

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

ORIGINAL APPLICATION NO. 412 OF 2023

PRADEEP KUMAR SHUKLA & ANR.

.....APPLICANT(S)

Versus

MoEF&CC&Ors.

.....RESPONDENT(S)

with

Original Application No. 462/2023

RAJA RAM SINGH

.....APPLICANT(S)

Versus

STATE OF UP & ORS.

.....RESPONDENT(S)

With

Original Application No. 481/2023

(IA No. 153/2025, IA No. 467/2025, IA No. 622/2024, IA No. 621/2024, IA
No. 619/2024, IA No. 490/2024, IA No. 93/2024, IA No. 70/2024)

BALBIR SANDHU & ORS.

.....APPLICANT (S)

Versus

STATE OF UP & ORS.

.....RESPONDENT(S)

With

Original Application No. 1222/2024 (I.A. Nos. 492/2024 & 493/2024)

GAURAV SHARMA

.....APPLICANT (S)

Versus

MoEF&CC&Ors.

.....RESPONDENT(S)

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DATED: - 11.11.2025**FILED BY: -***Ankit Verma***(ANKIT VERMA)****STANDING COUNSEL FOR STATE OF U.P.****A-15 FF, NIZAMUDDIN EAST NEW DELHI-110013.****MOB :- 09990804440 ankit.scngtup@gmail.com**

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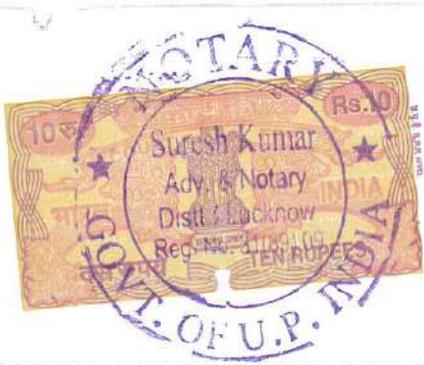
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2247



REPLY AFFIDAVIT OF JOINT DIRECTOR GEOLOGY & MINING DEPARTMENT GOVERNMENT OF UTTAR PRADESH IN COMPLIANCE OF THE ORDER DATED 16.09.2025 PASSED BY THIS HON'BLE TRIBUNAL

On behalf of the Respondent No. 3 herein states as under: -

MOST RESPECTFULLY SHOWETH: -

I, Dr. Rajesh Kumar Singh, aged about 55 years, posted as Joint Director Geology and Mining Department, Government of Uttar Pradesh do hereby solemnly affirm and state on oath as under:-

1. That I am the above-mentioned answering on behalf of Respondent No. 3 and is duly competent to file the present reply affidavit. That the Deponent is well conversant with the facts and the circumstances of the instant case and is competent to swear this reply affidavit.
2. That the Deponent has read and understood the contents of the present reply affidavit.
3. That the contents of the present reply affidavit have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.
4. That this Hon'ble Tribunal, vide its order dated 16.09.2025, was pleased to issue the following directions: -

.....4. The Learned Counsel for the State of Uttar Pradesh also submits that he will place on record the loss of revenue which the State may suffer on account of stoppage of such short-term permits for removal of the sand accumulated due to flood on the agricultural lands.

5. List on 12.11.2025."

Suresh Kumar

Sworn and Verified
before me
Suresh Kumar
SURESH KUMAR
Advocate & Notary Public
W-175KA/14, Neshanpur, Devi Das Marg
Twaiganj Chowk, Lucknow

5. That the present reply affidavit is being filed in respectful compliance of order dated 16.09.2025 passed by this Hon'ble Tribunal.
6. That under Rule 52 of the Uttar Pradesh Minor Minerals (Concession) Rules, 2021, a provision has been made whereby a land-holder of agricultural land is permitted to obtain a mining permit for the removal of sand, morrum, bajri, boulder, or any combination thereof deposited upon his land, with the objective of rendering the said land fit for cultivation and enabling timely agricultural operations.
7. That since agricultural activities are inherently time-bound, the non-issuance of such a mining permit would adversely affect the timely conduct of agricultural operations. Moreover, such a situation may also give rise to the possibility of unauthorized or illegal removal of minor minerals.
8. That in light of the aforementioned facts and circumstances, in order to facilitate timely agricultural operations and to prevent the likelihood of illegal removal of minor minerals, it is imperative that the provision & system of issuing permits under Rule 52 of the Uttar Pradesh Minor Minerals (Concession) Rules, 2021, be duly maintained.

The details of the short term mining permits under Rule 52 of the Uttar Pradesh Minor Minerals (Concession) Rules, 2021, granted during the preceding six years (based on the departments portal) are as follows: —

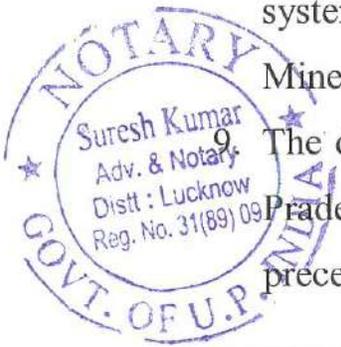
S. NO.	FINANCIAL YEAR	NUMBER OF PERMISSIONS GRANTED UNDER RULE 52
1.	2020-21	65
2.	2021-22	168
3.	2022-23	300
4.	2023-24	258
5.	2024-25	155
6.	2025-26	0

Suresh Kumar

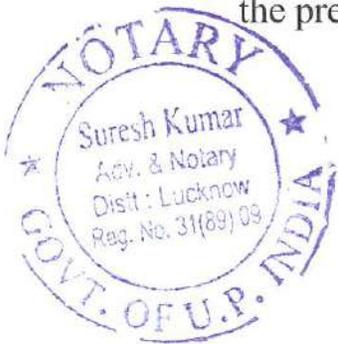
Sworn and Verified
before me

SURESH KUMAR

Advocate & Notary Public
C-175KA/14, Near Major Devi Das Marg,
Wajganj Chowk, Lucknow



10. That Rule 52 in the Uttar Pradesh Minor Minerals (Concession) Rules, 2021, helps strike a balance between the regulatory control over minor minerals and the legitimate right of land-holders to utilize their land for time bound agricultural purposes. The said rule ensures that minor minerals deposited naturally, does not obstruct agricultural productivity of land.
11. That it is further submitted that such permissions have been consistently granted in previous years by the competent authority in conformity with the aforesaid rule, thereby establishing a consistent administrative practice that ensures both compliance with the regulatory framework and the protection of agrarian rights.
12. That a failure or undue delay in the issuance of such mining permits would amount to defeating the very purpose of Rule 52 and may also result in arbitrary denial of a right conferred under the statutory scheme and would be contrary to the spirit of the Rules.
13. That moreover, the regulated issuance of permits under Rule 52 ensures that the removal remains within the bounds of legality and environmental oversight, thereby preventing ecological degradation and unlawful mining practices that are otherwise likely to occur in the absence of such regulatory control.
14. That it is most respectfully prayed before this Hon'ble Tribunal that the instant reply affidavit may be taken on record for proper adjudication of the present original application, in the interest of justice.



[Handwritten Signature]

DEPONENT

Sworn and Verified
before me
[Handwritten Signature]
SURESH KUMAR
Advocate & Notary Public
A. 7/125KA/14, Near Major Devi Das Marg
[Ward-20] Chhok, Lucknow

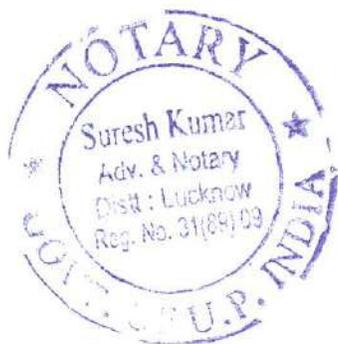
VERIFICATION

I, the deponent above named do hereby verify and state that the contents of the foregoing paragraphs of the above application are true to the best of my knowledge and belief, no part of it is false and nothing material has been concealed there from.

On this 11th day of Nov, 2025.



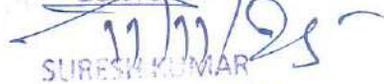
DEPONENT



Identify the deponent/executed who has/have signed before me.

11/11/25

Sworn and Verified before me



SURESH KUMAR

Advocate & Notary Public

W-7/175KA/14, Near Major Devi Das Marg,

Inwaiganj Chowk, Lucknow