश दिनांक-18.04.2024 के अनुपालन में संयुक्त समिति की आख्या मा0 अधिकरण में प्रेषित की गयी थी। संयुक्त समिति की आख्या में निहित अनुशंशा के मुख्य अंश निम्नवत है:-

- As evident that the demarcation of the Eco-sensitive zone has not been done by the state government so far. It is utmost important to demarcate the eco-sensitive zone in line of Ministry order etc. at earliest.
- Competent authority can address and notify the prohibited activity, permissible activity in the Eco-sensitive zone (ESZ) and published in local newspaper, hording etc for wide publicity among the local people.
- Local administration through mining department may dismantle established Office and way- bridge near mining area of Project Proponent and check storage of minerals near village Ibrahimpur (Bhadohi).
- Local administration immediately sized the stored sand found during joint inspection in district Bhadohi.
- Local administration should place hoarding etc in various approached road going towards turtle wildlife sanctuary address the issue of Turtle Wildlife Notification, prohibited activity, permissible activity etc.
- Community awareness campaign needs to be conducted in all identified villages about the sanctuary declaration and rights of local communities in and around the PA. The objections from the communities against the announcements/ publications of turtle sanctuary submitted to the concerned DMs and DFO/Controlling Officer need to be addressed at the earliest.
- Alternate livelihood options need to be scoped and implemented in the fishing community villages on the fringe with active assistance of regional station of CIFRI, Wildlife Institute of India and TSA Foundation India.
- Regular patrolling of the turtle sanctuary should be conducted at appropriate level (with active assistance of Ganga Task Force and Prayagraj, Badhohi and Mirzapur Forest Divisions). Turtle Survival Alliance (TSA) Foundation India can provide the patrolling framework and train GTF regarding the same.
- Proper consideration of Kacchua Wildlife Sanctuary before/during appraisal/allotment of all project including sand mining of district Mirzapur, Bhadihi, Prayagraj by Mining Department, Local Administration and SEIAA/SEAC-UP can also be ensured.
- Proper due diligence is required for transfer of the DEIAA-EC by SEIAA/SEAC-UP.
- State Wild life department shall also take suitable measure for conservation of the Gangetic Dolphin and other species found near the Kacchua Wild life sanctuary."

उपरोक्त वर्णित अनुशंशा के अनुपालन हेतु आप अपने विभाग से सम्बंधित बिन्दुओं पर प्रभावी कार्यवाही सुनिश्चित करते हुए अनुपालन आख्या अधोहस्ताक्षरी को प्रस्तुत करें, जिससे अनुपालन आख्या मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में ससमय दाखिल की जा सके।

भदोही,  
(दिनांक-24/08/24)  
जिलाधिकारी  
e/c

## कार्यालय जिलाधिकारी, भदोही।

(खनन अनुभाग)

संख्या: 588/खनन लिपिक/2024


दिनांक 22/08/2024

क्षेत्रीय अधिकारी  
क्षेत्रीय कार्यालय  
उ०प्र० प्रदूषण नियंत्रण बोर्ड,  
वाराणसी

महोदय,

कृपया अपने पत्रांक संख्या-496/ओ०ए० 135/24-25 दिनांक 17.08.2024 का सन्दर्भ ग्रहण करने का कष्ट करें। जिसमें मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-135/2024 खुशबू सिंह बनाम स्टेट ऑफ यू०पी० व अन्य में पारित आदेश दिनांक-23.07.2024 एवं ओ०ए० संख्या-267/2024 खुशबू सिंह बनाम स्टेट ऑफ यू०पी० में पारित आदेश दिनांक 05.08.2024 के अनुपालन हेतु वॉछित सूचनायें उपलब्ध कराये जाने का विवरण निम्नलिखित है-


क्र०सं०	वांछित सूचना	उत्तरालेख
1	जनपद भदोही क्षेत्र के अन्तर्गत गंगा नदी पर कछुवा वन्य जीव विहार सम्बन्धी नोटीफिकेशन 17.03.2020 को जारी होने के पश्चात् वर्तमान समय तक कछुवा वन्य जीव विहार क्षेत्र में अवैध खनन होने सम्बन्धी सूचना का विवरण तथा उसके सापेक्ष कृत कार्यवाही का विवरण।	शून्य
2	उक्त वर्णित कछुवा वन्य जीव के अन्तर्गत श्री राणा प्रताप सिंह पुत्र गजराज सिंह, निवासी बलनपुर जंगीगंज तहसील ज्ञानपुर, भदोही के पक्ष में स्वीकृत गाटा संख्या-103, रकबा-4.047 हे० ग्राम इब्राहिमपुर, तहसील ज्ञानपुर जनपद भदोही को पर्यावरणीय स्वीकृति जारी/ट्रॉसफर होने की तिथि 19.10.2021 से खनन पट्टा अवधि एक वर्ष अर्थात् दिनांक 20.10.2022 अथवा खनन पट्टा निरस्त होने तक की अवधि के मध्य में श्री राणा प्रताप सिंह पुत्र गजराज सिंह, ग्राम बलनपुर जंगीगंज ज्ञानपुर भदोही द्वारा किये गये अवैध खनन की मात्रा तथा अवैध खनन होने के सापेक्ष कृत कार्यवाही का विवरण।	श्री राणा प्रताप सिंह पुत्र गजराज सिंह, निवासी बलनपुर जंगीगंज तहसील ज्ञानपुर, भदोही द्वारा बालू खनन पट्टा ग्राम इब्राहिमपुर गाटा संख्या-103 के विपरीत मात्रा 15158 घनमीटर अवैध खनन/परिवहन करने के सम्बंध में कुल रूपया 68,79,020/- अधिरोपित धनराशि किया गया था। श्री राणा प्रताप सिंह रिट संख्या-13095/2023 दायर की गयी, जिसमें मा० न्यायालय द्वारा रूपये 2500000(25लाख) को तीन सप्ताह के भीतर खनन हेड-0853 में जमा किये जाने हेतु आदेश पारित किया गया है। मा० न्यायालय के आदेशानुसार श्री राणा प्रताप सिंह द्वारा दिनांक 09.05.2023 को ट्रेजरी चालान संख्या-E900023 द्वारा रूपये 2500000(25लाख) खनन हेड-0853 में जमा किया गया है। शेष धनराशि रूपये 4379020/- जमा किये जाने के सम्बंध में निर्णय विचाराधीन है।
3	उक्त वर्णित कछुवा वन्य जीव के अन्तर्गत श्री गिरधारी प्रसाद पाठक, निवासी ग्राम मेहरा तहसील बारा जनपद प्रयागराज के पक्ष में स्वीकृत गाटा /आराजी संख्या-30, रकबा-4.047 हे० ग्राम पुरवा तहसील ज्ञानपुर जनपद भदोही को पर्यावरणीय स्वीकृति जारी होने की तिथि 01.07.2023 से खनन पट्टा निरस्त होने की तिथि 03.01.2024 के मध्य की अवधि में श्री गिरधारी प्रसाद पाठक, निवासी ग्राम मेहरा तहसील बारा जनपद प्रयागराज द्वारा किये गये अवैध खनन की मात्रा तथा अवैध खनन होने के सापेक्ष कृत कार्यवाही का विवरण।	शून्य

  
अपर जिलाधिकारी(वि०/रा०)  
भदोही।

संख्या व दिनांक उपरोक्त।

प्रतिलिपि:-निम्नलिखित को सादर सूचनार्थ प्रेषित।

1. जिलाधिकारी महोदय भदोही।
2. मुख्य पर्यावरण अधिकारी (वृत्त-6) उ०प्र० प्रदूषण नियंत्रण बोर्ड लखनऊ।

  
अपर जिलाधिकारी(वि०/रा०)  
भदोही।