

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 592 OF 2024

IN THE MATTER OF: -

News Item titled "Sonbhadra फाइल ों मेंसिमटा यूपीपीीीबी का
वायुप्रदू षण सियंत्रण, जािेंंपूरा मामला appearing in newstrack.com
dated 24.03.2024

..... APPLICANT

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NEW DELHI
DATED: 21.10.2024

(PRADEEP MISRA & DALEEP DHYANI)

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

New Delhi-110001

(M.) 9810252518

Email: pradeepmisra@yahoo.com



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

ORIGINAL APPLICATION NO. 592/2024



IN THE MATTER OF:

News Item titled

“Sonbhadra फाइलोंमेंसिमटायूपीपीसीबीकावायुप्रदूषणनियंत्रण, जानेपूरामामला”

appearing in newstrack.com dated 24.03.2024

Tickets Rs. 10/-
(P.N.Soney)
Notary Sonbhadra

**RESPONSE ON BEHALF OF THE UTTAR PRADESH
POLLUTION CONTROL BOARD IN COMPLIANCE TO THE
ORDER DATED 26.09.2024 PASSED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW
DELHI**

I, Shashi Vindkar aged about 41 Year S/o Shri Lala Ram presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter “UPPCB), Sonbhadra, do hereby solemnly affirm and state on oath as under:



1. That the deponent is working on the above mentioned post and being authorized officer in the captioned matter and well conversant with the facts and circumstances of the case and as such I am well conversant to swear this affidavit.

2. That vide its order dated 21.08.2024 this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred as

Shashi Vindkar
19/03/2024

Hon'ble Tribunal) has directed the UPPCB to verify the facts and submit the additional reply disclosing the details whether these stone mining leaseholders have obtained EC and what are the conditions thereof.

3. That in compliance to the directions passed by this Hon'ble Tribunal vide order dated 21.08.2024, the UPPCB had submitted its response supported with an affidavit along with the joint committee report dated 20.09.2024.
4. The conclusion of the joint committee report dated 20.09.2024 is as follows:-

"..In compliance of closure orders dated 10.01.2024 issued by UPPCB, the mining activity of all 08 mining leases covered in this matter are closed/ non-operational as per facts came into light through mines office letters dated 05.07.2024 and 09.09.2024 issued by the Mines Officer, Sonbhadra."

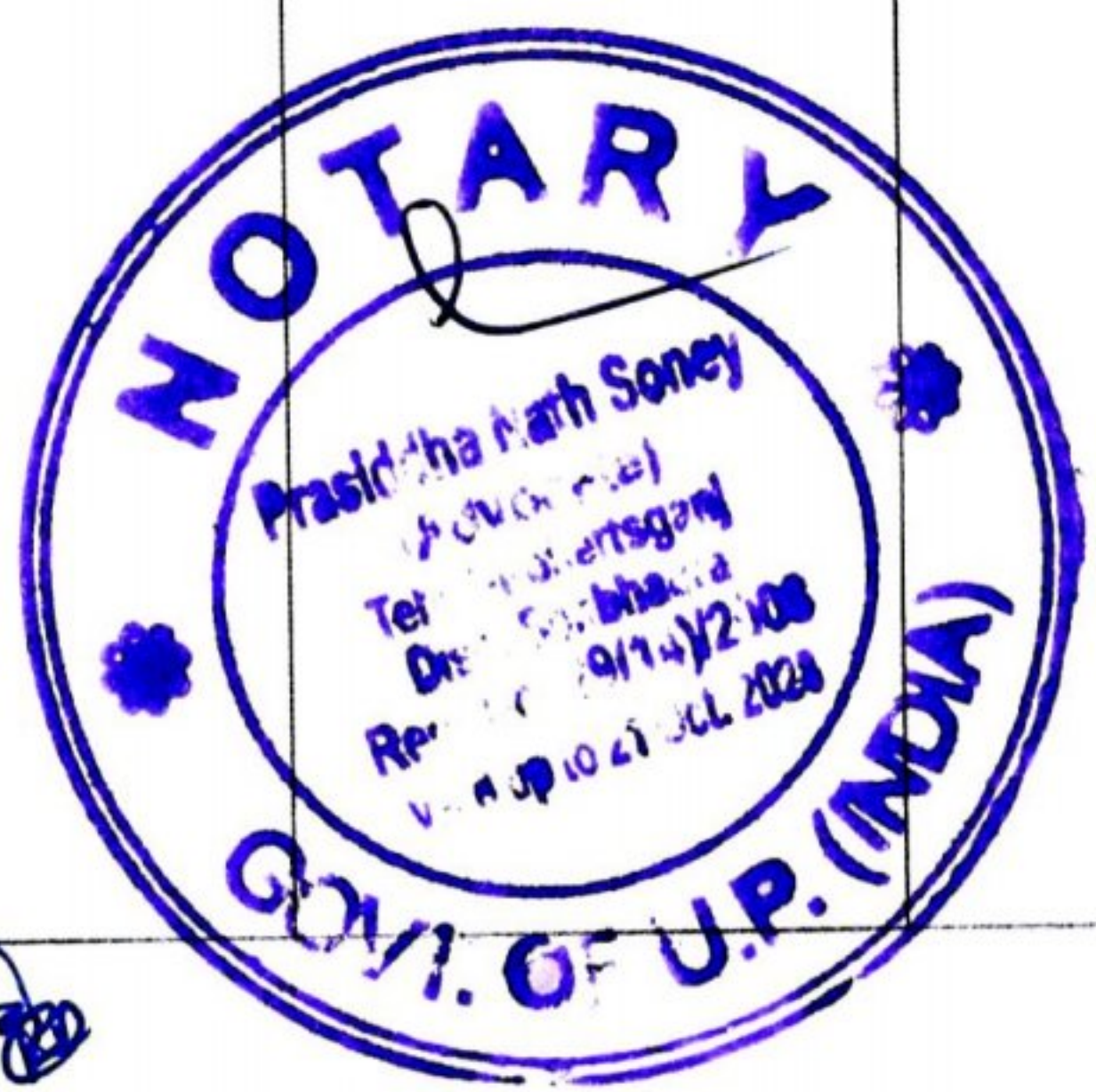
5. That further it is submitted that this Hon'ble Tribunal vide its order dated 26.09.2024 in the captioned matter has passed the following directions:

"....2. Shri Pradeep Misra, learned Counsel appearing for UPPCB stated that he may be permitted three weeks' time to get the facts with regard to mining activities by respondent 5 to 12 verified and submit factual report including compliance of EC and consent conditions. He may do so within three weeks..."

6. The details about obtaining the EC by these 08 lease holders with conditions thereof areas following: -

 | 

S. N.	Name & Address of lease	E.C. Obtained or Not (Yes/No)	E.C. status	Closure Order No. & date	Remark
1	M/s Smt. Bindumati Devi w/o Shri Ram Chandra Ratna, resident-Bijri, Harua, Churk, District-Sonbhadra, Sand Stone (Khanda, Gitti and Red Morum) Mining Project, Gata No.-52Mi, SirsiaThakurai, Tehsil-Robertsganj, District-Sonbhadra	Yes	Obtained vide Ref. No. 144/Parya/SEIAA/5858 /2021 Dated 27.07.2022	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Closure order revoked on dated 07.03.2024. Presently no mining activity was found.
2	M/s Shri Gyanendra Tripathi, Address- Ward No.-21, Ashok Nagar, Tehsil-Robertsganj, District-Sonbhadra, Mining Project Dolo Stone (Gitti, Boulder), Araji No.-7536Ga Mi, Khand No.-2, (Lease Area 4.00 Ha) Village-Billi Markundi, Tehsil-Robertsganj,	Yes	Obtained vide Ref. No. 520/Parya/SEIAA/4736 /2020, Dated 19.11.2020	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance of Board closure order dated 10.01.2024



[Handwritten Signature]

	Sonbhadra.				
3	M/s Shri Ajay Singh, S/o Shri Baijnath Singh, M/s AKS Industries 514/15, Ambrosia Apartment, Lanka, Varanasi, Gata No. 02 Ga, Village-Jatajua, Tehsil-Duddhi, District-Sonbhadra.	Yes	Obtained vide Ref. No. 475/Parya/SEIA A/4712/2020, Dated 15.10.2020	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance of Board closure order dated 10.01.2024
4	M/s Shri Ajay Kumar Singh, S/o Shri Omkar Nath Singh, resident-18/188, Ayyappa Temple, Sector-8, Obra, Tehsil-Obra, District-Sonbhadra, Billi Markundi, Stone Gitti/Boulder Dolo stone Mining Project (Khand No. 04) Gata No.-7536Ga, Mi., BilliMarkundi, Taluka-Obra, Sonbhadra.	Yes	Obtained vide Ref. No. EC22B001U P187607 File No. 6711 Date of Issue EC - 03.06.2022	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance of Board closure order dated 10.01.2024
5	Shri Arun Singh Yadav Resident-Vill-Billimarkundi, Post-Obra, Tehsil-Obra, District-Sonbhadra,	Yes	Obtained vide Ref. No. EC22B001U P184723	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance



(Signature)

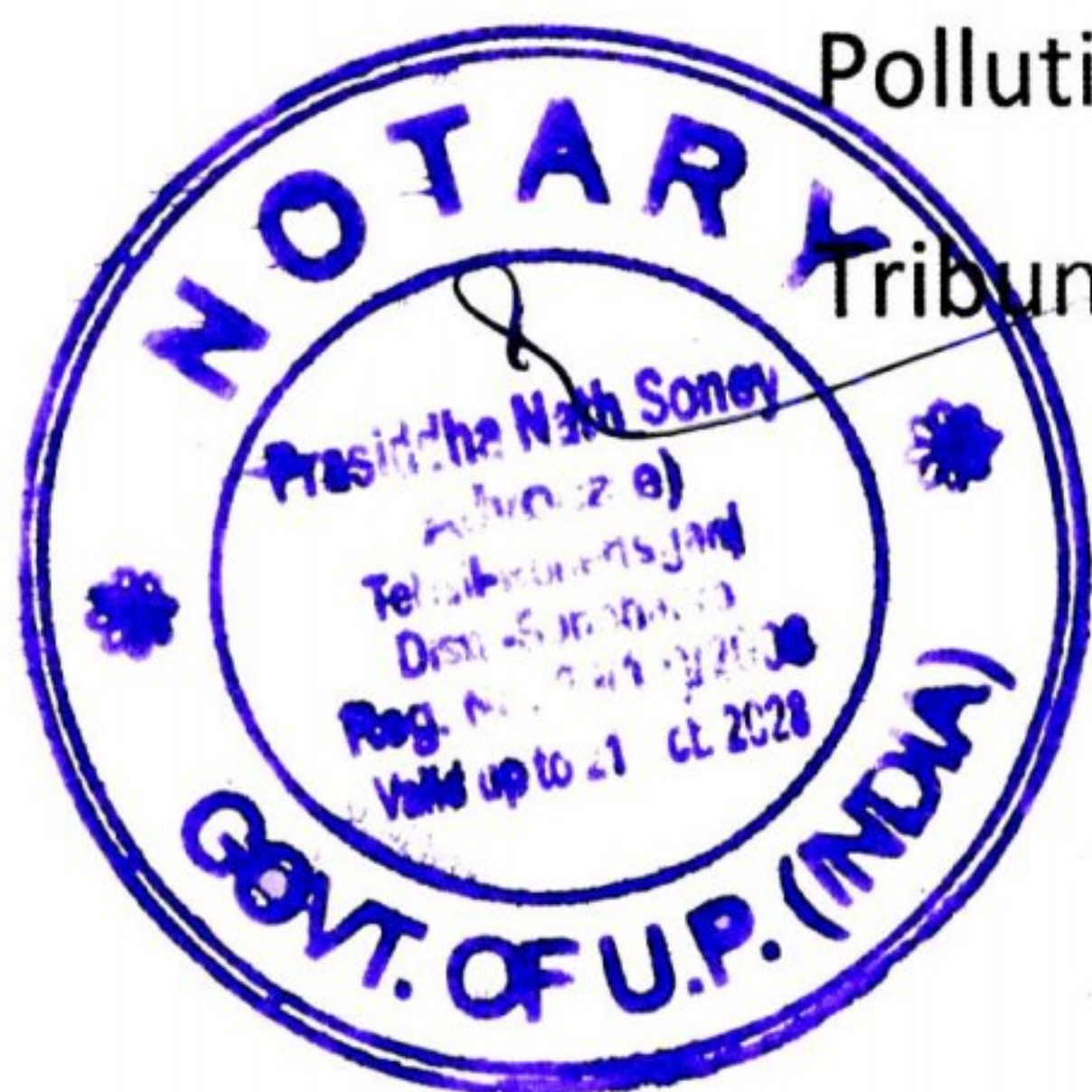
	M/s ShriMahadev Enterprises, Gata No.-4949Kha, Village-BilliMarkundi, Obra, District-Sonbhadra (5.880 hectare).		File No. 7149-6803 Date of Issue EC - 12.09.2022,		of Board closure order dated 10.01.2024
6	Shri Abhishek Kumar Singh, S/o Mr. Arvind Kumar Singh, resident of Chhitauni, District-Varanasi, M/s Unnati Engineering River Bed Sand/Moram Mining Son River, Gata No. 221Cha, Village-Sasnai, Tehsil- Obra, District-Sonbhadra.	Yes	Obtained vide Ref. No. 167/ Parya/SEIA A/6299/21, File no. 67 Dated 10.08.2021,	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance of Board closure order dated 10.01.2024
7	Shri Rajeev Kumar Sharma Resident-59, Chakarpuri Paper Mill Colony, Near Metro City, Nishatganj, Mahanagar, LucknowAraji No.-4478Chha, Village-Billi-Markundi, Post-Obra, District-Sonbhadra (1.80 ha).	Yes	Obtained vide Ref. No. EC22B001U P123805 File No. 7062-6749 Date of Issue EC - 01.07.2022,	H05469/C-2/NGT-66/closer order/2024, 10.01.2024	Mining Activity was found close in compliance of Board closure order dated 10.01.2024
8	ShriAmit Mittal,	Yes	Obtained	H05469/C-	Mining

Resident-61,Bari, Dala, Tehsil- Robertsganj, District- Sonbhadra, Araj No.- 5593Ka, Khand No.- 08, Village- Billimarkundi,Post- Obra, Tehsil- Obra, District-Sonbhadra.		vide Ref. No. 519/Parya/ SEIAA/4737 /2020, Dated 15.11.2020	2/NGT- 66/closer order/2024, 10.01.2024	Activity was found close in compliance of Board closure order dated 10.01.2024
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According to the above details all 08 lease holders have obtained Environment Clearance from State Level Environment Impact Assessment Authority, Uttar Pradesh and all mining activities found non-functional during inspection on Dtd. 17/10/2024.

7. That it is most respectfully submitted that the UPPCB had issued a closure orders against the violators who violates Environmental Clearance (EC) conditions and for not obtaining the Consent to Operate (CTO). Furthermore, presently the mining activities of all 08 mining leases covered in this matter are closed/non-operational. Latest inspection report dated 17.10.2024 is annexed as **Annexure-I.**

8. Therefore, the above additional reply on behalf of the U.P. Pollution Control Board is submitted before this Hon'ble Tribunal for perusal and kind consideration.



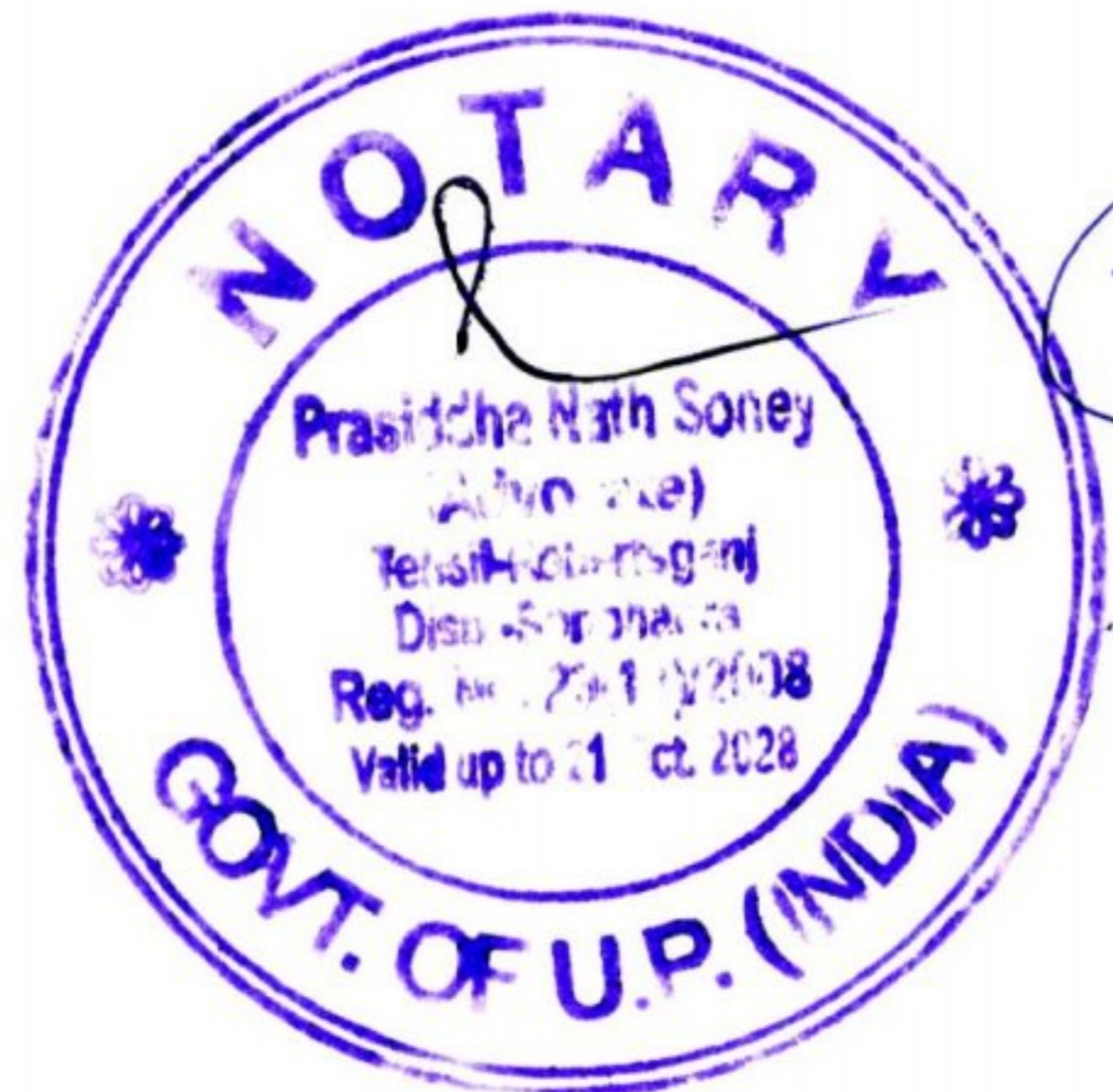
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1916/2020

DEPONENT

VERIFICATION:

Verified at Robertsganj on this 19th day of October, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

88966



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DEPONENT

Shashi Vindhan
Snn/Srn S/o/D/o/W/o
Shn. P/o Who
has been identified by Shn.
Appeared before me on a.m/ P.m
I certified that he/she understands and admits the truthness
of facts mentioned in the affidavit declaration, And I
administered oath to him
[Signature]
(P.N. SONEY)
Adv. NOTARY
ROBERTSGANJ-SONEBHADRA

Inspection Report of 08 Nos. of Mining Leases covered in the matter of ORIGINAL APPLICATION NO. 592/2024 News Item titled "Sonbhadra फाइलों में सिमटा यूपीपीसीबी का वायु प्रदूषण नियंत्रण, जानें पूरा मामला" appearing in newstrack.com dated 24.03.2024

I. **M/s Shri Gyanendra Tripathi, Address-Ward No.-21, Ashok Nagar, Tehsil-Robertsganj, District-Sonbhadra, Mining Project Dolo Stone (Gitti, Boulder), Araji No.-7536Ga Mi, Khand No.-2, (Lease Area 4.00 Ha) Village-Billi Markundi, Tehsil-Robertsganj, Sonbhadra.**

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024.
3. During inspection Shri Taslim Khan, Munsif, representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases is as below:-



Pyll *Pick*

II. M/s Shri Ajay Kumar Singh, S/o Shri Baijnath Singh, M/s AKS Industries 514/15, Ambrosia Apartment, Lanka, Varanasi, Gata No. 02 Ga, Village- Jatajua, Tehsil- Duddhi, District- Sonbhadra.

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024.
3. During inspection Shri Radheshyam Yadav, Manager representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases is as below:-



[Signature]

Pijesh

III. M/s Smt. Vindumati Devi, w/o Shri Ram Chandra Ratna, resident-Bijri, Harua, Churk, District-Sonbhadra, Sand Stone (Khanda, Gitti and Red Morum) Mining Project, Gata No.-52, Sirsia Thakurai, Tehsil-Robertsganj, District-Sonbhadra.

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure orders was issued to above mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024 and closure order has been revoked by UPPCB vide ref. No.H08116/C-2/NGT-66/24 dated 07.03.2024.
3. During inspection no representative of aforesaid mining lease was found present & presently no mining activity was found.
4. Site Photographs of Mining leases are as below:-



(Signature) Rijesh

IV. M/s Shri Ajay Kumar Singh, S/o Shri Omkar Nath Singh, resident-18/188, Ayyappa Temple, Sector-8, Obra, Tehsil-Obra, District- Sonbhadra, Billi Markundi, Stone Gitti/Boulder Dolo stone Mining Project (Khand No. 04) Gata No.-7536Ga, Mi., BilliMarkundi, Obra, Sonbhadra.

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024.
3. During inspection no representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases are as below:-



 Piyesh

V. M/s Shri Mahadev Enterprises, Gata No.-4949Kha, Village-BilliMarkundi, Obra, District-Sonbhadra (5.880 hectare).

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024.
3. During inspection no representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases are as below:-



(Signature) Rijesh

VII. Shri Rajeev Kumar Sharma Resident-59, Chakarpuri Paper Mill Colony, Near Metro City, Nishatganj, Mahanagar, Lucknow Araji No.- 4478 Chha, Village- Billi-Markundi, Post-Obra, District- Sonbhadra (1.80 ha).

1. The above Mining lease was inspected on dated 17.10.2024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024.
3. During inspection no representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases are as below:-



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VIII. Shri Amit Mittal, Resident-61, Bari, Dala, Tehsil- Robertsganj, District-Sonbhadra, Araj No.- 5593Ka, Khand No.-08, Village-Billi Markundi, Post-Obra, Tehsil- Obra, District-Sonbhadra.

1. The above Mining lease was inspected on dated 17.10.02024.
2. As per office record Closure order issued to aforesaid mining lease by UPPCB vide ref. no. H05469/C-2/NGT-66/closer order/2024, dated 10.01.2024
3. During inspection Shri Nihal Tiwari, Supervisor representative of aforesaid mining lease was found present & Mining Activity was found close in compliance of Board closure order dated 10.01.2024.
4. Site Photographs of Mining leases are as below:-



(Signature)
17/10/2024
(Manoj Kumar)
F.A.

(Signature)
17/10/2024
(Rajesh Gautam)
L.A.

Regional officer, Sir

(Signature)
17/10/2024
(CR)

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(Signature)

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News Item titled "Sonbhadra फाइल ों मेंसिमटा यूपीपीबी का वायुप्रदू षण सियंत्रण, जिंपूरा मामला appearing in newstrack.com dated 24.03.2024

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: ankit.scngtup@gmail.com; sharadadvocate22@gmail.com; utkarsh.sharma7@gmail.com

Date: Monday, October 21, 2024 at 03:06 PM GMT+5:30

Sir,

Please find attached the document

With Regards,

(PRADEEP MISRA)



News Item Sonebhadra OA 592 of 224.pdf
6.7MB