

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Reply to I.A No. 860/2023 (by Respondent No.4)  
IN  
ORIGINAL APPLICATION NO. 160 OF 2023



IN THE MATTER OF:

Om Pal & Ors.

Appellants

Versus

State of Uttar Pradesh & Ors.

Respondents

AND IN THE MATTER OF:

Mumtaz Ali

Applicant/ Respondent No. 5

WRITTEN SUBMISSION / REPLY ON BEHALF OF  
THE MINING DEPARTMENT TO THE APPLICATION  
FOR VACATING THE ORDER OF STAY DATED  
27.03.2023 ON BEHALF OF RESPONDENT NO. 5.

I, Utkarsh Tripathi, age 26 years, S/o Mr. S.N. Tripathi,  
presently posted at Mines Officer, Ghaziabad, do, hereby solemnly  
affirm and declare as under:

1. That in official capacity I am well conversant with the facts and  
circumstances of the case and competent to swear the present  
written submission / reply on behalf of the Mining Department.



2. That an affidavit dated 20/05/2023 before this Hon'ble Tribunal by the then Director, Geology and Mining, Uttar Pradesh has made the following submissions:

- i. That, regarding response the averments made by the applicant and the observation made by the joint committee regarding violations of environmental norms by the PP and also regarding the aspects referred to by this Tribunal in order dated 27.03.2023, it is most humbly submitted that a lease was executed in favour of Sri Mumtaj Ali S/O late Fakir Mohd. R/O Mohamadabad, District Jyotiba Phule Nagar for a period of 5 years in khand no.1, Gata no. 8mi, 9mi, 10mi, 11mi, 12mi, 13mi, 17mi, 18, 19, 20mi, 21mi, 22mi, 25mi, 26mi, 27mi, 30mi, 37mi, 38mi, 39mi, 40mi, 41mi, 53mi, 54mi, 55mi, 56mi, 57mi, 237mi, 238mi, 239mi, 240mi, area 16.183 Hectare Village Pachayra, Tehsil Loni, District Ghaziabad. It was alleged by Sri Om Pal that Sri Mumtaj Ali was doing illegal mining in Khasra No. 8, 9, 10, 11, 12, 13, 37 and 38 and was also using heavy machines for loading the minerals and thus has led to shifting of bank of river Yamuna, It was also alleged



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that no pillars, no camera were installed in the leased area.

It was also alleged that one death occurred due to drowning.

That this Hon'ble Tribunal vide order dated 10.03.2022 constituted a joint committee to inspect the area and submit the report. Joint committee inspected the area on 03.11.2022 and found that no mining activities were going on. The joint committee also found that no pillars and cameras were installed. Regarding the death due to drowning, no such incident came to the knowledge of Joint committee.

- ii. That it is further submitted that Hon'ble Tribunal vide order dated 27.03.2023 directed

"14. In view of the mandate in section 20 of the NGT Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19(4)(j) of the NGT Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, respondent no. 5 is directed to desist from carrying



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out any further mining activity in the mining site leased out to it and environmental clearance if any granted by SEIAA, Uttar Pradesh to respondent no. 5 in respect of the above said mining site shall also remain in abeyance till further orders to the contrary.

15. The District Magistrate and the Senior Superintendent of Police, Ghaziabad are also directed to take appropriate steps to ensure that no illegal mining takes place in the mining site in question."

- iii. That, in compliance of the above direction the District Magistrate, Ghaziabad vide letter dated 15.04.2023 instructed the concerned SDM and SHO to ensure that no mining activity should take place in the concerned area. Recently on 19.04.2023 officials of Revenue Dept. and Mining Dept. visited the concerned area and found that no mining activity is undergoing.

1. That the Joint Committee consisting of Officers from Mining Department, Ghaziabad and UPPCB, Ghaziabad inspected the questioned site on 17.03.2023 and submitted the following observations:

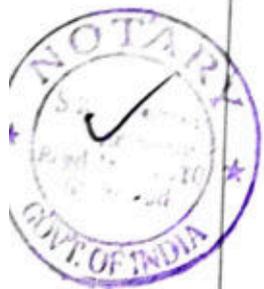


**COMPLIANCE OF STIPULATED GENERAL AND SPECIFIC CONDITIONS OF ENVIRONMENTAL CLEARANCE**

819

**Part-A -General conditions:-**

Point no.	General conditions as per Environment clearance issued	Compliance as per PP	Compliance on Site
1.	This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department	The Mining lease documents are completely compatible with Environment Clearance document.	PP has stopped work on site since 30.01.2023 as mining lease cease to exist.
2.	Forest clearance shall be taken by the proponent as necessary under law.	The land is non forest land. Already the Letter of Intent was granted to us after getting NOC form forest department.	Forest clearance is not applicable on present site.
3.	Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA, Notification, 2006 (as amended)	Agreed	To be complied at the time of mining in the area. Mining to be done strictly in Khasra Numbers listed in Lol and EC.
4.	Precise mining area will be jointly demarcated at site by project proponent and officials of mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months	Agreed	Neither Site plan nor copy of EC was displayed on site.



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5.	Mining and loading, shall be done only within day hours time.	Mining has been done in daytime only and single shift operation	Mining was found closed at the time of inspection.
6.	No mining shall be carried out in the safety zone of any bridge and/or embankment	Mining has had been done with due respect to mining guideline, No mining has been done in safety zone of any bridge and or embankment	Mining was found closed at the time of inspection.
7.	It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with Water sprinklers and other dust Control measures should he applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent	The environmental quality parameters are within standards specified by CPCB as evident form test reports already attached with this compliance report. Sprinkling of water has been regularly practiced on haul roads and loading/unloading points during working period	Ambient Standards are not met in entire District. Anti-smog gun was found installed on site at the time of inspection. Same was not in operation as mining was closed. No sprinkler tanker observed on-site. PP has annexed a photograph of sprinkler along with their response. Same needs to be verified at the time of operations.
8.	All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.	Agreed	PP has obtained CTO from Board on 05.01.2023 Thus, the said condition was violated as mining was started before obtaining CTO.
9.	Parking of vehicles should not be made on public places.	There is limited movement of vehicles as the workers are from nearby villages they are using cycles but the employee coming through other vehicles has been instructed not to park near public places.	Very light vehicular movement observed in the area.




10.	No tree-felling will be done in the leased area, except only with the permission of Forest Department	The lease area is devoid of trees thus no cutting of trees has been done	No tree plantation observed in the mining lease area.
11.	It shall be ensured that excavation of minor mineral does not disturb or change the underlying soil characteristics of the river bed /basin, where mining is carried out.	The mining has been practiced as per the depth restricted in Environmental clearance issued.	No Mining activity was observed at the time of inspection.
12.	It shall be ensured that mining operation of Sand/Morram will not in any way disturb the, velocity and flow pattern of the river water significantly	Mining has been done in river bed area no river stream channel disturbed, eventually no velocity and flow pattern of the river has been disturbed due mining	Mining was found closed at the time of inspection.
13.	It shall be ensured that there is no fauna dependent on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority, shall be submitted to the RO, PCB and SEIAA within 02 months.	No fauna dependent on river bed or areas close to the mining for its nesting has been reported in the lease area.	Compliance report vetted by competent authority not submitted in the concerned Regional Office of the State Board
14.	Hydro geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.	The Environmental clearance has been issued for mining upto ultimate depth of 3.0m. No ground water intersection has been done during mining.	Hydro geological study report by competent organization/institute not submitted in the concerned Regional Office of the State Board
15.	Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any), close by the lease area are not	Adequate protection measures have been made to avoid further environmental pollution. There is no habitation on or close	Report not submitted in the concerned Regional Office of the State Board



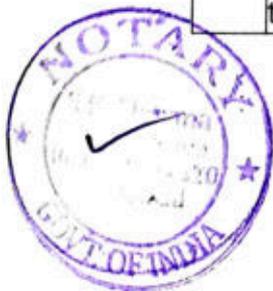
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	adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.	to the project site.	
16.	Need based assessment for the nearby villages shall be conducted to study economic measures which can help in improving the quality of life of economically weaker section of society. Income generating projects/tools such as development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such programme. The project proponent shall provide separate budget for community development activities and income generating programmes.	As per letter issued by gram Pradhan claiming that Under Corporate environment Responsibility programmes project proponent has distributed stitching machines and distributed blankets to economically weaker people of village Pachayara (Gram Pradhan letter & pictures enclosed).	Pictures dated 04.01.2023 enclosed in the reply. No record of earlier activities with regards to socio-economic measures submitted.
17.	Green cover development shall be carried out following CPCB guidelines including selection of plant species and in consultation with the local DFO/ Horticulture Officer.	Project proponent has planted 300 saplings at community land at different places in village pachayara. (Pictures enclosed and gram Pradhan letter also enclosed)	Pictures dated 04.01.2023 enclosed in the reply received. Considering the period of lease, no substantial plantation observed on site or in the area.
18.	Separate stock piles shall be maintained for excavated top soil, if any, and the top soil should be utilized for green cover/tree plantation	The lease area is river bed, no topsoil cover in the lease area	No mining activity observed on site at the time of inspection.
19.	Dispensary facilities for first-aid shall be provided at site.	Agreed	Dispensary facility not provided on site.
20.	An Environmental Audit should be annually carried out during the operational phase and	Agreed	No record of audit report submitted.

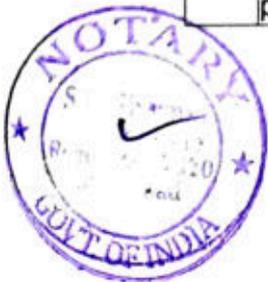


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	submitted to the SEIAA		
21.	The District Mining Officer should quarterly monitor compliance of the stipulated conditions. The project proponent will extend full cooperation to the District Mining Officer by furnishing the requisite data/Information/ monitoring reports. In case of any violations of stipulated conditions the district Mining Officer will report to SEIAA.	Agreed	At present the undersigned i.e. Mohd. Mahboob, Senior Mines officer has taken charge of district Ghaziabad from 21-02-2023 and even before then the concern mining activity has ceased due to expiration of E.C.
22.	The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies, to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board by 1st June and 1st December every year.	Agreed,	Six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data not submitted as required.
23.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/ Municipal Corporation and Urban local Body.	Agreed	Proof of receipt not provided at the time of inspection nor given in compliance report.
24.	Transportation Of materials shall be done by covering the trucks / tractors with tarpaulin or other suitable mechanism to avoid fugitive emissions and spillage of mineral/dust.	Agreed	No mining observed on site. Can be verified when the site is in operation.
25.	Waste water, from temporary habitation campus be properly collected & treated before discharging into water bodies the treated effluent should	No temporary habitation proposed onsite, the labours hired are from nearby villages	No test report in this regards submitted.



	conform to the standards prescribed by MoEF/CPCB.		
26.	Measures shall be taken for control of noise level to the lands prescribed by CPCB	Agreed	No test report regarding same submitted during operation submitted.
27.	Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities maintenance of village roads through which transportation of minor minerals is to be undertaken, shall be carried out by the project proponent regularly at his own expenses.	Agreed	No record regarding same submitted during operation submitted.
28.	Measure for prevention & control of soil erosion and management of soil shall be undertaken. Protection of dumps against erosion, if any, shall be carried out with geotextile matting or other suitable material.	Agreed	No record or photographic evidence regarding same submitted.
29.	Project Proponent shall explore the possibility of using solar energy wherever possible.	Agreed	No solar panel observed on site.
30.	Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CSR component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The	As per letter issued by gram Pradhan claiming that Under Corporate environment Responsibility programmes project proponent has distributed stitching Machines and distributed blankets to economically weaker people of village Pachayara (Gram Pradhan letter & pictures enclosed).	Detailed report regarding work done under different heads, cost incurred and sustainability as well as quality of these works should be submitted by the PP. Also, same should be verified by competent authority and certificate with regards to completion of work be issued to PP.

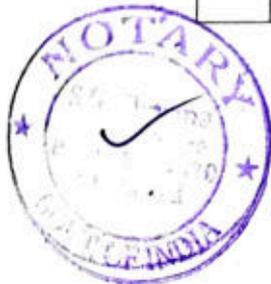


	programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.	Project proponent has also got installed handpumps in village Pachayara (pictures enclosed)	
31.	Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.	Agreed	No record or photographic evidence regarding same submitted.
32.	The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow. SEIAA, U P and UPPCB	Agreed	No report with regards to expenditure of funds earmarked for environmental protection submitted in Regional Office, UPPCB.
33.	Action plan with respect to suggestion/improvement and recommendations made and agreed during Public hearing shall be submitted to the District mines Officer. concern Regional Officer of UPPCB and SEIAA within 02 months	The suggestion made by public hearing panel and public has implemented.	Action Plan not submitted in Regional Office, UPPCB.
34.	Environmental clearance is subject to obtaining clearance under the Wild Life Protection, Act. 1972 from the competent authority, if applicable to this project.	Agreed	Not Required
35.	The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the	No nesting sites has been observed till date	Not observed.



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	observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards, the safety, notified zone should be left so that the habitat/nesting area is undisturbed.		
36.	The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.	Adequate safeguard measures has been adopted, Mining has been done strictly in adherence to EC issued & no hydro geological regime of the surrounding area has been affected.	No mining observed at the time of inspection. Needs to be verified during operation phase.
37.	The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater) required for the project.	No ground water withdrawal of water done onsite the water requirement has been done by water tankers supplied form local vendors	No borewell observed on site.
38.	Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation	Agreed	Needs to be verified during operation phase. Mitigation Measure Plan not submitted in UPPCB.



39.	Vehicular emissions shall be kept under control and regularly monitored; the vehicles carrying the mineral shall not be overloaded.	Agreed, The vehicles used for transportation are PUC certified.	Needs to be verified during operation phase.
40.	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STD, safe drinking water, medical health cafe, creche etc (MoEF circular Dated 22.09. 2008 regarding stipulation of condition to improve living conditions of construction labour at site)	The labour has been hired from locals, no requirement for accommodation onsite thus no temporary hutment/construction has been done, however for daily workers bio-toilets provision has been made. Safe drinking water has had been provided by water tankers and first-aid kit has also been made available onsite	No labour was present on site. Small temporary hutment of 3-4 huts observed on site.
41.	Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed	Agreed	Needs to be verified during operation phase.
42.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban local Body and the local NGO, if any, from whom suggestions/representations, if	Agreed	Proof of receipt not submitted.



	any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent		
43.	The environmental statement for each financial year ending 31st March in Form V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and forests, Lucknow by e-mail	Agreed	Not submitted.
44.	The green cover development/ tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation)	Plantation has been done along approach road and community places in village Pachayara, (pictures enclosed)	No such plantation observed on site on the approach road.
45.	Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the embankment.	Agreed	No Mining activity was observed at the time of inspection.
46.	Safety measures to be taken for the safety of the People working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/ insect like snake.	Agreed	Needs to be verified during operation phase. On-site dispensary needs to be made operational.



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47.	Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule	Agreed	No record submitted.
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**Part B- Specific conditions**

Sl no.	Specific conditions as per environment clearance issued	Compliance as per PP	Compliance on Site
01	Project proponent should ensure all sapling should survive any mortality will be replaced.	Agreed	Report with regards to mortality rate and replacement done thereof not submitted.
02	Site photographs should be submitted with date and time.	Site photographs enclosed	Camera was found installed near weigh bridge but may not be operational as there was nomining activity going on.
03	Provision for small cylinder to workers should be made for cooking.	Workers are from local villages, cooking provision done onsite, workers have been carrying lunchbox with them	Needs to be verified during operation phase. On-site cooking provisions not available.
04	The capacity of trucks/tractor for loading purpose will be in tonnes as per PWD and Transport Department applicable norms and standard fixed by the Government.	Trucks/tractors loading in tonnes as per Transport Department applicable norms and standard fixed by the Government.	Compliance report need to be submitted by PP along with vehicle details.
05	Provide suitable mask to the workers.	Agreed	Needs to be verified during operation phase.
06	Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road	Approach road has been strengthened and plantation carried out	Not complied.

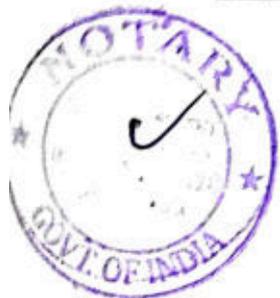


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07	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI, NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance	Agreed	No such study has been undertaken by project proponent.
08	Provision for two toilets and hand pumps should be made at mining site.	Provision of bio-toilets has been made onsite, and for drinking water facility water tankers has been made available (picture of water tanker enclosed)	Bio-toilets not observed on site as site closed since 30/01/2023.
09	Drinking water for workers would be provided by tankers.	Water tanker provision has been made onsite	Proof of purchase needs to be submitted.
10	Mining will be carried only according to the approved mining plan.	Mining is based on approved mining plan	No Mining activity was observed at the time of inspection.
11	A buffer/safe zone shall be maintained from the habitation as per mining guidelines	Mining site is quite away from settlement & proper buffer zone has been maintained as per mining guideline	No Mining activity was observed at the time of inspection.



12	Total Project Cost has been submitted as Rs. 1,10,36,850/-. A CSR plan with minimum Rs. 5,51,842/- work to be executed with installation of five hand pumps for drinking water, solar light in villages of streets, construction of two numbers of toilets at the primary school with name displayed and address and details of beneficiary and gram Pradhan along with phone number, photographs should be submitted to Directorate as well as to the District magistrate/Chief Development Officers, Ghaziabad, U.P.	Agreed	Proof of receipt of Plan in Directorate as well as to the District magistrate/Chief Development Officers office not furnished.
13	Detail of works under CSR which has to be executed as above is to be submitted with an affidavit to Directorate as well as to the District magistrate/Chief development officers, Ghaziabad, U.P.	Agreed	Proof of receipt not furnished.
14	Health/insurance card, Medical claim, regular health checkup camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.	Health checkup camps being organized annually health check up of workers	Documentary and photographic evidence proof of such camps not furnished by PP.
15	The Environmental clearance will be co-terminus with the mining lease period.	Agreed	PP has stopped mining on site as mining lease period has expired.
16	Project falling within 10 KM area of Wild life Sanctuary is to obtain a clearance from National Board Wild life (NBWL) even if the eco sensitive zone is not earmarked	Project site is not in eco-sensitive zone	Site not in notified eco-sensitive zone



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17	Geo coordinates should be verified by Director. DGM/District Magistrate/Regional Mining Officer/ NHA and should be submitted to SEIAA/SEAC, Secretariat as earliest	Verified Geo-coordinates by mining officer Ghaziabad has been submitted to SEIAA/SEAC, UP	Has not been submitted.
18	In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500m and area is less than 25ha, but factually the distance is less than 500 m and the mine is located in cluster of area equal or more than 25ha, the E C issued will stand revoked	Agreed	Area in less than 25 Hac.
19	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a OCI, NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.	Agreed	No Such study has been conducted by Project proponent.
20	The mining work will be open-cast and exclusively manual. No mechanical work or drilling/blasting should be involved at any stage	Agreed	No Mining activity was observed at the time of inspection.
21	It shall be ensured that there shall be no mining of any type within 03 m or 10%, of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion over river bank. The mining is confined to extraction of sand/moram from the river bank only	Mining has been done as per SSMG guideline 2016	No Mining activity was observed at the time of inspection.



22	The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected	Mining depth is above ground water table. No intersection of ground water table done	No Mining activity was observed at the time of inspection.
23	The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed a this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked 'Non mining aerial, distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.	I strictly adhere to plan submitted for mining and rules prescribed. No mining has been carried out in monsoon season	No Mining activity was observed at the time of inspection.
24	The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed	I strictly adhere that wherever applicable Mines Act, the provision thereof strictly followed	No Mining activity was observed at the time of inspection.
25	The project proponent will provide personal protective equipments (PPE) as required, also Provide adequate training and information on safety and health aspects Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.	Personnel protective equipment's has been provided to workers	Needs to be verified at the time of operation. Documentary/Photographic proof of same not furnished by PP.



26	The critical parameters such as PM 10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water it any shall also be monitored [TDS, DO, PH, Fecal coliform & Total suspended solids (TSS)].	Environmental parameters has not been monitored and reports are attached herewith	One time reporting does not meet requirement of EC. Routine reports need to be furnished by PP.
27	Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried Out on haul roads.	Regular water sprinkling carried out in critical areas prone to air pollution and having high levels of particulate matter (letter issued by Gram Pradhan pachayara also claimed the same enclosed with)	Needs to be verified at the time of operation.
28	It should be ensured that the Ambient Air Quality/ parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.	Ambient Air Quality/ parameters conform to the norms prescribed by the Central Pollution Control Board in this regard	Ambient standards are not met in the area due to external factors as well. Plan to mitigate air pollution sources at the time of operation needs to be furnished.
29	The extended mining scheme will be submitted by the proponent before expiry of present mining plan.	Agreed	Mining Plan is yetto expired.
30	Four ambient air quality monitoring stations should be established in the core zone as well as in the buffer zone for monitoring PM 10, PM2.5, SO2 and NOx. location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency	Agreed, Monitoring test reports enclosed	Documentary/Photographic proof of same not furnished. No stations observed on site at the time of inspection.



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	of monitoring should be undertaken in consultation with the State Pollution Control Board		
31	Common road for transportation of mineral is to be maintained collectively. Total cost will be shared/worked out on the basis of lease area among users	Agreed	being ensured by irrigation department.
32	Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.	Agreed	No labour found on site as mining was closed. Need to be verified at the time of operation. No bio toilet was found on site.
33	Solid waste material with gutkha pouch, plastic bags, glasses etc to be generated during project activity will be separate, storage in bins and managed as per Solid Waste Management rules.	Agreed	No separate bin system found on site.
34	Green area/belt to be developed along haulage road in consultation of Gram Sabha/Panchayat	Agreed, Plantation has been done along approach road and community places in village Pachayara, (pictures enclosed)	Not observed
35	Natural/customary paths used by villagers should not be obstructed at any time by the activities Proposed under the project	Plantation has been done along approach road and community places in village pachayara,	Needs verification during operation phase.



		(pictures enclosed)	
36	Digital processing of the entire lease area in the district using remote sensing technique should be done regular, once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt of Uttar Pradesh The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.	Agreed	Report not submitted in Regional Office, UPPCB
37	A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal. The clearance letter shall also be put on the website of the company.	Agreed	Proof of receipt not furnished
38	State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/Tehsildar's Office for 30 days.	Agreed	Copy furnished through SEIAA and put up on notice board of the Regional Office.
39	The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with	Agreed	Proof of advertisement not furnished.



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	the State Pollution Control Board and also at web site of the SEIAA at <a href="http://www.seiaaup.in">http://www.seiaaup.in</a> and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB		
40	The MoEf/SEIAA or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment Protect,	Agreed	Need no comment
41	Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.	Agreed	Need no comment
42	Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Authority Act, 1997.	Agreed	Need no comment
43	Waste water from potable use be collected and reused for sprinkling.	Agreed	Need verification during operation phase. No such mechanism observed on site.
44	During the school opening and closing time vehicle movement will be restricted.	Agreed	Need verification during operation phase.



	I assure that the project site is not located in no development zone	Present issue pertains to addition of Khasra in Mining Lease without obtaining NOC from the land owner, the applicant in present case.
45	The above stipulated conditions will be enforced inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974. the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon"ble Courts of law relating to the subject matter.	Agreed Need no comment
46	The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.	Agreed Need no comment




47	This is to request you to take further necessary action in matter as per provisions of Gazette Notification No. S.O. 1533(E) dated 14/09/2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification	Agreed	Need no comment
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Accordingly, it is prayed that this Hon'ble Tribunal may be pleased to take on record the present written submission/ reply on behalf of the Mining Department and pass such orders as it may deem fit in the interest of justice.

  
Deponent



Verification:

Verified at Ghaziabad on this 11 day of March, 2024 that the contents of the above written submissions / reply are true and correct as per best of my knowledge and belief and nothing is false and no material has been concealed therefrom.

  
Deponent

**ATTESTED**  
  
 S. K. Sharma  
 Advocate  
**NOTARY PUBLIC**  
**INDIA**  
 11.03.24