



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Ref No. : 1789231/स-7/O.A.No-485/22/23 Date: 16-2-23

To,

The Registrar General,
Principal Bench,
Hon'ble National Green Tribunal,
Copernicus Marg, New Delhi.

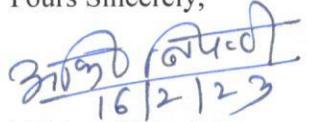
**Sub.: Regarding submission of Response in the matter of O.A. No. 485/2022
Gautam Sharma Vs. State of U.P. dated 10-11-2022.**

Sir,

In compliance of the direction passed by Hon'ble National Green Tribunal during hearing on 10-11-2022 in the matter of O.A. No. 485/2022 Gautam Sharma Vs. State of U.P. the Response is hereby attached with a request to put up before Hon'ble National Green Tribunal for kind perusal.

Encl: As Above

Yours Sincerely,


16/2/23
(Abhishek Tripathi)
Incharge, Circle-7

**Response on behalf of
Uttar Pradesh Pollution Control Board
In Compliance of
Hon'ble NGT order dated 10-11-2022
in
OA 485/2022 Gautam Sharma
vs.
State of Uttar Pradesh**

**Uttar Pradesh Pollution Control Board,
Lucknow**

G.C.A.
Girish Chandra Arya
Environmental Engineer

अभिषेक तिलपती
प्रभारी, वृत्त-7
UPPCB

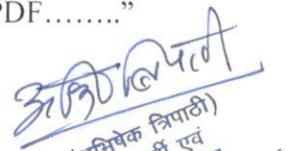
Response on behalf of Uttar Pradesh Pollution Control Board in compliance of Hon'ble NGT order dated 10-11-2022 in OA 485/2022 Gautam Sharma vs. State of Uttar Pradesh.

Background:-

- 1- That Hon'ble NGT in OA no. 485/2022 has considered the letter petition as original application, complaining that illegal mining of sand and murram is being done in land measuring about 100 acres (instead of 15 bighas of land leased out) situated in Eco Sensitive Zone of Tiger Reserve/Elephant Zone and in the area of River Khoh, Tehsil Nagina, District Bijnor, Uttar Pradesh.
- 2- That in compliance of directions passed by Hon'ble NGT vide order dated 29-08-2022 joint committee comprising of District Administration Amroha, DFO Amroha, Mining Officer, Amroha and UPPCB conducted joint inspection on 12-10-2022 and joint inspection report submitted in Hon'ble NGT on 03-11-2022. In the joint inspection it was found that mining activity on the river bed from Gata No. 2/102 at village Shahalipur Kotara, Tehsil-Nagina, District-Bijnore was not being done by M/s Brijwala Infra Solution Pvt. Ltd.
- 3- That during joint inspection dated 12-10-2022 it was found that mining activity on the river bed from Gata No. 70MI at Village-Abulfazalpur Pahara, Tehsil-Nagina, District-Bijnore was not being done by M/s Jayanti Entrepreneur Pvt. Ltd.
- 4- That District Magistrate, Bijnore vide letter dated 12-05-2022 has cancelled the mining permit of M/s Brijwala Infra Solution Pvt. Ltd. and has imposed penalty of Rs. 37,59,200/- against the unit.
- 5- That Hon'ble NGT vide order dated 10-11-2022 has issued directions to filled response of State of U.P. through Chief Secretary and response of State Pollution Control Board. The operative part of order dated 10-11-2022 is reproduced as below:-

“.....4. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Uttar Pradesh through Chief Secretary, Government of Uttar Pradesh, (2) Director, Mining and Geology Department, State of Uttar Pradesh, (3) State PCB, and (4) District Magistrate, Bijnor, who stand impleaded as respondents No. 1 to 4. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1,2 and 4 requiring them to file their reply/response within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.....”

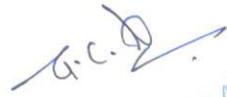

Girish Chandra Arya
Environmental Engineer

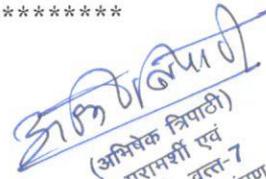

(अभिषेक त्रिपाठी)
परामर्शी एवं
प्रभारी, वृत्त-7
दूषण नियंत्रण बोर्ड,

Response:-

- 1- That in compliance of directions issued by Hon'ble NGT on 10-11-2022 officials of Regional Office Uttar Pradesh Pollution Control Board, Bijnore inspected the site on 11-02-2023.
- 2- That during inspection dated 11-02-2023 no mining activity was carried out by M/s Brijwala Infra Solution Pvt. Ltd on the river bed from Gata No. 2/102, area-1.215 hectare, Village-Shahalipur Kotra, Tehsil-Nagina, District-Bijnore.
- 3- That during inspection dated 11-02-2023 no mining activity was carried out by M/s Jayanti Entrepreneur Pvt. Ltd. on the river bed from Gata No. 70MI, area-1.264 hectare, village Abulfazalpur Pahara, Tehsil-Nagina, District-Bijnore.

The inspection report dated 11-02-2023 with Geo tagged Photographs is attached as **Annexure-1**.


Girish Chandra Arya
Environmental Engineer

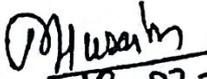

(अभियेक त्रियाठी)
परामर्शी एवं
प्रभासी, वृत्त-7
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
लखनऊ

Inspection report, In the Matter of O.A. NO.-485/2022 Gautam Sharma V/S State of Uttar Pradesh.

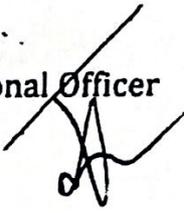
.....

In the Matter of O.A. NO.-485/2022 Gautam Sharma V/S State of Uttar Pradesh, Earlier, inspection was carried out on dated 12.10.2022 by the Joint Committee and report filed in the Hon'ble NGT on dated 03.11.2022 through E-mail by UPPCB. Latest inspection was carried out on 11.02.2023 by UPPCB. At the time of inspection mining activity of river bed material from gata no.-2/102, area-1.215 hectares, village-Shahalipur Kotra, Tehsil-Nagina, District-Bijnor was not being done by the M/s Brijwala Infra Solutions Pvt. Ltd., Photographs is annexed as **Annexure-1**. Mining activity of River Bed Material (R.B.M.) from gata no.- 70 mi, area - 1.264 hectare, village - Abulfazalpur Pahara, Tehsil-Nagina, District-Bijnor was not being done by the M/s Jayanti Entrepreneur Pvt. Ltd., Photographs is annexed as **Annexure-2**.


13/2/23
(S.K. Tripathi)
S.A.

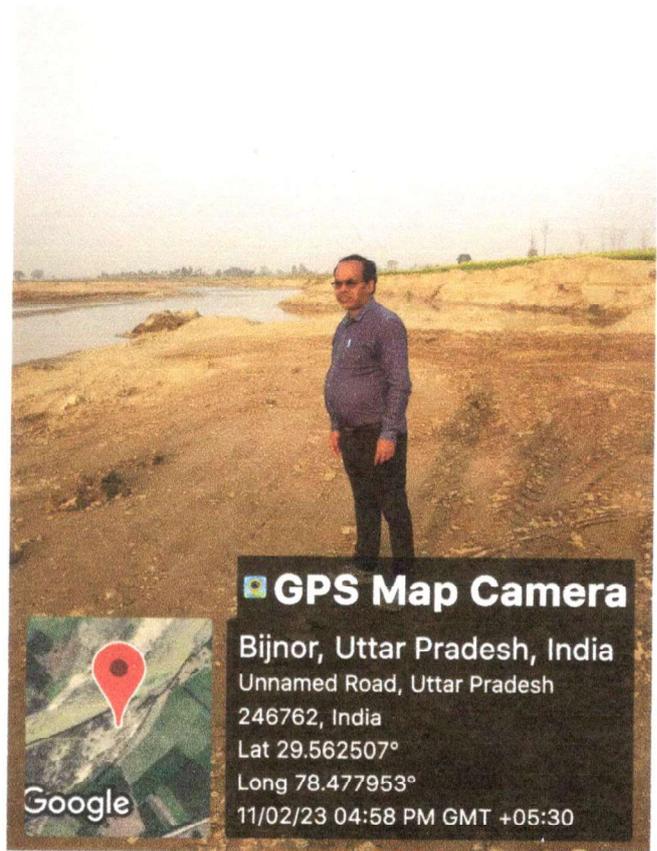
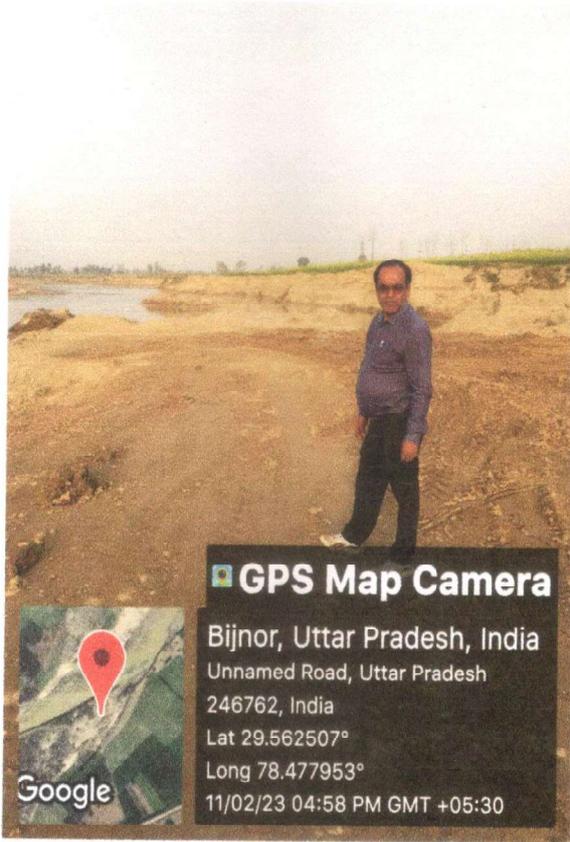

13-02-2023
Mahir Husain
Assistant Environment Engineer

Regional Officer



**Photographs during Inspection dated.-11.02.2023 in the Matter of O.A. NO.-
485/2022 Gautam Sharma V/S State of Uttar Pradesh.**

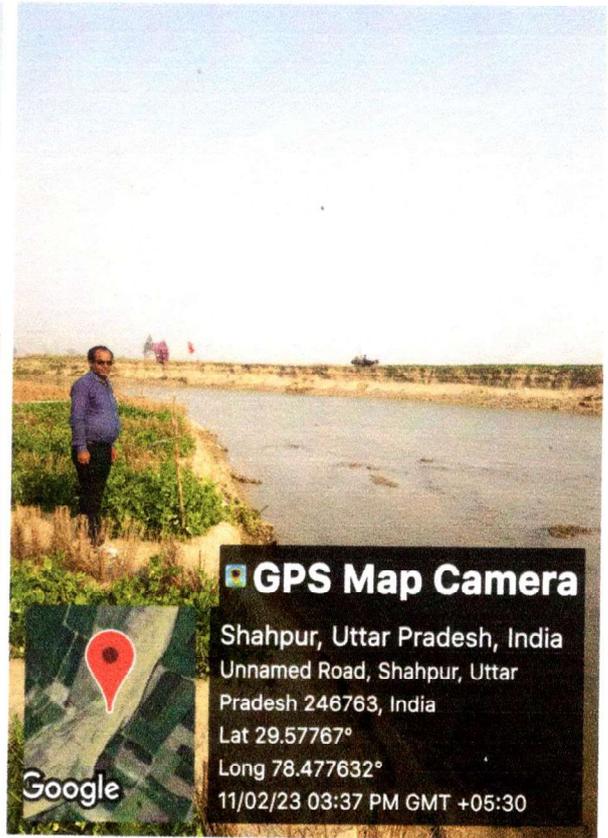
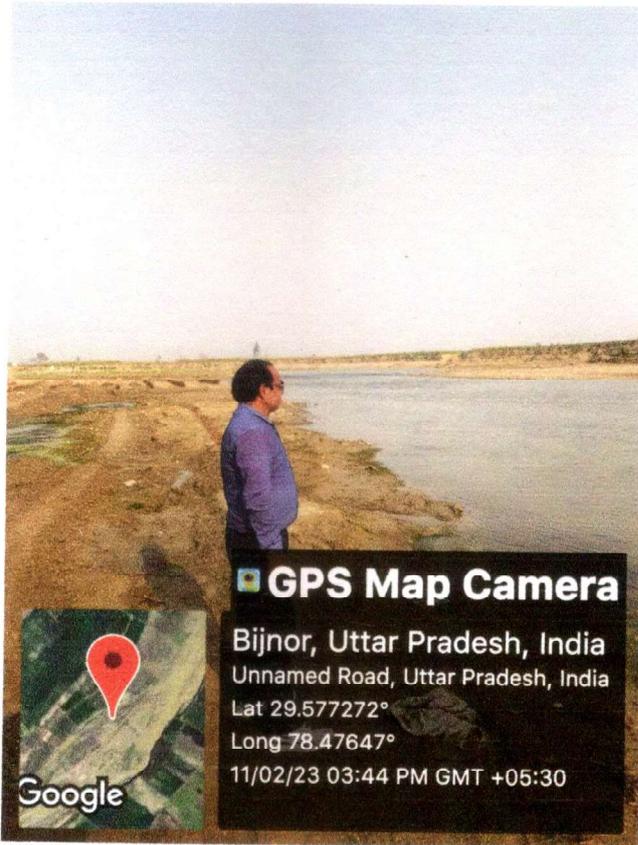
- Gata no.-2/102, area-1.215 hectares, village-Shahalipur Kotra, Tehsil-Nagina, District-Bijnor



SA

**Photographs during Inspection dated.-11.02.2023 in the Matter of O.A. NO.-
485/2022 Gautam Sharma V/S State of Uttar Pradesh.**

- Gata no.- 70 mi, area – 1.264 hectare, village - Abulfazalpur Pahara, Tehsil-Nagina, District-Bijnor



Handwritten signature in blue ink, possibly reading 'Gautam Sharma' with initials 'GS' below it.