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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 556/2023

IN THE MATTER OF:

ARUN TIWARI

.....APPLICANT

VERSUS

STATE OF UTTAR PRADESH & OTHERS

.....RESPONDENT(s)

INDEX

S.No.	PARTICULARS	PAGE NO.
1.	RESPONSE ON BEHALF OF RESPONDENT NO. 3 IN COMPLIANCE OF THE ORDER DT. 21.03.2025 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL	
	ANNEXURES	
2.	COPY OF THE LETTER DT. 09.07.2025 ANNEXED HEREWITH AS ANNEXURE A-1	
4.	COPY OF THE LETTER DT. 15.07.2025 ANNEXED HEREWITH AS ANNEXURE A-2	
5.	COPY OF THE LETTER DT. 10.03.2025 ANNEXED HEREWITH AS ANNEXURE A-3	
6.	COPY OF THE LETTER DT. 18.06.2025 ANNEXED HEREWITH AS ANNEXURE A-4	

2201

THROUGH COUNSEL

A handwritten signature in blue ink, appearing to read 'Bpsjadon', with a long horizontal stroke extending to the right.

BHANWAR PAL SINGH JADON

STANDING COUNSEL FOR STATE OF U.P.

EMAIL- bhanwar09jadon@gmail.com

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DATE: 19.07.2025

PLACE: NOIDA

2202

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RESPONSE ON BEHALF OF RESPONDENT NO. 3 IN COMPLIANCE
OF THE ORDER DT. 21.03.2025 PASSED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL

I, Imraan Ali, aged about 45 years, S/o Mr. Usman Ali, posted as Regional Officer, Uttar Pradesh Pollution Control Board, Jhansi do hereby solemnly affirm and state as under:

1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and am competent and authorized to swear the present affidavit.



2. That I state that the contents of the 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.

I. BACKGROUND OF THE MATTER

3. That in the present matter, the issue pertains to the illegal mining of soil upto the depth of 10-15 meters from the farmer's land by the Project Proponent during the course of construction of Bundelkhand Expressway project in collusion with the officers of UPEIDA. The allegation of the applicant is that on account of said illegal mining, not only the quality of road has suffered but illegally dug up pits are becoming a hazard, and illegal mining in the fields of agriculturists has been done even without their permission.

4. That the above captioned matter was last listed for hearing on 21.03.2025, wherein the Hon'ble Tribunal directed as under:

“...4. It has been pointed out that EC of Rs. 1,34,25,000/- was imposed upon the Project Proponent-Respondent no. 6 by order dated 10.03.2025 by the UP PCB (Page 2047) but it could not be demonstrated that while calculating the EC the extent of illegal mining by the Respondent No. 6 was taken into account. Learned counsel for the UP PCB submits that this issue will be duly considered by the UP PCB and a fresh report



will be filed before the Tribunal within two weeks. The UPPCB in the said report will also disclose the restoration measures taken to ensure the area where illegal mining was done is restored to its original position..."

II. FRESH SHOW CAUSE NOTICE BY UPPCB IN COMPLIANCE OF THE HON'BLE TRIBUNAL'S DIRECTIONS

5. That in pursuance to the order dated 21.03.2025 passed by this Hon'ble Tribunal, the UPPCB vide its letter dated 12.06.2025 has issued a fresh show cause notice for imposing an Environmental Compensation (EC) against the M/s Gawar Construction, Limited, SF-01, JMD Galleria, Sector-48, Sohna Road, Gurgaon-122001 (Haryana) in accordance to the "Approach-2" of the Guideline dated 29.01.2020 issued by the CPCB for imposition of Environmental Compensation titled "Recommendations on Scale of Compensation to deal with the cases of illegal sand mining".

III. IMPOSITION OF ENVIRONMENTAL COMPENSATION

6. That further in pursuance to the show cause notice dated 12.06.2025, the UPPCB vide its letter dated 09.07.2025 has imposed an Environmental Compensation (EC) of Rs. 2,76,99,185/- against the project proponent in question.

A Copy of the letter dt. 09.07.2025 has been annexed herewith as

ANNEXURE A-1.



[Handwritten signature]

IV. ENVIRONMENTAL COMPENSATION DEPOSITED

7. That further it is also pertinent to mention here that with reference to the imposed EC, the project proponent has deposited the total amount of EC of Rs. 2,76,99,185/- on 14.07.2025 and informed vide letter dated 15.07.2025 to the UPPCB.

A Copy of the Letter dated 15.07.2025 has been annexed herewith as **ANNEXURE A-2.**

V. SUBMISSION AND APPROVAL OF REMEDIATION PLAN

8. That it is pertinent to mention that UPPCB has written a letter dt. 10.03.2025 to the Project Proponent. That vide the said letter it was requested to the Project Proponent for approval of the Remediation Plan prepared by Dr. Devendra Kumar Agrawal, former Expert Member, NGT, regarding illegal mining during the construction of the Bundelkhand Expressway. That the letter further states that the said Remediation Plan is agreed to with the condition that all remedial works described in the plan shall be completed by the Project Proponent at their own expense and a completion report of the said works shall be submitted to the UPPCB.

A Copy of the letter dt. 10.03.2025 has been annexed herewith as **ANNEXURE A-3.**



9. That in response to the aforementioned letter, the Project Proponent has submitted a compliance report vide letter dt. 18.06.2025 with respect to the stabilization of the boundaries of the borrow areas by reshaping the vertical cuts to maintain an appropriate slope ratio and carrying out extensive plantation of vetiver grass on the embankments to prevent erosion and enhance slope stability in accordance with the Remediation Plan.

A Copy of the letter dt. 18.06.2025 has been annexed herewith as **ANNEXURE A-4.**

10. That the deponent is duty bound to fulfil the obligation which are assigned under the law and directions passed by this Hon'ble Tribunal. The Deponent is fully committed to ensure strict adherence to the orders of this Hon'ble Tribunal and undertakes to faithfully comply with any further directions or instructions that may be issued by this Hon'ble Tribunal, without demur or delay. To upkeep the majesty of the Hon'ble Courts of law is always the duty concern for deponent herein.

11. That in light of the above, the UPPCB has ensured necessary compliance in strict adherence to the directions issued by the Hon'ble Tribunal



12. Hence, the present affidavit is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.


DEPONENT

VERIFICATION

Verified at Jhansi on this 18th day of July, 2025, that the contents of the above affidavit from paragraphs 1 to 12 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.


DEPONENT



3660/2025
I certify that the foregoing statement was read over and explained and who is identified by Shri.....
Received the legal fee Rs. 35.00 each

RAJESH DWIVED
ADVOCATE
NOTARY, JHANSI DIST.


18/7/2025

2208

241
15/07/25
Annexure-1

3434

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD
T.C/12V, Vibhuti Khand Gomti Nagar, Lucknow -226010
Phone: 2720831, 2720828 Fax: 0522 - 2720764
Email: info@uppcb.in - Web Site: www.uppcb.in

संदर्भ सं० H.30006

/सी-2/ NGT-684/25

दिनांक 9-7-2025

जिलाधिकारी
14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-12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28-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2569-2570-2571-2572-2573-2574-2575-2576-2577-2578-2579-2580-2581-2582-2583-2584-2585-2586-2587-2588-2589-2590-2591-2592-2593-2594-2595-2596-2597-2598-2599-2600-2601-2602-2603-2604-2605-2606-2607-2608-2609-2610-2611-2612-2613-2614-2615-2616

Sub-Contractor with the Mining Department....."

उपरोक्तानुसार वर्णित तथ्यों से स्पष्ट है कि आप द्वारा एक्सप्रेस वे के निर्माण हेतु निर्गत पर्यावरणीय स्वीकृति दिनांक 23.11.2019 में मिट्टी खनन हेतु अनुमन्य मात्रा से अधिक मिट्टी खनन का कार्य किया गया है। अतः आप द्वारा प्रस्तुत प्रत्यावेदन दिनांक 30.05.2025 बलहीन एवं असंतोषजनक होने के कारण निस्तारित किया जाता है।

यह कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या 556/2024 (अरुण तिवारी बनाम उत्तर प्रदेश) में आच्छादित परियोजना मेसर्स गावर कन्सट्रक्शन लिमिटेड, एस0एफ0-1, जे0एम0डी0 गलेरिया, सेक्टर-48, सोहना रोड, गुरुगॉव-122001 (हरियाणा)के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्रांक CM-13011/10/2024-LAW-HO-CPCB-HO-CPCB-HO/5802 दिनांक 28.10.2020 द्वारा राज्य बोर्ड को वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा-18(1)(बी) के अन्तर्गत निम्न निर्देश जारी किय गये:-

ii. to initiate actions immediately for appropriate punitive action as applicable under the law, including levying and realization of environmental compensation, for violation of provisions of environmental laws as mentioned in above paragraphs, after duly following the principle of natural justice;

यह कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 सं0 556/2023 अरुण तिवारी बनाम स्टेट ऑफ यू0पी0 एवं अन्य में पारित आदेश दिनांक 21.03.2025 के सुसंगत अंश निम्नवत् है:-

".....It has been pointed out that EC of Rs- 1,34,25,000/- was imposed upon the Project Proponent - Respondent no. 6 by order dated 10-03-2025 by the UP PCB (Page 2047) but it could not be demonstrated that while calculating the EC the extent of illegal mining by the Respondent No. 6 was taken into account. Learned counsel for the UPPCB submits that this issue will be duly considered by the UPPCB and a fresh report will be filed before the Tribunal within two weeks....."

यह कि अधीक्षण अभियन्ता, लखनऊ वृत्त, लोक निर्माण विभाग, लखनऊ के कार्यालय ज्ञाप दिनांक 30.04.2025 में मानक अनुसूची दर के अन्तर्गत साधारण मृदा का मूल्य रु0 12 प्रति घनमीटर निर्धारित किया गया है जिसमें कॉर्टेज, लोडिंग, आनलोडिंग एवं स्टैकिंग चार्जेस भी सम्मिलित है, किन्तु उक्त चार्जेस को पृथक-पृथक रूप से निर्धारित नहीं किया गया है। अग्रेतर यह भी अवगत कराना है कि अनु सचिव, लोक निर्माण अनुभाग-11, लोक निर्माण विभाग, उ0प्र0 शासन के पत्र दिनांक 12.03.2025 के माध्यम से जनपद चन्दौली-धरौली मार्ग (अन्य जिला मार्ग) दो लेन मार्ग पर गेट निर्माण एवं प्रकाश व्यवस्था कार्य की वित्तीय स्वीकृति लोक निर्माण विभाग द्वारा की गयी है। उक्त कार्य के एनालिसिस ऑफ रेट के अन्तर्गत Compensation for Earth taken from Private Land हेतु साधारण मृदा दर रूपया 7.00 प्रति घन मीटर निर्धारित है। तदानुसार साधारण मृदा का मूल्य रु0 7.00 प्रति घनमीटर मानते हुए केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा अवैध खनन हेतु पर्यावरणीय क्षतिपूर्ति के संबंध में तैयार की गयी मार्गदर्शिका दिनांक-29.01.2020 शीर्षक

Recommendations on Scale of Compensation to deal with the cases of illegal sand mining के अनुसार पर्यावरणीय क्षतिपूर्ति रू0 2.7699185 करोड़ आंकलित होती है।

यह कि उपरोक्त वर्णित तथ्यों के दृष्टिगत राज्य बोर्ड के क्षेत्रीय अधिकारी, झांसी द्वारा पत्र दिनांक 03.07.2025 एवं 08.07.2025 के माध्यम से परियोजना मैसर्स गावर कन्सट्रक्शन लिमिटेड, एस0एफ0-1, जे0एम0डी0 गलेरिया, सेक्टर-48, सोहना रोड, गुरुगॉव द्वारा एक्सप्रेस वे के निर्माण हेतु निर्गत पर्यावरणीय स्वीकृति दिनांक 23.11.2019 में मिट्टी खनन हेतु अनुमन्य मात्रा से अधिक मिट्टी खनन का कार्य किये जाने के फलस्वरूप आपके विरुद्ध रू0 2.7699185 करोड़ (रू0 दो करोड़ छिहत्तर लाख निम्नानवे हजार एक सौ पचासी मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की संस्तुति की गयी है।

अतः उपरोक्त वर्णित तथ्यों एवं राज्य बोर्ड के क्षेत्रीय अधिकारी, झांसी द्वारा प्रेषित संस्तुति के दृष्टिगत संक्षम स्तर से अनुमोदनोपरान्त कारण बताओ नोटिस दिनांक 12.06.2025 की पुष्टि करते हुए परियोजना मैसर्स गावर कन्सट्रक्शन लिमिटेड, एस0एफ0-1, जे0एम0डी0 गलेरिया, सेक्टर-48, सोहना रोड, गुरुगॉव के विरुद्ध एक्सप्रेस वे के निर्माण हेतु निर्गत पर्यावरणीय स्वीकृति दिनांक 23.11.2019 में मिट्टी खनन हेतु अनुमन्य मात्रा से अधिक मिट्टी खनन का कार्य किये जाने के फलस्वरूप पर्यावरणीय क्षतिपूर्ति धरराशि रू0 2.7699185 करोड़ (रू0 दो करोड़ छिहत्तर लाख निम्नानवे हजार एक सौ पचासी मात्र) अधिरोपित की जाती है तथा निर्देशित किया जाता है कि उक्त पर्यावरणीय क्षतिपूर्ति की धनराशि विलम्बतम् 15 दिवस में निम्नलिखित Payment Gateway एवं विवरण के माध्यम से जमा किया जाना सुनिश्चित किया जाये:-

Payment Gateway- <http://erp.eshiksa.net/DirectFeesv3/UPPCB>
Nature of Pollution-Air Pollution
EC imposed in Compliance-NGT Order

सक्षम अधिकारी के अनुमति से निर्गत।
Digitally signed by
ATULESH YADAV
Date: 09.07.2025
मुख्य पर्यावरण अधिकारी (वृत्त-2)
15:15:02

प्रतिलिपि:-

1. जिलाधिकारी, झांसी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. क्षेत्रीय अधिकारी उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झांसी को इस निर्देश के साथ कि उद्योग से पर्यावरणीय क्षतिपूर्ति की धनराशि निर्धारित समयावधि में प्राप्त न होने की स्थिति में भू-राजस्व की भांति वसूली की कार्यवाही हेतु प्रस्ताव जिलाधिकारी के समक्ष प्रस्तुत किये जाने की कार्यवाही सुनिश्चित की जायें।



GAWAR

Construction Limited

CIN: U70109HR2008PLC037773

Annexure-2
GAWAR CONSTRUCTION LIMITED

SF-01, JMD Galleria,
Sector-48, Sohna Road,
Gurugram - 122001 (Haryana)
Mob.: +91-7303504555
Ph.: (0124) 4854000
Fax : (0124) 4854001/02
Web.: www.gawar.in
E-mail : gcl@gawar.in

Date: July 15, 2025

Chief Environmental Officer,
Uttar Pradesh Pollution Control Board, Circle-2
T.C/12V, Vibhuti Khand Gomti Nagar,
Lucknow- 226010

- Sub:** Reply to notice/letter dated July 9, 2025
- Ref:**
1. Show Cause Notice dated June 12, 2025 bearing No. 29157/C-2/ NGT- 684/25
 2. Our reply dated June 30, 2025
 3. Your letter date July 9, 2025 bearing No.H 30006/C-2/ NGT- 684/25

Dear sir,

We, Gawar Construction Ltd. ("**GCL**" / "**we**" / "**us**" / "**our**" as the context may apply) draw your kind attention to the captioned Subject and mentioned references.

The letter (**Ref No.3**) dated July 9, 2025 bearing ref no. H 30006/C-2/ NGT- 684/25 from your good offices (the "**Letter**") was received by us. By way of this reply ("**Reply**"), we set out the steps taken in compliance of the Letter and also, the true and correct factual position:

1. The contents of our letter dated June 30, 2025 (**Ref No.2**), which was sent in reply to your letter dated June 12, 2025 (**Ref No.1**) are deemed to be incorporated as part and parcel of the present Reply and have not been repeated for brevity.
2. The present Reply is without prejudice to our rights to submit a detailed reply on merits to the Notice dated June 12, 2025 (**Ref No.1**) and/or the Letter dated July 9, 2025 (**Ref No.3**)- should the need arise.
3. By the Letter dated July 9, 2025 (**Ref No.3**), GCL been directed to deposit an amount of INR 2,76,99,185/- (Indian Rupees Two Crore Seventy Six Lakh Ninety Nine Thousand One Hundred Eighty Five Only) towards compounding/closure/environmental compensation ("**EC**") for alleged extra mining of ordinary earth/soil.

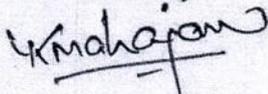
Page 1 of 3

4. In the said Letter, it has also been stated that GCL's letter dated June 30, 2025 (**Ref No.2**) is 'weak' and disregarded. We submit that the contents of our letter dated June 30, 2025 (**Ref No.2**) are correct and reiterated. The fact is that the manner of computation of the EC was arbitrary and that there has been no proof, specifics or any adjudication that GCL has committed any wrongdoing. We once again make it clear that GCL not carried out any illegal mining, as alleged or otherwise. Nor is there any such admission in our letter dated June 30, 2025 (**Ref. No.2**).
5. First and foremost, we humbly submit that we had no knowledge, belief or impression of any illegal mining being carried out. The mining works in the present project were carried out by our sub-contractor M/s. Adarsh Badli Construction Pvt. Ltd ("**Adarsh**"), having its office at D-403, GH-45, Alakhananda, GHS, Gurugram (Haryana) and not by us.
6. We are a prudent contractor which prides itself on timely execution of projects and extending all cooperation with authorities. We make it clear that we have never received any prior communication in respect of the accusations of alleged illegal mining. Nor has there been an adjudication in accordance with law that we have committed any illegal mining.
7. Nonetheless, since our company is business driven, we do not wish to prolong this matter or escalate it to adversarial litigation. While we are firm in our position that we have not committed any wrongdoing we would like to amicably resolve the matter - making it clear that there has been no wrongdoing on our part.
8. Having set out the true and correct facts, you may kindly note that the directions in the Letter dated July 9, 2025 (**Ref No.3**) issued by your good offices have been complied.
9. It is brought to your kind attention that our subcontractor has deposited the amount of INR 2,76,99,185/- as directed by way of NEFT/RTGS on July 14, 2025 with Transaction ID: 250714235644218. A challan/receipt dated July 14, 2025 recording the said deposit was also generated/issued from the UP PCB's 'Online Environmental Compensation Payment Portal'. A copy of the payment challan/receipt generated/issued from the UP PCB's 'Online Environmental Compensation Payment Portal' is enclosed as **Annexure 1**. A copy of the NEFT/RTGS Bank statement is enclosed as **Annexure 2**.

10. Hence, in view of this compliance, we would request you to kindly consider the matter closed and pass a final adjudication of compounding/closure. This compliance should close/compound and/or amicably settle, any and all matters relating to and/or arising out of the notice dated June 12, 2025 (Ref No.1) and present letter dated July 9, 2025 (Ref No.3) and any other notice/communication and/or action which is not in the knowledge of GCL and all environmental/mining issues related to works in Package IV (KM 149 to 200) and Package V (KM 200 to 250) of the "Bundelkhand Expressway" i.e. a 296.07km 04 Lane (extendible to 06 lane) access controlled expressway starting in District Chitrakoot and ending near village Kudrail in district Etawah.
11. Accordingly, in view of the aforesaid compliance, it is humbly submitted that there remains nothing against GCL or any of our sub-contractors.
12. We submit that the actions in the present matter i.e. compliance with the Letter dated July 9, 2025 (Ref No.3) have been taken under the knowledge, belief and understanding that it only to facilitate amicable closure/compounding. Any such action does not amount to nor should be taken as admission of any guilt or wrongdoing by GCL in any manner whatsoever. It is a settled position of law that compounding a charge does not amount to admission of guilt or a conviction. The purpose of compounding is to prevent litigation and encourage early settlement of issues. In fact, the consequence of compounding is acquittal. It is in the background that the present acts of compliance were undertaken.
13. The present Reply is without prejudice to our rights and remedies under law and equity and does not amount to nor shall be construed as any admission of guilt or wrongdoing. We reiterate and reaffirm our position that we have not committed any wrongful/illegal mining (as alleged or otherwise).

We trust this is to your satisfaction and are happy to cooperate with your good offices should anything else be required.

Yours sincerely



Authorized signatory



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD



Online Environmental Compensation Payment Portal

name
GAWAR CONSTRUCTION LIMITED

email
ceoadmin@uppcb.in

nature_of_pollution
Air Pollution

district
Jhansi

amount_EC_imposed
27699185

amount
27699185

txnId
eshf_6874fa54337da16771752496724

paymentMode
NEFTRTGS

mobile
9582807022

industry_address
SF-1,JMD GALERIYA, Sector-48, SOHANA ROAD, GURGAON-122001

regional_offices
Jhansi

EC_imposed_by_compliance
NGT Order

amount_EC_imposed_word
Two Crore Seventy Six Lakh Ninety Nine Thousand One Hundred Eight

amount_word
Two Crore Seventy Six Lakh Ninety Nine Thousand One Hundred Eight

Payment Date
14-07-2025

Status
Success

Note :- Computer Generate Receipt & No Signature Required.



NEFT/RTGS Challan

Account Name: UTTAR PRADESH POLLUTION CONTROL BOARD

Account Number : ICL50714235644218

IFSC Code : ICIC0000103

Bank Name : ICICI Bank Ltd

Branch Name : RPC Mumbai

Date :14/07/2025

Total amount payable Rs :27699185.00

Payment Details

PGAmount	27699185.00
Convenience Fee	0.00
GST	0.00

Payer Details

Reference No	eshf_6874fa54337da 16771752496724
SubMerchant Id	1677

Notes:

1. Please verify content of RTGS/NEFT instruction slip generated for accuracy.
2. Post taking print out of RTGS/NEFT instruction slip, visit to your bank for remitting the fund through RTGS/NEFT.
3. You may also add Account Number as payee in your Internet Banking for remitting the fund through RTGS/NEFT.
4. While making payments ensure to:
 - i. Initiate the payment well before the late-fee is applicable and/or before the last payment due date.
 - ii. Avoid any mismatch/incorrect input of an Account Number or IFSC.
 - iii. Ensure to remit funds equal to the total amount, only.
 - iv. Avoid multiple payments with the same Account Number.
5. Any of the above error will lead to a failure/delay in the settlement or refund of the funds to the Merchant Account, for which ICICI Bank will not be responsible.
6. For any refund/claim please contact your Merchant/Institute, only.

Customer Copy (To be filled by Bank official)

Transaction ID : 250714235644218

Date : 14/07/2025

Paymode : NEFT/RTGS Challan

Amount Collected : 27699185.00

Please check the status of the payment by login to

<https://www.eazypay.icicibank.com/Transaction Status/>



M/S. ADARSHBADLI CONSTRUCTION PRIVATE LIMITED
 C/O ADARSHBADLI CONSTRUCTION PRIVAT
 GH-45 D-403 ALAKHANANDA CO GHS
 GURGAON NEAR ANAND APARTMENTS
 GURGAON 122011
 HARYANA INDIA
 JOINT HOLDERS :

Nomination : Not Registered

Account Branch : PALM SQUARE SECTOR 66
 Address : GF 2 & 3, PALM SQAURE SECTOR-66
 GOLF COURSE EXTENSION
 GURGAON, HARYANA
 City : GURGAON 122002
 State : HARYANA
 Phone no. : 18002600/18001600
 OD Limit : 6,300,000.00
 Currency : INR
 Email : AAJITGULIA@GMAIL.COM
 Cust ID : 117265517
 Account No : 50200034046077 Imperia
 A/C Open Date : 04/10/2018
 Account Status : Regular
 RTGS/NEFT IFSC: HDFC0009110 MICR : 110240492
 Branch Code : 9110
 Account Type : SUPREME CURRENT ACCOUNT(873)

From : 14/07/2025

To : 15/07/2025

Statement of account

Date	Narration	Chq./Ref.No.	Value Dt	Withdrawal Amt.	Deposit Amt.	Closing Balance
14/07/25	REF-CCAMAKEMYTRI-113830241682-1/7/25	0000000000000000	14/07/25		370.00	-5,644,660.06
14/07/25	A2AINT01--A2A_24988559-00600350111290-AD ITYA BIRLA CAPITAL LIMITED	0000001147899292	14/07/25		1,000,000.00	-4,644,660.06
14/07/25	HIMALAYAN INFRACOP PRIVATE LTD BR	0000507144852617	14/07/25		13,558,474.00	8,913,813.94
14/07/25	RTGS CR-ICIC0003889-M K E CONSTRUCTIONS AND ENGINEERS P-ADARSHBADLI CONSTRUCTION	ICICR52025071400 681193	14/07/25		19,568,578.00	28,482,391.94
14/07/25	PRIVATE LI-ICICR52025071400681193 NEFT - SBIN0000621 - C74811140725175623 - - 32773022427 - TIRUPATI VEHICLES PVT LTD	HDFCN52025071454 909566	14/07/25	11,387.00		28,471,004.94
14/07/25	113851942394/CCAMAKEMYTRIPINDIAPR	0000251959780409	14/07/25	20,060.00		28,450,944.94
15/07/25	RTGS DR-ICIC0000103-UTTAR PRADESH POLLUT ION CONTROL BOA-CBX INTERNET-HDFCR520250 71590805368-C28416140725190018	HDFCR52025071590 805368	15/07/25	27,699,185.00		751,759.94

STATEMENT SUMMARY :-

Opening Balance
-5,645,030.06

Dr Count
3

Cr Count
4

Debits
27,730,632.00

Credits
34,127,422.00

Closing Bal
751,759.94

Generated On: 15-Jul-2025 11:02

Generated By: 117265518

Requesting Branch Code: NET

This is a computer generated statement and does not require signature.

HDFC BANK LIMITED

*Closing balance includes funds earmarked for hold and uncleared funds

Contents of this statement will be considered correct if no error is reported within 30 days of receipt of statement. The address on this statement is that on record with the Bank as at the day of requesting this statement.

State account branch GSTIN:06AAACH2702H1Z4

HDFC Bank GSTIN number details are available at <https://www.hdfcbank.com/personal/making-payments/online-tax-payment/goods-and-service-tax>.

Registered Office Address: HDFC Bank House, Senapati Bapat Marg, Lower Parel, Mumbai 400013

2217

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड Annexure-3
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No.

1/25/28/2/14GT-684/25

दिनांक
Date

10-3-25

सेवा में,

मैसर्स गावर कन्स्ट्रक्शन लिमिटेड,
एस0एफ0-1, जे0एम0डी0 गलेरिया, सेक्टर-48, सोहना रोड,
गुरुग्राम, हरियाणा।

विषय- Development of Bundelkhand Expressway (Package-IV) From Baroli Kharka (Dist, Hamirpur) to Saalabad (Dist. Jalaun) (Km 149+000 to Km 200+000) in the State of Uttar Pradesh on EPC Basis. Submission of Detailed Report Regarding Remediation Action Plan-Reg.

महोदय,

कृपया उपरोक्त विषयक अपने पत्र संख्या जीसीएल/बुन्देलखण्ड/एफ-509/ईई/एफवाई. 2024-25/3686 दिनांक 30.01.2025 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या 556/2024 अरुण तिवारी बनाम उत्तर प्रदेश में पारित आदेश के अनुपालन में बुन्देलखण्ड एक्सप्रेस-वे के निर्माण में अवैध माइनिंग किये जाने के सम्बंध में आप द्वारा डा0 देवेन्द्र कुमार अग्रवाल, पूर्व एक्सपर्ट मेम्बर, एन0जी0टी0 द्वारा तैयार रेमेडियेशन प्लान को स्वीकृत किये जाने की अपेक्षा की गयी है।

उक्त रेमेडियेशन प्लान को इस शर्त के साथ सहमति व्यक्त की जाती है कि रेमेडियेशन प्लान में वर्णित कार्यों के अनुरूप रेमेडियल कार्यों को आपके द्वारा अपने स्वयं के व्यय पर प्रत्येक दशा में 03 माह की समयवधि में पूर्ण करना सुनिश्चित करते हुए कार्य पूर्ण होने की आख्या बोर्ड को प्रेषित की जाये।

सक्षम अधिकारी से अनुमोदनोपरान्त पत्र निर्गत।

भवदीय,

Atul Singh Yadav
(अतुलेश यादव)

मुख्य पर्यावरण अधिकारी (वृत्त-2)

प्रतिलिपि:- क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झांसी को इस निर्देश के साथ प्रेषित कि रेमेडियल कार्यों को पूर्ण कराना सुनिश्चित करते हुए 03 माह के पश्चात सत्यापन आख्या बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

Atul Singh Yadav
(अतुलेश यादव)

मुख्य पर्यावरण अधिकारी (वृत्त-2)

टी.सी. - 12 वी, विभूति खण्ड, गोमती नगर,
लखनऊ - 226010
दूरभाष : 0522-2720828, 2720831
फैक्स : 0522-2720764, 2720676
ई-मेल : info@uppcb.in
वेबसाइट : www.uppcb.in

T.C.-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
Phone : 0522-2720828, 2720831
Fax : 0522-2720764, 2720676
E-mail : info@uppcb.in
Website : www.uppcb.in



GAWAR

Construction Limited

CIN: U70109HR2008PLC037773

2218 8/06/25 GAWAR CONSTRUCTION LIMITED

Annexure 4
S-01, MID Galleria,
Sector-48, Sohna Road,
Gurgaon - 122001 (Haryana)
Ph.: (0124) 4854000
Fax: (0124) 4854001/02
Web: www.gawar.in
E-mail: gcl@gawar.in

GCL/Bundelkhand/F-509/AE/FY2025-26/3801

Date: 18.06.2025

To
The Regional Officer,
Uttar Pradesh Pollution Control Board,
Jhansi, U.P.

Sub: Development of Bundelkhand Expressway (Package-IV) From Baroli Kharka (Dist. Hamirpur) to Saalabad (Dist. Jalaun) (Km 149+000 to Km 200+000) in the State of Uttar Pradesh on EPC Basis. **Submission of Progress Report Regarding Implementation of Remediation Measures for Illegal Mining Sites -Reg.**

Ref:

1. DM Office Jalaun Letter No. 1877/Khanij-M.M.C.-30, dated 08.11.2024
2. Mining Officer Letter No. 1904/Khanij-M.M.C.-30, dated 16.11.2024
3. Your Letter No. H20005/C-2/-684/24, dated 21.11.2024
4. Our Letter No. GCL/Bundelkhand/F-509/AE/FY2024-25/3649, dated 15.12.2024
5. Our Letter No. GCL/Bundelkhand/F-509/AE/FY2024-25/3686, dated 30.01.2025
6. Mining Office Letter No. 2287/Khanij-MMC-30, dated 19.02.2025
7. UPPCB Letter No. H25528/C-2/NGT-684/25, dated 10.03.2025

Dear sir,

We would like to draw your kind attention towards the directive received from your office, instructing us to prepare and submit a time-bound remediation action plan in coordination with the Mining Department and UPPCB, for the restoration of illegally mined sites observed along the Bundelkhand Expressway (Package-IV).

In compliance with this directive, M/s Gawar Construction Ltd. engaged Dr. Devendra Kumar Agrawal, Former Expert Member (NGT), as the Environmental Specialist to assess the impacted mining areas and prepare a comprehensive remediation plan. This plan was duly submitted vide our letter u/r (5) to the District Mining Officer, Orai (Jalaun) and your esteemed office. The plan has since been reviewed and approved by both departments vide letter u/r (6&7) respectively.

Accordingly, we have initiated the prescribed remedial measures as per the approved remediation plan and in accordance with the guidelines of your office. Key remedial procedures as outlined and adopted from the remediation plan i.e., Stabilizing the boundaries of borrow areas by reshaping the vertical cuts maintaining slope ratio and undertaking extensive plantation of Vetiver grass on embankments to arrest erosion and improve slope stability.

Following the commencement of these works, the representative from your office visited the site on 31.05.2025 and provided technical guidance to ensure the work aligns with the approved remediation methodology. As advised during the visit, special emphasis is being placed on achieving vegetative cover during the monsoon through grass planting and sustainable green development.



We are enclosing herewith the summary of current progress, including Gata-wise photographic documentation, for your kind consideration and as a token of work initiation in line with the approved remediation plan. We assure you that the remaining work will be completed within the stipulated timeline, and a final compliance report shall be submitted after completion.

We request you to kindly take note of the progress and accord further instructions, if any. This is for your information, record and further necessary action.

Thanking you and assuring best of our services at all times.

With regards

For Gawar Construction Limited



Authorized Signatory

Enc: As Above

Copy to:

- 1. The Chief Environmental Officer, Circle-2, UPPCB, Lucknow**
- 2. The Mining Officer, Orai, Jalaun.**
- 3. Gawar Construction Limited, H.O., Gurugram, Haryana**

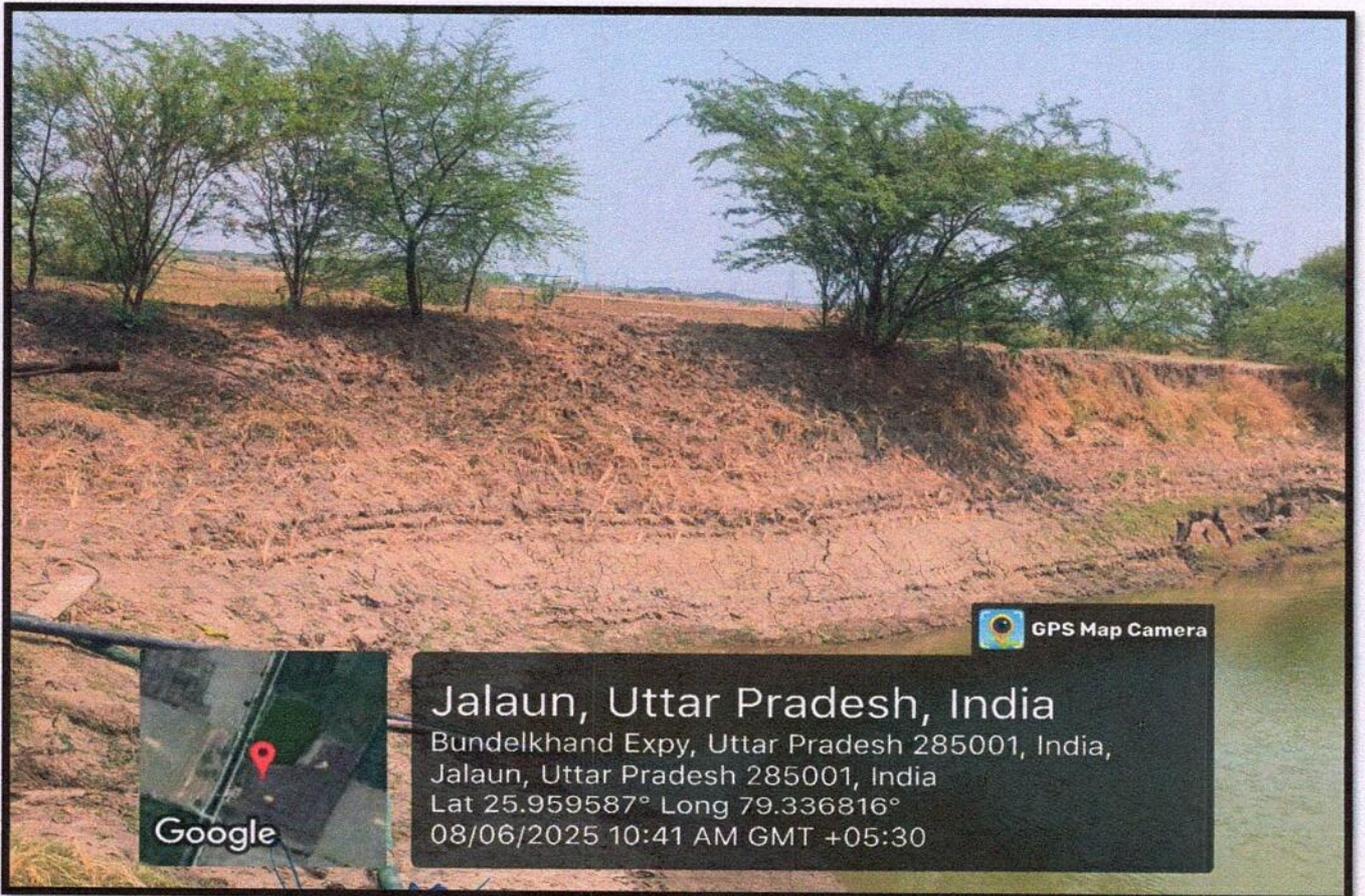
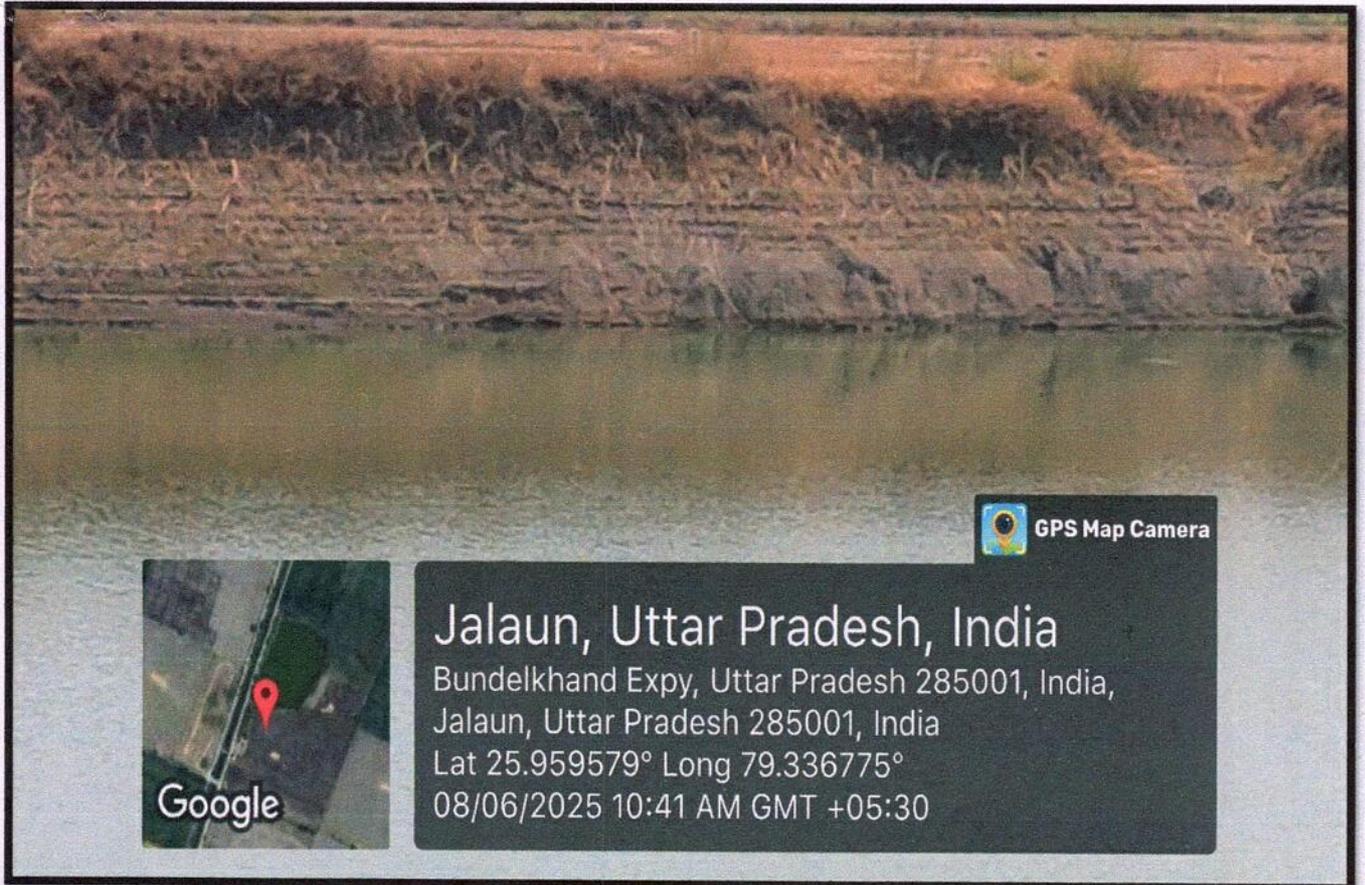
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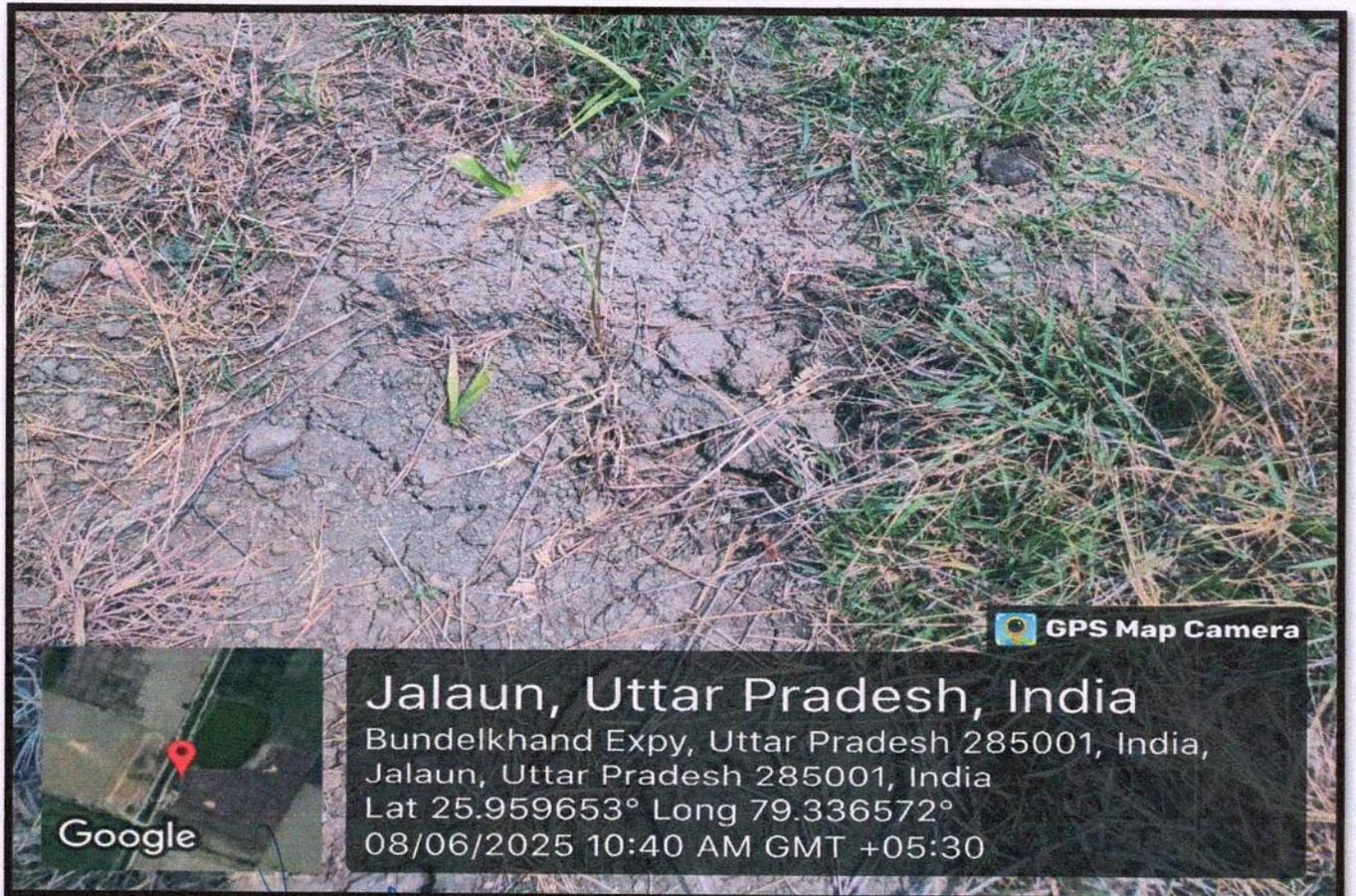
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1	1	1932/Khanij-M.M.C.-30	Kapasi	181	Rectified	Annexure-1
2	2	1932/Khanij-M.M.C.-30	Kapasi	191/2	Rectified	
2	3	1933/Khanij-M.M.C.-30	Girthan	29	Rectified	Annexure-2
	4	1933/Khanij-M.M.C.-30	Girthan	138	Rectified	
	5	1933/Khanij-M.M.C.-30	Girthan	156	Rectified	
	6	1933/Khanij-M.M.C.-30	Girthan	165	Rectified	
3	7	1935/Khanij-M.M.C.-30	Girthan	33	Rectified	Annexure-3
	8	1935/Khanij-M.M.C.-30	Girthan	103	Rectified	
	9	1935/Khanij-M.M.C.-30	Girthan	392	Rectified	
4	10	1939/Khanij-M.M.C.-30	Kapasi	295	Rectified	Annexure-4
5	11	1940/Khanij-M.M.C.-30	Kapasi	321	Rectified	Annexure-5
6	12	1944/Khanij-M.M.C.-30	Girthan	157	Rectified	Annexure-6
7	13	1945/Khanij-M.M.C.-30	Girthan	25	Rectified	Annexure-7

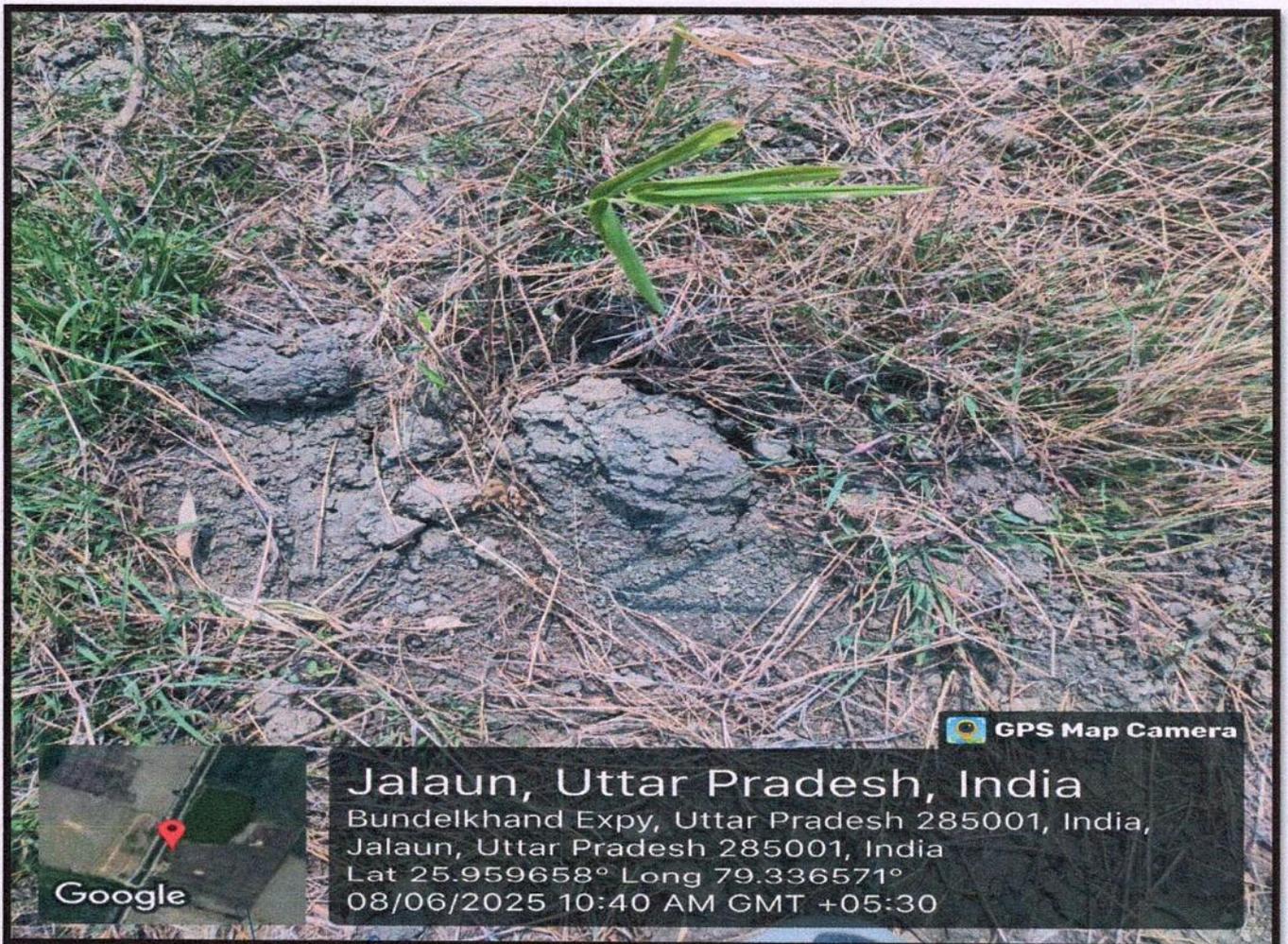


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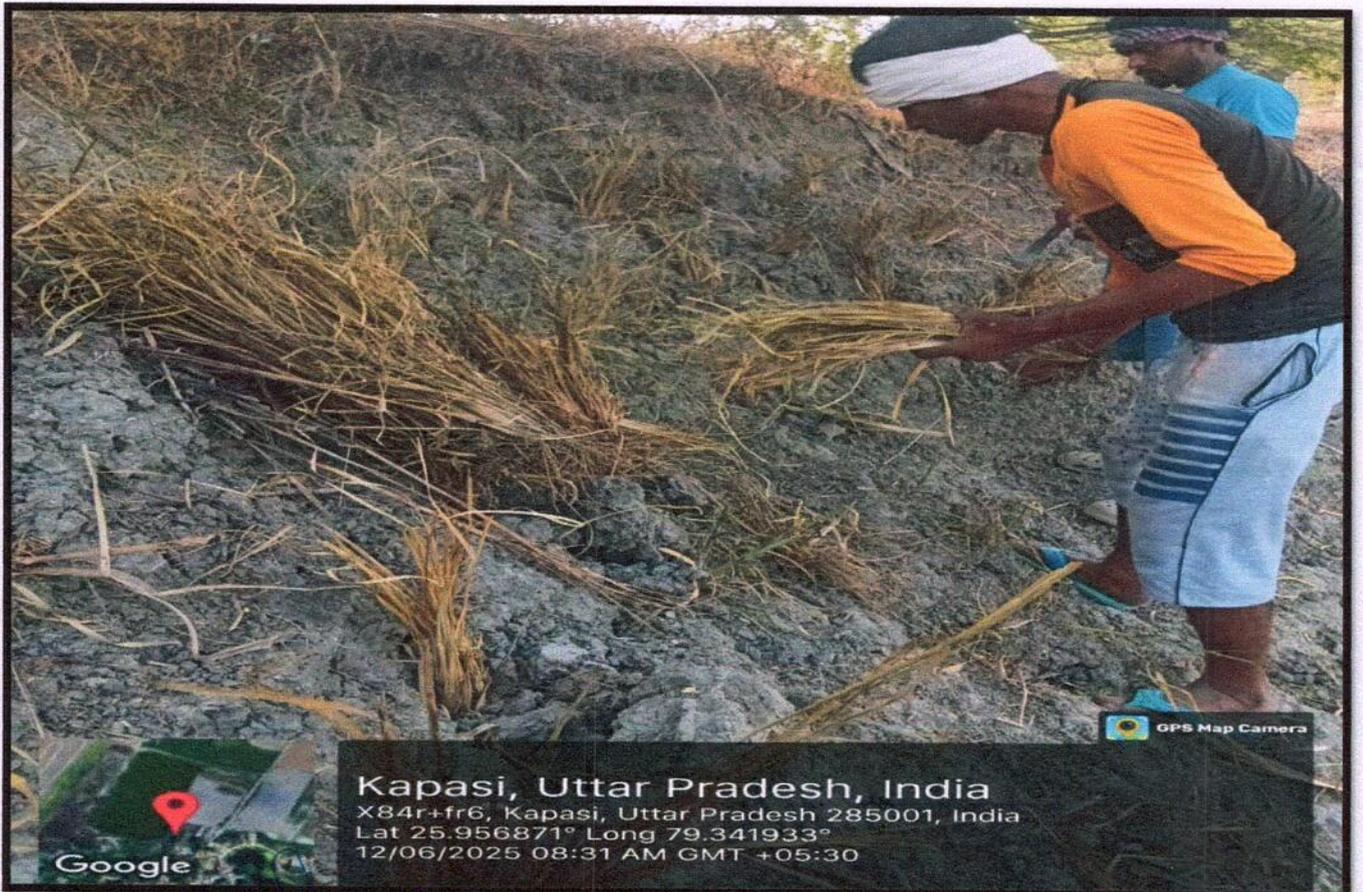






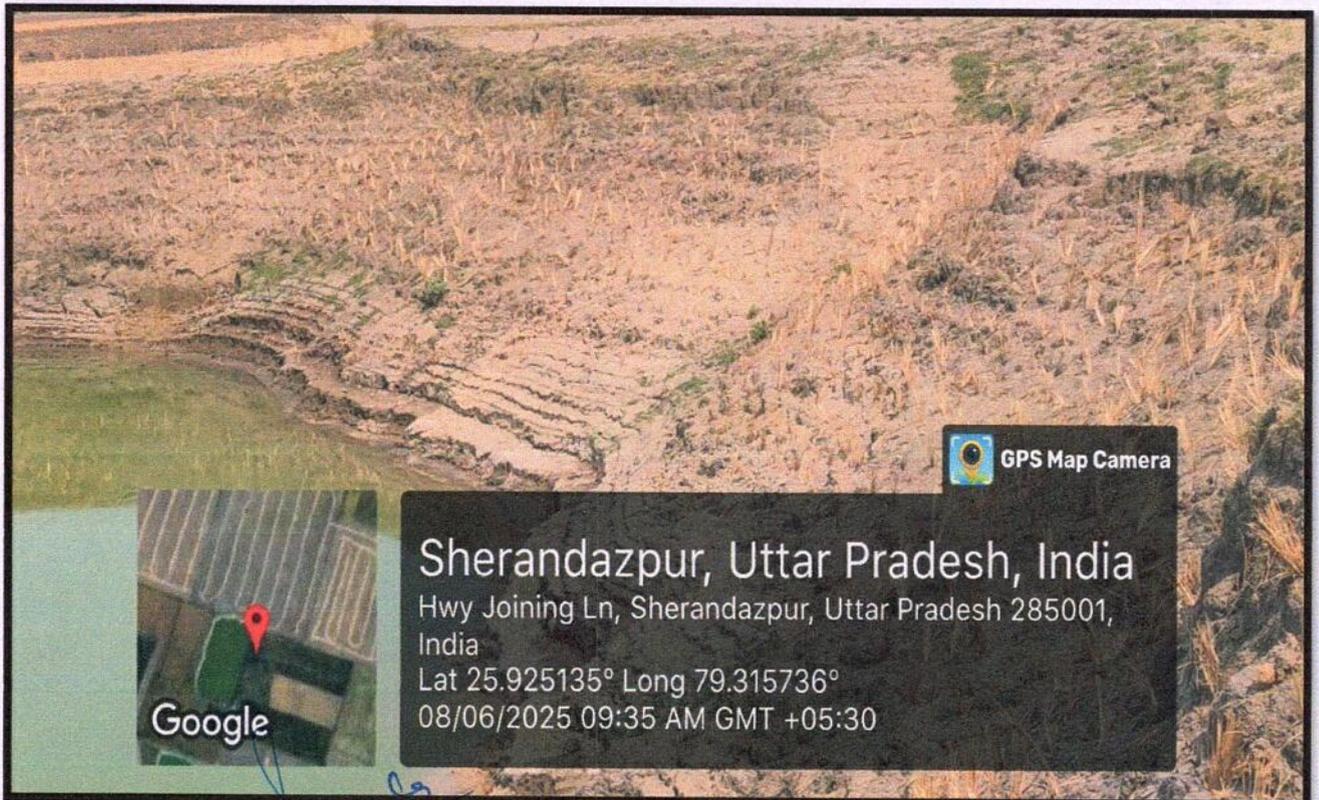


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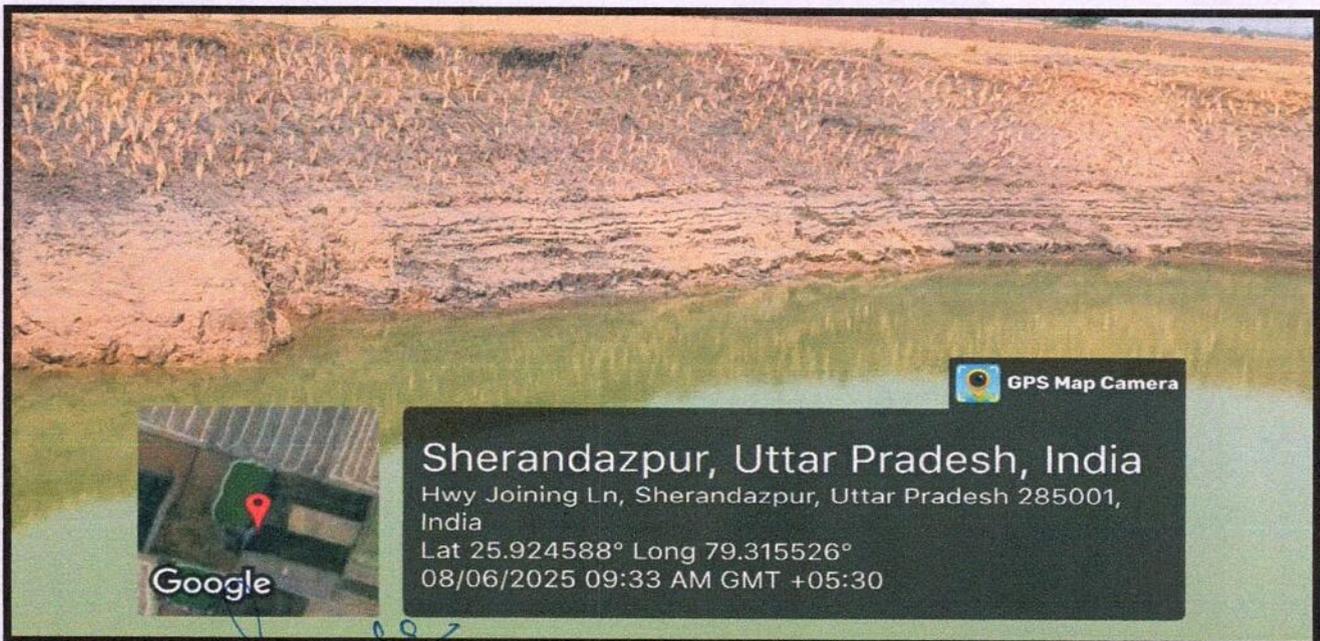
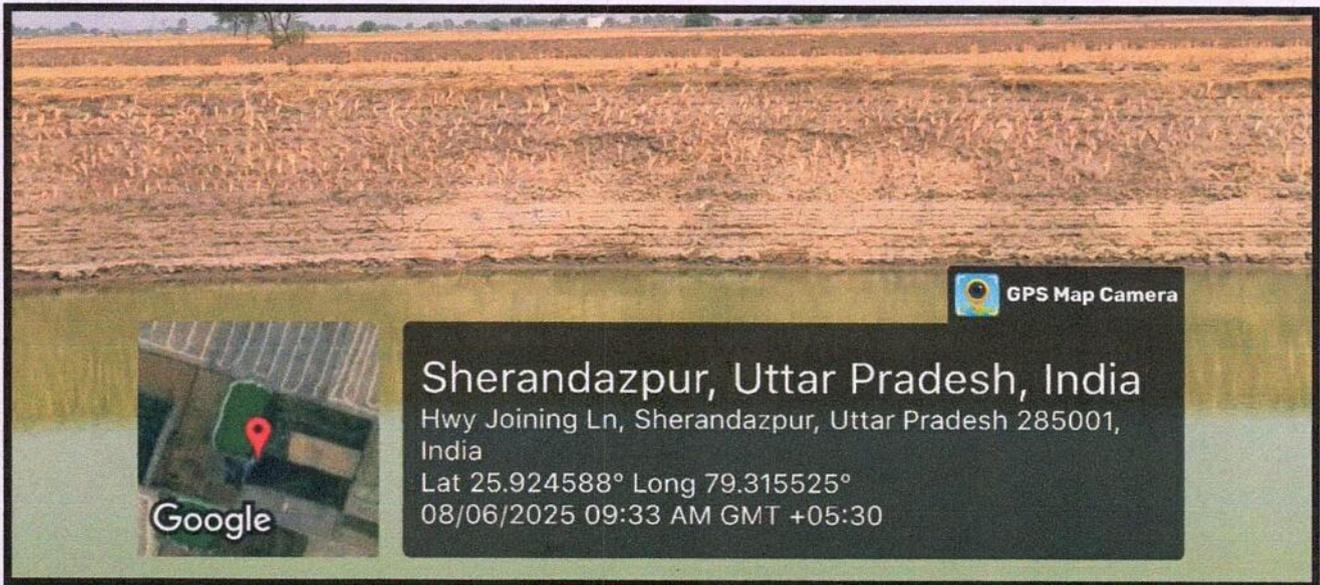
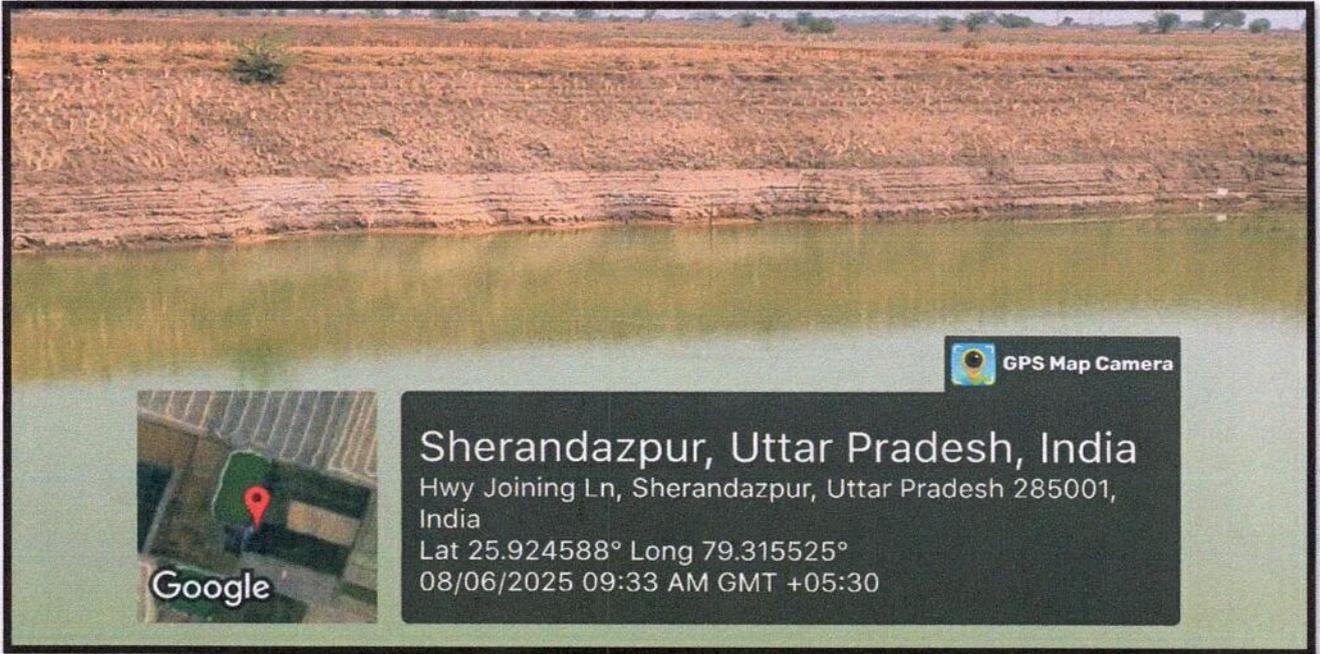
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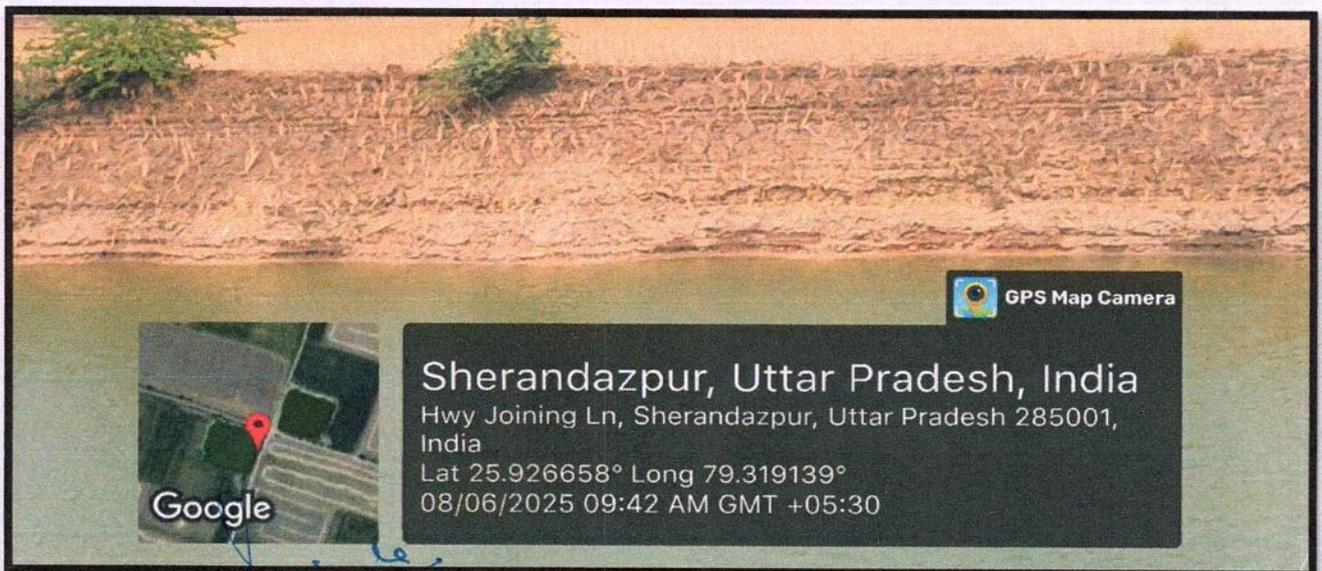
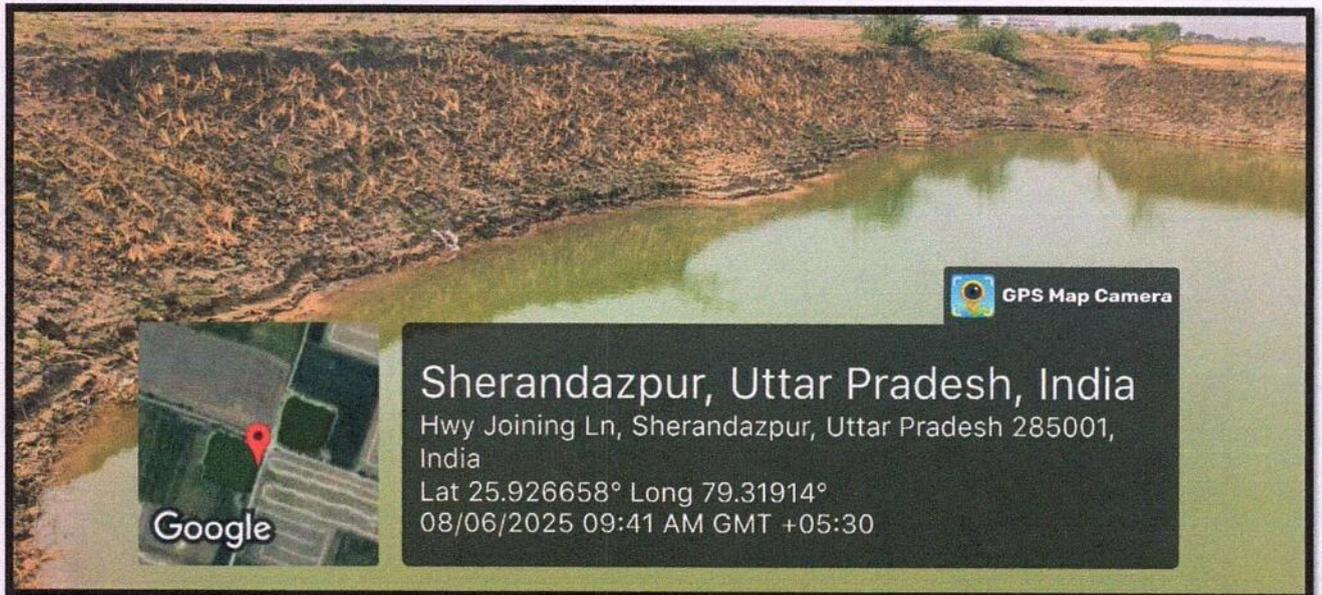
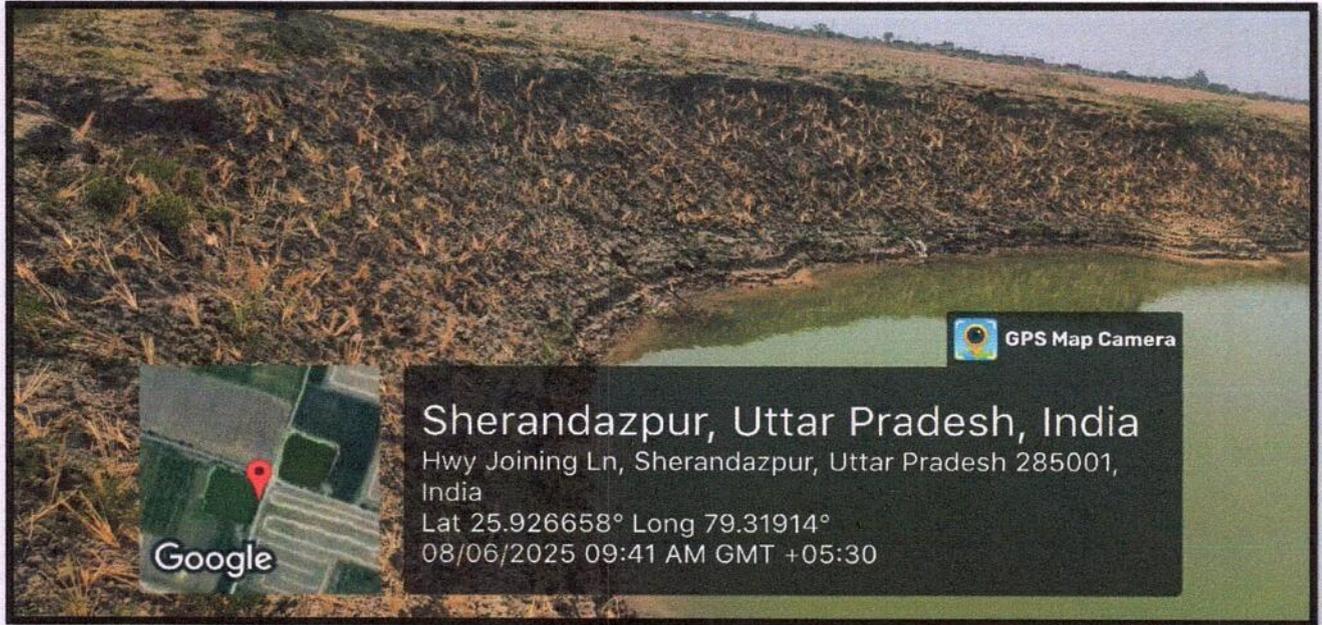


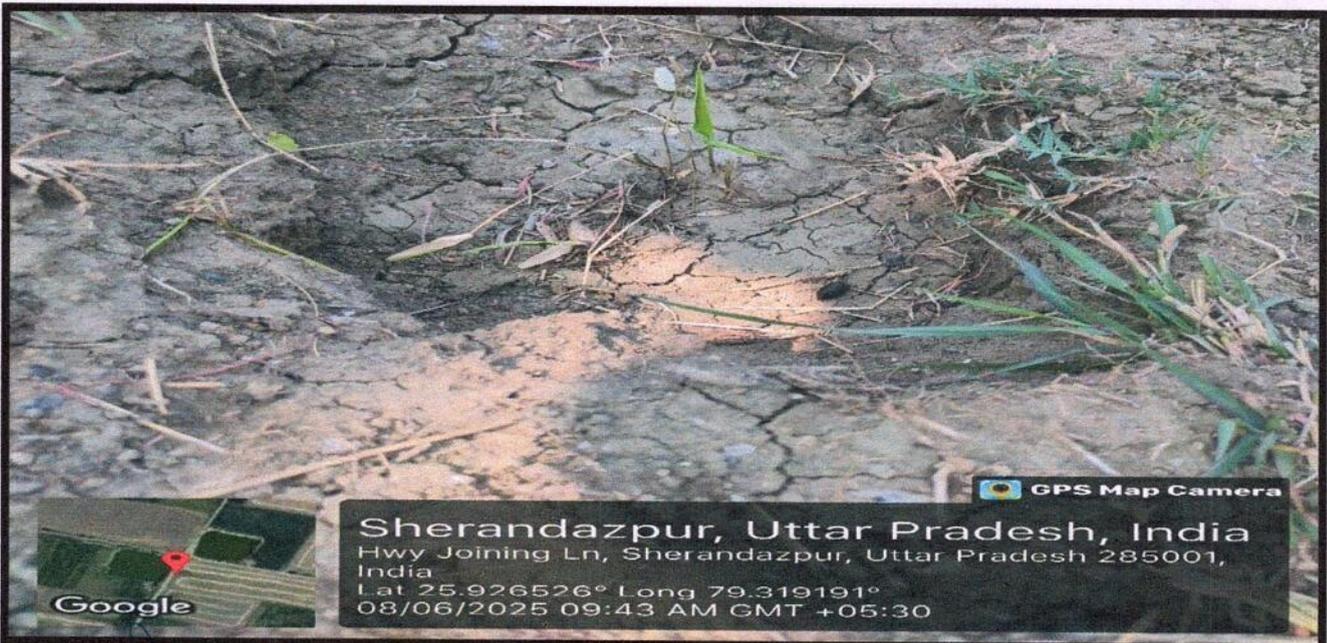
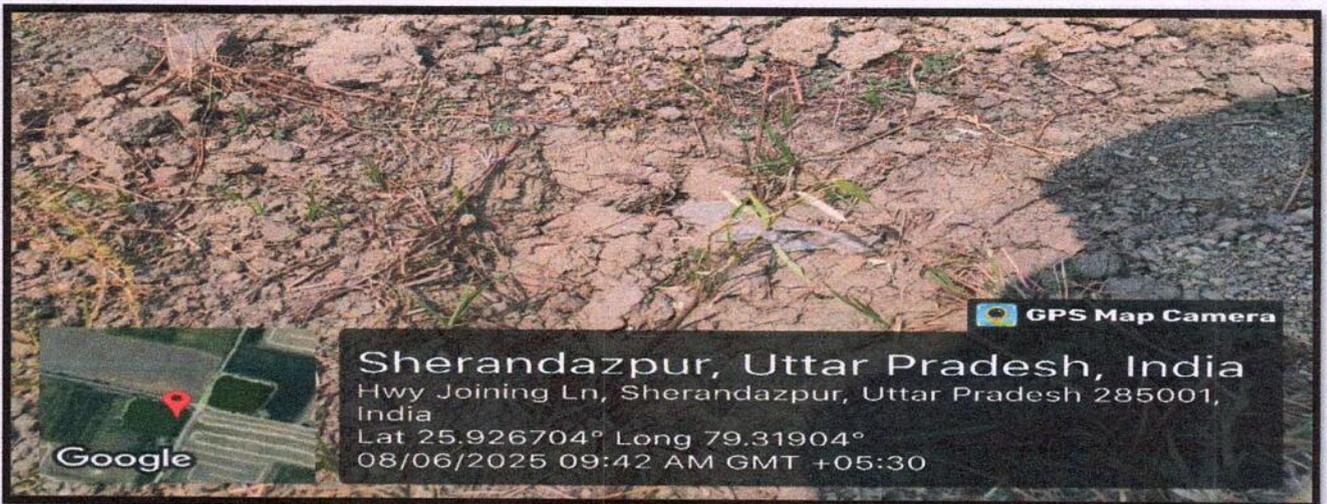
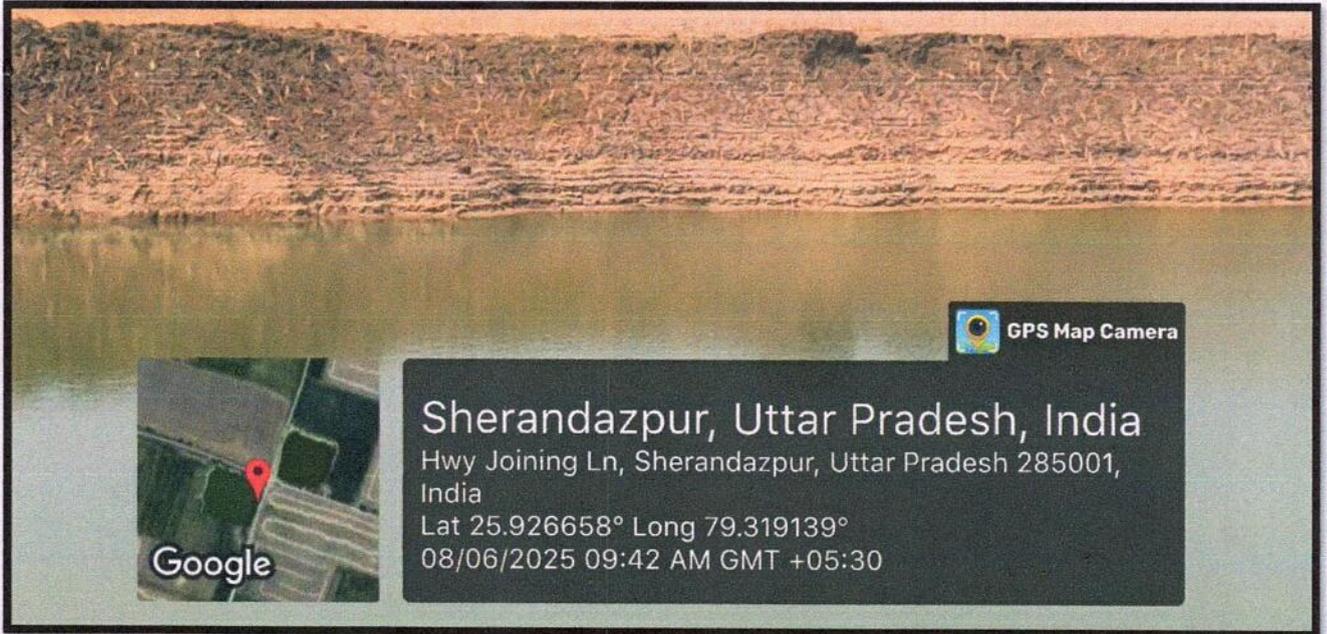
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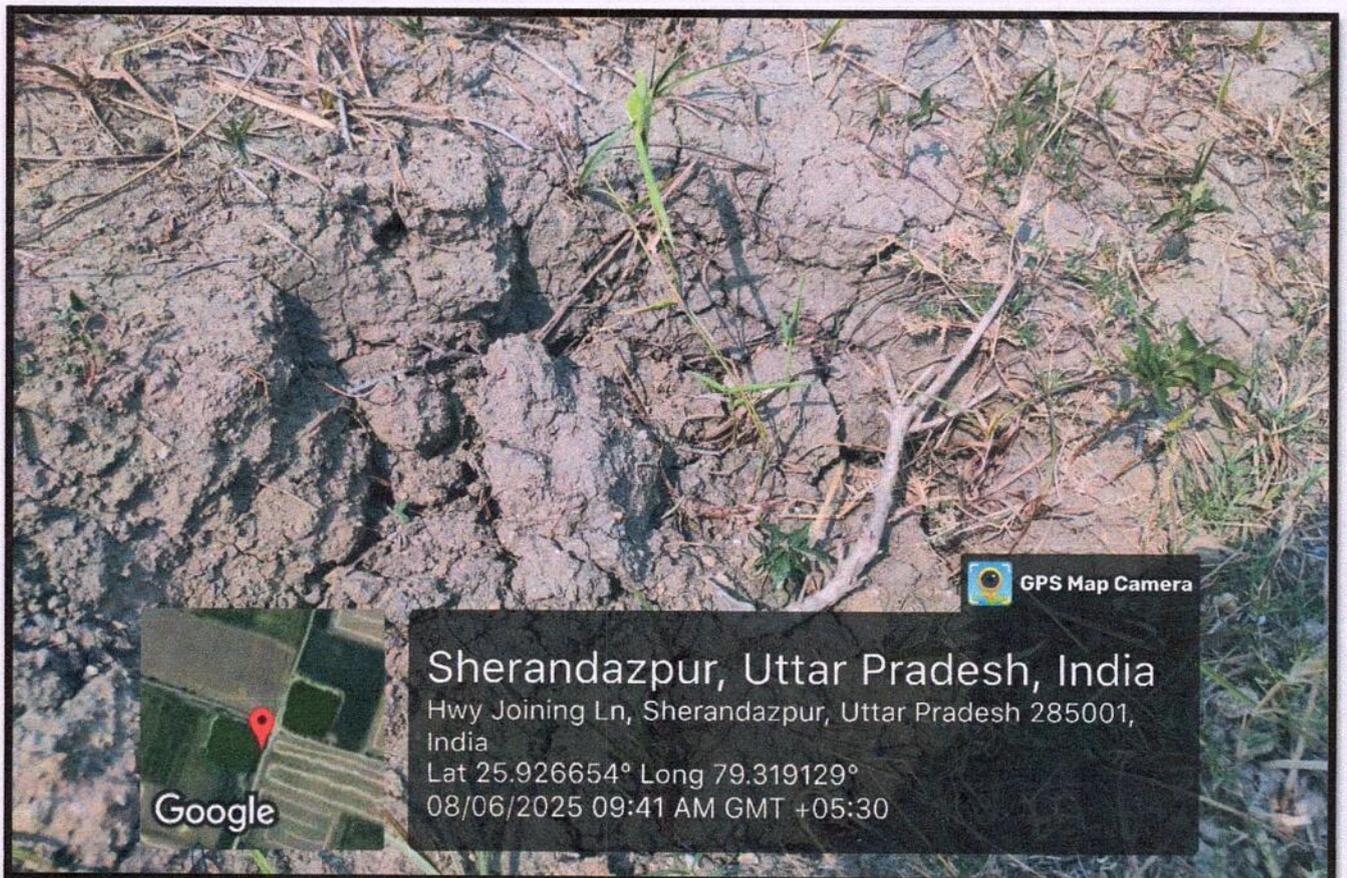


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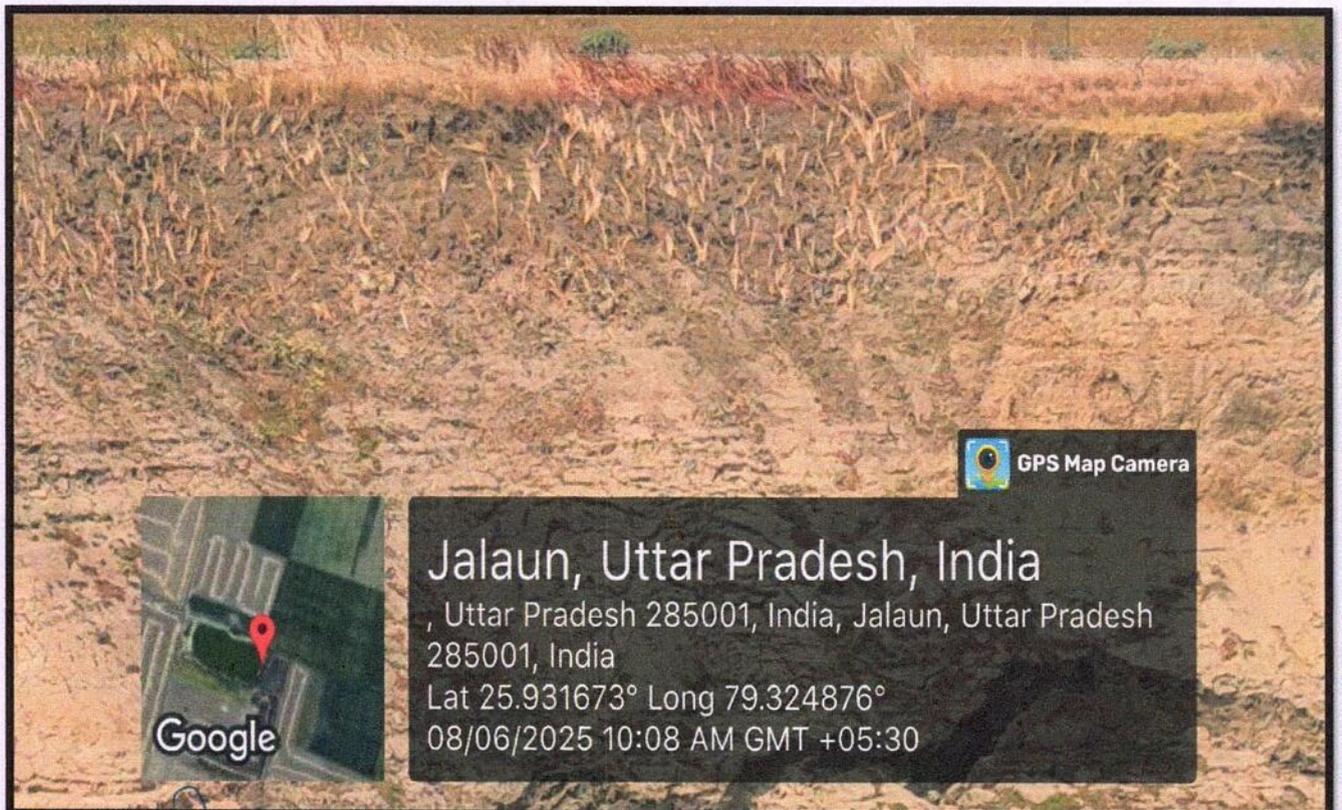
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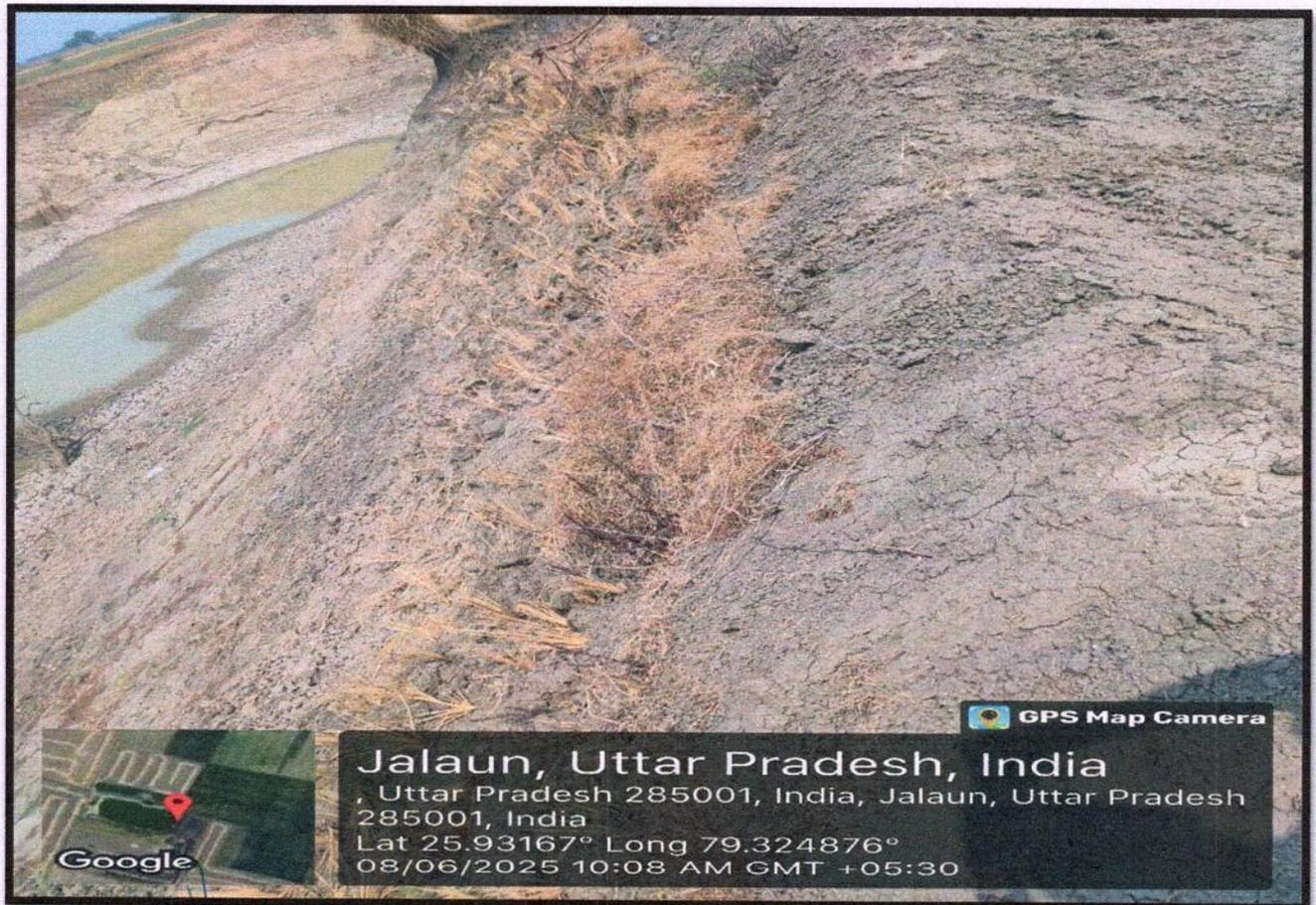
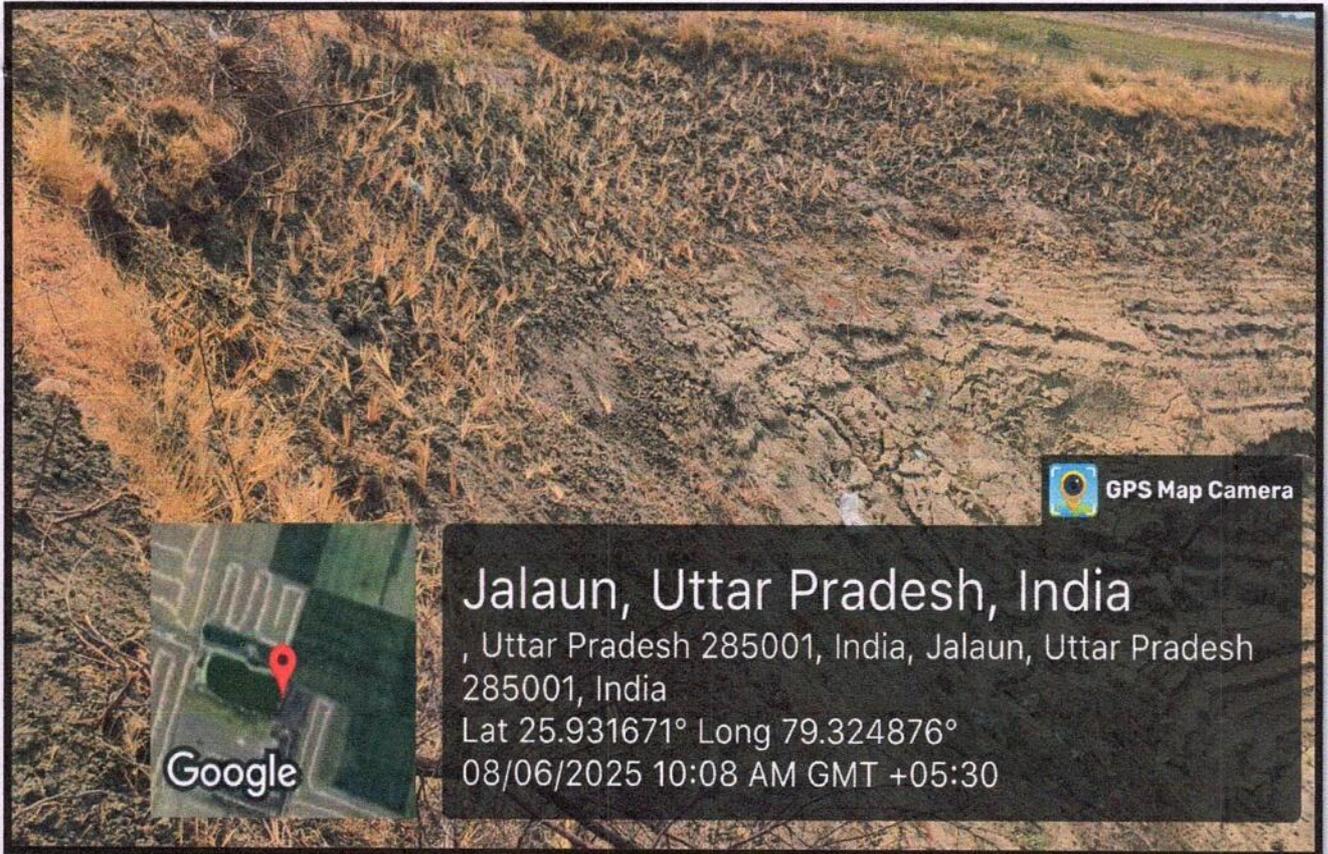


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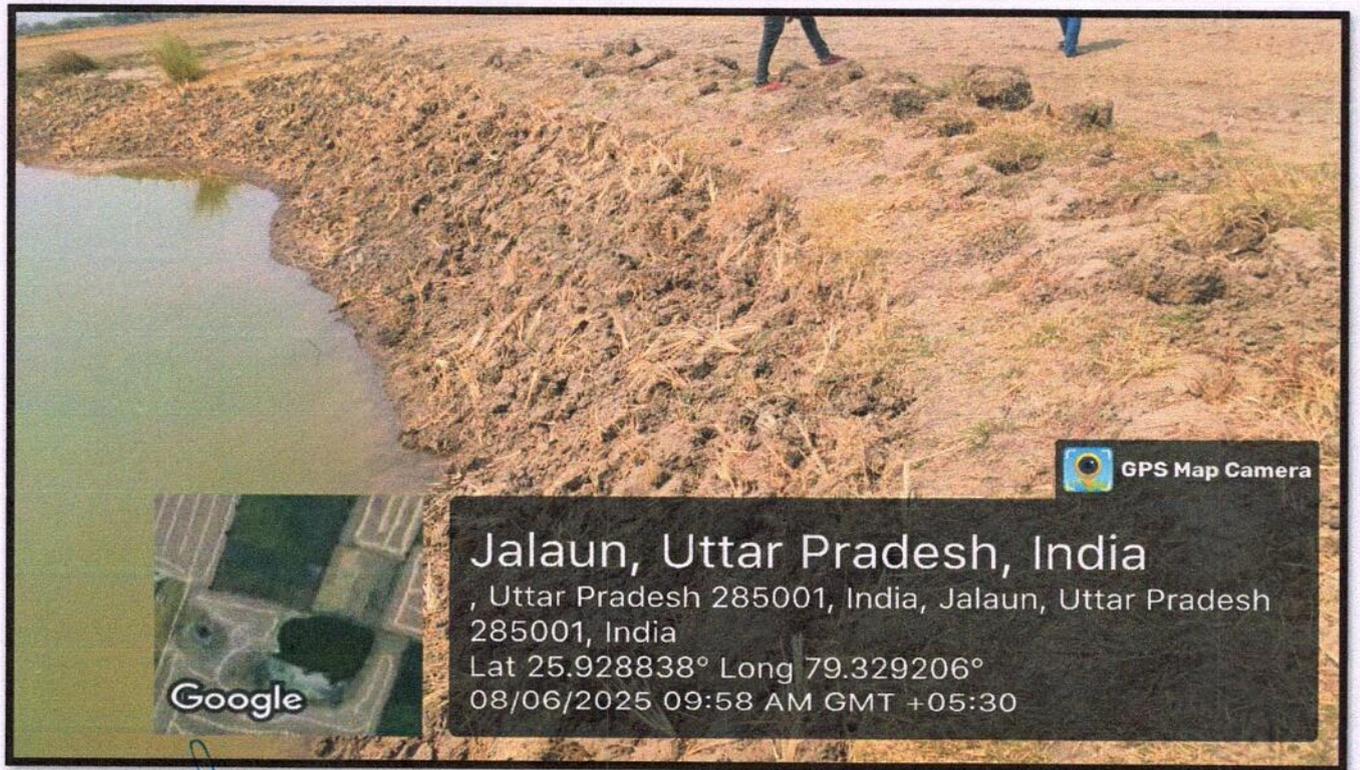
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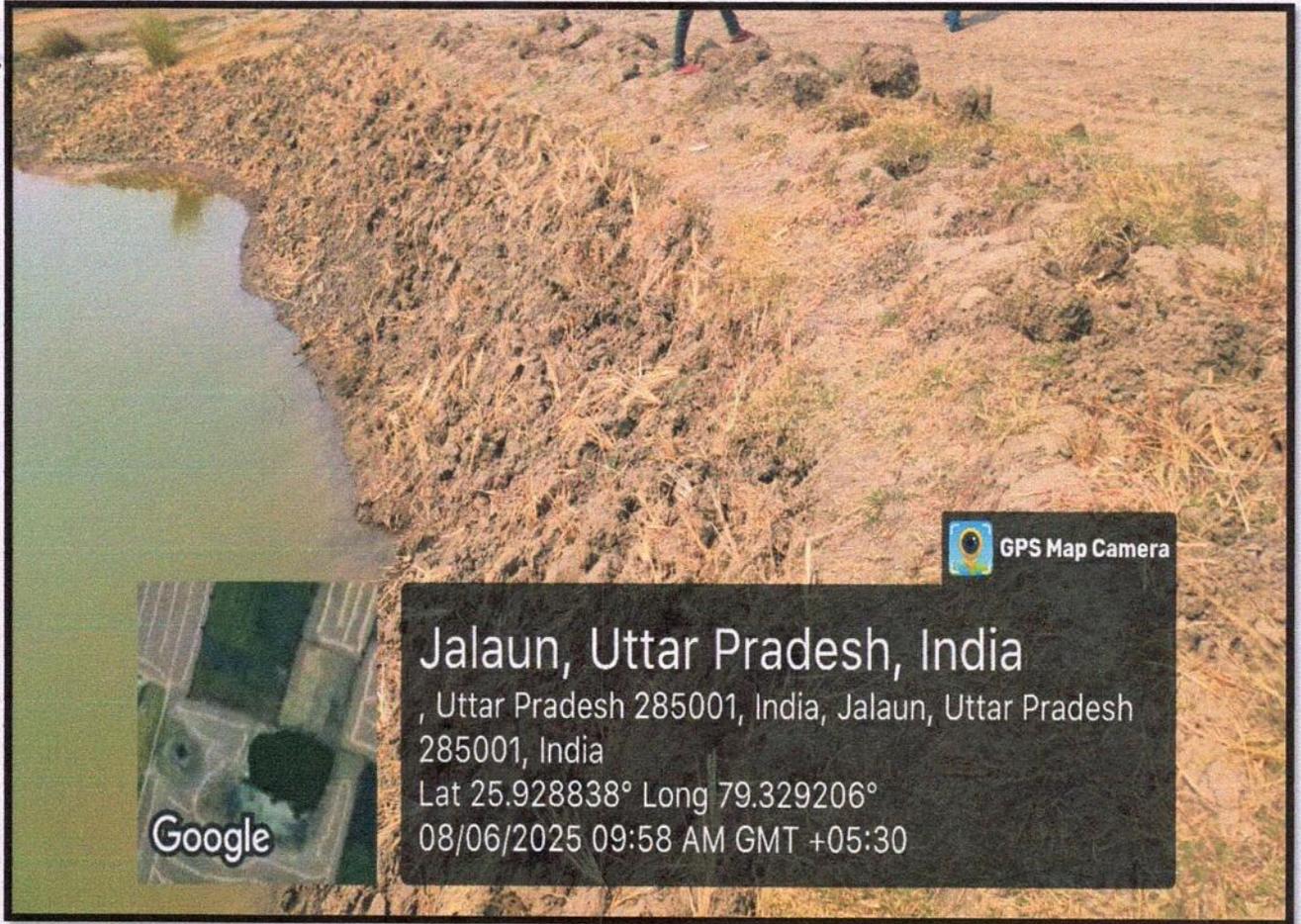
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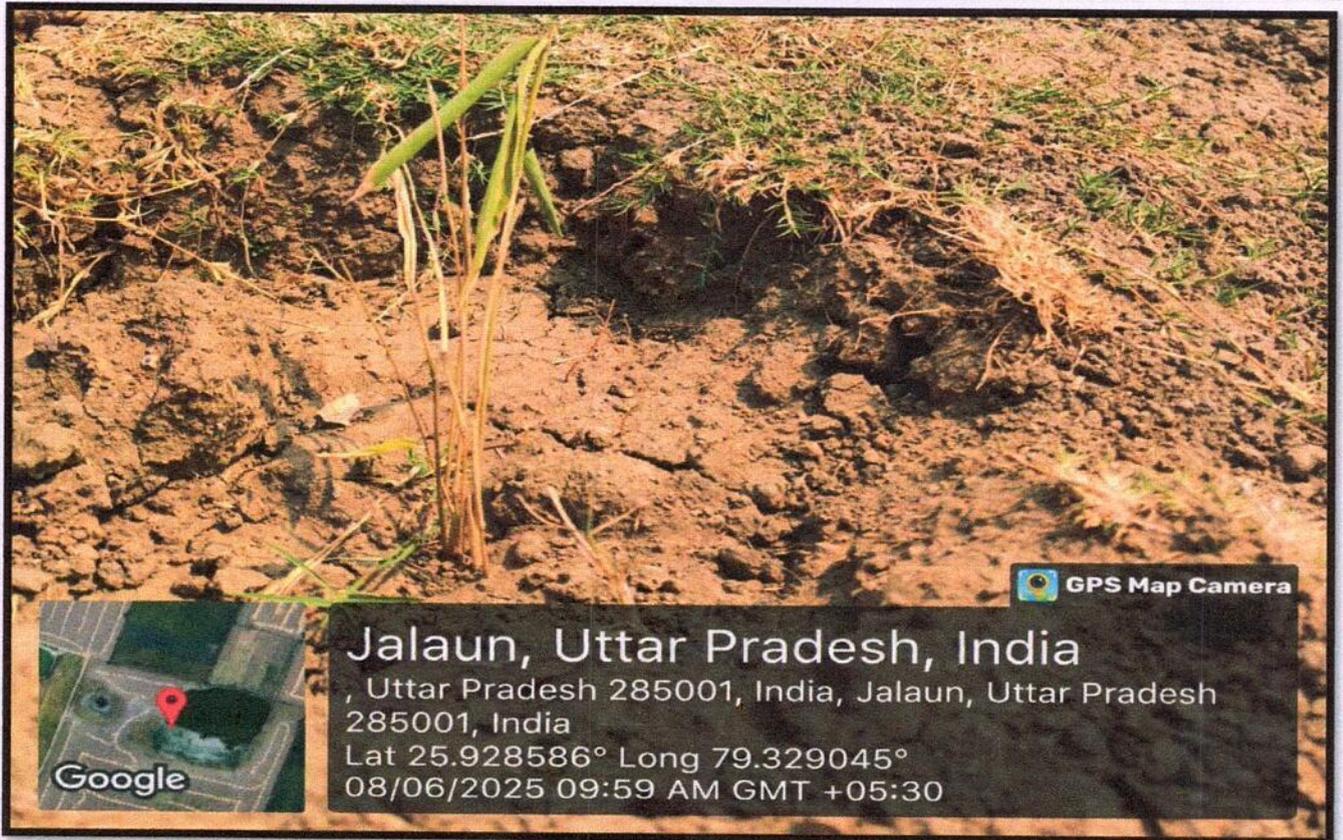
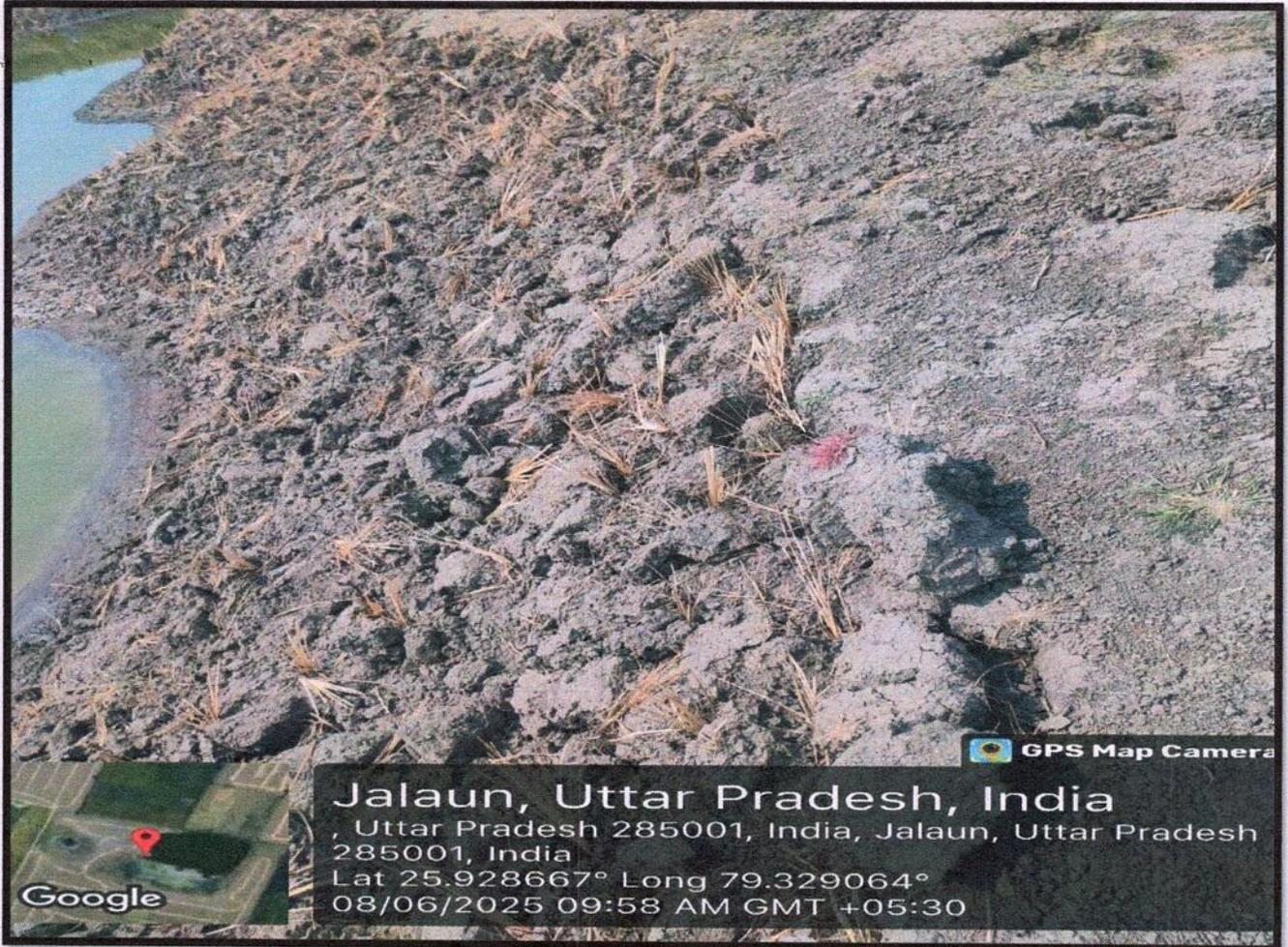
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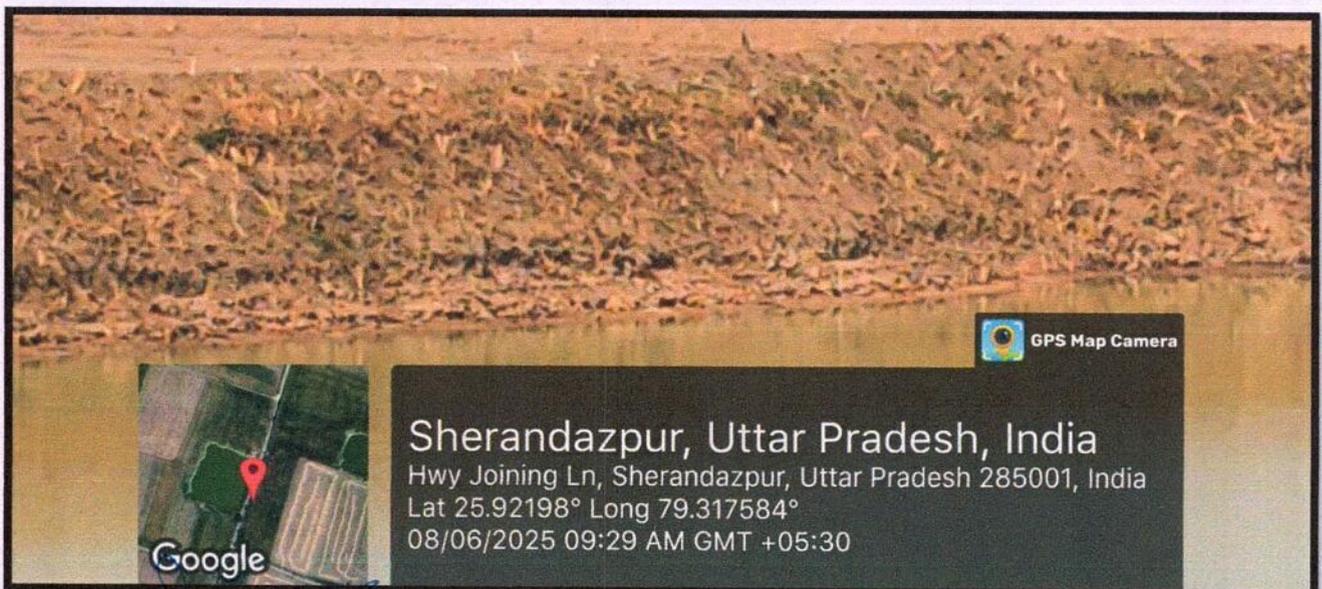
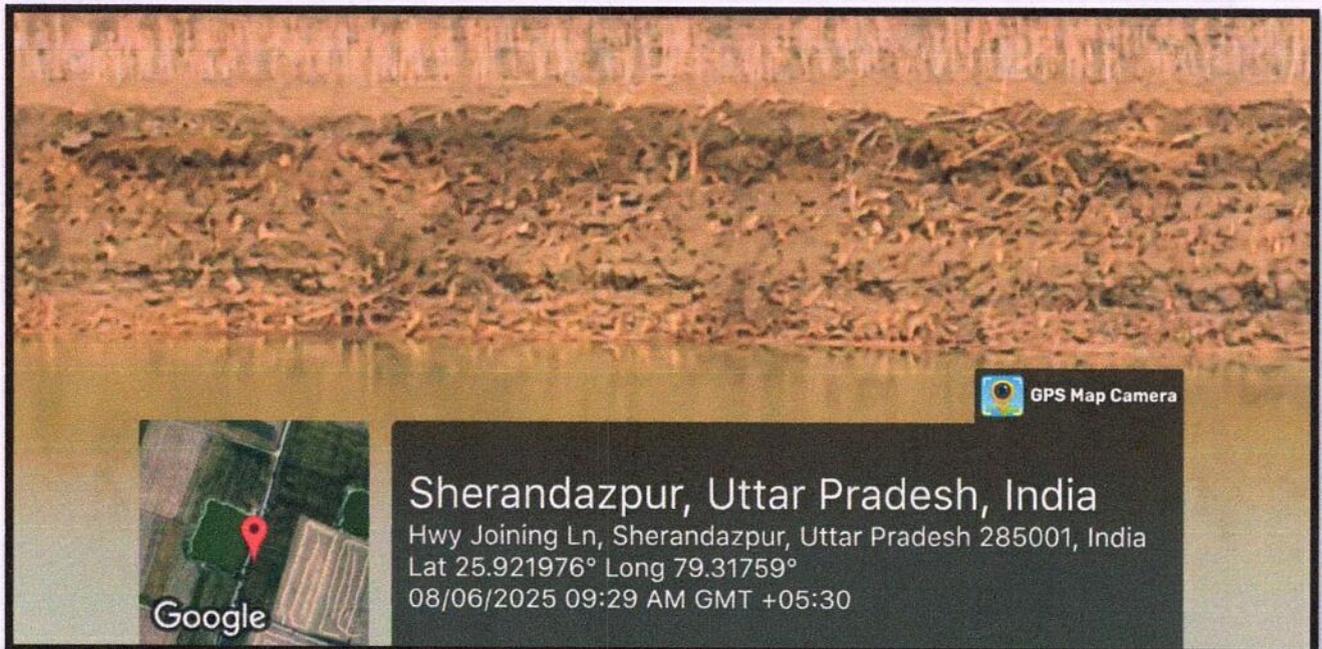
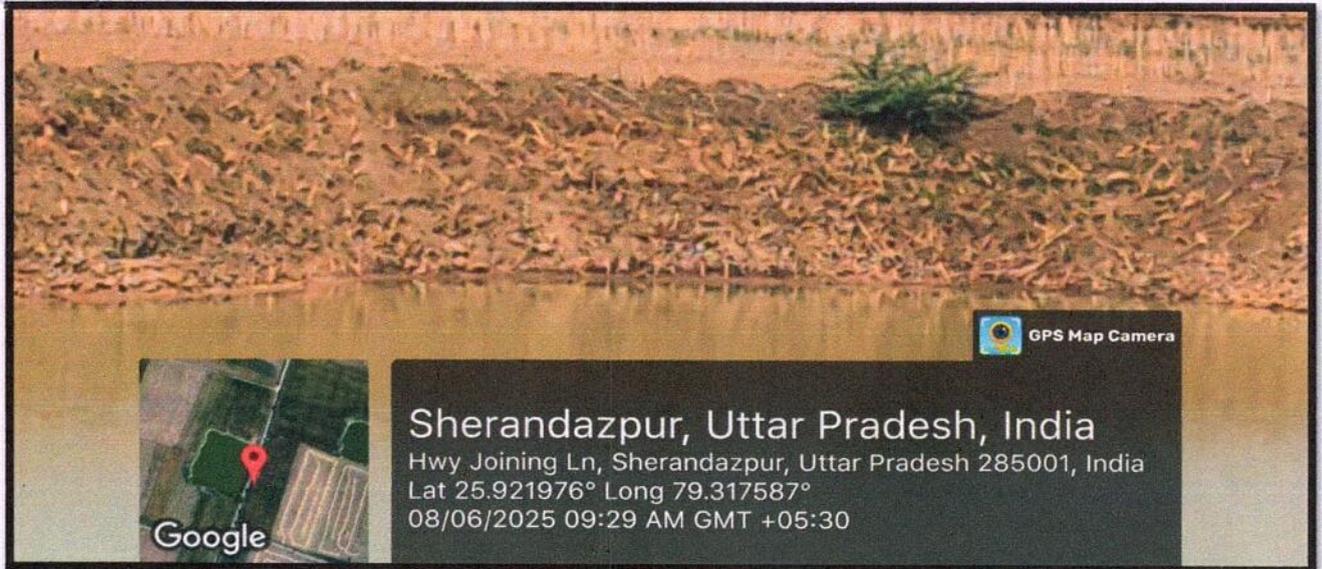


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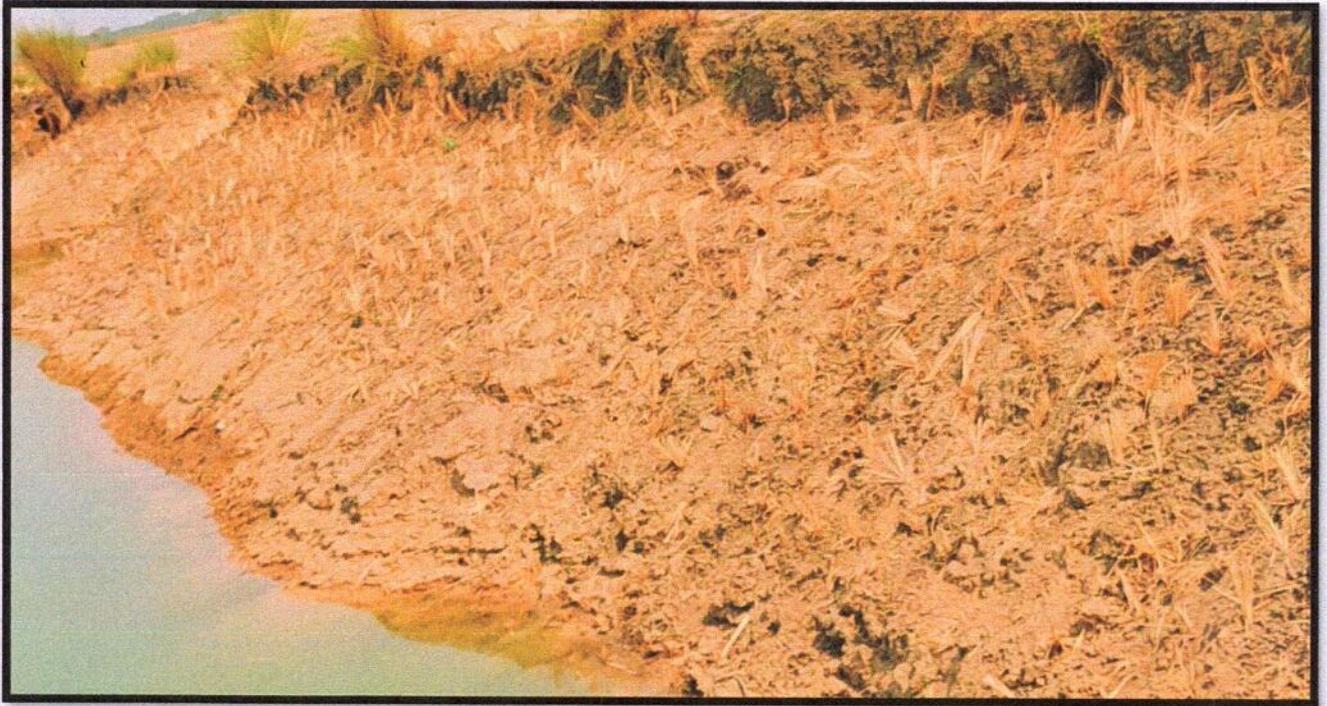
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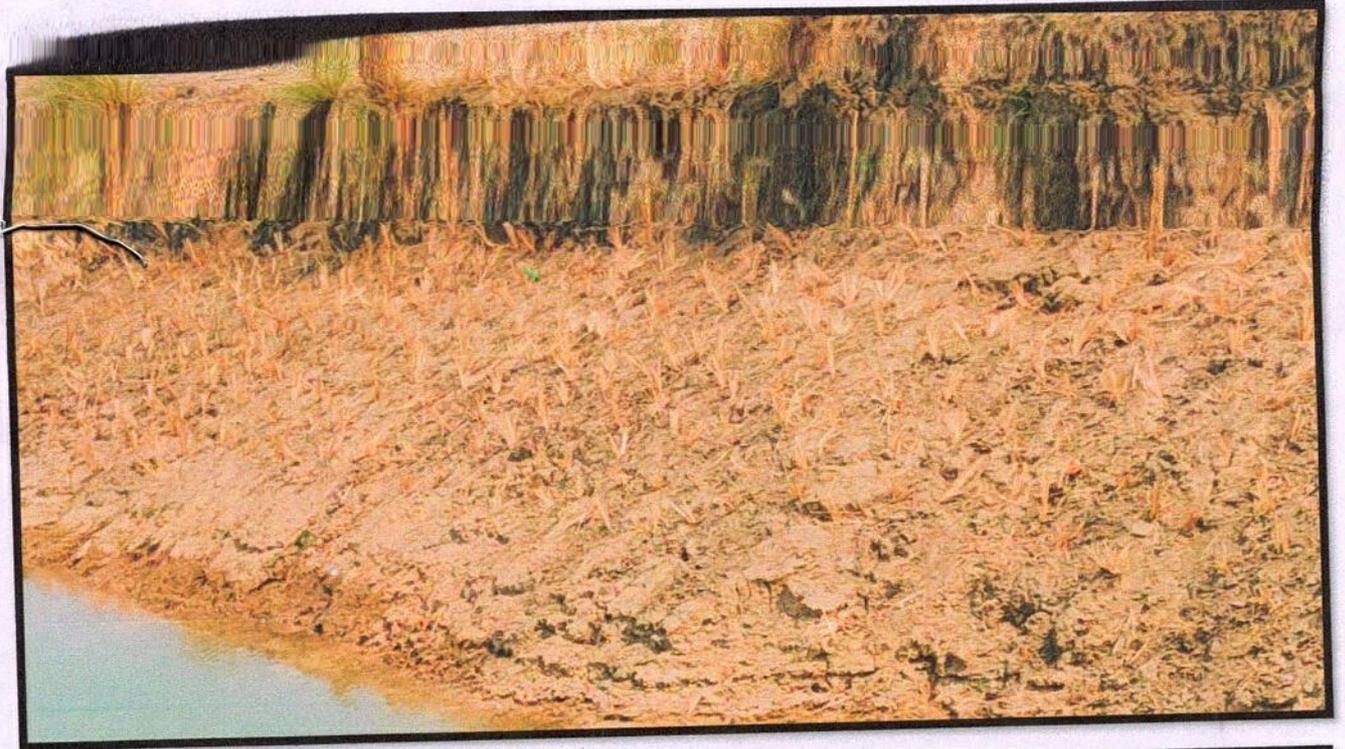
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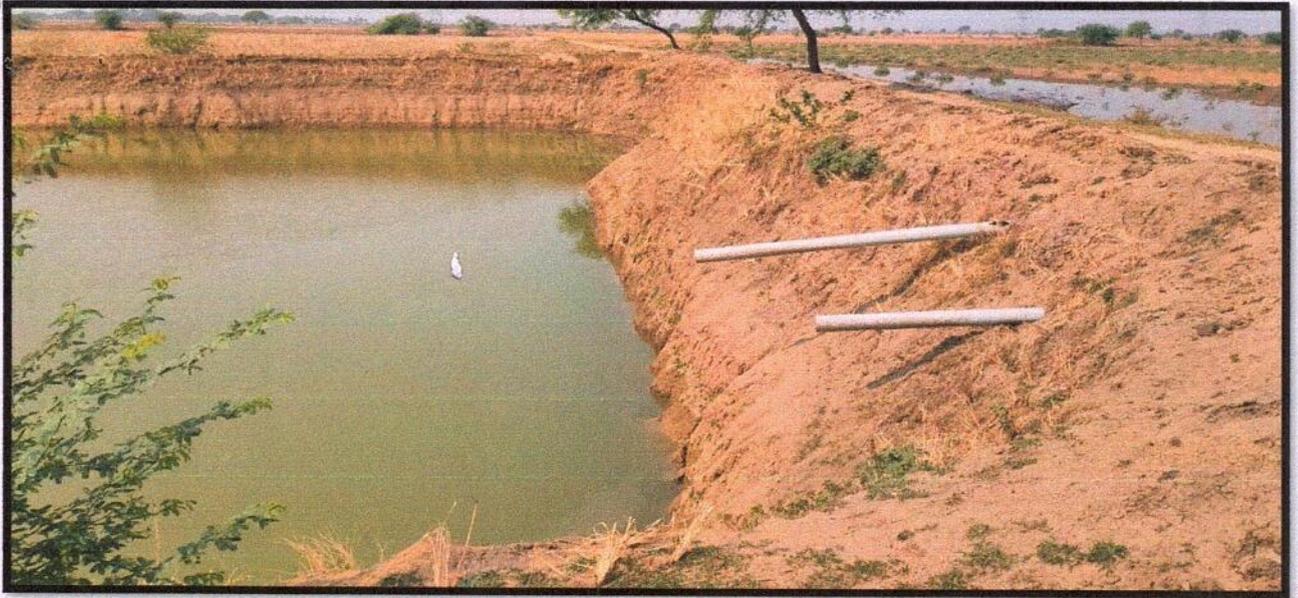


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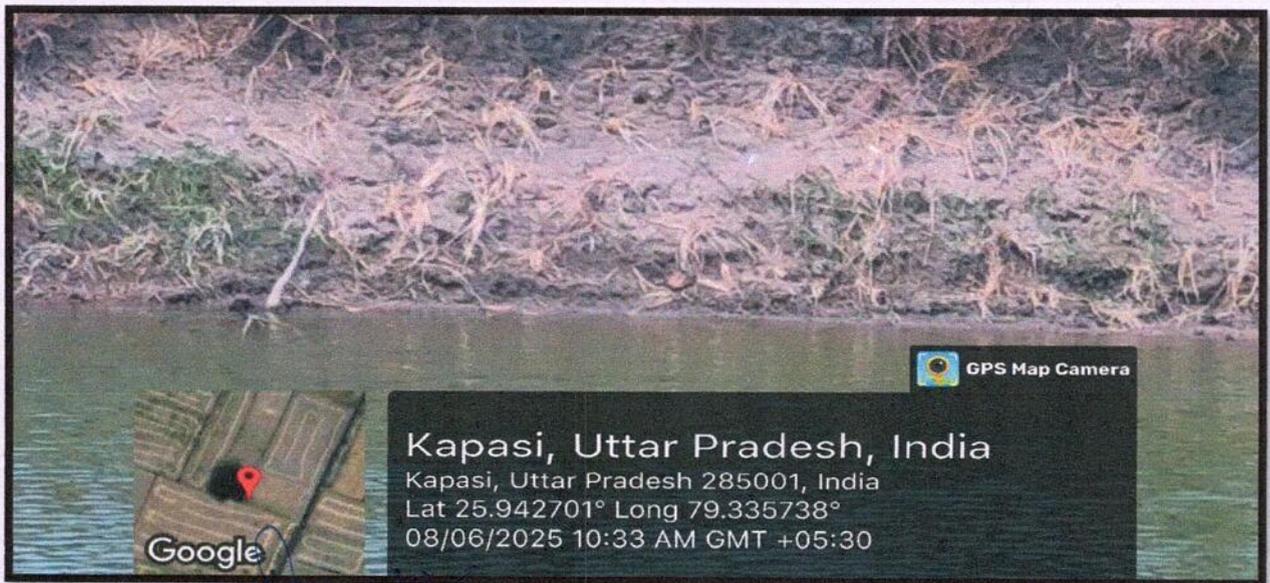
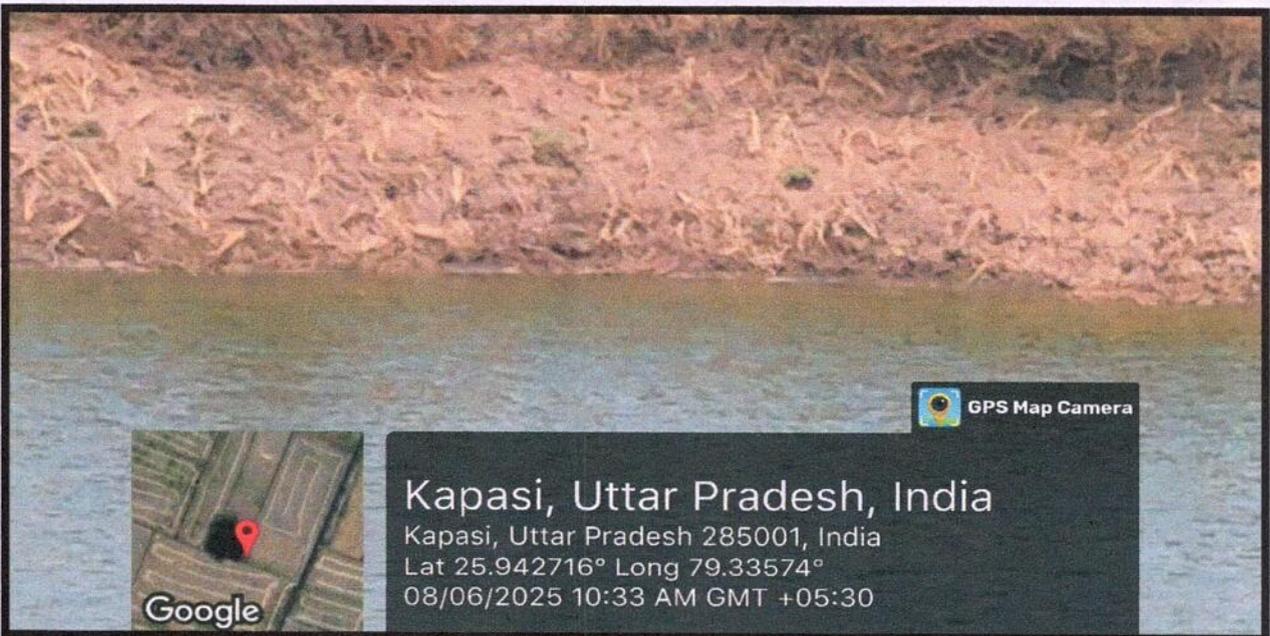
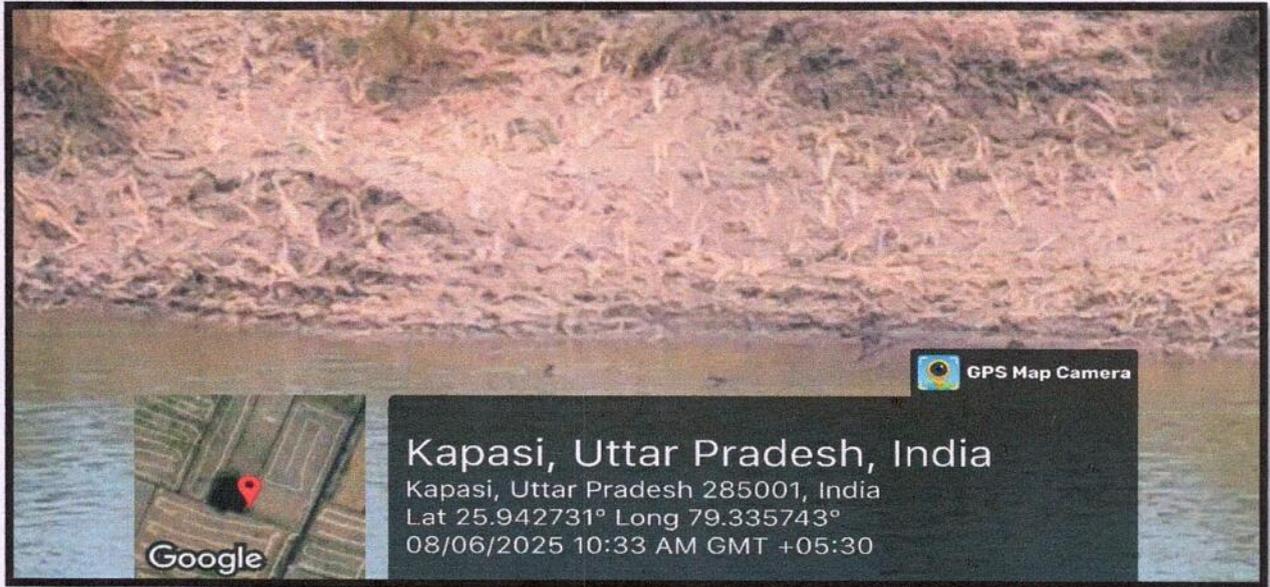


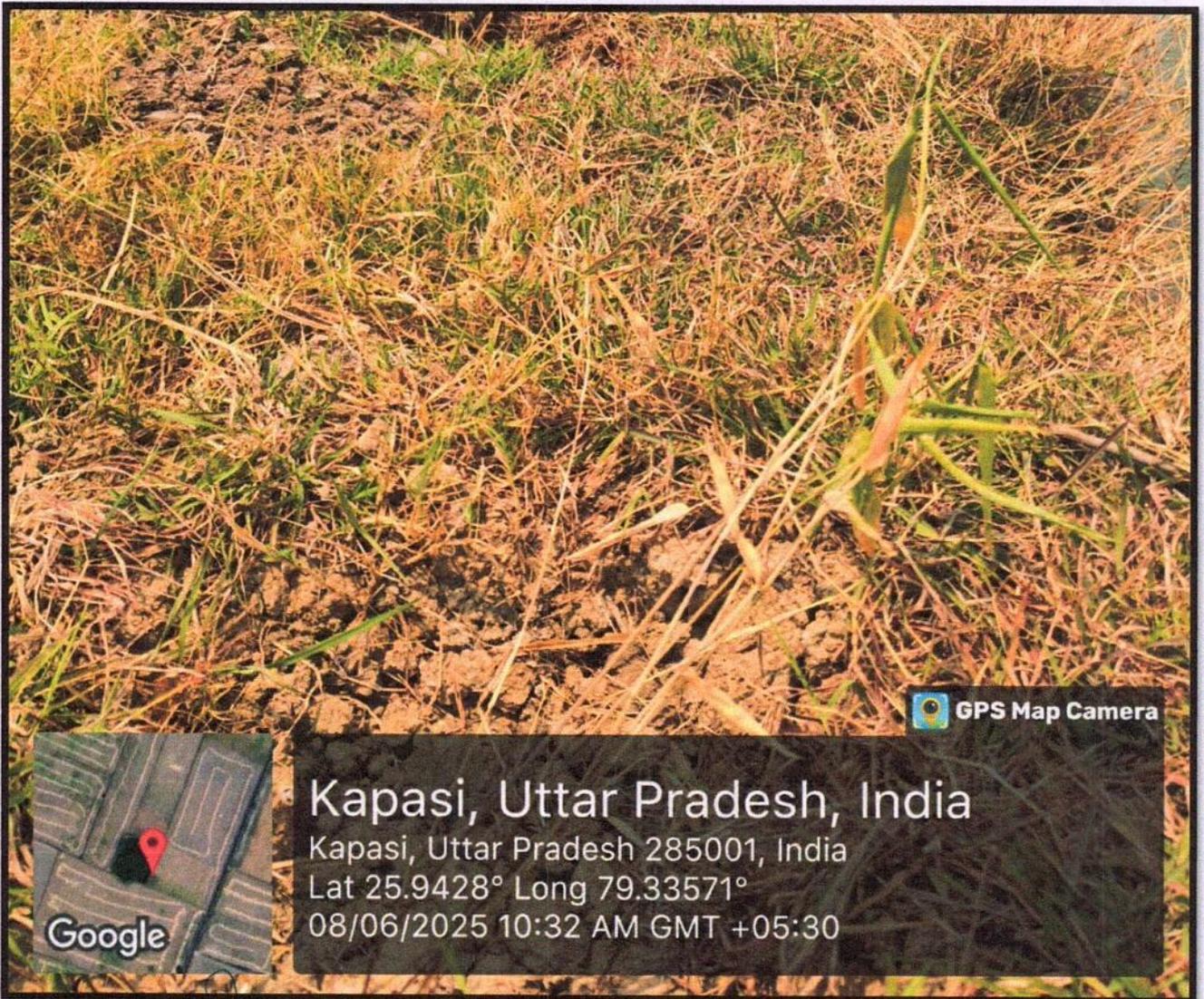
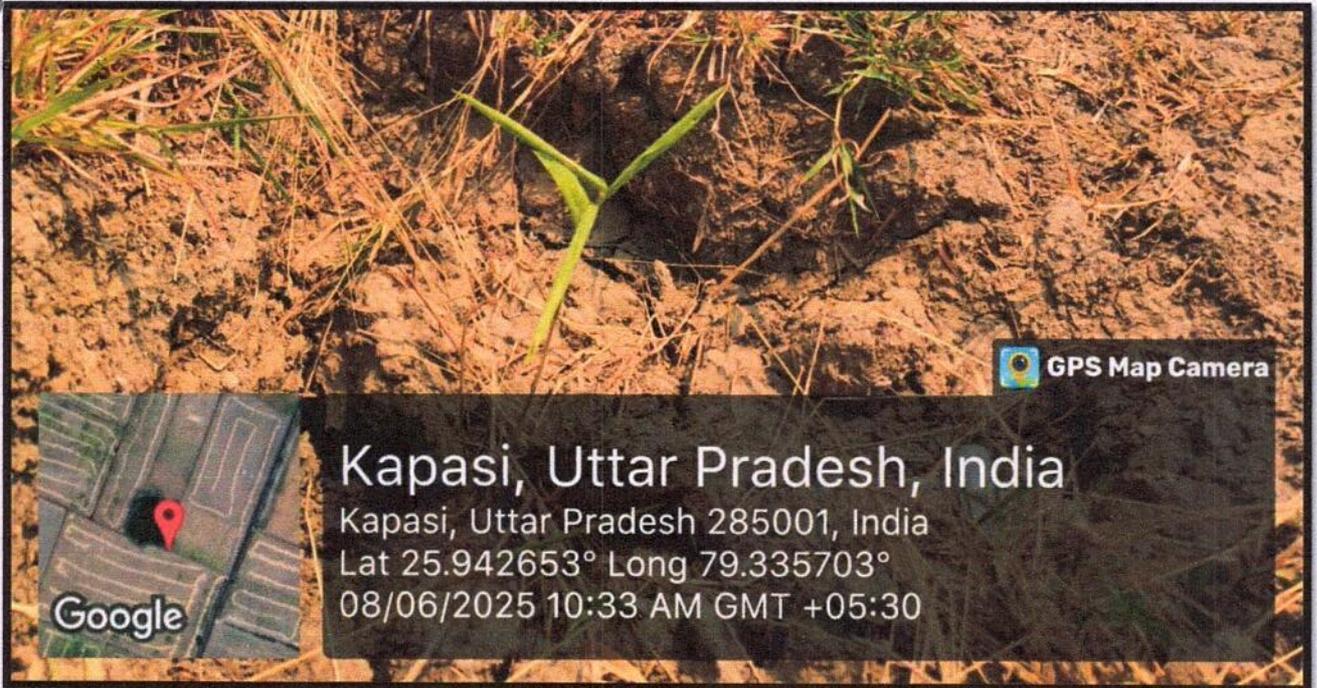
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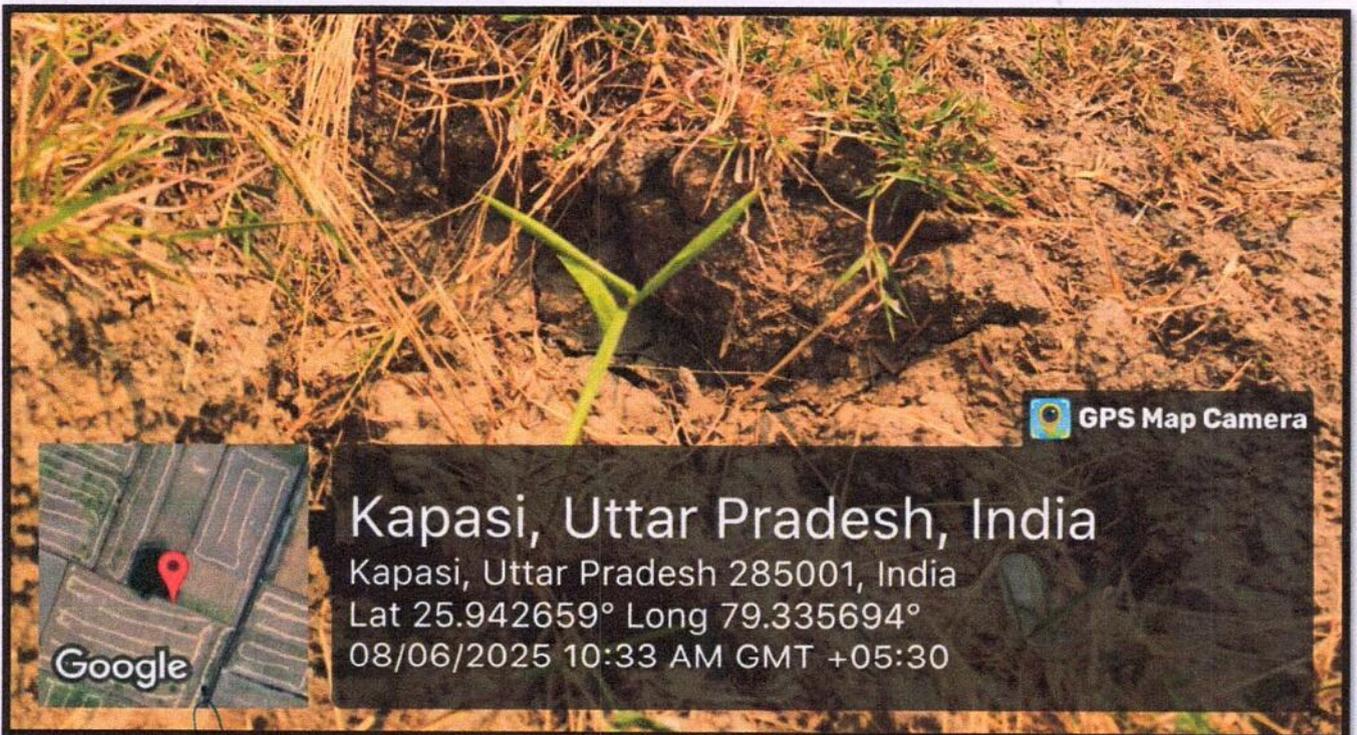
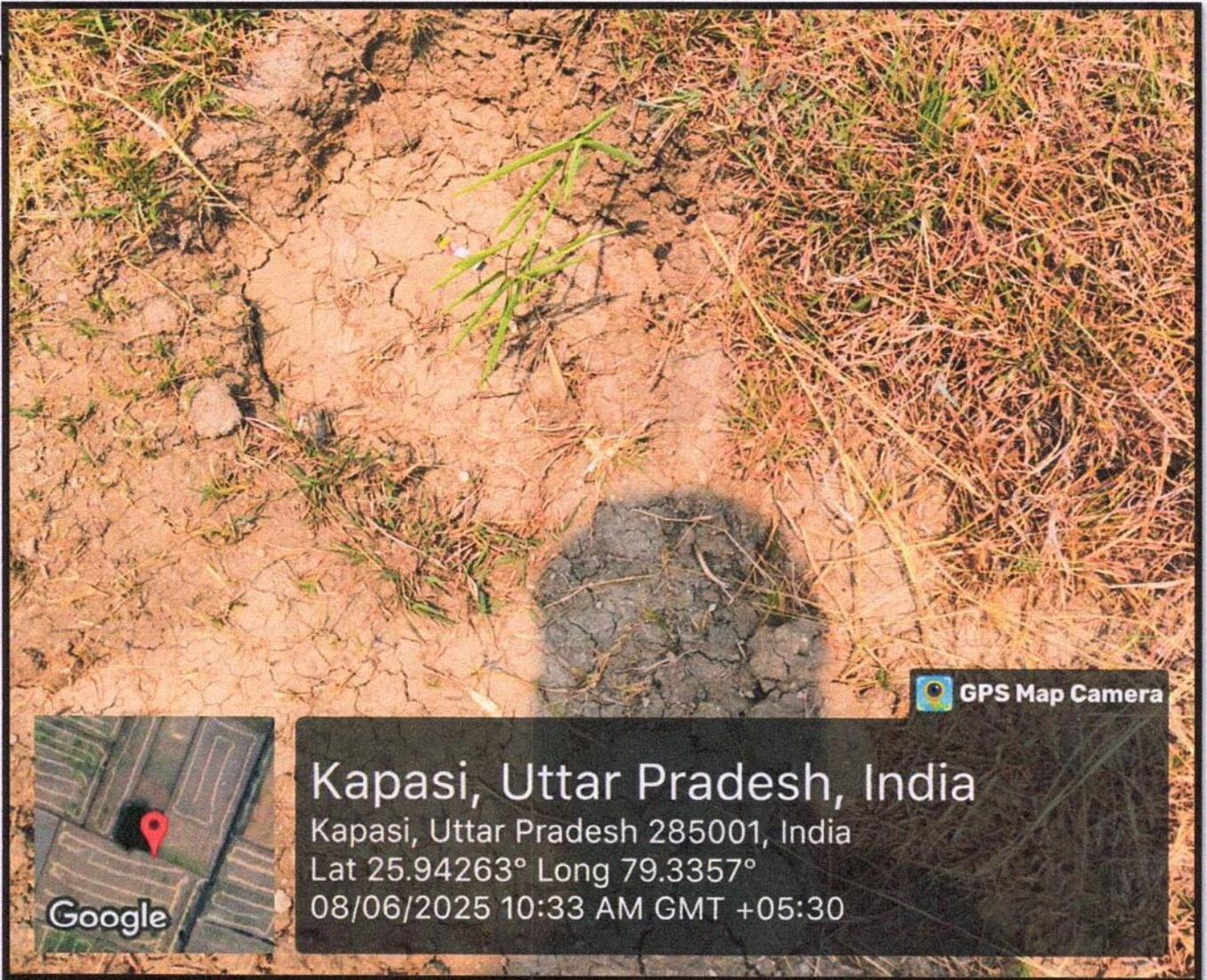
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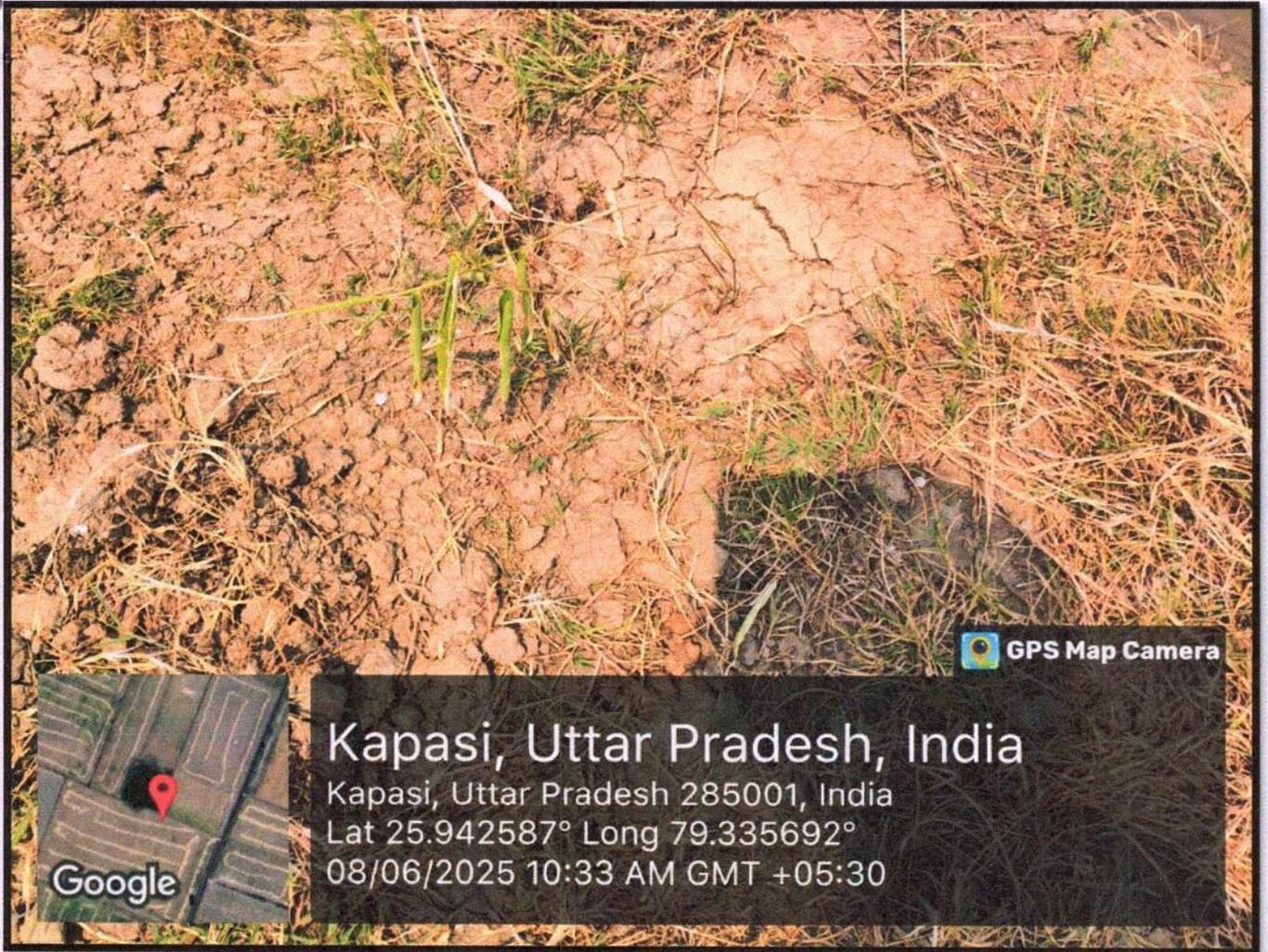




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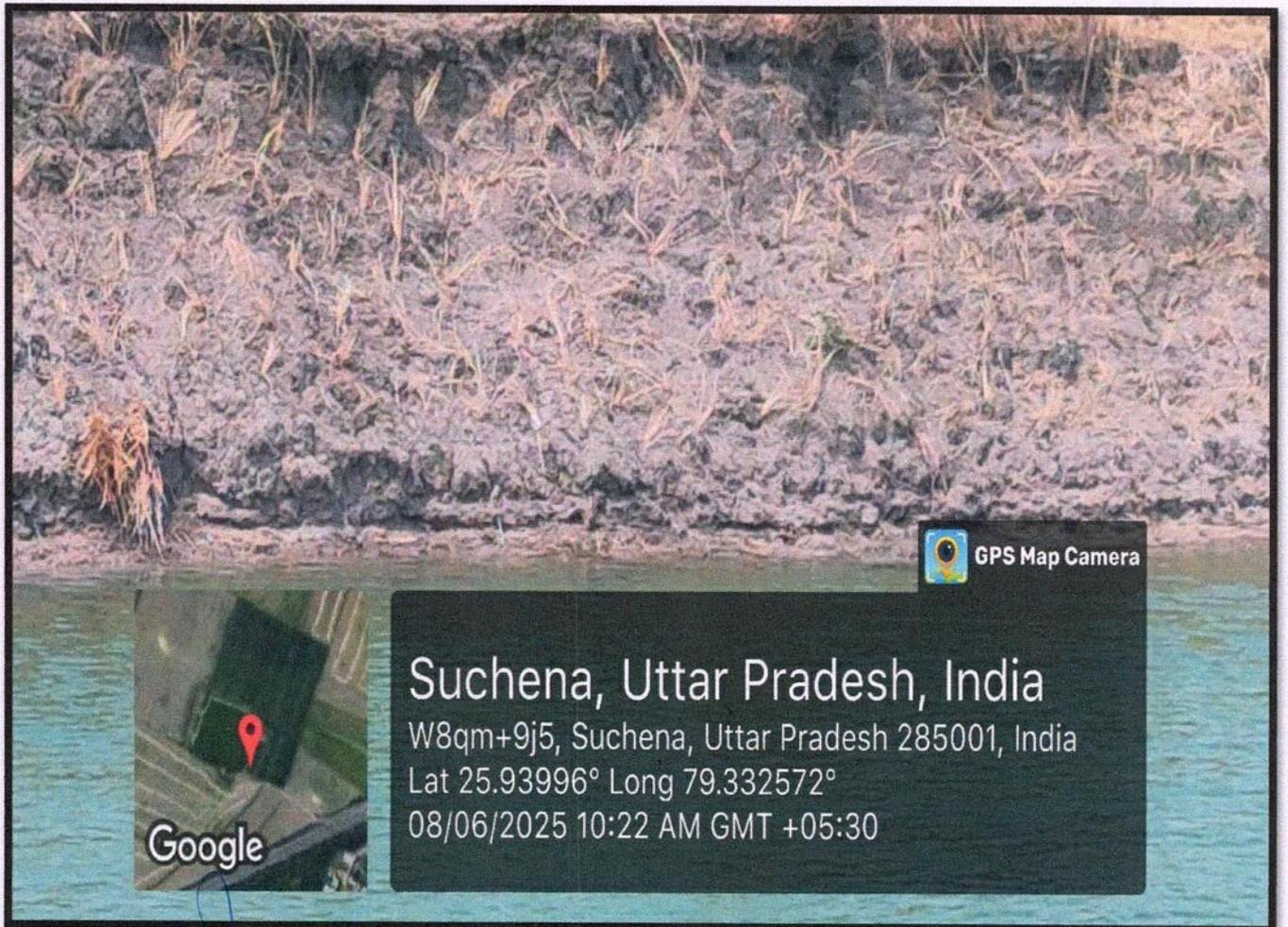
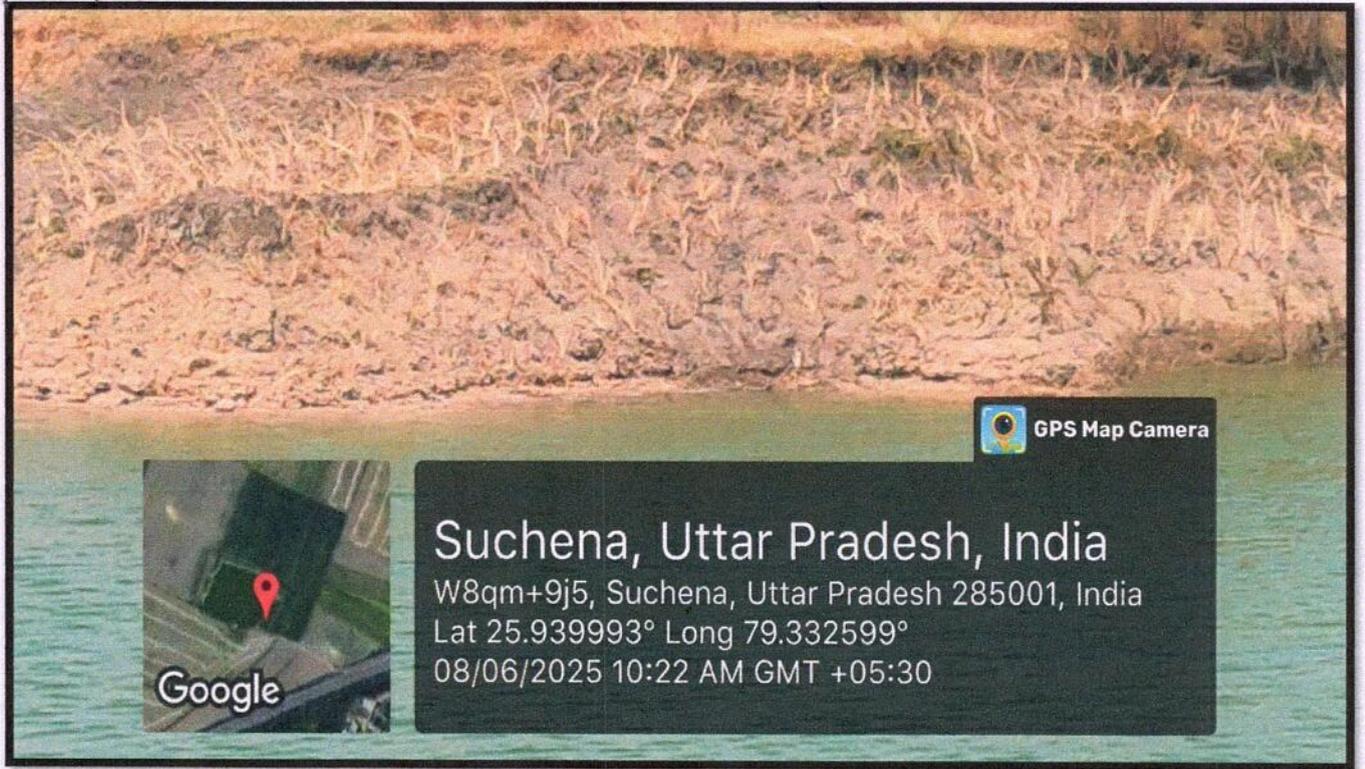


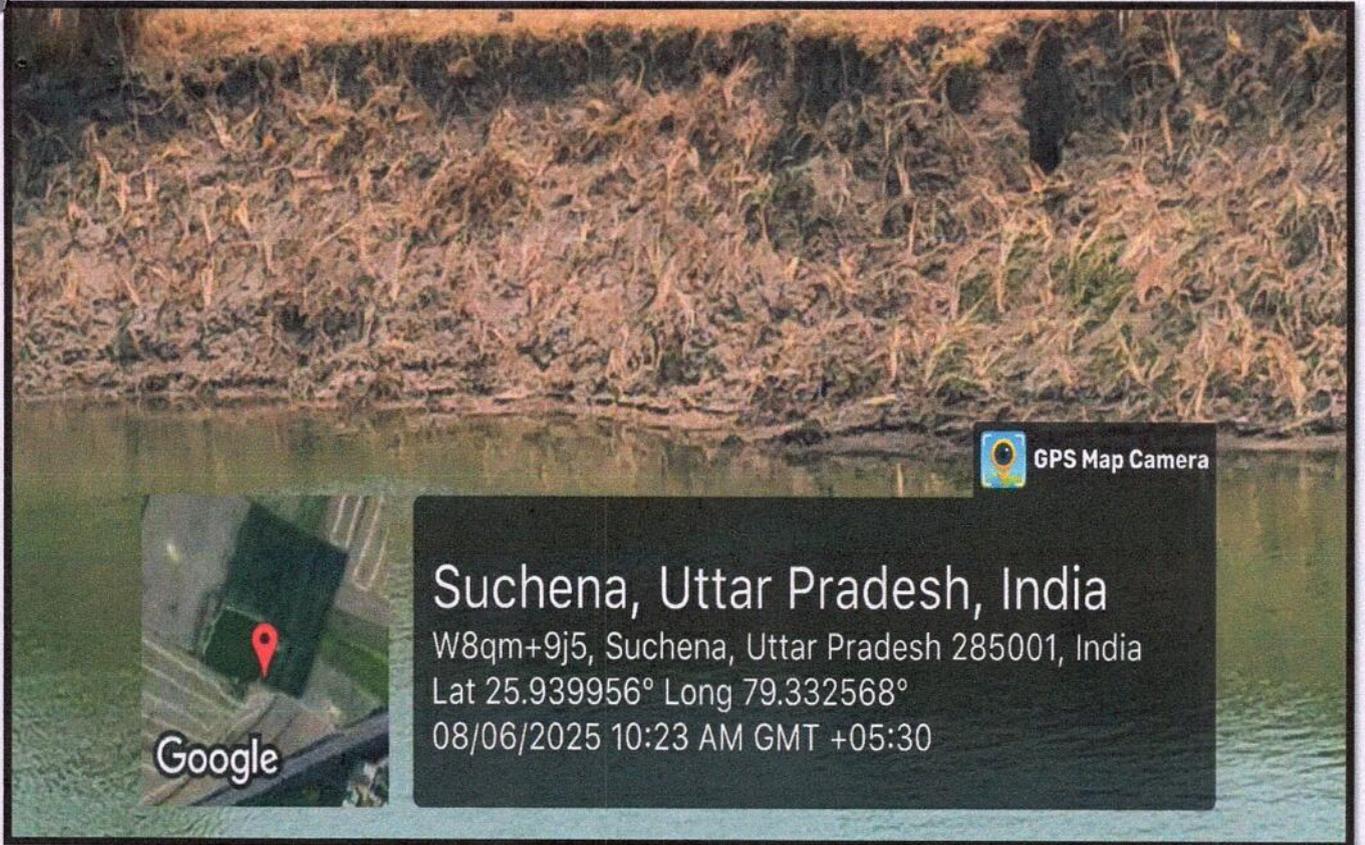
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Suchena, Uttar Pradesh, India

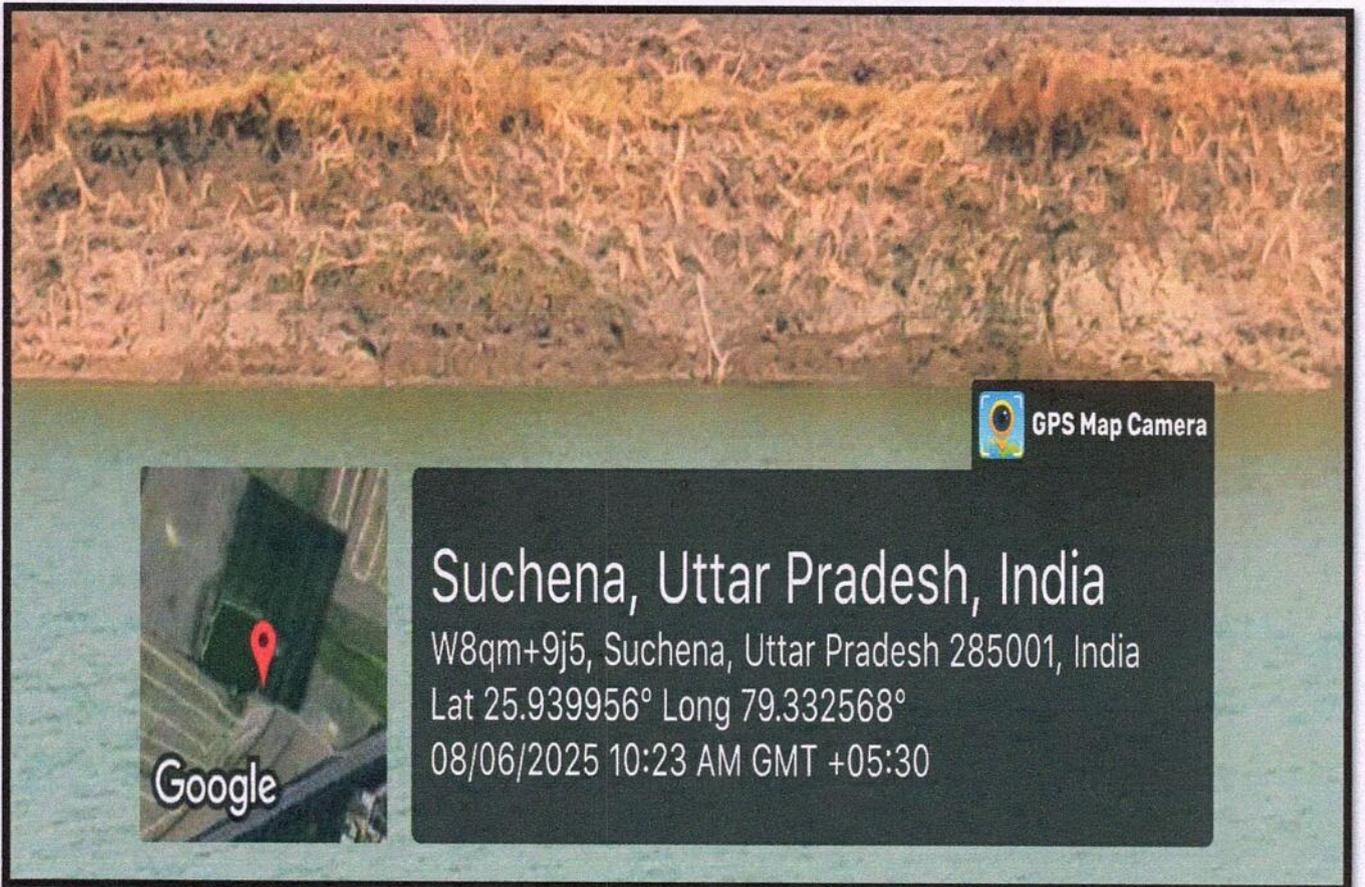
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Google

GPS Map Camera



Suchena, Uttar Pradesh, India

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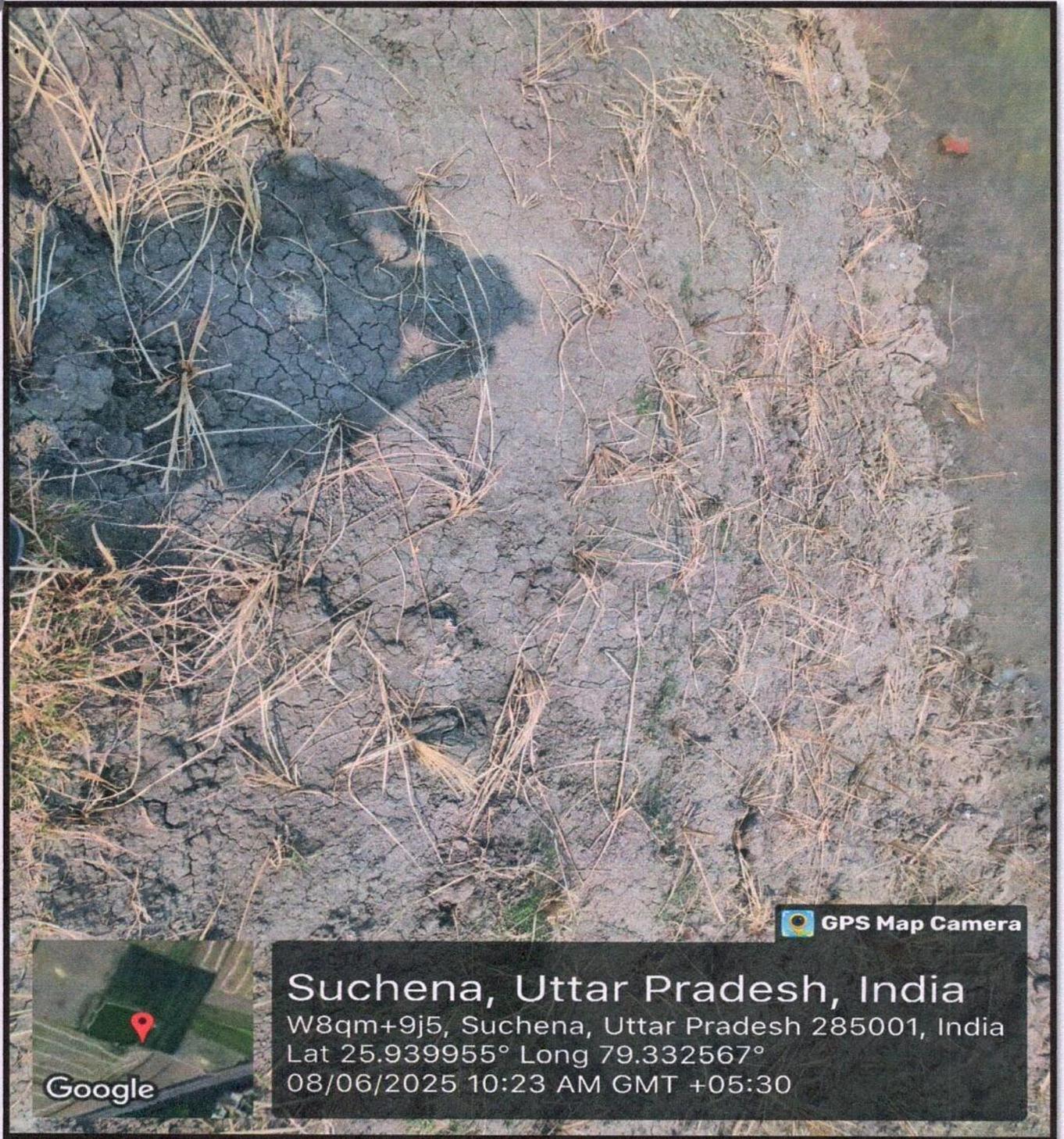
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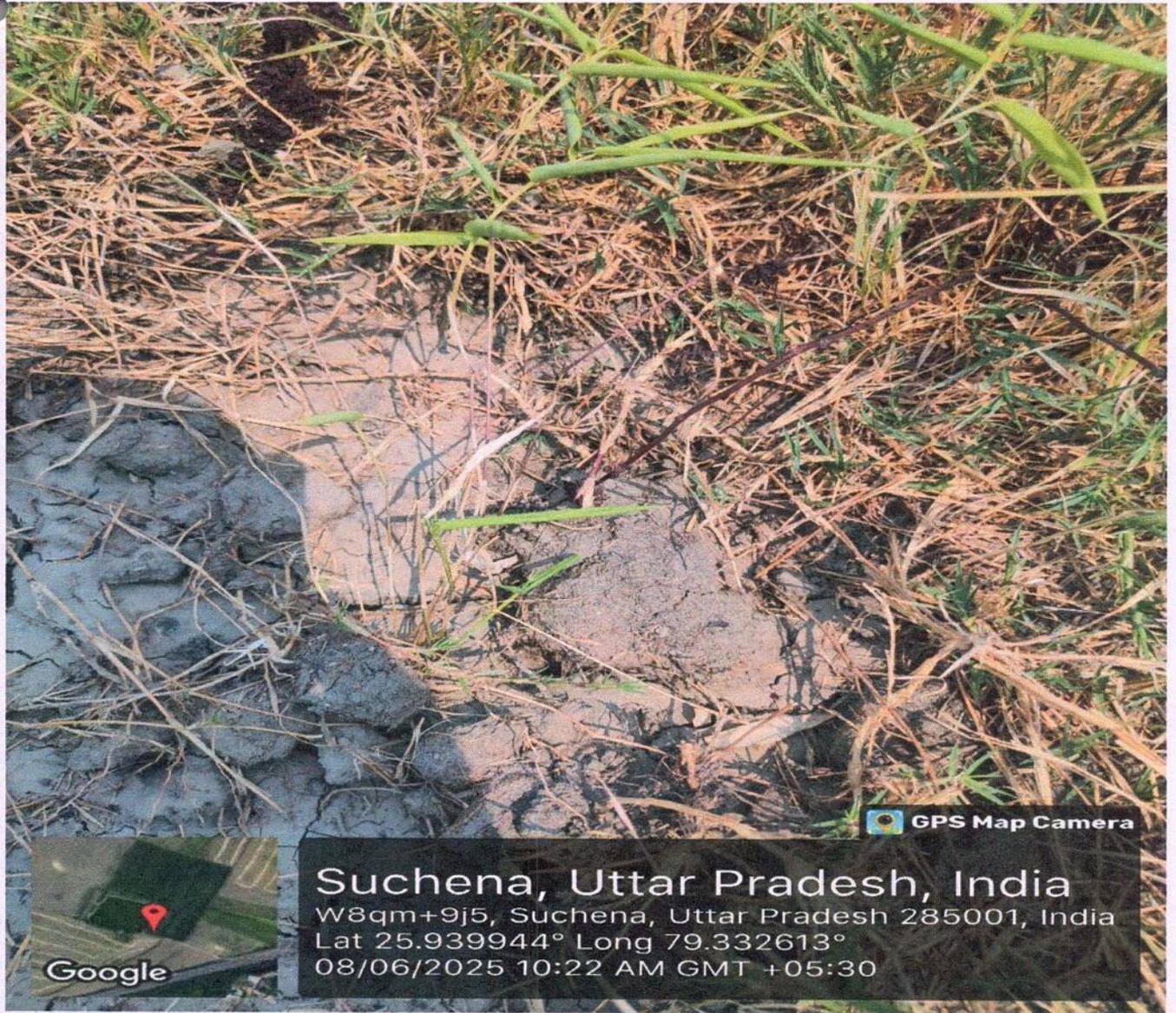
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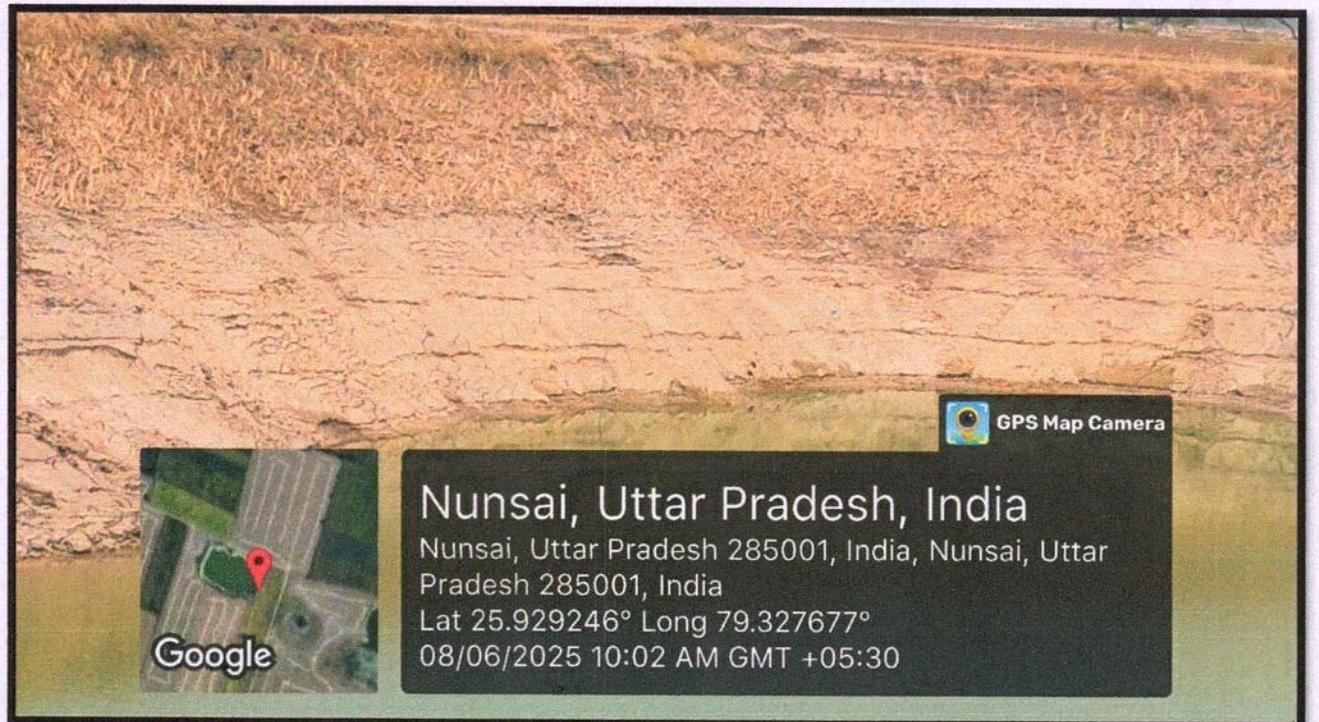
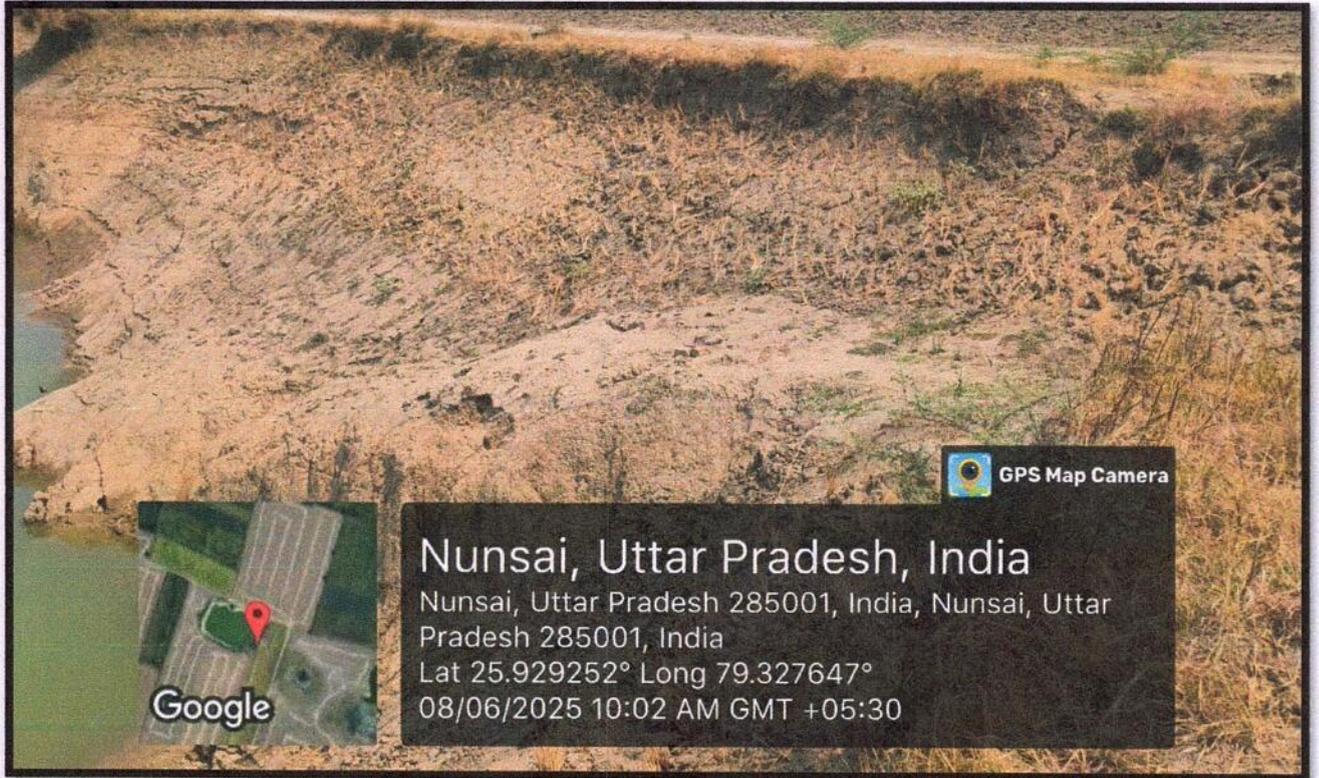
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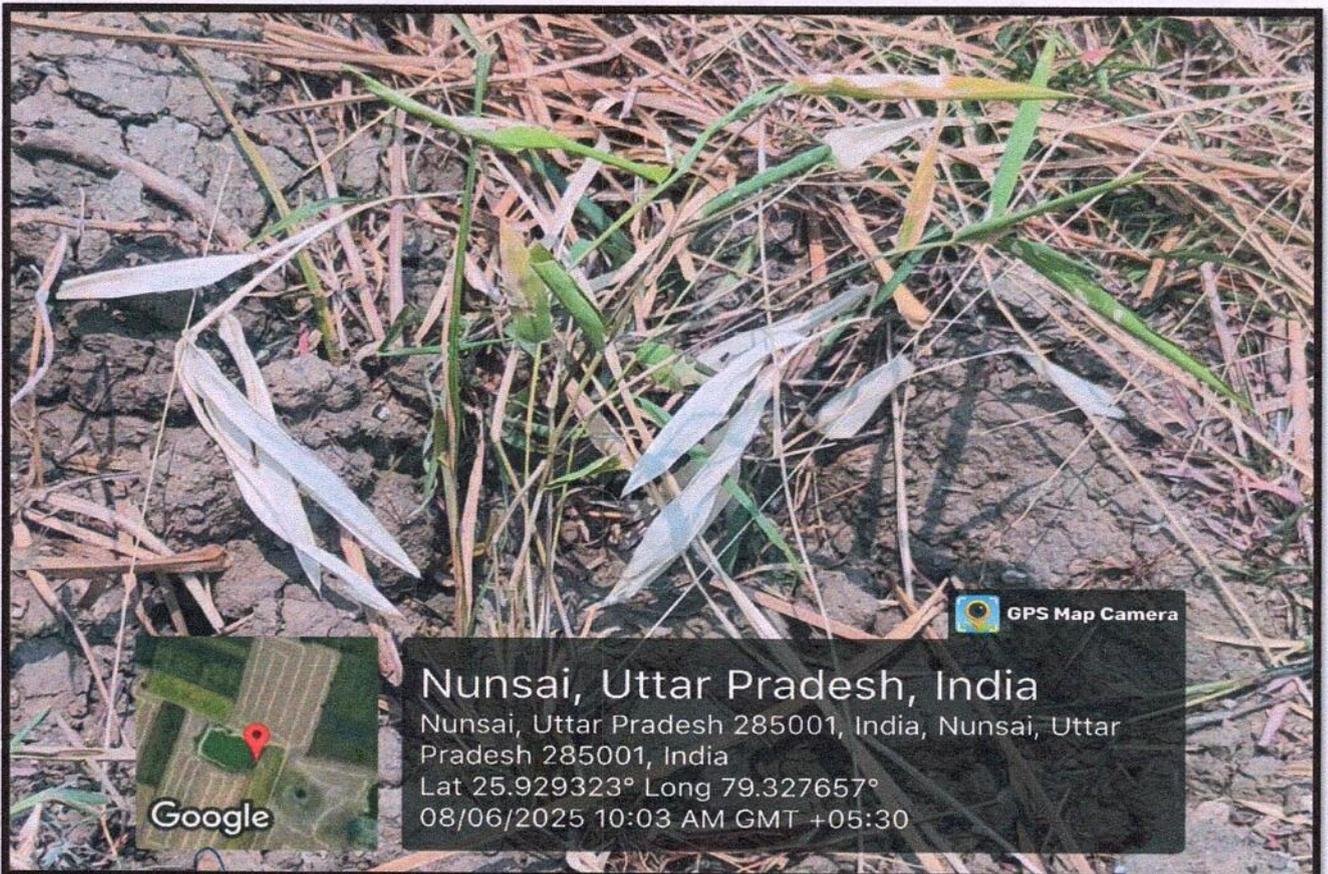
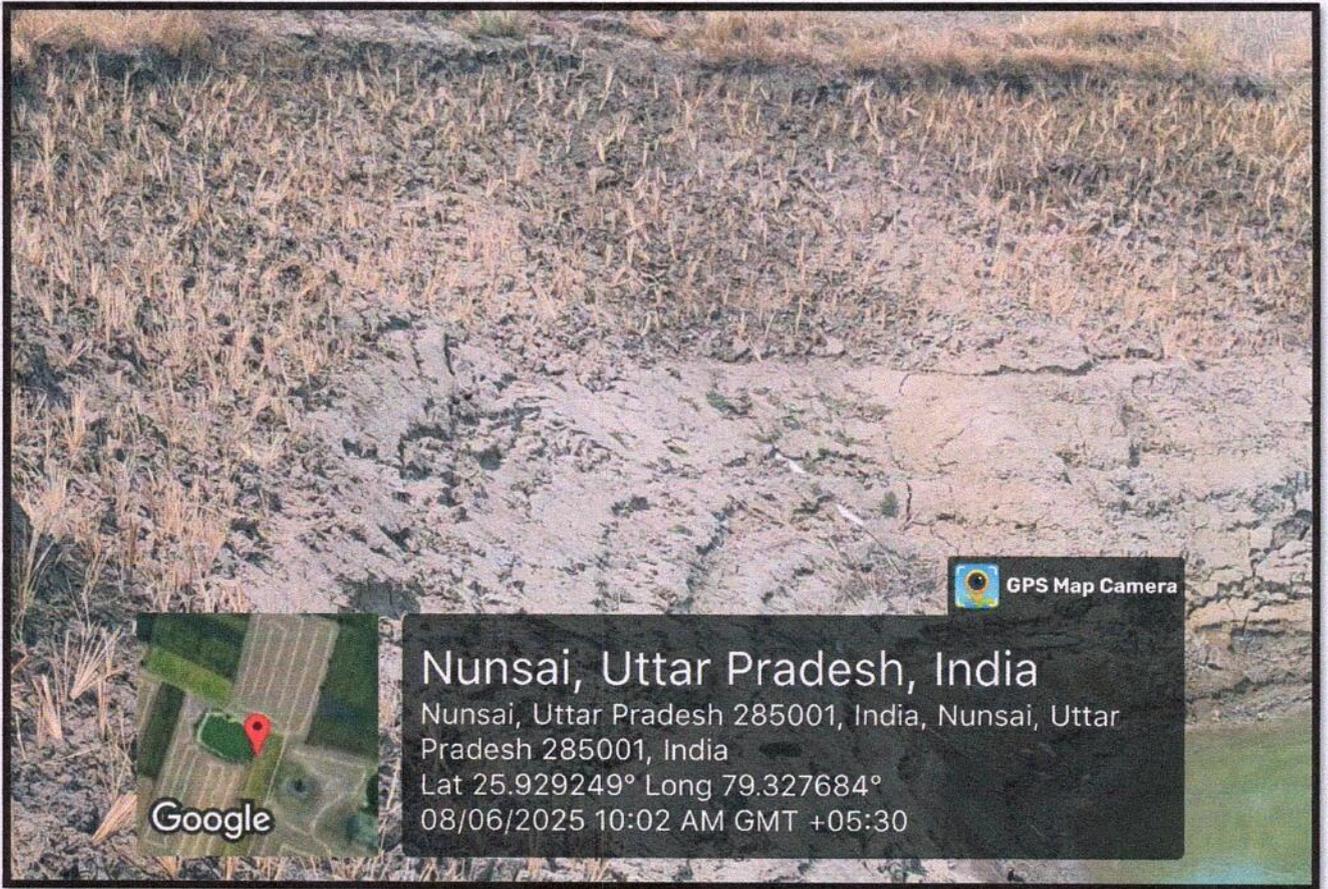


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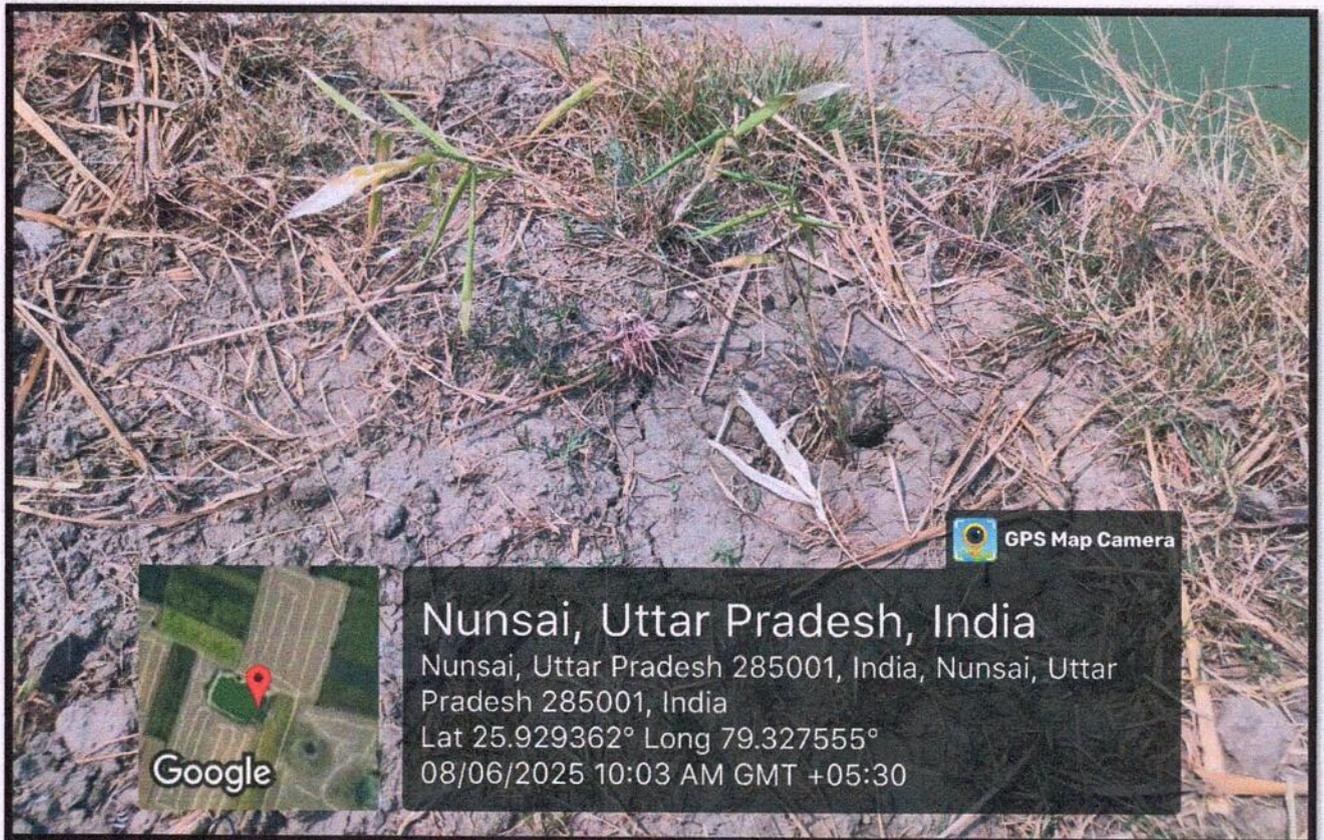
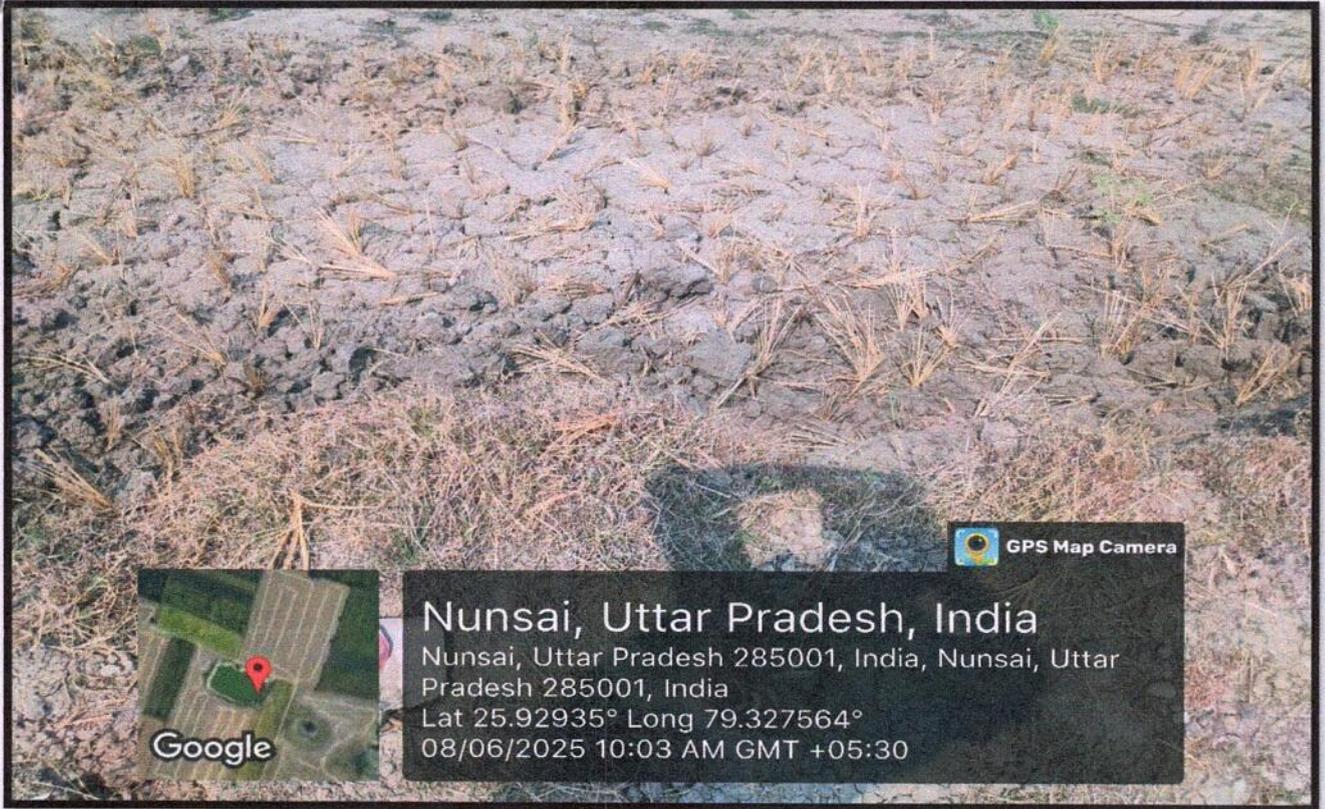
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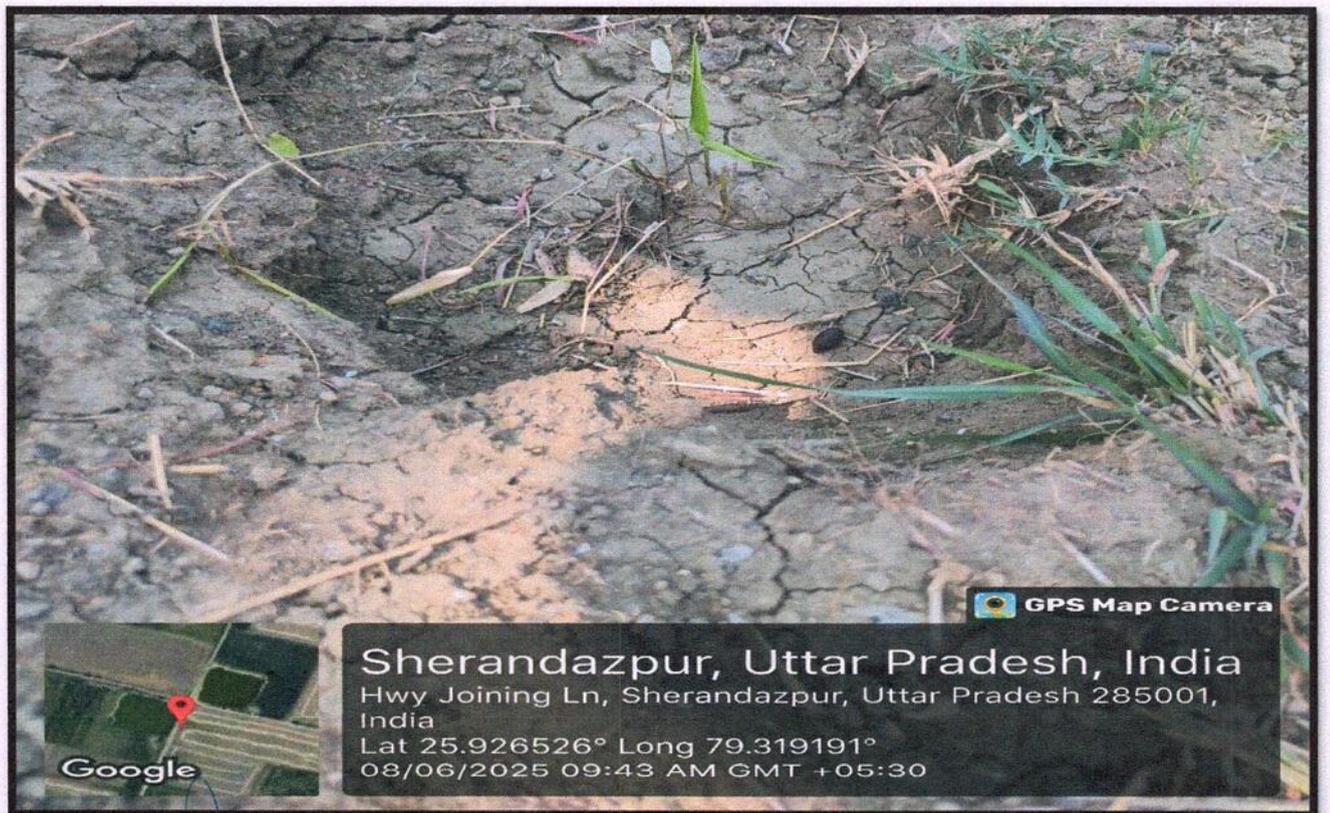
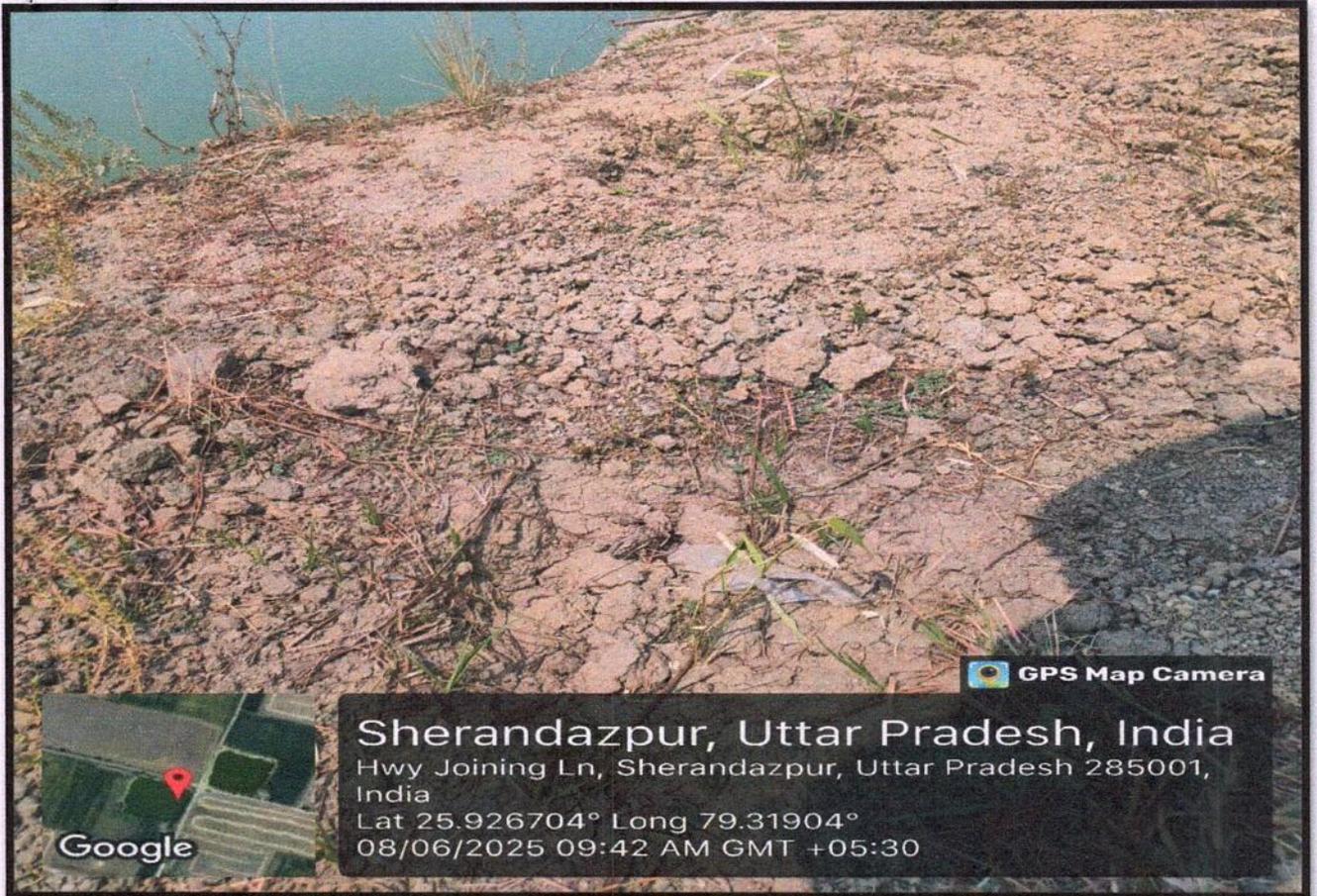


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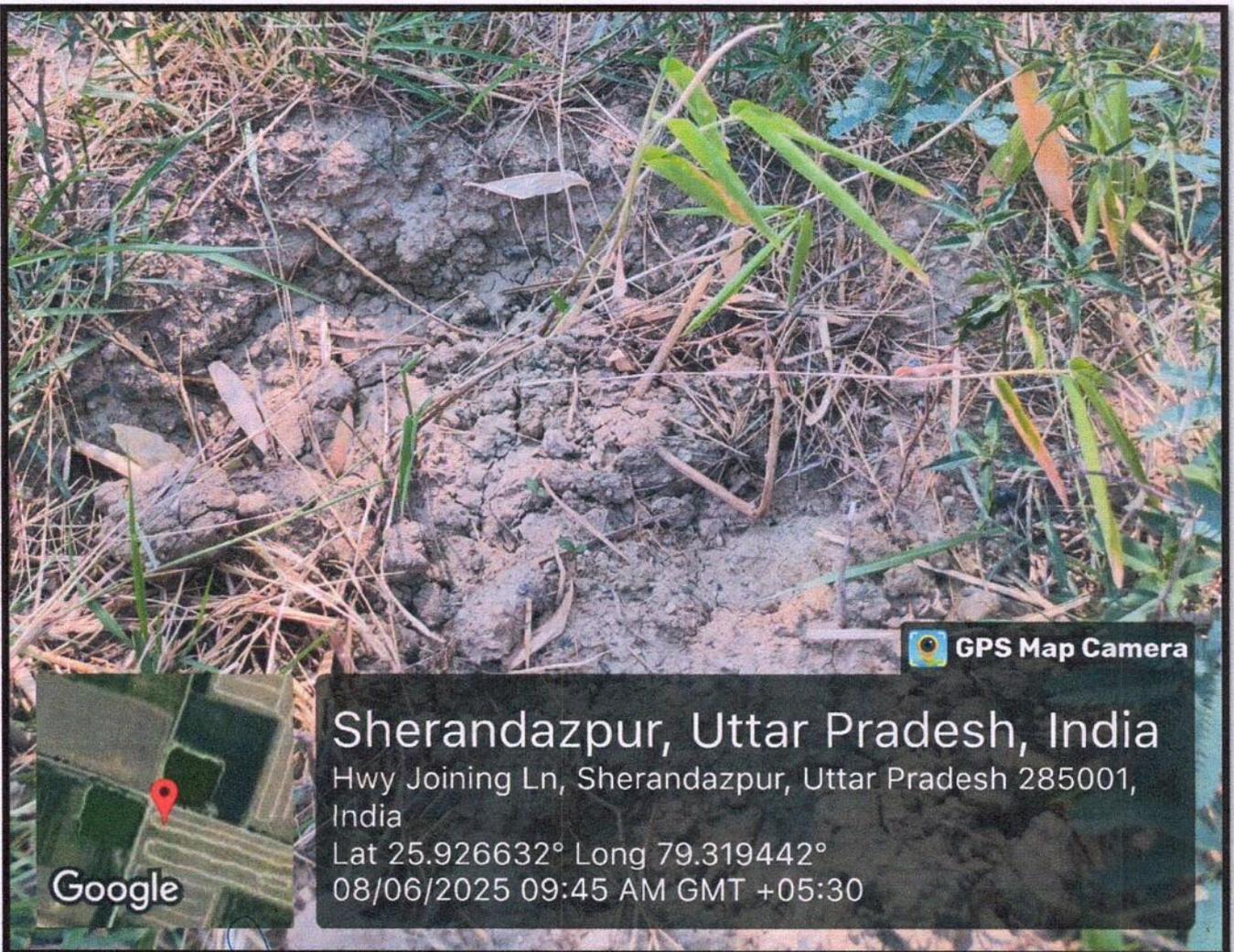
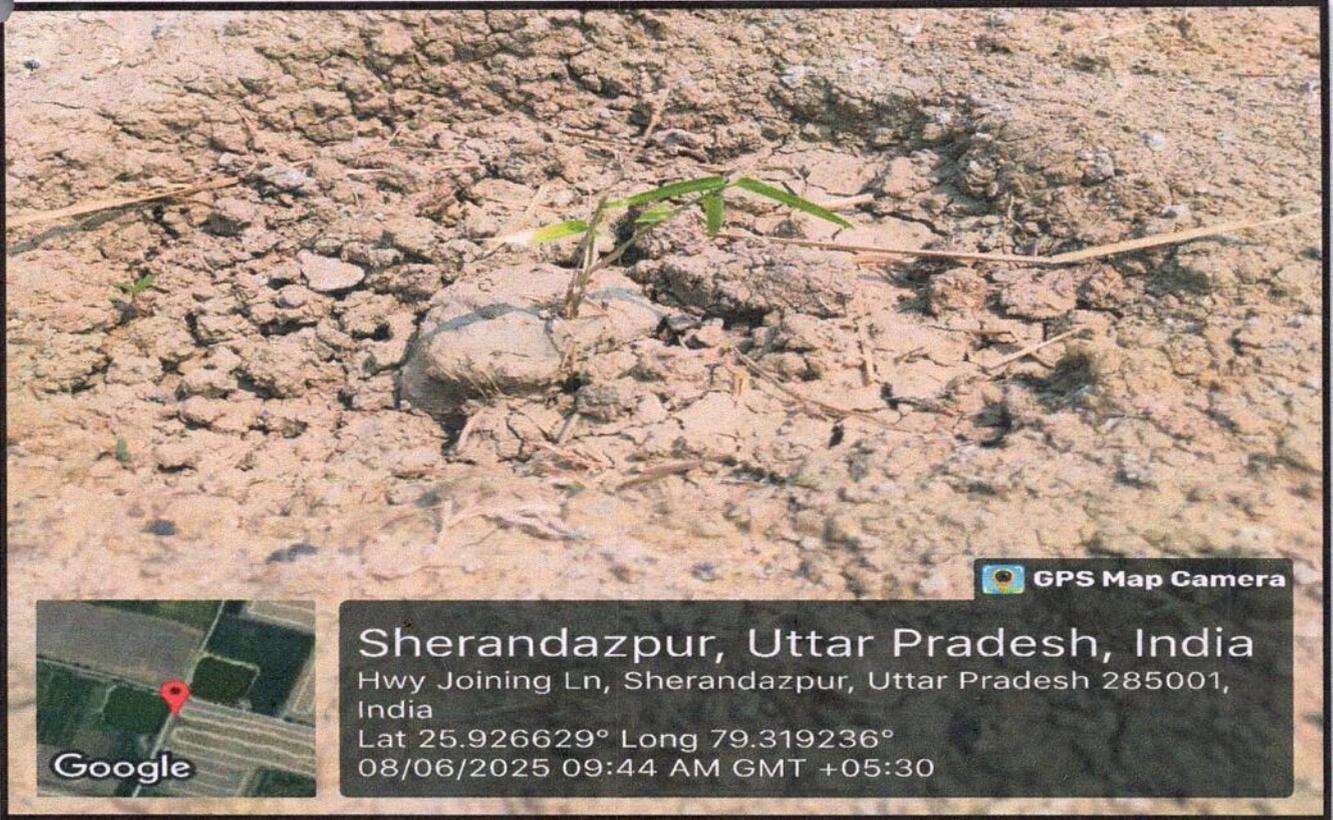


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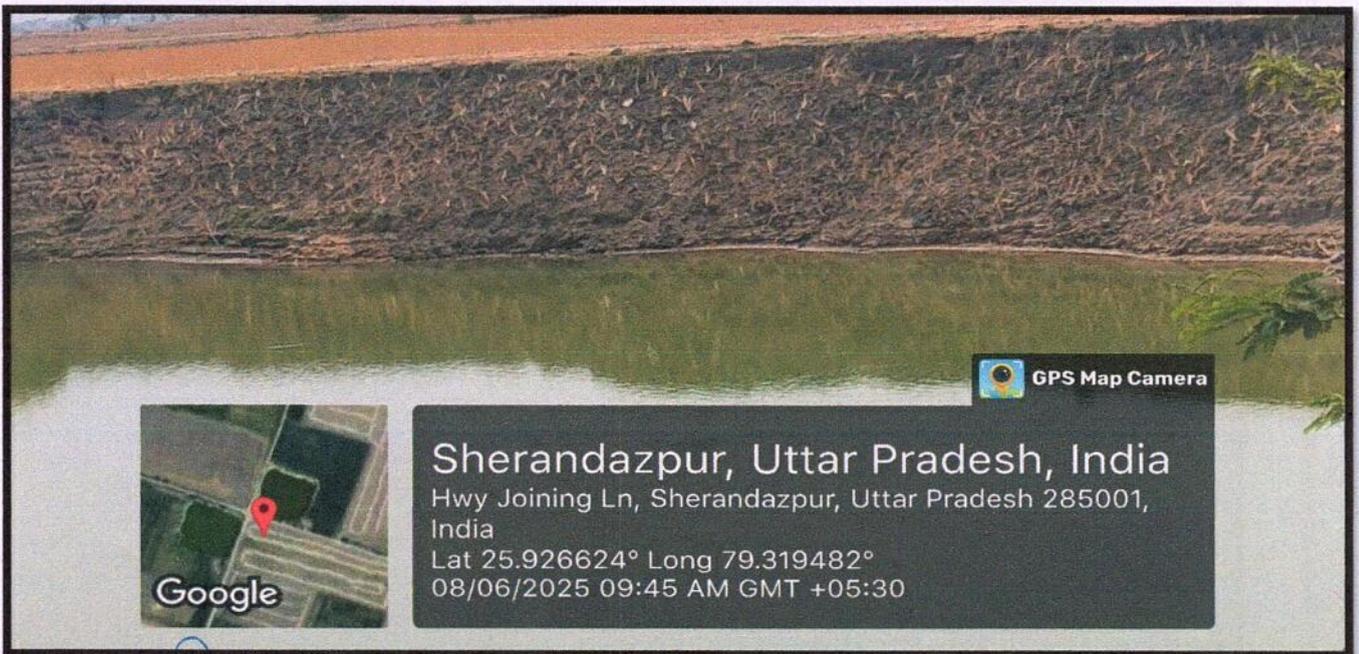
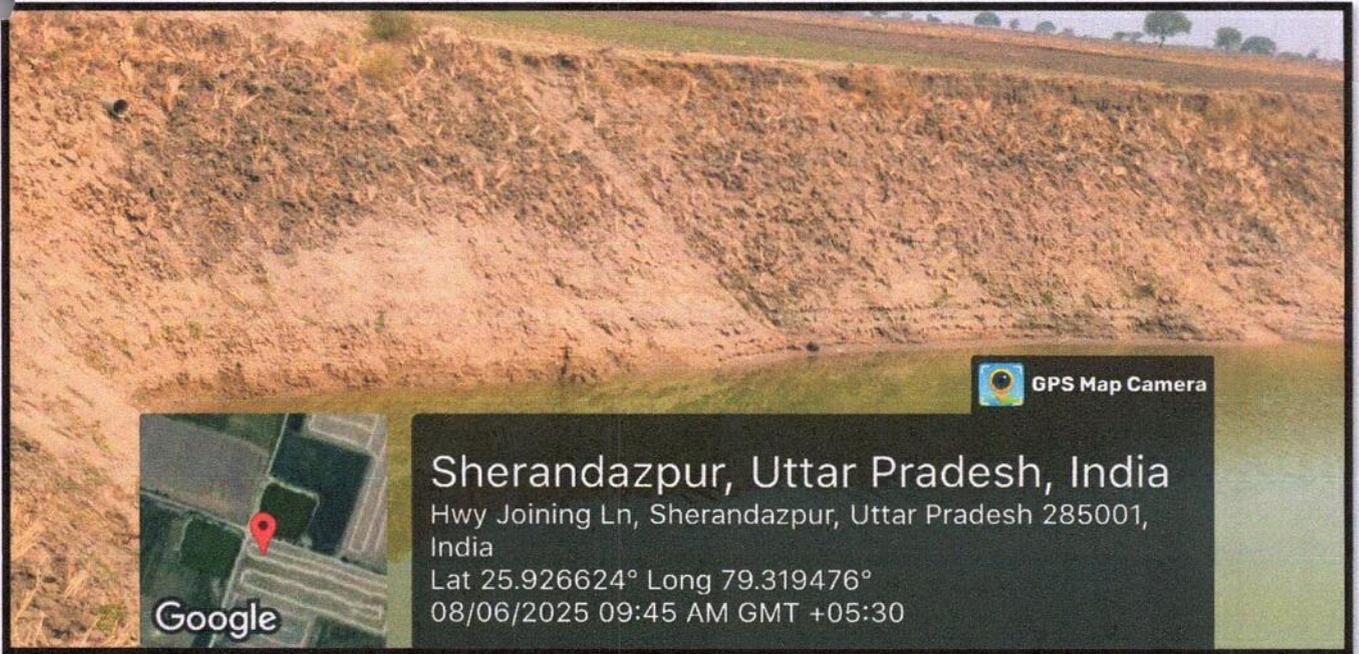
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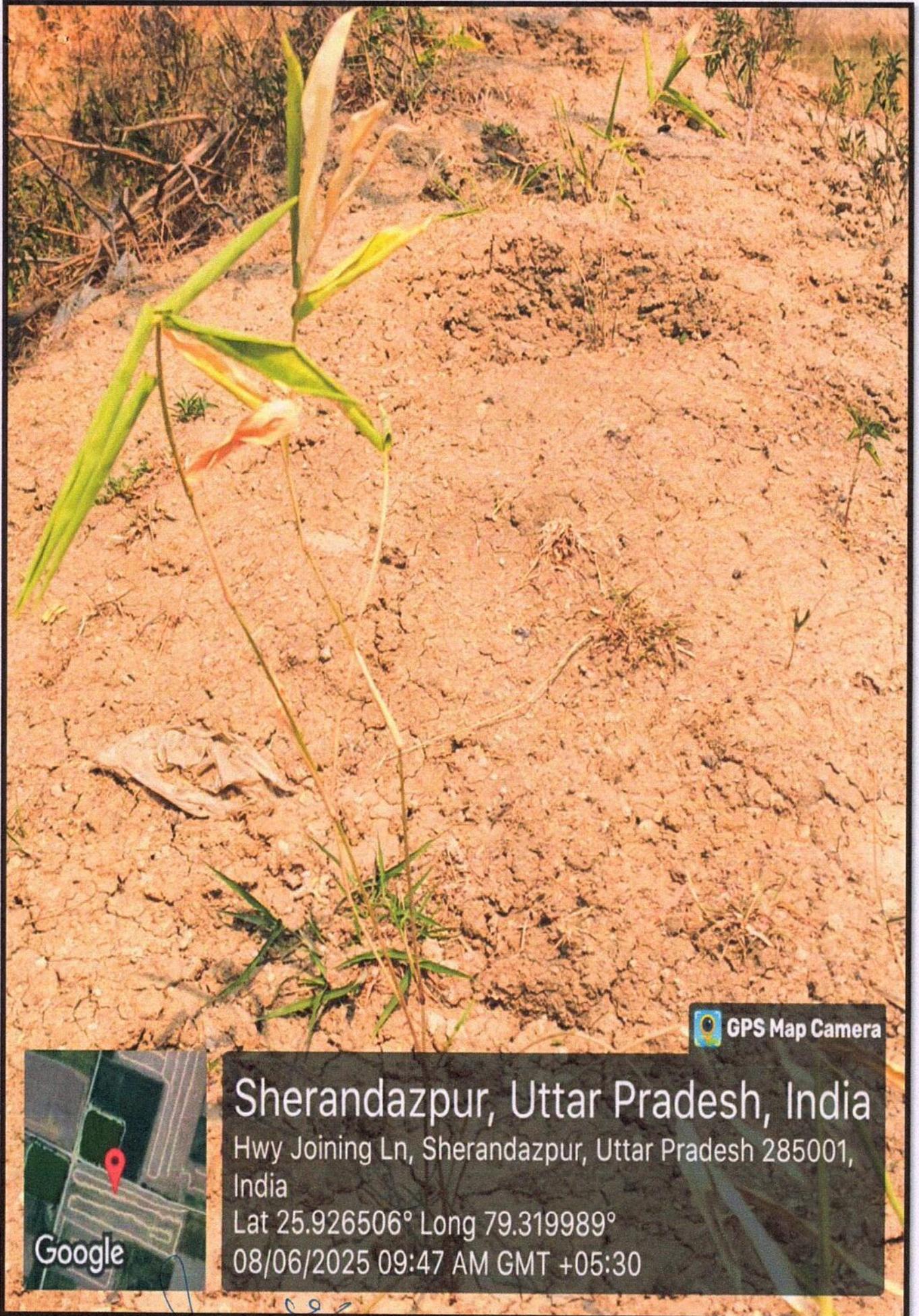
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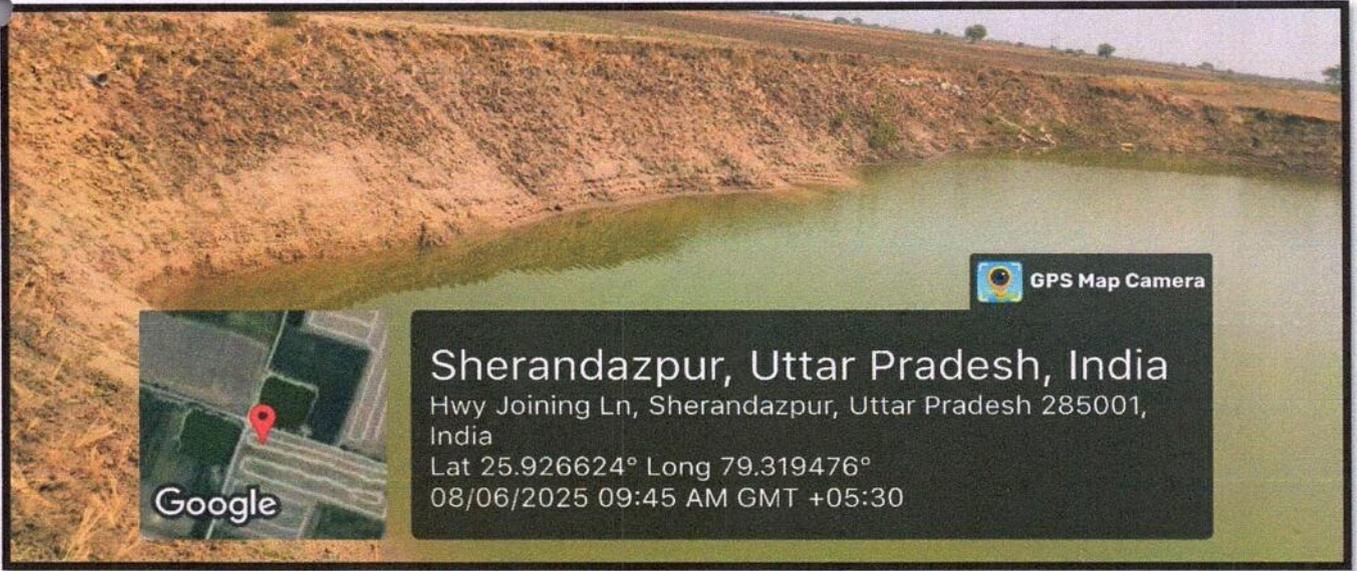


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Sherandazpur, Uttar Pradesh, India
Hwy Joining Ln, Sherandazpur, Uttar Pradesh 285001,
India
Lat 25.926506° Long 79.319989°
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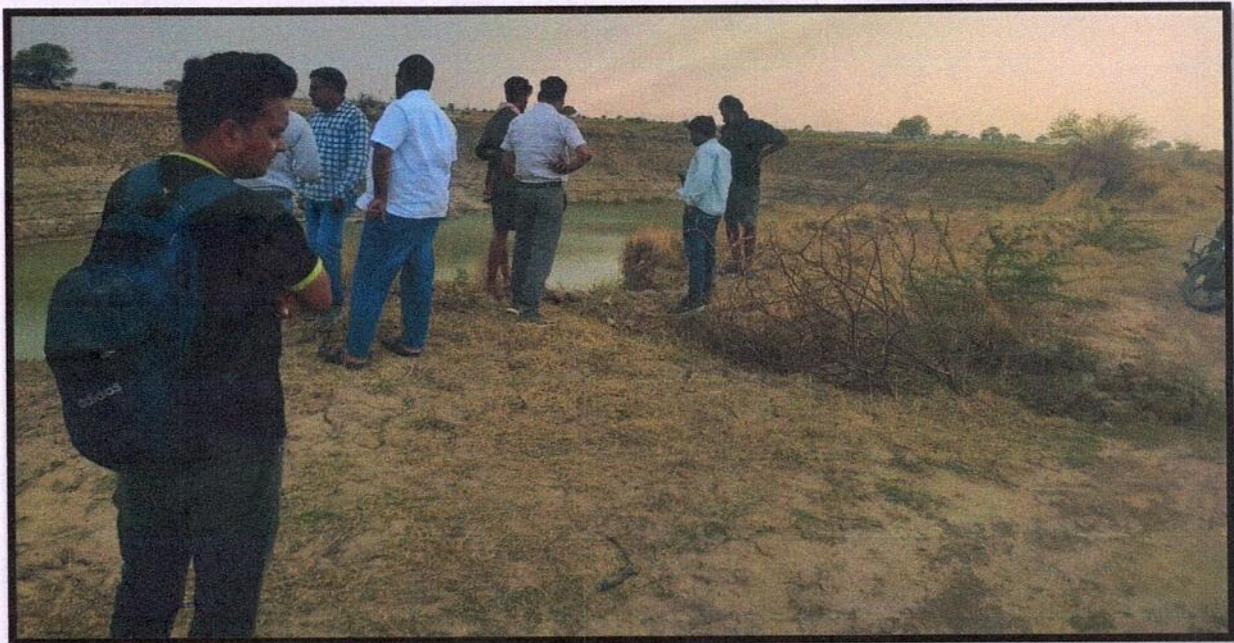
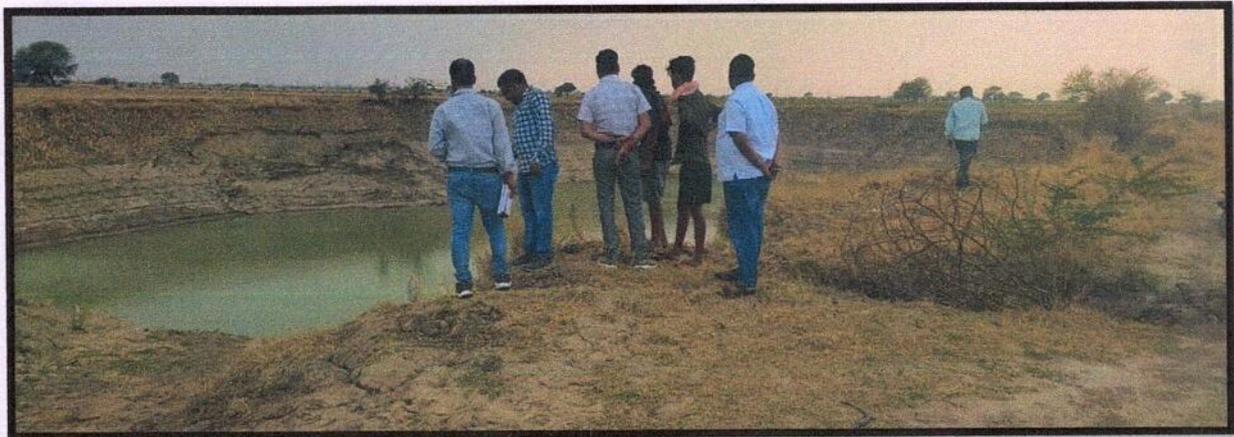
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Am 16

Inspection of Mining Sites for Verification of Work as Per Remediation Plan

2262



Amir