

(A)

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

ORIGINAL APPLICATION NO. 61 OF 2022

IN THE MATTER OF:

ALL INDIA KAIMUR PEOPLE'S FRONT

..... APPLICANT

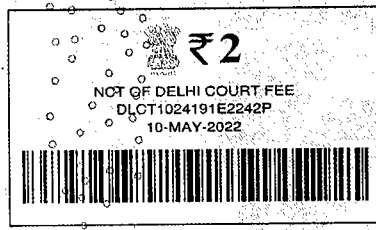
VERSUS

STATE OF UTTAR PRADESH & ORS.

..... RESPONDENTS

INDEX

SL. NO.	PARTICULARS	PAGE NO.
1.	Reply on behalf of the M/S. Ishana Construction along with affidavit.	1-16
2.	<u>Annexure-R/1:</u> The copy of Mining Lease dated 27.05.2016 duly executed by the office of District Magistrate/Collector Sonbhadra (who is respondent no. 5 herein) is annexed herewith.	17-46
3.	<u>Annexure-R/2:</u> The copy of Environmental Clearance certificate dated 18.05.2016 issued by competent authority and is annexed herewith.	47-53
4.	<u>Annexure-R/3:</u> The Copy of the order of the Hon'ble High Court dated 09.06.2022 is annexed herewith.	54-55
5.	<u>Annexure-R/4:</u> The Copy of the order of the Hon'ble High Court in Criminal Misc. Writ Petition No. 6863 of 2022 dated 07 .06.2022 is annexed herewith.	56-57



(B)

6.	<u>Annexure-R/5:</u> A copy of the letter no. 891/M-PRAVARTAN SONBHADRA/2020(II) dated 11.01.2022 is annexed herewith.	58-59
7.	<u>Annexure-R/6:</u> The copy of google map of the mining site of respondent no. 9 as per its coordinates is annexed herewith.	60-61
8.	<u>Annexure-R/7 (Colly):</u> A photocopy of the google map record showing the actual distance from Obra Dam from the nearest pillar "N" of the mine site of the respondent no. 9 and e-khatauni of Obra Dam Category 6-1 are annexed herewith.	62-67
9.	Vakalatnama	68

RESPONDENT No. 9

Date: 07/07/2022

Place: New Delhi

Through

Vivek Kumar Verma

Counsel For the Respondent No. 9

"Shri-Pad" Law Firm

L.N. Sharma, Vivek Kumar Verma,

Prabha Sharma & R. K. Gautam

Advocates

Chamber No. 917, Patiala House Court,

New Delhi-110001

Mob: 9910307300, 9899525515

Email: shripadadvocates@gmail.com

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

ORIGINAL APPLICATION NO. 61 OF 2022

IN THE MATTER OF:

ALL INDIA KAIMUR PEOPLE'S FRONT

..... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

..... RESPONDENTS

**REPLY ON BEHALF OF THE RESPONDENT NO. 9 M/S. ISHANA
CONSTRUCTION TO THE PRESENT O.A. NO. 61 of 2022 FILED BY
APPLICANT.**

MOST RESPECTFULLY SHOWETH:

1. That the present reply is being filed on behalf of M/S. Ishana Constructions through its proprietor Ms. Afreen Khan, who has come to know of the pendency of the present O.A. very recently through the office of Mines Officer, District Sonbhadra on 12.07.2022 and has been arrayed as respondent no. 9 in the aforesaid matter. In such circumstances, the respondent no. 9 has appeared before this Hon'ble Tribunal on 13.07.2022 and sought time to file reply to the present O.A 61/2022 from this Hon'ble Tribunal which was allowed.
2. That the instant O.A. has been filed against the respondent no. 9 with ulterior motives that is for political and wrongful gain by causing harm to the respondent no. 9. It is further submitted that the allegations levelled against the respondent no. 9 are baseless and false and which find no concrete proof for its sustenance in the report submitted before this Hon'ble Tribunal in compliance of its order dated 23.02.2022 passed in O.A. no. 61/2022. The report is already on record before this Hon'ble Tribunal.
3. That the applicant has not come with clean hands and is hiding the material facts from this Hon'ble Tribunal. That the applicant is creating a gross

misconception before this Hon'ble Tribunal regarding the word "BANDH" which is alleged by the applicant as "DAM" in English and further alleged that the word "DAM" is representing to "OBRA DAM". It is totally wrong and misleading fact made by applicant in order to maintain the present O.A.

Therefore, this Hon'ble Tribunal may appreciate the revenue records (e-Khatauni) regarding the land of "OBRA DAM KHATA" and "BANDH KHATA". The OBRA DAM is situated in Village/Pargana in "OBRA PANARI" and also covered under the Land **category of 6-1** while the entire Leased Land of respondent no. 9 is situated in Village /Pargana in "Billi-Markundi" and also covered under the Land **category of 6-4** which is purely State Land for the purpose of mining of minerals. It is also pertinent to mention here that the lease land of respondent no. 9 is 5.80 Kilometers (5800 meters) far away from the nearest point/location/periphery of OBRA DAM. So, it is very well clear as per the records that the lease land of respondent no. 9 showing **Araji no. 5362 (0.0310 Hectare / 366 Sq. Gaj / 3263 Sq. Feet)** is not covered under the 50 meters distance of OBRA DAM and it is also 5800 meters far away from the OBRA DAM as per google map record and therefore the concern government mining department granted lease to respondent no.9 for Araji No. 5362. Accordingly, it is not the violation of Rule 41-A of U.P. Mines and Minerals (Concession) Rules, 1963 which says mining is prohibited within the 50 meters of DAM LAND. Hence, the O.A. is liable to be dismissed.

4. That the applicant is guilty of *suppressio veri* and *suggestio falsi*, in as much as the O.A is replete with misrepresentation and concealment of crucial his knowledge and which if disclosed before this Ld. Tribunal, would have demonstrated that there exists no cause of action in favour of the applicant

and against the Respondent no.9. Further, the applicant has not approached before this Hon'ble tribunal with clean hands.

Without prejudice to the generality of a foregoing, the Respondent no.9 seeks to raise the following preliminary objections and submissions, which are being urged in addition and without prejudice, to each other:

5. PRELIMINARY SUBMISSIONS AND OBJECTIONS:

- 5.1** That on the basis of policy decision of the State Government prevalent on 22.10.2014 a mining lease under Chapter –II was granted to respondent no. 9 for Mining area situated at Arazi no. 5355K, 5359, 5361, 5363K, 5351K, 5352, 5253, 5354, 5362, 5355Kha, 5356, 5357Kha and 5351Kha of Village-Billi Markundi, Tehsil, Obra, District- Sonbhadra, measuring area 5.80 Acre for Grit/Bolder (Dolo Stone) in accordance with earlier Rules of 1963, and a Mining lease for the aforesaid mining area was duly execute in favor of respondent no. 9 for a term of 10 years from 27.05.2016 to 26.05.2026. The copy of Mining Lease dated 27.05.2016 duly executed by the office of District Magistrate/Collector Sonbhadra (who is respondent no. 5 herein) is annexed herewith as **ANNEXURE-R/1.**
- 5.2** That the respondent no. 9 was granted Environmental Clearance Certificate from the competent authority and the Mining lease of respondent no. 9 was permitted and sanctioned for extraction of 40,000 Cubic Meter Minerals per years as per clause 3 of the said certificate and as such the respondent no. 9 is legally authorized to extract the Minerals for which mining lease has been granted for the said quantity of the Minerals per year. The copy of Environmental Clearance certificate dated 18.05.2016 issued by competent authority and is annexed herewith as **ANNEXURE-R/2.**

5.3 That it is submitted that no cause of action survives in favor of the applicant and against the respondent no. 9 in respect of the allegations and reliefs sought by the applicant in the said O.A. The aforesaid report dated 21.05.2022 has clearly stated in favor of the respondent no. 9 and against the applicant (according to the reliefs sought in O.A.) specifically in clause (3) sub-clause (2) and (3) of the report at page no. 5 that:

"1) As on the date of inspection the aforesaid mining area was active and operative.

2) That no Railway line, drainage (nala) and Check Dam is situated within 50 meters of the aforesaid Mining area.

3) That within the boundary of the aforesaid mining area Arazi No. 5362 is registered as BANDH in Revenue Records at category No. 6-4, and which was sanctioned for Mining on the orders of District Magistrate vide administrative order no. 2905/86-2015-236/2015 dated 25.08.2015 (Annexure-14).

4) That in the case of M/s Ishana Constructions, according to the Joint report of Sub-District Magistrate, Obra, Sonbhadra dated 04.02.2020 (Annexure-15) in the aforesaid mining area for 817 Cubic Meters of illegal mining of Gitti / Dolo stone Rs. 8,34,320/-, challan no. CN00059 dated 23.02.2022 was deposited (Annexure-16). According to Joint Report of Mining officer, Sonbhadra dated 01.05.2022 (Annexure-17) the mining owner has excavated/transported excess quantity of 15,732 Cubic Meters of bolder illegally outside his sanctioned area towards south direction in Araji No. 5363. On 05.05.2022 the owner of M/s Ishana Constructions, Smt. Afrina Khan was served with the notice of Rs. 1,19,99,000/- (Annexure-18). On 07.05.2022 in the aforesaid matter

of illegal mining an FIR NO. 83/2022 was lodged against the owner and other unknown at Police Station Obra, Sonbhadra (Annexure-19).

It is pertinent to mention here that clause (3) sub-clause (3) of the report at page no. 5 that the word “Bandh” is mentioned by the Respondent no.5 and it is not “DAM” in English language and further alleged that the word “DAM” is representing to “OBRA DAM”. It is totally wrong and misleading fact made by applicant in order to maintain the present O.A. on the contrary, this Hon’ble Tribunal may appreciate the revenue records (e-Khatauni) regarding the land of “OBRA DAM KHATA” and “BANDH KHATA”. The OBRA DAM is situated in Village/Pargana in “OBRA PANARI” and also covered under the Land **category of 6-1** while the entire Leased Land of respondent no. 9 is situated in Village /Pargana in “Billi Markundi” and also covered under the Land **category of 6-4** which is purely State Land for the purpose of mining of minerals.

Further, it is also pertinent to mention here that clause (3) sub-clause (4) of the report at page no. 5 that the District Magistrate, Sonbhadra in his above said report himself admitted that, “*no Railway line, drainage (nala) and Check Dam is situated within 50 meters of the aforesaid Mining area.*” in the mining lease of respondent no.9.

Further, it is also pertinent to mention here that clause (3) sub-clause (4) of the report at page no. 5 that District Magistrate (who is respondent no.5 herein) issued a show cause notice on 05.05.2022 (the date 05.05.2022 is wrongly mentioned here, actually it is 12.05.2022 and also mention at annexure-18) to the respondent no.9 for illegal mining and imposed fine of Rs. 1,19,99,000/-. In this

regard, the respondent no.9 approached before Hon'ble High Court of Allahabad in WRIT (Civil) No. 16521 of 2022 titled as "M/S. Ishana Construction Vs. State of U.P." wherein the Division Bench of Hon'ble Justice Manoj Kumar Gupta and Justice Chandra Kumar Rai passed an Judgment dated 09.06.2022 and thereby quashed the show cause notice dated 12.05.2022. The Copy of the order of the Hon'ble High Court dated 09.06.2022 is annexed herewith as **Annexure-R/3**. The content of the said order is:

"Accordingly, the impugned notice is quashed in part.

The petitioner shall submit his explanation within two weeks from today treating the notice under challenge to be a show cause notice simplicitor and not an order determining the liability and quantifying the amount. The respondent will thereafter proceed to pass fresh orders in accordance with law.

The instant writ petition stands allowed, accordingly."

Further, it is also pertinent to mention here that clause (3) sub-clause (4) of the report at page no. 5 that one FIR No. 83/2022 dated 07.05.2022 P.S. Obra, District Sonbhadra has registered against respondent no.9 has also being challenged by the respondent no.9 in Criminal Misc. Writ Petition No. 6863 of 2022 for quashing of the said FIR wherein the Hon'ble High Court of Allahabad has passed the order on 07.06.2022 and directed no coercive action shall be taken against the petitioner (Respondent no.9 herein) and the same is also listed before Hon'ble High Court of Allahabad for 18.08.2022. The Copy of the order of the Hon'ble High Court in Criminal Misc. Writ Petition No. 6863 of 2022 dated 07 .06.2022 is annexed herewith as **Annexure-R/4**.

- 5.4 That considering the report dated 21.05.2022 itself, it is very clear that respondent no. 9 is not doing any kind of mining under the prohibited area of 50 meters of DAM LAND that is, OBRA DAM. Hence, there is no violation of Rule 41-A of U.P. Mines and Minerals (concession) Rules 1963. Accordingly, there is no case of environmental damage against respondent no. 9.

6. **REPLY TO REPLY PARA-WISE:**

- 6.1 That the content in corresponding para no. I and II of reply is matter of record. Hence needs no reply.
- 6.2 That the content in corresponding para no. III of reply is false and frivolous and specifically denied. It is based on misleading facts and wrongful English interpretation of Hindi word “BANDH” which is mentioned in e-Khatauni of Annexure -5 (filed by applicant) under the category of 6-4 (Non-Agricultural). It is submitted that this Hon’ble Tribunal in O.A. NO. 61/2022 has passed an order dated 23.03.2022 with a direction to the District Magistrate-Sonbhadra and Chief Development Office-Sonbhadra for an action taken report in respect of the main grievances raised therein that:

“1. Grievance in the application is against illegal mining on the land of check dam (small Village Dam) nala and railway pit, within the periphery of 50 meters from the land of dam , nala and railways in village- Billi Markundi, Tehsil- Obra, District- Sonbhadra, in violation of Sustainable Sand mining Guidelines and other environmental norms including Mining Rules, 1963, by Respondents- Rajesh Kumar s/o late Kaliram, Farida Begum w/o Imtiyaz Ahmad, Chopan, District- Sonbhadra, M/S BCS Gupta, Obra, District- Sonbhadra and M/s Ishana Constructions ,

Proprietor--Afreen Khan w/o Ishtiyaq, resident of Village Billi Markundi, Obra, District- Sonbhadra, U.P. ”

And in compliance of the said order, the Director, Geology and Mining Secretary, Govt. of U.P., Lucknow (U.P.) who is respondent no.3 herein vide letter no. 891/M-PRAVARTAN SONBHADRA/2020(II) dated 11.01.2022 has written a letter to The District Magistrate, Sonbhadra, Respondent no. 5 to conduct an enquiry against all 20-25 mining lease holders into excess illegal mining of minerals beyond the permissible quantity by the mining owners mentioned in the list therein which are situated in Village-Billi Markundi, Sonbhadra. The respondent no.5 conducted the enquiry upon all 20-25 lease holders as per the direction of respondent no.3. However, the respondent no. 5 has not yet submitted complete report in pursuance of the said letter against all the 20-25 mining lease holders/owners. The respondent no.5 intentionally, deliberately and against the proper direction of the respondent no.3, filed the report merely against only three mining lease holders/owners who are party in the present O.A. that is respondent nos. 7, 8, and 9.

Furthermore, the applicant has filed complaint against three mining owners only while all 20-25 mining lease holders/owners were indulged in illegal mining. This report is not complete as per the letter dated 11.01.2022 wherein it was very clear to conduct enquiry against all mining lease owners and also to submit report for all. A copy of the letter no. 891/M-PRAVARTAN SONBHADRA/2020(II) dated 11.01.2022 is annexed herewith as **Annexure-R/5.**

However, the report has made following observations in respect of the respondent no. 9:

- “1) As on the date of inspection the aforesaid mining area was active and operative.*
- 2) That no Railway line, drainage (nala) and Check Dam is situated within 50 meters of the aforesaid Mining area.*
- 3) That within the boundary of the aforesaid mining area Arazi no. 5362 is registered as dam in Revenue Records at S.NO. 6-7, and which was sanctioned for Mining on the orders of District Magistrate vide administrative order no. 2905/86-2015-236/2015 dated 25.08.2015 (Annexure 14).*
- 4) That in the case of M/s Ishana Constructions, according to the Joint report of Sub-District Magistrate, Obra, Sonbhadra dated 04.02.2020 (Annexure 15) in the aforesaid mining area for 817 Cubic Meters of illegal mining of Gitti / Dolo stone Rs. 8,34,320/-, challan no. CN00059 dated 23.02.2022 was deposited. According to Joint Report of Mining officer, Sonbhadra dated 01.05.2022 (Annexure 17) the mining owner has excavated/transported excess quantity of 15,732 Cubic Meters of bolder illegally outside his sanctioned area towards south direction in Araji no. 5363. On 05.05.2022 the owner of M/s Ishana Constructions, Smt. Afrina Khan was served with the notice of Rs. 1,19,99,000/- (Annexure 18). On 07.05.2022 in the aforesaid matter of illegal mining an FIR NO. 83/2022 was lodged against the owner and other unknown at Police Station Obra, Sonbhadra.”*

It is thus submitted here that aforesaid report dated 21.05.2022 has given clean-chit to the respondent no. 9 in respect of the grievances raised in the instant O.A against the respondent no. 9.

Hence, there is no cause of action survives against the respondent no. 9. In so far as the report given in aforesaid sub-clause (4) of Clause (3) is considered, the respondent no. 9 has already challenged the show-cause notice dated 12.05.2022 for imposing fine of Rs. 1,19,99,000/- for illegal excess mining and FIR NO. 0083/2022 dated 07.05.2022 before the Allahabad High Court.

7. REPLY TO FACTS:

- 7.1 That the content of para 1 of facts are matter of record. Hence no reply needed. However, it is submitted that the applicant has no cause of action or grievance against the respondent no. 9. It is further submitted that the applicant has filed the instant O.A against the respondent no. 9 for ulterior motives and for monetary gain and the instant O.A filed against the respondent no. 9 is without any basis or grounds or cogent material in favor of the applicant.
- 7.2 That the content of para 2-5 of facts are matter of record. Hence no reply needed.
- 7.3 That the content of para 6 of the facts alleged against the respondent no. 9 is false, frivolous and specifically denied. It is submitted that the report dated 21.05.2022 has given clean chit to the respondent no. 9 against the allegations averred in the instant O.A. it is also pertinent to mention here that alleged Arajji nos. 5360, 5362, 5363Kha, 5364 and 5365 in Para 6 (iii) not belongs to respondent no. 9 and it is also not the part of leased deed dated 27.05.2016 in favour of the respondent no. 9.
- 7.4 That the content of para nos. 7, 8 and 9 of the facts are related to allegations levelled against the respondent no. 7 not for respondent no. 9. Hence, needs no reply.

7.5 That the content of para 10 of the facts is false, frivolous and specifically denied. In the said para the applicant is showing the google map as Annexure A-8 and A-9 (colly) wherein the coordinates mentioned in Annexure A-8 does not belong to the mining lease area of respondent no. 9. As per the google map record the mine site of respondent no. 9 is provided in a map which clearly shows the alleged coordinate does not belong to respondent no. 9. The copy of google map of the mining site of respondent no. 9 as per its coordinates is annexed herewith as **Annexure-R/6**.

Further, the annexures A-8 and A-9 (colly) filed by the applicant has not specifically mentioned to whom the said annexures belong.

It is further submitted here that the allegations of creating pits of about 50 meters touching the level of ground water is based on the annexure A-9 (colly) is the part of Annexure A-8 filed by the applicant and accordingly has no concern with respondent no. 9 due to the different coordinates.

7.6 That the content of para no. 11, 12, 13 and 14 of the facts is related to the respondent no. 8 and not to respondent no. 9. Further, here the applicant is talking about Arajji nos. 4419Ka, 4419 Kha, 4419 Ga, 4420, 4422Ka and 4422Kha do not belong to respondent no. 9. Hence, needs no reply.

7.7 That the content of para no. 15 of the facts is totally false, frivolous and specifically denied. In the said para the applicant is showing the google map as Annexure A-11 and A-12 (colly) wherein the coordinates mentioned in Annexure A-11 does not belong to the mining lease area of respondent no. 9. As per the google map record the mine site of respondent no. 9 is provided in a map which clearly

shows the alleged coordinate does not belong to respondent no. 9. The copy of google map of respondent no. 9 is already annexed.

Further, the annexures A-11 and A-12 (colly) filed by the applicant has not specifically mentioned to whom the said annexures belong.

It is further submitted here that the allegations of creating pits of about 50 meters touching the level of ground water is based on the annexure A-12 (colly) is the part of Annexure A-11 filed by the applicant and accordingly has no concern with respondent no. 9 due to the different coordinates.

- 7.8 That the content of para no. 16 of the facts is totally false, frivolous and specifically denied. It specifically denied that Araj numbers sanctioned in mining lease granted in favor of respondent no. 9 are situated next to Dam Land. That the applicant is creating a gross misconception before this Hon'ble Tribunal regarding the word "BANDH" which is alleged by the applicant as "DAM" in English and further alleged that the word "DAM" is representing to "OBRA DAM". It is totally wrong and misleading fact made by applicant in order to maintain the present O.A.

Therefore, this Hon'ble Tribunal may appreciate the revenue records (e-Khatauni) regarding the land of "OBRA DAM KHATA" and "BANDH KHATA". The OBRA DAM is situated in Village/Pargana in "OBRA PANARI" and also covered under the Land **category of 6-1** while the entire Leased Land of respondent no. 9 is situated in Village /Pargana in "Billi Markundi" and also covered under the Land **category of 6-4** which is purely State Land for the purpose of mining of minerals. E-khatauni attached herewith.

It is also pertinent to mention here that the lease land of respondent no. 9 is 5.80 Kilometers (5800 meters) far away from the nearest point / location / periphery of OBRA DAM. So, it is very well clear as per the records that the lease land of respondent no. 9 showing **Araji no. 5362 (0.0310 Hectare / 366 Sq. Gaj / 3263 Sq. Feet)** is not covered under the 50 meters distance of OBRA DAM and it is also 5800 meters far away from the OBRA DAM as per google map record. The photocopy of the google map record showing the actual distance from Obra Dam from the nearest pillar "N" of the mine site of the respondent no. 9 is annexed herewith as **Annexure-R/7(Colly)**.

Further submitted that the concern government mining department granted lease to respondent no.9 for Araji No. 5362 and rest of the alleged Araji nos. 5363 Kha, 5364 and 5365 do not belong to respondent no. 9 as it is not the sanctioned mining area in favor of the respondent no. 9 as per the mining lease deed hence, respondent no. 9 has no concern with that. Accordingly, it is not the violation of Rule 41-A of U.P. Mines and Minerals (Concession) Rules, 1963 which says mining is prohibited within the 50 meters of DAM LAND.

- 7.9 That the content of para no. 17 of the facts is totally false, frivolous and specifically denied. It is submitted here that Araji no. 5360 does not belong to respondent no. 9 as it is not the sanctioned mining area in favor of the respondent no. 9 as per the mining lease deed hence, respondent no. 9 has no concern with that.
- 7.10 That the content of para no. 18 of the facts is totally false, frivolous and specifically denied. It is submitted here that according 35th amendment of Rule 41-A of the U.P. Mines and Minerals

(Concession) Rules, 1963 the said educational institution (public work) is situated beyond 50 meters from the sanctioned mining areas of respondent no. 9. It is submitted that the applicant is misleading this Hon'ble Tribunal by molding the facts in his favor. Also, as per the report submitted before this Hon'ble Tribunal dated 21.05.2022 all the Arajis nos. of the respondent no. 9 is situated 50 meters away from railway line, Nala and check dam. It is also pertinent to mention here that Annexure A-13 filed by the Applicant is not clear and the mentioned coordinate is not specifically showing the exact location of mining land of respondent no. 9. And the Annexure A-14 (colly) filed by the applicant is waste and not considerable as there is no actual distance shown from the said educational institution and the nearest pillar of mining land of respondent no. 9. Accordingly, the annexure A-14 is not appropriate to decide any issue as alleged by the applicant.

- 7.11 That the content of para no. 19-20 of the facts is totally false, frivolous and specifically denied. It is submitted that the allegations made by the applicant in the alleged complaints are baseless and have no concrete proof placed with complaint. It is submitted that the submissions made hereinabove may be read as part and parcel of reply to this para and not repeated herein for the sake of brevity.

8. **REPLY TO GROUNDS:**

- 8.1 That the contents of para no. A-J of the grounds as alleged against the respondent no. 9 are completely false, frivolous and specifically denied. The submission made hereinabove may be read as part and parcel of reply to this paras and not repeated herein for the sake of brevity.

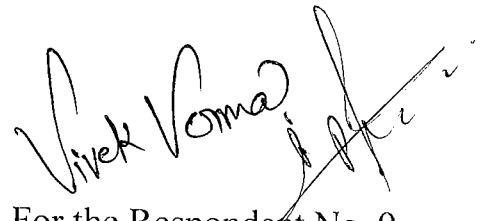
9. That the contents in para Limitation is part of judicial observation and the cause of action alleged by the applicant on the basis of the complaints dated 18.05.2021 is not sustainable against the respondent no. 9 as per the report dated 21.05.2022 itself proves in clause (3) sub-clause (2) that, "*no Railway line, drainage (nala) and Check Dam is situated within 50 meters of the aforesaid Mining area*" which is not in contravention of the 35th amendment rules 41-A of the U.P. mines & Minerals (Concession) Regulations, 1963 which says that "*no mining operations shall be carried out at any point or to any point within a distance of 50 meters from reservoir, canal and other public places.*"
10. That the prayer clause is based on wrong and misleading facts, hence, it is therefore requested before this Hon'ble Tribunal to dismiss the instant O.A. in the interest of justice with heavy cost against the applicant.

RESPONDENT No. 9

Date: 07/07/2022

Place: New Delhi

Through



Counsel For the Respondent No. 9

"Shri-Pad" Law Firm

L.N. Sharma, Vivek Kumar Verma,

Prabha Sharma & R. K. Gautam

Advocates

Chamber No. 917, Patiala House Court,

New Delhi-110001

Mob: 9910307300, 9899525515

Email: shripadadvocates@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BRENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 61 OF 2022

IN THE MATTER OF:-

All India KaimurPeoples's Front

... Applicant

Versus

The state of U.P. &Ors.

... Respondents

AFFIDAVIT

I, Smt. Afreena Khan Proprietor M/S. Ishana Construction W/o. Sh. Ishtiyag Khan, R/o. Village-BilliMarkundi, Obra, District-Sonbhadra (U.P.)-231219; presently at New Delhi, do hereby solemnly affirm and declare as under:

1. That the deponent is the Respondent No. 9 in the abovesaid matter and well conversant with the facts of matter and hence competent to swear this affidavit.
2. That the accompanying reply has been drafted by my counsel on my instructions and the contents of the same has been read over to me in vernacular.
3. That the abovesaid statement is my true and bona-fide statement and nothing has been concealed by the deponent.

07 JUL 2022

आफरीना खान
DEPONENT

VERIFICATION:

Verified at New Delhi on this July, 2022 that the contents of my affidavit is true and correct to the best of my knowledge and belief and nothing material has been concealed therein.

आफरीना खान
DEPONENT



CERTIFIED THAT THE DEPONENT

Shri/Smt/Km. Afreena Khan
S/o, W/o. Sh. Ishtiyag Khan
R/o. Village-BilliMarkundi, Obra, District-Sonbhadra (U.P.)-231219
Identified by Shri/Smt. Prabha Sharma
who solemnly affirmed before me at New Delhi
on 07 JUL 2022 of Sl. No. 25/22
that the contents of the affidavit which have been read & explained to me are true and correct to his/her knowledge.

Oath Commissioner, Delhi

07 JUL 2022



उत्तर प्रदेश UTTAR PRADESH

E 977478

प्रपत्र एम०एम०-3

खनन पट्टे का आदर्श (Model) प्रपत्र (नियम-14)

अनुबन्ध आज दिनांक: 27-05-2016 को उत्तर प्रदेश के राज्यपाल (जिन्हें
आय "राज्य-सरकार" कहा गया है, जिस पदावली में यदि सन्दर्भ से ऐसा ग्राह्य हो
उत्तराधिकारी तथा अभिहस्ताकिती भी सम्मिलित समझे जायेंगे) एक पक्ष
और मेरा इशाना कन्सट्रक्शन पा०-श्रीमती आफरीना खान पत्नी श्री इशितयाक खान
निवासीनी ग्राम-बिल्ली मारकुण्डी, ओबरा, जनपद-सोनभद्र (जिसे आगे "पट्टेदार"
कहा गया है, जिस पदावली में यदि सन्दर्भ में ऐसा ग्राह्य हो, उसके दायाद,
निष्ठादक, प्रशासक और प्रतिनिधि भी सम्मिलित समझे जायेंगे) दूसरा पक्ष

.....2.....

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

आफरीना खान

25000) मै० ब्रह्माना क-सद्व्यस पा० श्रीमति आफरीना खाँ नि० - किन्नी - मन्सुखी

00000

मुख्य रोकीया
कोषाग्र-कोषाग्र
205-0016

मि० प्रदीप
प्रधान

मि० प्रदीप
प्रधान



उत्तर प्रदेश UTTAR PRADESH

E 977479

(2)

चूँकि पट्टेदार ने उत्तर प्रदेश उपखनिज(परिहार) नियमावली 1963 जिसे आगे 'उक्त नियमावली' कहा गया है के अनुसार राज्य सरकार को निम्नलिखित अनुसूची के भाग-1 में वर्णित भूमि 5-80 एकड़ के निमित्त खनन पट्टे के लिए प्रार्थना पत्र दिया है और उसने राज्य सरकार के पास ₹ 1,74,000-00 (एक लाख चौहत्तर हजार रुपये मात्र) की धनराशि प्रतिभूति के रूप में तथा ₹ 10,000-00 (दस हजार रुपये) की धनराशि खनन पट्टे के प्रारम्भिक व्ययों की पूर्ति के लिए जमा कर दी है।

यह इस बात का साक्ष्य है कि उपस्थापन पत्र और निम्नलिखित अनुसूची द्वारा रक्षित और उनमें दिये गये और पट्टेदार की ओर से भुगतान किये जाने वाले पालन और सम्पादन किये जाने वाले, किरायों स्वामित्वों, प्रसंविदाओं तथा अनुबन्धों के प्रतिफल में राज्य सरकार एतद्वारा पट्टेदार को निम्नलिखित

.....3....

उपस्थिति-1


खान अधिकारी
सोनभद्र


जिलाधिकारी
सोनभद्र



25000) मे 0 इशाना कन्सट्रक्शन पा० श्रीमति आफरीना खाँ नि. नि. मारकुण्डी

पट्टा विलेख (10 वर्ष)
 7,134,000.00 20,000.00 80 20,080.00 30
 पतिफल मालियत आगत वार्षिक किराया फीस रजिस्ट्री नकल व प्रति शुल्क योग पृष्ठों की संख्या
 श्रीमती आफरीन खान (पा०-मे० इशाना कन्सट्र०)
 पत्नी श्री इशियाक खान
 व्यवसाय गृहिणी
 निवासी स्थायी बिल्ली मारकुण्डी ओबरा-सोनभद्र
 आस्थायी पता
 ने यह लेखपत्र इस कार्यालय में दिनांक 28/5/2016 समय 11:04AM
 वहाँ निबन्धन हेतु पेश किया।



रजिस्ट्रार अधिकारी के हस्ताक्षर

विवेक कुमार श्रीवास्तव

उप निबन्धक

राबर्टसगंज

निष्पादन लेखपत्र वाद सुनने व समझने मजमून व प्राप्त धनराशि रु प्रलेखानुसार उक्त
 पट्टा दाता

पट्टा गृहीता

28/5/2016

इस बात से संतुष्ट हो जाने पर कि इस लेखपत्र का निष्पादन
 श्री जिलाधिकारी,
 ने अपने पद के अधिकार से किया है इसलिये उनकी उपस्थिति
 और हस्ताक्षरों की आवश्यकता नहीं है, और लेखपत्र
 रजिस्ट्रार के लिए स्वीकार किया गया।

श्रीमती आफरीन खान (पा०-मे० इशाना कन्सट्र०)
 पत्नी श्री इशियाक खान
 पेशा गृहिणी
 निवासी बिल्ली मारकुण्डी ओबरा-सोनभद्र



ने निष्पादन स्वीकार किया।

जिनकी पहचान

राजेश कुमार सिंह

राजेश कुमार सिंह

राधोकृष्ण सिंह

पेशा कृषि

निवासी बिल्ली ओबरा पर०अगोरी तह०रा०गंज-सोनभद्र

व प्रद्युम्न कुमार सिंह

स्व० रामसेवक सिंह

पेशा कृषि

निवासी बिल्ली ओबरा पर०अगोरी तह०रा०गंज-सोनभद्र

ने की।

पत्यक्षतः भद्र साक्षियों के निशान अंगूठे नियमानुसार लिये गये हैं।



रजिस्ट्रार अधिकारी के हस्ताक्षर

विवेक कुमार श्रीवास्तव

उप निबन्धक

राबर्टसगंज

28/5/2016



उत्तर प्रदेश UTTAR PRADESH

E 977480

(3)

प्रदान और पट्टान्तरित करती है। गिट्टी/बोल्डर(डोलो स्टोन) (जिन्हें आगे अभिदिष्ट अनुसूची में "उक्त खनिज" कहा गया है की समस्त खाने, तल्प(Beds), संदृसीम्स(Viens) जो अनुसूची के भाग-1 में अभिदिष्ट भूमि में या उसके नीचे स्थित हो, पड़ी हो या हों, उन स्वतन्त्रताओं या अधिकारों तथा विशेषाधिकारों के साथ जिन्हें इसके सम्बन्ध में, उन निबंधनों तथा शर्तों के अधीन रहते हुए प्रयोग या उपयोग किया जायेगा, जो ऐसी स्वतन्त्रताओं, अधिकारों तथा विशेषाधिकारों के प्रयोग तथा उपयोग करने के बारे में हो गिट्टी/बोल्डर(डोलो स्टोन) सिवाय इसके और इसमें से आरक्षित उक्त नियमावली में उल्लिखित स्वतन्त्रतायें, अधिकार तथा विशेषाधिकार राज्य सरकार में पट्टान्तरित हो जायेंगे।

इस उपस्थापन पत्र के निष्पादन होने के दिनांक से दस वर्ष (दिनांक 27-05-2016 से दिनांक 26-05-2026 तक) की आगामी अवधि के लिए पट्टेदार को एतद्वारा दिये और पट्टान्तरित ऐसे भू-गृहादि धारण करना, जिसमें खनिज निकलने लगे और राज्य सरकार को उक्त अनुसूची के भाग-2 में उल्लिखित कई किरायों और स्वामित्वों का भुगतान उसमें विनिर्दिष्ट भिन्न-भिन्न समयों पर होने लगे किन्तु, प्रतिबन्ध यह है कि ऐसा उक्त भाग में उपबन्धों के अधीन हो, और, पट्टेदार एतद्वारा राज्य सरकार के साथ प्रसंविदा करता है और राज्य सरकार एतद्वारा पट्टेदार के साथ प्रसंविदा करती है जैसा कि उक्त नियमावली में अभिव्यक्त है, और, एतद्वारा इसके साथ दिये गये पक्षों के बीच में परस्पर सहमत हुआ है और जैसा कि उक्त अनुसूची के भाग-3 में अभिव्यक्त है।

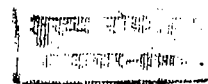
.....4...

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

3-11-2011 2-11-11

25000) मे० इशाना क-सहस्रन पा० श्री मति जाधरीना रणा नि० विल्ली - मखुन्डी



22-5-2016

पट्टा दाता

Registration No.: 4313

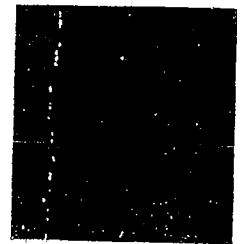
Year: 2,016

Book No: 1

0101 जिलाधिकारी,

जनपद सोनमर्

नौकरी





उत्तर प्रदेश UTTAR PRADESH

E 977481

(4)

उपर अभिदिष्ट अनुसूची

भाग-1

इस पट्टे का क्षेत्रफल

पट्टे का क्षेत्रफल और स्थान- वह समस्त भू-खण्ड जो जनपद-सोनभद्र तहसील-रावर्टसगंज स्थित ग्राम-बिल्ली मारकुण्डी के आराजी संख्या-5355क, 5359, 5361, 5363क, 5351क, 5352, 5353, 5354, 5362, 5355ख, 5356, 5357ख एवं 5351ख में 5.80 एकड़ है जो इसके साथ संलग्न नक्शे में चिह्नित है और उसे लाल रंग से रंगीन (Coloured) किया गया है और जिसकी सीमायें एवं परिमाण निम्नलिखित हैं:-

सीमायें (चौहद्दी):

उत्तर : आ0सं0-5422 से 5425 तक एवं आ0सं0-5350 व 5351 इत्यादि।
 दक्षिण : आ0सं0-5414 व 5358 इत्यादि।
 पूरव : आ0सं0-5367, 5368, 5345 व 5346 इत्यादि।
 पश्चिम : आ0सं0-5357 बाद कच्ची सड़क।

परिमाण- ABCDEFGHIJKLMNOA रकबा-5.80 एकड़ एतदपश्चात् जिसे "उक्त भूखण्ड" कहा गया है।

.....5....

खान, अधिकारी
 सोनभद्र

जिसाधिकारी
 सोनभद्र

आफरी-11 खान



24

25770) मे० इशाना कन्सल्टेशन पा० श्रीमति आफरीन खान वि० विल्ली-मारकुण्डी

मुख्य रोकड़िया
घोषणा-सोनभद्र

10/05/2016

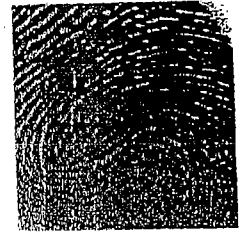
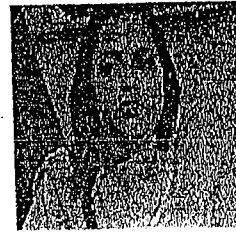
पट्टा गृहीता

Registration No. : 4313

Year : 2,016

Book No.

0201 आफरीन खान (पा०-मे० इशाना कन्सल्टेशन)
इशितयाक खान
विल्ली मारकुण्डी ओबरा-सोनभद्र
गृहिणी





उत्तर प्रदेश UTTAR PRADESH

E 977482

(5)

भाग-2

1. इस पट्टे द्वारा आरक्षित अपरिहार्य भाटक या स्वामित्व, जो इनमें से अधिक हो, का भुगतान करना :-

पट्टेदार पट्टे के प्रत्येक वर्ष के लिए प्रत्येक खनिज गिट्टी/बोल्डर (डोलो स्टोन) के सम्बन्ध में, इस भाग के खण्ड (2) में विनिर्दिष्ट अपरिहार्य भाटक का वार्षिक भुगतान करेगा।

प्रतिबन्ध यह है कि पट्टेदार प्रत्येक खनिज के सम्बन्ध में अपरिहार्य भाटक या स्वामित्व, जो धनराशि इसमें से अधिक हो, का देनदार होगा, किन्तु दोनों का नहीं।

2. पट्टा धनराशि की दर और उसको भुगतान करने की रीति-

इस भाग के खण्ड (1) के उपबन्ध के अधीन रहते हुए पट्टे की अवधि में पट्टेदार राज्य सरकार को इस अनुसूची के भाग-1 में वर्णित और पट्टान्तरित (Demised) भूमि के प्रति खनिज प्रति एकड़ वार्षिक अपरिहार्य भाटक निम्नलिखित दर पर या ऐसी संशोधित दर पर भुगतान करेगा, जो पट्टेदार को राज्य सरकार द्वारा लिखित रूप से संसूचित किया जायेगा।

खनिज का नाम	प्रति एकड़ निर्धारित वार्षिक अपरिहार्य भाटक	पट्टान्तरित भूमि का क्षेत्रफल	कुल देय अपरिहार्य भाटक	एक वर्ष में देय कुल अपरिहार्य भाटक
1	2	3	4	5
गिट्टी/बोल्डर (डोलो स्टोन)	रु० 1,20,000.00	5.80 एकड़	रु० 69,60,000.00	रु० 6,96,000.00

अपरिहार्य भाटक का राज्य सरकार के प्रति भुगतान पट्टावर्ष के पूरा होने के एक माह के भीतर जनपद-सोनभद्र के मुख्यालय के राजकीय कोषागार अथवा तदर्थ

.....6...

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

उत्तराखण्ड सरकार

25000 मे० इक्षाना के-सद्रक्षण पाठ श्रीमते आप्परीना खों नि० विल्ली - माकुण्डी

12

12

22-5-2016



उत्तर प्रदेश UTTAR PRADESH

E 977483

(6)

प्राधिकृत बैंक की शाखा (जैसा कि समय-समय पर विनिर्दिष्ट किया जाय) में खनिज के निर्धारित लेखा शीर्षक "0853, अलौह खनन एवं धातु कर्म उद्योग" में जमा किया जायेगा।

3. स्वामित्व की दर और उसके भुगतान की रीति :-

इस भाग के खण्ड (1) के नियमों के अधीन रहते हुए पट्टेदार पट्टे की अवधि में राज्य सरकार को ऐसे समयों पर और ऐसी रीति से, जो राज्य सरकार विहित करे, पट्टे पर दिये हुए क्षेत्र से उसके द्वारा हटाये गये गिट्टी/बोल्डर के संबंध में उक्त नियमावली की प्रथम अनुसूची में तत्समय विनिर्दिष्ट दर पर स्वामित्व का भुगतान करेगा।

4. अपरिहार्य भाटक और स्वामित्व कटौती आदि से मुक्त होंगे:-

इस भाग में उल्लिखित अपरिहार्य भाटक और स्वामित्व का भुगतान बिना किसी कटौती के राज्य सरकार को नियत दर पर और ऐसी रीति से किया जायेगा, जो राज्य सरकार विहित करे।

5. स्वामित्व के संगणन की रीति

उक्त स्वामित्वों के संगणन करने के प्रयोजनों के लिए पट्टेदार खान से संग्रह किये गये खनिज/खनिजों का और उसको भेजने की रीति का सही-सही लेखा रखेगा, जिसमें वह परिवहन की प्रणाली, वाहन की निर्बन्धन संख्या, वाहन के प्रभारी व्यक्ति, वाहन द्वारा परिवहन किये गये खनिज का विवरण और परिमाण का उल्लेख करेगा, जो एम0एम0-11 में पास जारी करेगा और ऐसे अन्य विवरणों का उल्लेख करेगा जो राज्य सरकार सामान्य या विशिष्ट आदेश द्वारा विनिर्दिष्ट करें। नियम 66 के अधीन अधिकृत अधिकारी या ऐसे अन्य अधिकारी जिन्हें राज्य सरकार नियमावली के अधीन समय-समय पर प्राधिकृत करें, स्टॉक में रखे गये और निगमित किये जाने

.....7....

खान अधिकारी
सोमभद्र

जिलाधिकारी
सोमभद्र

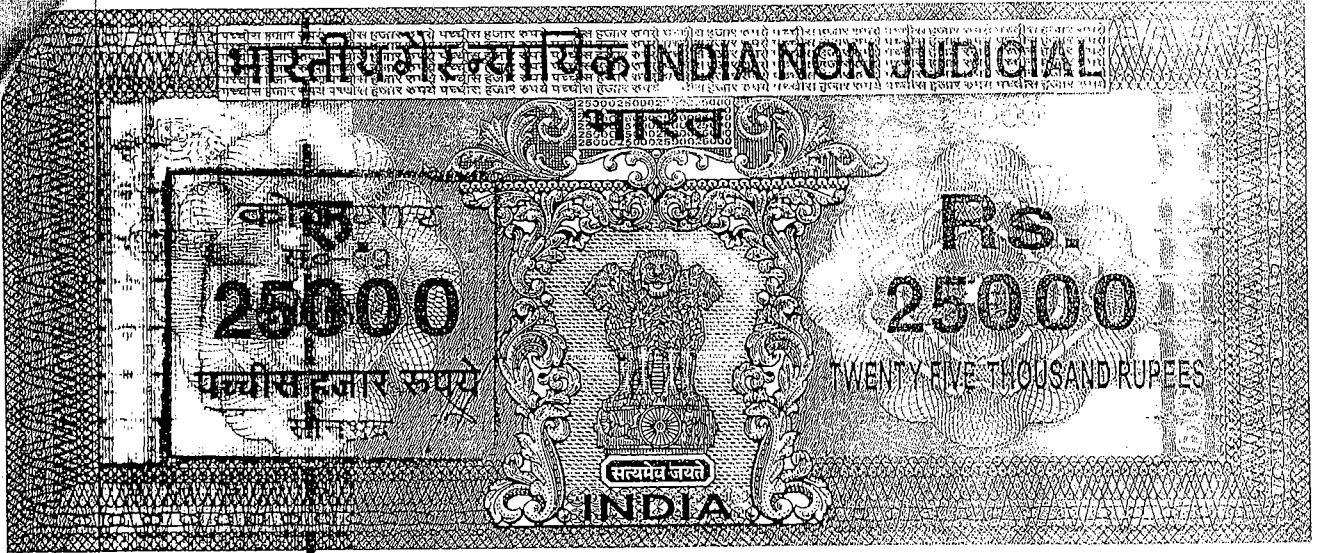
उत्तर प्रदेश सरकार

२५०००) मे० इशाना के-सद्वेशन पा० श्रीमति ज्ञानदीना शर्मा नि० बिल्ली-भारत

१५/५

संख्या १०८५५५
-१०८५५५

२५/५/१९७६



उत्तर प्रदेश UTTAR PRADESH

E 977484

(7)

वाले या प्रपत्र एम0एम0-11 में उल्लिखित खनिज के लेखा उसके परिमाण का जॉच कर सकता है। पट्टेदार प्रतिवर्ष जिलाधिकारी और भूतत्व एवं खनिकर्म निदेशालय के क्षेत्रीय कार्यालय को पूर्ववर्ती तिमाही के पन्द्रह दिनों के भीतर जुलाई, अक्टूबर, जनवरी और अप्रैल में प्रपत्र एम0एम0-12 में तिमाही विवरणी प्रस्तुत करेगा और यदि विवरणी नियत समय के भीतर प्रस्तुत नहीं की जाती है तो पट्टेदार चूक के प्रत्येक अवसर पर रू0 2,000.00 (रुपया दो हजार मात्र) की धनराशि का भुगतान करेगा।

6. प्रपत्र एम0एम0-11 का भुगतान के आधार पर दिया जाना :-

पट्टेदार जिलाधिकारी के कार्यालय से प्रपत्र एम0एम0 11 की पुस्तिका, जैसा कि उ0प्र0 उपखनिज (परिहार) नियमावली 1963 के नियम 70(1) में अपेक्षित है, छपाई मूल्य का भुगतान करने पर प्राप्त करेगा।

7. नियत समय पर अपरिहार्य भाटक, स्वामित्व आदि का भुगतान न करने पर कार्यवाही-

यदि पट्टेदार द्वारा इस उपस्थान पत्र के निबंधनों और शर्तों के अधीन किसी अपरिहार्य भाटक, स्वामित्व या राज्य सरकार को देय किसी अन्य धनराशि का भुगतान विहित समय के भीतर नहीं किया जाता है तो वह ऐसे अधिकारी के प्रमाण-पत्र पर, जिसे राज्य सरकार सामान्य या विशेष आदेश द्वारा विनिर्दिष्ट करें, उसी प्रकार से वसूल की जा सकेगी जिस प्रकार से मालगुजारी का बकाया वसूल की जाती है।

.....8...

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

उपस्थान पत्र



25000) मैडिऑन के-लट्रेशन वा० श्रीमति आफरीना रबॉ नि० - लेवनी - मारु

मुख्य रोकड़िया
लोदगार-सोम

10/10/86



उत्तर प्रदेश UTTAR PRADESH

E 977485

(8)

भाग-3

सामान्य उपबन्ध

1. नियमों, प्रसंविदाओं और शर्तों को भंग करने पर पट्टा समाप्त किया जा सकता है

यदि पट्टेदार उत्तर प्रदेश उप खनिज (परिहार) नियमावली 1963 के किसी नियम या इस पट्टे की किसी प्रसंविदा और शर्त/शर्तों को भंग करें तो राज्य सरकार पट्टा समाप्त कर सकती है और प्रतिभूति जमा को पूर्णतः या अंशतः जब्त कर सकती है किन्तु प्रतिबन्ध यह है कि पट्टा समाप्त किये जाने के पूर्व पट्टेदार को उक्त शर्त भंग करने का स्पष्टीकरण देने के लिए युक्तियुक्त अवसर दिया जायेगा।

यदि पट्टेदार यथास्थिति, इस नियमावली या इस पट्टे के अधीन किसी अधिकारी द्वारा पारित किसी आदेश से क्षुब्ध है तो वह इस नियमावली के नियम 77 और 78 के अधीन अपील/पुनरीक्षण दायर कर सकता है।

2. पट्टेदार पट्टे की समाप्ति पर अपनी सम्पत्तियों को हटायेगा :-

पट्टेदार इस उपस्थापन पत्र (प्रजेन्टेशन) के आधार पर देय किराये और स्वामित्वों का पहले भुगतान और उन्मोचन कर चुकने पर, उक्त अवधि की समाप्ति पर या उसके शीघ्रतर समाप्ति पर या तत्पश्चात् तीन कलेण्डर मास के भीतर (जबतक पट्टा इस भाग के खण्ड-1 के अधीन समाप्त न कर दिया जाय और उस दशा में किसी समय ऐसी समाप्ति के पश्चात् कम से कम एक कलेण्डर मास में और अधिक से अधिक तीन कलेण्डर मास में) अपने लाभ के लिए ऐसे सभी या किसी इंजन, मशीन, संयंत्र, भवन संरचनाओं और अन्य निर्माण कार्य, परिनिर्माण(एरेक्शन्स) और अस्थायी

.....9.....

खास अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

आफिसीयल
सोनभद्र

२५७७०) श्री ब्रह्मानाक-सद्वेशन वा० श्रीमति आफरीना रवी नि० बिल्ली-नायकुंडी

गिरावर अक्षिपत्र
कालः मासः

२५/७/७७



उत्तर प्रदेश UTTAR PRADESH

E 977486

(9)

आवास स्थानों को उखाड़ सकता है / सकते हैं और हटा सकता है, जो उक्त भूमि में या उसपर पट्टेदार द्वारा खनन किया गया हो, खड़े किये गये हो, स्थापित किये गये हो या रखे गये हो और जिन्हें पट्टेदार, राज्य सरकार को देने के लिए बाध्य नहीं है और जिन्हें राज्य सरकार खरीदने के लिए इच्छुक न हो।

3. पट्टे की समाप्ति के पश्चात् तीन मास के अधिक समय तक छोड़ी गयी सम्पत्ति की जब्ती:

यदि उक्त अवधि की समाप्ति या उसके शीघ्रतर समाप्ति के पश्चात्, तीन कलेण्डर मास के अन्त में, उक्त भूमि में या उस पर कोई इंजन, मशीन संयंत्र, भवन, संरचनायें तथा अन्य निर्माण कार्य, परिनिर्माण और अस्थायी आवास-स्थान या अन्य सम्पत्ति रहे तो उनके संबंध में, यदि वे ऐसे लिखित नोटिस देने के पश्चात् जिसमें जिलाधिकारी द्वारा पट्टेदार से उन्हें हटाने की अपेक्षा की गयी हो, एक कलेण्डर मास के भीतर पट्टेदार/पट्टेदारों द्वारा न हटाये जाए तो यह समझा जाएगा कि वे राज्य सरकार की सम्पत्ति हो गयी हैं और किसी प्रतिकर का भुगतान किए बिना या उसके संबंध में पट्टेदार/पट्टेदारों को कोई हिसाब दिए बिना, उनकी बिक्री करके निस्तारण ऐसे रीति से किया जा सकता है, जो राज्य सरकार उचित समझे।

4. ठेकेदार के माध्यम से स्वामित्व एवं अपरिहार्य भाटक की वसूली करना:-

यदि राज्य सरकार इस प्रकार निर्देश दे, तो पट्टेदार इस उपस्थापन पत्र द्वारा संरक्षित स्वामित्वों और अपरिहार्य भाटक का भुगतान स्वामित्व की वसूली करने वाले ठेकेदार को राज्य सरकार द्वारा नियत रीति से ऐसी अवधियों में करेगा, जो विनिर्दिष्ट की जाय।

.....10....

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

सोनभद्र

२५४०) मै० इशाना केन्सट्रक्शन पा० - श्रीमति आफरीना खों नि० लि० नि० - भारकु०

मुख्य रोकड़िया
कोषागार-नाम

५-१२-१६



उत्तर प्रदेश UTTAR PRADESH

E 977487

(10)

5. नोटिसें :- इस उपस्थापन पत्र द्वारा पट्टेदार को दिये जाने के लिए अपेक्षित प्रत्येक नोटिस उक्त भूमि पर रहने वाले ऐसे व्यक्ति को लिखित रूप में दिया जायेगा, जिसे पट्टेदार ऐसी नोटिस प्राप्त करने के लिए नियुक्त करे और यदि इस प्रकार कोई नियुक्ति न की गयी हो ऐसी प्रत्येक नोटिस पट्टेदार को रजिस्ट्रीकृत डाक द्वारा पट्टे में उसके अभिलिखित पते पर या भारत में ऐसे अन्य पते पर भेजी जायेगी, जिसे पट्टेदार समय-समय पर लिखित रूप में राज्य सरकार को नोटिसों को प्राप्त करने के लिए दे और प्रत्येक ऐसी तामील पट्टेदार पर उचित और वैध तामील समझी जायेगी और उसके सम्बन्ध में उसके द्वारा न तो आपत्ति की जायेगी और न उसे चुनौती दी जा सकेगी।

.....11...

आफ़्रीना खान

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

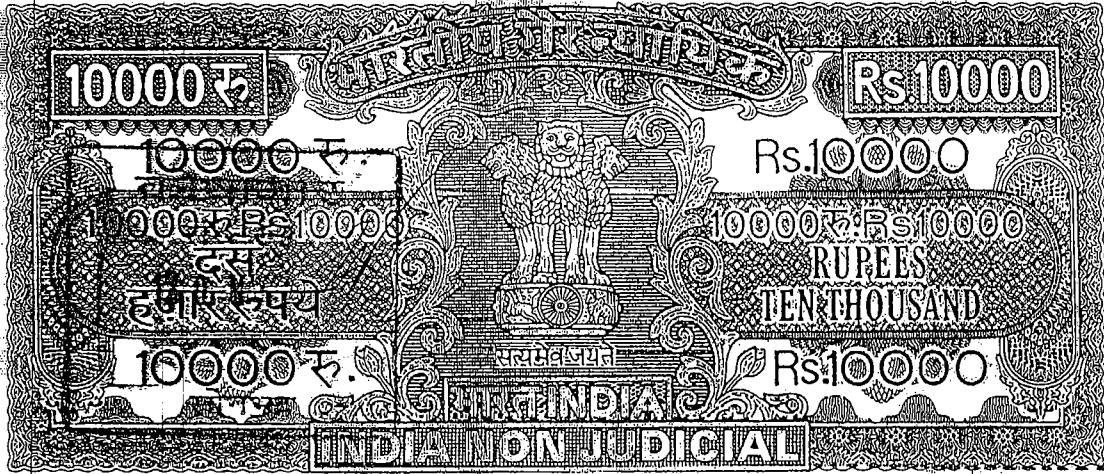
२५००) मै० इशाना क-सद्वक्षन पा० श्री कति जाफरीना खाँ नि० - बिल्ली - मारकुषी

५५

०२-०५-०२-१६

विश्वविद्यालय
मुंबई

विश्वविद्यालय
मुंबई



04AA 330901

(11)

अतिरिक्त शर्तें

1. प्रत्येक वर्ष के लिये निर्धारित वार्षिक अपरिहार्य भाटक से रायल्टी की धनराशि अधिक होने पर रायल्टी की धनराशि (जो उक्त क्षेत्र से पट्टा धारक द्वारा खनन कर निकासी की गई खनिज की मात्रा पर देय होती है) देय होगी तथा रायल्टी व वार्षिक अपरिहार्य भाटक की धनराशि समय-समय पर पुनरीक्षित दरों के आधार पर देय होगी।
2. पर्यावरण के संरक्षण हेतु पट्टाधारक को उचित प्रबंध करना होगा।
3. पर्यावरणीय अनापत्ति में उल्लिखित/अनुमोदित खनिज मात्रा के अनुसार खनन किया जायेगा।
4. शासनादेश संख्या-1040/86-2014-127/2011 दिनांक 10.04.2014 द्वारा दिये गये निर्देश कि "यदि पूर्व पर्यावरणीय अनापत्ति में उल्लिखित मात्रा से अधिक मात्रा का खनन एवं परिवहन पट्टा की राय में किया जाना आवश्यक है, तब उसे अधिसूचना दिनांक 14.09.2006 के प्रस्तर-2 के प्राविधानों के अनुसार ऐसी अतिरिक्त मात्रा के लिए सम्बन्धित निगमक प्राधिकारी से पूर्व पर्यावरणीय अनापत्ति पुनः प्राप्त करनी होगी।
5. खनन योजना के अनुसार पर्यावरण एवं परिस्थितिकी को ध्यान में रखकर स्वीकृत क्षेत्र में खनन कार्य किय जायेगा।
6. पट्टाधारक द्वारा उनके पक्ष में स्वीकृत खनन पट्टा क्षेत्र से खनन कर निकासी किये गये खनिज का परिवहन सिर्फ जिला क्वैरी कार्यालय, सोनभद्र द्वारा जारी प्रपत्र एम0एम0-11 द्वारा ही किया जायेगा इसके अतिरिक्त किसी अन्य प्रपत्र का उपयोग किये जाने अथवा स्वीकृत क्षेत्र से बाहर खनन कार्य करते हुये पाये जाने एवं दोष सिद्ध होने पर पट्टा निरस्त कर दिया जायेगा।
7. पट्टाधारक नियमावली 1963 के नियम-73 के प्रावधानों के अन्तर्गत पूर्ववर्ती त्रैमास के संबंध में प्रत्येक वर्ष जुलाई, अक्टूबर, जनवरी और अप्रैल के द्वितीय सप्ताह में प्रपत्र एम0एम0-12 में जिलाधिकारी और निदेशालय के क्षेत्रीय कार्यालय को त्रैमासिक विवरणी प्रस्तुत करेगा तथा विनिर्दिष्ट समय के भीतर विवरण प्रस्तुत करने में विफल होने पर रू0 2,000-00 की शास्ति का भागी होगा तथा पट्टाधारक की ऐसी चूक, खनन पट्टा विलेख की शर्तों का उल्लंघन माना जायेगा।

.....12....


ज़िला अधिकारी
 सोनभद्र

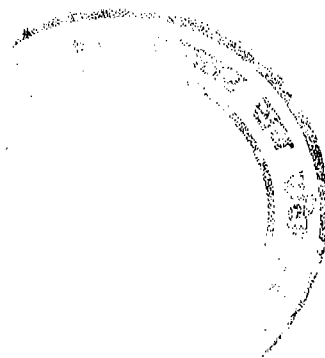

ज़िला अधिकारी
 सोनभद्र

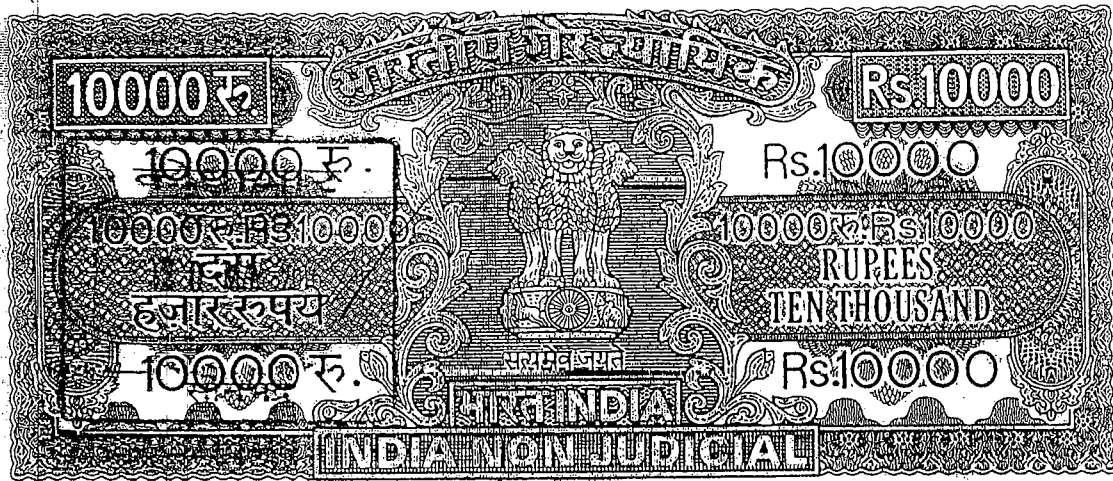
आफ़िसी रजिस्ट्रार


१००००) श्री ब्रह्मानन्द-सद्वेशन पाठ-श्रीमति आप्परीना शर्मा निज-विल्ली-मार्ग

१००००

२०५०००/६





04AA 330902

(12)

8. खनन कार्य करने के दौरान यदि कोई अन्य खनिज/उपखनिज प्राप्त होता है तो उसकी सूचना पट्टाधारक तत्काल जिला कार्यालय तथा भूतत्व एवं खनिकर्म विभाग (उओप्रओ) के क्षेत्रीय कार्यालय एवं निदेशालय को देगा।
9. ब्लास्टिंग का लाइसेंस प्राप्त किये बिना खनन कार्य में ब्लास्टिंग का प्रयोग प्रतिबन्धित होगा।
10. पट्टाधारक नियमानुसार माइन्स मैनेजर, ब्लास्टिंग हेतु तकनीकी ब्लास्टर आदि की नियुक्ति करके विभाग को सूचित करेगा तथा माइन्स एक्ट, 1952 एवं मेटलीफेरस माइन्स रेगुलेशन, 1961 के अनुसार नियुक्त माइन्स मैनेजर, ब्लास्टर आदि के पर्यवेक्षण में कार्य करेगा तथा खान सुरक्षा महानिदेशालय के निर्देशों का पालन करेगा।
11. खनन कार्य कुशल कारीगरों द्वारा कराया जाना होगा तथा खनन संक्रियाओं में श्रमिकों की सुरक्षा हेतु सुरक्षा उपकरण यथा—हेलमेट, जूता, चश्मा, मास्क, सेफ्टी बेल्ट आदि उपलब्ध कराये जाने होंगे।
12. पट्टाधारक को पट्टाकृत क्षेत्र में खनिज के समुचित विकास हेतु वैज्ञानिक ढंग से खनन कार्य करते हुए पर्यावरण की सुरक्षा हेतु खनिज/उपखनिज का खनन व निकासी करने के उपरांत क्षेत्र का समतलीकरण कर वहाँ वृक्षारोपण करना होगा।
13. खनन पट्टा क्षेत्र के अन्दर बोल्टर के परिवहन हेतु ट्रैक्टर-ट्राली का प्रयोग नहीं करेगा बल्कि इसके स्थान पर टीपर का प्रयोग करेगा।
14. स्वीकृत क्षेत्र के अन्तर्गत किसी काश्तकार/काश्तकारों के संक्रमणीय/असंक्रमणीय अधिकार वाली भूमि का कोई अंश पड़ने की दशा में ऐसे काश्तकार/काश्तकारों से लिखित सहमति प्राप्त करने के उपरांत ही उनके अंश की भूमि में पट्टाधारक खनन कार्य प्रारम्भ करेंगे।
15. खनन पट्टे पर प्रस्तावित एवं मौके पर उपलब्ध क्षेत्र में यदि कमी पायी जाती है तब मौके पर उपलब्ध क्षेत्र के लिए खनन पट्टा विलेख निष्पादित किया जायेगा।
16. स्वीकृत क्षेत्र में स्थायी सीमा स्तम्भ लगाने के बाद ही खनन कार्य करने की अनुमति दी जायेगी। स्वीकृत क्षेत्र में सीमा स्तम्भ एवं साइन बोर्ड, जिसमें पट्टे से सम्बन्धित अंकित विवरण पठनीय, तथ्यपरक, सुस्पष्ट होने चाहिए, जिसका अनुरक्षण पट्टाधारक करता रहेगा।

.....13...

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

आफरीना रंगान

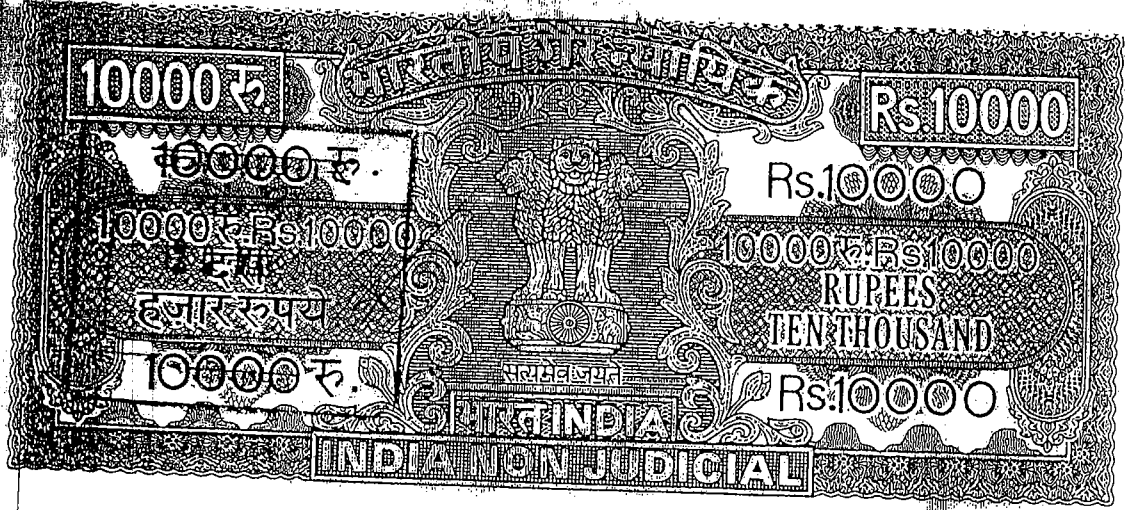


40

१०००) मो० इशाना क-सद्व्यवस्था पा० श्रीमति सुभाषीना खाँ नि० - विल्ली - मारुव

12

01-5-12/6



04AA 330903

(13)

17. खनन पट्टा स्वीकृति के पश्चात भविष्य में वन विभाग या किसी अन्य विभाग द्वारा शर्तों के विपरीत कार्य करने के कारण आपत्ति किये जाने पर उक्त नियमावली 1963 के नियम 60 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात खनन पट्टा निरस्त किया जायेगा।
18. पट्टाधारको को, क्षेत्र में आंकलित मात्रा के सापेक्ष ही प्रपत्र एम0एम0-11 की आपूर्ति की जायेगी।
19. पट्टाधारक द्वारा खनन क्षेत्र तक पहुँच मार्ग स्वयं के व्यय पर बनाया जायेगा। यदि खनिजों के परिवहन हेतु किसी काश्तकार की भूमि से होकर रास्ते का निर्माण किया जाता है तो सम्बन्धित काश्तकार की लिखित सहमति राखन्धी अगिलेख जिला गैरी कार्यालय, सोनभद्र में प्रस्तुत करना अनिवार्य होगा। रास्ते के निर्माण में होने वाले व्यय के लिए राज्य सरकार का कोई उत्तरदायित्व नहीं होगा।
20. खनन स्थल से निकाले गये खनिज पदार्थ का अभिवहन वन विभाग की लिखित सहमति के बिना वन मार्ग से नहीं किया जायेगा।
21. स्वीकृत खनन पट्टा क्षेत्र की परिधि के बाहर कोई अवैध खनन पाये जाने पर उक्त नियमावली 1963 के नियम 60 के अधीन युक्तियुक्त अवसर दिये जाने के पश्चात खनन पट्टा निरस्त किया जायेगा।
22. स्वीकृत खनन पट्टा क्षेत्र के भीतर किसी प्रतिबन्धित क्षेत्र (गदि कोई हो) में खनन कार्य नहीं किया जायेगा। ऐसे प्रतिबन्धित क्षेत्र में खनन पाये जाने पर नियमानुसार खनन पट्टा समाप्त किया जा सकता है।
23. मा0 सर्वोच्च न्यायालय, मा0 उच्च न्यायालय, इलाहाबाद एवं लखनऊ खण्डपीठ तथा अन्य सक्षम न्यायालय द्वारा पारित आदेश का अनुपालन करना होगा।

.....14...

खान अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

उत्तराखण्ड राज्य



10000) मे० ब्रह्माना कन्सट्रक्शन पा० श्री मति आफरीवा श्वाँ नि० किल्ली - मा०

[Signature]

मुद्रांक नं० १०००००
दिनांक १०/०५/२०१०

07-5-2010

42

43



उत्तर प्रदेश UTTAR PRADESH

BL 265082

(14)

स्टाम्प शुल्क-

दस वर्षों में देय कुल अपरिहार्य भाटक की धनराशि रु० 69,60,000.00 एवं प्रतिभूति के मद में जमा धनराशि रु० 1,74,000.00 पर देय स्टाम्प शुल्क की कुल धनराशि रु० 2,85,500-00 है।

.....15....

खात अधिकारी
सोनभद्र

जिलाधिकारी
सोनभद्र

आफ़िसी-ना स्थान



5000) मै० इशाना कन्सल्वेशन पाठ श्री मति आफरीना बवाँ नि०- बिल्ली - माखुण्डी

गुप्त रोकड़िया
कोषाधार-सोनभद्र

25-5-2016

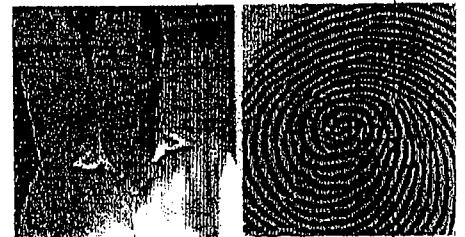
गवाह

Registration No.: 4313

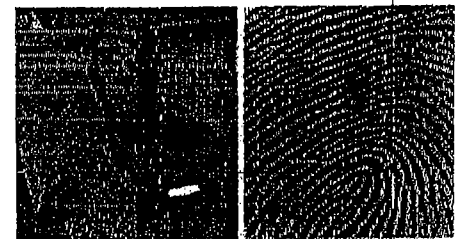
Year : 2016

Book No. : 1

W1 राजेश कुमार सिंह
राधेकृष्ण सिंह
बिल्ली ओबरा पर०अगोरी तह०रा०गंज-सोनभद्र
कृषि

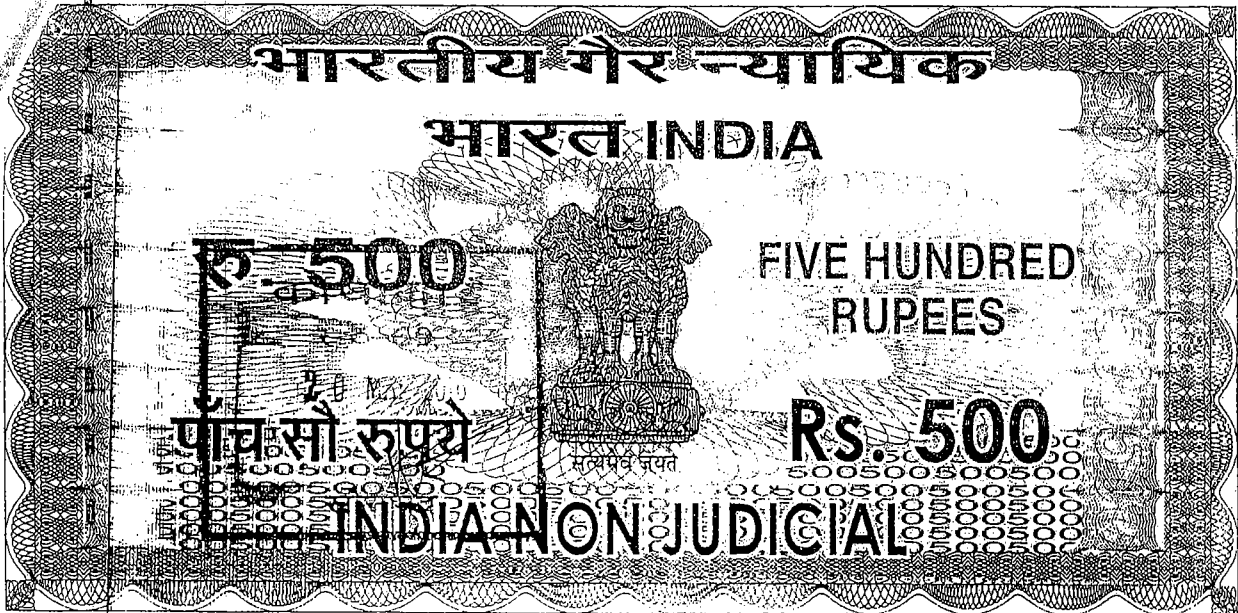


W2 प्रद्युम्न कुमार सिंह
स्व० रामसेवक सिंह
बिल्ली ओबरा पर०अगोरी तह०रा०गंज-सोनभद्र
कृषि



2016/05/25
2016/05/25

2016/05/25
2016/05/25



उत्तर प्रदेश UTTAR PRADESH

S 644690

(15)

इसके साक्ष्य के रूप में उपस्थापन पत्र एतदधीन आयी हुई रीति से उपर उल्लिखित दिन और वर्ष को निष्पादित किया गया है।

उत्तर प्रदेश के राज्यापाल के लिए और उनकी ओर से-

1. श्री आर० पी० सिंह खान आधि कारी सोनभद्र
2. श्री राजेश कुमार राय वरिष्ठ लिपिक
- 3.

आधि कारी
सोनभद्र

की उपस्थिति में जिलाधिकारी, सोनभद्र द्वारा हस्ताक्षरित:-

जिलाधिकारी
सोनभद्र

1. राजेश कुमार सिंह 5/10/87
2. राजेश कुमार सिंह 5/10/87

की उपस्थिति में पट्टेदार द्वारा हस्ताक्षरित

आधि कारी खान
पट्टेधारक
का हस्ताक्षर



46

500) मे० इशाना क-सट्रक्शन पा० शीमाति आफरीना रवौ नि० - बिल्ली-गखुखी

मुख्य रोकड़िया
कोपामार-सोबय

00-5-2016

आज दिनांक 28/05/2016 को

बही सं. 1 जिल्द सं. 4841

पृष्ठ सं. 1 से 30 पर क्रमांक 4313

रजिस्ट्रीकृत किया गया।

विशेषीकरण अधिकारी के हस्ताक्षर

विशेषीकरण अधिकारी के हस्ताक्षर

विशेषीकरण अधिकारी के हस्ताक्षर

विशेषीकरण अधिकारी के हस्ताक्षर

विवेक कुमार श्रीवास्तव

उप निबन्धक

राबर्टसगंज

28/5/2016



District Level Environment Impact Assessment Authority, Sonbhadra

Office of the District Magistrate, Sonbhadra

Fax: 05444-224566 Email: delaasonbhadra@gmail.com

Ref. No. 12 /Parya/DEIAA/SBR/2016

Date: 18/05/2016

47

To,

M/s Ishana Construction
 Partner-Smt. Aafreena Khan,
 W/o Sri Ishtiyak Khan
 R/o-Billi Markundi, Obra,
 Teh.-Robertsganj, District-Sonebhadra, U.P.



Sub: Regarding Environmental Clearance for proposed Dolostone Mining Project at Gata No. 5355K, 5359, 5361, 5363k, 5351k, 5352, 5353, 5354, 5262, 5355kh & 5351kh Village-Billi Markundi, Tehsil-Robertsganj, Sonbhadra, U.P. (Leased Area-5.80 Acres)

Dear Sir,

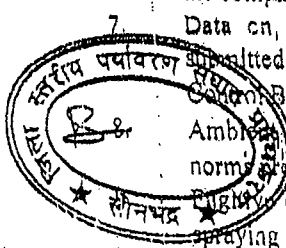
Please refer to your letter dated 12/10/2015 addressed to the Chairman/Secretary, SEAC, Directorate of Environment, Lucknow. The Proposal Transferred to DEIAA Sonbhadra after MoEF Notification Dated 15/01/2016. The District Level Committee considered the matter in its meeting held on dated 29/04/2016. A presentation was made by the consultant M/s ENV DAS India Pvt. Ltd., Lucknow, along with the representative of the project proponent, through documents, presentation made during meeting dated 29/04/2016 and reply to the queries raised by the DEIAA SBR, has informed to DEIAA SBR that:

1. The environmental clearance is sought for Dolostone Mining project at Gata No. 5355Ka, 5359, 5361, 5363ka, 5351ka, 5352, 5353, 5354, 5262, 5355kh & 5351kh Village-Billi Markundi, Tehsil-Robertsganj, District-Sonebhadra, Uttar Pradesh (Leased area-5.80 acres).
2. Mining Lease area was granted by District Magistrate, Sonbhadra vide letter no.- 805/खनिज/2016 दिनांक 31.08.2015
3. 40,000 Cubicmeter Dolostone is proposed to mine annually according to approved mining plan and validity of mining plan is valid up to 5 years from the date of deed execution.
4. The water requirement will be limited to 0.60 KLD from water tanker and borewells for drinking, 1.50 KLD for sprinkling on haulage route for dust suppression and 0.40 KLD for plantation and others.
5. During operation the maximum no. of workers will not be more than 24.
6. The Project activity are not covered under general conditions, because its belong to B2 Category, under MoEF notification dated 15/01/2016 and 20/01/2016.
7. The mining will be opencast type and carried out semi mechanized.
8. The ultimate depth of mining will be restricted to 20 mtr/water level, whichever is less.
9. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.

10. Regarding the project no litigation is pending in any court.
11. This project does not attract any of the general conditions applicable on mining project specified in EIA Notification 14/09/2006.
12. The Project proposal falls under B2 Category of MoEF Notification dated 15/01/2016 and 20/01/2016. Based on the above said project, the District Level Environment Impact Assessment Authority (meetings held on dated 29/04/2016) has decided to grant the Environmental Clearance to this project proposal subject to effective implementation of the following general and specific conditions:

General Conditions

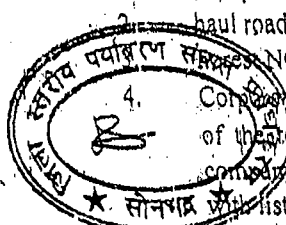
1. This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department.
2. Forest clearance shall be taken by the proponent as necessary under law.
3. Any addition of the mining area, change of Khasra numbers, enhancement of capacity, change in mining technology, modernization and scope of working shall again required prior environmental clearance as per EIA notification, 2006.
4. No change in the calendar plan including excavation, quantum of mineral and waste shall be made.
5. Mining will be carried out as per the approved mining plan. In case of any violation of mining plan, the Environmental Clearance given by DEIAA will stand cancelled.
6. Four ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for RSPM, SFM, SO₂, NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board. The monitored data for criteria pollutants shall be regularly up loaded on the company's website and also displayed at website.
7. Data on ambient air quality (RSPM, SPM, SO₂, NO_x) should be regularly submitted to the Regional office, MoEF, G.O., Lucknow and the State Pollution Control Board/Central Pollution Control Board once in six months.
8. Ambient air quality at the boundary of the mine premises shall conform to the norms prescribed in MoEF notification no. GSR/826(E) dt. 16.11.2009.
9. Dust emissions from all the sources shall be controlled regularly. Water spraying arrangement on haul roads loading and unloading and at transfer points shall be provided and properly maintained.
10. Measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. shall be provided with ear plugs/muffs and health records of the workers shall be maintained.
11. Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluents.



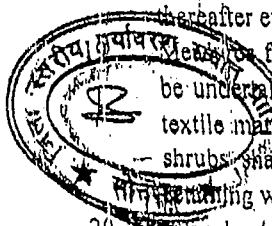
12. Personal working in areas shall be provided with protective respiratory devices like mask and they shall also be imparted adequate training and information on safety and health aspects.
13. Special measures shall be adopted to prevent the nearby settlements from the impacts of mining activities.
14. The transportations of the materials shall be limited to day hours time only.
15. Provision shall be made for the housing the labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
16. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
17. The Project Proponent shall inform to the Regional Office, MoEF, Govt., Lucknow and State Pollution Control Board regarding date of financial closures and final approval of the project by the Concerned authorities and the date of start of land development work.
18. A copy of the environmental clearance shall be submitted by the Project Proponent to the Heads of the Local Bodies, Panchayat and Municipal Bodies, as applicable in the matter.
19. The Project Proponent has to submit half yearly compliance report of the stipulated prior environmental clearance terms and conditions in hard and soft copy to the DEIAA, SBR, on 1st June and 1st December of each calendar year.
20. The DEIAA may alter/modify the above conditions or stipulate any further conditions in the interest of environment protection.
21. 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.

Specific Conditions

1. Norms of Transport Department/PWD shall be strictly followed during transportation of minerals.
2. Haul road shall be made motorable.
3. NOC shall be obtained prior to start of work.
4. Comprehensive Social Responsibility (CSR) plan along with budgetary provision of 5% of the total cost shall be prepared and approved by Board of Directors of the company. A copy of resolution as above shall be submitted to the authority along with list of beneficiaries with their mobile nos./address.
5. This environmental Clearance does not create or verify any claim of applicant on the proposed site/activity.
6. This environmental clearance shall be subject to valid lease in favour of project proponent for the proposed mining proposals. In case, the project proponent does not have a valid lease, this environmental clearance shall automatically become null and void.
7. The Environmental clearance will be co-terminus with the mining lease period.



8. No two pits shall be simultaneously worked i.e. before the first is exhausted and reclamation work completed, no mineral bearing area shall be worked.
9. After exhausting the first mine pit and before starting mining operations in the next pit, reclamation and plantation works in the exhausted pit shall be completed so as to ensure that reclamation, forest cover and vegetation are visible during the first year of mining operations in the next pit. This process will follow till the last pit is exhausted. Adequate rehabilitation of mined pit shall be completed before any new ore bearing area is worked for expansion.
10. Adequate buffer zone shall be maintained between two consecutive mineral bearing deposits.
11. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.
12. Green belt development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO/Agriculture Department. Herbs and shrubs shall also form a part of afforestation programme besides tree plantation. The company shall involve local people for plantation Programme. Details of year wise afforestation programme including rehabilitation of mined out area shall be submitted to the Regional Office, MoEF, Gol, Lucknow and DEIAA SBR every year.
13. Blast vibration study shall be conducted and a observation report submitted to the the Regional Office, MoEF, Gol, Lucknow and UPPCB within six months. The report shall also include measures for prevention of blasting associated impact on nearby houses and agricultural fields.
14. Controlled blasting techniques with sequential blasting shall be adopted. The blasting shall be carried out in the day time only.
15. Appropriate arrangement for shelter and drinking water for the mining workers has to be ensured at the mining site.
16. Maintenance of village roads used for transportation of minerals are to be done by the company regularly at its own expenses. The roads shall be block topped.
17. Rain water harvesting shall be undertaken to recharge the ground water source.
18. Status of implementation shall be submitted to the Regional Office, MoEF, Gol, Lucknow, UP Pollution Control Board and DEIAA SBR within six months and thereafter every year from the next consequent year.
19. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geo textile matting or other suitable material, and thick plantation of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
20. Trenches/garland drains shall be constructed at foot of dumps and coco filters installed at regular intervals to arrest silt from being carried to water bodies. Adequate number of Check Dams and Gully Plugs shall be constructed across seasonal/perennial nullahs, If any flowing through the ML area and silts arrested. De-silting at regular intervals shall be carried out.
21. Garland drain of appropriate size, gradient and length shall be constructed for both mine pit and for waste dump and sump capacity shall be designed keeping 50%.



safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity shall also provide adequate retention period to allow proper setting of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and desilted at regular intervals.

22. Ground and surface water, if any in and near the core zone (within 5.0 km of the lease) shall be regularly monitored for contamination and depletion due to mining activity and records maintained. The monitoring data shall be submitted to the Regional Office, MoEF, Gol, Lucknow, U.P. Pollution Control Board and DEIAA SBR regularly. Further, monitoring points shall be located between the mine and drainage in the direction of flow of ground water shall be set up and records maintained.
23. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located nearest to sources of dust generation as applicable) and records submitted to the Regional Office, MoEF, Gol, Lucknow, U.P. Pollution Control Board and DEIAA SBR regularly.
24. Baseline data for ambient air quality shall be generated and maintained and RSPM level in ambient air in the nearby human habitation (villages) shall also be monitored along with other parameters.
25. Transportation of minerals shall be done by covering the trucks with tarpaulin or other suitable mechanism so that no spillage of mineral/dust takes place.
26. Occupational health and safety measures for the workers including identification of work related health hazards, training on malaria eradication, HIV, and health effects on exposure to mineral dust etc. shall be carried out. Periodic monitoring for exposure to respirable mineral dust on the workers shall be conducted and records maintained including health records of the workers. Awareness programme for workers on impact of mining on their health and precautionary measures like use of personal equipments etc. shall be carried out periodically. Review of impact of various health measures shall be conducted followed by follow up action wherever required.
27. The project proponent will ensure for providing employment to local people as per requirement, necessary protection measures around the mine pit and waste dump and garland drain around the mine pit and waste dump.

 Top soil/solid waste shall be stacked properly with proper slope and adequate safeguards and shall be utilized for backfilling (wherever applicable) for reclamation and rehabilitation of mined out area. Top soil shall be separately stacked for utilization later for reclamation and shall not be stacked along with overburden.
28. Over burden (OB) shall be stacked at earmarked dump site (s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 20 m, each stage shall preferably be of maximum 10 m and overall slope of the dump shall not exceed 35°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface run off.

30. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self sustaining. Compliance status shall be submitted to the Regional Office, MoEF, Gol, Lucknow, U.P. Pollution Control Board and DEIAA SBR on six monthly basis.
31. Slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by Indian Bureau of Mines.
32. Permission for abstraction of ground water shall be taken from Central Ground Water Board. Regular monitoring of ground and surface water sources for level and quality shall be carried out by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring shall be carried out four times in a year i.e.-monsoon (April-May), Monsoon (August), post-monsoon (November) and winter (January) and the data thus collected shall be regularly sent to MoEF, Central Ground Water Authority and Regional Director, Central Ground Water Board.
33. The waste water from the mine shall be treated to conform to the prescribed standards before discharging in to the natural stream. The discharged water from the Talling Dam, if any shall be regularly monitored and report submitted to the Regional Office, Ministry of Environment & Forest, Gol, Lucknow, Central Pollution Control Board and the State Pollution Control Board.
34. Hydro geological study of the area shall be reviewed by the project proponent annually. In case adverse effect on ground water quality and quantity is observed mining shall be stopped and resumed only after mitigating steps to contain any adverse impact on ground water is implemented.
35. Vehicular emissions shall be kept under control and regularly monitored. Vehicles used for transportation of minerals and others shall have valid permissions as prescribed under Central Motor Vehicle Rules, 1989 and its amendments. The Vehicles transporting minerals shall be covered with a tarpaulin or other suitable enclosures so that no dust particles/fine matters escape during the course of transportation. No overloading of minerals for transportation shall be committed. The trucks transporting minerals shall not pass through wild life sanctuary, if any in the study area.
36. Prior permission from the Competent Authority shall be obtained for extraction of ground water, if any.
37. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Regional Office, Ministry of Environment & Forest, Gol, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
38. Project proponent shall explore the possibility of using solar energy where ever possible.
39. Commitment towards CSR has to be followed strictly.
40. Regular health check-up record of the mine workers has to be maintained at site in a proper register. It should be made available for inspection whenever asked.
41. Project Proponent has to strictly follow the directions/guidelines issued by MoEF, CPCB and other Govt. Agencies from time to time.
42. The blasting will be done only after getting the permission from the Mining Department.



You are also directed to ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled. Also, in the event of any dispute on ownership of the proposed site, this permission shall automatically deem to be cancelled.

The above 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.

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 DEIAA SBR/MoEF reserves the right to revoke the environmental clearance, if any conditions stipulated are not implemented to the satisfaction of DEIAA SBR/MoEF. DEIAA SBR may impose additional environmental conditions or modify the existing ones, if necessary.

This is to request you to take further necessary action in matter as per provision 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.



(Kailash Singh)
18.5.16

(Kailash Singh)
S.D.M. (Sadar),
Member-Secretary,
DEIAA Sonebhadra, U.P.
dated as above.

No. /Parya/DEIAA/SBR/...../2016

Copy for information and necessary action to:

- 1- The Principal Secretary, Environment, Govt. of U.P., Lucknow.
- 2- The Principal Secretary, Geology and Mining, Govt. of U.P., Lucknow.
- 3- Director, Environment, Bibhuti Khand, Gomati Nagar, Lucknow.
- 4- Director, Geology and Mining, Lucknow.
- 5- District Magistrate, Sonebhadra.
- 6- Divisional Forest Officer, Sonebhadra.
- 7- Divisional Forest Officer, Kaimur Wild Life, Mirzapur.
- 8- Additional District Magistrate, Sonebhadra.
- 9- Sub Divisional Magistrate (Sadar), Sonebhadra.
- 10- Regional Pollution Control Officer, Sonebhadra.
- 11- District Mining Officer, Sonebhadra.
- 12- NIC Sonebhadra to upload on website.

(Kailash Singh)
S.D.M. (Sadar),
Member-Secretary,
DEIAA Sonebhadra, U.P.

Court No. - 21

Case :- WRIT - C No. - 16521 of 2022

Petitioner :- M/S Ishana Construction

Respondent :- State Of U P And 2 Others

Counsel for Petitioner :- Devbrat Mukherjee

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Chandra Kumar Rai, J.

The petitioner feeling aggrieved by a notice dated 12.05.2022 calling upon it to deposit certain amount within 7 days on account of it having done illegal mining and at the same time seeking explanation, has filed the instant petition.

Learned counsel for the petitioner submitted that although it has been titled as a show cause notice, but in fact, it is an order in itself as the respondents have already arrived at a conclusion that the petitioner had violated the provisions of the U.P. Minor Minerals (Concession) Rules, 2021 and have also quantified the amount. He further submitted that similar controversy was decided by this Court in Writ C No.8648 of 2022 (Arun Kumar vs. State of U.P. & others) by judgment and order dated 20.04.2022 and the instant matter is covered by the said judgment.

Learned Standing Counsel does not dispute the fact that the identical notice was considered by this Court in the above judgment and was quashed with liberty to the petitioner to submit his explanation and thereafter it was left open to the competent authority to pass appropriate order.

Accordingly, the impugned notice is quashed in part.

The petitioner shall submit his explanation within two weeks from today treating the notice under challenge to be a show cause notice simplicitor and not an order determining the liability and quantifying the amount. The respondents will thereafter proceed to pass fresh orders in accordance with law.

The instant writ petition stands allowed, accordingly.

(Chandra Kumar Rai, J.) (Manoj Kumar Gupta, J.)

Order Date :- 9.6.2022

P Kesari

AUTHENTICATED COPY

Prachi

16-06-2022

SECTION OFFICER

COMPUTERISED COPYING SECTION
HIGH COURT, ALLAHABAD

Court No. - 32

Case :- CRIMINAL MISC. WRIT PETITION No. - 6863 of 2022

Petitioner :- Afreena Khan

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Devbrat Mukherjee

Counsel for Respondent :- G.A.

56

Hon'ble Siddhartha Varma, J.

Hon'ble Subhash Chandra Sharma, J.

Heard learned counsel for the parties.

This writ petition has been filed with a prayer to quash the First Information Report dated 07.05.2022 registered as Case Crime No.0083 of 2022, under Section 379 of IPC, Rule 3, 58, 72 of U.P. Minor Mineral (Concession) Rules 1963, Section 4 & 21 of Mines and Minerals (Development and Regulation) Act 1957, Section 3 of Prevention of Damage to Public Property Act 1984, Police Station Obra, District Sonbhadra. A further prayer has been made that the petitioner be not arrested in pursuance of the aforesaid First Information Report.

Contention of the learned counsel for the petitioner is that as per Section 22 of the Mines and Minerals (Development and Regulation) Act 1957, if there was any offence under the Act, then a complaint in writing ought to have been made by the concerned Government. He, therefore, submits that the lodging of the FIR was a malicious exercise.

Matter requires consideration.

Respondents are represented by the learned AGA.

Learned AGA may file counter affidavit within a period of four weeks. Rejoinder affidavit, if any, may be filed within

two weeks thereafter.

List this case on 18.8.2022.

Till the next date of listing or till the submission of police report under Section 173(2) of Cr.P.C., whichever is earlier, no coercive action shall be taken against the petitioner.

Order Date :- 7.6.2022

vkj

प्रेषक,

निदेशक,

भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०,
खनिज भवन, लखनऊ।

सेवा में,

जिलाधिकारी,

सोनभद्र।

संख्या: ४९१/एम०-प्रवर्तन सोनभद्र/2020 (II)

दिनांक: ११ जनवरी, 2022

विषय:-जनपद सोनभद्र के ग्राम बिल्ली मारकुण्डी में स्वीकृत/संचालित खनन पट्टों में पर्यावरण स्वच्छता प्रमाण पत्र में खनन हेतु स्वीकृत अनुमन्य मात्रा से अधिक खनन कार्य किये जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक के सम्बन्ध में श्री बृजेश पाण्डेय, क्षेत्रीय सह संयोजक, काशी क्षेत्र उत्तर प्रदेश पता 9-एईटी-68, ओबरा कालोनी, ओबरा सोनभद्र द्वारा प्रस्तुत शिकायती पत्र के माध्यम से अवगत कराया गया है कि जनपद-सोनभद्र तहसील-ओबरा स्थित ग्राम-बिल्ली मारकुण्डी में संचालित 20-25 खनन पट्टों में पर्यावरण स्वच्छता प्रमाण पत्र में खनन हेतु स्वीकृत अनुमन्य मात्रा से अधिक खनन कार्य किये जाने तथा खदान में काम कर रहे कामगारों की सुरक्षा मानकों का अनुपालन नहीं किया जा रहा है तथा उक्त सभी खनन पट्टों का स्थलीय निरीक्षण कराकर खनन की जाँच तथा भौतिक सत्यापन कराये जाने का अनुरोध किया गया है। खनन पट्टा क्षेत्रों का विवरण निम्नवत् है :-

क्र० सं०	पट्टाधारक का नाम	ग्राम	आराजी संख्या	रकबा (एकड़ में)
1.	श्री सन्तोष कुमार सिंह पुत्र श्री शिवराज सिंह व श्री विजय बहादुर सिंह पुत्र स्व० शीतला सिंह	बिल्ली मारकुण्डी	3575 हा०न०- 7347क	2.20
2.	श्री राजेश कुमार पुत्र स्व० लक्ष्मण प्रसाद एवं श्री तारकेश्वर प्रसाद पुत्र स्व० अमीरचन्द	बिल्ली मारकुण्डी	4875, 4876, 4866, 4867	2.55
3.	मे० श्री कृष्णा स्टोन वर्क्स पार्ट० श्री रमेश सिंह पुत्र स्व० राजेश्वर सिंह	बिल्ली मारकुण्डी	7572क, 7572ख, 7546ख, 7564ख/2, 7573क/1	2.65
4.	मे० इशाना कान्स्ट्रक्शन प्रो० श्रीमती आफरीना खान पत्नी श्री इश्तियाक खान	बिल्ली मारकुण्डी	5355क, 5359, 5361, 5363क, 5351क, 5352आदि	5.80
5.	श्री शशि वैश्य पुत्र श्री रामजी वैश्य	बिल्ली मारकुण्डी	4826	2.50
6.	श्री राजेश कुमार दूबे पुत्र श्री विद्या प्रसाद दूबे	बिल्ली मारकुण्डी	4509क, 4510क, 4581, 4598, 4604 व 4605	3.00
7.	मे० गंगा स्टोन्स प्रो० श्री देव प्रकाश मौर्या पुत्र स्व० रामचरण मौर्य, श्री आलोक सिंह पुत्र स्व० प्रभु नारायण सिंह व श्री नवीन कुमार श्रीवास्तव पुत्र श्री रामेश्वर श्रीवास्तव	बिल्ली मारकुण्डी	4822, 4825, 4838, 4839, 4840, 4841ख, 4842क	8.00
8.	बालाजी स्टोन वर्क्स प्रो० मे० शब्बीर खॉ पुत्र स्व० सगीर खॉ	बिल्ली मारकुण्डी	4860क, 4810	2.56
9.	श्री अशोक कुमार यादव पुत्र श्री आर०एस० यादव	बिल्ली मारकुण्डी	5374, 5375मि, 5377मि, 5378मि	2.75
10.	मे० माँ कामाख्या स्टोन वर्क्स प्रो० श्रीमती अंजू राय पत्नी श्री धीरज राय	बिल्ली मारकुण्डी	5405ख, 5406, 5407क, 5411	3.99
11.	मे० साई बाबा स्टोन वर्क्स प्रो० श्रीमती अंजू राय पत्नी श्री धीरज राय एवं श्रीमती शबनम परवीन पत्नी श्री निसार अहमद	बिल्ली मारकुण्डी	5414ग	3.43
12.	श्री अनिल कुमार निषाद पुत्र श्री राधेश्याम निषाद व श्री लल्लू प्रसाद पुत्र श्री डिंगुर प्रसाद	बिल्ली मारकुण्डी	7364ग/1, 7367, 7368, 7369, 7371क, 7372क, 7377क, 7378घ	2.80

13.	श्री रमेश चन्द्र वैश्य पुत्र स्व० कपूर चन्द वैश्य	बिल्ली मारकुण्डी	4920मि, 4921मि, 4922मि, 4923, 4934, 4937मि, 4924मि	2.80
14.	श्री कमलेश्वर प्रसाद पुत्र श्री काशी नाथ एवं श्री सरफराज अहमद पुत्र श्री मजनू भाई	बिल्ली मारकुण्डी	5381ख, 5387, 5389क, 5390ख	2.20
15.	श्री राजेश कुमार पुत्र श्री कलीराम एवं श्रीमती फरीदा बेगम पत्नी श्री इम्तियाज अहमद	बिल्ली मारकुण्डी	हा0आ0स0-7586, 7590, 7584,	1.85
16.	मे० नीलकण्ठ माईनिंग द्वारा रेवती देवी पत्नी स्व० सुरेश गर्ग	बिल्ली मारकुण्डी	5593क-6	4.00
17.	मे० विन्ध्य स्टोन क्रेशिंग कं० प्रो० श्री प्रवीन कुमार पुत्र श्री बलिराम प्रसाद व श्री मिथिलेश कुमार पुत्र श्री सुन्दर लाल अग्रहरि व श्री दिनेश कुमार पुत्र स्व० जय नारायण एवं श्री सत्यपाल अग्रवाल पुत्र श्री शिव नारायण अग्रवाल	बिल्ली मारकुण्डी	7423क, 7424क, 7425ख, 7423क, 7425क,	3.71
18.	मे० बी०सी०एस० इण्टरप्राइजेज प्रो० श्री चन्द्रभूषण गुप्ता पुत्र श्री रामलखन गुप्ता एवं श्री शफीक अहमद पुत्र श्री सगीर अहमद	बिल्ली मारकुण्डी	4419ख, 4419ग, 4422क मि, 4416क, 7576, 7577ख, 4420मि	4.86
19.	श्री आनन्द कुमार शुक्ल पुत्र श्री भानु प्रकाश शुक्ल	बिल्ली मारकुण्डी	410क	3.59
20.	मे० कृष्णा माईनिंग वर्क्स प्रो० श्री मधुसूदन सिंह पुत्र श्री रामबदन सिंह एवं श्री दिलीप कुमार केशरी पुत्र स्व० लक्ष्मण प्रसाद केशरी	बिल्ली मारकुण्डी	4823, 4821, 5414, 4847, 4848, 4849, 4850, 4851, 4860मि, 4771 आदि	8.79

तालिका में अंकित उक्त क्षेत्रों का भौतिक सत्यापन कर यह सुनिश्चित कर लिया जाय कि खनन पट्टा धारको द्वारा पर्यावरण स्वच्छता प्रमाण पत्र में अनुमन्य मात्रा से अधिक खनन पाये जाने पर खनन कार्य प्रतिबंधित करने तथा खनन पट्टा धारकों द्वारा निर्गत ई०-एम०एम०-11 की मात्रा के सापेक्ष अधिक खनन पाये जाने पर सम्बन्धित खनन पट्टा धारक के विरुद्ध अवैध निकासी के सम्बन्ध में खान एवं खनिज (विकास एवं विनियमन) अधिनियम-1957 की धारा-21(5) के तहत रायल्टी व खनिमुख मूल्य वसूली की कार्यवाही सुनिश्चित की जाए।

अतः अपेक्षित है कि उपरोक्तानुसार तत्काल कार्यवाही करने एवं कृत कार्यवाही से शासन एवं निदेशालय को अवगत कराने का कष्ट करें।

भवदीय

(डा० रोशन जैकब)
निदेशक।

संख्या: — /एम०-प्रवर्तन सोनभद्र/2020 (II) तददिनांक।

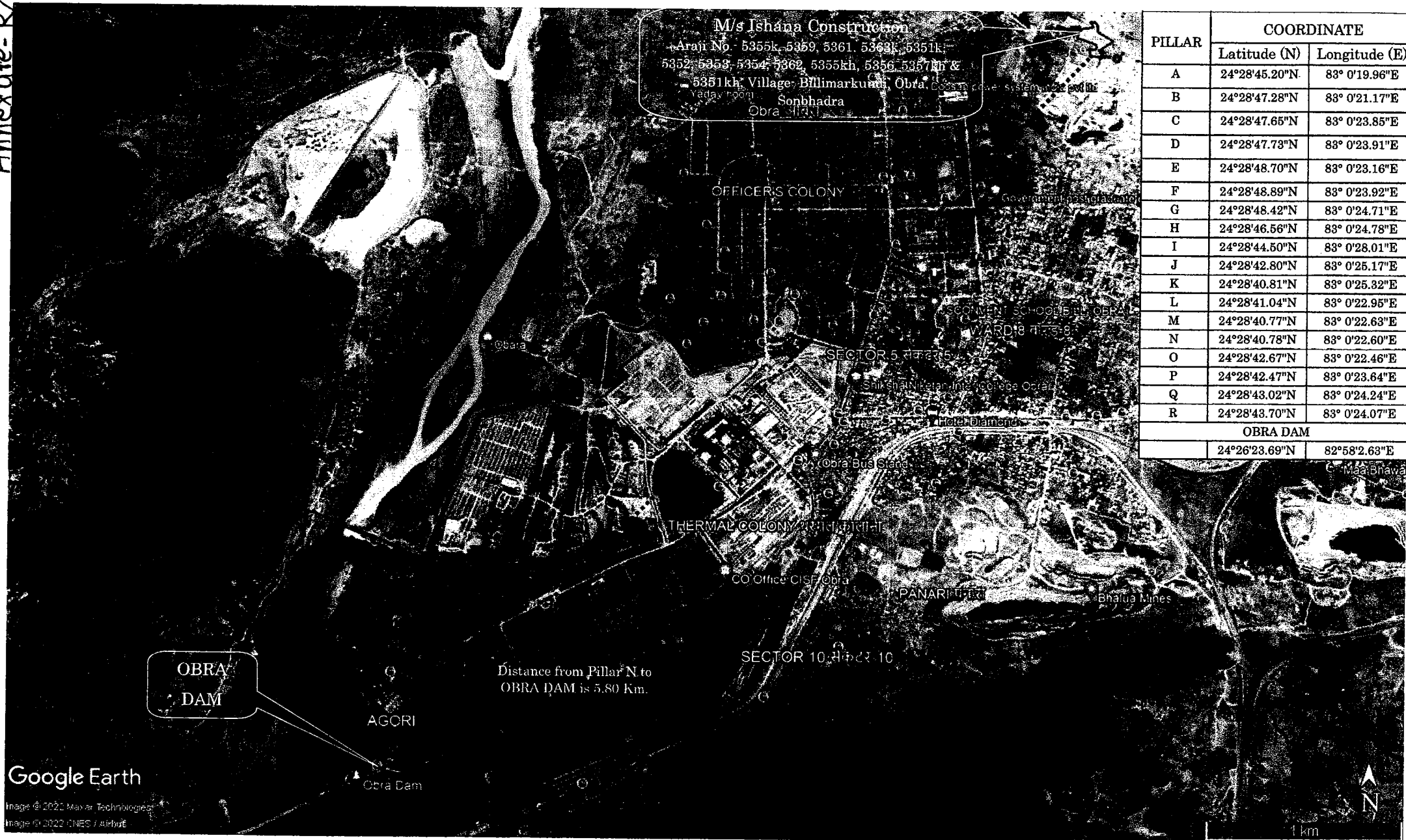
प्रतिलिपि:—निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म, उत्तर प्रदेश शासन, लखनऊ।
2. ज्येष्ठ खान अधिकारी, सोनभद्र को इस निर्देश के साथ की उक्तानुसार कार्यवाही सुनिश्चित करें।

(डा० रोशन जैकब)
निदेशक।

M/S ISHANA CONSTRUCTION MINE SITE SHOWING ON GOOGLE EARTH TO ILLUSTRATE THE ACTUAL DISTANCE FROM OBRA DAM FROM THE NEAREST PILLAR "N" OF THE MINE SITE

Annexure-R/6
60



61

M/S ISHANA CONSTRUCTIONS

Pillar "N"



PILLAR	
	Latitude
A	24°28'48"
B	24°28'48"
C	24°28'48"

62

Annexure-R/7



CO-ORDINATES OF MINE BOUNDARY PILLAR		
NO.	Easting	Northing
A	1279 44 10 N	87 00 27.48 E
B	1279 42 47 N	87 00 29.75 E
C	1279 40 00 N	87 00 32.44 E
D	1279 38 18 N	87 00 34.14 E
E	1279 36 14 N	87 00 35.45 E
F	1279 34 01 N	87 00 36.17 E
G	1279 31 17 N	87 00 37.80 E
H	1279 28 00 N	87 00 39.00 E
I	1279 24 57 N	87 00 39.97 E
J	1279 21 00 N	87 00 40.24 E
K	1279 18 00 N	87 00 39.81 E
L	1279 15 00 N	87 00 38.18 E
M	1279 12 00 N	87 00 35.80 E
N	1279 09 00 N	87 00 33.44 E
O	1279 06 00 N	87 00 30.27 E

DISTANCE FROM OBRA DAM TO MINE BOUNDARY PILLAR O- 5.790 KM

CO-ORDINATES OF OBRA DAM		
NO.	Easting	Northing
1	1279 23 47 N	87 00 38.50 E

INDEX :	
	MINE BOUNDARY
	DISTANCE

MINES LOCATION



Obra ओबरा

WARD-8 वार्ड-8

OBRA DAM



M/S ISHANA CONSTRUCTION
PARTNER-Smt. AAFREENA KHAN
W/O Sri ISTIYAQUE KHAN
VILL-BILLI-MARKUNDI,TEH-ROBERTSGANJ
DISTT- SONEBHADRA (U.P)
ARAJI NO-5355Ka,5359,5361,5363Ka,5351Ka,5352,5351Kha
5353,5654,5362,5355Kha,5356,5357Kha. AREA-5.80 ACRE.

63



उद्धरण खतौनी

उद्धरण क्रमांक : 21808520220710

ग्राम क्रमांक : 218085 ग्राम का नाम / परगना : ओबरा पनारी(अगोरी) तहसील : ओबरा जनपद : सोनभद्र
 फसली वर्ष : 1428-1433 (01 जुलाई, 2020 से 30 जून, 2026) भाग : 1

खाता खतौनी क्रम संख्या	खातेदार का नाम / पिता पति संरक्षक का नाम / निवास स्थान	भौमिक अधिकार प्रारम्भ होने का वर्ष	खाते के प्रत्येक गाटे की खसरा संख्या	प्रत्येक गाटे का क्षेत्रफल (हे.)	खातेदार द्वारा देय मालगुजारी या लगान	परिवर्तन सम्बन्धी आज्ञा या उसका सारांश उनकी संख्या तथा दिनांक सहित और आज्ञा देने वाले आधिकारी का पद	टिप्पणी
1	2	3	4	5	6	7-12	13
श्रेणी : 6-1 / अकृषिक भूमि - जलमग्न भूमि ।							
00466	ओबरा डैम // नि. ग्राम		2ग	1.4000			वेट-लैण्ड
			5	19.3000			
			6	3.0100			
			7	29.1140			
			8	0.3600			
			9	5.7300			
			11ख	0.8600			
			12	0.5200			
			13	47.2240			
			14	0.3400			
			15	14.7820			
			18	29.8100			
			19	13.0550			
			21	29.3260			
			22	39.9540			
			23क	55.0400			
			25	18.2300			
			27ख	0.2000			
			28	11.2200			
			29क	0.5100			
			31क	7.4530			
			98	0.2100			
			225ग	0.7460			
			610ख	0.3800			
			739	0.4300			
			745	0.2500			
			747क	0.1500			
			752क	0.0360			
			753	0.2800			

64

757ख	0.8600
758ग	0.5300
815ख	0.2200
819ख	0.2000
820ग	0.1700
822	0.2000
824	0.1440
827	0.2200
828	0.1300
829	0.1400
830क	0.0690
831क	0.0500
832	0.1300
834ख	0.1290
835	0.0800
836क	0.4300
837क	0.2430
848ख	1.1820
851ख	0.0500
864	4.3000
872	0.1500
873	0.0300
878	0.1010
879	0.1390
880ख	0.4300
885ख	2.9250
881ख	0.4200
883क	0.1520
884	0.4600
886	0.2780
887	0.1900
888	0.0510
889	0.0510
890	0.0760
891	0.7900
892	0.0500
893	0.0800
894	0.0400
895	0.0300
896	0.0890
897	0.1010
898	0.0200
900	0.1140
901	0.4930
902	0.0250
903क	0.1010
904क	0.0890
905	0.0500
906	0.1010
907	0.0630

65

908	0.0800
909क	0.0630
910	0.1480
911	0.0800
912	0.0890
913	0.1500
914	0.1720
915	0.1140
916	0.2800
917	0.1260
918	0.0630
919	0.1300
920	0.1100
921	0.0300
922	0.1010
923	0.2920
924	0.0950
925	0.0800
926	0.1600
927	0.6030
930	0.1390
931	0.1140
933	0.0700
934	0.0500
935	0.2660
936	0.1100
938	0.0900
939	0.0560
940क	0.0950
942ख	0.1210
943	0.2330
953	0.1600
954ख	0.2150
956	0.2020
957	0.1260
958	0.0500
959	0.0300
962	0.3900
963	0.3200
965	0.2150
966	0.1700
967ख	0.0380
969	0.0250
970	0.0380
971	0.1300
972	0.0510
973	0.1800
974	0.1400
975	0.0400
977क	0.0500

66

991	0.0200
988	0.2150
992	0.0200
993	0.0400
996	0.2020
997	0.3300
1001क	0.1010
1008ख	0.0630
1020ख	0.1770
1057ख	28.5490
1057छ	30.9010
1087क	55.4400
1088क	18.8100
1089क	64.8320
1090क	0.1800
1106क	0.1660
1109ख	0.2000
1145ख	0.8600
1147ग	0.0550
1149	0.5900
1150क	0.3900
1152क	0.3200
1158ख	0.7210
1160	0.6330
1164ख	1.0400
1165	0.5370
1166क	0.7800
1294ख	0.1500
1297	0.0500
1300ख	0.6100
1302ख	2.4720
1338ख	0.1260
1349ख	0.1900
1368घ	0.2280
1369	0.3160
1371ख	0.1900
1372ख	0.1260
1385ख	23.2370
1386क	0.2100
1387ख	0.0560
1388ग	0.0890
1389ख	0.1940
1390ग	0.0200
1392ख	0.1270
1393ख	0.0890
1415ग	0.0130
1422ग	0.4920
1432क	0.1770
1437	0.5100
1439	2.1500

67

		1441ख	1.2000			
		1442क	0.2300			
		1536क	1.3660			
		1687क	0.1300			
		1717घ	0.1010			
		1824ख	0.1800			
		1924/951	0.1700			
		186	595.3370	₹ 0.00	0	1
कुल गाटे- एक आठ छः कुल क्षेत्रफल- पाँच नौ पाँच दशमलव तीन तीन सात शून्य (हेक्टेयर) कुल भू-राजस्व - शून्य दशमलव शून्य शून्य रुपये						
Data Digitally Signed by: Imamuddin					सक्षम अधिकारी: CHANDAN KUMAR SHARAMA	
उपरोक्त उद्घरण खतौनी का वेरीफिकेशन http://upbhulekh.gov.in Website पर जाकर किया जा सकता है।					तहसील: ओबरा जनपद: सोनभद्र	
					दिनांक एवं समय: 13-07-2022 02:24:10	
					❶ यह उद्घरण खतौनी इलेक्ट्रॉनिक डिलीवरी सिस्टम द्वारा तैयार की गयी है तथा डाटा डिजीटल हस्ताक्षर द्वारा हस्ताक्षरित है।	



**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BRENCH, NEW DELHI
ORIGINAL APPLICATION NO. 61 OF 2022**

IN THE MATTER OF:-

All India Kaimur Peoples's Front

... Applicant

Versus

The state of U.P. & Ors.

... Respondents

KNOW ALL to whom these presents shall come that I, M/S. Ishana Construction Proprietor Smt. Afreena Khan W/o. Sh. Ishtiyag Khan, R/o. Village-Billi Markundi, Obra, District-Sonbhadra (U.P.)-231219; through it's Authorized Representative; The above-named Respondent No. 9 do hereby appoint:

"Shri-Pad" Law Firm

Chamber No. 917, Patiala House Court, New Delhi-110001

**Laxmi Narayan Sharma
(Advocate)
D/473/1988**

**Vivek Verma
(Advocate)
D/2876-C/2009**

**R. K. Gautam
(Advocate)
D/3322/2010**

**Ms. Prabha Sharma
(Advocate)
D/1346/2011**

Mob: 9910307300

Mob: 9899525515

(herein after called the advocate/s) to be my/our Advocate in the above-noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other Court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objections or petitions for review, revision, withdrawal, compromise or other petitions or affidavits or other documents deemed necessary or proper for the prosecution of the said case in all its stages subjects to less for each stage.

To file and take back documents, to admit and/or deny the documents of opposite p

To withdraw or compromise the said case or submit to arbitration any differences that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts hereof and other acts and things which may be necessary to be done for the progress and in the co prosecution of the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the or his substitute in the matter as my/our own acts, as if done by me/us to all intents and pur

And I/We undertake that I/We or my/our duly authorized agent would appear in hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute for the result of the said case. The adjournment costs whenever ordered by the court shall be paid by the Advocate which he shall received and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereinto set my/our hand to these presents the contents of which have been understood by me/us on this 7 July day of July, 2022.
Accepted subject to the terms of the fees.

Vivek Verma
Advocate(s)

आफरीना खान
Client(s)

