

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 Mines Officer, District Chandauli, U.P.	



[MUKESH VERMA]
Advocate for Mines Officer,
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

677

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

ORIGINAL APPLICATION NO. 603/2024



IN THE MATTER OF:

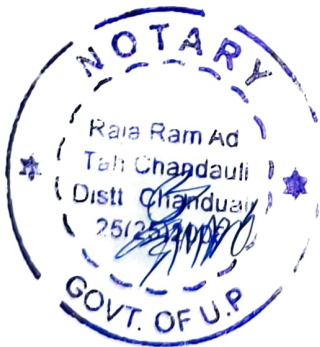
News Item titled ""Action is being taken against illegal mining, 9 tractor-trolleys including JCB have been seized" appearing in chandauli samachar.com dated 13.04.2024

RESPONSE AFFIDAVIT ON BEHALF OF THE MINES OFFICER , DISTRICT CHANDAU LI, UP.

I, Pradeep Kumar Raj, aged about 33 years, S/o Shri Shyam Lal working as Mines Officer, 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

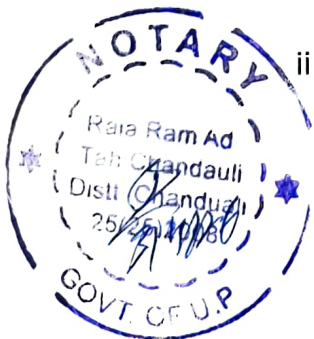


respondents are directed to give complete information in their responses with respect to the following aspects: -

- v. Whether any FIR was registered in respect of respective incident of illegal transportation/ illegal mining of minor mineral;
- vi. Whether minor mineral illegally mined/transported was released to the violators;
- vii. Whether any confiscation proceedings have been initiated against vehicles involved in illegal transportation of minor mineral; and
- viii. 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:

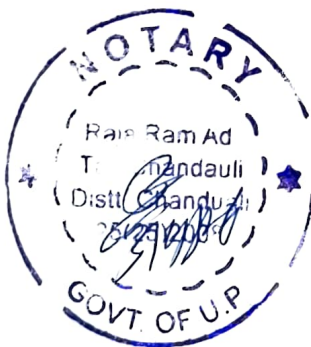
- ii. No FIR was lodged regarding illegal transportation/ illegal mining in connection with the incident.
- ii. Rule 72 (6) of the Uttar Pradesh Minor Mineral concession Rules, 2021 states that the District



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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.

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 outpost under Mughalsarai Police Station and one tractor

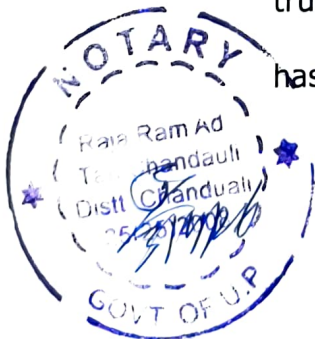


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detained at Alinagar Police Station. In response to the court's orders, the vehicles have been released by the concerned police stations.

- 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-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.

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.



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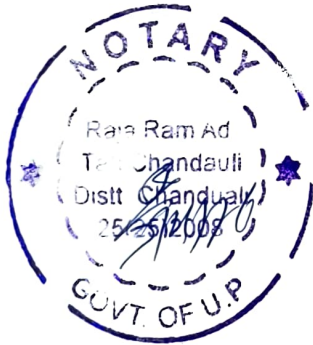
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Deponent

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.

[Handwritten Signature]
Deponent



Oathed by Deponent before
me and Conncalled by Advnocate
Mr.

[Handwritten Signature]
Raja Ram Advocate
Notary Govt of U.P. Chandauli

[Handwritten Signature]