

REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW

IN THE MATTER OF:-

ORIGINAL APPLICATION NO. 670/2018

ATUL SINGH CHAUHAN

VERSUS

**MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
AND OTHERS**

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REPORT OF OVERSIGHT COMMITTEE IN COMPLIANCE OF ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL PASSED IN O.A. NO. 670/2018 (I.A. NO. 22/2019, M.A. NO. 145/2019, I.A. NO. 694/2019 & M.A. NO. 773/2019) IN RE: ATUL SINGH CHAUHAN VERSUS MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE AND OTHERS WITH REGARDS TO THE ILLEGAL SAND MINING IN THE BED OF RIVER YAMUNA, PRAYAGRAJ.

(Updated Compliance Status in continuation of reports dated 06.09.2020 & 17.09.2020)

I. INTRODUCTION

Applicant **Atul Singh Chauhan** had approached the Hon'ble NGT with the contention that lot of irregularities were taking place in mining in river Yamuna at Prayagraj (Allahabad). He had filed a petition in the year 2018 titled *Atul Singh Chauhan vs. Ministry of Environment, Forest and Climate Change &Ors.* His contention was that mining was allowed prior to preparation of District Survey Report (DSR). He contended that it was being done in an unscientific way, in stream mining was resorted too. Mining was being done upto 4 to 6 meter deep using Pokland Machine. Mining was done without taking EIA clearance in violation of Supreme Court Order in *Deepak Kumar vs State of Haryana & others, (2012) 4 SCC 629*. 400 to 500 trucks of sand were daily moving out transporting sand in excess of the permissible limit of 125 trucks. These trucks were carrying a load of 12 to 20 cubic meters instead of permissible limit of 6 cubic meters. Mining was being done in utter violation of orders passed by Hon'ble NGT in the cases in order dated 04.09.2019 in **OA No. 173/2018** in re: *Sudarshan Das versus State of West Bengal and others*, order dated 26.04.2019 passed in **OA No. 44/2016** in re: *Mushtakeem versus MoEF& CC and others* and order dated 13.09.2018 passed in **OA No. 186/2016** in re: *SatendraPandey versus MoEF& CC and another*.

II. FEW ORDERS PASSED BY HON'BLE NGT IN O.A. No. 670/2018 IN RE: ATUL SINGH CHAUHAN VERSUS MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE AND OTHERS

Hon'ble NGT constituted a **Joint Committee under the Chairmanship of Commissioner, Prayagraj** on 20.09.2018. The Committee while sending its report to the Hon'ble NGT acknowledged that illegal sand mining was going on.

1. **Vide order dated 12.02.2019**, Hon'ble NGT formed a Monitoring Committee under **Chairmanship of Justice Rajes Kumar** to examine the entire matter and send its report to

Hon'ble NGT. E-tender notice was issued even without preparation of District Survey Report on 20.09.2018.

2. **On 09.05.2019**, Hon'ble NGT examined the report of Monitoring Committee. The Monitoring Committee in its report dated 29.03.2019 mentioned that illegal sand mining was going on in river Yamuna at Prayagraj. They came out with the following suggestions to remedy the situation:

- i. CCTV Cameras should be installed at mining points to verify the amount of sand extracted.
- ii. Regular patrolling should be done by the police to inspect the mining operations.
- iii. Daily reports regarding mining should be sent to the District Magistrate.
- iv. In case of any irregularity, FIR should be lodged.
- v. The District Magistrate and the Superintendent of Police should carry out surprise checks.

Hon'ble NGT reiterated its **order dated 10.01 2019** whereby it had ordered that every vehicle carrying illegal sand should be confiscated and it should not be released without recovery of 50% of showroom price. This order has been affirmed by Hon'ble Supreme Court **on 07.05.2019**. Besides confiscation, environmental compensation should be levied against illegal mining which should be based on net present value of the cost of damage to environment along with the cost of restoration of environment as well as cost of illegally mined material.

3. **Vide order dated 04.07.2019**, Hon'ble NGT examined the reports of Monitoring Committee dated 19.06.2019, 28.06.2019 and 02.07.2019. It directed removal of JCBs and other machines from the mining areas in river Yamuna. It also reiterated earlier directions of installing CCTV cameras, patrolling, surprise inspections and daily reports from the District Magistrate. Hon'ble NGT on Feb 28, 2020 directed that there would be a single Oversight Committee (this Committee), which would be monitoring all environmental cases, which hitherto were monitored by separate committees. It examined the Monitoring Committee's report dated Nov 02, 2019 wherein it was mentioned that in Allahabad (now Prayagraj), out of 83 silica sand washing plants, only 12 had permission from UP Pollution Control Board. These 12 silica sand washing plants were using tube-wells for washing without getting permission from Central Ground Water Authority. UPPCB had been asked by the Monitoring Committee to seal these plants and invoke environmental compensation on them. The

Monitoring Committee had asked to give them an opportunity of hearing before taking final decision.

4. Hon'ble NGT also mentioned that directions given in order dated 04.09.2019 in **OA No. 173/2018** in re: *Sudarshan Das versus State of West Bengal and others*, order dated 26.04.2019 passed in **OA No. 44/2016** in re: *Mushtakeem versus MoEF&CC and others* and order dated 13.09.2018 passed in **OA No. 186/2016** in re: *Satendra Pandey versus MoEF&CC and another*, must also be followed in the State of UP. The operative portion of these three orders is annexed as **Annexure-I** to this report.

5. **Vide order dated 07.07.2020 & 18.09.2020** Hon'ble NGT directed to the Committee to submit further report in this matter. Accordingly, the Committee has filed its report on 17.09.2020 with reference to the action report of the District Magistrate, Prayagraj dated 08.09.2020 dealing with various allegations of the complainant. The recommendation with regard to environmental compensation with the assistance of the Central Pollution Control Board (CPCB), have still not been complied with. It is further stated that illegal mining is also continuing.

Salient directives in these cases are as follows:

- i. There has to be demarcation of boundaries of all mineral leases. No mining can be allowed without demarcating the boundary.
- ii. Mining has to be as per EIA Notification, 2006; MOEF Notification dated 15.01.2016 and Sustainable Sand Mining Management Guidelines, 2016.
- iii. Compliance of Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981 and Regulation of Central Ground Water Authority in all Sand mining leases is mandatory.
- iv. For ensuring compliance of all these directives, district administration is fully accountable.
- v. District Magistrate and Superintendents of Police have to seize all mining equipments and vehicles in case of illegal mining.
- vi. Besides criminal proceedings, there has to be imposed exemplary penalty by District Magistrates in case of illegal mining.
- vii. A detailed restoration plan for rivers beds has to be made, based on recommendations of Expert Committee.

- viii. Assessment of ecological damage has to be ensured by Indian Council of Forestry Research and Education, Dehradun, incorporating cost of river bed material, cost of ecological restoration and net present value of the future ecosystem services foregone. Regional Officer of the CPCB would be the Nodal Officer.
- ix. Vehicles confiscated would be released only on payment of 50% of showroom value.
- x. For environmental clearance in sand mining, even for B- 2 cases where land is between 5 to 25 Hectares, there will be provision for assessment (EIA), Environmental Management Plan (EMP) and public consultation. Even in the cases of leases below 5Hectares, Form-1m would be made by State Environmental Impact Assessment Authority (SEIAA) rather than by District Environmental Impact Assessment Authority (DEIAA).
- xi. MOEF & CC will prepare guidelines for calculations of damage to mine out areas.

MONITORING COMMITTEE

A Monitoring Committee under Justice Rajes Kumar was constituted on 12.02.2019. It held its meetings on 29.03.2019, 19.06,2019, 28.06.2019, 02.07.2019, 12.06.2019, 23.10.2019, 02.11.2019 and 07.02.2019.

On 29.09.2019, the Committee while reviewing remedial action suggested:

- (i) Installation of CCTV Cameras
- (ii) Regular patrolling by police
- (iii) Daily reports to be given to District Magistrate
- (iv) Lodging of FIR in case of irregularity
- (v) Surprise checks by District Magistrate/Senior Superintendent of Police

On 28.06.2019, the Committee reiterated its earlier suggestions on remedial action given on 29.03.2019. It also asked for removal of JCBs from river beds.

On 02.07.2019, the Committee asked for serving notices to such bidders who had not registered for cancellation of their licence, forfeiture of their amount and criminal action against those, who were still mining despite service of notice to them. The Committee was apprised by the Chief Mining Officer that all stocks, which were seized due to illegal mining/illegal transportation, were disposed of by e-tendering. The Committee also noticed that No Objection Certificate (NOC) was not taken from Forest Department for stone mining

and directed that finalisation of lease should take place only after NOC from Forest Department.

On 23.10.2019, the Committee noted that 71 out of 83 Silica Sand Washing Plants did not have clearance from UPPCB. The balance 12 Silica Sand Washing Plants, which had clearance from UPPCB, did not have licence from Central Ground Water Authority. The UPPCB was instructed to seal these 71 plants. Regional Officer, UPPCB was asked to give the complete status of all the plants.

On 08.01.2020, the Committee directed RC notices to be issued to such lessors whose lease had been cancelled for non-deposit. The Committee reviewed the process of Environmental Clearance in pending cases and directed to expedite the process. The Committee noted that out of 54 Pattas which had been carved out, 21 Pattas were settled for mining. The Committee felt that the process of settlement was very slow. The Committee felt that illegal mining was going on by unauthorised persons without holding legal Patta and also from the stream of the river. The Committee, suspecting connivance of officers responsible for checking illegal mining, suggested enquiry by a fair and honest agency, both in Prayagraj and Kaushambi.

On 07.02.2020, the Committee reviewed the enforcement work with District Magistrate/Superintendent of Police, Prayagraj. District Magistrate/Superintendent of Police apprised it of the actions taken by them- spot inspections, vehicles seized etc. Petitioner Shri Atul Singh Chauhan mentioned that the main problem is in the Baswar area where illegal mining takes place through JCBs and boats, particularly at night. District Magistrate assured that he would get a Police Chowki opened in Baswar. The Committee while expressing satisfaction with the progress directed the DM/SSP to conduct more surprise checks and take stringent action against persons involved in illegal mining.

5. Vide order dated 07.07.2020, the Hon'ble NGT considered the report of the Oversight Committee dated 04.07.2020. The issue covered by the report dated 2.11.2019 mainly relates to illegal sand mining in district Prayagraj. The report also includes the status of compliance of directions of Hon'ble NGT relating to Solid Waste Management in O.A No. 606/2018.

III. STEPS TAKEN BY DISTRICT ADMINISTRATION

The district administration Prayagraj have, vide their reports dated 03.07.2019, 06.02.2020, 16.06.2020, 27.06.2020 and 05.10.2020 (**Refer Annexures- II, III, IV, V & XVIII**) mentioned the steps taken by them.

1. A nine-member interdepartmental committee has surveyed the river bed. Based on the survey report, only those areas have been identified for leasing out which are outside the river stream. Only these areas would be allotted by them to prospective bidders through e-tender cum e-auction process.
2. The DSR for Prayagraj has been prepared as per guidelines of MoEF&CC.
3. The enforcement figures as given by district administration are as follows:

S. No.	Illegal mining cases	Illegal storage cases	Lodged FIRs	Illegal transport cases	Cases lodged in Hon'ble Civil Court
FY: 2018-19					
1	56	06	196	194	06
FY: 2019-20					
2	32	04	132	537	80
FY: 2020-21 (Upto Jan., 2021)					
3	26	09	166	449	370

4. Task Forces comprising of Sub Divisional Magistrate, Circle Officer and Assistant Road Transport Officer have been constituted in all sub-divisions to check illegal mining/ illegal transportation.
5. A police outpost has been recommended to be opened in village Baswar, Police Station-Ghoorpur, which is sensitive from illegal mining point of view, but a police outpost has been not made in village Baswar, P.S. Ghoorpur till date. The work is in progress.
6. Weekly reports are sent by Task Forces to SSP office.
7. Illegally stored sand is confiscated and auctioned off through e-auction after taking the Court's permission.

9. CCTV cameras will be installed at all sensitive points. CCTV camera is installed at the only point where sand mining is continuing.

10. Senior Superintendent of Police has been instructed by District Magistrate to ensure regular patrolling.

11. Station House Officers have been instructed to send daily reports with photographs to UPPCB and District Magistrate.

IV. MINUTES OF THE MEETING OF OVERSIGHT COMMITTEE

Various meetings regarding O.A. No. 670/2018 were held by Oversight Committee, NGT, UP in the office of committee and through Video-conferencing as follows:

(A) **Vide Meeting dated 12.09.2019**, various issues and directions were discussed by the committee in compliance of Hon'ble NGT order **dated 12.02.2019 passed in O.A. No. 670/2018 in re: Atul Singh Chauhan versus MoEF&CC and others** and in Compliance of Hon'ble NGT order dated 28.08.2018 in O.A. No. 164/2018 in re: *Ashwani Kumar Dubey Vs. Union of India and others (Annexure-VI)*.

(B) **Vide Meeting dated 23.10.2019**, various issues and directions were discussed in the committee meeting in compliance of Hon'ble NGT order **dated 12.02.2019 passed in O.A. No. 670/2018 in re: Atul Singh Chauhan versus MoEF&CC and others (Annexure-VII)**.

(C) **Vide Meeting dated 08.01.2020**, various issues and directions were discussed in orders of the committee meeting in compliance of Hon'ble NGT order dated 28.08.2018 in O.A. No. 164/2018 in re: *Ashwani Kumar Dubey versus Union of India and others* and **order dated 12.02.2019 passed in O.A. No. 670/2018 in re: Atul Singh Chauhan versus MoEF&CC and others (Annexure-VIII)**.

(D) **Vide Meeting dated 29.01.2020**, various issues as pointed out in the orders of Hon'ble NGT dated 21.10.2019 passed in **O.A. No. 670/2018 in re: Atul Singh Chauhan versus MoEF&CC and others** were discussed. Other officers viz., Secretary, Urban Development; Chief Env. Officer, UPPCB; EE, UPPCB, Lucknow and Dy. Secretary, UPSLSA were also present in the meeting (**Annexure- IX**).

(E) **Vide Meeting dated 07.02.2020**, various issues and directions as mentioned in orders of the Hon'ble NGT were discussed in compliance of Hon'ble NGT order dated 28.08.2018 in

O.A. No. 164/2018 in re: *Ashwani Kumar Dubey versus Union of India and others* and **order dated 12.02.2019 passed in O.A. No. 670/2018 in re: Atul Singh Chauhan versus MoEF&CC and others (Annexure- X).**

(F) **On 02.03.2020**, the compliance of the order dated 21.10.2019 was discussed by the current Oversight Committee with Secretary, Urban Development and Member Secretary, UPPCB, Lucknow. (**Annexure- XI**).

(G) A meeting regarding **O.A. No. 670/2018** was held **on 18.06.2020 (through Video-Conferencing)** by Oversight Committee, NGT, UP. This was the first detailed meeting of the current Oversight Committee in this matter. Progress of implementation of Hon'ble NGT's directions was discussed and status of the action taken by the concerned authorities in compliance of the orders was also reviewed. (**Annexure- XII**).

(H) A meeting regarding **O.A. No. 670/2018** was recently held **on 12.02.2021 (through Video-Conferencing)** by Oversight Committee, NGT, UP. The Oversight Committee reviewed the progress and status of the action taken by the concerned authorities in compliance of the orders given by Hon'ble NGT. (**Annexure- XXV**).

ENVIRONMENTAL MONITORING CELL

An Office memo letter received from Member Secretary, U.P. Pollution Control Board, Lucknow on 09.06.2020 (**Annexure- XIII**).

V. SUMMARY OF THE COMPLIANCE STATUS OF THE DIRECTIONS GIVEN BY HON'BLE NGT IN O.A. NO. 670/ 2018

1. Various issues and directions as mentioned in orders of the Hon'ble NGT were discussed by the committee under **Chairmanship of Hon'ble Justice (Retd.) Shri Rajes Kumar**, at Circuit House, Prayagraj. The compliance status of the different issues has been reported by DM, Prayagraj and sent by Senior Mining Officer, Prayagraj on 29.06.2020. The details are enclosed as **Annexure-II, III, IV & V**.

2. The status regarding Environmental Compensation (EC) in compliance of orders of Hon'ble NGT was received vide a scanned copy of Letter no. ZoL/Tech/NGT/341/308 dated 30.06.2020 received from CPCB, Lucknow and is annexed as **Annexure- XIV**.

3. The status regarding illegal sand mining has been reported by DMs of Kanpur Dehat/ Fatehpur/ Chitrakoot/ Kaushambi in this case vide Letter no. 470/M- NGT/2019 dated

01.07.2020 and is enclosed as **Annexure- XV**. Further, the Status of Inspection Report made against illegal sand mining in the Districts of Kanpur Dehat, Fatehpur, Chitrakoot and Kaushambi are submitted by Mr. A. K. Sharma, Chief Mining Officer vide letter 2230/M.-Enforcement Bundelkhand (Solid Waste) dated 22.02.2021 are enclosed as **Annexure- XXIII**.

4. The present status of Sand Blocks (Yamuna River) in District Prayagraj has been reported by Senior Mining Officer, Prayagraj vide letter no. 1126/Khaniz/ 2020-21 on 31.08.2020. The details are enclosed as **Annexure- XVI**.

5. The present status as per the comments on Oversight Committee vide letter no. 78/OC-NGT/2020 dated 09.09.2020 in O.A. No670/2018 has been reported by CPCB on 06.10.2020. The details are enclosed as **Annexure- XVII**.

6. The present status has been reported by District Magistrate, Prayagraj vide letter no. 1610/Khaniz/ 2020-21 dated 05.10.2020. The details are enclosed at **Annexure- XVIII**.

7. The compliance status has been submitted by Divisional Commissioner, Prayagraj vide letter no. 48/NGT/2020-21 dated 09/10/2020. The details are enclosed at **Annexure- XIX**.

The Oversight Committee asked for compliance report from the State Govt. on various issues and directions which were discussed in orders of the Hon'ble NGT in **O.A. No. 670/2018**. The compliance status of the different issues is as follows:

S. No.	Issues/ points of discussion	Compliance Status
1	Report regarding District Prayagraj. Recovery of damages for illegal mining and coercive measures against the vehicle involved in illegal sand mining.	Mr. Anjani Kumar Singh, Regional Officer, Prayagraj informed that the above penalty regime would be applicable for the offence committed for the first time but in case of repetition, penalty regime as provided in the order of Hon'ble NGT dated 10.11.2019 would be applicable. In the said order of Hon'ble NGT, it was directed that the State Government has to amend the rules and the confiscating officer is to be designated in consonance with amendments made and the amount so collected is to be remitted to State PCB/PCCs for being utilized for restoration of environment. The Hon'ble NGT had further directed that the above compensation regime will be over and above any existing rules or provisions. Let the State Government issue an appropriate Office Order/Rule to this effect in accordance with the spirit of orders of Hon'ble NGT referred to herein above by incorporating State Amendment. The implementation has been initiated in district Prayagraj. As per the information, approx. 235 vehicles have been released by the Lower Court. In this regard, Mining department filed a revision in the District Judge Court. The Mandate has been issued. As

		per information given by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that the Mining Department sent a letter dated 22.09.2020 to Environment Department regarding the amendment in the Rule along with the compensation. The work is in progress. The Committee directed the Regional Officer to submit the copy of the action plan in this matter. It was clearly observed that there is no amendment in the Rule by the Mining Department till date. It was also directed by the Committee that the Chief Secretary should look after this matter.																								
2	Status of Pattas	<p><u>The Committee was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that there are 51 areas identified as per DSR in Prayagraj. Out of 51 pattas, 19 are submerged and breakup of all 51 areas is annexed as Annexure- XXII. Moreover, 21 sand Blocks are in Yamuna River. Out of 21 Sand Blocks, 11 blocks are marked as water-logged area. The Working Lease Area- 02 (Balu Khand No. 5 & 6) and one sand blocks will be finalized today. The Status of Sand Blocks (Yamuna River) in District Prayagraj are as follow (Refer Annexure- XXII):</u></p> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Details</th> <th>Number of Blocks</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Total No. of Sand Blocks in Yamuna River</td> <td>21</td> </tr> <tr> <td>2</td> <td>Water Logged Area (Mining Lease cannot be granted by the directions of Hon'ble NGT and Hon'ble Supreme Court Orders)</td> <td>11</td> </tr> <tr> <td>3</td> <td>Number of Re-advertised Sand Area</td> <td>01</td> </tr> <tr> <td>4</td> <td>Pending in SEIAA (For Environmental Clearance)</td> <td>04</td> </tr> <tr> <td>5</td> <td>Lease Deed Execution is in progress</td> <td>02</td> </tr> <tr> <td>6</td> <td>Working Lease Area</td> <td>02</td> </tr> <tr> <td>7</td> <td>Number of areas affected by Kumbh Mela</td> <td>01</td> </tr> </tbody> </table> <p>It was also informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that there are 06 running leases (pattas) in Ganga (Operational) and 04 running leases (pattas) in Yamuna. Presently, only 10 pattas are operational and 07 blocks are pending in SEIAA for Environment Clearance since last one year.</p> <p>In this regard, the Committee had directed Mr. Ashish Tiwari, Member Secretary, UPPCB as well as Director, Environment, was to provide/clear the status of 07 pattas which are pending in SEIAA since last one year. Further, the Committee directed to check illegal mining by all means and submit the breakup of all 51 areas (Refer Annexure- XXII). Shri Ashish Tiwari, Member Secretary, UPPCB suggested for issuing direction to CPCB to make standard formula for compensation instead of different compensation regimes presently in vogue.</p>	S.No.	Details	Number of Blocks	1	Total No. of Sand Blocks in Yamuna River	21	2	Water Logged Area (Mining Lease cannot be granted by the directions of Hon'ble NGT and Hon'ble Supreme Court Orders)	11	3	Number of Re-advertised Sand Area	01	4	Pending in SEIAA (For Environmental Clearance)	04	5	Lease Deed Execution is in progress	02	6	Working Lease Area	02	7	Number of areas affected by Kumbh Mela	01
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6	Working Lease Area	02																								
7	Number of areas affected by Kumbh Mela	01																								
3	Status of Action Plan regarding Illegal sand	<p>The Status of Action Plan regarding Illegal sand mining are as follows-</p> <ul style="list-style-type: none"> • The enforcement figures in illegal mining/ transportation of 																								

mining

Minerals as given by district administration are as follows (**Refer Annexure- XIX**):

S. No.	Illegal mining cases	Illegal storage cases	Lodged FIRs	Illegal transport cases	Cases lodged in Hon'ble Civil Court
FY: 2018-19					
1	56	06	196	194	06
FY: 2019-20					
2	32	04	132	537	80
FY: 2020-21 (Upto Jan., 2021)					
3	26	09	166	449	370

- Regarding the above, it was informed that for preventing the illegal mining/transportation/storage transfer, task force has been constituted at Tehsil level.
- There are 02 mining areas on the Yamuna river bed in the district with installed CCTV Camera and Weigh-bridge on the mining exit route.
- The area of sub-mineralization is marked with geo-coordinate.
- The vacant mining areas through e-tender cum e-auction has been advertised by the DM vide office letter no. 1958 dated 22.12.2020, in which the process of e-tender cum e-auction is under process.
- Online form of E-form MM-11 is popular. A Portal has been created for verification of deposition of E-form MM-11 relative to the quantity of sub-stations used by the working organization.
- There is provision in the rules for installation of CCTV cameras and weighing machines in sand mining areas. Accordingly, CCTV cameras and weighing machines have been installed in sand mining areas.

Important Enforcement Work in Financial Year 2020-21 are given below:

1. FIR was lodged on **12.01.2020** in Thana- Karchana against illegal storage of Sand which was stored at Village- Diha, Tehsil-Karchana.
2. FIR was lodged on **12.01.2020** in Thana- Naini against illegal storage of Sand which was stored at Village- Diha, Tehsil-Karchana.
3. FIR was lodged on **02.03.2020** in Thana- Ghoorpur against illegal storage of Sand which was stored at Village- Baswar, Tehsil-Karchana.
4. FIR was lodged on **07.03.2020** against illegal storage of Sand which was stored at Tehsil- Sadar thana area Civil Lines
5. FIR was lodged on **17.04.2020** against illegal storage of Sand which was stored at Village Kasondhan @ Lakshagrih Tehsil Handiya.
6. FIR was lodged on **25.04.2020** at Police Station Ghoorpur against

		<p>illegal sand excavated from river Yamuna and stored in Village Palpur and Amiliya, Tehsil- Karchana.</p> <p>7. FIR was lodged on 25.04.2020 at Police Station Ghoorpur against illegal sand excavated from river Yamuna and stored in Village Baswar Tehsil Karchana.</p> <p>8. FIR was lodged on 03.05.2020 at Police Station Lalapur against illegal sand excavated from river Yamuna and stored in Village Majhiyari Amad Tehsil- Bara.</p> <p>9. FIR was lodged on 11.05.2020 at Police Station Lalapur against illegal sand excavated from river Yamuna in district boundary, Prayagraj and Kaushambi in Village- Semri & Nodiha, Tehsil- Bara.</p> <p>10. FIR was lodged on 27.05.2020 at Police Station- Karchana against illegal sand excavated and stored in Village Diha, Tehsil Karchana.</p> <p>11. FIR was lodged on 01.06.2020 at Police Station Kondhiyara against illegal sand excavated and stored in Village Benipur, Tehsil Karchana.</p> <p>12. FIR was lodged on 04.06.2020 at Police Station Saraynayot against illegal sand excavated and stored in Village Lilapur Kala & Lilapur Khurd, Tehsil Phoolpur.</p> <p>13. FIR was lodged on 13.06.2020 at Police Station Industrial area Naini against illegal sand excavated and stored near UPSIDC Tehsil Karchhana.</p> <p>14. FIR was lodged on 23.06.2020 at Police Station Dhoomanganj against illegal sand excavated and stored in ADA Colony Tehsil Sadar.</p> <p>15. FIR was lodged on 27.06.2020 at Police Station Kareli against illegal sand excavated and stored in Village Sadiya, Imillytola Tehsil Sadar.</p> <p>16. FIR was lodged on 18.08.2020 at Police Station Naini against illegal sand excavated and stored in Village Chak Babura alimabad (ADA Colony) Tehsil Karchhana.</p> <p>17. FIR was lodged on 21.08.2020 at Police Station Handiya against illegal sand excavated and stored in Village Girdhacot Tehsil Handiya.</p> <p>18. FIR was lodged on 05.10.2020 at Police Station Lalapur against illegal sand excavated and stored in Village- Semri & Nodiha, Tehsil- Bara.</p> <p>19. FIR was lodged on 09.10.2020 at Police Station- Meja against illegal sand mining of stone excavated and stored in Village- Bhatauti, Tehsil Meja</p> <p>20. FIR was lodged on 18.10.2020 at Police Station- Shankargarh against Shri Prabhakar Singh Village- Garha Tehsil- Bara regarding illegal storage of silica sand after illegal mining transportation.</p> <p>21. FIR was lodged on 18.10.2020 at Police Station- Shankargarh against Shri Bhanu Pratap Singh resident of Tehsil- Bara, Prayagraj regarding illegal storage of silica sand after illegal mining transportation.</p> <p>22. FIR was lodged on 18.10.2020 at Police Station- Shankargarh Village- Garwa Tehsil- Bara against Shri Neeraj Gupta resident of</p>
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		<p>Tehsil- Sadar regarding illegal storage of silica sand after illegal mining transportation.</p> <p>23. FIR was lodged on 18.10.2020 at Police Station- Shankargarh against Shri Nathu Prajapati resident of Village- Janwa, Tehsil- Bara regarding illegal storage of silica sand after illegal mining transportation.</p> <p>24. FIR was lodged on 22.10.2020 at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda and Mohabbatganj under Tehsil- Karchana.</p> <p>25. FIR was lodged on 24.10.2020 at Police Station- Ghoorpur against unknown persons for illegal storage and transportation of sand in Village- Baswar under Tehsil- Karchana.</p> <p>26. FIR was lodged on 24.10.2020 at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda and Mohabbatganj under Tehsil- Karchana.</p> <p>27. FIR was lodged on 26.10.2020 at Police Station- Kareli against unknown persons for illegal storage and transportation of sand in Village- Saidpur and Kareda under Tehsil- Sadar.</p> <p>28. FIR was lodged on 28.12.2020 at Police Station- Handiya against unknown persons for illegal storage and transportation of sand in Village- Usmapur Uparhar under Tehsil- Handiya.</p> <p>29. FIR was lodged at Police Station- Ghoorpur against unknown persons for illegal storage and transportation of sand in Village- Baswar under Tehsil- Karchana.</p> <p>30. FIR was lodged at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Mohabbatganj under Tehsil- Karchana.</p> <p>31. FIR was lodged on 06.02.2021 at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda, Mohabbatganj and Baswar under Tehsil- Karchana. (Refer Annexure- XIX)</p>
4	<p>Status of 21 common area of Yamuna River located in Prayagraj District</p>	<p>The direction given by Hon'ble NGT dated 18.09.2020 was as follows:</p> <p><i>“Let the District Magistrate, Prayagraj take further steps in the matter and maintain surveillance. The issue of compensation, if not already finalized, may be finalized with the assistance of CPCB and report furnished to the Oversight Committee. The Oversight Committee may give its further report of status as on 28.02.2021, before the next date.”</i></p> <p><u>Status of 21 common area of Yamuna River located in Prayagraj District</u></p> <ol style="list-style-type: none"> 1. Water Logged Area (Mining Lease cannot be granted by the directions of Hon'ble NGT and Hon'ble Supreme Court Orders)- 11 (Balu Khand No. 1,2,10,11,12,13,14,15,18,19,20) 2. Number of Re-advertised Sand Area- 01 (Balu Khand No. 8) 3. Number of Pending areas in SEIAA For Environmental Clearance- 04 (Balu Khand No. 7, 9, 16 21) Environmental Clearance Certificate is not obtained from the SEIAA for the said area. 4. Lease Deed Execution is in progress- 02 (Balu Khand No. 3 & 4) 5. Working Lease Area- 02 (Balu Khand No. 5 & 6)

		6. Number of areas affected by Kumbh Mela- 01 (Balu Khand No. 17)																										
5	Details of Enforcement of actions taken in financial year 2020-21 (near Yamuna River)	<p><u>The Details of Enforcement of action taken in FY 2020-21 are as follows-</u></p> <table border="1"> <thead> <tr> <th rowspan="2">S. No.</th> <th rowspan="2">Month</th> <th colspan="2">Number of Vehicles Caught</th> </tr> <tr> <th>In Month</th> <th>Till Month</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>April, 2020</td> <td>13</td> <td>13</td> </tr> <tr> <td>2</td> <td>May, 2020</td> <td>51</td> <td>64</td> </tr> <tr> <td>3</td> <td>June, 2020</td> <td>34</td> <td>98</td> </tr> <tr> <td>4</td> <td>July, 2020</td> <td>13</td> <td>111</td> </tr> <tr> <td>5</td> <td>August, 2020</td> <td>88</td> <td>199</td> </tr> </tbody> </table> <p>The Committee was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that a letter no. 1919/M-228/2017 (Mining Rule) (V) dated 13.01.2021 is already dispatched for the purpose of effective control and curbing of illegal mining. An investigation team is being formed for monitoring on the Manda road, Rampur Meja Bhatauti, Ghoorpur route in the district, which will work for 24*7 in three shifts.</p>	S. No.	Month	Number of Vehicles Caught		In Month	Till Month	1	April, 2020	13	13	2	May, 2020	51	64	3	June, 2020	34	98	4	July, 2020	13	111	5	August, 2020	88	199
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6	Status of Environmental Compensation	<p>The Committee was informed by Mr. Anjani Kumar Singh, Regional Officer, Prayagraj that no penalty has been realized so far from illegal miners. Regarding the above, it was informed that necessary action is to be taken by the CPCB & UP PCB in respect of environmental damage. The Government of Uttar Pradesh, Mining Department, Lucknow has requested the Principal Secretary, MOEF&CC, Govt. of U.P., Lucknow, through Govt. Letter No. 1672/86-2020 dated 22.09.2020 that given the order of the Hon'ble NGT related to the environment, it will not be appropriate to give instructions by the Mining Department.</p> <p>In this regard, Mr. D. K. Soni, Additional Director, CPCB informed that the Expert Committee had prepared a report regarding scale of environmental compensation to deal with the cases of illegal mining and submit it to Hon'ble NGT. The matter was heard on 17.08.2020 and NGT asked the Expert Committee to consider views of amicus curie. The Expert Committee has submitted its view on 12.10.2020 (suggesting no changes in previous report). The matter was listed for hearing on 14.01.2021 but has been adjourned to 26.02.2021. Meanwhile, the Oversight Committee may consider issuing instructions to the concerned authorities to use the scale proposed by the Expert Committee to impose penalty for illegal mining in the areas in question. (Refer Annexure- XXI).</p>																										
7	Status of Detailed Report in regard to steps taken against illegal sand miners, vehicles confiscated, penalty imposed/realize	<p>It was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that under the Mines and Minerals (Development and Regulation) Act, 1957 (i.e., MMDR Act), the competent authority is the court of Chief Judicial Magistrate for lodging complaints. In the complaints, orders of the Hon'ble NGT are referred to. Confiscated vehicles are released by the court of Chief Judicial Magistrate concerned after obtaining an affidavit and trial continues in due course. On query being made that when the orders of Hon'ble NGT in this regard have been confirmed by Hon'ble Supreme Court then why the Chief Judicial Magistrate is releasing the confiscated vehicles on</p>																										

	<p>d, action taken against accountable officers, surprise inspections by District Magistrate, Prayagraj and Senior Superintendent of Police and daily reports submitted by the district administration to the Head Office at Lucknow.</p>	<p>affidavit and whether the Chief Judicial Magistrate is made aware of the above confirmation by Hon'ble Supreme Court on 07.05.2019 and even thereafter if confiscated vehicles are being released without payment of penalty, whether appeals are being preferred, the Chief Mining Officer replied that so far no appeal has been preferred, but they will do it now. Registration of vehicles is being done on the Vehicle Tracking System and mineral portal on the vehicles transporting the sub-mineral.</p> <p>No progress has been filed/submitted to the Committee till date. The Committee directed to submit the copy of the detailed report by District Magistrate and Senior Superintendent of Police, Prayagraj in this regard.</p>						
<p>8</p>	<p>Status of Inspection Report made against illegal sand mining in the Districts of Kanpur Dehat, Fatehpur, Chitrakoot and Kaushambi</p>	<p>It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that the inspection report has been received by the Mining Department from Fatehpur and Chitrakoot, but no report has been received by Kanpur Dehat and Kaushambi till date. It was also noticed that no report has been given by the Mining Department to the Committee. The Committee directed to submit the copy of the inspection report of Fatehpur and Chitrakoot and the State Mines Department was directed to get an inspection done against illegal sand mining in Kanpur Dehat and Kaushambi at the earliest and submit a detailed report.</p> <p>As per the given information by Mr. A. K. Sharma, Chief Mining Officer vide letter dated 22.02.2021 in OA No. 673/2018, a total of 35 mining leases of Sub-tributary sand/ morang in Yamuna River under Saharanpur, Shamli, Baghpat, Ghaziabad, Gautam Buddha Nagar, Mathura, Agra, Auraiya, Kanpur Dehat, Fatehpur, Banda, Chitrakoot, Kaushambi and Prayagraj are approved/operated (Refer Annexure-XXIII).</p> <p>The Status of Inspection Report made against illegal sand mining in the Districts of Kanpur Dehat, Fatehpur, Chitrakoot and Kaushambi are submitted by Mr. A. K. Sharma, Chief Mining Officer vide letter 2230/M.-Enforcement Bundelkhand (Solid Waste) dated 22.02.2021 are as follows (Refer Annexure- XXIV):</p> <table border="1" data-bbox="603 1624 1519 2024"> <thead> <tr> <th data-bbox="603 1624 683 1697">S. No.</th> <th data-bbox="683 1624 853 1697">District</th> <th data-bbox="853 1624 1519 1697">Status</th> </tr> </thead> <tbody> <tr> <td data-bbox="603 1697 683 2024">1</td> <td data-bbox="683 1697 853 2024">Fatehpur (Augasi Ghat)</td> <td data-bbox="853 1697 1519 2024">Investigation team was formed by District Collector, Fatehpur on 06.07.2020 to investigate the above area. The investigation dated 09.07.2020 is presented by the team constituted. It has been mentioned in the submitted report that Augasi Ghat where the bridge is under construction, there is no trace of mining/transport on either side of the bridge nor digging pits are found. It is clear from the above that in the area,</td> </tr> </tbody> </table>	S. No.	District	Status	1	Fatehpur (Augasi Ghat)	Investigation team was formed by District Collector, Fatehpur on 06.07.2020 to investigate the above area. The investigation dated 09.07.2020 is presented by the team constituted. It has been mentioned in the submitted report that Augasi Ghat where the bridge is under construction, there is no trace of mining/transport on either side of the bridge nor digging pits are found. It is clear from the above that in the area,
S. No.	District	Status						
1	Fatehpur (Augasi Ghat)	Investigation team was formed by District Collector, Fatehpur on 06.07.2020 to investigate the above area. The investigation dated 09.07.2020 is presented by the team constituted. It has been mentioned in the submitted report that Augasi Ghat where the bridge is under construction, there is no trace of mining/transport on either side of the bridge nor digging pits are found. It is clear from the above that in the area,						

				no mining/transportation was found to be near the Augasi Ghat. Currently, no mining lease is operated.
		2	Chitrakoot	At present, 04 mining leases of submineral sand/morang are sanctioned in Chitrakoot district. Apart from the above areas, sand/morang is not being mined in the district. Under Enforcement work, in the FY 2020-21 by the month of January-2021, a total of 312 vehicles have been recovered and Rs. 70,41,511/- has been recovered as a case and FIR has been registered in 18 cases and a complaint has been lodged in the competent court in 89 cases. Constant Enforcement action is being taken by the task force constituted to prevent illegal mining/transportation.
		3	Kanpur Dehat	At present, 04 mining leases of submineral sand/morang are sanctioned/operational in Kanpur Dehat. Apart from the above areas, sand/morang is not being mined in the district. Under Enforcement work, in the FY 2020-21 by the month of October-2020, a total of 122 vehicles have been recovered and Rs. 40.52 lacs has been recovered as a case and FIR has been registered in 02 cases. Constant Enforcement action is being taken by the task force constituted to prevent illegal mining/transportation.
		4	Kaushambi	Action has been taken against the concerned leaseholders on the basis of irregularities received in surprise inspections of the district officials, under which, if mining work is found outside 11 mining lease areas, the concerned leaseholder has been issued a show cause notice and notice for depositing the amount of revenue loss. For prevention of illegal mining/transportation/overloading, in the FY 2020-21, a total of 221 vehicles have been recovered and Rs. 61.12 lacs has been recovered as a case and FIR has been registered in 05 cases and a complaint has been lodged in the competent court in 15 cases. Constant Enforcement action is being taken by the task force constituted to prevent illegal mining/transportation/overloading.
9	Status of Task Force	The Committee was informed by Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj that task force has been constituted at district- level and tehsil-level (comprising of Sub Divisional Magistrate, Circle Officer and Assistant Road Transport Officer) to check/ for prevention of illegal mining/transportation/storage. Weekly reports are sent by Task Forces to SSP office. The Committee directed to submit the copy of the detailed report of task force at the earliest.		

10	Status of Police Check-post in village Baswar, P.S. Ghoorpur	It was informed by Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj that the SSP, Prayagraj vide letter dated 14.04.2020 had directed SHO, Ghoorpur to make arrangement for establishment of Police Chowki in Village Baswar but a police outpost has not yet been established in village- Baswar, P.S.- Ghoorpur till date. It was also informed that the SSP has been asked to set up a Police Chowki in Village Baswar by the DM because Village Baswar is sensitive area. The work is in progress.														
11	License from UPPCB and CGWA (83 Silica Sand Mining Plants)	<p>As per the earlier information given by Mr. Ashish Tiwari, Member Secretary, UPPCB informed that out of 83 Silica Sand Mining Plants which were identified, only 04 have permission from UPPCB. Rest all the plants were sealed for want of permission on the basis of inspection done by a Committee on 16.06.2020 and EC was imposed. District Magistrate has issued recovery certificate for realisation of the same.</p> <p>Mr. Rajendra Singh, CEO, UPPCB informed about the present status of 83 Silica Sand Mining Plants, are as follows (Refer Annexure- XX):</p> <table border="1" data-bbox="608 819 1506 1178"> <thead> <tr> <th data-bbox="608 819 1198 898">Total No. of Identified Silica Washing Plants</th> <th data-bbox="1206 819 1506 898">83</th> </tr> </thead> <tbody> <tr> <td data-bbox="608 898 1198 943">1. Valid Consent</td> <td data-bbox="1206 898 1506 943">05</td> </tr> <tr> <td data-bbox="608 943 1198 987">2. Without Consent (Defaulter)</td> <td data-bbox="1206 943 1506 987">78</td> </tr> <tr> <td data-bbox="608 987 1198 1032">3. Action against defaulters</td> <td data-bbox="1206 987 1506 1032"></td> </tr> <tr> <td data-bbox="608 1032 1198 1077">(a) Closure Order/Directions</td> <td data-bbox="1206 1032 1506 1077">17</td> </tr> <tr> <td data-bbox="608 1077 1198 1122">(b) EC+ Closure Order/Directions</td> <td data-bbox="1206 1077 1506 1122">61</td> </tr> <tr> <td data-bbox="608 1122 1198 1167">(c) Recovery Certificate by DM</td> <td data-bbox="1206 1122 1506 1167">60</td> </tr> </tbody> </table> <p>The Committee directed that Silica Sand Mining Plants be made operational only after obtaining environmental clearance from UPPCB. In this regard, Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj informed that the EC has been imposed on 61 Silica Sand Mining Plants along with Closure Order/directions.</p> <p>Comment by CPCB: In this regard, CPCB RD may write a letter to SPCB, as SPCB is the enforcement agency for U.P. in for ensuring compliance of EC requirement.</p>	Total No. of Identified Silica Washing Plants	83	1. Valid Consent	05	2. Without Consent (Defaulter)	78	3. Action against defaulters		(a) Closure Order/Directions	17	(b) EC+ Closure Order/Directions	61	(c) Recovery Certificate by DM	60
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12	Status of preparation of District Survey Report (DSR)	It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that the DSR for Prayagraj has been prepared as per the guidelines of MoEF. A State Level Committee has been constituted comprising representatives of Revenue Department, Forest Department, Irrigation Department and Mining Department. The Committee directed that there is a need for preparation of DSR based on Physical surveys and replenishment studies, hence, the Committee observed that the pattas were the lease mandatory type and no physical surveys and replenishment studies has been done; because out of 51 areas, 19 are submerged and rest are unviable and has no tender process, however, there is need to be physical inspection by the concerned authorities.														
13	Best practices (setting up of control rooms)	The Committee has been informed by Chief Mining Officer that Command Centre has been established at Lucknow. Monitoring of mining areas is also done through Geo-fencing conducted by Geo-														

		coordinate by the Unified Command Centre established at the Directorate level.
14	Status of installation of CCTV cameras at every dumping site	Both the mining areas have CCTV cameras. CCTV camera is installed at the only point where sand mining is continuing as well as to check illegal sand mining and its transportation. This has also been incorporated in the Rule.
15	Installation of GPS	The Chief Mining Officer informed that process for installing GPS in vehicles is in progress.
16	Utilization of Electronic surveillance through UAVs/Remote Sensing and Night vision drones for checking mining activity at night	It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that Electronic surveillance through UAVs/Remote Sensing and night vision drones is not being utilized for checking mining activity at night. The Committee directed the Mining Department to make arrangements of Electronic surveillance through UAVs/Remote Sensing and Night vision drones for checking mining activity at night especially in areas where sand mafias are active at night.
17	Status of Regular Patrolling done by the police to inspect the mining operations (As per the directions given by the Committee Senior Superintendent of Police has been instructed by District Magistrate)	Regarding the above, it was informed that a total of 449 vehicles have been detained in various Police Stations since April, 2020. Under Section-21(4A) of the MMDR Act, 1957, the Competent Court has the exclusive right to authorize/ dispose of the vehicles. A complaint has been filed in the Competent Court under Section-22 of the said Act, 1957 by Govt. Order No. 608(1)/86-10-24/09 dated 15.02.2010. The Compliant filed in the Hon'ble Court ACJM Room No. 5 & 17 Allahabad does not include the provisions of NGT by the Hon'ble Court and 252 vehicles have been released. Revision has been filed before the Hon'ble Sessions Court, Allahabad against the vehicle release order. The Committee directed Mr. Anil Kumar Sharma, Chief Mining Officer to submit the report at the earliest.
18	Status of Storage Godowns at least 5 kms away from the river bank	The Committee was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that mandate has been issued in this matter. The Committee directed to submit the copy at the earliest.
19	Status of Geo-fencing of sites	Mr. Anil Kumar Sharma, Chief Mining Officer informed that geo-fencing of sites, their physical demarcation has been done at the time of leasing along with the allotment of geo-coordinates to all the pillars.
20	Status of Environmental Audit by experts	Mr. Anil Kumar Sharma, Chief Mining Officer informed that the work has not yet started.

21	Status of Environment Restoration Fund	No work has been done till date.
22.	Status of Mining activity as per the Provisions and Regulations of CGWA	Report Awaited
23.	Status of Compliance of Sand Mining Guidelines (i.e., Periodic review at CS level)	No work has been done at CS level to improve enforcement effort and sort out the co-ordinational issues.
24.	Status of Detailed Restoration Plans	Mr. D. K. Soni, Additional Director, CPCB informed that CPCB will provide necessary help to District Administration as and when requested for preparation of detailed restoration plans for areas where there has been damage to environment. (Refer Annexure- XVII & XXI)
25.	Status of Green Belts	Report by CPCB regarding Environmental Compensation towards environmental damage is under consideration by Hon'ble NGT.

VI. OBSERVATIONS OF THE OVERSIGHT COMMITTEE

The Committee observed from the above submitted reports by the concerned authorities that there are 51 areas identified as per DSR in Prayagraj. Out of 51 pattas, 19 are submerged. Moreover, 21 sand Blocks are in Yamuna River. Out of 21 Sand Blocks, 11 blocks are marked as water-logged area. The Working Lease Area- 02 (Balu Khand No. 5 & 6) and one sand blocks has been finalized on 12.02.2021.

As per the report received, there are 06 running leases (pattas) in Ganga (Operational) and 04 running leases (pattas) in Yamuna. Presently, only 10 pattas are operational and 07 blocks are pending in SEIAA for Environment Clearance since last one year. In this regard, the Committee had directed the concerned authority to provide/clear the status of 07 pattas which are pending in SEIAA since last one year. The Member Secretary, UPPCB suggested for issuing direction to CPCB to make standard formula for compensation instead of different compensation regimes presently in vogue.

The enforcement figures as mentioned in compliance status also have drastically dropped. Only 26 illegal mining cases have been registered this year (till Jan., 2021) as compared to 32 last year. There are 02 mining areas on the Yamuna river bed in the district with installed CCTV Camera where mining is operational, and Weigh-bridge on the mining

exit route. The Committee directed to submit the daily reports/patrolling reports in this regard. The vacant mining areas through e-tender cum e-auction has been advertised by the DM vide office letter no. 1958 dated 22.12.2020, in which the process of e-tender cum e-auction is under process. A Portal has been created for verification of deposition of E-form MM-11 relative to the quantity of sub-stations used by the working organization.

RECOMMENDATIONS:

1. The Oversight Committee observed that there have been many complaints regarding illegal mining in the FY 2020-21 (till Jan., 2021) specially in Districts of Prayagraj. Illegal Mining is mining done without a Mining Plan in utter violation of environmental norms and is a grave threat to environment and ecology. The State Government should have a zero tolerance on illegal mining and the Directorate of Mining and District Administration should immediately enquire into all such cases and if found correct take stringent legal action against the guilty.
2. Mining plan is the instrument through which it is enforced. However, Environmental Clearance takes into account all the environmental concerns and for mining activity going on illegally, there is neither any EC nor any mining plan. Illegal mining invariably leads to reckless damage to environment. Hence, utmost efforts are required in surveillance, patrolling and enforcement figures. No penalty has so far been realized from any of the illegal miners. This calls for a strict, impartial, transparent and deterrent environmental compensation regime. State of U.P. needs to evolve a mechanism for the recovering compensation for the damage to the environment from illegal mining.
3. DSRs need to be prepared immediately and should be based on physical surveys and replenishment studies in regular manner. While awarding lease deeds, important environmental parameters like deposition and replenishment of sand, areas of erosion, distance from infrastructural structures needs to be considered by all the concerned authorities. Before award of LOI, physical inspection should be mandatory.
4. As far as leases are concerned, the areas where only few leases are operational and the rest are not settled/surrendered need to be carefully analysed. In district Prayagraj, there are 51

areas identified as per DSR in Prayagraj. Out of 51 pattas, 19 are submerged and breakup of all 51 areas is annexed as **Annexure- XXII**.

5. Storage Godowns should be at least 5 kms away from the river bank. Otherwise, illegal mining can be carried on under the garb of storage by the leaseholder himself. Geo-fencing of sites, their physical demarcation, allotment of geo-coordinates to all the pillars and their constant physical inspection.
6. The Committee observed that there has to be a mechanism to ensure that the actual mining activity conforms to the approved Mining Plan and the approved Environment Management Plan (EMP). Environment Department can empanel some experts/expert institutions with standard TORs and Remuneration terms which could be utilized by the Mines Department on a regular basis. This way the DM, Prayagraj and other concerned authorities can access good technical experts with standard conditions in a transparent way without bothering about tedious time-consuming tender formalities.
7. The Environment Department can empanel some reputed institutions with standard terms for preparing environmental restoration plans which could be used directly by the Mining Department without the arduous formalities.

As far as the enforcement efforts in Prayagraj is concerned, there is an urgent need to augment the monitoring of illegal sand mining in district Prayagraj. Accountability needs to be fixed for the laxity. Constant monitoring of illegal sand mining must be done with drones, aerial surveys, ground surveys through dedicated task force at district level/tehsil level. E-surveillance through UAVs/Remote Sensing is must to ensure that the mining activity is as per the approved mining plan and no illegal mining, detrimental to environment, is going on. The State Government can also organise night-surveillance of mining activities through night-vision drones at district level. Night vision drones could be used for checking mining activity at night. Sensitive spots need to be identified and police presence- both static presence and dynamic patrolling needs to be beefed up there. DMs / SSPs be made directly responsible for checking illegal mining.

9. So far as confiscation of vehicles is concerned, under the provisions of the MMDR Act, 1957; the competent authority is the court of Chief Judicial Magistrate for lodging

complaints. In the complaints, orders of the Hon'ble NGT are referred to. Some of the confiscated vehicles are released by the Hon'ble Court obtaining an affidavit and trial continues in due course. This is a practice not only in Prayagraj, but in other districts too. There is need to amend the rules/regulations and the confiscating officer needs to be designated in consonance with amendments made in Forest Act/Rules and the amount so collected to be remitted to UPPCB/PCCs for being utilised for restoration of environment.

10. The State Government must address the issue of monitoring gaps in illegal mining with the following recommendations to remedy the situation:

- Installation of CCTV Cameras should be at mining points to verify the amount of sand extracted.
- To inspect the mining operations, there is need for regular patrolling by the police.
- Daily Mining reports/regular patrolling should be sent to the District Magistrate.
- FIRs should be lodged in case of any illegal mining.
- The DM and the SP should carry out surprise checking. In order to stop illegal sand mining, it shall be the duty of the concerned authority to do area survey at regular intervals.

11. All the mining activity should strictly comply with Provisions of EIA Notification 2006, Sustainable Sand Mining Guidelines, 2016; The Environmental Protection Act, 1986; The Water (Prevention and Control of Pollution) Act, 1974; The Air (Prevention and Control of Pollution) Act, 1981 and Regulations of Central Ground Water Authority.

12. Direction may be issued to the Principal Secretary, Mining to take immediate steps for amendment of rules so that the Courts may order the fine as ordered by the Hon'ble NGT.

13. As per Hon'ble NGT orders it was directed that Chief Secretary must ensure compliance of Sand Mining Guidelines. The Oversight Committee recommends periodic review at CS level which will automatically improve enforcement effort and sort out a number of co-ordinational issues.

हिन्दुस्तान, 05.12.2020

अवैध खनन के मामले में केस दर्ज

**हिन्दुस्तान
असार**

बीकेटी | हिन्दुस्तान संवाद

टिकरी पंचायत के करीमनगर में हुए अवैध खनन के मामले में बीकेटी एसडीएम नवीन चन्द्र के निर्देश पर राजस्व टीम को अवैध खनन मिला है। कानूनगो अशोक सिंह की तहरीर पर इटीजा पुलिस ने सिंह खनन एंड कंपनी के प्रोपराइटर सुभानु सिंह के खिलाफ सार्वजनिक सम्पत्ति नुकसान अधिनियम की धारा 1984 के तहत केस दर्ज करवाया है।

एक दिसम्बर को आपके अपने

सखी

- रेत नदी के किनारे पर राजस्व टीम को मिला अवैध खनन
- पुलिस ने खनन एंड कंपनी के प्रोपराइटर पर केस दर्ज कराया

हिन्दुस्तान अखबार ने खनन माफिया ने खोद डाला रेत नदी का किनारा शीर्षक से खबर छापी थी। खबर संज्ञान लेते हुए प्रशासन ने जांच करवाई तो अवैध खनन का भंडाफोड़ हुआ। इस मामले में कानूनगो अशोक सिंह ने बताया कि सिंह खनन एंड कंपनी द्वारा टिकरी की सार्वजनिक भूमि गाटा संख्या 182 जो कि चारगाह है और गाटा संख्या 183 में तालाब में अवैध खनन पाया

गया। वहां खनन की अनुमति नहीं दी गई थी। वहां पर अवैध खनन का कार्य सिंह एण्ड कंपनी के प्रो सुभानु प्रताप सिंह निवासी 13 नोका विहार कालानी मडियाव द्वारा अवैध रूप से करवाया गया। जिससे टिकरी गांव की सार्वजनिक सम्पत्ति को नुकसान पहुंचाया गया। सी ओ हदवेश कठेरिया ने बताया कि कानूनगो की शिकायत पर सिंह खनन एण्ड कंपनी के प्रो सुभानु सिंह के खिलाफ केस दर्ज किया गया है। मौके पर आई गैड पोर्कलैंड मशीन को कब्जे में लेकर प्रधान टिकरी अरुण कुमार सिंह के सुपुर्द किया गया है।

रेत नदी के मामले में प्रशासन खासोखा : कानूनगो अशोक सिंह ने बताया कि प्राकृतिक रेत नदी का

पीएम से रेत नदी के अस्तित्व को बचाने की गुहार

विहिप के जिला उपायुक्त एडवोकेट राम प्रकाश सिंह ने देश के प्रधानमंत्री नरेन्द्र मोदी को पत्र लिखकर रेत नदी को बचाने की गुहार लगाई है। उन्होंने लिखा की हजारों प्राणियों की जीवनदायिनी रेत नदी विलुप्त हो रही है। इसका बड़ा कारण नदी का दोहन है। प्राकृतिक रेत नदी के अस्तित्व को खनन माफिया नष्ट कर रहे हैं।

बहाव स्थल बदलता रहता है। इस समय वह इसी तालाब के पास बहती है जिस 183 गाटा संख्या के तालाब में अवैध खनन हुआ। मौजूदा रेत नदी के बहाव स्थल और तालाब में अवैध की दूरी महज 20 है।

← 22 Dec Voice of Movement.pdf

जिला कारागार में निरुद्ध बंदी की इलाज के दौरान मौत

लखीमपुर-खीरी। जिला कारागार में एनडीपीएम एफ में निरुद्ध एक बंदी को बंधे बना दिन रजिस्टर को अचानक हटाया गया। जेल प्रशासन ने उसे तलाक जिला अस्पताल में भेजी कराया, जहां उसकी इलाज के दौरान मौत हो गई।

जेल अधिकारक आरबी पटेल से मिली जानकारी अनुसार बंदीशाली 3 कक्षा मोहम्मदी के मोहम्मद बंशरी पूर्वी लखीमपुर निवासी युवक (32) 17 दिवस से जिला कारागार में बंद था। उसे पुलिस ने एनडीपीएम एफ में जेल भेजा था। रजिस्टर को बंदी बुकरी की अचानक हटाया गया। उसे रोज इलाज देने लगे। बंदी का जिला कारागार अस्पताल में प्राथमिक उपचार कराया गया, लेकिन कहीं सुधार नहीं हुआ। इस पर अलग-अलग में उसे जिला अस्पताल भेजा गया, जहां उपचार के दौरान रजिस्टर को हल में हो करीब मश दस बंधे बंदी को मौत हो गई। जेल प्रशासन ने पुलिस के माध्यम से परिवार वालों को बंदी की मौत की खबर भेजी। मृतका मिलने ही मुद्दा के परिवार में कोहराम मच गया। रोले-विलखते परिवार के लोग जिला अस्पताल पहुंच गए। जेल प्रशासन ने बीबीबीसीवाई के बीच हल का पोस्टमॉर्टम कराया और शव जिला कारागार को भेजा दिया।

एक बार फिर सक्रिय हुआ भू-माफिया तालाब पाट रास्ता निकालने का प्रयास

जिला संवाददाता

ओपल-खीरी। सत एक और युवा की मृत्यु पर करीबन भारतीय जनता पार्टी द्वारा चर्चित मुद्दाओं को ध्यान में रखते हुए तयाम भू माफियाओं के खिलाफ बहादुर मोदीयन पक्ष का लखीमपुर तयाम भू माफियाओं के संयुक्त से भूमि हटा कर पार्से को दी जा रही। वहीं सपर पंचायत ओपल में लखीमपुर-सौदागुर पोरतोर के निकट गच्छी मंडी के ठेक पीछे तालाब का अस्तित्व मिटा रास्ता निकालने का एक बार फिर काम के एक भू-माफिया काम के प्रयास किया गया। जिसे सपर पंचायत अध्यक्ष के दखल के बाद पुलिस ने तालाब पट्टों के काम को रोकवा दिया।

जानकारी अनुसार गच्छी मंडी के पीछे गाटा संख्या 833 को कि सरकारी अधिलेखों में तालाब दर्ज है के ठेक पीछे टी वर्ष पूर्व इसका आरं ने एक छेद को बच्चों निखापणों का मच्यो मंडी बहाव हेतु पचाईय का उसके अने निरुद्ध तालाब के निरुद्ध बने दो पेटाबनर को गिर कर रास्ता



बनने के तिरु मिट्टी पट्टों कराई जा रही थी। तलाकत इराकत में आर सपर पंचायत के इलाखेय के बाद मुद्दाय विधाना को टीम ने कक्षा मुद्दा करा उत दर्बंग जिसको कि एक स्वतंत्रीय भावय नेल का संरक्षण प्राप्त था, युवाक पर सपर पंचायत के प्रायंदनपर पर मुकदमा भी दर्ज किया गया था। किन्तु एक बार फिर से उक्त भू-माफिया ने रीबनर अक्कात का लभ उखने को उसी तालाब पर रासक बनने के तिरु टैलियां द्वारा मिट्टी पट्टों का कार्य प्रारंभ करा

दिया, जलकरी होले ही सपर पंचायत अध्यक्ष के दखल के बाद ओपल पुलिस ने कार्य हो रुकवा दिया गया जिससे के एक फोन पर सपर पंचायत को टीम के द्वारा हटाई जा रही मिट्टी का कार्य भी रुकवा दिया। इस बारे में अधिलेखी अधिकारी मायकी सुकत ने बताया आज अवकाता है बल अने ही कक्षा करने वालों के विरुद्ध कार्यवाही को जाणो हमारी सपर पंचायत ने पहले भी इन तेलों के खिलाफ मुकदमा दर्ज कराया था।

घने कोहरे का फायदा उठाकर, चोरों ने घर का सारा सामान किया साफ

जीमपुर। मुंगवादासपुर बाबा क्षेत्र के गांव सतय सतय में निरुद्ध कपूर पंड मौर्य के नवीनिर्मित मकान बिसका गृह जगत उन्होंने हाल ही में किया था बंधे रीबनर को हल को चोर मकान में सपर सायन मुग कर ले जाने में सफल रहे। मकान मालिक से बातचीत में उन्होंने बताया कि हाल ही में मकान का गृह प्रवेश हुआ था अभी वहां कोई रहता नहीं था। चोरों की जानकारी उन्हें तब हुई जब वह कुछ किसी काम से वहां पहुंचे। उन्होंने देखा कि ताला टूटा हुआ था और इनपॉर, पैटरो, स्टैकलायनर सहील और भी सामान लपच थे। जिससे उन्हें लगना ठीस हजार से ज्यादा का नुकसान हुआ है। बातचीत में आगे उन्होंने बताया कि सामने के मकान में लगे सीसीटीवी कैमरे को जब उन्होंने चेक किया तो पाया कि तब लगभग 150 बजे एक चोर पहिचान करवा वहां पर आकर रुकली है लगभग सातन का हेड लाइट बंद हो जाने के कारण चोरों लफ अंधेय फैल जात है जिससे कुछ दिखाने नहीं पड़ता। सीसीटीवी फुटेज में बस शक ही दिखाई मिल पाता है। सीसीटीवी मकान मालिक ने स्थानीय थाने में तहरीर देकर लपक को गृहण कराया है। मौके पर पुलिस पहुंच कर छरबोन करत शुरू कर दी।

अवैध खनन पर पुलिस-प्रशासन में फंसा पेच

इंस्पेक्टर ने शासन को भेजी थी खनन की रिपोर्ट, एसडीएम की जांच में सब वैध मिला

माई सिटी रिपोर्टर

लाखनऊ। राधर तहसील क्षेत्र के कुसमौर हलवापुर गांव में अवैध खनन को लेकर पुलिस और प्रशासन के बीच पेच फंसा गया है। काकोरी इंस्पेक्टर प्रमोद कुमार सिंह ने जहां इलाके में मानक के विपरीत हो रहे खनन की रिपोर्ट शासन और प्रशासन के अफसरों को दो सप्ताह पहले भेज दी थी, वहीं अब एसडीएम सदर प्रफुल्ल त्रिपाठी का कहना है कि उनकी जांच में अवैध खनन नहीं पाया गया है।

बहरहाल, अवैध खनन से प्रामीण पेशाना है। उनका कहना है कि योते कई मशीनों से गाटा संख्या 765,769 की परिमिशन की आड़ में बड़े पैमाने पर अवैध खनन किया जा रहा है।



अवैध खनन के काम में लगी जेसीबी।

माफिया राजाना दर्जनों डंपरों के जरिये मिट्टी बेच रहे हैं। उनका कहना है कि स्थानीय प्रशासन कार्रवाई नहीं कर रहा है। अब वे भूतत्व एवं खनिकर्म निदेशालय के निदेशक डॉ. रोशन जैकब से शिकायत करेंगे। मिट्टी की

दुलाई की वजह से भूल के चलते आम के बाग़ीचे में बौर को नुकसान पहुंच रहा है। किसान आम की फसल को दो बार धुलवा चुके हैं, लेकिन मिट्टी के कारण बौर काला पड़कर नष्ट हो रहा है।

मानक के मुताबिक मिला खनन

जांच में पाया गया कि 32 हजार घन मीटर खनन की अनुमति दी गई थी। उसी के अनुसार खनन किया गया है। एनएचआई आउटर रिंग रोड में खनन कर मिट्टी डाले जाने की परिमिशन दी गई है। अगर मिट्टी बाहर ले जाते डॉकर मिलेंगे तो कार्रवाई की जाएगी।

—सदर प्रफुल्ल त्रिपाठी, उप विलेनधिकारी, सदर

मानक के विपरीत खनन की भेजी है रिपोर्ट

मानक के विपरीत खनन करने की रिपोर्ट बनकर दो सप्ताह पहले शासन और प्रशासन के अफसरों को भेजी गई थी। अभी तक इस मामले में कोई कार्रवाई शासन की ओर से नहीं की गई है। —प्रमोद कुमार सिंह, इंस्पेक्टर, काकोरी

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जिला प्रशासन के नाक के नीचे हो रहा है अवैध खनन व ओवरलोडिंग का खेल

जिला संवाददाता

हमीरपुर। उत्तर प्रदेश के बुन्देलखण्ड का हमीरपुर जनपद बालू के अवैध खनन के लिए अक्षर चर्चा में रहा है। यहाँ बालू के अवैध खनन का कार्य जनपद में बैठे डिप्टीमैजिस्ट्री की मिलीभगत खून फलफूल रहा है। नदी की जलधारा को रोककर प्रतिबंधित भूमियों से बालू के अवैध खनन का कार्य चालू से किया जाता है। अधिकारियों की मिट्टीभण्ड से बालू माफिया टनकोटी के नियंत्रण में जपकर धरिजवां उठाते हैं। टनकोटी की संरक्षण में बालू सहे ओवरलोड टुक रिकव प्रशासन की नाक के नीचे से जनपद की सीमा को पार करते हैं। पार कर्ना मजदूर की इन पर कोई हाथ लगा पाए नहीं। जनपदों से आकर या जाने कितने बालू माफिया मालामाल होकर बने गए दुनिया के सभ्य रूप पर मेहरबान रहे या जाने कितने अधिकारी भी मालामाल हो गए।

दिन रात ओवरलोड बालू सहे टुकों का जमाक जमाक लगा रहता है। यह माफिया हमीरपुर कस्बे से सीकर जिला मुख्यालय से निकरती हैं। फिर भी जिले में बैठे



सिमांकन नहीं जुटा पाते हैं। बताया जाता है कि इन ओवरलोड गाड़ियों के आगे पीछे बनेंगे गाड़ी ओकेशन में चलती हैं। बल्लेरी गाड़ी में बैठे लोकेटरों की अधिकारियों से अच्छी खासी संतुष्ट होती है।

दिन पर जिला प्रशासन की खासी मेहरबानी रहती है। यह बालू सही ओवरलोड गाड़ियां चिनौलर धाने व बाँदा जनपद के जयपुर कस्बे की तरफ से बालू भरकर हमीरपुर कस्बे होते हुए जनपद की सीमा की पार करती हैं। लेकिन क्या मजदूर की इन पर कोई हाथ लगा पाए। बालू सहे ओवरलोड टुकों के सम्बन्ध में जब परकवार ने खान अधिकारी कमलेश राय से बात की तो बौखलाए खनिज अधिकारी ने परकवार की ही बात परकवार को पूरा कर दिया और खनिज अधिकारी ने परकवार से ही इन पर कार्रवाई करने का रास्ता पूछने हुए सभ्य सभ्य में कर दिया

बातचीत का आडियो मोराल मीडिया पर बायरल हो गया। जो चर्चा का विषय बना हुआ है राय की बात से यह सभ्य जाहिर है कि इनका विभाग बालू माफियाओं पर खासा मेहरबान है।

यहाँ के लोग बतते हैं कि जिला प्रशासन, खनिज अधिकारी, आउटरीओ विभाग सहित पुलिस के सहयोग से ही ओवरलोड गाड़ियों सहित अवैध खनन का खेल खेला जाता है। बालू खदानों में एनबीटी की जमकर धरिजवां उड़ाई जा रही हैं। माफियों के विपरीत परिवर्तन हो रहा है। यहाँ लगे कैमरे शोपीस बने हुए हैं। बालू माफियाओं की अधिकारियों से अच्छी खासी संतुष्ट होती है। यह माफिया अधिकारियों की जेबों तक हर माह अच्छी खासी रकम पहुँचा देते हैं। जिसके बाद ही यह सीमा ताककर इन खानों की अंजाम देते हैं। गुलाबी आँधी की तरफ पर अधिकारी इनकी ओर सर उठाकर देखने की जिम्मा नहीं जुटा पाते हैं।

बातचीत राय से जब भी कोई परकवार अवैध खनन या ओवरलोड की बात करता है वह जमाक जमाक बने किले है। ऐसा लगता है कि यह ही योगी राज का सभ्यो बालू

अमर उजाला, 06.01.2021

अवैध खनन पर डीएम सख्त

लखनऊ। अवैध खनन पर रोक लगाने को प्रशासन और सख्ती बरतेगा। इसके तहत आउटर रिंग रोड के निर्माण में लगी तीनों कंपनियों के साथ खनन लाइसेंस लेने वालों से दैनिक टारगेट रिपोर्ट खनन अनुभाग को उपलब्ध कराने का निर्देश दिया गया है। इसमें अनुमति के सापेक्ष कितना खनन हुआ है, उसका उपयोग पहले से तय शर्तों पर किया गया या नहीं, इसका पूरा विवरण संबंधित प्रतिनिधि के हस्ताक्षर के साथ देना जरूरी होगा। इसके आधार पर अवैध खनन या परिवहन का मामला सामने आने पर ठेकेदार के खिलाफ मुकदमा दर्ज कराया जाएगा। शासन की सख्ती के बाद यह निर्देश डीएम अभिवेक प्रकाश ने जारी किया है। इसमें कहा गया है कि समय से कार्य पूरा न करने की दशा में कंपनी या ठेकेदार को ब्लैक लिस्ट कर वसूली भी होगी। अवैध खनन या परिवहन रोकने व निगरानी की जिम्मेदारी सभी एसडीएम, एसपी एवं संबंधित थानाध्यक्ष की होगी।

अमर उजाला, 12.01.2021

मिट्टी का अवैध खनन कर रहा रेलवे ठेकेदार

लखनऊ। पूर्वोत्तर रेलवे की लखनऊ में चल रही एक परियोजना के ठेकेदार और उप ठेकेदार द्वारा मिट्टी का अवैध खनन करने का मामला सामने आया है। भूतत्व एवं खनिकर्म विभाग की सचिव

भूतत्व एवं खनिकर्म विभाग ने लखनऊ डीएम को जांच के लिए निर्देश

ने लखनऊ के जिलाधिकारी को जांच के निर्देश दिए हैं। भूतत्व एवं खनिकर्म विभाग की सचिव डॉ. रोशन जैकब ने बताया कि लखनऊ में पूर्वोत्तर रेलवे के एक प्रोजेक्ट

पर आवश्यक मिट्टी के लिए ठेकेदार अर्चना कंस्ट्रक्शन व सब कांटेक्टर सिंह कंस्ट्रक्शन की ओर से अवैध खनन करने की शिकायत मिली है। उन्होंने बताया कि पूर्वोत्तर रेलवे के कार्यों के लिए आवश्यक साधारण मिट्टी की आपूर्ति के लिए जारी अनुमति पर रोक लगाने के निर्देश दिए गए हैं। उन्होंने साधारण मिट्टी के खनन परिवहन के लिए जारी लाइसेंस का सत्यापन कराने, वर्क ऑर्डर गलत या कूटरचित पाए जाने पर संबंधित के विरुद्ध एफआईआर दर्ज कराने के निर्देश भी दिए हैं।

सख्ती: अवैध खनन पर डीएम की भीष्म प्रतिज्ञा! मची खलबली!

हरद मित्र

बादा। जिले में लाल सोने (मीरंग) को लूट की मिल रही शिकायतों पर जिलाधिकारी आनन्द सिंह रेट एगर्ट हो गये हैं। उनके मातहत उन्हें अवैध खनन न होने के संदर्भ में जो गुमराह कर रहे है, शिकायतें मिलने पर डीएम इस संदर्भ में सम्भर हैं और वह स्वयं अवैध खनन की शिकायतों पर मौके पर पहुंच कर निरीक्षण करेंगे। डीएम आनन्द कुमार सिंह को अवैध खनन न होने देने की घोषणा भीष्म प्रतिज्ञा के समान जलदा के बीच मानी जा रही है, क्योंकि अभी उन्होंने अपने बंधु ही कार्यकाल में दर्ता दिया है की बिगाड़ जिले को साइन पर कैसे लाया जा सकता है।

डीएम आनन्द सिंह को अफास हो चुका है की जिले में अवैध खनन पर पूरी तरह अभी लगान नहीं लग पा रहा क्योंकि उनके स्वयं के अधीन भी बहुत

कर्मिल भूए अफसर आरवीन के साथ जैसा काम कर रहे हैं। इसमें चलते खनन माफिया बेलगाम से हैं। यही कारण है की अवैध खनन का बोलबाला सिर चढ़ कर बोल रहा है।

जिले में नरसो अवैध खनन के लिए बदनाम है तो बढीमा में केन व रंज की सहायक कागी नदी में बरकतपुर घाट पर एक से दूसरे छोर तक नदी के बीच कालबट्ट चांस गढ़े दिखते हैं। इन चांस के बीच लोहे की मोटी फ्रेट, कंक्रिट व पत्थर से बनाए गए रास्ते से कहने खुद उतराए हो जाती है। नदी के बीच से गुजरते वाहन चलाने को काफी है कि बहते हुए पानी पर भारी वाहन किसी तकनीक से नहीं चल रहे, बल्कि पानी के नीचे पत्थर, सोरेंट व मीरंग को खोर्सो छलकर पुल बनाया गया है। नदी के बीच में पोकलैंड गाबज रहीं हैं। मीरंग खनन के साथ टुक और डेम लोड हो रहे हैं। बाद



प्रतिबंधित नरसो जलधारा में तटबंध मचा रही है। नदी की जलधारा जहां दिशा बदल रही है, वहाँ ग्रामियों के लिए आसंकित भविष्य में खड़ा हो सकता है तो बलौर, बोंब-जंतुरों के अस्तित्व को भी खतरा है।

डीएम साहब के संज्ञान में मारल आया तो एमडीएम नहीं, मरद व अर्था की टीम गठित की। 24 घंटे में रिपोर्ट मांगी है। खुद मौके पर जाकर जांच करने की कड़ा है। अवैध पुल मिरले पर कटोर भी होमे दूसरी और बरकतपुर बालू खदान पहुंचे खनिज अधिकारी व राजस्व टीम ने सोसांकन जांचा। आसपास पुल को अवैध मानने से इंकार कर दिया। गाबज के हैं। खनिज विभाग के अधिकारी हकीकत नहीं दिखाती तबियार की बरकतपुर बालू खदान में अवैध खनन और नदी में अवैध

पुल बनाने की जांच करने पूरा अमला पहुंचा, लेकिन आदर सरकार के बीच नली जांच के दौरान सब ठीक दिखा उसी तरह जैसे एक दिन पहले महुटा खदान का बालूया लिया गया था। खस यह कि नदी के बीच बने पुल को खनिज अधिकारी ने अवैध मानने से इन्कार कर दिया। कहा कि नदी का पानी रुका नहीं है, इसलिए किसी बालूया का अक्षेप नहीं हुआ खनन शर्तों व मानक के बिपरीत गाब से 10 फीट गहरी छोटाई के सवाल पर गोल-गोल जवाब देकर बात टाल दी गई। जानकार बताते हैं कि उदयपुर में दो टेम्पेचर से ज्यादा में अवैध खनन हो चुका है।

अब जिलाधिकारी भी काफी हद तक धराशरों की समझ चुकें हैं और समस्या के निदान के लिये उन्होंने अपने बरसवर्त सूर्या गौड़ो हाथ सफल कर राजस्व को हानि न पहुंचाने देने की अपनी रफार को और गति देने की सो उन सो हैं।

वॉयस ऑफ मूवमेंट

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भुलसी खदान पर अवैध खनन: बिगाड़ रहे नदी का स्वरूप

जिला अंतर्गत

हमीरपुर। जिला प्रशासन के माध्यम से अवैध खनन का निरोध करोकर पुल बन रहा है विकासखण्ड मीरंग के पुल को बना नदी को खदान पर भारी मशीनों से खोरा का खदान का ओबालेड मीरंग को जा नहीं है जिले में कीे खनिज अधिकारी को भी इस अवैध खनन को रोकने की प्रेरणा नहीं है। खनन विभाग के धुलसी खदान पर लेहाक मीरंगों तक व मीरंगों टैकटा अवैध खनन करके मशीनों से लेहा किया जा रहे हैं नदी को जलधारा पर भारी मशीनों के द्वारा खदान काबक नदी का स्वरूप बिगाड़ जा रहा है। नदी को जलधारा लुप्त हो जा रही है।

असमय के मीरंग का जलधारा नीचे होना चल जा रहा है। खदान को भारी भार से अत्यन्त भारीव न हो रहा है



विषयों किसे प्रकार का कोई भी व्यक्ति अवैध खनन को जानकारी न जुटा सके ग्रामियों ने बताया कि भारी पोकलैंड मशीनों द्वारा आज दिन मीरंगों तक व मीरंगों टैकटा ओबालेड मीरंग लेहा करके अवैध खनन का कार्य एवं खोराया चल रहा है।

ग्रामियों का कहना है कि अधिकारियों और खनन विभाग व पुलिस को मिलीभगत से नदी की जलधारा को मोड़ने

का कार्य किया जा रहा है और बुन्देलखंड का लाल सोन निकलने में कामयाब है भारी पोकलैंड मशीने ओबालेड टुक व टैकटा बने के सामने से रात दिन गुजरते हैं फिर भी पुलिस को यह ओबालेड माडिया दिखाई नहीं देती ग्रामियों ने बताया कि खदान संचालक द्वारा मार्ग पर फले नहीं डालाए जात विषयों पुल का मुका दिन रात उठाने है और लोगों को लह-लह की ओबालिया फैल रही है

खदान संचालक के पुर्न अमलाओं से लेना होकर रात दिन मरुकों पर चल पौटा की गाड़ी से पत्थरका प्रेषण करते हैं विषयों उनके खिलाफ कोई कुछ करने का प्रयत्न नहीं जुटा पात हीखान संचालक द्वारा किसानों के खेतों पर जबाब दिया जाता बना दिए गए हैं।

जहां से मीरंगों तक और टैकटा निकाले जाते हैं विषयों किसानों को भसले यह हो रही है लेवा गाब के किसान

पुल बनाने की जांच करने पूरा अमला पहुंचा, लेकिन आदर सरकार के बीच नली जांच के दौरान सब ठीक दिखा उसी तरह जैसे एक दिन पहले महुटा खदान का बालूया लिया गया था। खस यह कि नदी के बीच बने पुल को खनिज अधिकारी ने अवैध मानने से इन्कार कर दिया। कहा कि नदी का पानी रुका नहीं है, इसलिए किसी बालूया का अक्षेप नहीं हुआ खनन शर्तों व मानक के बिपरीत गाब से 10 फीट गहरी छोटाई के सवाल पर गोल-गोल जवाब देकर बात टाल दी गई। जानकार बताते हैं कि उदयपुर में दो टेम्पेचर से ज्यादा में अवैध खनन हो चुका है। अब जिलाधिकारी भी काफी हद तक धराशरों की समझ चुकें हैं और समस्या के निदान के लिये उन्होंने अपने बरसवर्त सूर्या गौड़ो हाथ सफल कर राजस्व को हानि न पहुंचाने देने की अपनी रफार को और गति देने की सो उन सो हैं।

बेखौफ चल रहे है ओवर लोड बालू भरे ट्रैक्टर

जिला संवाददाता

भरुआ सुमेरपुर (हमीरपुर) खनिज विभाग व पुलिस की मिली भगत से टीकापुर खदान से ओवर लोड बालू भरे ट्रैक्टरों की धमाचीकड़ी दिन रात बदस्तूर जारी है इन बालू भरे ओवर लोड ट्रैक्टरों के खिलाफ कोई कार्यवाही न होने से इनके हौसले बुलंद है।

विकास खण्ड सुमेरपुर के ललपुरा थाना क्षेत्र से करीब तीन दर्जन ट्रैक्टर ओवर लोड बालू लाद कर रोजाना फर्राटा भर रहे है इन ट्रैक्टरों में करीब 180 से 200 फिट तक बालू लदी रहती है जबताया गया कि कुछ ट्रैक्टर रॉयल्टी से चलते है और अधिक सख्या में ट्रैक्टर बिना रॉयल्टी के चलते है उसमें भी जो ट्रैक्टर रॉयल्टी से चलते है उनका समय दो घण्टे का होता है लेकिन उसी रॉयल्टी से कई चक्कर लगा लेते है ओवर लोड बालू लादकर चलने वाले एक ट्रैक्टर चालक का कहना था कि इसके एवज में ललपुरा व सुमेरपुर

थाने को बाकायदा सुविधा शुल्क दिया जाता है ललपुरा क्षेत्र की टीकापुर व अन्य खदानों से ओवर लोड ट्रैक्टर बालू लादकर क्षेत्र के बांकी,बांक, बिलाहड़ी, पलरा, नदेहरा, धरमपुर, अमिलिया, सुमेरपुर सहित कई गांवों में बालू की बिक्री करते है। लोगों का कहना है कि ओवर लोड बालू भरे ट्रैक्टरों के खिलाफ आखिर कोई कार्यवाही क्यों नहीं की जा रही है न ही इनकी रॉयल्टी देखी जा रही है इससे साबित होता है कि चाहे वो खनिज विभाग हो या पुलिस दोनों ही इस धंधे को करने में खुली छूट दिए है। अन्यथा यदि कार्यवाही होने लगे तो मजाल नहीं है कि ओवर लोड बालू भरे ट्रैक्टर बेखौफ चलते रहे। मालूम हो कि पिछले दिनों रुपया लेते हुए ललपुरा थाने के एक दिवान का वीडियो वायरल हुआ था और उसके खिलाफ कार्यवाही भी हुई थी इसके बावजूद अभी भी इसमो कोई सुधार नहीं हुआ और ओवर लोड बालू भरे ट्रैक्टरों की धमाचीकड़ी बदस्तूर जारी है।

ओवरलोडिंग में फिर पकड़े गए तीन दर्जन बालू ट्रैक्टर

जिला संवाददाता

बांदा। जिले में लाल सोना पर डकैती लगातार जारी है। छापामारी अभियान के बावजूद लाल बालू के काले कारोबारी भी नियमों को टेंगा दिखा रहे हैं। तमाम खनन पट्टाधारों बगैर रकबे के परिवहन कराने से बाज नहीं आ रहे। इस काले कारोबार पर अंकुश लगाने के लिए एक बार फिर खनिज विभाग और प्रशासनिक टीम ने कई क्षेत्रों में छापामारी कर तीन दर्जन से ज्यादा ओवरलोड बालू लदे ट्रैक्टरों को पकड़ लिया। सभी ट्रैक्टरों को बालू खाली कराकर उन्हें सम्बन्धित थाना पुलिस के हवाले किया गया है।

गौरतलब हो कि जिले में मची बालू लूट के बीच खनन पट्टाधारक व बालू माफिया एनबीटी और शासनदोस्तों का उल्लंघन कर बालू खनन कराने में जुटे हैं। ऐसे खनन पट्टाधारक किसी भी नियमों का पालन नहीं कर रहे हैं। ज्यादातर बालू खदानों से बगैर रकबे के ओवरलोड ट्रैक्टर निकाले जा रहे हैं।



इस कालाबाजारी को रोकने के लिए खनिज विभाग और प्रशासनिक टीम लगातार कार्यवाहियां कर रही है लेकिन खनिज कारोबारी बाज नहीं आ रहे। बालू की कालाबाजारी को रोकने के लिए सोमवार को खनिज विभाग और प्रशासनिक टीम ने एक बार फिर छापामारी की। डीएम के निर्देश पर खान निरीक्षक ने मरीली खादर खण्ड संख्या 2 साहू इलेक्ट्रिकल्स स्टोर बड़ीहाट महोबा के रास्ते पर 3 ओवरलोड ट्रैक्टर और मरीली खादर खण्ड संख्या 4 बोपी कान्स्ट्रक्शन में 2 ट्रैक्टरों को बिना वैध परिवहन प्रपत्र के ओवरलोडिंग में पकड़ा है। इन ट्रैक्टरों को मर्दौध थाना पुलिस के हवाले कर दिया गया है। इन पट्टाधारकों के खिलाफ भी नियमानुसार विधिक कार्यवाही की जाएगी। उपर, प्रशासनिक टीम ने मरीली खादर के

खण्ड संख्या 2, 3 व 4 की जांच की। जांच के दौरान खदान के धरमकाटे के पीछे 10, 13 और 8 ओवरलोड ट्रैक्टर पाए गए। इन ट्रैक्टरों को मौक पर ही खाली करा दिया गया। खनिज अधिकारी सुभाष सिंह का कहना है कि ओवरलोडिंग किसी भी हाल में नहीं होने दी जाएगी। दोषी पाए जाने वाले खनन पट्टाधारकों के खिलाफ कार्यवाही की जाएगी।

अवैध परिवहन की कार्यवाही में पकड़े गए मरीली खादर खण्ड संख्या 2 के साहू इलेक्ट्रिकल्स स्टोर के खनन पट्टाधारी ने नगर मुख्यालय में सपा के पूर्व जिलाध्यक्ष को सारी बागडोर सौंप रखी है। यह सपा नेता खनन के नियमों का उल्लंघन कर राजनीति के जरिए खुलेआम ओवरलोडिंग करा रहा है। सुशों का कहना है कि यह नेता खुद के सम्बन्ध पार्टी के राष्ट्रीय अध्यक्ष अखिलेश यादव से जोड़कर चलाता है। अधिकारियों और खनिज विभाग पर धींस जमा कर बालू की कारोबारी में आड़े न आने की धमकी देता है।

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of Uttar Pradesh for necessary action. The report also be uploaded on the website of the Committee.

15-03-2021

15-03-2021

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

March 15, 2021

Annexures: As above

Please visit our website: oscngt.upsdc.gov.in for more information.

OA No. 173/2018 in re: *Sudarshan Das versus State of West Bengal and others*, **Order dated 04.09.2019:**

“29. Apart from above, in view of the grave and alarming situation and gross failure on the part of the authorities in the concerned districts in both the States of Odisha and West Bengal and to prevent illegal and unscientific sand mining in the areas in question, we deem it essential to issue following directions:-

- (i) *The State of West Bengal and Odisha may demarcate the boundaries for regulating grant of sand mining lease within three months from today. No mining lease of minor minerals may be given in the area in question till demarcation is complete. All existing mining operations in those areas shall remain suspended till demarcation work is completed and attains finality. To carry out the demarcation, the Chief Secretaries of the two States may constitute a team of three suitable officers each within two weeks. The said teams may hold their first meeting within one month.*
- (ii) *The States of West Bengal and Odisha must ensure that mining in all sand mining blocks is undertaken strictly in accordance with the provisions of EIA Notification, 2006, MoEF Notification dated 15th January, 2016 and the Sustainable Sand Mining Management Guidelines, 2016. They must also ensure that no sand mining is permitted without due compliance of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 as well as regulations governing clearances by the Central Ground Water Authority. The District Administration must be held accountable for any failure.*
- (iii) *District Magistrates and Superintendents of Police, Balasore district in Odisha and Paschim Medinapur, West Bengal, respectively, shall seize all sump pumps, other machinery, tools, vehicles, etc. used for carrying out illegal sand mining.*
- (iv) *Apart from instituting appropriate criminal proceedings against those carrying out illegal mining, exemplary penalty shall be imposed against them by the concerned District Magistrates within three months from today to cover the cost of restoration of environment and to compensate the victims.*

- (v) *The Chief Secretaries of the two States shall also get prepared jointly a detailed restoration plan for river Subarnarekha and its river beds for which a Committee of experts shall be constituted from independent institutions, i.e., the CPCB, Indian School of Mines, Dhanbad and the respective State Pollution Control Boards as members. Such constitution may take place within one month.*
- (vi) *The Expert Committee shall carry out detailed study and submit the restoration plan, as far as may be practicable, within three months after its constitution.*
- (vii) *The Committee shall also get the assessment done through Indian Council of Forestry Research and Education, Dehradun of the ecological damage on account of illegal mining by incorporating the following components:*
- (a) *Cost of river bed material.*
- (b) *Cost of ecological restoration.*
- (c) *Net present value of the future ecosystem services foregone.*
- (viii) *The above steps may be facilitated by the Regional Office of the CPCB as nodal officer, by coordinating with the Chief Secretaries of the two States.*
- (ix) *The damage suffered by the inhabitants caused by the illegal mining may also be assessed by the above Committee, which shall form a separate component of the Restoration Plan for river Subarnarekha as per direction No. (v) above. Cost of restoration plan shall be recovered as environmental compensation from the illegal miners, to be identified by the District Magistrate. The component of the compensation in respect of damages suffered by the inhabitants may be credited with District Legal Services Authority. The District Legal Services Authority may disburse the same to the victims of illegal mining, after proper identification.”*

OA No. 44/2016 in re: Mushtakeem vs MoEF&CC and others, Order dated 26.07.2019:

“20. It is made clear that pending further reports, the States must apply the compensation regime as per principles specified in paragraph 56 of order dated 05.04.2019.”

“56. Similar criteria may have to be taken into account for arriving at an approximate scale of compensation. The compensation is to include not only the full value of the illegally mined material but also cost of restoration of environment as well as cost of

ecological services foregone forever. It should be deterrent so as not to render such illegal activity profitable. In Sudarsan Das Vs. State of West Bengal &Ors. (Supra), it was held that full value of the material, the cost of restoration and the NPV should form part of the compensation to be recovered. There has also to be action against the polluters and the erring officers. The vehicles or any other equipment used for illegal mining are required to be confiscated and to be released only on payment of atleast 50% of the showroom value as laid down in Original Application No.110(THC)/2012, Threat to life arising out of coal mining in South Garo Hills District v. State of Meghalaya &Ors. This scale can then apply for all States, as far as possible.”

OA No. 186/2016 in re: *Satendra Pandey vs MoEF&CC and another*, **Order dated 13.09.2018:**

“22. For all these reasons, we direct that the procedure laid down in the impugned Notification be brought in consonance and in accord with the directions passed in the case of Deepak Kumar (supra) by (i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-IM be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA; (iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance; (iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof; (v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area; (vi) the MoEF&CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining.”

ओ०ए० नं०-670 / 2018

अदुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार व अन्य

के मामले में

मा० राष्ट्रीय हरित अधिकरण (एन०जी०टी०), नई दिल्ली

द्वारा गठित

अनुश्रवण समिति

के

अध्यक्ष मा० न्यायमूर्ति श्री राजेश कुमार (से०नि०)

की अध्यक्षता में

दिनांक 11.06.2019 को

सर्किट हाउस, प्रयागराज

में सम्पन्न बैठक के कार्यवृत्त में दिये गये निर्देशों का

अनुपालन आख्या

दिनांक 03.07.2019

7050 नं०-670/2019 अनुसंधित सिंध खोदने बनाम पर्यावरण, वन एवं जलसामु परिपालन विभाग, भारत सरकार व अन्य के मामले में मा० राष्ट्रीय हरित अधिकरण (एनजीटीओ), नई दिल्ली द्वारा गठित अनुभवन समिति के अध्यक्ष मा० न्यायवृत्ति श्री राजेश कुमार (से०नि०) की अध्यक्षता में दिनांक 15.03.2019 को सफिट हाउस, प्रयागराज में सम्पन्न बैठक के कार्यपत्र में दिये गये निर्देशों का अनुपालन आख्या निम्नवत् है:-

1. निर्देश:- CCTV of larger range be installed at the specific places, where the illegal mining is going on to monitor the illegal mining. Satellite pictures can also be taken to identify the places where illegal mining is going on.

अनुपालन आख्या-अधिसूचना/परिवहन से सम्बन्धित संवेदनशील स्थानों पर लम्बी दूरी तक वाले सैटेलाइट/सीसीटीवी कैमरा लगाये जाने का प्रस्ताव पर्यावरण पर संख्या-242/सजि/टीएनओएफ/2019-20 दिनांक 15.03.2019 एवं अनुभवनक पत्र दिनांक 25.03.2019 द्वारा शासन को प्रेषित है। प्रत्येक संवेदनशील स्थानों पर सैटेलाइट/सीसीटीवी कैमरा लगाये जाने को हाईडिफिन्शन के साथ-साथ नॉट रिजल की सुविधा के साथ होगा।

2. निर्देश:- Regular patrolling of police squad be made on daily basis. Police party not only visit but also take photographs of each day particularly for the period between 6.00 Am to 6.00 Pm.

अनुपालन आख्या-पुलिस दलों को नियमित पैट्रोलिंग करने के निर्देश पुलिस विभाग को दे दिये गये हैं।

3. निर्देश:- S.H.O. of concerned Thana and concerned mine officer may give daily report and send photographs to R.O. U.P Pollution Control Board, Prayagraj and D.M. Prayagraj.

अनुपालन आख्या-निम्नलिखित रूप से जर्नीपत्रना अवसूचक कार्यवाही हेतु पुलिस उपमंडल, क्षेत्राधिकारी एवं सम्बन्धित थान अधिकारी को निर्देश दे दिये गये हैं। निर्देशों की क्रमशः संलग्नक-1 है। समिति की बैठक दिनांक 15.03.2019 के अनुपालन में दिनांक 15.03.2019 से दिनांक 09.06.2019 तक पन्च गयी से संचालन बाजू के अकेले खनन व परिवहन के निष्पन्न की गई कार्यवाही के अनुसार दिनांक 15.03.2019 से दिनांक 17.05.2019 तक अधिसूचना के 03 प्रकल्पों में तथा अधिसूचना के 36 प्रकल्पों के अन्तर्गत संचालन रिपोर्ट (एफओआईआर) दर्ज कराई गई है तथा दिनांक 18.05.2019 से दिनांक 02.08.2019 तक अधिसूचना के 14 प्रकल्पों में 14 एफओआईआर तथा अधिसूचना के 29 प्रकल्पों में 29 एफओआईआर अर्थात् कुल 43 प्रकल्पों में 47 एफओआईआर दर्ज कराई गई है। अधिसूचना अधिकांश, प्रयागराज में अपने पत्र संख्या 498/सजि/2019 दिनांक 10.08.2019 द्वारा अपनी विद्युत आख्या क्षेत्रीय अधिकारी एडवाइसरी एडवाइसरी निदेशन कोषी क्षेत्रीय कार्यालय प्रयागराज एका जिलाधिकारी, प्रयागराज को प्रेषित की है। आख्या की प्रति पत्र के साथ संलग्न है। (संलग्नक-2)

4. निर्देश:- CCTV be also installed at all the exit points. From where loaded Trucks with sand, moves, to check the actual number of trucks departed and over loading.

अनुपालन आख्या- 3030 उपखनिज (हरितार) निष्काशनी-1883 एवं पट्टाधिकार वाली के अनुसार 05 डेपॉजिट से अधिक क्षेत्रफल वाले खनन क्षेत्रों में सैटेलाइट/सीसीटीवी कैमरा लगाये जाने का प्रावधान है। अधिसूचना अधिकांश द्वारा अपनी आख्या दिनांक 17.05.2019 में उल्लेख किया गया है कि "जनपद प्रयागराज में खुना नदी तट निष्पन्न संचालन बाजू के कुल-21 क्षेत्रों में से 11 क्षेत्रों (खण्ड संख्या-01, 02, 04, 05, 06, 08, 10, 12, 17, 18 व 21) पर मौजूदा पट्टा स्वीकृत है। मौजूदा पट्टा पर स्वीकृत उपरोक्त 11 बाजू क्षेत्रों में से 08 बाजू क्षेत्रों (खण्ड संख्या-01, 02, 04, 05, 06, 08, 12, 18 व 21) के exit points, जहाँ से Sand Loaded Trucks निकलते हैं, पर गाड़ियों की संख्या एवं Over loading का Monitoring करने के लिए सम्बन्धित पट्टाधारकों से CCTV कैमरा स्थापित कराया गया है तथा 01 बाजू क्षेत्र (खण्ड संख्या-17) कुल गेला क्षेत्र के अन्तर्गत आने के कारण गेला गाड़ियों प्रारम्भ होने के उपरान्त इस क्षेत्र में अभी तक खनन कार्य प्रारम्भ नहीं किया गया है जिसके कारण सम्बन्धित पट्टाधारक द्वारा इस बाजू क्षेत्र में कोई CCTV कैमरा नहीं लगाया गया है। उपरोक्त के अधिसूचना बाजू क्षेत्र खण्ड संख्या-10(आम-कैनुज, विखल) से सम्बन्धित पट्टाधारक द्वारा exit points, जहाँ से Sand Loaded Trucks निकलते हैं, पर गाड़ियों की संख्या एवं Over loading का Monitoring करने के लिए से CCTV कैमरा स्थापित किया गया था परन्तु बलियप अड्डा असावक गाड़ी द्वारा उसे तोड़ दिया गया जिसके कारण सम्बन्धित पट्टाधारक के exit points पर पुनः CCTV कैमरा लगाने हेतु निर्देशित किया गया है।"

5. निर्देश—In case of illegal mining and illegal movement of the truck and over loading, the trucks be immediately be seized and FIR be lodged and be released only in accordance to the order of the Hon'ble NGT.

अनुपालन आख्या—अवैध खनन/परिवहन तथा निर्धारित मात्रा से अधिक मात्रा में परिवहन करने परकड़े मने वाहनों को पकड़कर जप्त किया जा रहा है। ऐसे प्रकरणों में सम्बन्धित बानों में प्रथम सूचना रिपोर्ट दर्ज करायी जा रही है। ज्येष्ठ खान अधिकारी द्वारा मा0 न्यायक्षेत्र को प्रेषित आख्या में मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित आदेश का उल्लेख किया जा रहा है (संलग्नक-3)। उक्तसील ज्येष्ठ खान अधिकारी ने सविनियमित की बैठक दिनांक 15.03.2019 के अनुपालन में दिनांक 15.03.2019 से दिनांक 09.06.2019 तक यमुना नदी से साधारण बालू के अवैध खनन व परिवहन के विरुद्ध की गई कार्यवाही से सम्बन्धित रिपोर्ट प्रस्तुत की है जिसके अनुसार दिनांक 15.03.2019 से दिनांक 17.05.2019 तक अवैध खनन के 08 प्रकरणों में तथा अवैध परिवहन के 36 प्रकरणों में प्रथम सूचना रिपोर्ट (एफ0आइ0आर0) दर्ज कराई गई है तथा दिनांक 18.05.2019 से दिनांक 09.06.2019 तक अवैध खनन के 14 प्रकरणों तथा अवैध परिवहन के 29 प्रकरणों कुल 87 प्रकरणों में एफ0आइ0आर0 दर्ज कराई गई है। ज्येष्ठ खान अधिकारी, प्रयागराज ने अपने पत्र संख्या 496/खनिज/2019 दिनांक 10.06.2019 द्वारा अपनी विस्तृत आख्या क्षेत्रीय अधिकारी उ0प्र0 प्रदूषण नियंत्रण बोर्ड क्षेत्रीय कार्यालय प्रयागराज को प्रेषित की है। अवैध खनन/परिवहन में शलिया अभियुक्तों के विरुद्ध गैंगेस्टर एक्ट के अन्तर्गत कार्यवाही की गई है तथा भविष्य में भी अपराधों का संज्ञान होने पर अभियुक्तों के विरुद्ध गैंगेस्टर एक्ट के अन्तर्गत भी कार्यवाही की जायेगी। गैंगेस्टर एक्ट के अन्तर्गत की गई कार्यवाही का विवरण संलग्न है (संलग्नक-4) एवं खनिज प्रवर्तन दल द्वारा दिनांक 10.06.2019 से दिनांक 30.06.2019 के मध्य अवैध परिवहन 17 प्रकरणों एफ0आइ0आर0 दर्ज करायी गयी है (संलग्नक-5) ।

6. निर्देश—D.M. and S.S.P. Prayagraj may take a surprise check periodically to watch the action of Police Officer and Mine Officer and send the report to the chairman of the committee.

अनुपालन आख्या— उच्च अधिकारियों द्वारा अचानक जाँच की जा रही है। ताहसील—बारा में यमुना नदी के किनारे स्थित बारा का आकस्मिक निरीक्षण किया गया। अवैध खनन व परिवहन को न्यून स्तर पर ले जाने हेतु निम्नानुसार निर्देश दिये गये हैं—

1. यमुना नदी की घाट में बालू का अवैध खनन व परिवहन किया जाता हुआ पाये जाने पर सम्बन्धित उपजिलाधिकारी, पुलिस क्षेत्राधिकारी, जिला खान अधिकारी एवं सम्बन्धित थानाध्यक्ष/प्रभारी निरीक्षक व्यक्तिगत रूप से जिम्मेदार होंगे। उपरोक्त सभी अधिकारी द्वारा अवैध खनन व परिवहन को रोकने हेतु आपस में सांयोज्य स्थापित करते हुये प्रतिदिन अपने-अपने क्षेत्रों में भ्रमणशील रहकर अवैध खनन के सम्बन्ध में सांयोज्य स्थलों की जाँच कर प्रभावी कार्यवाही करना सुनिश्चित करेंगे।
2. वन रचना (प्रपत्र ई-एन0एम0 11) के बिना साधारण बालू का परिवहन किया जाता हुआ पाये जाने पर खनिज वाहन को सीमा करते हुए सम्बन्धित वाहन चालक एवं फट्टाधारक अथवा अवैध खननकर्ता के विरुद्ध सुसंगत धाराओं में प्रथम सूचना रिपोर्ट दर्ज कराकर कड़ी कार्यवाही करायी जाय।
3. यदि किसी फट्टाधारक द्वारा अपने फट्टा क्षेत्र वन रचना (प्रपत्र ई-एन0एम0 11) अवैध खनन कर बालू का परिवहन करने वाले किसी अन्य अवैध खननकर्ता को उपलब्ध कराया जाता है तो दोष सिद्ध होने पर ऐसे फट्टाधारक के विरुद्ध सुसंगत धाराओं में प्रथम सूचना रिपोर्ट दर्ज करते हुए उनके पक्ष में स्वीकृत फट्टा को निरस्त करने की कार्यवाही करायी जाय।
4. क्षेत्र में एकत्रित बालू की मात्रा का आकलन करने के निर्देश दिये गये, जिसके क्रम में लगभग 51,480.00 घनमी0 बालू अवैध रूप से एकत्रित किया हुआ पाया गया। एकत्रित बालू का कोई दायेंदार नहीं पाये जाने पर उसकी नीलामी हेतु दिनांक 12.07.2019 की तिथि नियत है।
5. मानसून सत्र के दौरान दिनांक 01 जुलाई से 30 सितम्बर तक खनन/परिवहन पूर्णतया प्रतिबन्धित रहता है, जिसके क्रम में दिनांक 30 जून रात्रि 12:00 बजे से बालू के खनन/परिवहन पूर्णतया प्रतिबन्धित किया जा चुका है। इसके अतिरिक्त अनियमित खनन एवं निषेधों को उल्लंघन पाये जाने पर यमुना नदी के क्षेत्र में कुल-08 बालू के खनन फट्टे निरस्त कर दिये गये हैं।



प्रभासी खनन अधिकारी,
प्रयागराज।



अपर जिलाधिकारी (प्रशासन),
प्रयागराज।



जिलाधिकारी,
प्रयागराज।

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The Minutes of Meeting of Oversight Committee under Chairmanship of Hon'ble Justice (Retd.) Shri Rajesh Kumar, Allahabad High Court held on dated 15.03.2019 at Circuit House, Prayagraj in compliance of Hon'ble NGT order dated 12.02.2019 in O.A. No. 670/2018 Atul Singh Chauhan Vs. Ministry of Environment, Forest and Climate change & others, and in compliance of NGT order dated 28.08.2018 in O.A. No. 164/2018, Ashwani Kumar Dubey Vs. Union of India and others.

The attendance sheet of Committee Members and stake holders is enclosed.

The members of Committee headed by the Chairman along with District Administration and Senior Mining Officer of Prayagraj visited the site of the sand mining being done (legal/illegal) along the bank of river Yamuna at Semri, Kanewa/Birwal, Tehsil Bara in District Prayagraj on 14.3.2019. Subsequently, the meeting held on 15.03.2019 regarding sand mining.

A. Senior Mining officer states in respect of illegal sand mining that as per provisions of Mining Act there is a provision for the compounding wherein maximum amount is provided Rs. 25000.00, however, the Hon'ble NGT directed in its order to release the vehicle on taking 50% ex showroom value of the truck/vehicle, which according to Mr. Yadav is contrary to the provisions of the Mining Act. So far, they have released the vehicle after compounding maximum Rs. 25000.00 having regard the cost of mineral and its royalty. However, the order of Hon'ble NGT is being challenged before the Hon'ble Supreme Court. The matter is pending. So long the order of NGT exists, it is binding and has to be complied with unless set aside by the Hon'ble Supreme Court. The Committee directs the authority to follow the order of Hon'ble NGT. It appears that such stringent view has been taken to check the illegal mining.

Sri Yadav stated that there is no restriction in carrying the sand from one side of the river to another side by Boat.

Yesterday we have been taken by Mr. Yadav to Khand No. 4 at Village Semri allotted to C.L. Gupta and sons on the side of river Yamuna par (Another side of river). We have seen that no mining activity is going on in this side of the river Yamuna. However, on the other side of river which falls in Kaushambi as well as in Prayagraj, We found that mining was going on and permit holder was using JCB; on a query being made that whether this JCB is being used for

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the extraction of sand or for any other purpose. Lease holder states that JCB is used for labelling purpose of the sand. This requires verification. We direct Regional officer UPPCB Prayagraj (with the help of District Administration) to verify the usage of JCB for the sand mining or for any other purpose within 15 days.

Prima Facie the Committee is of the view that JCB is being used for excavation of sand both from the river Stream and outside the river Stream. We have also seen more than 100 of boats loaded with the sand and from some of the boat excavation from river Stream was being carrying on. Some of the photographs are enclosed. The local persons standing there states that these boats are being used for extracting the sand from river Stream by the permit holders. It is informed that sand of river Stream is of the better quality than the sand lying outside Stream.

It is noticeable to state that when no mining was going on at the side of river Yamuna at Semri why the Mining Officer Mr. Yadav has brought us to that place. The Committee is of the view that he has deliberately brought us to this place to keep away from actual fact.

Thereafter, one of the person claimed himself to be one of the permit holder stated that real place where the illegal mining is going on is Khand 10 Village Kainwa and Birwal. He escorted us to that place. Committee visited Khand No. 10 Village Kainwa and Birwal alongwith 4 Scientist i.e. Mr. Merajuddin, Member SEIAA UP, Dr. Arvind Mathur, Member SEIAA, Dr. Venkatesh Dutta, Associate Professor, Baba Saheb Bhimrao Ambedkar University Lucknow & Mr. Sarvesh Rai, CPCB, Lucknow. Committee shocked to see the prevailing situation of illegal sand mining, as more than 1000 boats being plied by local persons involved in extracting the sand from river stream which is totally illegal. On query being made from Senior Mining Officer, Superintendent of Police (Yamuna Par) that why the action is not being taken to stop such illegal mining. Sri Yadav and S.P. Yamuna Par states that various steps have been taken in the form of filing FIR and also invoking gangster Act. on such persons involved in illegal mining, a report is also being provided during meeting by S.P. Yamuna Par. Perusal of report shows that in some cases charge sheets have been filed, but in some matter still the issue is under inquiry. However, S.P. Yamuna Par admitted that none of the person has been arrested in Gangster Act till today or against the FIR. Committee is of the view that action taken by senior mining officer and Police officials are only eye wash. No



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serious attempts have been made against the defaulter to stop the continues illegal mining. However he assures that a stringent action will be taken on his part to stop the illegal mining and the monitoring in this regard, will be done on day-to-day basis. Let S.P. Yamuna Par, may give report in this regard within a month. Due to shortage of time, we could not visit other places; however, we have been informed that illegal mining activities is going on, in other places also.

Committee is of the view; sand is important for ground water recharge, on a riverbed it acts as a link between the following river and the water table and is part of the aquifer. Sand, pebbles and boulders prevent the river from changing the course and act as a buffer for the riverbed. Unplanned and extensive removal of sand from riverbeds beyond what is sustainable also amounts to destroying the nature habitat of biodiversity including fishes. The large-scale extraction of streambed materials, mining below the existing stream bed and the alteration of channel-bed form and shape lead to several impacts such as erosion of channel bed and banks, increase in channel slope, and change in channel morphology. These impacts may cause: (1) the undercutting and collapse of river banks, (2) the loss of adjacent land and / or structures, (3) upstream erosion as a result of an increase in channel slope and changes in flow velocity, and (4) downstream erosion due to increase carrying capacity of the stream, upstream, downstream changes in patterns of deposition, and changes in bed and habitat type.

In-Stream mining is ecologically unscientific and any River Bed Mining (RBM) can only be done in unsaturated zone in the floodplain. Excessive in-stream sand mining causes degradation of rivers. Therefore, there has to be periodic assessment of how much sand can be sustainably mined, as the quantity can vary from a river to river and within a river from stretch.

On the aforesaid facts, Committee is of the following opinion and proposes to issue following direction which is to be followed in future:

- (a) Committee is of the opinion that regular illegal mining of sand from river stream is going on causing loss of revenue of several crores and also creating environmental damage.
- (b) Illegal mining is going with the support and collusion of Mining Officers and Police Authorities.

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Direction:-

1. CCTV of larger range be installed at the specific places, where the illegal mining is going on to monitor the illegal mining. Satellite pictures can also be taken to identify the places where illegal mining is going on.
 2. Regular patrolling of police squad be made on daily basis. Police party not only visit but also take photographs of each day particularly for the period between 8.00 A.M. to 6.00 P.M.
 3. S.H.O. of concerned Thana and concerned mine officer may give daily report and send photograph to R.O. U.P. Pollution Control Board Prayagraj and to D.M. Prayagraj.
 4. CCTV be also installed at all the exit points. From where loaded Trucks with sand, moves, to check the actual number of trucks departed and over loading.
 5. In case of illegal mining and illegal movement of the truck and over loading, the trucks be immediately be seized and FIR be lodged and be released only in accordance to the order of the Hon'ble NGT.
 6. D.M. and S.S.P. Prayagraj may make a surprise check periodically to watch the action of Police Officer and Mine Officers and send the report to the Chairman of the Committee.
- B. Construction of road around Bhatauti Stone Crusher area, Meja, Prayagraj.**

Mr. Ram Adhar, Assistant Engineer, Provincial Division, PWD Prayagraj submitted the estimate of 7.5 KM road which is to be constructed of Rs. 1455.47 Lack. He submitted that estimates have been prepared excluding the GSB, sand and dust cost. Sri Deepak Chaurasia, representative of Bhatauti Stone Crushers, states that the estimate is highly excessive and a copy of the estimate to be provided for study. Let a copy may be provided by A.E., P.W.D. to the representative of stone crushers. In case if there is any objection in prepared estimate, he should submit his objection to the Chief Engineer PWD. The objection will be submitted to the Chief Engineer UPPWD Prayagraj. On the receipt of the objection, the Chief Engineer UPPWD Prayagraj is directed to look into the matter and after considering the objection filed by stone crusher representative, take the decision in this matter. Sri Chaurasia states that the objection will be filed within a week and the Chief Engineer is directed to decide the objection

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giving opportunity to the concerned parties. After the decision of CE the Committee may look into this matter.

C. Chandrasekhar Park (Compamaw Garden), Prayagraj

The matter has been discussed in detail with regard to pond, which is, at present, lying in abundant condition. VC, PDA stated that the matter has already been taken up as per direction given by the Committee. Estimate has also been prepared. He submitted that he will take all possible steps to expedite the restoration of pond. The Committee advises that at the time of construction of pond, they may take consultation from NIPC Meja where there is a big water storage pond has been constructed/under construction for the usage in industrial activities, which is a technically sound. They may also take advice from contractor. With regard to on-going construction including 3 toilets in the premises of the garden, it is stated that due to lack of fund it could not be completed. VC PDA assures that he will take necessary steps to complete the construction within one month. The Committee directs the Superintendent of Garden for restoration of fencing of boundary walls, which at present is not intact. MD/VC states that there is always shortage of fund, which is required for development and maintenance of the park. The sources of fund for garden is from ticket collection and annual budget allocated for maintenance. For any construction/alteration, funds is received from the government related to specified project. The account of fund which includes receipt is maintained by the Superintendent of the garden. Let the Superintendent give the detail of the fund of 2018-19 along with receipt and expenditure. The Committee is of the view that public limited company may be approached for contribution for various projects being under taken for the management of the park and its maintenance. Committee may also consider put/publish their name for the purpose of advertisement in respect of their annual contribution for the development and maintenance of the park.

The Committee is of the view that for beautification of the park, some rockery fountains may be installed at some places. VC/DM states that he may look into the matter and take necessary steps in this regard.

The Committee is of the view that security arrangement inside the park and outside the park is not satisfactory. The Police depute there are not discharging their duties. They are not taking regular rounding across the park. S.P. (City) Prayagraj present in the meeting states that he will look into the



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matter and will personally monitor the security. He suggested to place constable at various corners of the park and make them responsible for the assigned area. Let the meeting be fixed of the 15 days for review.

Rajes Kumar
(Justice Rajes Kumar)
Chairman
Oversight Committee (NGT)

प्रेषक,

जिलाधिकारी
प्रयागराज।

सेवा में,

मा0 न्यायाधीश (सेवा निवृत्त) श्री राजेश कुमार
अध्यक्ष, ओवर साईट कमेटी,
(मा0 राष्ट्रीय हरित अधिकरण द्वारा
ओ0ए0 नं0-670/2018 में गठित समिति)
प्रयागराज।

पत्रांक: 1817/खनिज/2019-20

दिनांक 6/2/2020

विषय: ओवर साईट कमेटी, (मा0 राष्ट्रीय हरित अधिकरण द्वारा ओ0ए0 नं0-670/2018 में गठित समिति) की बैठक दिनांक 08.01.2020 के कार्यवृत्त के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त समिति की बैठक दिनांक 08.01.2020 का सन्दर्भ ग्रहण करने का कष्ट करें, बैठक का कार्यवृत्त दिनांक 18.01.2020 को क्षेत्रीय कार्यालय, उ0प्र0, प्रदूषण नियंत्रण बोर्ड, प्रयागराज द्वारा निर्गत किया गया है। उक्त कार्यवृत्त के सम्बन्ध में निम्नवत् अवगत कराना है।

1. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ के पत्र दिनांक 24.08.2019 द्वारा जनपद प्रयागराज में बालू के स्वीकृत खनन पट्टों के निरस्तीकरण की प्रत्याशा में खनन एवं परिवहन प्रतिबन्धित किया गया है।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, लखनऊ के पत्र दिनांक 14.08.2019 के क्रम में कार्यालय के पत्र संख्या-1058/ई-टेम्पर बालू/खनन/2019-20 दिनांक 24.09.2019 द्वारा 09 सदस्यीय प्राविधिक समिति का गठन कर साधारण बालू की उपलब्धता एवं खनन योग्य मात्रा का आंकलन करने के निर्देश दिये गये। समिति के सदस्यों द्वारा दिनांक 28.09.2019 को अवगत कराया गया कि बाढ़ आने के फलस्वरूप क्षेत्र जलमग्न होने के कारण वर्तमान में सत्यापन किया जाना सम्भव नहीं है। इसके उपरान्त मानसून सत्र की समाप्ति पर पुनः प्राविधिक समिति को जाँच कर आख्या उपलब्ध कराने के निर्देश दिये गये। प्राविधिक समिति द्वारा पुनः दिनांक 01-11-2019 को अवगत कराया है कि बाढ़ आने के फलस्वरूप क्षेत्र वर्तमान में जलमग्न है, जिसके कारण सत्यापन किया जाना सम्भव नहीं है। इस संबंध में अवगत कराना है कि वर्ष 2019 में भीषण बाढ़ आने के कारण क्षेत्र जलमग्न रहे हैं। इसके उपरान्त प्राविधिक समिति द्वारा अपनी जाँच आख्या दिनांक 06-01-2020 उपलब्ध करायी गयी, जिसके क्रम में नदी की जल धारा से बाहर (Exposed Area) में उपलब्ध बालू क्षेत्रों को ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से परिहार पर दिये जाने हेतु कार्यालय पत्र दिनांक 23.01.2020 द्वारा विज्ञापित किया गया। इस प्रकार उक्त कार्यवाही कोई विलम्ब नहीं किया गया है।
3. मा0 राष्ट्रीय हरित अधिकरण द्वारा ओ0ए0 नं0-670/2018 में पारित आदेश दिनांक 04.07.2019 के बिन्दु संख्या-14 में निर्देशित है कि "The committees may function strictly within the scope of task assigned to them under the orders of this Tribunal." उक्त आदेश का उल्लेख मा0 राष्ट्रीय हरित अधिकरण के पारित आदेश दिनांक 21.10.2019 के बिन्दु संख्या-5(14) में भी किया गया है। इसके क्रम में ओवरसाईट कमेटी की बैठक दिनांक 08 जनवरी, 2020 में मेरे प्रतिनिधि के रूप में अपर जिलाधिकारी (प्रशासन) द्वारा यह अवगत भी कराया गया कि ससमय बालू खनन

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के पट्टे कराने की कार्यवाही नियमानुसार प्रक्रियाधीन है साथ ही, यह प्रकरण ओवरसाइट कमेटी का विचारणीय विषय भी नहीं है। इस समिति को अपने क्षेत्राधिकार से बाहर नहीं जाना चाहिए।

4. जनपद स्तर पर खनन क्षेत्रों के व्यवस्थापन हेतु निरन्तर कार्यवाही की जा रही है। अवैध खनन/परिवहन के सम्बन्ध में मा0 राष्ट्रीय हरित अधिकरण के आदेशों के क्रम में नदी की जलधारा से खनन एवं अवैध खनन/परिवहन पर प्रतिबन्ध लगाया गया है। अवैध खनन/परिवहन के विरुद्ध प्रभावी कार्यवाही/नियंत्रण हेतु कार्यालय के विभिन्न पत्रों एवं बैठकों के माध्यम से समस्त उप जिलाधिकारी/क्षेत्राधिकारी पुलिस को निर्देशित किया गया है। अर्द्ध सारकारी पत्रों के माध्यम से वरिष्ठ पुलिस अधीक्षक से भी मा0 राष्ट्रीय हरित अधिकरण के आदेशों का अक्षरशः अनुपालन कराये जाने की अपेक्षा की गयी है। इस तथ्य को भी समिति के सम्मन रखा गया, परन्तु बैठक की कार्यवृत्त में इसका भी उल्लेख नहीं है।
5. अवैध खनन/परिवहन के संबंध में गठित कार्यबल द्वारा समय-समय पर जाँच की जा रही है तथा अवैध खनन/परिवहन पाये जाने पर त्वरित कार्यवाही की जा रही है। प्रशासन द्वारा किसी भी व्यक्ति द्वारा अवैध खनन/परिवहन करते हुए पाये जाने पर यथाशीघ्र कार्यवाही की जा रही है। जनपद में वर्तमान वित्तीय वर्ष 2019-20 में माह जनवरी, 2020 तक 476 प्रकरण अवैध खनन/परिवहन के पकड़े गये हैं, जिसमें 125 प्रकरणों पर प्रथम सूचना रिपोर्ट दर्ज करायी गयी है तथा शेष प्रकरणों पर मा0 न्यायालयों में परिवाद/आख्या प्रस्तुत की गयी है। जिला प्रशासन अवैध खनन/परिवहन पर पूर्ण रोक हेतु प्रतिबद्ध है। अवैध खनन/परिवहन की शिकायत प्राप्त होते ही तत्काल कार्यवाही की जा रही है। इसका भी समिति की बैठक में उल्लेख नहीं किया गया है।
6. मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली के उपर्युक्त सन्दर्भित आदेशों के उपरान्त भी सौंपे गये कार्य के दायरे से बाहर जाकर कार्यवृत्त में खनन क्षेत्रों के नीलामी/वसूली/राजस्व क्षति आदि के सम्बन्ध में संज्ञान लेते हुये उल्लेख किया गया है, जो मा0 राष्ट्रीय हरित अधिकरण के आदेश के उपरान्त पूर्णतया अनौचित्यपूर्ण है। इसे कार्यवृत्त से हटाया जाना चाहिए।
7. कार्यवृत्त में कमेटी के सदस्यों के मन्तव्य/सहमति का उल्लेख किया गया है, जबकि प्रतीत हो रहा है कि कार्यवृत्त एक पक्षीय रूप से क्षेत्राधिकार से बाहर जाकर भ्रामक सूचनाओं के आधार पर निर्गत किया गया है। कार्यवृत्त के अनौचित्यपूर्ण एवं आपत्तिजनक होने के कारण अघोहस्ताक्षरी सहमत नहीं हैं।

अवैध खनन परिवहन के सम्बन्ध में जनपद स्तर पर की गयी कार्यवाहियों का संज्ञान न लेकर एक पक्षीय रूप से भ्रामक सूचनाओं के आधार पर क्षेत्राधिकार के बाहर जाकर कमेटी के सदस्यों के मन्तव्य/सहमति का उल्लेख करते हुए कार्यवृत्त तैयार कर उसकी प्रति प्रेषित की गयी है, जिसके सम्बन्ध में घोर आपत्ति है। अतः अनुरोध है कि एक पक्षीय रूप से निर्गत कार्यवृत्त वापस लेने का कष्ट करें। साथ ही, यह भी निवेदन है कि भविष्य में समिति की बैठक से सम्बन्धित कार्यवृत्त समिति के सभी सदस्यों के संयुक्त हस्ताक्षर से ही निर्गत किये जाएं।

भवदीय,



(मानु चन्द्र गोस्वामी)

जिलाधिकारी, प्रयागराज।



प्रेषक,

ज्येष्ठ खान अधिकारी,
प्रयागराज।

सेवा में,

मा० अध्यक्ष
ओवर साईट कमेटी
मा० राष्ट्रीय हरित अधिकरण।

पत्रांक: 562 / खनिज / 2020-21

दिनांक 16/06/2020

विषय: मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० नम्बर-670/2018 में गठित ओवर साईट समिति की बैठक दिनांक 07.02.2020 में दिये गये निर्देशों के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक ओवर साईट कमेटी की बैठक दिनांक 07.02.2020 में दिये गये निर्देश जिसके द्वारा श्री अतुल सिंह चौहान द्वारा प्रस्तुत पिटिशन पर उत्तर दाखिल करने के निर्देश दिये गये हैं, का सन्दर्भ ग्रहण करने का कष्ट करें। दिये गये निर्देश के क्रम में श्री अतुल सिंह चौहान द्वारा प्रस्तुत पिटिशन पर प्रस्तरवार आख्या पत्र के साथ संलग्न कर प्रेषित की जा रही है।

कृपया प्रस्तरवार आख्या के आधार पर पिटिशन को निरस्त करने की कृपा करें।
संलग्नक-उपरोक्तानुसार।

भवदीय
16/06/2020
(अंजनी कुमार सिंह)
ज्येष्ठ खान अधिकारी
प्रयागराज।

पत्रांक: / खनिज / 2020-21 तददिनांक।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सावर प्रेषित:-

1. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र० लखनऊ।
2. जिलाधिकारी, प्रयागराज।

(अंजनी कुमार सिंह)
ज्येष्ठ खान अधिकारी
प्रयागराज।

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

REPORT

(In pursuance of the order dated 12.02.2019 of the Hon'ble NGT)

IN RE:

O.A. No. 670 of 2018 (L.A. No.22 of 2019)

(Atul Singh Chauhan Vs. Ministry of Environment, Forest and Climate Changes & Others)

Several meetings have been held in compliance of the order of the Hon'ble NGT. The details of the meetings are, as follows:

15th March, 2019
20th April, 2019
11th June, 2019
3rd July, 2019
12th September, 2019
23rd October, 2019
08th January, 2020
07th February, 2020

Copy of all the minutes of the meetings have already been sent by e-mail along with the photographs and the newspaper reporting.

Undoubtedly, strict action has been recorded in the minutes of the meetings. The Mining authorities and the Police department, which were initially not working effectively, have started taking steps to check the illegal mining. No doubt, these authorities are able to check the illegal mining more than 50%. However, due to the long standing rackets and operation of Mafias, it cannot be said authoritatively that illegal mining is stopped 100%. However, the effort of the Committee is going on and the Committee is hopeful that on the regular monitoring, the Committee may be

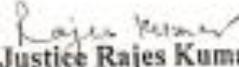
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able to check more illegal mining and with the help of the District Magistrate and the Senior Superintendent of Police, Prayagraj may be able to burst the racket and check the Mafias in the operation of illegal mining.

Several Pattas have been cancelled due to non-deposit of the dues. The fresh notification has been issued to re-settle such 19 Pattas and the proceedings are undertaken to recover the outstanding dues.

Date: 07.02.2020


(Justice Rajes Kumar)
Chairman of the Oversight Committee
NGT, New Delhi

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 नम्बर-670/2018 में गठित ओवर साईट समिति की बैठक दिनांक 07.02.2020 में दिये गये निर्देशों के अनुपालन के सम्बन्ध में।

ओवर साईट कमेटी की बैठक दिनांक 07.02.2020 में दिये गये निर्देश जिराके द्वारा श्री अतुल सिंह चौहान द्वारा प्रस्तुत पिटिशन पर उत्तर दाखिल करने के निर्देश दिये गये हैं, के क्रम में श्री अतुल सिंह चौहान द्वारा प्रस्तुत पिटिशन पर प्रस्तरवार आख्या निम्नानुसार प्रस्तुत है:-

प्रस्तर-1- जनपद प्रयागराज के विभिन्न नदियों (यमुना, गंगा, बेलन, टोन्स) में अवैध पट्टों का आवंटन।

उत्तर-जनपद प्रयागराज में जिलाधिकारी, प्रयागराज के आदेश से नदी तल में स्थित बालू क्षेत्रों का 09 सदस्यीय अन्तर विभागीय समिति का गठन कराकर सर्वेक्षण कराया गया है। सर्वेक्षण के उपरान्त जिन क्षेत्रों में समिति की आख्यानानुसार नदी की जलधारा के बाहर बालू उपलब्ध है, उन रिक्त क्षेत्रों को ही ई-निविदा सह ई-नीलामी के माध्यम से परिहार पर दिये जाने हेतु कार्यवाही की जा रही है। जनपद प्रयागराज का जिला सर्वेक्षण रिपोर्ट (डी0एस0आर0) भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा दिये गये दिशा निर्देशों के अन्तर्गत तैयार किया गया है। अतः आपत्ति निराधार है।

प्रस्तर-2-जनपद प्रयागराज के विभिन्न नदियों (यमुना, गंगा, बेलन, टोन्स) में अवैध खनन व भण्डारण के सम्बन्ध में।

उत्तर-जनपद प्रयागराज में जलधारा से नावों द्वारा अवैध खनन नहीं किया जा रहा है। यमुना नदी में जलधारा की वर्तमान स्थिति का फोटो आख्या के साथ संलग्न है।

अवैध रूप से भण्डारित बालू को जब्त कर मा0 न्यायालय से आदेश प्राप्त कर उनकी ई-टेण्डर के माध्यम से निस्तारण किया जाता है, जो कि शासन द्वारा दिये गये निर्देशों के अनुसार है। भण्डारित बालू के निकासी की अनुमति ई-टेण्डर के माध्यम से जिलाधिकारी द्वारा प्रदान की जाती है।

जहाँ कहीं भी खेतों में अवैध बालू का भण्डार पाया जाता है तो सम्बन्धित व्यक्ति एवं भूमिधरों के विरुद्ध थानों में प्रथम सूचना रिपोर्ट दर्ज करायी जाती है।

वर्ष 2020 में माह जनवरी, 2020 से 15, जून 2020 तक अवैध खनन/भण्डारण के विरुद्ध की गयी महत्वपूर्ण कार्यवाही का विवरण:-

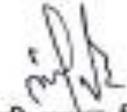
1. दिनांक 12.01.2020 को तहसील-करछना के ग्राम-डीहा गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-करछना में प्राथमिकी दर्ज करायी गयी थी।
2. दिनांक 16.02.2020 को तहसील-करछना के ग्राम-मड़ीका एवं मोहबतगंज, यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-नैनी में प्राथमिकी दर्ज करायी गयी थी।
3. दिनांक 02.03.2020 को तहसील-करछना के ग्राम-बसवार में यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-धूरपुर में प्राथमिकी दर्ज करायी गयी थी।

4. दिनांक 07.03.2020 को तहसील-सदर थाना क्षेत्र सिविल लाइन्स अन्तर्गत अवैध खनन/परिवहन के उपरान्त अवैध भण्डारण पाये जाने पर प्राथमिकी दर्ज करायी गयी थी।
5. दिनांक 17.04.2020 को तहसील-इण्डिया के ग्राम-कसीधन उर्फ लक्ष्मण में गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-इण्डिया में प्राथमिकी दर्ज करायी गयी थी।
6. दिनांक 25.04.2020 को तहसील-करछना के ग्राम-फालपुर व ग्राम-अभिलिया में यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-धूरपुर में प्राथमिकी दर्ज करायी गयी थी।
7. दिनांक 25.04.2020 को तहसील-करछना के ग्राम-बसवार में यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-धूरपुर में प्राथमिकी दर्ज करायी गयी थी।
8. दिनांक 03.05.2020 को तहसील-बारा के ग्राम-नझियारी आमद में यमुना नदी से अवैध खनन/परिवहन के विरुद्ध थाना-लालापुर में प्राथमिकी दर्ज करायी गयी थी।
9. दिनांक 11.05.2020 को तहसील-बारा के ग्राम-सेमरी व नोडिहा में यमुना नदी से अवैध खनन/परिवहन के विरुद्ध थाना-लालापुर में प्राथमिकी दर्ज करायी गयी थी।
10. दिनांक 27.05.2020 को तहसील-करछना के ग्राम-डीहा गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-करछना में प्राथमिकी दर्ज करायी गयी थी।
11. दिनांक 01.06.2020 को तहसील-करछना के ग्राम-बेनीपुर नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-कीबियारा में प्राथमिकी दर्ज करायी गयी थी।
12. दिनांक 04.06.2020 को तहसील-फूलपुर अन्तर्गत ग्राम-लीलापुर कला व लीलापुर खुर्द में गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-सरायइनाबत में प्राथमिकी दर्ज करायी गयी थी।
13. दिनांक 13.06.2020 को तहसील-करछना अन्तर्गत यू0पी0एस0आई0डी0सी0 में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-औद्योगिक क्षेत्र में प्राथमिकी दर्ज करायी गयी थी।

प्रस्ताव-3-जनपद प्रयागराज के विभिन्न नदियों (यमुना, गंगा, बेतन, टोन्स) में अवैध खनन कर ओवरलोड अवैध परिवहन के सम्बन्ध में।

उत्तर-छापा मारकर अवैध खननकर्ताओं/परिवहनकर्ताओं के विरुद्ध निरन्तर कार्यवाही की जा रही है। निरन्तर परिवर्तन कार्यों के कारण ही नदी की जलधारा में अवैध खनन एवं उसका परिवहन पर अंकुश लगा है। प्रस्ताव-2 में दिये गये विवरण से स्पष्ट है कि अवैध खननकर्ताओं/भण्डारणकर्ताओं के विरुद्ध कठोर कार्यवाही की गयी है।

उपरोक्तानुसार प्रश्नगत पिटिशन निरस्त किये जाने योग्य है।


 (अंजनी कुमार सिंह)
 ज्येष्ठ खान अधिकारी
 प्रयागराज।





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प्रेषक,
जिलाधिकारी,
प्रयागराज।

सेवा में,
मा0 अध्यक्ष
ओवर साईट कमेटी,
मा0 राष्ट्रीय हरित अधिकरण
उ0प्र0, लखनऊ।

पत्रांक: 623/खनन/2020-21

दिनांक: 27/06/2020

विषय:—ओ0ए0 संख्या—670/2018 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु
परिवर्तन मंत्रालय व अन्य के सम्बन्ध में।

महोदय,

कृपया अपने ई-मेल दिनांक 18.06.2020 का सन्दर्भ ग्रहण करने का कष्ट करें
जिसके द्वारा जनपद प्रयागराज के साधारण बालू खनन के सम्बन्ध में 04 बिन्दुओं पर
सूचना उपलब्ध कराने के निर्देश दिये गये थे। उक्त निर्देशों के क्रम में 04 बिन्दुओं पर
चाही गयी सूचना इस पत्र के साथ संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित की जा रही
है।

संलग्नक—उपरोक्तानुसार।

भवदीय


(भानुचन्द्र गोस्वामी)
जिलाधिकारी, प्रयागराज।

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-670/2018 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय व अन्य में पारित आदेश के क्रम में गठित ओवर साईट कमेटी को उनके पत्र दिनांक 18, जून, 2020 के क्रम में चाही गयी सूचना

1. अवैध खनन/परिवहन के विरुद्ध वित्तीय वर्ष 2018-19, 2019-20 व 2020-21 में किये गये प्रवर्तन कार्यों का विवरण निम्नवत् है-

वित्तीय वर्ष 2018-19

क्र0सं0	अवैध खनन के प्रकारण	अवैध भण्डारण के प्रकारण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	अवैध परिवहन के प्रकारण	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	56	06	196	894	06

वित्तीय वर्ष 2019-20

क्र0सं0	अवैध खनन के प्रकारण	अवैध भण्डारण के प्रकारण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	अवैध परिवहन के प्रकारण	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	32	04	132	537	80

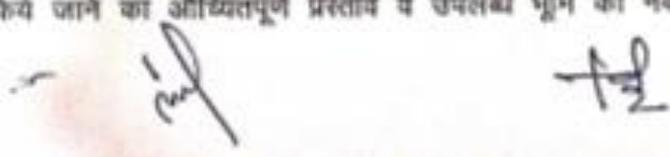
वित्तीय वर्ष 2020-21

(दिनांक 18.06.2020 तक)

क्र0सं0	अवैध खनन के प्रकारण	अवैध भण्डारण के प्रकारण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	अवैध परिवहन के प्रकारण	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	02	09	11	87	90

2. Original Application No. 670/2019 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार व अन्य में मा0 राष्ट्रीय हरित अधिकरण (एन.जी.टी.), नई दिल्ली द्वारा पारित आदेश के अनुपालन में जनपद प्रयागराज में अवैध खनन एवं परिवहन पर नियंत्रण हेतु सामस्त उपजिलाधिकारी/क्षेत्राधिकारी पुलिस तथा सहायक सम्भागीय परिवहन अधिकारी की सादरपता में टास्क फोर्स गठित कर अपने-अपने क्षेत्रान्तर्गत अवैध खनन/परिवहन की नियमित जांच कर अवैध खनन के सम्बन्ध में की गयी कार्यवाही का साप्ताहिक रिपोर्ट प्रस्तुत करने के निर्देश दिये गये हैं। अवैध खनन/परिवहन पर नियंत्रण हेतु वरिष्ठ पुलिस अधीक्षक, प्रयागराज को नियमित रूप से सूचित किया जा रहा है।

यह भी अवगत कराना है कि जनपद में अवैध खनन/परिवहन के विरुद्ध की गयी कार्यवाहियों का संज्ञान ओवर साईट कमेटी की बैठक दिनांक 07.02.2020 में लिया गया है। बैठक के कार्यवृत्त की छायाप्रति संलग्न है। उक्त बैठक में दिये गये निर्देशानुसार एकमात्र संवेदनशील क्षेत्र ग्राम बसवार में पुलिस चौकी स्थापना हेतु अर्द्धशासकीय पत्र सं0-2010/खनन/2020 दिनांक 22.02.2020 द्वारा वरिष्ठ पुलिस अधीक्षक, प्रयागराज से अपेक्षा की गयी थी। उक्त अर्द्धशासकीय पत्र के क्रम में वरिष्ठ पुलिस अधीक्षक, प्रयागराज के पत्रांक-म-09/2020 दिनांक 14.04.2020 के द्वारा ग्राम बसवार में पुलिस चौकी स्थापित किये जाने का औचित्यपूर्ण प्रस्ताव व उपलब्ध भूमि का नक्शा भजरी गाटा संख्या सहित



उपलब्ध कराने हेतु प्रभावी निरीक्षक धाना धूरपुर को निर्देशित किया गया है। इस प्रकार संवेदनशील क्षेत्र ग्राम बसवार में प्रतिदिन अवैध खनन/परिवहन की निगरानी की जा सकेगी। ग्राम-बसवार में टारक फोर्स द्वारा कार्यवाही करते हुये सम्बन्धित के विरुद्ध प्रथम सूचना रिपोर्ट दर्ज करायी गयी है। वर्तमान में यमुना नदी में कोई भी अवैध खनन कार्य नहीं हो रहा है।

3. कार्यालय जिलाधिकारी के पत्र सं०-704/खनिज/2019 दिनांक 11.07.2019 द्वारा अवैध खनन/परिवहन पर प्रभावी कार्यवाही किये जाने हेतु सम्बन्धित अधिकारियों को निर्देश दिये गये हैं। सभी सक्षम प्राधिकारियों द्वारा अवैध खनन पर अंकुश लगाने हेतु नियमित रूप से नियमानुसार प्रभावी कार्यवाही की जा रही है।
4. जिला सर्वेक्षण रिपोर्ट के अनुसार जनपद प्रयागराज में यमुना नदी तल स्थित साधारण बालू के खण्ड सं०-01 से 21 तक कुल 21 क्षेत्र हैं। उक्त क्षेत्रों के वर्तमान स्थिति का विवरण निम्नवत् है:-
 - (क) बालू खण्ड सं०-03 व 16 में ई-निविदा सह ई-नीलामी प्रणाली के माध्यम से साधारण बालू क्षेत्र को परिहार पर उठाये जाने के सम्बन्ध में कार्यालय विज्ञापित सं०-288/खनिज/2020-21 दिनांक 30.05.2020 द्वारा विज्ञापित किया गया है। ई-निविदा सह ई-नीलामी की कार्यवाही क्रमशः दिनांक 10.07.2020 व 13.07.2020 को सम्पन्न होगी।
 - (ख) बालू खण्ड सं०-06 को ई-निविदा प्रणाली के माध्यम से खनन अनुज्ञा पत्र पर स्वीकृत किये जाने हेतु कार्यालय के पत्र सं०-171/खनिज/2020-21 दिनांक 27.05.2020 द्वारा विज्ञापित किया गया था। उक्त विज्ञापित में बालू खण्ड सं०-06 हेतु कोई बोली प्राप्त न होने के कारण पुनः कार्यालय के पत्र सं०-620/खनिज/2020-21 दिनांक 27.06.2020 द्वारा विज्ञापित किया गया है।
 - (ग) बालू खण्ड सं०-05 व 07 में ई-निविदा सह ई-नीलामी प्रणाली/ई-निविदा प्रणाली के माध्यम से सर्वोच्च बोलीदाता के पक्ष में लेटर ऑफ इन्टेन्ट क्रमशः दिनांक 22.06.2020 व 18.06.2020 को निर्गत किया गया है।
 - (घ) बालू खण्ड सं०-09, SELAA लखनऊ के समक्ष पर्यावरण अनापत्ति हेतु लम्बित है।
 - (ङ) बालू खण्ड सं०-08 व 21 मा० उच्च न्यायालय, इलाहाबाद के आदेश के अनुपालन में खनन पट्टा पुनः स्थापित हो गया है, जिसमें सम्बन्धित पट्टेधारक को बकाया धनराशि जमा किये जाने हेतु क्रमशः दिनांक 28.05.2020 व 08.06.2020 द्वारा नोटिस निर्गत की गयी है। उक्त दोनों क्षेत्र में वर्तमान समय में खनन बन्द है।
 - (च) बालू सं०-01, 02, 10, 11, 12, 13, 14, 15, 18, 19 व 20 वर्तमान में जलमग्न होने के कारण कोई कार्यवाही किया जाना सम्भव नहीं है।
 - (छ) बालू खण्ड सं०-04 के पट्टेधारक द्वारा देय किराई की धनराशि जमा न होने के कारण वर्तमान में उक्त बालू खनन पट्टा में खनन कार्य प्रतिबन्धित है।
 - (ज) बालू खण्ड सं०-17 माघ मेला क्षेत्र के अन्तर्गत होने के कारण खनन पट्टे पर दिये जाने योग्य नहीं है।

सूचना सावर प्रेषित।


(अंजनी कुमार सिंह)
ज्येष्ठ खान अधिकारी,
प्रयागराज।


(विजय कुमार सिंह)
अपर जिलाधिकारी (प्रशासन),
प्रयागराज।

The minutes of meeting of Oversight Committee under Chairmanship of Hon'ble Justice (Retd.) Shri Rajes Kumar, Allahabad High Court held on dated 12.09.2019 at Circuit House, Prayagraj in compliance of Hon'ble NGT order dated 12.02.2019 in O.A. No. 670/2018, Atul Singh Chauhan vs. Ministry of Environment & Forests, Govt. of India and others and in compliance of Hon'ble NGT order dated 28.8.2018 in O.A. No. 164/2018, Ashwani Kumar Dubey vs. Union of India and others.

The attendance sheet of committee Members and stakeholders is enclosed.

Mining of sand and its transportation in Prayagraj District:

Shri A.K. Singh, Senior Mine Officer, District Prayagraj has submitted a Chart giving details of name of 21 bidders, to whom the land has been allotted in e-auction being the highest bidder; details of cases where lease deeds have been registered and cases where lease deeds have not been registered; details where the deeds have been registered but the instalment has not been paid, therefore allotments have been cancelled. In some of the cases, the writ petitions are pending and in 04 cases the matter has been sent back by the Hon'ble High Court for reconsideration. In those cases where the deed has not been registered, he submitted that they have not been allowed to carry on any mining operation; however, their contract has not yet been cancelled and the orders for forfeiture of the earnest money and subsequent deposits made by them have not been passed.

The Committee is of the view that in cases where the deed has not been registered/executed the notices should be issued to the highest bidder for (1) cancellation of the contract, (2) forfeiture of the amount deposited and (3) prohibiting them not to carry on any mining operation on the land allotted and



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in case if they are found carrying on the mining operation, the necessary civil and criminal action shall be taken.

Shri A.K. Singh stated that since in some cases the matter is pending in the Hon'ble High Court and interim order has been passed prohibiting not to take any coercive action, no further action is being taken. He submitted that for the future period on the settlement of the policy by the State Government the Mining Department will take the necessary steps. He also submitted that the stocks of the sand, which were seized on the ground of illegal mining or illegal transportation, have been sold by e-tendering and only such stocks are being allowed for sale and transportation. Shri A.K. Singh is directed to file the necessary papers relating to e-tendering.

Shri Atul Singh Chauhan states that it is necessary to ensure that the stocked, auctioned sand would actually be removed from the place and it may not be substituted by stacking the illegally mined sand. He raised his apprehension that the stock may be substituted by illegally mined sand.

Shri A.K. Singh, Senior Mine Officer and S.P. Jamonapar stated that they are carrying on regular monitoring. Shri Singh has also shown the video with CCTV cameras to monitor the stock. Shri A.K. Singh stated that at present sand mining is stopped due to flood and will restart from 1st October 2019. He submitted that mining shall be permitted in accordance to the Government policy.

STONE Mining:

Shri Atul Singh Chauhan states that the notification has been issued for e-tendering on 12.04.2018 by the District Magistrate for the allotment of the lease of the various places for carrying on the mining of stone. He states that in respect of the area mentioned in the notification 'No Objection Certificate' has not yet been taken from the Forest Department which is mandatory. Shri A.K.



Singh, Senior Mine Officer states that the e-auction has been held but the same has not been finalised due to non-issuance of 'No Objection Certificate' by the Forest Department. He submitted that the department will not finalise the e-auction held unless the NOC in respect the prescribed area is issued by the Forest department.

Mining of sand in Kaushambi District:

Shri R.P. Singh, Mine Officer, District Kaushambi is present. He submitted a Chart of 18 persons to whom the Patta has been allotted during the year 2018-19. The total allotment was to 18 persons. He has given the details that out 18 allotments, 08 allotments have been cancelled due to the non-deposit of the instalment. In the case of the remaining 10 cases, he is going to issue the notices for cancellation of the lease to the defaulters who have not deposited the instalment. The Committee directs him to furnish the details on the next date.

Shaheed Chandra Shekhar Azad Park:

The Superintendent, Garden states that it is not clear that whether the Garden Authority has to maintain the lawn inside the Circle or the contractor/PDA. Shri Gudakesh Sharma, Additional Secretary, PDA states that this is a very small issue which can be mutually settled. In case if she has any doubt, she can contact with the authorities of the PDA and the same shall be cleared. He assured that he will settle down the issue within one week.

The Superintendent, Garden also raised concern for the beautification of the park, particularly the area surrounding the statue of Shaheed Chandra Shekhar. She has brought to the notice of Committee three proposals of a Company **INDOX FOUNTAIN AND POOL** with the photographs and DPR. The Committee has perused the photographs and the DPR. The Committee is of the view that the three projects relating to the installation of the fountains and



water falls will enhance the beautification of the park and the same should be installed in the park. The Superintendent states that for the installation of these fountains and water falls, she has sufficient fund to invest out of the tickets sold by the garden. However, the approval is required from the Committee constituted by the Hon'ble High Court in PIL No.51055 of 2014 Madhu Singh Vs. State of U.P. Let the Superintendent, Garden place this project before the Committee at an earliest so that the work may start at an earliest.

So far as the restoration and beautification of water body near Gate No. 1, which is lying abandoned at present, Shri Gudakesh Sharma Additional Secretary of PDA states that he has gone through the report where this issue has been discussed, in detail. He submitted that new Vice Chairman Shri T.K. Sibhu has joined the PDA. He may be allowed some time to discuss the matter with the new V.C. and come back to the Committee with some positive and substantive proposals within 15 days.

The Superintendent, Garden has pointed out that there is a big encroachment in front of gate of Hanumat Niketan temple at the crossing point of Goswami Tulsi Das Chauraha. This encroachment is restricting movement of the vehicles and also creating jam at the crossing. In this view of the matter, it is necessary to remove this encroachment immediately. Shri Gudakesh Sharma states that he will look into the matter and do the needful. It may be mentioned here that in the Writ Petition / PIL. No.51055 of 2014, Madhu Singh Vs. State of U.P., the Hon'ble High Court has categorically directed the PDA, Nagar Nigam and the administrative authorities to remove the encroachments inside the park as well as outside the park.

The Committee is of the view that the alleged encroachment should immediately be removed in compliance of the Hon'ble High Court order. The District Magistrate, Nagar Ayukt, Nagar Nigam as well as the Vice Chairman, PDA are directed to look into the matter seriously and in compliance of the

High Court order, encroachment should be removed immediately. The necessary compliance report may be sent to the Committee within one month.

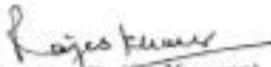
The Superintendent, Garden submitted that 03 (three) new toilets and Acupressure jogging track inside the Circle are under construction since several months and the aforesaid work has not yet been completed. The construction material is lying here and there which is causing difficulty in maintaining the lawn and cleanliness. She further submitted that at least 25 labours are residing inside the park. They are using the existing toilets in the early morning and evening in an undisciplined manner. In the result, the latrine parts of the toilets are either found to be dirty or sometimes they are broken also. Due to aforesaid reason, it has become difficult to keep the toilet clean and functional.

She submitted that these labours are directed to be removed from the premises. They are the labours of the contractor engaged by PDA. Shri Gudakesh Sharma, Additional Secretary, PDA states that due to the financial crisis the project could not be completed. However, he assured that the project shall be completed very soon within a period of one month. He also submitted that he may ask the contractor to settle the labours outside the premises of the park, except 02 (two) persons, if they are needed, who will be allowed to settle inside the premises meanwhile. He submitted that in case if these labours do not leave the premises themselves within a week, it will be open to the Garden Superintendent to remove them forcefully.

The Superintendent, Garden further states that the jogging track of red colour was the project of PDA. Its maintenance has also to be made by the PDA. The Committee has made a spot inspection of the jogging track. Prima facie, it appears that its construction is defective and not as per prescribed norms. The cushioning is negligible. At various places, its upper surface is peeled out. It is not at all serving the purpose of jogging track. The

Superintendent, Garden submitted that the maintenance of this track is upon PDA but the same is not being properly done.

The Committee directs the PDA to make an enquiry and if the construction of the jogging track is found to be defective, the necessary action may be taken against the contractor and the concerned engineer and the contractor may be asked to reconstruct or make it workable as a jogging track. We have been informed that huge amounts have been invested in the jogging track. The details of the same may be provided. We have been informed that some budget – about rupees two crores was also sanctioned light and sound music. The same has not yet been installed. Kindly inform where the budget has gone and what is the future programme in this regard.


(Justice/Rajes Kumar)
Chairman

Oversight Committee, NGT New Delhi

The minutes of meeting of Oversight Committee under Chairmanship of Hon'ble Justice (Retd.) Shri Rajes Kumar, Allahabad High Court held on dated 23.10.2019 at Circuit House, Prayagraj in compliance of Hon'ble NGT order dated 12.02.2019 in O.A. No. 670/2018, Atul Singh Chauhan vs. Ministry of Environment & Forests, Govt. of India and others.

The attendance sheet of committee Members and stakeholders is enclosed.

Mining of sand and its transportation in Prayagraj District:

The Mining Department, District Prayagraj has submitted the details of the 21 Pattas, giving the status as on the date. Perusal of the details furnished reveals that in some of the cases, the Hon'ble High Court has quashed the earlier order of the Authority and directed the Authority to pass the fresh order. It is stated that in such cases, the notices have already been issued by the competent authority and the appropriate order will be passed very soon. In some of the cases, the notices have already been issued to the persons whose Pattas have not been got registered. The final order shall be passed after hearing the concerned party. It has also been stated that in very few cases, matter is pending before the Hon'ble High Court. It is stated that in 03 (three) matters, there is an interim order of the Hon'ble High Court not to take coercive measures. In such cases, the Department is going to file the counter affidavit and will make effort to get the interim order vacated. The District Magistrate, Prayagraj states that all the matters are being expedited and the effort is to dispose of the matter expeditiously as early as possible. Since a huge revenue is involved in the matter, it is expected from the Authorities to take the final decision in the matter at an early date.

From the details submitted by the Mining Department, District Prayagraj it appears that the Authority has acted positively and has made a sincere effort

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to check the illegal mining of sand, particularly from the river bed. Further, they are in a process to settle down the mining leases (Pattas) in accordance to the law so that there may not be any illegal mining as well as any revenue loss.

Mining of sand in Kaushambi District:

Shri R.P. Singh, Mine Officer, District Kaushambi is present. He submitted a Chart of 18 persons to whom the Patta has been allotted during the year 2018-19. The total allotment was to 18 persons. He has given the details that out 18 allotments, 08 allotments have been cancelled due to the non-deposit of the instalment. In the case of the remaining 10 cases, he has issued the recovery notices to the 09 (nine) defaulters. From the perusal of chart, it appears that recovery notices have been issued on 23/25.09.2019. Almost a month has lapsed but it appears that no coercive action has been taken. D.M. Kaushambi is directed to look into the matter. He may also inform that what step has been taken in those cases where the allotment has been cancelled. Provide the correct status.

Silica sand mining: It is informed that there are 83 silica sand washing plants in Shankargarh area, district Prayagraj, which is known as 'silica sand rich area'. It is stated that in pursuance of the order of the NGT, the survey was made at the site of 83 silica sand washing plants. Out of them, 12 silica sand washing plants were found in order, having permission from the U.P. Pollution Control Board and have registration with the various departments, namely, GST etc. for carrying on the business. In rest of the 71 cases, it was found that they were running the washing plants and purchasing silica sand without any clearance from U.P. Pollution Control Board and also did not possess any registration under the GST and other Acts. However, it was found that although the 12 washing plants have a tube well and are extracting ground water but do not have a licence from Central Ground Water Authority (CGWA). Another 71 washing plants, who have no registration under the GST and other Acts, do not



have a permission from CGWA. The officer of the U.P. Pollution Control Board states that 71 units do not possess any licence under the GST, Pollution Control etc. and accordingly such units (71 in number) have been sealed and rest of them i.e. 12 units were permitted to obtain registration under the CGWA. It is informed that the units found running without registration have been sealed and subjected to penalty/environmental compensation. However, it is admitted that the units have been sealed and penalty has been levied ex-parte.

It is further informed that some of the units have the mining Pattas and some of the units do not possess mining Pattas and are purchasing silica sand from the miners. R.O. U.P. Pollution Control Board is directed to give the complete details that how many mining leases have been granted and to whom and what is the current status of the units involved in the washing of the silica sand in the entire area of Shankargarh. The details may be provided within one month. Committee is of the view that the Units which have been sealed and penalty has been levied must be given opportunity (Post hearing) to put their cases.

A copy of these minutes may be provide to District Magistrate, Prayagraj, District Magistrate, Kaushambi, R.O. U.P. Pollution Control Board, Prayagraj/ Kaushambi.


(Justice Rajes Kumar)
Chairman

Oversight Committee, NGT New Delhi

The minutes of meeting of Oversight Committee under Chairmanship of Hon'ble Justice (Retd.) Shri Rajes Kumar, Allahabad High Court held on dated 08.01.2020 at Circuit House, Prayagraj in compliance of Hon'ble NGT order dated 28.8.2018 in O.A. No. 164/2018, Ashwani Kumar Dubey vs. Union of India and others and order dated 12.02.2019 in O.A. No. 670/2018, Atul Singh Chauhan vs. Ministry of Environment & Forests, Govt. of India and others.

The attendance sheet of committee Members and stakeholders is enclosed.

Mining of sand in District Prayagraj: In respect of Patta Nos. 1, 2 and 6, it is informed that the Patta has been cancelled on account of non-payment of dues by the lease-holders. Against the order of the cancellation, the parties have gone to Hon'ble High Court in a writ petition wherein the order of the District Magistrate has been quashed on the ground that the notice has not been issued by the competent authority, in pursuance of which the impugned cancellation order was passed by the D.M. The Hon'ble High Court has further directed the District Magistrate to re-hear the matter. In pursuance thereof, the matter has been re-heard and vide order dated 30.12.2019 all the three Pattas have been cancelled. However, Shri Anjani Kumar, Senior Mines Officer states that till date, the recovery notice has not been issued to them. On a query being made that both the recovery proceeding and the proceeding for cancellation are two separate proceedings and when the amount was due why RC has not been issued in respect of the amounts due and why they have waited for the cancellation of the order, he submitted that under the Rules the recovery could only be issued on the cancellation of the lease, without cancellation of the lease the RC could not be issued. Since they are not having the Rules at present so the Rules could not be produced before the Committee. Therefore, this issue cannot be looked into and may be examined on the next date. However, the Committee directs the authority concerned to issue the recovery notice/RC within a period of one week. Shri Anjani Kumar submitted that in case of the non-deposit and depositing it beyond time, there is a provision for the imposition of interest @

18%, per annum, and this way the lease holder is liable to pay the amount due along with the interest @ 18%.

In respect of Patta No. 3 in favour of C.L. Gupta & Sons, he stated that although the bidder has deposited the earnest money but has not come forward to execute the lease deed and, therefore, the lease has not been finalised. The party has deposited 50% of the earnest money i.e. a sum Rs.4,18,40,000/-. He stated that C.L. Gupta & Sons has taken a lease at Semri, Bara for the period 27.02.2018 to 26.02.2023 and the present lease is for Bilore, Bara. He stated that C.L. Gupta & Sons is not interested in the execution of this lease deed and requested that his deposited money may be adjusted with the dues of another Patta at Semri, Bara. It is informed that the request of the party has been rejected. On a query being made whether the bid in favour of M/s. C.L. Gupta & Sons has been cancelled finally on account of non-execution of the lease deed, he submitted that no specific order has been passed in this regard and the matter is under consideration. The Committee is of the view that the Patta has been granted for the period 27.02.2018 to 26.02.2023. The Patta has not yet been settled. On account of non-settlement of Patta, the exchequer is suffering a substantial loss. In case if the final decision would have been taken much earlier and the proceeding for the re-settlement of the Patta could have been started, the revenue loss could be avoided. However, it is expected from the concerned authority to do the needful expeditiously, as early as possible, so that the Patta may be settled and the exchequer may start getting the revenue.

In respect of Patta No. 4, it is stated that this Patta at Semri, Bara has been allotted to M/s. C.L. Gupta & Sons for the period 27.02.2018 to 26.02.2023. It appears that the lease holder has not deposited the requisite amount and requested that the amount of Rs.4,18,40,000/- deposited against Patta No. 3 may be adjusted with the amount due. Shri Anjani Kumar, Senior Mines Officer stated that the District Magistrate has rejected such request. He further submitted that against the recovery and for the request of re-survey of the plot, the party has gone to the Hon'ble High Court in a Writ Petition No.22533 of 2019, which has been disposed of vide order dated 01.08.2019 with direction to the District Magistrate to decide the representation of the party. In view of the letter of the Director, Lucknow, the process of the survey is going on and on the receipt of the report the final order shall be passed. It is expected that the steps may be taken expeditiously. In the present case also, the Patta is for the period 27.02.2018 to 26.02.2023 and the money is outstanding against the party and no further amount has been deposited by the party, causing

revenue loss. Therefore, it is requested that the necessary final order may be passed expeditiously.

In respect of Patta No. 5 in favour of M/s. Friends Group of Builders & Developers, it is stated that the matter is pending before the Hon'ble High Court in the Writ Petition No.21372 of 2019, wherein an interim order has been passed for not taking any coercive measures. In this case, he stated that the counter affidavit has been filed.

In respect of Patta No. 7 in favour of M/s Smita Enterprises, it is stated that on account of non deposit of the money, the bid has been cancelled and the earnest money has been forfeited. Let the concerned department may re-auction the Khand and get it settled as early as possible.

In respect of Patta No. 8 in favour of M/s S.S. Brothers & Co., it is stated that the matter is pending before the Hon'ble High Court in the Writ Petition No.23928 of 2019, wherein an interim order has been passed for not taking any coercive measures. In this case also, he stated that the counter affidavit has been filed.

In respect of Patta No. 9 in favour of M/s. Sakshi Construction Company at Jagdishpur, Bara, he stated that the lease deed could not be executed for want of clearance from the environment. Clearance from the environment is pending before SEIAA. He stated that the lease will be executed on receipt of the clearance from the environment/SEIAA. In the present case also, the lease period is from 27.02.2018 to 26.02.2023. It is unfortunate that till date, the lease has not been finalised with the result the revenue is suffering. The Committee is not going into the question that the matter is pending since long and on whose part there is negligence or latches. Let the concerned department may make sincere efforts to get the matter expedited.

In respect of Patta No. 10 in favour of M/s.Shanti Constrution Company, Shri V.S. Dubey, ADM (Admn.) states that the matter has been decided by Director, Mines and the area of the Patta has been reduced. Now the office will proceed in compliance of the order and shall report the subsequent proceedings to this Committee.

In respect of Patta No. 11 in favour of Shri Udai Pratap Singh at Kanjasa, Bara, he stated that the matter is pending before the Hon'ble High Court.

In respect of Patta No. 12 in respect of Shri Ajay Lal at Dewaria, Bikar & Iradatganj, Bara, he stated that Government vide order dated 16.10.2019 has reduced the quantity of sand in view of the environment clearance and further directed in the matter that the amount deposited earlier shall be adjusted with the amount due. He submitted that the necessary action will be taken in accordance with the direction given by the government.

In respect of Patta No. 13 in favour of M/s Sakshi Construction Company at Palpur, Imiliya & Kalinjara, Karchhana, he stated that the matter is pending before the Hon'ble High Court.

In respect of Patta No. 14 in favour of Shri Surendra Kumar at Baswar, Karchhana, he stated that the matter is pending before the Hon'ble High Court.

In respect of Patta No. 15 in favour of M/s Vinay Kumar Shambhunath at Mohabbatganj, Karchhana, he stated that the lease deed could not be executed for want of clearance from the environment. Clearance from the environment is pending before SEIAA. He stated that the lease will be executed on receipt of the clearance from the environment/SEIAA. In the present case also, the lease period is from 27.02.2018 to 26.02.2023. It is unfortunate that till date, the lease has not been finalised with the result the revenue is suffering. The Committee is not going into the question that the matter is pending since long and on whose part there is negligence or laches. Let the concerned department may make sincere efforts to get the matter expedited.

In respect of Patta No. 16 in favour of M/S Raj Construction at Madauka, Mirakpur & Mahewapatti (Paschim), Karchhan, he stated that the lease deed could not be executed for want of clearance from the environment. Clearance from the environment is pending before SEIAA. He stated that since the party has taken another Patta and the lease has been cancelled, therefore the party has been blacklisted and in view of the Rules the blacklisted party cannot be allowed for any other lease. However, the necessary order is still awaited. It is expected from the authority concerned to pass the order expeditiously, preferably within a period of one month.

In respect of Patta No. 17 in favour of M/s Abhay Enterprises at Jahangirabad Madhopur Arail, Karchhana, it is stated that the matter is pending before the Hon'ble High Court in the Writ Petition No.23940 of 2019, wherein an interim order has been passed for not taking any coercive measures. In this case, he stated that action is being taken to file the counter affidavit.

In respect of Patta No.18 in favour of M/s. Manish Ojha Building Material Supplier & Contractor at Mainapur, Sadar, he stated that R.C. has been issued.

In respect of Patta No.19 in favour of M/s. Manish Ojha Building Material Supplier & Contractor at Asrawal Khur, Sadar, he stated that on account of non-deposit of the money the lease has been cancelled and the earnest money has been forfeited. Let the department may settle a fresh lease as early as possible.

In respect of Patta No. 20 in favour of M/s Laxmi Construction at Phulwa, Bisauna Jonhwal, Sadar, he stated that the lease deed could not be executed for want of clearance from the environment. Clearance from the environment is pending before SEIAA. He stated that the lease will be executed on receipt of the clearance from the environment/SEIAA. In the present case also, the lease period is from 27.02.2018 to 26.02.2023. It is unfortunate that till date, the lease has not been finalised with the result the revenue is suffering. The Committee is not going into the question that the matter is pending since long and on whose part there is negligence or laches. Let the concerned department may make sincere efforts to get the matter expedited.

In respect of Patta No. 21 in favour of Smt. Sunita Nishad at Adampur (Madaripur) to Sadiyapur, Sadar, it is stated that RC is pending. He stated that the Patta has been cancelled. Let the fresh Patta be re-settled as early as possible after following the proper procedure.

Mining of sand in District Kaushambi:

A detailed chart of the status of 21 Pattas has been given.

In respect of Pata Nos. 1, 2, 3 and 4 in favour of Rishab Herbal, Harsh Enterprises, Smt. Keshari Nandan Singh & Shri Manish Ojha, it is stated that they are allotted the Pattas and the parties have deposited the requisite amount and for the outstanding dues they have given the post dated cheques. Shri R.P. Singh, Mines Officer states their post dated cheques have been accepted on the instructions from the Directorate of Mines.

In respect of Patta No. 5 in favour of Bharat Earth Movers, he stated that for non-payment of the outstanding dues, the notice for the cancellation of the lease deed has been issued. The proceedings for the cancellation of the lease will be taken shortly. Let the proceedings may be concluded at an earliest.

In respect of Patta Nos. 6, 7, 8 and 9 in favour of Kunwar Infra-developers Pvt. Ltd., Sai Construction, M/s Balaji Coal Company & Sandip Enterprises, it is stated their Pattas have been cancelled by the Hon'ble NGT. The further proceeding for the recovery of the amount is offing and may likely to be concluded very soon.

In respect of Patta No. 10 in favour of Rajesh Enterprises, he stated that for non-payment of the outstanding dues, the notice for the cancellation of the lease deed has been issued. The proceedings for the cancellation of the lease will be taken shortly. Let the proceedings may be concluded at an earliest.

In respect of Patta No. 11 in favour of Sri Jaspal Singh, he stated that in pursuance of the order of the Hon'ble High Court dated 25.11.2019, notice has been issued for re-hearing. The matter is still pending. Let the matter be expedited at an earliest.

In respect of Patta Nos. 12, 13, 14, 15 and 16 in favour of Shri Sayyed Sahil, K.K. Associates, Shri Abdul Samad, Shrimani Gupta and Shri Rajesh Sharma, he stated that the original lease deed has been cancelled. Thereafter, the Patta has been put for re-auction. However, no bidder has come forward. It is stated that within a day or two, action for another publication for the re-auction and e-tender shall be taken.

In respect of Patta No. 17 in favour of M/s R.A. & Sons, he stated that for non-payment of the outstanding dues, the notice for the cancellation of the lease deed has been issued. The proceedings for the cancellation of the lease will be taken shortly. Let the proceedings may be concluded at an earliest.

In respect of Patta No. 18 in favour of Smt. Suketa Nishad, he stated that the Patta has been cancelled. However, the party has gone to the State Government in revision. The revisional authority has directed to re-hear the party.

In respect of Patta Nos. 19 and 20 in favour of M/s Bajrang Traders and Shri Shesh Narain Karwaria, he stated that these are recently settled Pattas. there is no outstanding dues against these two lease-holders.

Shri Atul Singh Chauhan, petitioner before the Hon'ble NGT made various submissions, namely, that the Patta has been made on the stream of the river and, therefore, the problem in the allotment had arisen and resulting in illegal mining and revenue loss. He submitted that the illegal mining by boats is

still going on. He produced some of the latest photographs in this regard. Mr. Atul Singh Chauhan files his written submission, in writing, including all the evidences to demonstrate that the illegal mining is still going on. Copy of the submissions may be served upon the concerned Shri Anjani Kumar, Senior Mines Officer, Prayagraj. He is directed to give reply to each and every objection within 07 (seven) days. He may look into the claim of the petitioner that illegal mining is still going on.

Shri Atul Singh Chauhan further states that sale of sand from seized stock is causing the illegal mining. He submitted that what is actually happening is that the seized stock of sand is being substituted by the illegally mined sand and the sand of the seized stock remains the same and in this regard large scale illegal activities are going on the part of the officers and traders. Let a details of stock seized and its disposal of such sand be provided within 10 (ten) days.

He submitted that direction be issued that the order of auction of such seized sand should be subject to the approval of the Director, Mines. This Committee cannot pass such order. If the petitioner desires, he can approach the Director, Mines in this regard.

Committee considered the submissions of Sri Atul Singh Chauhan. From the evidence on record and the report of the Director, it appears that prima facie there is an error in the survey, preparation of map and carving out the Pattas for mining, in water stream of the river 'Yamuna', which is not permissible in law. It requires a deep enquiry and if it is found true that the Patta has been carved out in water stream, the necessary strict action may be taken against the officer(s) concerned.

It appears that everything is not going on well in Prayagraj. Out of ~~54~~ Pattas which have been carved out, only 21 Pattas have been settled for mining for the period 27.02.2018 to 26.02.2023. The reasons behind non-settlement of other Pattas are not known. Even 21 Pattas which have been auctioned are not yet finalised, for the reasons stated above. Due to non-finalisation of Patta, the Government has suffered a huge loss of revenue, who shall be liable for revenue loss, is the matter of enquiry.

It appears that each and every stage action is very slow. Prima facie, it appears that no sincere efforts are being made to expedite the proceedings. The officers are not able to check the illegal mining. The illegal mining by the unauthorised person without holding the legal Patta and by the

unauthorised persons from the stream of the water is continuously going on, which is apparent from the photographs produced by Shri Atul Singh Chauhan. The process of recovery is very slow. Till date, no amount has been recovered in a recovery proceeding.

Shri Atul Singh Chauhan further submitted that hundred of trucks loaded with the sand are being transported without the proper Rawanna and in this regard everyday 24 hours monitoring are neither being done by the Mine officers nor by the Police officers. It appears that some kind of collusion is going on. Recently, in a raid by the District Magistrate and SSP hundreds of trucks loaded with illegally mined sand, which were being transported without Rawanna, were seized. The newspaper cutting is enclosed herewith.

Upon the material on record, the Committee is of the view that the officers who are responsible for checking the illegal mining and settling the Patta and expediting the proceedings are not acting bonafidely, honestly and sincerely. The matter needs deep enquiry and the persons who are held responsible shall be punished.

In view of the above, the Committee advises that a deep enquiry may be made by fair and honest agency, if possible by C.B.I.

The situation of Kaushambi is also not good. The process of recovery is very slow. Till date, no amount has been recovered in a recovery proceeding. A deep enquiry is required to be made in case of Kaushambi also.

The next meeting will be held on 7th February, 2020 at Circuit House, Prayagraj at 11.00 AM.

Rajes Kumar
(Justice Rajes Kumar)
Chairman

Oversight Committee, NGT New Delhi

Meeting No. 10

**MINUTES OF MEETING OF THE OVERSIGHT COMMITTEE, NGT UP LUCKNOW,
HELD ON 29.01.2020 AT 11-00 A.M IN THE OFFICE OF THE COMMITTEE
(ENVIRONMENT DIRECTORATE, VINEET KHAND, GOMTI NAGAR, LUCKNOW)**

Present: Hon'ble Mr Justice S.K. Singh, Chairman
Hon'ble Dr Anup Chandra Pandey, Member

Other dignitaries present:

1. Shri Anurag Yadav, Secretary, Urban Development, Govt of UP, 9415285554, E-mail secud18@gmail.com
2. Shri Ashok K. Tiwari, Chief Env Officer, UPPCB, Lucknow, 7839892014, E-mail: ceo1@uppcb.com
3. Shri Atulesh Yadav, EE, UPPCB, Lucknow, 7839895675, E-mail: ceo7@uppcb.com
4. Sri Manoj Pandey, Dy Secretary, UPSLSA, 9415342396, E-mail: upsla@up.nic.in

Meeting was held as scheduled.

Various issues as pointed out in the orders of Hon'ble National Green Tribunal dated 21.10.2019, passed in **OA No. 670/2018** in re: *Atul Singh Chauhan versus MoEFCC and others*, discussed and status of the action taken by the concerned authorities in compliance of the orders reviewed.

Pointwise decisions taken by the Committee in the matter are as follows:

SI No	Issues/points of discussion	Decisions taken by the Committee
1	Environment Monitoring Cell	It has been mentioned that so far no Environment Monitoring Cell has been set up in the office of Chief Secretary. It was directed that the same may be set

			up immediately and work be started.
2	Action Plans to be submitted by all the States to CPCB latest by 31.10.2018 and executed in the outer deadline of 31.12.2019 which were be overseen by the Principal Secretaries of Urban and Rural Development Departments of the State.		It is informed that Action plans, as directed by the Hon'ble NGT, have been submitted within the time stipulated.
3	The State should have Monitoring Committees headed by the Secretary, Urban Development Department with the Secretary of Environment Department as Members and CPCB and State Pollution Control Boards (SPCBs) assisting the Committees.		This has been done as per directions of Hon'ble NGT.
4	They should have interaction with the local bodies once in two weeks. Local bodies are to furnish their reports to State Committees twice a month. The State Committees may take a call on technical and policy issues.		It was mentioned that reports of meeting are uploaded on portal.
5	Instead of every local body separately floating tenders, the standardized technical specifications be involved and adopted.		Collection and Transport standards are being involved and adopted.
6	Best practices may be adopted, including setting up of Control Rooms where citizens can upload photos of garbage which may be looked into by the specified representatives of local bodies, at local level as well as State level.		Setting up of Control Rooms, etc be ensured within the next three weeks and compliance report be submitted to the Committee.

	It was directed that mechanism be evolved for citizens to receive and give information.		
7	CCTV cameras be installed at dumping sites.		It is assured that CCTV cameras will be installed at every dumping site within three months.
8	GPS be installed in garbage collection vans. This may be monitored appropriately.		This is being done. It is informed that installation of GPS in 17 Nagar Nigams would be completed by March, 2020.
9	Three model towns, three model villages and three model cities.		So far as three model towns and three model villages are concerned, it was mentioned that the work has started in two model towns, namely, Newari and Burhana, where 100 percent collection, segregation and processing of MSW is taking place. The work of three model villages will be started very soon. As regards three model cities, the work has started in Mathura, Lucknow and Varanasi.

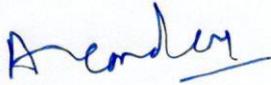
As far as the portal is concerned, so far only blank formats have been uploaded on the portal. No data is available. It may be ensured that the data from all the districts in all the formats are uploaded in time.

Reports of District Level Committees under District Magistrates, District Level Committees under Commissioners and State Level Committees have not been uploaded. Let reports be immediately uploaded and the directions of Hon'ble NGT contained in the order dated 10.01.2020 be complied.

Principal Secretary Housing, DRM (NR), Defence Estate Officer, Lucknow and Director Mandi Parishad be requested to participate in the next meeting.

8

Let the decisions taken in the meeting as above be communicated to all concerned for compliance.



(Dr Anup Chandra Pandey)
Member, Oversight Committee



(Justice S.K.Singh)
Chairman, Oversight Committee

January 29, 2020

ATTENDANCE SHEET FOR THE MEETING OF OVERSIGHT COMMITTEE HELD ON 29.01.2020
 AT 11:00 A.M IN ENVIRONMENT DIRECTORATE, VINAY KHAND-1, GOMTI NAGAR, LUCKNOW.

S.NO.	NAME	DESIGNATION	MOBILE NO./E-MAIL	SIGNATURE
1				
2				
3				
4	Ashok K. Tiwari	Chief Env. officer UPPCB	7839852014 tiwari@uppcb.com	
5	Atulendra Yadav	E.E., UPPCB. Lucknow.	7839891675 yadav@uppcb.com.	
6	Arunag Yadav	Asst. Urban Devt.	secund18@gmail.com	
7	Manoj Pandey	Asst. Secretary UPSEGA	cpanda@up.nic.in 9415342396	
8				
9				
10				
11				

The minutes of meeting of Oversight Committee under Chairmanship of Hon'ble Justice (Retd.) Shri Rajes Kumar, Allahabad High Court held on dated 07.02.2020 at Circuit House, Prayagraj in compliance of Hon'ble NGT order dated 28.8.2018 in O.A. No. 164/2018, Ashwani Kumar Dubey vs. Union of India and others and order dated 12.02.2019 in O.A. No. 670/2018, Atul Singh Chauhan vs. Ministry of Environment & Forests, Govt. of India and others.

The attendance sheet of committee Members and stakeholders is enclosed.

Mining of sand in District Kaushambi: Mine Officer submitted a chart giving detail of 20 Pattas, wherein he has given the detail of the amount recovered and the future amount recoverable. He stated that this report has also been given to the Director, Mines. He further submitted that in cases where there was re-auction, no bidder had come forward. On an enquiry being made why the bidders had not come, he replied that due to bad quality of sand the bidders are not coming forward. Let the Mine Officer may inform this fact to the Director, Mines to get the necessary order from the Director, Mines for further action.

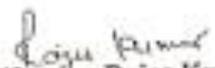
Mining of sand in District Prayagraj: Shri Anjani Kumar, Senior Mines Officer stated that he may be allowed one week's more time to give the reply to the petition filed by the petitioner (Shri Atul Singh Chauhan, petitioner before the Hon'ble NGT). Verbally he stated that various actions have been taken to stop the illegal mining with the help of the police. Shri Ashutosh Mishra, S.P. (Crimes) states that to check the illegal mining and the transportation the sand, number of F.I.Rs. have been lodged and Charge sheets have also been submitted. He has produced the details of such action taken by the police. A copy of the details has been provided to Shri Anjani Kumar to consider and refer the same in his reply. The District Magistrate states that very serious actions have been taken to check the illegal mining with the help of the police. SSP, Prayagraj himself has made the spot inspection and seized the vehicles as well as the F.I.Rs. have been lodged. Recently, he has also taken the action against his own constable. He submitted that they are trying their best to check



the illegal mining. He further submitted that unless the stock of the stacked sand is removed, it would be difficult to check the illegal mining. However, he is trying his best to get the stacked sand removed from the places where they are stacked. He is hopeful to get it expedited.

Shri Atul Singh Chauhan, the petitioner states that the main problem is in the Baswar area where even today the huge illegal mining is going on by the operation of the JCB and Boats particularly in the night. Shri Anjani Kumar, Senior Mines Officer states that no illegal mining is going on by JCB or by boat. He himself inspected the area and did not find any illegal mining operation. However, the District Magistrate assured that he will look into the matter himself and assured that if any illegal mining is going on, he will get the same stopped. He stated that he will talk with the Senior Superintendent of Police for the establishment of a Police Chauki in the Baswar area for this purpose.

From the various actions taken and the reports submitted, the Committee is satisfied that a lot of effort has been made by the officers concerned to check the illegal mining and for the settlement of the mining Pattas. Committee hopes and expects that mine officers shall discharge their duties more effectively on the principle of Zero tolerance. District Magistrate is requested to make a surprise check along with the Senior Superintendent of Police in the Baswar area, whether any illegal mining is going on and, if it is so, the stringent action may be taken against those persons involved in illegal mining.


(Justice Rajes Kumar)

Chairman

Oversight Committee, NGT New Delhi

Meeting No. 21

MINUTES OF MEETING OF THE OVERSIGHT COMMITTEE, NGT UP LUCKNOW,
HELD ON 02.03.2020 AT 11-00 A.M IN THE OFFICE OF THE COMMITTEE
(ENVIRONMENT DIRECTORATE, VINEET KHAND, GOMTI NAGAR, LUCKNOW)

Present: **Hon'ble Mr Justice S.K.Singh, Chairman**
Hon'ble Dr Anup Chandra Pandey, Member

Other dignitaries present:

1. Shri Anurag Yadav, Secretary, Urban Development, Govt of UP, 9415285554, E-mail secud18@gmail.com
2. Shri Ashish Tiwari, Member Secretary, UPPCB, Lucknow.

Meeting was held as scheduled.

We discussed and considered the compliance of the order dated 21.10.2019, passed in **OA No. 670 of 2018** in re: Atul Singh Chauhan *versus* Ministry of Environment, Forest and Climate Change and others.

Pointwise decisions/proposals taken by the Committee are as follows:

Sl. No.	Points of Discussion	Decision taken by the committee
1.	Provision for office chambers and Secretariat for Chairman and Members of the Oversight Committee.	Hon'ble NGT vide order dated 21.10.2019 had directed the State Government to provide Secretariat of the Oversight Committee in the premises of Directorate of Environment, Government of UP alongwith Conference Room etc. Member Secretary, UPPCB informs that first floor of the building of Directorate of Environment was earmarked for the office accommodation of Oversight Committee in the previous year, but due to financial constraints, its furnishing and repair could not be completed. He further informs that some budget has now been sanctioned and work has been allotted to C&DS and the concerned constructing agency has been directed to complete the work before the end of this financial year. Director-cum-Member Secretary, UPPCB shall ensure that furnishing

		<p>and repair work, as required, is complete by the end of this financial year, subject to availability of rest of the funds.</p> <p>Provisionally the State Government has provided accommodation on the ground floor for chambers and office of the Oversight Committee with furniture and computers etc.</p>
2.	Working hours, holidays and other service conditions and disciplinary provisions for the officers/staff	<p>Hon'ble NGT has constituted the Oversight Committee to comply with the orders passed by it from time to time. Member Secretary, UPPCB has suggested that the working hours, working days and holidays as are applicable in the State Government should be adopted and made applicable for the office of Oversight Committee. We resolve accordingly subject to the condition that PPS shall ensure monitoring of office work, if required, even in holidays till the appointment/ engagement of Administrative Officer to run the office of Committee, as per orders of Hon'ble NGT.</p>
3.	Engagement of Member Technical	<p>Member Technical has not been engaged till date. Direction of Hon'ble NGT was to engage a 'technical' member in consultation with the Chief Secretary, Uttar Pradesh. 'Consultation' includes active discussion, exchange of views, active participation, positive assertion and preparation of panel in concurrence with all. Chief Secretary, UP was previously informed but it is intimated that due to pre-engagement in administrative work, he was unable to attend the meeting. Member Secretary, UPPCB may prepare a panel of names as per eligibility criteria after discussion with Chief Secretary, UP and submit the same to the Committee. After that, Chief Secretary, UP is requested to participate in the meeting on the date, time and place suitable to him so that the matter may be finalised as early as possible for proper and smooth functioning of the Committee. We resolve accordingly.</p>

4.	Engagement of support Professionals/ Senior Research Fellows and other staff for each Committee Member as per orders of Hon NGT	UPPCB has provided one SRF from the field of Environment, namely, Ms Urvashi Sharma. Two more candidates Dr Dhananjay Kumar and Dr Namita Gupta were interviewed for engagement as SRF from the field of Environment and found suitable for the job. It was suggested by Member Secretary, UPPCB that both Dr Dhananjay Kumar and Dr Namita Gupta be also engaged for proper functioning of the Committee. We resolve accordingly.
5.	Secretarial staff, which will include Accountant, Administrative Officer and other office staff as per order laid at point No. B	Some of the staff has been provided by the UPPCB. For rest of the staff, it has been assured by Member Secretary, UPPCB that the same would be provided as per requirement of the Committee. Shri Laxmi Narain Soni (for short, L.N.Soni), who retired as Joint Registrar/PS in Allahabad High Court, attached with many Senior Judges of the Court, had also experience of working as PPS with Mr Justice DP Singh, Chairman of previous Monitoring Committee, has been engaged provisionally as Principal Private Secretary to Chairman. He is working as such since 08.11.2019. Similarly, Shri Adesh Narain Bajpai (for short, A.N.Bajpai), who retired as Joint PPS/Joint Registrar-cum-PS from Allahabad High Court and worked with so many Senior Judges of the Court, has been provisionally engaged as PPS to Member Committee since 30.01.2020. They both have been engaged provisionally for proper functioning of Oversight Committee. We are of the view that in view of working experience of Shri L.N. Soni and Shri A.N. Bajpai as above and having regard to fact that compliance of the orders of Hon'ble NGT is to be ensured and reports are to be submitted to Hon NGT in time, their engagement as PPS is expedient. We accordingly resolve that they should be engaged to work with the Oversight Committee.

		<p>So far as remuneration/honorarium to be paid to both the PPS is concerned, Shri L.N.Soni informed that they should be paid fixed amount of Rs.75000/- per month, as was being paid to him during the tenure of previous Monitoring Committee, headed by Mr Justice DP Singh, but we don't find it justifiable and are of the view that both the PPS should be paid remuneration/honorarium, as is paid to retired Government servants i.e. last pay drawn minus pension + DA and other admissible allowances, as agreed by Secretary, Urban Development and Member Secretary, UPPCB. This being the policy of State Government, we resolve accordingly.</p> <p>Engagement of one PPS for Member Technical will be considered later on at appropriate time. As regards the engagement of an Accountant and Administrative Officer, Member Secretary, UPPCB has informed that the matter has been referred to the State Government. However, in the meantime, Member Secretary, UPPCB shall ensure to provide adequate staff to look after urgent work of the Committee.</p>
6.	Logistic support to Oversight Committee	Logistic support is being provided to Oversight Committee. Member Secretary, UPPCB states that in case of further need, logistic support as required will be provided to the Committee immediately.
7.	Dress code and Identity card for officers working in Oversight Committee.	Considered. Resolved that the officers/officials working in Oversight Committee should come in suitable formal attire.
8.	Requirement of computer expert for creating web portal & uploading required information.	It is informed that one official has been engaged as computer expert for creating web portal and uploading required information of the Committee and he is already working.

9.	Any other point with the permission of Chair, which may be necessary for compliance of the orders of Hon NGT.	Decisions taken by the Committee on points as enumerated below, are as under:
(a)	Arrangement of Proper Internet Connection and Wi-Fi facility.	We are informed that steps for making suitable arrangement of internet connection and Wi-Fi facility are being taken.
(b)	Arrangement of Desktops, Printer, Scanner Furniture & other suitable working facilities for the staff.	It is informed that desktops, etc as per demand made by the Committee have already been provided. We have considered the fact that some more SRFs are to be engaged in future and in order to ensure timely preparation of reports by the Committee, some more desktops with printers or connectivity of two desktops with one printer would be required. Member Secretary, UPPCB assures that in case of further requirement of desktops etc., the same will be provided.
(c)	Initiation of Internship programme in the field of Law and Environment Pollution.	The Committee is of the view that for technical work, some internship programme in the field of law and environment pollution should be initiated and applications from students doing research work in the field of environment/environmental law should be invited to provide them an opportunity to do internship and for that, they should apply in the format attached. Secretary, Urban Development and Member Secretary, UPPCB are also of the same view. Member Secretary, UPPCB informs that publication in this regard in Hindi and English Dailies of wide circulation has been made. We resolve accordingly.
(d)	Ancillary matters, if any.	(i) We are of the view that details of furniture and computer etc, which have been provided to Oversight Committee should be maintained in Stock Register. We accordingly resolve that PPS to Chairman and PPS to

Member Administration will direct one of the officials working under them to prepare Stock Register and made relevant entries with regard to each and every item provided to Oversight Committee serialwise. A list of such items be also prepared separately and sent to the office of UPPCB.

(ii) We are also of the view that supervision of the work of officials working in the Committee should be ensured. Shri L.N.Soni and Shri A.N.Bajpai will supervise the work and ensure the punctuality of the officials, sanction leave and report the matter to the Committee in case of any misconduct.

(iii) It is suggested that minimum eligibility criteria and remuneration/honorarium, which is applicable to MTS, Office Assistant, JRF/SRF and Support Professionals from the field of Law, which is applicable in NGT, should be made applicable to the office of Oversight Committee. In this regard, notifications dated 23.09.2019, 10.01.2020 and 22.01.2020 have been brought to our notice, which are available in website of NGT, annexed herewith as Annexures A, B and C. Secretary, Urban Development states that similar eligibility criteria are also applicable in the State of UP with regard to MTS.

The work of the Oversight Committee is to download the orders of Hon'ble NGT, send them to the authorities concerned, call for the reports from the State authorities, ROs of UPPCB, CPCB etc, compile datas and after that prepare a draft on the direction of the Committee to submit final reports to Hon'ble NGT. The work of the officials of Oversight Committee cannot be compared with skilled or unskilled workers of a factory or labourers/workers of brick kiln who are engaged only to count the bricks or load and upload them in trucks or take measurement of weight, etc. Work of officials of the Committee

		<p>and work of Government officials should not be compared with the work of factory workers governed by labour laws. In light of above facts, we are of the view that minimum eligibility criteria and remuneration as applicable in NGT with regard to MTS, support professionals from the field of law and environment, provisionally should be similar as provided in Annexures A, B and C (also available in the website of NGT). We hope and trust that Member Secretary, UPPCB may find out a practical solution of all things mentioned above as early as possible.</p> <p>We resolve accordingly.</p>
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Let the decisions/resolutions of Oversight Committee as above be sent to Chief Secretary, UP Government and Member Secretary, UPPCB for perusal and necessary action.

(Dr Anup Chandra Pandey)
Member, Oversight Committee

(Justice S.K.Singh)
Chairman, Oversight Committee

March 02, 2020

राष्ट्रीय हरित अधिकरण / National Green Tribunal

प्रधान न्यायपीठ / Principal Bench

फरीदकोट हाउस, कॉपरनिकस मार्ग / Faridkot House, Copernicus Marg

नई दिल्ली / New Delhi - 110001

NGT/PB/04/Admin/2018/543

23 September, 2019

Sub: Advertisement for engagement of Multi tasking Staff (MTS) on contractual basis in the National Green Tribunal, Principal Bench at New Delhi -- reg.

Applications are invited from eligible candidates for engagement of MTS on contractual basis for a period of 06 (six) months, which may be further extended depending upon the performance/requirement or as may be decided by the Competent Authority, as per the following criteria.

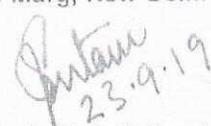
Name of the posts & Number	Eligibility	Age limit	Place of assignment	Remuneration
MTS - 05 (Five)	(i) Matriculation or equivalent from a recognised Board. (ii) Knowledge of handling clerical, caretaking work etc. will be given preference.	Between 18 to 27 years.	National Green Tribunal Principal Bench, New Delhi	As per the Minimum wages Act as amended from time to time.

2. The terms and conditions for the above engagement shall be as follows:
- The person engaged as MTS shall perform his duties as assigned by the controlling officer from time to time.
 - One day leave shall be given in a month, to be availed with prior permission.
 - In special circumstances, the MTSs can be called for service on holidays or duties can be assigned work beyond normal working hours. The MTSs are required to mark the biometric attendance and punctuality be maintained.
 - The period of contractual engagement shall be decided by the Competent Authority, as per the requirement.
 - National Green Tribunal, Principal Bench shall have the right to examine/review the service rendered by him.
 - He shall perform his obligation with all necessary skills, diligence, efficiency and economy.

Contd....2/

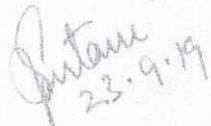
Signature
23.9.19

- vii. During the term of service, he/she shall not engage himself in any private business of professional activity which could conflict with the interest of the Government.
 - viii. He shall treat all the information as confidential and use the same only for the purpose of the performance of service.
 - ix. The service can be terminated at any point of time, without giving any notice and assigning any reason thereof.
 - x. The engaged persons, if absent from duty for more than seven days without intimation and approval of leave, shall be liable to be terminated from engagement without giving any notice.
3. The competent authority reserves the right either to make engagement or may not proceed for engagement even though the advertisement as published.
4. Interested person may submit their bio-data with the particulars in the enclosed format along with relevant documents to the "Registrar General, National Green Tribunal, Principal Bench, Faridkot House, Copernicus Marg, New Delhi - 110001 on or before 10/10/2019 (5:00 PM).


(Dr. Sukhda Pritam)
Deputy Registrar

Copy to:

01. PPS to Hon'ble Chairperson
02. PA to Hon'ble Judicial & Expert Members
03. PA to Ld. Registrar General, NGT, PB, New Delhi
04. Ld. Registrar of all Zonal Bench (Bhopal/Chennai/Kolkata/Pune) to notify in the Notice Board.
05. Ld. Deputy Registrar, NGT, PB
06. Consultant, Accounts Section
07. All Section In-charge, NGT, PB
08. Computer In-charge for uploading on the website
09. Guard file
10. Concerned Office File


(Dr. Sukhda Pritam)
Deputy Registrar

File

National Green Tribunal
Principal Bench/प्रधानन्यायपीठ
Faridkot House/Copernicus Marg/फरीदकोटहाउस, कॉपरनिकसमार्ग,
New Delhi/नईदिल्ली-110001

APPLICATION FORM FOR ENGAGEMENT OF MTS ON CONTRACTUAL BASIS

NOTICE DATED: /09/2019

POST APPLIED FOR

1. Name (in block letters) :
2. Father's / Husband's Name :
3. Sex : (Male/Female)
Category : General/OBC/SC/ST

Paste recent
passport size photo

4. Postal Address (for correspondence) :

(i) Contact No. (Mobile & Landline) :

(ii) Alternative Contact
5. Permanent Address :

6. E-mail id :

7. Fax No. :

8. Date of Birth :

Years Months Days

9. Educational Qualification:

Exam Passed	Board/ University	Year of passing	Subjects	Division / Class	Percentage

10. Professional Qualification

Exam Passed	Board/ University	Years of Passing	Subjects	Division/ class	Percentage

11. Experience:

Post held	From	To	Scale of Pay/ consolidated pay / remuneration	Ministry/Department	Subject handled (in brief)

12 Any Other Information
(Additional sheet may
be furnished, if
required)

.....
.....
.....

DECLARATION

I solemnly do hereby affirm and declare that the information given above is correct to the best of my knowledge and belief. In the event of any information being found false or incorrect or ineligibility being detected before or after the interview/ selection/ engagement, my candidature may be treated as cancelled and, I shall be liable for any action as the Tribunal may deem fit and proper.

(.....)
Signature

Full Name:.....

Date:.....

Place:.....

National Green Tribunal/राष्ट्रीय हरित अधिकरण
Western Zone Bench/पश्चिमी क्षेत्र न्यायपीठ
New Administrative Building, D-Wing/नवीन प्रशासनिक इमारत, डी-विंग,
1st floor, Opposite Council Hall /प्रथम मंज़िल, विधान भवन के सामने,
Camp, Pune - 411 001/कैम्प, पुणे- 411 001.

No NGT/WZ/Pune/15/2020

Dated:- 10th January, 2020

Sub : Advertisement for engagement of Office Assistant, Librarian, Stenographers, Multi-Tasking Staff and Driver purely on contractual basis in the National Green Tribunal, Western Zone Bench at Pune-reg.

Application are invited from eligible candidates for engagement of Office Assistant, Librarian, Stenographer, Multi-Tasking Staff and Driver purely on contractual basis initially for a period of one year which may be further extended depending upon the performance/ requirement or as may be decided by the Competent Authority as per the following criteria.

Sr. No	Name of the post & Number	Eligibility	Age limit	Place of assignment	Remuneration
1	Office Assistant Post-01	Bachelor Degree from a recognised University having Computer knowledge	21 to 30 years (Age relaxation shall be given to OBC/SC/ST candidates as per the Govt. rule)	National Green Tribunal, Western Zone Bench, Pune.	Rs 24000/-
2	Librarian Post-01	1. Bachelor's Degree in Library Science or Library and information Science of a recognized University/ Institute. 2. One year professional experience in Library under Central/State Government/ Autonomous or statutory organization/PSU/ University or recognized research or Educational institution 3. Candidates having diploma in Computer Application from a recognised University or Institute will be given preference	21 to 30 years		Rs 24000/-
3	Stenographer (English) Posts- 03	Graduation in any stream 05 years of experience Preference will be given to Stenos who have dealt with dictation & typing of legal cases	NIL		Depending upon the experience & Qualification of Candidate.

Sr. No	Name of the post & Number	Eligibility	Age limit	Place of assignment	Remuneration
4	Multi-Tasking Staff Post- 02	<p>1. Matriculation or equivalent from recognised board but qualification can be relaxed if candidate is found exceptionally suitable.</p> <p>2. Candidates having the skill of driving of Light Motor Vehicle will be given preference.</p>	Between 18 to 27 years	National Green Tribunal, Western Zone Bench, Pune.	As per the Minimum wages Act as amended from time to time
5	Driver Post- 01	<p>1. Matriculation from recognized board.</p> <p>2. Possession of a valid driving licence to drive Light Motor Vehicle.</p> <p>3. Experience of driving a motor car for three years or more.</p> <p>4. Knowledge of motor mechanism (the candidate should be able to remove minor defects in vehicle)</p>	Between 18 to 35 years		

2. The terms and conditions for the above engagement:-

- (i) The person engaged shall perform the service as assigned by the Controlling Officer.
- (ii) One day casual leave shall be given in a month which shall be availed with prior permission.
- (iii) In special circumstances they can be called for service on holidays or duties can be assigned beyond normal working hours.
- (iv) The person engaged shall mark his biometric attendance.
- (v) The period of contract/engagement shall be decided by the Competent Authority, as per the requirement.
- (vi) National Green Tribunal, Principal Bench shall have the right to examine/review the service rendered by him.
- (vii) The working hours to the NGT shall be from 09:30 A.M. to 05:00 P.M. with lunch break of 30 minutes from 01:30 p.m. TO 02:00 p.m. with Saturday working (except 2nd Saturday).
- (viii) In spite of working hours, Driver & MTS shall attend on duty as per the requirement.
- (ix) Engaged persons shall perform his obligation with all necessary skills, diligence, efficiency and economy.
- (x) During the term of service, engaged persons shall not engage in any private business or professional activity which could conflict with the interest of the Government.
- (xi) The service can be terminated at any point of time, without assigning any reason and without any notice.

11. The Government shall have the right to make engagement or may not proceed with engagement at any point of time without assigning any reason therefor.

3 Interested persons may submit their bio-data with the particulars in the enclosed format along with relevant photocopies of documents with self certifying to the "Registrar, National Green Tribunal, Western Zone Bench, New Administrative Building, D-Wing, 1st floor, opposite Council Hall, Camp, Pune- 411 001" on or before 25th January, 2020.

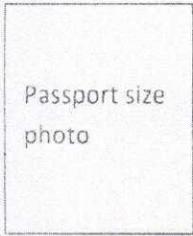
SKM
10.1.2020
(Suresh N. Rajurkar)
Registrar
NGT (WZB) PUNE

Copy forwarded to :-

1. The Hon'ble Registrar General, National Green Tribunal (P.B.), New Delhi
2. The Deputy Registrar (Judicial), National Green Tribunal (P.B.), New Delhi.
3. Concerned office file.
4. Computer In-charge, NGT (P.B.), New Delhi for uploading on the website.
5. Notice board

UNDERTAKING

(FOR THE POST OF _____)



Personal information

- 1. Name in Full (In Block Letter):- _____
- 2. Date of Birth:- _____
- 3. Age:- _____
- 4. Gender: _____
- 5. Marital Status:- _____
- 6. Religion:- _____
- 7. Nationality:- _____
- 8. Category (Caste) - _____
- 9. Correspondence Address: _____

- 10. Permanent Address : _____

- 11. Contact No.:- _____
- 12. Email I.D.(if any) - _____
- 13. Education Qualification:

Exam passed	Name of the Board/University	Class or Division	% of Marks	Subject taken	Year of passing

राष्ट्रीयहरितअधिकरण/ National Green Tribunal
 प्रधानन्यायपीठ/ Principal Bench
 फरीदकोटहाउस, कॉपरनिकसमार्ग/ Faridkot House, Copernicus Marg
 नईदिल्ली/ New Delhi – 110001

NGT/PB/637/Admin/2018/65

22nd January, 2020

Sub: Advertisement for engagement of Legal Researcher on contract basis in the National Green Tribunal, Principal Bench at New Delhi – reg.

Applications are invited for the following posts as per the eligibility criteria mentioned against each.

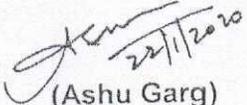
Sl. No	Name of the posts & Number	Eligibility	Age limit	Place of assignment	remuneration
I.	Legal Researcher (03)	LL.B with knowledge of 1. Legal Research 2. Environmental Law 3. Court Procedures 4. Three –Five years of working Experience.	Maximum 35 years	National Green Tribunal Principal Bench, New Delhi	Rs.50,000/- or above depending upon Merit of the Candidate.

2. The terms and conditions for the above engagement shall be as follows:

- i. The person engaged shall perform his/her duties as assigned by the concerned Supervisor from time to time.
- ii. The working hours of the NGT shall be from 9:30 AM to 5:00 PM with lunch break of 30 minutes from 1:30 PM to 2:00 PM with Saturday working (except 2nd Saturday).
- iii. One day leave shall be given in a month, to be availed with prior permission.
- iv. In special circumstances, they can be called for service on holidays or duties can be assigned beyond normal working hours. They are required to mark the biometric attendance.
- v. The period of contractual engagement shall be decided by the Competent Authority, as per the requirement.
- vi. National Green Tribunal, Principal Bench shall have the right to examine/review the service rendered by him/her.
- vii. He/She shall perform his obligation with all necessary skills, diligence, efficiency and economy.
- viii. During the term of service, he/ she shall not engage himself in any private business of professional activity which could conflict with the interest of the Government.
- ix. He /She shall treat all the information as confidential and use the same only for the purpose of the performance of service.
- x. The service can be terminated at any point of time, without giving any notice and assigning any reason thereof.

- xi. The engaged person, if absent from duty for more than seven days without intimation and approval of leave, shall be liable to be dismissed from engagement without giving any notice.

3. Interested person may submit their application with the particulars in the enclosed format along with relevant documents to the "Registrar General, National Green Tribunal, Principal Bench, Faridkot House, Copernicus Marg, New Delhi – 110001 on or before 31/01/2020 (5:00 PM).


(Ashu Garg)
Registrar General

Copy to:

1. PPS to Hon'ble Chairperson
2. PA to Hon'ble Judicial & Expert Members
3. PA to Ld. Registrar General
4. Ld. Registrar of all Zonal Bench (Bhopal/Chennai/Kolkata/Pune) to notify in the Notice Board.
5. Ld. Deputy Registrar (Admn./Judicial)
6. The Pay & Accounts Officer, Ministry of Environment, Forest & Climate Change, Government of India, IPB, Jor Bagh, New Delhi
7. AAO cum DDO, NGT
8. All Section In-charge, NGT, PB
9. Computer In-charge for uploading on the website
10. Guard file
11. Concerned Office File

Principal Bench/प्रधानन्यायपीठ
Faridkot House/Copernicus Marg/फरीदकोटहाउस, कॉपरनिकसमार्ग,
New Delhi/नईदिल्ली-110001

APPLICATION FORM FOR ENGAGEMENT OF LEGAL RESEARCHER ON CONTRACTUAL BASIS

NOTICE DATED: /01/2020

POST APPLIED FOR :

1. Name :
(in block letters)
2. Father's/ Husband Name :
3. Sex :(Male/Female)
4. Category GENERAL/ OBC/ SC/ ST
5. Postal Address :
(For correspondence)
.....
.....
Contact No. (Mobile & Landline) :
6. Permanent Address :
.....
.....
(Alternative Contact No.) :
7. E-mail id :
8. Fax No. :
9. Date of Birth :
as on 31/01/2020
Years Months Days

Paste recent passport size photo

10. Educational Qualification:

Exam Passed	Board/ University	Year of passing	Subjects	Division	Percentage

11. Professional Qualification:

Exam Passed	Board/ University	Years of Passing	Subjects	Division	Percentage

12. Experience:

Post held	From	To	Scale of Pay/ consolidate pay	Ministry/Department	Subject handled (in brief)

13 Any Other Information
(Please attach
separate sheet, if
required)

.....
.....
.....

DECLARATION

I solemnly do hereby affirm and declare that the information given above is true and correct to the best of my knowledge and belief. In the event of any information being found false or incorrect or ineligibility being detected before or after the interview/ selection/ engagement, my candidature may be treated as cancelled and, I shall be liable for any action as the Tribunal may deem fit and proper.

(Signature)

Date:.....

Place:.....

**MINUTES OF MEETING OF NGT OVERSIGHT COMMITTEE, UP LUCKNOW NGT HELD ON
18.06.2020 AT 11-00 A.M (ORGANISED WITH THE HELP OF NIC)
THROUGH VIDEO-CONFERENCING**

**Present: Hon'ble Mr Justice SVS Rathore, Chairman, and
Dr Anup Chandra Pandey, Member**

Other dignitaries present:

1. Shri Devesh Chaturvedi, Additional Chief Secretary, Govt of UP
2. Shri Ashish Tiwari, Member Secretary, UPPCB
3. Dr DK Soni, CPCB, Lucknow
4. Shri Anil Kumar Sharma, Chief Mining Officer
5. Shri Anjani Kumar Singh, Mining Officer, Allahabad
6. Shri Mushtaq, Addl Project Manager, NMCG

Meeting was held as scheduled.

This meeting is held today to review the position of remedial action against sand mining in river Yamuna at Prayagraj and follow up directions given by Hon NGT in **OA No. 670/2018** in re: *Atul Singh Chauhan versus Govt of UP*.

Since this is the first meeting of this Oversight Committee, before we review the details we would like to recapitulate the legal framework of the case.

Applicant Atul Singh Chauhan had approached the Hon NGT with the contention that lot of irregularities were taking place in mining in river Yamuna at Prayagraj (Allahabad). His contention was that the mining was allowed prior to preparation of District Survey Report (DSR). He contended that it was being done in an unscientific way, in stream mining was resorted to. Mining was being done upto 4 to 6 meter deep using Pokland Machine. Mining was done without taking EIA clearance in violation of Supreme Court Judgment in *Deepak Kumar vs State of Haryana & others, (2012) 4 SCC 629*. 400 to 500 trucks of sand were daily moving out transporting sand instead of permissible limit of 125 trucks. These trucks were carrying a load of 12 to 20 cubic meters instead of permissible limit of 6 cubic meters. Mining was being done in utter violation of orders passed by Hon'ble NGT in the cases of *Sudarshan Dass vs MoEF*, *Mustakim vs State of UP* and *Satyendra Pandey vs Govt of India*.

Hon NGT constituted a Joint Committee under the Chairmanship of Commissioner, Prayagraj on Sept 20, 2018. The Committee while sending its report to Hon NGT acknowledged that illegal sand mining was going on in that area. Hon NGT on Feb 12, 2019 formed a Monitoring Committee under Chairmanship of Justice Rajes Kumar to examine the entire matter and send its report to Hon NGT. On May 09, 2019, Hon NGT examined the report of the Monitoring Committee. The Monitoring Committee in its report dated March 29, 2019 mentioned that illegal sand mining was going on in river Yamuna at Prayagraj. They came out with the following suggestions to remedy the situation:

1. CCTV Cameras should be installed at mining points to verify the amount of sand extracted.

2. Regular patrolling should be done by the police to inspect the mining operations.
3. Daily reports regarding mining should be sent to the District Magistrate.
4. In case of any irregularity, FIR should be lodged.
5. The District Magistrate and the Superintendent of Police should carry out surprise checks.

Hon NGT reiterated the order dated January 10, 2019 whereby it had ordered that every vehicle carrying illegal sand should be confiscated and it should not be released without recovery of 50% of showroom price. This order has been affirmed by Hon'ble Supreme Court on May 07, 2019. Besides confiscation, environmental compensation should be levied against illegal mining which should be based on net present value of the cost of damage to environment alongwith the cost of restoration of environment as well as cost of illegally mined material.

Hon NGT vide order dated July 04, 2019 examined the reports of Monitoring Committee dated 19.06.2019, 28.06.2019 and 02.07.2019. It directed removal of JCBs and other machines from the mining areas in river Yamuna. It also reiterated earlier directions of installing CCTV cameras, patrolling, surprise inspections and daily reports from the District Magistrate. Hon NGT on Feb 28, 2020 directed that there would be a single Oversight Committee (this Committee), which would be monitoring all environmental cases, which hitherto were monitored by separate committees. It examined the Monitoring Committee's report dated Nov 02, 2019 wherein it was mentioned that in Allahabad (now Prayagraj), out of 83 silica sand washing plants, only 12 had permission from UP Pollution Control Board. These 12 silica sand washing plants were using tube-wells for washing without getting permission from Central Ground Water Authority. UPPCB had been asked by the Monitoring Committee to seal these plants and invoke environmental compensation on them. The Monitoring Committee had asked to give them an opportunity of hearing before taking final decision.

Hon NGT also mentioned that directions given in order dated 04.09.2019 in **OA No. 173/2018** in re:*Sudarshan Das versus State of West Bengal and others*, order dated 26.04.2019 passed in **OA No. 44/2016** in re:*Mushtakeem versus MoEF&CC and others* and order dated 13.09.2018 passed in **OA No. 186/2016** in re:*Satendra Pandey versus MoEF&CC and another*, must also be followed in the State of UP. The operative portion of these three orders is reproduced as follows:

OA No. 173/2018 in re: Sudarshan Das versus State of West Bengal and others, **Order dated 04.09.2019:**

"29. Apart from above, in view of the grave and alarming situation and gross failure on the part of the authorities in the concerned districts in both the States of Odisha and West Bengal and to prevent illegal and unscientific sand mining in the areas in question, we deem it essential to issue following directions:-

- (i) *The State of West Bengal and Odisha may demarcate the boundaries for regulating grant of sand mining lease within three months from today. No mining lease of minor minerals may be given in the area in question till demarcation is complete. All existing mining operations in those areas shall remain suspended till demarcation work is completed and attains finality. To carry out the demarcation, the Chief Secretaries of the two States may constitute a team of three suitable officers each within two weeks. The said teams may hold their first meeting within onemonth.*
- (ii) *The States of West Bengal and Odisha must ensure that mining in all sand mining blocks is undertaken strictly in accordance with the provisions of EIA Notification, 2006, MoEF Notification dated 15th January, 2016 and the Sustainable Sand Mining Management Guidelines, 2016. They must also ensure that no sand mining is permitted without due compliance of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 as well as regulations governing clearances by the Central Ground Water Authority. The District Administration must be held accountable for any failure.*
- (iii) *District Magistrates and Superintendents of Police, Balasore district in Odisha and PaschimMedinapur, West Bengal, respectively, shall seize all sump pumps, other machinery, tools, vehicles, etc. used for carrying out illegal sandmining.*
- (iv) *Apart from instituting appropriate criminal proceedings against those carrying out illegal mining, exemplary penalty shall be imposed against them by the concerned District Magistrates within three months from today to cover the cost of restoration of environment and to compensate the victims.*
- (v) *The Chief Secretaries of the two States shall also get prepared jointly a detailed restoration plan for river Subarnarekha and its river beds for which a Committee of experts shall be constituted from independent institutions, i.e., the CPCB, Indian School of Mines, Dhanbad and the respective State Pollution Control Boards as members. Such constitution may take place within one month.*
- (vi) *The Expert Committee shall carry out detailed study and submit the restoration plan, as far as may be practicable, within three months after its constitution.*
- (vii) *The Committee shall also get the assessment done through Indian Council of Forestry Research and Education, Dehradun of the ecological damage on account of illegal mining by incorporating the following components:*

- (a) Cost of river bed material.
 - (b) Cost of ecological restoration.
 - (c) Net present value of the future ecosystem services foregone.
- (viii) The above steps may be facilitated by the Regional Office of the CPCB as nodal officer, by coordinating with the Chief Secretaries of the two States.
- (ix) The damage suffered by the inhabitants caused by the illegal mining may also be assessed by the above Committee, which shall form a separate component of the Restoration Plan for river Subarnarekha as per direction No. (v) above. Cost of restoration plan shall be recovered as environmental compensation from the illegal miners, to be identified by the District Magistrate. The component of the compensation in respect of damages suffered by the inhabitants may be credited with District Legal Services Authority. The District Legal Services Authority may disburse the same to the victims of illegal mining, after proper identification.”

OA No. 44/2016 in re: Mushtakeem vs MoEF & CC and others, Order dated 26.07.2019:

“20. It is made clear that pending further reports, the States must apply the compensation regime as per principles specified in paragraph 56 of order dated 05.04.2019.”

“56. Similar criteria may have to be taken into account for arriving at an approximate scale of compensation. The compensation is to include not only the full value of the illegally mined material but also cost of restoration of environment as well as cost of ecological services foregone forever. It should be deterrent so as not to render such illegal activity profitable. In *Sudarsan Das Vs. State of West Bengal & Ors.* (Supra), it was held that full value of the material, the cost of restoration and the NPV should form part of the compensation to be recovered. There has also to be action against the polluters and the erring officers. The vehicles or any other equipment used for illegal mining are required to be confiscated and to be released only on payment of at least 50% of the showroom value as laid down in *Original Application No.110(THC)/2012, Threat to life arising out of coal mining in South Garo Hills District v. State of Meghalaya & Ors.* This scale can then apply for all States, as far as possible.”

OA No. 186/2016 in re: Satendra Pandey vs MoEF & CC and another, Order dated 13.09.2018:

“22. For all these reasons, we direct that the procedure laid down in the impugned Notification be brought in consonance and in accord with the directions passed in the case of

Deepak Kumar (supra) by (i) providing for EIA, EMP and therefore, Public Consultation for all areas from 5 to 25 ha falling under Category B-2 at par with Category B-1 by SEAC/ SIEAA as well as for cluster situation wherever it is not provided; (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA; (iii) if a cluster or an individual lease size exceeds 5 ha the EIA/EMP be made applicable in the process of grant of prior environmental clearance; (iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof; (v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area; (vi) the MoEF&CC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining.”

Various issues involved in the matter were reviewed and discussed. Point-wise decisions taken by the Committee in the matter are detailed hereinunder:

S. No.	Issues/ points of discussion	Current status and decision
1	<p>Report regarding District Prayagraj.</p> <p>Recovery of damages for illegal mining and coercive measures against the vehicle involved in illegal sand mining.</p>	<p>Chief Mining Officer informed the Committee that in the entire State, at the places where sand mining is going on, weigh-bridges have been constructed and CCTV cameras have been installed to check illegal sand mining and its transportation. This has been incorporated in the rule.</p> <p>So far confiscation of vehicles is concerned, it was informed by the Chief Mining Officer that under the Mines and Minerals (Development and Regulation) Act, 1957 (for short, MMDR Act), the competent authority is the court of Chief Judicial Magistrate for lodging complaints. In the complaints, orders of the Hon’ble NGT are referred to. Confiscated vehicles are released by the court of Chief Judicial Magistrate concerned after obtaining an affidavit and trial continues in due course. This is a practice in Prayagraj, but in other districts too, the same procedure is being adopted.</p> <p>On query being made that when the orders of Hon’ble NGT in this regard have been confirmed by Hon’ble Supreme Court, then why the Chief Judicial Magistrate is releasing the confiscated vehicles on affidavit and whether the Chief Judicial Magistrate is made aware of the above confirmation by</p>

Hon'ble Supreme Court on 7th May, 2019 and even thereafter if confiscated vehicles are being released without payment of penalty, whether appeals are being preferred, the Chief Mining Officer replied that so far no appeal has been preferred, but they will do it now.

Shri Ashish Tiwari, Member Secretary, UPPCB informed that the penalty regime has now been amended by Hon'ble NGT vide order dated 28.02.2020 passed in OA No. 670/2018 to the following effect:

Sr. No.	Category of Vehicle	Penalty Amount
1	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and less than 5 years old.	Rs. 4 lacs
2	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and more than 5 years but less than 10 years old.	Rs. 3 lacs
3	For the remaining Vehicles year/Equipments/ Excavators which are otherwise legally permissible to be operated and not covered by Serial No. 1 and 2.	Rs. 2 lacs

Note-I: On repetition of the offence by the same vehicle/equipment, Order dated 05.04.2019 will be applicable.

Note-II: The option of release may be available for a period of one month from the date of seizure and thereafter, the vehicles may be confiscated and auctioned.

It was further informed that the above penalty regime would be applicable for the offence committed for the first time but in case of repetition, penalty regime as provided in the order of Hon'ble NGT dated 10th January, 2019 would be applicable. In the said order of Hon NGT, it was directed that the State Government has to amend the rules and the confiscating officer is to be designated in consonance with amendments made in Forest Act/Rules and the amount so collected is to be remitted to State PCB/PCCs for being utilised for restoration of environment. The Hon'ble NGT had further directed that the above compensation regime will be over and above any existing rules or provisions.

Let the State Government issue an appropriate Office Order/Rule to this effect in accordance with the spirit of orders of Hon'ble NGT referred to hereinabove by incorporating State Amendment.

The Committee was informed by Shri Anjani Kumar Singh,

		<p>Mining Officer, Prayagraj that there are 2 running pattas i.e. Ganga (working) and Yamuna (suspended from 04.06.2020). Both the mining areas have CCTV cameras. There were 21 pattas earlier, but at present only two pattas are there, out of which one patta relating to Ganga is in running condition and the other one, which relates to Yamuna, is suspended on account of non-payment of royalty. Tender were advertised but due to lockdown, tender process could not be completed. He further informed that till date 14 FIRs have been lodged illegal sand mining. However, no penalty has been realised so far from illegal miners.</p> <p>Let the District Magistrate, Prayagraj submit a detailed report within a week in regard to steps taken against illegal sand miners, vehicles confiscated, penalty imposed/realised, action taken against accountable officers, surprise inspections made so far by District Magistrate and Senior Superintendent of Police and daily reports submitted by the district administration to the Head Office at Lucknow.</p> <p>The Committee directed to check illegal mining by all means. CPCB was directed to provide assistance in calculating the EC in compliance with the directions of Hon NGT.</p> <p>Shri SN Singh, EPD informed that illegal sand mining is going on in large scale in Kanpur Dehat area, AugasiGhat in Fatehpur, Chitrakoot and Kaushambi.</p> <p>The Chief Mining Officer was directed to get an inspection made against illegal sand mining in the aforesaid areas and submit a detailed report. He shall ensure that no mining is permitted to be done in violation of the provisions of MMDR Act and rules framed thereunder and suitable action is taken against wrong-doers.</p> <p>Shri Ashish Tiwari, Member Secretary, UPPCB suggested for issuing direction to CPCB to make standard formula for compensation instead of different compensation regimes presently in vogue.</p>
2	Best practices (setting up of control rooms)	The Committee has been informed by Chief Mining Officer that Command Centre has been established at Lucknow.
3	Installation of GPS	The Chief Mining Officer informed that process for installing

		GPS in vehicles is in progress.
4	Environmental compensation	The Committee suggested that EC is taken as per recommendations made by Hon'ble NGT on the report submitted by the Committee headed by Mr Justice Rajes Kumar.
5	License from UPPCB and CGWA (83 Silica Sand Mining Plants)	Shri Ashish Tiwari, Member Secretary, UPPCB informed that out of 83 Silica Sand Mining Plants which were identified, only 04 have permission from UPPCB. Rest plants were sealed for want of permission on the basis of inspection done by a committee on 16.06.2020 and EC was imposed. District Magistrate has issued recovery certificate for realisation of the same. The Committee directed that Silica Sand Mining Plants be made viable after obtaining environmental clearance from UPPCB.
6	Other items:	Department of Irrigation was directed to submit a report regarding illegal mining of minor minerals in irrigation channels.

Sd/-

(Dr Anup Chandra Pandey)
Member, Oversight Committee

Sd/-

(Justice SVS Rathore)
Chairman, Oversight Committee

June 18, 2020

Environmental Monitoring Cell

उत्तर प्रदेश शासन
पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-7
संख्या- N-C-T-234 / 81-7-2020-01(रिट)/2019
लखनऊ : दिनांक : 05 जून, 2020

कार्यालय ज्ञाप

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-606/2018 Compliance of Municipal Solid Waste Management Rules, 2016 में पारित आदेश दिनांक 10.01.2020 द्वारा मुख्य सचिव के कार्यालय हेतु "Environment Monitoring Cell" की स्थापना हेतु निर्गत निर्देशों का सुसंगत अंश निम्नवत् है-

36" f. An 'Environment Monitoring Cell' may be set up in the office of Chief Secretaries of all the States/UTs within one month from today, if not already done for coordination and compliance of above directions which will be the responsibility of the Chief Secretaries of the States/UTs."

2- मा0 अधिकरण द्वारा विभिन्न प्रकरणों में पारित निर्देशों के अनुपालन में पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ0प्र0 शासन के कार्यालय ज्ञाप संख्या-15/2019/एन0जी0टी0-259/55-पर्या-2-2019-44(रिट)/2016, दिनांक 14.06.2019, संख्या-14/2019/एन0जी0टी0-258/55-पर्या-2-2019-44(रिट)/2016, दिनांक 14.06.2019, संख्या-16/2019/एन0जी0टी0-260/55-पर्या-2-2019-44(रिट)/2016, दिनांक 14.06.2019 तथा संख्या-17/2019/एन0जी0टी0-261/55-पर्या-2-2019-44(रिट)/2016, दिनांक 14.06.2019 द्वारा राज्य स्तर पर अनुश्रवण की प्रक्रिया के अन्तर्गत विषयवार 04 राज्य स्तरीय अनुश्रवण समितियां निम्नवत् गठित की गयी हैं :-

क्र0सं0	समिति का नाम	कार्यक्षेत्र	समिति के अध्यक्ष/पर्यवेक्षक
i.	इम्प्लीमेंटेशन कमेटी	गंगा नदी में नदी जल संरक्षण एवं प्रदूषण नियंत्रण संबंधी कार्यों का अनुश्रवण	अपर मुख्य सचिव/प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
ii.	रिवर रिजुविनेशन कमेटी	गंगा नदी की समस्त सहायक नदियों में नदी जल संरक्षण एवं प्रदूषण नियंत्रण संबंधी कार्यों का अनुश्रवण	कृषि उत्पादन आमुक्त
iii.	एयर क्वालिटी मॉनिटरिंग कमेटी	प्रदेश में वायु प्रदूषण के प्रभावी नियंत्रण, पर्यावरण संरक्षण एवं परिवेशीय वायु गुणत मानकों के अनुरूप सुनिश्चित कराए जाने हेतु कार्यों की प्रगति का अनुश्रवण	अपर मुख्य सचिव/प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
iv.	राज्य स्तरीय अपशिष्ट प्रयत्न अनुश्रवण समिति	समस्त प्रकार के अपशिष्ट यथा ठोस अपशिष्ट, प्लास्टिक अपशिष्ट, ई-वेस्ट, परिसकटमय अपशिष्ट एवं कचूरपतन एण्ड डिपॉजिशन अपशिष्ट के नियमानुसार सुरक्षित निस्तारण किये जाने की स्थिति का अनुश्रवण	अपर मुख्य सचिव/प्रमुख सचिव, नगर विकास विभाग

3- "Environment Monitoring Cell" का गठन :-

माननीय अधिकरण के उपरोक्त निर्देशों के अनुपालन में मुख्य सचिव, उ0प्र0 शासन के कार्यालय हेतु "Environment Monitoring Cell" के दायित्वों के निर्वहन के लिए उ0प्र0 राज्य में स्थापित राज्य स्तरीय अनुश्रवण समितियों के प्रतिनिधियों को सम्मिलित

करते हुए "राज्य स्तरीय अनुश्रवण उप समिति" तत्काल प्रभाव से निम्नानुसार गठित की जाती है-

- 1- अध्यक्ष, इम्प्लीमेंटेशन कमेटी द्वारा नामित प्रतिनिधि।
- 2- अध्यक्ष, राज्य स्तरीय अपशिष्ट प्रबन्धन अनुश्रवण समिति द्वारा नामित प्रतिनिधि।
- 3- अध्यक्ष, रिवर रिजुविनेशन कमेटी द्वारा नामित प्रतिनिधि।
- 4- सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड/सदस्य समन्वयक, ऐयर क्वालिटी मॉनिटरिंग कमेटी - संयोजक

4- "Environment Monitoring Cell" के दायित्व :-

- 1- मा० राष्ट्रीय हरित अधिकरण में विचाराधीन ऐसे समस्त प्रकरण जिनमें मुख्य सचिव, उ०प्र० शासन के लिए अनुपालन/अनुश्रवण हेतु निर्देश जारी हों, में आगामी कार्यवाही की तिथि प्रदर्शित करते हुए सूचीबद्ध किया जाना।
- 2- मा० राष्ट्रीय हरित अधिकरण में विचाराधीन ऐसे समस्त प्रकरण जिनमें मुख्य सचिव, उ०प्र० शासन के लिए अनुपालन/अनुश्रवण हेतु निर्देश जारी हों, में माननीय अधिकरण के निर्देशों को विभागवार संकलित करते हुए मुख्य सचिव, उ०प्र० शासन की ओर से सम्बन्धित विभागों को निर्देश प्रेषित कराये जाने हेतु आलेख्य तैयार कर प्रस्तुत करना।
- 3- ऐसे प्रकरण जिनमें मा० अधिकरण द्वारा मुख्य सचिव, उ०प्र० शासन के लिए अनुपालन आख्या प्रस्तुत किये जाने के निर्देश दिये गये हों, में मुख्य सचिव कार्यालय को सुनवाई की तिथि अथवा अनुपालन हेतु निर्धारित तिथि से कम से कम 15 दिन पूर्व अवगत कराते हुए संबंधित विभागों से अनुपालन आख्या प्राप्त कर एवं उसका परीक्षण कर मुख्य सचिव, उ०प्र० शासन के समक्ष प्रस्तुत करना।
- 4- पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन के कार्यालय ज्ञाम सं०-13/2019/एन०जी०टी०-257/55-पर्या-2-2019-44(रिट)/2018, दिनांक 14.08.2019 के माध्यम से पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण हेतु स्थापित त्रिस्तरीय अनुश्रवण तंत्र के अंतर्गत राज्य स्तरीय समितियों की बैठकों से प्राप्त अनुपालन रिपोर्टों का सारांश तथा मुख्य सचिव, उ०प्र० शासन स्तर पर माह के अंतिम सप्ताह में समीक्षा बैठक आयोजित किये जाने हेतु एजेण्डा तैयार कर मुख्य सचिव, उ०प्र० शासन के समक्ष प्रस्तुत करना।
- 5- U.P. Environment Compliance Portal (www.upecp.com) के माध्यम से जिला स्तर एवं संबंधित विभाग स्तर द्वारा किये गये अनुपालन की स्थिति का अनुश्रवण करना।
- 6- उक्त सेल का कार्यालय उ०प्र० प्रदूषण नियंत्रण बोर्ड मुख्यालय, टी०सी०-12वी, विभूति खण्ड, गोमती नगर, लखनऊ में होगा।
- 7- उक्त सेल द्वारा सम्पादित किये जाने वाले उपरोक्त कार्यों का नियमित अनुश्रवण प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग द्वारा किया जायेगा।

मुख्य सचिव, उ०प्र० शासन के कार्यालय हेतु "Environment Monitoring Cell" के गठन लिए गठित "राज्य स्तरीय अनुश्रवण उप समिति" द्वारा मा० अधिकरण के निर्देशों के अनुपालन में अपेक्षित अनुपालन की स्थिति, वांछित कार्यवाही तथा सुनवाई हेतु

निर्धारित तिथियों की सूचना सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड द्वारा प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग के माध्यम से प्रस्तुत की जायेगी।

राजेन्द्र कुमार तिवारी
मुख्य सचिव।

संख्या-N(JT-237(1)/81-7-2020-01(रिट)/2019, तददिनांक।

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

1. अध्यक्ष, रिवर रिजुविनेशन कमेटी (कृषि उत्पादन आयुक्त, उ०प्र० शासन)।
2. अध्यक्ष, इम्प्लीमेंटेशन कमेटी (प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन)।
3. अध्यक्ष, एअर क्वालिटी मॉनिटरिंग कमेटी (प्रमुख सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० शासन)।
4. अध्यक्ष, राज्य स्तरीय अपशिष्ट प्रबन्धन अनुभवण समिति (प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन)।
5. प्रमुख स्टाफ ऑफिसर, मुख्य सचिव, उ०प्र० शासन।
6. सदस्य सचिव, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
7. मार्ट फाइल।

आज्ञा से,

(संजय सिंह)
सचिव।



केन्द्रीय प्रदूषण नियंत्रण बोर्ड Central Pollution Control Board



क्षेत्रीय निदेशालय, लखनऊ
Regional Directorate, Lucknow

(पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest and Climate Change, Govt. of India)

F. No. ZoL/Tech/NGT/341/ 308
To,

Date: 30.06.2020

The Chairman,
Oversight Committee,
Environment Directorate,
Vineet Kand-1 Gomti Nagar,
Lucknow-226010

Sub: Calculation of Environmental Compensation (EC) in compliance with the Hon'ble NGT direction in case of OA No. 670/2018 in the matter of Atul Singh Chauhan Vs Govt. of UP.

Sir,

This is with reference to Minutes of Meeting of NGT oversight Committee, U.P Lucknow held on 18.06.2020 at 11.00 AM through Video Conferencing (VC) in case of OA No. 670/2018 in the matter of Atul Singh Chauhan Vs Govt. of UP. The Committee has directed CPCB to provide assistance in calculating the EC in compliance with the direction of the Hon'ble NGT in case of illegal sand mining.

In this regard, it is to submit that CPCB in compliance of Hon'ble NGT order dated-05.04.2019 in O.A. No. 360/2015 (and 13 other clubbed cases) related to illegal sand mining from riverbeds in different states, constituted a Committee comprising of representatives of Ministry of Environment, Forest and Climate Change, Government of India (MoEF&CC), Central Pollution Control Board (CPCB), Indian Institute of Forest Management - Bhopal (IIFM), Institute of Economic Growth - New Delhi (IEG) and Madras School of Economics (MSE) "to prepare a scale of compensation, after including the components mentioned in the order, which can then be adopted in whole of country. The nodal agency for compliance and coordination is CPCB."

The said committee has prepared a report and same has been filed in Hon'ble NGT on 30.01.2020 by CPCB. The report is under consideration for final hearing by Hon'ble NGT on 15.07.2020. As soon as the scale of compensation gets approved by Hon'ble NGT the same protocol will be applied for calculation of EC in this case also. This is for your kind consideration.

Yours faithfully

R.K. Singh
(R.K. Singh)
Regional Director

पिपल भवन, विपुलि खण्ड, गोमती नगर, लखनऊ-226010 (उ.प्र.)
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Lucknow-226010 (U.P.)
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राष्ट्रीय कार्यालय Head Office
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ई मेल / e-mail : cpcb@nic.in
वेबसाइट website : http://www.cpcb.nic.in

प्रेषक,

निदेशक,

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

सेवा में,

जिलाधिकारी,

कानपुर देहात/फतेहपुर/मिर्जापुर/कौशांबी।

संख्या: ५७० / एम०-एन०जी०टी०/२०१९

दिनांक: ०१, जुलाई, २०२०

विषय- मा० राष्ट्रीय हरित अधिकरण ओवरसाइट कमेटी की बैठक दिनांक १८.०६.२०२० में उठाये गये अवैध खनन को रोकें जाने के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक के सम्बन्ध में अवगत करना है कि मा० राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० संख्या-६७०/२०१८ अतुल चौहान बनाम उत्तर प्रदेश राज्य व अन्य में पारित आदेश के अनुक्रम में ओवरसाइट कमेटी की बैठक दिनांक १८.०६.२०२० को सम्पन्न हुयी। उक्त बैठक में श्री एस०एन० सिंह, ई०पी०डी० द्वारा सूचना दी गयी कि बालू/मोरम के अवैध खनन का कार्य बड़े पैमाने पर कानपुर देहात क्षेत्र, फतेहपुर के आगासी घाट, मिर्जापुर तथा कौशांबी में किया जा रहा है।

अतः उपरोक्त के सम्बन्ध में आपसे अपेक्षा है कि अपने-अपने जनपदों में स्वीकृत/रिक्त खनन क्षेत्रों की व्यापक जाँच कराते हुए अवैध खनन पर प्रभावी अंकुश लगाते हुए आख्या निदेशालय को उपलब्ध कराने का कष्ट करें।

भवदीय

(डा० रोशन जैकब)

निदेशक।

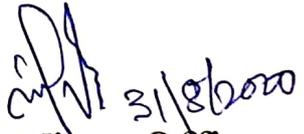
प्रतिलिपि- सदस्य-सचिव, ओवरसाइट कमेटी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(डा० रोशन जैकब)

निदेशक।

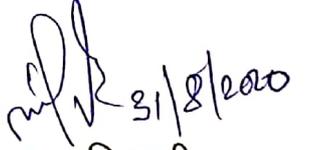
**Present Status of Sand Blocks, Yamuna River in
District Prayagraj**

S.N.	Details	Number of Block
1	Total Number of Sand Blocks in Yamuna river	21
2	Water Logged Area (Mining Lease cannot be granted in by the direction of H'ble NGT and H'ble Supreme Court Order's)	11
3	Letter of Intent issued (Lease will be granted after issuance of Environment Clearance from SEIAA)	04
4	In Process of Letter of Intent	01
5	Number of Advertised Sand Area	02
6	Pending In SEIAA (For Environment Clearance)	01
7	No bid found In Advertisement	01
8	Number of Area Affected by Kumbh Mela	01


 Senior Mines Officer
 Prayagraj

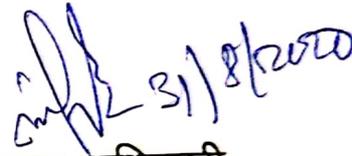
जनपद प्रयागराज के स्थित यमुना नदी के 21 साधारण बालू क्षेत्रों की वर्तमान अद्यतन स्थिति

1. जलमग्न बालू क्षेत्रों की संख्या- 11 (खण्ड संख्या-1, 2, 10, 11, 12, 13, 14, 15, 18, 19, 20) मा0 सर्वोच्च न्यायालय एवं मा0 राष्ट्रीय हरित अधिकरण के दिशा निर्देशों के अनुपालन में जलमग्न क्षेत्रों को खनन परिहार पर स्वीकृत नहीं किया जा सकता है। उक्त जलमग्न क्षेत्रों को डी0एस0आर0 से पृथक किये जाने के सम्बन्ध में शासन को कार्यालय के पत्र दिनांक 04.08.2020 द्वारा पत्र प्रेषित किया गया है।
2. साधारण बालू के निर्गत आशय पत्र की संख्या-4 (खण्ड संख्या-3, 5, 7, 16) उक्त क्षेत्रों हेतु राज्य स्तरीय पर्यावरण समाघात प्राधिकरण से पर्यावरण स्वच्छता प्रमाण पत्र निर्गत किये जाने के उपरान्त खनन पट्टा निष्पादन की कार्यवाही की जायेगी।
3. आशय पत्र निर्गत किये जाने हेतु प्रक्रियाधीन-1 (खण्ड संख्या-04)
4. विज्ञापित किये गये बालू क्षेत्रों की संख्या-2 (खण्ड संख्या-8, 21) उक्त क्षेत्रों को कार्यालय पत्र दिनांक 20.08.2020 द्वारा विज्ञापित किया गया है। उक्त क्षेत्रों हेतु ई-नीलामी की तिथि दिनांक 16.10.2020 व 17.10.2020 नियत है।
5. पर्यावरण अनापत्ति हेतु SEIAA में लम्बित क्षेत्र की संख्या-01 (खण्ड संख्या-09) उक्त क्षेत्र हेतु राज्य स्तरीय पर्यावरण समाघात प्राधिकरण से पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त नहीं है।
6. साधारण बालू क्षेत्र को परिहार पर स्वीकृत किये जाने हेतु विज्ञापित क्षेत्र में कोई ई-निविदा प्राप्त न होने वाले क्षेत्र की संख्या-01 (खण्ड संख्या-6) उक्त क्षेत्र को शासनादेश दिनांक 23.05.2020 में दिये गये निर्देशों के क्रम में अल्प अवधि हेतु खनन अनुज्ञा पत्र पर स्वीकृत किये जाने हेतु व्यवस्थित किया जा रहा है।
7. माघ मेला के कारण प्रतिबन्धित क्षेत्र की संख्या-01 (खण्ड सं0-17)


ज्येष्ठ खान अधिकारी
प्रयागराज।

वित्तीय वर्ष 2020-21 में किये गये प्रवर्तन
कार्यों का विवरण

क्र०सं०	माह	पकड़े गये वाहनों की संख्या	
		माह में	माह तक
1	अप्रैल, 2020	13	13
2	मई, 2020	51	64
3	जून, 2020	34	98
4	जुलाई, 2020	13	111
5	अगस्त, 2020	88	199


ज्येष्ठ खान अधिकारी,
प्रयागराज।

प्रेषक,

ज्येष्ठ खान अधिकारी,
प्रयागराज।

सेवा में,

अध्यक्ष,
ओवर साईट समिति
मा0 राष्ट्रीय हरित अधिकरण।

पत्रांक: 1126/खनिज/2020-21

दिनांक 31/08/2020

विषय:—जनपद प्रयागराज में यमुना नदी तल में स्थित 21 साधारण बालू क्षेत्र व अवैध खनन/परिवहन के विरुद्ध की गयी कार्यवाहियों की अद्यतन स्थिति।

महोदय,

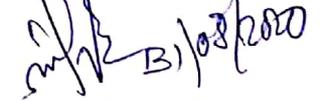
कृपया अवगत कराना है कि जनपद प्रयागराज में यमुना नदी तल में स्थित 21 साधारण बालू क्षेत्रों की वर्तमान स्थिति तथा जनपद के अवैध खनन/परिवहन के विरुद्ध की गयी कार्यवाहियों से अवगत कराने हेतु निर्देश दिये गये हैं।

उक्त के सम्बन्ध में अवगत कराना है कि यमुना नदी तल में स्थित 21 साधारण बालू क्षेत्रों की वर्तमान स्थिति तथा जनपद के अवैध खनन/परिवहन के विरुद्ध की गयी कार्यवाहियों का विवरण इस पत्र के साथ संलग्न कर प्रेषित की जा रही है। उक्त के अतिरिक्त यह भी अवगत कराना है कि ग्राम सेमरी (यमुना नदी) तहसील-बारा, जनपद-प्रयागराज में अवैध खनन के सम्बन्ध में मा0 राष्ट्रीय हरित अधिकरण में ओ0ए0संख्या-869/2019 मनोज कुमार पाण्डेय, माँ गंगा, यमुना, सरस्वती सेवा संस्थान बनाम उ0प्र0 राज्य के सम्बन्ध में मा0 राष्ट्रीय हरित अधिकरण द्वारा आदेश दिनांक 27.08.2020 (आदेश की प्रति संलग्न) के द्वारा निस्तारित किया गया है।

कृपया प्राप्ति स्वीकार करने का कष्ट करें।

संलग्नक—उपरोक्तानुसार।

भवदीय



ज्येष्ठ खान अधिकारी,
प्रयागराज।

Annexure- XVII

Note

Comments on Oversight Committee letter no. 78/OC-NGT/2020 dt.-09.09.2020 in O.A. No 670/2018 in the matter of Atul Singh Chauhan vs. Govt. of UP, for CPCB RD-Lucknow.

Hon'ble NGT in OA No. 670/2018 vide order dt.-07.07.2020 issued directions on the basis of recommendations made by the Oversight Committee in its report dt.-04.07.2020 and a letter has been written by the office of the Oversight Committee to concerned authorities as well as CPCB to ensure compliance on the points related to them as below.

Recommendations	Action	Comments
<p>4. Out of 83 silica sand washing plants, only 04 have environmental clearance. They should be encouraged to fulfil all the environmental clearances to be operational.</p>	<p>CPCB and UP PCB</p>	<ul style="list-style-type: none"> • CPCB RD may write a letter to SPCB in this regard, as SPCB is the enforcement agency for U.P. in for ensuring compliance of EC requirement.
<p>6. Detailed restoration plans need be prepared in areas where there has been damage to environment. CPCB may help district administration in this regard.</p> <p>State has massive plans for afforestation this year during Van Mahotsav. Forest Department may plan out Green Belts in such areas.</p> <p>CPCB may help district administration to assess the ecological damage and for calculation of Environmental Compensation to be levied based on standard protocols. This will help levying Environmental Compensation in other districts as well. PCB has informed that the Expert Committee has already prepared a report regarding scale of compensation and sent it for approval to Hon NGT. The report is under consideration for final hearing on 15.07.2020 by Hon NGT. As soon as the scale of compensation gets approved, the same protocol shall be applied for calculation of EC in this case."</p>	<p>Secretary/Director, Mining Department, District Magistrate, Prayagraj, CPCB and UP PCB.</p>	<p>1a. Proposal regarding restoration plans needs to be prepared by District Administration / District Mining Office. Financing of such plans will be needed from the restitution cost paid by the violators. CPCB RD may remind the concerned local authorities in this regard.</p> <p>1b. Proposal regarding afforestation may be prepared by District Administration / District Forest Office. Financing of afforestation cost will also be needed from the restitution cost paid by the violators. CPCB RD may remind the concerned local authorities.</p> <p>2. Report by CPCB regarding Environmental Compensation towards environmental damage is under consideration by Hon'ble NGT.</p>

प्रेषक,

जिलाधिकारी,
प्रयागराज।

सेवा में,

मा0 अध्यक्ष,
ओवर साईट कमेटी
राष्ट्रीय हरित अधिकरण, उ0प्र0, लखनऊ।

पत्रांक: 1610 / खनिज / 2020-21

दिनांक: 5/10/2020

महोदय,

कृपया पी0पी0एस0, मा0 अध्यक्ष, ओवर साईट कमेटी, राष्ट्रीय हरित अधिकरण, उ0प्र0, लखनऊ के पत्र दिनांक 09.09.2020 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा पत्र में अंकित बिन्दु संख्या-2, 5 व 6 में अंकित तथ्यों के सम्बन्ध में आख्या उपलब्ध कराने के निर्देश दिये गये हैं।

उक्त के क्रम में बिन्दु संख्या-2, 5 व 6 से सम्बन्धित अनुपालन आख्या इस पत्र के साथ संलग्न कर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक-उपरोक्तानुसार

भवदीय



(भानुचन्द्र गोस्वामी)
जिलाधिकारी, प्रयागराज।

पत्रांक: / खनिज / 2020-21 तददिनांक।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म विभाग, उत्तर प्रदेश, शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ।
3. केन्द्रीय प्रदूषण नियंत्रण बोर्ड, लखनऊ, उ0प्र0।
4. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, झूंसी, प्रयागराज।

(भानुचन्द्र गोस्वामी)
जिलाधिकारी, प्रयागराज।

मा0 अध्यक्ष, ओवर साईट कमेटी एन0जी0टी0, उ0प्र0, लखनऊ के पत्र दिनांक 09.09.2020 द्वारा दिये गये निर्देशों के सम्बन्ध में अनुपालन आख्या

मण्डलायुक्त, प्रयागराज के कार्यालय पत्र सं0-3788/30-02-2019 दिनांक 19.09.2020 द्वारा पी0पी0एस0, मा0 अध्यक्ष, ओवर साईट कमेटी, राष्ट्रीय हरित अधिकरण, उ0प्र0, लखनऊ के पत्र सं0-78/ओसी-एनजीटी/2020 दिनांक 09.09.2020 में दिये गये निर्देशों के क्रम में अब तक की गयी कार्यवाही की आख्या उपलब्ध कराने के निर्देश दिये गये हैं।

उक्त के क्रम में सम्बन्धित बिन्दु संख्या-2, 5 व 6 के सम्बन्ध में आख्या निम्नवत् है:-
बिन्दु संख्या-02 के सम्बन्ध में अनुपालन आख्या:- अवैध खनन/परिवहन के विरुद्ध वित्तीय वर्ष 2018-19, 2019-20 व 2020-21 में किये गये प्रवर्तन कार्यों का विवरण निम्नवत् है:-

वित्तीय वर्ष 2018-19

क्र0सं0	अवैध खनन के प्रकरण	अवैध परिवहन के प्रकरण	अवैध भण्डारण के प्रकरण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	56	194	06	196	06

वित्तीय वर्ष 2019-20

क्र0सं0	अवैध खनन के प्रकरण	अवैध परिवहन के प्रकरण	अवैध भण्डारण के प्रकरण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	32	537	04	132	80

वित्तीय वर्ष 2020-21 (माह अप्रैल, 2020 से 25 सितम्बर, 2020 तक)

क्र0सं0	अवैध खनन के प्रकरण	अवैध परिवहन के प्रकरण	अवैध भण्डारण के प्रकरण	दर्ज प्रथम सूचना रिपोर्ट की संख्या	दर्ज परिवादों की संख्या
1	2	3	4	5	6
1	13	223	11	144	205

ओवर साईट कमेटी की आख्या में तुलनात्मक कम प्रवर्तन कहा गया है। ओवर साईट कमेटी की आख्या में प्रवर्तन कार्य का विवरण की गणना माह जनवरी से की गयी है जबकि प्रवर्तन की सूचना वित्तीय वर्षवार दी गयी थी, जिसमें वित्तीय वर्ष 2020-21 के माह अप्रैल एवं मई की सूचना ही अंकित थी, जो कि लॉक डाउन की अवधि का था।

वित्तीय वर्ष 2020-21 के प्रारम्भ में कोविड-19 महामारी के दृष्टिगत लॉकडाउन अवधि में सम्पूर्ण खनन कार्य बन्द होने के कारण प्रवर्तन कार्य की प्रगति कम है। संवेदनशील क्षेत्र ग्राम-बसवार में पुलिस चौकी स्थापना हेतु अर्द्धशासकीय पत्र संख्या-2010/खनन /2020 दिनांक 22.02.2020 (संलग्नक-1) द्वारा वरिष्ठ पुलिस अधीक्षक, प्रयागराज से अपेक्षा की गयी थी। उक्त अर्द्धशासकीय पत्र के क्रम में वरिष्ठ पुलिस अधीक्षक, प्रयागराज के पत्रांक-भ-09/2020 दिनांक 14.04.2020 (संलग्नक-2) के द्वारा ग्राम बसवार में पुलिस चौकी स्थापित किये जाने का औचित्यपूर्ण प्रस्ताव व उपलब्ध भूमि का नक्शा नजरी गाटा सहित उपलब्ध कराने हेतु प्रभारी निरीक्षक, थाना घूरपुर को निर्देशित किया गया है। संवेदनशील क्षेत्र ग्राम बसवार में पुलिस चौकी स्थापना किये जाने के उपरान्त प्रतिदिन अवैध खनन/परिवहन की निगरानी की जा सकेगी। बालू खनन पट्टाधारकों द्वारा अनियमिततायें किये जाने पर सम्बन्धित के विरुद्ध नियमानुसार कार्यवाही की जाती है। वसूली प्रमाणों पत्रों के सम्बन्ध में वसूली किये जाने हेतु सम्बन्धित अधिकारियों को वसूली किये जाने के कड़े निर्देश दिये गये हैं। जनपद प्रयागराज के पूर्व बालू खनन पट्टाधारक द्वारा खनन पट्टा निरस्तीकरण व निर्गत वसूली प्रमाण पत्र के विरुद्ध उ0प्र0, शासन में निगरानी योजित की गयी है। उक्त निगरानी में उ0प्र0 शासन के आदेश दिनांक 02.09.2020 व 03.09.2020 द्वारा वसूली की कार्यवाही स्थगित की गयी है। साधारण बालू के क्षेत्रों का व्यवस्थापन किये जाने में किसी भी प्रकार का विलम्ब नहीं किया गया है। शासनादेश दिनांक 30.08.2019 में दिये गये निर्देशों के क्रम में जनपद में गठित 09 सदस्यीय अन्तर्विभागीय प्राविधिक समिति द्वारा बालू क्षेत्रों का भौतिक सत्यापन कर उपलब्ध करायी गयी आख्या दिनांक 06.01.2020 के क्रम

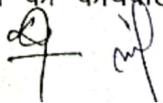
(Handwritten signatures)

में कार्यालय के पत्र संख्या-1784 दिनांक 23.01.2020 द्वारा बालू क्षेत्रों को परिहार पर उठाये जाने हेतु विज्ञापित किया गया था। मा0 एन0जी0टी0 के आदेश एवं ओवर साईट कमेटी द्वारा दिये गये निर्देशों के अनुपालन हेतु अर्द्धशासकीय पत्र संख्या-1488 दिनांक 25.09.2020 द्वारा वरिष्ठ पुलिस अधीक्षक, प्रयागराज को एवं कार्यालय पत्र संख्या-1488(1)(2) दिनांक 25.09.2020 द्वारा समस्त उपजिलाधिकारी, प्रयागराज, समस्त पुलिस क्षेत्राधिकारी, प्रयागराज, समस्त सहायक सम्भागीय परिवहन अधिकारी, प्रयागराज एवं ज्येष्ठ खान अधिकारी, प्रयागराज को पत्र भेजा गया है।

वित्तीय वर्ष 2020-21 में माह अप्रैल, 2020 से 25.09.2020 तक अवैध खनन/भण्डारण के विरुद्ध की गयी महत्वपूर्ण कार्यवाही का विवरण:-

1. दिनांक 17.04.2020 को तहसील-हण्डिया के ग्राम-कसौधन उर्फ लक्षागृह में गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-हण्डिया में प्राथमिकी दर्ज करायी गयी थी।
2. दिनांक 25.04.2020 को तहसील-करछना के ग्राम-पालपुर व ग्राम-अमिलिया में यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-घूरपुर में प्राथमिकी दर्ज करायी गयी थी।
3. दिनांक 25.04.2020 को तहसील-करछना के ग्राम-बसवार में यमुना नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-घूरपुर में प्राथमिकी दर्ज करायी गयी थी।
4. दिनांक 03.05.2020 को तहसील-बारा के ग्राम-मझियारी आमद में यमुना नदी से अवैध खनन/परिवहन के विरुद्ध थाना-लालापुर में प्राथमिकी दर्ज करायी गयी थी।
5. दिनांक 11.05.2020 को तहसील-बारा के ग्राम-सेमरी व नोडिहा में यमुना नदी से अवैध खनन/परिवहन के विरुद्ध थाना-लालापुर में प्राथमिकी दर्ज करायी गयी थी।
6. दिनांक 27.05.2020 को तहसील-करछना के ग्राम-डीहा गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-करछना में प्राथमिकी दर्ज करायी गयी थी।
7. दिनांक 01.06.2020 को तहसील-करछना के ग्राम-बेनीपुर नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-कौंधियारा में प्राथमिकी दर्ज करायी गयी थी।
8. दिनांक 04.06.2020 को तहसील-फूलपुर अन्तर्गत ग्राम-लीलापुर कला व लीलापुर खुर्द में गंगा नदी से अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-सरायंझनायत में प्राथमिकी दर्ज करायी गयी थी।
9. दिनांक 13.06.2020 को तहसील-करछना अन्तर्गत यू0पी0एस0आई0डी0सी0 में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-औद्योगिक क्षेत्र में प्राथमिकी दर्ज करायी गयी थी।
10. दिनांक 23.06.2020 को तहसील-सदर अन्तर्गत ए0डी0ए0 कालोनी में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-धूमनगंज में प्राथमिकी दर्ज करायी गयी थी।
11. दिनांक 27.06.2020 को तहसील-सदर अन्तर्गत ग्राम सदिया इमली टोला में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-करैली में प्राथमिकी दर्ज करायी गयी थी।
12. दिनांक 18.08.2020 को तहसील-करछना अन्तर्गत ग्राम चकबबुरा अलीमाबाद (ए0डी0ए0 कालोनी नैनी) में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-नैनी में प्राथमिकी दर्ज करायी गयी थी।
13. दिनांक 21.08.2020 को तहसील-हण्डिया अन्तर्गत ग्राम गिर्दकोट में अवैध खनन/परिवहन के उपरान्त पाये गये अवैध भण्डारण के विरुद्ध थाना-हण्डिया में प्राथमिकी दर्ज करायी गयी थी।

बिन्दु संख्या-05 के सम्बन्ध में अनुपालन आख्या:-अवैध खनन व परिवहन में निरुद्ध किये गये वाहनों के विरुद्ध सक्षम न्यायालय में दर्ज किये गये परिवादों के क्रम में मुख्य न्यायिक मजिस्ट्रेट द्वारा बिना जुर्माना किये अवमुक्त किये जा रहे वाहनों के विरुद्ध अपील दर्ज किये जाने की कार्यवाही की जा रही है। शासनादेश संख्या-1056/86-2020 दिनांक

30, जून, 2020 द्वारा ओ0ए0 संख्या-670/2018 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय व अन्य में पारित आदेश दिनांक 28.02.2020 के अनुपालन में दिये गये निर्देशों के क्रम में कार्यालय पत्र संख्या-1187/खनिज/2020-21 दिनांक 02.09.2020 (संलग्नक-3) द्वारा उक्त का अनुपालन किये जाने हेतु सम्बन्धित समस्त अधिकारियों को पत्र प्रेषित किया गया है।

बिन्दु संख्या-06 के सम्बन्ध में अनुपालन आख्या:- पर्यावरणीय क्षति के सम्बन्ध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड व उ0प्र0 प्रदूषण नियंत्रण बोर्ड द्वारा आवश्यक कार्यवाही की जानी है।

मा0 राष्ट्रीय हरित अधिकरण में योजित ओ0ए0 संख्या-670/2018 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय व अन्य में मा0 राष्ट्रीय हरित अधिकरण द्वारा दिनांक 18.09.2020 (संलग्नक-4) द्वारा पारित किये गये आदेश के कार्यकारी अंश निम्नवत् है:-

“Let the District Magistrate, Prayagraj take further steps in the matter and maintain surveillance. The issue of compensation, if not already finalized, may be finalized with the assistance of the CPCB and report furnished to the Oversight Committee. The Oversight Committee may give its further report of status as on 28-02-2021, before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”

उक्त के अतिरिक्त यह भी अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण में योजित ओ0ए0 संख्या-670/2018 अतुल सिंह चौहान बनाम वन पर्यावरण एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार व अन्य में से सम्बन्धित यमुना नदी के 21 बालू क्षेत्रों की वर्तमान स्थिति निम्नवत् है:-

1. जलमग्न बालू क्षेत्रों की संख्या- 11 (खण्ड संख्या-1, 2, 10, 11, 12, 13, 14, 15, 18, 19, 20) मा0 सर्वोच्च न्यायालय एवं मा0 राष्ट्रीय हरित अधिकरण के दिशा निर्देशों के अनुपालन में जलमग्न क्षेत्रों को खनन परिहार पर स्वीकृत नहीं किया जा सकता है।
2. साधारण बालू के 05 क्षेत्रों (खण्ड संख्या-3, 4, 5, 7, 16) के सम्बन्ध में राज्य स्तरीय पर्यावरण समाघात प्राधिकरण से पर्यावरण स्वच्छता प्रमाण पत्र निर्गत किये जाने के उपरान्त खनन पट्टा निष्पादन की कार्यवाही की जायेगी।
3. पुनः विज्ञापित किये गये शेष 02 बालू खण्ड संख्या-8, 21 हेतु ई-नीलामी की तिथि दिनांक 16.10.2020 व 17.10.2020 नियत है।
4. पर्यावरण अनापत्ति हेतु SEIAA में लम्बित एक क्षेत्र बालू खण्ड संख्या-09 हेतु राज्य स्तरीय पर्यावरण समाघात प्राधिकरण से पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त नहीं है।
5. साधारण बालू खण्ड संख्या-06 हेतु ई-निविदा सह ई-नीलामी के अन्तर्गत यथोचित बोली प्राप्त नहीं हुई है। उक्त क्षेत्र को शासनादेश दिनांक 23.05.2020 में दिये गये निर्देशों के क्रम में अल्प अवधि हेतु खनन अनुज्ञा पत्र पर स्वीकृत किये जाने हेतु विज्ञापित किया जा रहा है।
6. माघ मेला के अन्तर्गत होने के कारण खण्ड संख्या-17 प्रतिबन्धित किया गया है।

उक्तानुसार रिक्त बालू क्षेत्रों को व्यवस्थित करने की कार्यवाही शीघ्रता से की गयी है एवं सफल बोलीदाताओं के पक्ष में आशय पत्र निर्गत किया गया है। पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त होते ही पट्टा संचालित हो सकेगा।

मा0 राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 18.09.2020 में जिलाधिकारी, प्रयागराज को उक्त प्रकरण में अग्रिम कार्यवाही व निगरानी करने के आदेश दिये गये हैं। पर्यावरणीय क्षति के सम्बन्ध में केंद्रीय प्रदूषण नियंत्रण बोर्ड से सहयोग प्राप्त कर पूर्ण करते हुये ओवर साईट कमेटी को आख्या उपलब्ध कराने के आदेश दिये गये हैं।

अतः उक्त प्रकरण में आख्या महोदय की सेवा में सादर प्रेषित है।



श्री चन्द्र गोस्वामी
आई० ए० एस०
जिला मजिस्ट्रेट एवं कलेक्टर



जिलाधिकारी, प्रयागराज
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0532 - 2250300 (आ०)
0532 - 2250400 (आ०)
0532 - 2640290 (फैक्स)

अ०शा० पत्र संख्या- 2010 /खनन/2020
दिनांक: 22 फरवरी, 2020

आप अवगत है कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित अ०ए० संख्या-670/2019 अतुल सिंह चौहान बनाम उ०प्र० राज्य में पारित आदेश दिनांक 12.02.2019 द्वारा ओवर साईट समिति का गठन किया गया है। उक्त समिति की बैठक दिनांक 07.02.2020 में याची श्री अतुल सिंह चौहान द्वारा बसवार में नावों व जे०सी०वी० मशीन द्वारा अवैध खनन की शिकायत की गयी है तथा यह भी अवगत कराया है कि जनपद में केवल बसवार में ही अवैध खनन किया जा रहा है, जिसकी रोक-थाम नहीं हो पा रही है।

समिति द्वारा बैठक में निर्णय लिया गया है कि बसवार के पास अवैध खनन/परिवहन की रोक-थाम हेतु एक पुलिस चौकी की स्थापना की जाये, जिससे अवैध खनन/परिवहन पर पूर्ण रोक-थाम की जा सके।

अतः आपसे अपेक्षा है कि अवैध खनन/परिवहन की रोक-थाम हेतु विशेष रूप से रूचि लेकर ग्राम-बसवार में एक पुलिस चौकी की स्थापना करने का कष्ट करें।

भवन्निष्ठ,


15/02/2020
(भानु चन्द्र गोस्वामी)

श्री सत्यार्थ अनिरुद्ध पंकज
वरिष्ठ पुलिस अधीक्षक
प्रयागराज।

प्रभारी निरीक्षक,
थाना घूरपुर
प्रयागराज।

कृपया जिला मजिस्ट्रेट प्रयागराज के अशा0 पत्र संख्या-2010 /खनन/2020 दिनांक 22.02.2020 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-670/2019 अतुल सिंह चौहान बनाम उ0प्र0 राज्य में पारित आदेश दिनांक 12.02.2019 द्वारा ओवर साईट समिति का गठन किया गया है। उक्त समिति की बैठक दिनांक 07.02.2020 में याची श्री अतुल सिंह चौहान द्वारा बसवार में नावों व जे0सी0बी0 मशीन द्वारा अवैध खनन की शिकायत की गयी है तथा यह भी अवगत कराया है. कि जनपद में केवल बसवार में ही अवैध खनन किया जा रहा है, जिसकी रोक-थाम नहीं हो पा रही है।

उक्त सम्बन्ध में जिला मजिस्ट्रेट प्रयागराज ने अवैध खनन/परिवहन की रोक-थाम हेतु विशेष रूप से रूचि लेकर ग्राम-बसवार में एक पुलिस चौकी की स्थापना कराने की अपेक्षा की है।

अतः निर्देशित किया जाता है कि ग्राम बसवार में पुलिस चौकी स्थापित किये जाने का औचित्यपूर्ण प्रस्ताव निर्धारित प्रारूप में तथा उपलब्ध भूमि का नक्शा नजरी गाटा संख्या सहित तत्काल उपलब्ध कराना सुनिश्चित करें।

संलग्नक:-यथोपरि।

पत्रांक: भ- 09 / 2020

दिनांक: अप्रैल 14, 2020

14 04 2020
वरिष्ठ पुलिस अधीक्षक,
प्रयागराज।
(रत्नेश्वर सिंह)

प्रतिलिपि:

- जिलामजिस्ट्रेट प्रयागराज को उक्त सम्बन्ध में सूचना प्रेषित है।
2-अपर पुलिस अधीक्षक, यमुनापार प्रयागराज को इस अनुरोध के साथ प्रेषित कि उक्त प्रस्ताव तत्काल उपलब्ध कराने हेतु प्रेषित है।
3-क्षेत्राधिकारी करछना, प्रयागराज को इस अनुरोध के साथ प्रेषित कि उक्त प्रस्ताव तत्काल उपलब्ध कराने हेतु प्रेषित है।

39/Sr
SMO/MI

कार्यालय
पत्रांक- 14/4/20
पुस्तक- 14/4/20
15/4
SMO

(निवाय, एंकर दूरे)
अपर पुलिस अधीक्षक (प्रयागराज)
प्रयागराज
AI

कार्यालय जिलाधिकारी, प्रयागराज।

(खनन अनुभाग)

पत्रांक: 1127 / खनिज / 2020-21

दिनांक: 02/09/2020

1. वरिष्ठ पुलिस अधीक्षक, प्रयागराज।
2. पुलिस अधीक्षक, गंगापार/यमुनापार, प्रयागराज
3. समस्त उपजिलाधिकारी, प्रयागराज।
4. समस्त पुलिस क्षेत्राधिकारी, प्रयागराज।
5. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, क्षेत्रीय कार्यालय, झूँसी, प्रयागराज।
6. ज्येष्ठ खान अधिकारी, प्रयागराज।

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-670/2018 अतुल सिंह चौहान बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय व अन्य में पारित आदेश दिनांक 28.02.2020 द्वारा अवैध खनन से सम्बन्धित वाहनों को सीज किये जाने के विषय में मा० अधिकरण में योजित ओ०ए० संख्या-44/2016 मुस्तकीम बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय व अन्य में प्रस्तुत एम०ए० सं०-16/2020 में पारित आदेश दिनांक 19.02.2020 का उल्लेख करते हुये उक्त सन्दर्भित आदेश दिनांक 28.02.2020 पारित किया गया है।

मा० राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश दिनांक 28.02.2020 के अनुपालन में निर्गत शासनादेश सं०-1056/86-2020 दिनांक 30.06.2020 की छायाप्रति पत्र के साथ संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक-उपरोक्तानुसार।



(भानु चन्द्र गोस्वामी)

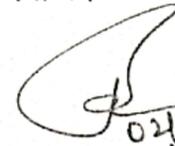
जिलाधिकारी, प्रयागराज।

१२६

पत्रांक: 1127/खनिज/2020-21 तद्दिनांक।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, लखनऊ।
3. अपर जिलाधिकारी (प्रशासन), प्रयागराज।
4. समस्त प्रभारी निरीक्षक/थानाध्यक्ष/प्रभारी चौकी इंचार्ज, प्रयागराज।



(भानु चन्द्र गोस्वामी)

जिलाधिकारी, प्रयागराज।

१२६

From,
The Divisional Commissioner,
Prayagraj.

To,
Sri L.N. Soni,
PPS to Hon'ble Chairman,
Oversight Committee, NGT, UP.
Lucknow.

Letter No. 48 /NGT/2020-21 30-2-2019 Date 09 /10/2020
**Sub:- Compliance report in the matter of Original Application No.670/2018
Atul Singh Chauhan Vs. Ministry of Environment, Forest and
Climate Change.**

Sir,
Please find enclosed the compliance report in Original Application
No.670/2018 Atul Singh Chauhan Vs. Ministry of Environment, Forest and
Climate Change on behalf of Commissioner Prayagraj.

It is requested, that the same may be placed before the Hon'ble Chairman,
Oversight Committee, NGT, UP, Lucknow for kind consideration.


(R. Ramesh Kumar)
Divisional Commissioner
Prayagraj.

Letter No. /NGT/2020-21 Date 10/2020
Copy to:- Principal Secretary, Geology and Mining, Government of U.P.,
Lucknow for information and necessary action.


(R. Ramesh Kumar)
Divisional Commissioner
Prayagraj.

Compliance report of Division Commissioner Prayagraj in the matter of letter dated 09.09.2020 of the Chairman Oversight committee NGT Lucknow (in O.A. No.670 of 2018)

In compliance of the directions sought by the oversight committee in O.A. No.670/2018, the matter related to the Division Commissioners is hereby submitted. In the matter a report has been received from the Mines Department Prayagraj. AS per the report the details of action taken in illegal mining/ transportation of Minerals for the financial year 2018-2019, 2019-2020 and 2020-2021 (upto 25th September 2020) is given below.

Sl.No.	No. of Illegal mining cases	No. of Illegal transport cases	No. of Illegal Storage Cases	No. of lodged FIRs	No. of Cases lodged in Hon'ble Civil Court
FY- 2018-2019					
1	56	194	06	196	06
FY- 2019-2020					
2	32	537	04	132	80
FY- 2020-2021 (upto 25th September)					
3	13	223	11	144	205

In the report of oversight committee it was mentioned that the actions with regard to illegal mining and transportations are comparatively less than the previous year. In this matter, it is submitted that oversight committee has calculated the details of year 2020-2021 from the Month of January, 2020 whereas the action reports of financial year are from the month of April. It is further submitted that in the month of April there was complete lockdown due to COVID-19 Pandemic. So, in the month of April the enforcement work was comparatively less. After that there was a regular enforcement work. A increase in the number of enforcement work can be seen in the above table.

It is pertinent to point out here that in Village Baswar which is sensitive area, a Police Chowki is proposed. The Senior Superintendent of Police has been asked to set up a Police Chowki in Village Baswar by the District Magistrate. The S.S.P, Prayagraj vide his letter dated 14.04.2020 has directed Station House Officer Ghoorpur to make arrangement for establishment of Police Chowki at Village Baswar. After establishment of Police Chowki there will be more effective control on illegal mining/transportation of the minerals. As soon as information of illegal mining is received in the office prompt action has been taken. So far as recovery of dues is concerned strict instructions have been issued to the concerned officer and official by the District Magistrate. It is submitted that ex-lessee against whom recovery certificate were issued has filed Revision Under U.P. Mineral Concession Rules, 1963 before the State

Government where a directions has been issued for no coercive action against them. Instructions have been issued for petrolling for D.M., S.S.P., RTO.

Regarding settlement of Pattas the Present Status of Sand Blocks (Yamuna River) in District Prayagraj is given below:-

S.N.	Details	Number of Block
1	Total Number of Sand Blocks in Yamuna river	21 (Balukhand No. 1 to 21)
2	Water Logged Area (Mining Lease cannot be granted in the direction of Hon'ble NGT and Hon'ble Supreme Court Order's)	11 (Balukhand No. 1, 2, 10, 11, 12, 13, 14, 15, 18, 19, 20)
3	Letter of Intent issued (Lease will be granted after issuance of Environment Clearance from SEIAA)	05 (Balukhand No. 3, 4,5, 7, 16)
4	Number of Re-advertised Sand Area	02 (Balukhand No. 8, 21)
5	Pending in SEIAA (For Environment Clearance) old case.	01 (Balukhand No. 9)
6	No bid found in advertisement (re advertisement for mining permit is in process.)	01 (Balukhand No. 6)
7	Number of Area Affected by KumbhMela	01 (Balukhand No. 17)

Important Enforcement work which are done in financial year 2020-2021 are mentioned below:-

- 1- First Information Report was lodged on dated 17.04.2020 against illegal storage of Sand which was stored at Village Kasondhan @ Lakshagrih Tehsil Handiya.
- 2- First Information Report was lodged on dated 25.04.2020 at Police Station Ghoorpur against illegal sand excavated from river Yamuna and stored in Village Palpur and Amiliya.
- 3- First Information Report was lodged on dated 25.04.2020 at Police Station Ghoorpur against illegal sand excavated from river Yamuna and stored in Village Baswar Tehsil Karchana.
- 4- First Information Report was lodged on dated 03.05.2020 at Police Station Lalapur against illegal sand excavated from Yamuna River in Village Manjhiyari Amid Tehsil Bara.
- 5- First Information Report was lodged on dated 11.05.2020 at Police Station Lalapur against illegal sand excavated from Yamuna River in district boundary prayagraj and kaushambi. After joint demarcation on 04.06.2020 by revenue team of both District. It was found that illegal mining area is in kaushambi District.
- 6- First Information Report was lodged on dated 27.05.2020 at Police Station Karchhana against illegal sand excavated and stored in Village Diha, Tehsil Karchhana.

- 7- First Information Report was lodged on dated 01.06.2020 at Police Station Kondhiyara against illegal sand excavated and stored in Village Benipur Tehsil Karchhana.
- 8- First Information Report was lodged on dated 04.06.2020 at Police Station Saraynat against illegal sand excavated and stored in Village Lilapur Kala & LilapurKhurd Tehsil Phoolpur.
- 9- First Information Report was lodged on dated 13.06.2020 at Police Station Industrial area Naini against illegal sand excavated and stored near UPSIDC Tehsil Karchhana.
- 10- First Information Report was lodged on dated 23.06.2020 at Police Station Dhoomanganj against illegal sand excavated and stored in ADA Colony Tehsil Sadar.
- 11- First Information Report was lodged on dated 27.06.2020 at Police Station Kareli against illegal sand excavated and stored in Village Sadiya, Imillytola Tehsil Sadar.
- 12- First Information Report was lodged on dated 18.08.2020 at Police Station Naini against illegal sand excavated and stored in Village Chak babura alimabad (ADA colony) Tehsil Karchhana.
- 13- First Information Report was lodged on dated 21.08.2020 at Police Station Handiya against illegal sand excavated and stored in Village Girdhacot Tehsil Handiya.



(R. Ramesh Kumar)
Divisional Commissioner
Prayagraj.



क्षेत्रीय कार्यालय, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
REGIONAL OFFICE, U. P. POLLUTION CONTROL BOARD

पूरणाप. / पी. : 0552-2509121

आवास विकास परिषद कालोनी, सेक्टर-10, योजना संख्या-3, झुंसी, प्रयागराज - 221006
Avas Vikas Parishad Colony, Sector-10, Scheme No. 3, Jhansi, Prayagraj,

संदर्भ सं०... 01.01.5 / सी-23 / 1021

दिनांक... 10/01/2021

सेवा में,

मुख्य पर्यावरण अधिकारी (वृत्त-2)
उ०प्र० प्रदूषण नियंत्रण बोर्ड
लखनऊ।

विषय:- Meeting of oversight Comiittee NGT UP Lucknow scheduled on 12.02.2021 at
11 a.m through V/C

महोदय,

कृपया उपरोक्त विषयक अपने पत्र संख्या एच58597/सी-2/एनजीटी सेल-32/21 दिनांक 09.02.2021 का सन्दर्भ ग्रहण करने का कष्ट करें। पत्र के साथ संलग्न एजेन्डा के विन्दु संख्या 04 (सी) जो इस कार्यालय से सम्बन्धित है, के सम्बन्ध में शंकरगढ क्षेत्र स्थित 83 सिलिका वाशिंग इकाईयों का अद्यतन स्टेट्स पत्र के साथ संलग्नकर आपके अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित की जा रही है।

संलग्नक-यथोपरि।

भवदीय,


(प्रदीप कुमार विश्वकर्मा)
क्षेत्रीय अधिकारी
10/01/2021

AEE

Powitwise details on Hon. NGT O.A. No. 670/2018

S.No.	Issues/points of discussion	Current Status and decision	
7	License from UPPCB and CGWA (83 Silica Sand Mining Plants)		
		Total No of Identified Silica Washing Plant	83 (Annex.-1)
		Valid Consent	5 (Annex.-2)
		Without Consent (Defaulter)	78
		Action Against Defaulters	
		(a) Clouser Order/Directions	17 (Annex.-3)
		(b) EC + Clouser Order/Direction	61 (Annex.-4)
(c) Recovery Certificate by DM	60		

Note:-

Original Application No. 186/2019

Jagriti Sansthan Vs. State of Uttar Pradesh & Ors.

From the above, it is clear that 60 recovery certificates have been issued and one is under process. No process has been initiated with regard to 9 units on the ground that those had already been closed. We are of the view that mere closure will not wipe out their liability for the violations already committed. The Divisional Commissioner, Prayagraj may ensure further action for recovery compensation from all the violators following due process of law. The application is disposed of. Dated 16-07-2020

संलग्नक-1

क्र० सं०	उद्योग का नाम	निरीक्षण के समय इकाई संचालन/बंद की स्थिति	टिप्पणी
1.	मेसर्स भक्कू महाराज (सिलिका वाशिंग प्लांट), शिवराजपुर, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
2.	मेसर्स शम्भू प्रसाद गुप्ता (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
3.	मेसर्स बबलू प्रधान (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट में निष्क्रिय दर्शाया गया है।
4.	मेसर्स नीरज गुप्ता (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
5.	मेसर्स अशोक सिंह (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
6.	मेसर्स रोहित वाष्ण्य (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
7.	मेसर्स विजय सिंह पटेल (सिलिका वाशिंग प्लांट यूनिट-1), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
8.	मेसर्स विजय सिंह पटेल (सिलिका वाशिंग प्लांट यूनिट-2), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
9.	मेसर्स नीरज गुप्ता (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
10.	मेसर्स मथुरा गुप्ता (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
11.	मेसर्स अशोक सिंह (गोरेलाल) (सिलिका वाशिंग प्लांट), कचरी मौजा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को 02 वर्षों से बंद दर्शाया गया है।
12.	मेसर्स बलेश सिंह (सिलिका वाशिंग प्लांट), कचरी मौजा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
13.	मेसर्स जगतपाल सिंह (सिलिका वाशिंग प्लांट), कचरी मौजा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
14.	मेसर्स महेन्द्र सिंह (सिलिका वाशिंग प्लांट), कचरी मौजा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
15.	मेसर्स रत्नेश सिंह (सिलिका वाशिंग प्लांट), गौलैहा लालापुर, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
16.	मेसर्स लल्लू सिंह (सिलिका वाशिंग प्लांट), गौलैहा लालापुर, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
17.	मेसर्स बुलबुल सिंह, प्रधान (सिलिका वाशिंग प्लांट), गौलैहा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
18.	मेसर्स सूर्य प्रकाश केसरवानी वकील साहब (सिलिका वाशिंग प्लांट), कचरी, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
19.	मेसर्स चन्द्र प्रकाश केसरवानी, वकील साहब (सिलिका वाशिंग प्लांट), कचरी, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।

20.	मेसर्स नारायण इण्टरप्राइजेज (सिलिका वाशिंग प्लांट), कचरी, शंकरगढ़ बारा, प्रयागराज	संचालित	वर्तमान में इकाई को संचालन हेतु सहमति जल एवं वायु आदेश प्राप्त हैं।
21.	मेसर्स शेर बहादुर सिंह (सिलिका वाशिंग प्लांट), लखनौटी, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
22.	मेसर्स राज कुमार सिंह (सिलिका वाशिंग प्लांट), लखनौटी, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
23.	मेसर्स श्री पाल सिंह (सिलिका वाशिंग प्लांट), लखनौटी, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
24.	मेसर्स नवल सिंह (सिलिका वाशिंग प्लांट), तकतई जनवों, शंकरगढ़ बारा, प्रयागराज	-	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है। निरीक्षण के समय उपरोक्त इकाई डिस्मेंटल पायी गयी।
25.	मेसर्स संतोष कोल (सिलिका वाशिंग प्लांट), तकतई जनवों, शंकरगढ़ बारा, प्रयागराज	-	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
26.	मेसर्स बोधन यादव (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
27.	मेसर्स नत्थू प्रजापति (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
28.	मेसर्स रमेश मिश्रा (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
29.	मेसर्स नत्थू यादव (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
30.	मेसर्स कौशल सिंह (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
31.	मेसर्स सुनील सिंह (सिलिका वाशिंग प्लांट), ग्राम जनवों, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
32.	मेसर्स भुल्ली महाराज (सिलिका वाशिंग प्लांट), ग्राम जनवा, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
33.	मेसर्स चौबे जी (सिलिका वाशिंग प्लांट), तकतई, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
34.	मेसर्स कमलेश सिंह (सिलिका वाशिंग प्लांट), आम गोधर, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
35.	मेसर्स मुन्नु सिंह (सिलिका वाशिंग प्लांट), आम गोधर, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
36.	मेसर्स भानू प्रताप सिंह (सिलिका वाशिंग प्लांट), लेथर, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
37.	मेसर्स गुलाब सिंह (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा0 एन0जी0टी0 के आदेशों में गठित समिति द्वारा भी इकाई को बन्द दर्शाया गया है।
38.	मेसर्स गंगा तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
39.	मेसर्स गंगा शुक्ला (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
40.	मेसर्स विवेक तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा0 एन0जी0टी0 के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट निष्कृत दर्शाया गया है।
41.	मेसर्स अमरनाथ तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा0 एन0जी0टी0 के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट निष्कृत दर्शाया गया है।
42.	मेसर्स प्रवीण तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
43.	मेसर्स शिवदानी (सिलिका वाशिंग प्लांट), बिहरिया मोड़, शंकरगढ़ बारा, प्रयागराज	बंद	रु0 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।

68.	मेसर्स सतारु सिंह (सिलिका वाशिंग फ्लाट), मौलैहा, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
69.	मेसर्स जितु गुप्ता (सिलिका वाशिंग फ्लाट), शिवराजपुर, शंकरगढ़ बारा, प्रयागराज	बंद	रु० 7.25 लाख की पर्यावरणीय क्षतिपूर्ति अधिरोपित है।
70.	मेसर्स प्रमू सिंह (सिलिका वाशिंग फ्लाट), शिवराजपुर, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को 01 वर्ष बंद दर्शाया गया है।
71.	मेसर्स सुभाषचन्द्र माईन्स, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।
72.	मेसर्स हरिहर प्रसाद गुप्ता, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।
73.	मेसर्स रोहित वार्धाय, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।
74.	मेसर्स जय श्री ट्रेडिंग कम्पनी, रमना, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
75.	मेसर्स चावला सिलिका सैण्ड ट्रेडिंग कम्पनी, लखनौटी, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
76.	मेसर्स चावला सिलिका सैण्ड ट्रेडिंग कम्पनी, गाढा कैथा, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
77.	मेसर्स अमिता गुप्ता, बिहरिया, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
78.	मेसर्स विजेन्द्र कुमार चावला, बिहरिया मोड़, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
79.	मेसर्स विजय बहादुर सिंह (अनुपम इण्टरप्राइजेज), गाढा कैथा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
80.	मेसर्स विशाल चावला, कैथा, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
81.	मेसर्स रमेश चन्द्र चावला (गिरधारीलाल चावल), लखनपुर, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति प्राप्त नहीं।
82.	मेसर्स कृष्णा मिनरल (अभिनन्दन तिवारी), बेनीपुर, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
83.	मेसर्स गुरुदयाल सिंह एण्ड कम्पनी (मंजीत सिंह), शिवराजपुर, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।

संलग्नक:-2

क्र० सं०	उद्योग का नाम	निरीक्षण के समय इकाई संचालन/बंद की स्थिति	टिप्पणी
1	मेसर्स चावला सिलिका सैण्ड ट्रेडिंग कम्पनी, गाढा कैथा, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
2	मेसर्स अमिता गुप्ता, विहरिया, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
3	मेसर्स विशाल चावला, कैथा, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
4	मेसर्स कृष्णा मिनरल (अभिनन्दन तिवारी), वेनीपुर, शंकरगढ़, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।
5	मेसर्स नारायण इण्टरप्राजेज, बरगढी, बारा, प्रयागराज	संचालित	सहमति आदेश प्राप्त है।

संलग्नक:-3

क्र० सं०	उद्योग का नाम	निरीक्षण के समय इकाई संचालन/बंद की स्थिति	टिप्पणी
1.	मेसर्स बबलू प्रधान (सिलिका वाशिंग प्लांट), गढ़वा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट में निष्कृत दर्शाया गया है।
2.	मेसर्स अशोक सिंह (गोरेलाल) (सिलिका वाशिंग प्लांट), कचरी मौजा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को 02 वर्षों से बंद दर्शाया गया है।
3.	मेसर्स गुलाब सिंह (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को बन्द दर्शाया गया है।
4.	मेसर्स विवेक तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट निष्कृत दर्शाया गया है।
5.	मेसर्स अमरनाथ तिवारी (सिलिका वाशिंग प्लांट), पचासा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट निष्कृत दर्शाया गया है।
6.	मेसर्स बड़े लाल पटेल (सिलिका वाशिंग प्लांट), गाढा कटरा, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को अपनी रिपोर्ट निष्कृत दर्शाया गया है।
7.	अक्षांश-25.20013 एवं देशान्तर-81.589409 पर स्थापित सिलिका वाशिंग प्लांट	बंद	मा० एन०जी०टी० द्वारा गठित समिति द्वारा उक्त इकाई के स्वामी का नाम नहीं दर्शाया गया है।
8.	मेसर्स पप्पू सिंह (सिलिका वाशिंग प्लांट), शिवराजपुर, शंकरगढ़ बारा, प्रयागराज	बंद	मा० एन०जी०टी० के आदेशों में गठित समिति द्वारा भी इकाई को 01 वर्ष बंद दर्शाया गया है।
9.	मेसर्स सुभाषचन्द्र माईन्स, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।

10.	नेसर्स हरिहर प्रसाद गुप्ता, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।
11.	नेसर्स राहुत वाशिया, गढ़वा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी।
12.	नेसर्स जय श्री ट्रेडिंग कम्पनी, रमना, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
13.	नेसर्स चावला सिलिका सेण्ड ट्रेडिंग कम्पनी, लखनौटी, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
14.	नेसर्स विजेन्द्र कुमार चावला, बिहरिया मोड़, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
15.	नेसर्स विजय बहादुर सिंह (अनुपम इन्टरप्राइजेज), गाढा कैथा, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।
16.	नेसर्स रमेश चन्द्र चावला (गिरधारीलाल चावल), लखनपुर, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति प्राप्त नहीं।
17.	नेसर्स गुरुदयाल सिंह एण्ड कम्पनी (मंजीत सिंह), शिवराजपुर, शंकरगढ़, बारा, प्रयागराज	बंद	जल (प्रदूषण निवारण तथा नियन्त्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत निर्देश जारी। वर्तमान में सहमति हेतु आवेदन किया गया है।

Comments for OS Committee meeting to be held on 12.02.2021

1. Salient reports and orders

- Report dated 02.11.2019 of earlier Committee
- Report dated 28.02.2020 of Oversight Committee
- Report dated 04.07.2020 of Oversight Committee
- Order 07.07.2020 of NGT-PB on Report dated 04.07.2020
- Report dated 17.09.2020 of Oversight Committee
- Order 18.09.2020 of NGT-PB on Report dated 17.09.2020

2. Recommendation in OS Committee Report dated 04.07.2020 as quoted in NGT order dated 17.07.2020

“S. No.	Issues/ points of discussion	Current status and decision
1.	<p>Report regarding District Prayagraj. Recovery of damages for illegal mining and coercive measures against the vehicle involved in illegal sand mining.</p>	<p>Chief Mining Officer informed the Committee that in the entire State, at the places where sand mining is going on, weigh-bridges have been constructed and CCTV cameras have been installed to check illegal sand mining and its transportation. This has been incorporated in the rule.</p> <p>So far confiscation of vehicles is concerned, it was informed by the Chief Mining Officer that under the Mines and Minerals (Development and Regulation) Act, 1957 (for short, MMDR Act), the competent authority is the court of Chief Judicial Magistrate for lodging complaints. In the complaints, orders of the Hon'ble NGT are referred to. Confiscated vehicles are released by the court of Chief Judicial Magistrate concerned after obtaining an affidavit and trial continues in due course. This is a practice in Prayagraj, but in other districts too, the same procedure is being adopted.</p> <p>On query being made that when the orders of Hon'ble NGT in this regard have been confirmed by Hon'ble Supreme Court, then why the Chief Judicial Magistrate is releasing the confiscated vehicles on affidavit and whether the Chief Judicial Magistrate is made aware of the above confirmation by Hon'ble Supreme Court on 7th May, 2019 and even thereafter if confiscated vehicles are being released without payment of penalty, whether appeals are being preferred, the Chief Mining Officer replied that so far no appeal has been preferred, but they will do it now.</p> <p>Shri Ashish Tiwari, Member Secretary, UPPCB informed that the penalty regime has now been amended by Hon'ble NGT vide order dated 28.02.2020 passed in OA No. 670/2018 to the following effect:</p> <p>...</p> <p>It was further informed that the above penalty regime would be applicable for the offence committed for the first time but in case of repetition, penalty regime as provided in the order of Hon'ble NGT dated 10th January, 2019 would be applicable. In the said order of Hon NGT, it was directed that the State Government has to amend the rules and the confiscating officer is to be designated in consonance with amendments made and the amount so collected is to be remitted to State PCB/PCCs for being utilised for restoration of environment. The Hon'ble NGT had further directed that the above compensation regime will be over and above any existing rules or provisions.</p> <p>Let the State Government issue an appropriate Office Order/Rule to this effect in accordance with the spirit of orders of Hon'ble NGT referred to hereinabove by incorporating State Amendment.</p> <p>The Committee was informed by Shri Anjani Kumar Singh, Mining Officer, Prayagraj that there are 2 running pattas i.e. Ganga (working) and Yamuna (suspended from 04.06.2020). Both the mining areas have CCTV cameras. There were 21 pattas earlier, but at present only two pattas are there, out of which one patta relating to Ganga is in running condition and the other one, which relates to Yamuna, is suspended on account of non-payment of royalty. Tender were advertised but due to lockdown, tender process could not</p>

		<p>be completed. He further informed that till date 14 FIRs have been lodged illegal sand mining. However, no penalty has been realised so far from illegal miners.</p> <p>The District Magistrate, Prayagraj should submit a detailed report within a week in regard to steps taken against illegal sand miners, vehicles confiscated, penalty imposed/realised, action taken against accountable officers, surprise inspections made so far by District Magistrate and Senior Superintendent of Police and daily reports submitted by the district administration to the Head Office at Lucknow.</p> <p>The Committee directed to check illegal mining by all means.</p> <p>CPCB was directed to provide assistance in calculating the EC in compliance with the directions of Hon NGT.</p> <p>The State Mines Department was directed to get an inspection made against illegal sand mining in the neighbouring Districts of Kanpur Dehat, Fatehpur, Chitrakoot and Kaushambi and submit a detailed report.</p> <p>It shall be ensured that no mining is permitted to be done in violation of the provisions of MMDR Act and rules framed thereunder and suitable action is taken against wrong-doers.</p> <p>Shri Ashish Tiwari, Member Secretary, UPPCB suggested for issuing direction to CPCB to make standard formula for compensation instead of different compensation regimes presently in vogue.</p>
2	Best practices (setting up of control rooms)	The Committee has been informed by Chief Mining Officer that Command Centre has been established at Lucknow.
3	Installation of GPS	The Chief Mining Officer informed that process for installing GPS in vehicles is in progress.
4	Environmental compensation	The Committee suggested that EC is taken as per recommendations made by Hon'ble NGT on the report submitted by the Committee headed by Mr Justice Rajes Kumar.
5	License from UPPCB and CGWA (83 Silica Sand Mining Plants)	Shri Ashish Tiwari, Member Secretary, UPPCB informed that out of 83 Silica Sand Washing Plants which were identified, only 04 have permission from UPPCB. Rest plants were sealed for want of permission on the basis of inspection done by a committee on 16.06.2020 and EC was imposed. District Magistrate has issued recovery certificate for realisation of the same. The Committee directed that Silica Sand Washing Plants be made viable after obtaining environmental clearance from UPPCB.
6	Other items:	Department of Irrigation was directed to submit a report regarding illegal mining of minor minerals in irrigation channels.

RECOMMENDATIONS:

1. Out of total 21 sand mining leases, only one lease is currently working. It was reported that the settlement of closed leases has been delayed due to lockdown. Decrease in supply of sand can certainly lead to illegal mining. Hence it is recommended that enforcement may be strengthened. Constant monitoring need to be done through ground surveys and aerial surveys using drones. Night surveillance may also be done through night vision drones.
2. If we analyse the enforcement figures illegal mining cases registered this year are only 02 as compared to 32 last year and 56 year before last. Similarly, FIRs registered are only 11 as compared to 132 last year and 196 year before last. Illegal transport cases are 87 as compared to 537 last year and 894 year before last. Though this year's figures are for six months as compared to 12 months for last year, still the progress is quite less. Mere instructions to Police to do regular patrolling and send daily reports would not help. Enforcement activity on ground needs to be augmented. Senior Superintendent of Police, Prayagraj needs to be made accountable for Police enforcement. Police outposts need to be opened in sensitive remote areas. Even the mining staff needs to increase enforcement action. Mere cancellation of lease for non-deposit is not enough. Wherever irregularities come to light, EC needs to be imposed and realised. Presently there is no realisation of EC. Recovery Certificates through District Magistrate should be executed with full vigour. The Committee while agreeing with Justice Rajes Kumar Committee and expressing its displeasure at the inordinate delay in settling Pattas (which may lead to illegal

mining) and negligence in enforcement despite repeated instructions recommends that Divisional Commissioner, Prayagraj should look into the matter and report within a month.

3. Even in adjoining districts like Fatehpur, Kanpur Dehat, Chitrakoot and Kausambi, the mining department should carry on intensive inspection against illegal mining and report the progress to Hon NGT.
4. Out of 83 Silica Sand Washing Plants, only 04 have environmental clearance. They should be encouraged to fulfil all the environmental clearances to be operational.
5. The vehicles involved in illegal mining, that are confiscated, are released by Chief Judicial Magistrates without payment of prescribed penalty. This is despite the fact that Hon NGT orders have been confirmed by Superior Court. This point needs to be brought to the notice of the Court and in case of release, appeal should be preferred mentioning these details. The State can amend its Act/Rules in this regard (as done in Forest Act) which would then have precedence over Motor Vehicle Act.
6. **Detailed restoration plans need be prepared in areas where there has been damage to environment. CPCB may help district administration in this regard.** State has massive plans for afforestation this year during Van Mahotsav. Forest Department may plan out Green Belts in such areas. **CPCB may help district administration to assess the ecological damage and for calculation of Environmental Compensation to be levied based on standard protocols.** This will help levying Environmental Compensation in other districts as well. **PCB has informed that the Expert Committee has already prepared a report regarding scale of compensation and sent it for approval to Hon NGT. The report is under consideration for final hearing on 15.07.2020 by Hon NGT. As soon as the scale of compensation gets approved, the same protocol shall be applied for calculation of EC in this case."**

3. Relevant Para of NGT order dated 18.09.2020

"4. By order dated 07.07.2020, the Committee was required to give a further report in the matter. Accordingly, the Committee has filed its report on 17.09.2020 with reference to the action report of the District Magistrate, Prayagraj dated 08.09.2020 dealing with various allegations of the complainant.

5. Learned Counsel for the Applicant, however, states that the recommendations of the Committee, particularly recommendation with regard to environmental compensation with the assistance of the Central Pollution Control Board (CPCB), have still not been complied with. It is further stated that illegal mining is also continuing.

6. Let the District Magistrate, Prayagraj take further steps in the matter and maintain surveillance. The issue of compensation, if not already finalized, may be finalized with the assistance of the CPCB and report furnished to the Oversight Committee. The Oversight Committee may give its further report of status as on 28.02.2021, before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

Comments:

1. CPCB RD will provide necessary help to District Administration as and when requested for preparation of detailed restoration plans for areas where there has been damage to environment.
2. The Expert Committee prepared the report regarding scale of environmental compensation to deal with cases of illegal mining and submitted it to Hon NGT. The matter was heard on 17.08.2020 and NGT asked the Expert Committee to consider views of amicus curie. The Expert Committee has submitted its view on 12.10.2020 (suggesting no changes in previous report). The matter was listed for hearing on 14.01.2021 but has been shifted to 26.02.2021. Meanwhile, the Oversight Committee may consider issuing instructions to the concerned authorities to use the scale proposed by the Expert Committee to impose penalty for illegal mining in the areas in question.

जनपद प्रयागराज में डी0एस0आर0 के अनुसार चिन्हित किये गये 51 क्षेत्रों की स्थिति

Annexure- XXII

क्र० सं०	नदी का नाम व तहसील.	क्षेत्र का विवरण		पट्टे की स्थिति व संक्षिप्त विवरण	अभ्युक्ति
		ग्राम	खण्ड संख्या / क्षेत्रफल (हेक्टेयर)		
1	2	3	4	5	6
1.	यमुना / बारा	प्रतापपुर	1 / 8.00	जलमग्न	-
2.	यमुना / बारा	पंडुवा	2 / 8.00	जलमग्न	-
3.	यमुना / बारा	विरवल, कैनुआ	10 / 8.00	जलमग्न	-
4.	यमुना / बारा	कजासा	11 / 8.00	जलमग्न	-
5.	यमुना / बारा	देवरिया, डीकर, इरावतगंज	12 / 8.00	जलमग्न	-
6.	यमुना / करछना	पालपुर, इमिलिया कलिजरा	13 / 10.00	जलमग्न	-
7.	यमुना / करछना	बसवार	14 / 12.00	जलमग्न	-
8.	यमुना / करछना	मोहबतगंज	15 / 8.00	जलमग्न	-
9.	यमुना / सदर	मैनापुर	18 / 4.00	जलमग्न	-
10.	यमुना / सदर	असरावल खुर्द	19 / 8.00	जलमग्न	-
11.	यमुना / सदर	फुलवा, बिसौना जोन्हवल	20 / 8.00	जलमग्न	-
12.	टोन्स / मेजा	गंगा-टोन्स नदी के संगम से इलाहाबाद- मीरजापुर सड़क मार्ग तक	36 / 4.00	जलमग्न	-
13.	टोन्स / मेजा	इलाहाबाद- मीरजापुर सड़क मार्ग से गढ़वा नाला (खैरामठ किला) तक	37 / 8.00	जलमग्न	-
14.	टोन्स / मेजा	ममौली	39 / 4.00	जलमग्न	-
15.	टोन्स / मेजा	कोहडार, इसौटा पताईडांडी	40 / 4.00	जलमग्न	-
16.	टोन्स / करछना	बनराही (घोरहट) से अरई तक	43 / 4.00	जलमग्न	-
17.	टोन्स / बारा / करछना	कोलूहा से गौरा (टोन्स-बेलन के संगम) तक	46 / 4.00	जलमग्न	-
18.	बेलन / कोरांव	पथरपुर कला से मगतपुर तक व दुड़ियाइ से तिवारीपुर	47 / 4.00	जलमग्न	-
19.	बेलन / कोरांव	कपासीकला से सीमा जनपद मीरजापुर तक (सम्पूर्ण नदी)	51 / 4.00	जलमग्न	-
20.	यमुना / करछना	जहांगीराबाद माघोपुर अरैल	17 / 4.00	माघ मेला (कुम्भ मेला) हेतु आरक्षित	-
21.	गंगा- मेजा / हण्डिया	रैपुरा से बामपुर व बिजौली से टेलाखास	35 / 4.00	मा० उच्च न्यायालय के आदेश से आच्छादित है।	-
22.	यमुना /	मडौका, मीरकपुर पट्टी (पश्चिम)	16 / 8.00	ई०सी० लम्बित	-

23.	यमुना/ सदर	आदमपुर (मदारीपुर) से सदियापुर तक	21/5.00	ई0सी0 लम्बित	-
24.	गंगा- करछना/ फूलपुर	खडसर से रघनिका व छिवैयाखास	24/4.00	ई0सी0 लम्बित	-
25.	यमुना/ बारा	मानपुर, ओझा पट्टी, बरहुला	7/8.00	ई0सी0 लम्बित	-
26.	यमुना/ बारा	जगदीशपुर	9/8.00	ई0सी0 लम्बित	-
27.	बेलन/ कोरांव	कुकरहटा से कोटिया तक व जमुआ	49/4.00	ई0सी0 लम्बित	-
28.	बेलन/ कोरांव	देवघाट, माड़ी	50/4.00	ई0सी0 लम्बित	-
29.	बेलन/ कोरांव	मगसर से सिपौवा तक व बांस से अमिलिया	48/4.00	पट्टा विलेख का निष्पादन की कार्यवाही में	-
30.	यमुना/ बारा	मिलोर	3/8.00	पट्टा विलेख निष्पादन की कार्यवाही में	-
31.	यमुना/ बारा	सेमरी	4/8.00	खनन पट्टा संचालित	-
32.	यमुना/ बारा	नोडीहा, अमिलिया	5/8.00	खनन पट्टा संचालित	-
33.	यमुना/ बारा	मझियारी भंभौर	6/10.00	खनन अनुज्ञा पत्र संचालित	-
34.	गंगा- करछना/ फूलपुर	कबरा से डीहा व ककरा से जमुनीपुर	25/4.00	खनन पट्टा संचालित	-
35.	गंगा- करछना/ फूल पुर/ हण्डिया	गडैला से पनासा व ढोकरी से चौधरान	27/5.00	खनन पट्टा संचालित	-
36.	गंगा- मेजा/ हण्डिया	परानीपुर II (बारा स्थित शिव मन्दिर से हाई टेन्शन लाइन के टावर तक) व अमिलौटी	30/5.00	खनन पट्टा संचालित	-
37.	गंगा- मेजा/ हण्डिया	परानीपुर V (परानीपुर मुख्य मार्ग से सीमा ग्राम भुईपारा तक) व लाक्षागृह	33/5.00	खनन पट्टा संचालित	-
38.	टोन्स/ करछना	गंगा-टोन्स के संगम से भगनपुर तक	42/5.00	खनन पट्टा संचालित	-
39.	गंगा- फूलपुर	देवरख/ छतनाग	22/5.00	अनुज्ञा पत्र स्वीकृत	-

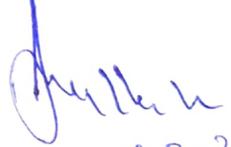
40.	गंगा- करछना/ फूलपुर	मवैयालवायन से चौंदी तक व भदकार	23 / 4.00	अनुज्ञा पत्र स्वीकृत	-
41.	गंगा- करछना/ फूलपुर	सेमरहा से रामपुर व लीलापुर से शाहबाज	26 / 5.00	अनुज्ञा पत्र स्वीकृत	-
42.	गंगा- मेजा/ हण्डिया	गंगा-टोन्स नदी के संगम से पकरीसेवार तक एवं उसमानपुर से बढौली (बहारपुर)	28 / 5.00	विज्ञप्ति प्रकाशित	-
43.	गंगा- मेजा/ हण्डिया	परानीपुर I (ग्राम पकरी सेवार की सीमा से ग्राम परानीपुर में बारा स्थित शिव मन्दिर तक) व मवैया से राका	29 / 5.00	विज्ञप्ति प्रकाशित	-
44.	गंगा- मेजा/ हण्डिया	परानीपुर III (हाई टेंशन लाइन के टावर से निर्माणाधीन हाई टेंशन लाइन के टावर तक) व कदला मवैया	31 / 5.00	विज्ञप्ति प्रकाशित	-
45.	गंगा- मेजा/ हण्डिया	परानीपुर IV (निर्माणाधीन हाई टेंशन लाइन के टावर से परानीपुर मुख्य मार्ग तक) व कदला-कसौधन	32 / 5.00	विज्ञप्ति प्रकाशित	-
46.	टोन्स/ मेजा	गढ़वा नाला (खैरागढ़ किला) से भटौती तक	38 / 5.00	विज्ञप्ति प्रकाशित	-
47.	टोन्स/मेजा	शाहपुर से कौन्दी (टोन्स-बेलन के संगम) तक	41 / 5.00	विज्ञप्ति प्रकाशित	-
48.	टोन्स/रछना	बघेडा, घरवारा	44 / 6.00	विज्ञप्ति प्रकाशित	-
49.	टोन्स/रछना	सुलमई से सोढ़िया तक	45 / 6.00	विज्ञप्ति प्रकाशित	-
50.	यमुना/ बास	कचरा, मिश्रपुर, नगरवार	8 / 8.00	विज्ञप्ति प्रकाशन की कार्यवाही में	-
51.	गंगा- मेजा/ हण्डिया	भुइपारा, तन्दरिया व गौंडरी	34 / 5.00	विज्ञप्ति प्रकाशन की कार्यवाही में	-

दिनांक 22.02.2021

Directorate of Geology and Mining, U.P. Lucknow
In the matter of NGT O.A. no. 673/2018

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0 ए0 संख्या-673/2018 New item published in the Hindu Authored by Shri Jacob Koshy titled "more river stretches are now critically polluted CPCB" पर दिनांक 02.02.2021 को ओवर साईट कमेटी की बैठक में वीडियो कान्फ्रेंसिंग में दिये गये निर्देशों के क्रम में अवगत कराना है कि :-

1. हिंडन नदी (सहारनपुर-गाजियाबाद) काली नदी (मुजफ्फरनगर-ग्लौठी टाउन) एवं वरुणा नदी (रामेश्वर-वाराणसी) में उपखनिज बालू/मोरम का कोई खनन परिहार स्वीकृत नहीं है तथा उक्त नदियों में व्यवसायिक रूप से खनन नहीं होता है।
2. जनपद सहारनपुर, शामली, बागपत, गाजियाबाद, गौतमबुद्धनगर, मथुरा, आगरा, औरैया, कानपुर देहात, फतेहपुर, बॉदा, चित्रकूट, कौशाम्बी एवं प्रयागराज अन्तर्गत यमुना नदी में उपखनिज बालू/मोरम के कुल 35 खनन पट्टे स्वीकृत/संचालित हैं। समस्त स्वीकृत खनन पट्टों में मानचित्र एवं जियो कोर्डिनेट के अनुसार सीमा स्तम्भ स्थापित कराये गये हैं। सीमा स्तम्भों का रख-रखाव पट्टेधारकों द्वारा किया जा रहा है जिसका अनुश्रवण जनपदीय खान अधिकारी/खान निरीक्षक द्वारा नियमित रूप से किया जाता है।


 22-2-21
 A.K. Sharm

प्रेषक,

निदेशक,

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

सेवा में,

सदस्य सचिव,

ओवर साइट कमेटी,
एन०जी०टी०, उत्तर प्रदेश,
लखनऊ।

संख्या-~~2230~~ / एम०-प्रवर्तन बुन्देलखण्ड (Solid waste)

दिनांक: 22 फरवरी, 2021

विषय: ओ० ए० संख्या-670/2018 के प्रकरण में मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा उत्तर प्रदेश हेतु गठित ओवर साइट कमेटी की बैठक दिनांक 18.06.2020 में दिये गये निर्देश के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक के सम्बन्ध में अवगत कराना है कि मा० राष्ट्रीय हरित अधिकरण ओवर साइट कमेटी की बैठक दिनांक 18.06.2020 में जनपद फतेहपुर के औगासी घाट तथा जनपद, चित्रकूट, कानपुर देहात एवं कौशाम्बी में हो रहे बालू/मोरम के अवैध खनन को रोकवाये जाने के सम्बन्ध में कृत कार्यवाही की आख्या उपलब्ध कराये जाने के निर्देश दिये गये हैं।

इस सम्बन्ध में अवगत कराना है कि उक्त जनपदों से बालू/मोरम के अवैध खनन को रोकने हेतु की गयी कार्यवाही की सूचना प्राप्त की गयी। प्राप्त आख्यानुसार सूचना निम्नवत् है :-

क्र० सं०	जनपद का नाम	आख्या
1.	फतेहपुर (औगासी घाट)	जिलाधिकारी फतेहपुर द्वारा दिनांक 06.07.2020 को उक्त क्षेत्र की जाँच हेतु जाँच टीम का गठन किया गया। गठित टीम द्वारा जाँच करते हुए आख्या दिनांक 09.07.2020 प्रस्तुत की गयी है। प्रस्तुत आख्या में यह उल्लिखित किया गया है कि "औगासी घाट जहाँ निर्माणाधीन पुल है वहाँ पुल के दोनो तरफ खनन/परिवहन के कोई निशान मौजूद नहीं है और न ही खुदाई के गड्ढे मिले। उक्त से स्पष्ट हो रहा है कि प्रश्नगत क्षेत्र में किसी भी प्रकार का खनन/परिवहन औगासी घाट के आस-पास होना नहीं पाया गया। प्रश्नगत क्षेत्र में वर्तमान में कोई खनन पट्टा संचालित नहीं है। (आख्या की छायाप्रति संलग्न)
2.	चित्रकूट	वर्तमान में जनपद चित्रकूट में उपखनिज बालू/मोरम के 04 खनन पट्टे स्वीकृत है। जनपद में उक्त क्षेत्रों के अतिरिक्त अन्य कहीं बालू/मोरम का खनन नहीं हो रहा है। प्रवर्तन कार्य अन्तर्गत वित्तीय वर्ष 2020-21 में माह जनवरी 2021 तक कुल 312 वाहनो को निरुद्ध कराते हुए शास्ति के रूप में ₹0-70,41,511/- की वसूली की गयी है तथा 18 प्रकरणों में प्रथम सूचना रिपोर्ट दर्ज करायी गयी है एवं 89 प्रकरणों में सक्षम न्यायालय में परिवाद दर्ज करायया गया है। अवैध खनन /परिवहन की रोकथाम हेतु गठित टास्क फोर्स द्वारा लगातार प्रवर्तन की कार्यवाही की जा रही है। (आख्या की छायाप्रति संलग्न)
3.	कानपुर देहात	वर्तमान में जनपद कानपुरदेहात में उपखनिज बालू/मोरम के 04 खनन पट्टे स्वीकृत/संचालित है। जनपद में उक्त क्षेत्रों के अतिरिक्त अन्य कहीं बालू/मोरम का खनन नहीं हो रहा है। प्रवर्तन कार्य अन्तर्गत वित्तीय वर्ष 2020-21 में माह अक्टूबर 2020 तक कुल 122 वाहनो को निरुद्ध कराते हुए शास्ति के रूप में ₹0-40.52लाख की वसूली की गयी है तथा 02 प्रकरणों में प्रथम सूचना रिपोर्ट दर्ज

		करायी गयी है। अवैध खनन/परिवहन की रोकथाम हेतु गठित टास्क फोर्स द्वारा लगातार प्रवर्तन की कार्यवाही की जा रही है। (आख्या की छायाप्रति संलग्न)
4.	कौशाम्बी	जनपद के अधिकारियों की औचक निरीक्षण में प्राप्त अनियमितता के आधार पर सम्बन्धित पट्टाधारको के विरुद्ध नियमानुसार कार्यवाही की गयी है जिसके अन्तर्गत 11 खनन पट्टा क्षेत्रों के बाहर खनन कार्य पाये जाने पर सम्बन्धित पट्टाधारक को कारण बताओ नोटिस तथा राजस्व क्षति की धनराशि को जमा किये जाने हेतु नोटिस जारी किया गया है। वित्तीय वर्ष 2020-21 में अवैध खनन/परिवहन/ओवरलोडिंग की रोकथाम हेतु कुल 221 वाहनो को निरुद्ध कराते हुए शास्ति के रूप में रू0-61.12लाख की वसूली की गयी है तथा 05 प्रकरणो में प्रथम सूचना रिपोर्ट दर्ज करायी गयी है एवं 15 प्रकरणों में सक्षम न्यायालय में परिवाद दर्ज कराया गया है। अवैध खनन/परिवहन/ओवरलोडिंग की रोकथाम हेतु गठित टास्क फोर्स द्वारा लगातार प्रवर्तन की कार्यवाही की जा रही है। (आख्या की छायाप्रति संलग्न)

अतः उपरोक्तानुसार सूचना/आख्या से अवगत होने का कष्ट करे।

भवदीय

(अनिल कुमार शर्मा)
 मुख्य खान अधिकारी,
 कृते निदेशक।

प्रेषक,

जिलाधिकारी,
फतेहपुर।

सेवा में,

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

पत्रांक ११४ / 30-खनिज (2019-20)

दिनांक ३१ / ०८ / 2020

विषय:- मा० राष्ट्रीय हरित अधिकरण ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में उठाये गये अवैध खनन को रोके जाने के सम्बन्ध में।

महोदय,

कृपया निदेशालय के पत्र सं०-470/एम०-एन०जी०टी०/2019 दिनांक 01.07.2020 का अवलोकन करने का कष्ट करें, जिसके द्वारा मा० राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० सं०-670/2018 अतुल सिंह चौहान बनाम उत्तर प्रदेश राज्य व अन्य में पारित आदेश के अनुक्रम में ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में श्री एस०एन० सिंह ई०पी०डी० द्वारा फतेहपुर के औगासी घाट में हो रहे अवैध खनन के सम्बन्ध में जाँच कराते हुये आख्या उपलब्ध कराये जाने के निर्देश दिये गये हैं।

उक्त के अनुपालन में कार्यालय पत्र सं०-779/30-खनिज (2020-21) दिनांक 06.07.2020 द्वारा जाँच टीम का गठन करते हुये आख्या चाही गई। जाँच टीम द्वारा संयुक्त रूप से जाँच करते हुये आख्या दिनांक 09.07.2020 प्रस्तुत करते हुये आख्या में मुख्यतः यह उल्लिखित किया गया है कि "औगासी घाट, जहाँ पुल निर्माणाधीन है, वहाँ पुल के दोनों तरफ खनन/परिवहन के कोई निशान मौजूद नहीं है और न ही खुदाई के गड्ढे मिले। वहाँ की स्थलीय स्थिति से भी स्पष्ट हो रहा है कि किसी भी प्रकार का खनन परिवहन जनपद के औगासी घाट के आस-पास होना नहीं पाया गया। प्रश्नगत क्षेत्र में वर्तमान में कोई खनन पट्टा संचालित नहीं है।" (जाँच आख्या की छायाप्रति संलग्न)

उक्त के अतिरिक्त जनपद फतेहपुर में स्वीकृत/रिक्त क्षेत्रों में सतत निगरानी रखी जा रही है। वर्तमान समय में वन एवं पर्यावरण मंत्रालय भारत सरकार एवं पर्यावरण स्वच्छता प्रमाण पत्र में विद्यमान शर्तों के दृष्टिगत मानसून सत्र (जुलाई, 2020 से सितम्बर, 2020) होने के कारण समस्त खनन क्षेत्रों में खनन संक्रियायें प्रतिबन्धित है।

उपरोक्तानुसार संयुक्त जाँच आख्या सहित वांछित आख्या आवश्यक कार्यवाही हेतु सेवा में प्रेषित है।

संलग्नक:-उपरोक्तानुसार।

भवदीय

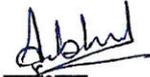
(संजीव सिंह)
जिलाधिकारी
फतेहपुर।

0/12

संयुक्त जाँच आख्या

कृपया कार्यालय आदेश सं०-779/30-खनिज (2020-21) दिनांक 06.07.2020 का अवलोकन करने का कष्ट करें, जिसमें उल्लेख किया गया है कि निदेशक भूतत्व एवं खनिकर्म निदेशालय उ०प्र० लखनऊ के पत्र सं०-470/एम०-एन०जी०टी०/2019 दिनांक 01.07.2020 द्वारा सूचित किया गया है कि मा० राष्ट्रीय हरित अधिकरण ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में श्री एस०एन० सिंह ई०पी०डी० द्वारा सूचना दी गई कि बालू/मोरम का अवैध खनन फतेहपुर के औगासी घाट में किया जा रहा है।" उक्त प्रकरण की जाँच हेतु गठित संयुक्त टीम जिसमें उप जिलाधिकारी, फतेहपुर खान अधिकारी व खान सर्वेक्षक क्षेत्रीय कार्यालय प्रयागराज सम्मिलित है। संयुक्त टीम द्वारा दिनांक 09.07.2020 को प्रश्नगत क्षेत्र का निरीक्षण किया गया। निरीक्षण में देखा गया कि औगासी घाट, जहाँ पुल निर्माणाधीन है, वहाँ पुल के दोनों तरफ खनन/परिवहन के कोई निशान मौजूद नहीं है और न ही खुदाई के गड्ढे मिले। वहाँ की स्थलीय स्थिति से भी साफ स्पष्ट हो रहा था कि किसी भी प्रकार का खनन परिवहन जनपद के औगासी घाट के आस-पास नहीं होना पाया गया। प्रश्नगत क्षेत्र में वर्तमान में कोई खनन पट्टा संचालित नहीं है।

उपरोक्तानुसार आख्या आवश्यक कार्यवाही हेतु सादर सेवा में प्रेषित है।


सर्वेक्षक

क्षेत्रीय कार्यालय प्रयागराज


खान अधिकारी,
फतेहपुर


09/7/2020
उप जिलाधिकारी,
फतेहपुर क्षेत्रीय



(१५५, १५५)
शिव विनायकशिव/शिव/



प्रेषक,

खान अधिकारी,
चित्रकूट।

सेवा में,

निदेशक,

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

पत्रांक : 1202/खनिज/2020-21

दिनांक : 06/11/2020

विषय—मा० राष्ट्रीय हरित अधिकरण ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में उठाये गये अवैध खनन को रोके जाने के सम्बन्ध में।

महोदया,

कृपया उपर्युक्त विषयक निदेशालय के पत्र संख्या-470/एम०-एन०जी०टी०/2019 दिनांक 01.07.2020 का सन्दर्भ ग्रहण करने की कृपा करें, जिसके द्वारा जनपद-चित्रकूट में स्वीकृत/रिक्त खनन क्षेत्रों की व्यापक जाँच कराते हुये अवैध खनन पर प्रभावी अंकुश लगाते हुये आख्या निदेशालय को उपलब्ध कराने के निर्देश दिये गये हैं।

उक्त के सम्बन्ध में सादर अवगत कराना है कि वर्तमान में जनपद-चित्रकूट में उपखनिज बालू/मोरम के 04 खनन पट्टे स्वीकृत हैं, जिसका विवरण निम्नवत है:-

क्र० सं०	पट्टाधारक का नाम पता	स्वीकृत खनन क्षेत्र का विवरण				खनन पट्टे की अवधि		अभ्युक्ति
		तहसील	ग्राम	खसरा/गाटा संख्या	क्षेत्रफल (हे० में)	दिनांक से	दिनांक तक	
1	मे० त्रिपाठी कान्स्ट्रक्शन इलाहाबाद रोड, गांधीगंज, कर्वीमाफी, चित्रकूट पा० श्री शिवचन्द्र त्रिपाठी पुत्र श्री रामखेलावन त्रिपाठी, निवासी-नेवरा, थाना-मऊ, जनपद-चित्रकूट।	राजापुर	गडौली	21	1.138	06/11/2018	05/11/2023	-
2	श्री रमाकान्त पुत्र श्री ऋषभदेव, निवासी-115 बाघा, थाना-विसण्डा, जनपद-बांदा।	कर्वी	साईपुर	7/1, 1079, 1081 व 100	3.6400	19/11/2018	18/11/2023	मानसून सत्र समाप्ति दिनांक 30.09.2020 उपरान्त खनन कार्य चालू नहीं किया गया है।
3	मे० प्राईम विजन इंडस्ट्रीस प्रा०लि०, डायरेक्टर श्री कवच कुमार निर्मल पुत्र श्री सुभाष चन्द्र निर्मल नि०-तृतीय तल, 312 विशाल चम्बर, सेक्टर-18, नोयडा, गौतमयुद्ध नगर।	राजापुर	चांदी खादर	4, 5 एवं 6	41.073	09/01/2019	08/01/2024	-
4	मे० हर्ष इण्टरप्राइजेज प्रा० श्री सुनील कुमार पाण्डेय पुत्र श्री आनन्द शंकर पाण्डेय, निवासी-271/200, एस०एफ०-12 मंगल मूर्ति कुंज ऐलनगंज, प्रयागराज।	मऊ	वियावल	01	21.560	02/06/2020	01/06/2025	-



(2)

उपखनिज बालू/मोरम के उक्त खनन पट्टा क्षेत्रों की जाँच में सम्बन्धित पट्टाधारक द्वारा स्वीकृत क्षेत्र के अन्तर्गत खनन कार्य किया जाना पाया गया। वर्तमान में उक्त खनन क्षेत्रों के अतिरिक्त जनपद में उपखनिज बालू/मोरम का अवैध खनन नहीं हो रहा है। वित्तीय वर्ष 2020-21 में अवैध खनन/परिवहन की रोकथाम हेतु प्रवर्तन कार्य अन्तर्गत माह-अक्टूबर, 2020 तक कुल 183 वाहनों को सम्बन्धित थानों में निरुद्ध किया गया है, जिसमें शास्ति धनराशि रु0 50,30,540.00 (रु0 पचास लाख तीस हजार पाँच सौ चालीस मात्र) की वसूली की गयी है तथा कुल 14 प्रकरणों में प्रथम सूचना रिपोर्ट सम्बन्धित थानों में दर्ज करायी गयी है एवं 49 प्रकरणों में मा0 न्यायालय के समक्ष परिवाद दायर किया गया है। जनपद में अवैध खनन/परिवहन न हो, इस सम्बन्ध में गठित टास्क फोर्स द्वारा लगातार प्रवर्तन कार्यवाही की जा रही है।

अतः उपरोक्तानुसार आख्या सादर प्रेषित है।

भवदीय



(सुनी कौशल)

खान अधिकारी,

चित्रकूट।

पत्रांक व तददिनांक:-

प्रतिलिपि-मुख्य खान अधिकारी, भूतत्व एवं खनिकर्म विभाग उ0प्र0, लखनऊ को सादर सूचनार्थ प्रेषित।


खान अधिकारी,
चित्रकूट।

प्रेषक,

खान निरीक्षक,
कानपुर देहात।

सेवामें,

निदेशक,
भूतत्व एवं खनिकर्म निदेशालय,
उ०प्र० लखनऊ।

पत्रांक: 617/उपखनिज-एन०जी०टी०-का०दे०/2020

दिनांक: 31 अक्टूबर, 2020

विषय- मा० राष्ट्रीय हरित आधिकरण ओवरसाइट कमेटी के बैठक दिनांक 18.06.2020 में उठाये गये अवैध खनन को रोके जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक निदेशालय के पत्र सं० 470/एम-एन०जी०टी०/2019 दिनांक 01.07.2020 का सन्दर्भ ग्रहण करने की कृपा करें, जिसके द्वारा जनपद कानपुर देहात में स्वीकृत/रिक्त खनन क्षेत्र की व्यापक जाँच करते हुये अवैध खनन पर प्रभावी अंकुश लगाते हुये आख्या उलब्ध कराने हेतु निर्देशित किया गया है। उक्त के अनुपालन में अवगत कराना है कि जनपद कानपुर देहात में कुल 04 पट्टा संचालित है। जिसका विवरण निम्नवत है-

क० सं०	पट्टाधारक का नाम व पता	स्वीकृत खनन क्षेत्र का विवरण				खनन पट्टे की अवधि		अभ्युक्ति
		तहसील	ग्राम	खसरा /गाटा सं०	क्षेत्रफल (हे० में)	दिनांक से	दिनांक तक	
1	2	3	4	5	6	7	8	9
01	में० एन्थासाइट इन्फ्रा प्रा० लि०, फ्लेट नं० 706, रोहित रेजीडेन्सी 4-सी विकल्प खण्ड, गोमती नगर लखनऊ।	भोगनीपुर	दौलतपुर	खण्ड सं०-02	12.15	17.03.2020	16.03.2025	
02	में० घनाराम इन्फ्रा इंजी० प्रा० लि०	भोगनीपुर	खरका के-1	364मि०, 365मि०, 366मि०, 367मि०, 390मि०	17.56	06.05.2020	05.05.2025	
03	में० लक्ष्मी खाद भण्डार प्रो० भगवान दास गुप्ता नि० महाराजपुर कानपुर नगर	सिकन्दरा	बेहमई	826मि० /2	25.00	04.06.2020	03.06.2025	
04	में० हरिहर मिनिरल्स एल एल पी निदेशक रामऔतार सिंह नि० पटेल नगर उरई जालौन	भोगनीपुर	खरका-के-2	389मि० 390मि०	18.33	03.01.2019	02.01.2024	

उपरोक्त सा० बालू/मौरम के उक्त खननपट्टे की जाँच में पाया गया कि पट्टा धारको द्वारा स्वीकृत क्षेत्र के अन्दर खनन कार्य किया जाना पाया गया। वर्तमान में उक्त खनन क्षेत्र के अतिरिक्त व जनपद में बालू

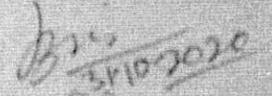
का अवैध खनन नहीं हो रहा है। वित्तीय वर्ष 2020-21 में अवैध खनन/परिवहन के रोकथाम हेतु प्रवर्तन कार्य के अन्तर्गत माह-अक्टूबर 2020 तक कुल 122 वाहन को सम्बन्धित थानों में निरुद्ध किया गया है। जिसमें शासित सहित खनिजमूल्य की घनराशि रु-40.52 लाख की वसूली की गयी है तथा कुल अवैध खनन/परिवहन के 02 प्रकरण में प्रथम सूचना रिपोर्ट सम्बन्धित थानों में दर्ज करायी गयी है। जनपद में अवैध खनन/परिवहन न हो इस सम्बन्ध में गठित टास्कफोर्स द्वारा लगातार प्रवर्तन कार्य किया जा रहा है।

आख्या सेवा में सादर प्रेषित है।

(कै०बी० सिंह)
खान निरीक्षक,
कानपुर देहात

संख्या एवंदिनांकतदैव।

प्रतिलिपि-मुख्य खानअधिकारी, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र० लखनऊ को सादर सूचनार्थ प्रेषित है।


5/10/2020
खान निरीक्षक,
कानपुर देहात

जांच आख्या

प्रेषक,

जिलाधिकारी,
कौशाम्बी।

सेवा में,

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

पत्रांक 378 / खनन सहायक कौ०

दिनांक 09/07/2020

विषय :- मा० राष्ट्रीय हरित अधिकरण ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में उठाये गये अवैध खनन को रोके जाने के सम्बन्ध में।

महोदय,

कृपया अपने कार्यालय के पत्र संख्या 470/एम०-एन०जी०टी०/2019 दिनांक 01.07.2019 का अवलोकन करने का कष्ट करें, जिसके अर्न्तगत मा० राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ०ए० संख्या 670/2018 अतुल चौहान बनाम उ०प्र० राज्य व अन्य में पारित आदेश के अनुक्रम में ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 को सम्पन्न हुयी। उक्त बैठक में श्री एस०एन० सिंह, ई०पी०डी० द्वारा सूचना दी गयी कि बालू/मोरम के अवैध खनन का कार्य बड़े पैमाने पर कानपुर देहात क्षेत्र, फतेहपुर के औगासी घाट, चित्रकूट तथा कौशाम्बी में किया जा रहा है। अवैध खनन पर प्रभावी अंकुश लगाते हुये आख्या उपलब्ध कराने के निर्देश दिये गये है।

उक्त के क्रम में अवगत कराना है कि अवैध खनन/परिवहन के सम्बन्ध में की गयी कार्यवाही की प्रस्तरवार आख्या तैयार कर पत्र के साथ संलग्न कर प्रेषित है।

संलग्नक :- उपरोक्तानुसार।

भवदीय

(मनीष कुमार वर्मा)
जिलाधिकारी,
कौशाम्बी।

O/C

संख्या व दिनांक उक्त।

प्रतिलिपि :- सदस्य सचिव, ओवरसाइट कमेटी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

(मनीष कुमार वर्मा)
जिलाधिकारी,
कौशाम्बी।

O/C

W

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मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 में उठाये गये अवैध खनन को रोके जाने के सम्बन्ध में प्रस्तरवार टिप्पणी।

कृपया निदेशक, भूतत्व एवं खनिकर्म निदेशालय उ0प्र0 खनिज भवन लखनऊ के पत्र संख्या 470/एम0-एन0जी0टी0/2019 दिनांक 01.07.2020 का अवलोकन करने का कष्ट करें, जिसके अर्न्तगत मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली में योजित ओ0ए0 संख्या-670/2018 अतुल चौहान बनाम उ0प्र0 राज्य व अन्य में पारित आदेश के अनुक्रम में ओवरसाइट कमेटी की बैठक दिनांक 18.06.2020 को सम्पन्न हुयी। उक्त बैठक में श्री एस0एन0 सिंह, ई0पी0डी0 द्वारा सूचना दी गयी कि बालू/मोरम के अवैध खनन का कार्य बड़े पैमाने पर कानपुर देहात क्षेत्र, फतेहपुर के औगासी घाट, चित्रकूट तथा कौशाम्बी में किया जा रहा है।

उक्त शिकायत के क्रम में कहना है कि जनपद कौशाम्बी का निम्नवत् पट्टे स्वीकृत है, जिसकी वर्तमान स्थिति निम्नवत् है :-

मे0 रिषभ हर्बल प्राइवेट लिमिटेड, प्रो0 श्री अरूण कुमार पुत्र स्व0 राम विलाश सिंह निवासी-ए1/123 डी0एल0एफ0 दिलशाद विस्तार 2, साहिबाबाद पसौंडा, जिला गाजियाबाद के पक्ष में खण्ड संख्या 11/15 से 11/16 स्वीकृत है। पट्टाधारक द्वारा खनन/परिवहन नहीं किया जा रहा है।

जनपद कौशाम्बी में अवैध खनन/परिवहन के सम्बन्ध में विभिन्न स्तर से प्राप्त शिकायतों के आधार पर व जनपद के अधिकारियों की औचक निरीक्षण में प्राप्त अनियमितता के आधार पर समय समय पर सम्बन्धित पट्टाधारकों के विरुद्ध नियमानुसार कार्यवाही की गयी है एवं ओवरलोडिंग तथा बिना प्रपत्र एम0एम0-11 के परिवहन करने वाले वाहनों को नियमानुसार सम्बन्धित थानों में निरुद्ध किया गया तथा शमन शुल्क की वसूली की गयी है।

उपजिलाधिकारी मंझनपुर एवं खान अधिकारी कौशाम्बी द्वारा दिनांक 30.04.2020 को संयुक्त जांच किया गया, जिसमें पाया गया कि तहसील मंझनपुर स्थित ग्राम जमुनापुर में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 16/20 से 16/22 क्षेत्रफल 36.28हे0 में पट्टाधारक कुंवर इन्फाडेवलपर प्राइवेट लिमिटेड प्रो0 श्री नफीस अहमद पुत्र श्री नईम खां निवासी हाता सदर बाजार कैन्ट अहमदपुर उर्फ कमलापुर जनपद लखनऊ द्वारा अपने स्वीकृत क्षेत्र से बाहर खनन/परिवहन करने पर दिनांक 06.05.2020 को लगभग 990 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 2075/खनन सहायक कौ0 दिनांक 06.05.2020 के माध्यम से रू0 13,91,000/- (तेरह लाख इक्यानवें हजार रू0) एवं उ0प्र0 उपखनिज परिहार नियमावली 1963 के नियम 41(ज) का उल्लंघन करने के कारण रू0 5,00,000/- (पांच लाख रू0) वसूली हेतु नोटिस निर्गत की गयी है।

उपजिलाधिकारी मंझनपुर एवं खान अधिकारी कौशाम्बी द्वारा दिनांक 23.12.2019 को संयुक्त जांच किया गया, जिसमें पाया गया कि तहसील मंझनपुर स्थित ग्राम कटरी में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 14/11 से 14/12 क्षेत्रफल 10.46हे0 में पट्टाधारक श्री केशरी नन्दन सिंह पुत्र श्री रमा शंकर सिंह निवासी वस्तु नगर हवेलिया झूंसी तहसील फूलपुर जनपद प्रयागराज द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 1200 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 1383/खनन सहायक कौ0 दिनांक 28.12.2020 के माध्यम से रू0 15,80,000/- (पन्द्रह लाख अस्सी हजार रू0) वसूली हेतु नोटिस निर्गत की गयी है।

प्रभारी अधिकारी खनिज, एवं खान अधिकारी कौशाम्बी द्वारा दिनांक 18.11.2019 को संयुक्त जांच किया गया, जिसमें पाया गया कि तहसील मंझनपुर स्थित ग्राम कटरी में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 14/11 से 14/12 क्षेत्रफल 10.46हे0 में पट्टाधारक द्वारा अपने स्वीकृत क्षेत्र से बाहर खनन/परिवहन करने पर दिनांक 26.12.2019 को लगभग 4101 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 1373/खनन सहायक कौ0 दिनांक 26.12.2019 के माध्यम से रू0 41,90,900/- (इकतालिस लाख नब्बे हजार नौ सौ रू0) वसूली हेतु नोटिस निर्गत की गयी है।

उपजिलाधिकारी मंझनपुर एवं तहसीलदार मंझनपुर तथा खान अधिकारी कौशाम्बी के द्वारा दिनांक 12.11.2019 को संयुक्त जांच किया गया, जिसमें पाया गया कि पट्टाधारक द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 5445 घनमीटर बालू/मोरम का अवैध खनन करने के कारण इस कार्यालय के पत्र संख्या 1242/खनन सहायक कौ० दिनांक 20.11.2019 के माध्यम से रू० 54,00,500/- (चौवन लाख पांच सौ रू०) की वसूली हेतु नोटिस निर्गत की गयी।

उपनिरीक्षक पश्चिम शरीरा मय पुलिस बल एवं खनन सर्वेक्षक प्रयागराज तथा खान अधिकारी कौशाम्बी के साथ दिनांक 07.06.2020 को संयुक्त जांच की गयी, जिसमें पाया गया कि पट्टाधारक द्वारा अपने स्वीकृत क्षेत्र में बालू/मोरम का खनन कार्य किया जा रहा है।

उपजिलाधिकारी मंझनपुर एवं खान अधिकारी कौशाम्बी द्वारा दिनांक 13.12.2019 को संयुक्त जांच किया गया, जिसमें पाया गया कि तहसील मंझनपुर स्थित ग्राम दिया में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 11/05 से 11/06 क्षेत्रफल 24.28 हे० में पट्टाधारक मे० जय बजरंग ट्रेडर्स प्रो० पंकज कुमार पुत्र श्री भगवानदास निवासी महमूदपुर मनौरी तहसील चायल जनपद कौशाम्बी द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 2928.80 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 1363/खनन सहायक कौ० दिनांक 23.12.2020 के माध्यम से रू० 31,35,920/- (इकतीस लाख पैतीस हजार नौ सौ बीस रू०) वसूली हेतु नोटिस निर्गत की गयी है।

बालू/मोरम की अवैध खनन/परिवहन की सूचना पर ग्राम दिया में मोरम खनन हेतु स्वीकृत खण्ड संख्या 11/05 से 11/06 क्षेत्रफल 24.28 हे० का उपजिलाधिकारी मंझनपुर एवं खान अधिकारी कौशाम्बी के साथ संयुक्त जांच दिनांक 08.02.2020 को किया गया, जिसमें पाया गया कि पट्टाधारक द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 5840 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 1678/खनन सहायक कौ० दिनांक 19.02.2020 के माध्यम से रू० 57,56,000/- (सत्तावन लाख छप्पन हजार रू०) वसूली हेतु नोटिस निर्गत की गयी है।

बालू/मोरम की अवैध खनन/परिवहन की सूचना पर ग्राम दिया में स्वीकृत खण्ड संख्या 11/5 से 11/6 क्षेत्रफल 24.28 हे० का स्थलीय निरीक्षण उपजिलाधिकारी मंझनपुर एवं खान अधिकारी कौशाम्बी के साथ किया गया, जिसमें पट्टाधारक द्वारा स्वीकृत क्षेत्र से बाहर लगभग 540 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने के कारण इस कार्यालय के पत्र संख्या 309/खनन सहायक कौ० दिनांक 27.06.2020 के माध्यम से रू० 9,86,000/- (नौ लाख छियासी हजार रू०) वसूली हेतु नोटिस निर्गत की गयी।

बालू/मोरम के अवैध खनन/परिवहन की सूचना पर तहसील मंझनपुर स्थित ग्राम डेढ़ावल के खण्ड संख्या 14/5 से 14/6 क्षेत्रफल 24.28 हे० का स्थलीय निरीक्षण उपनिरीक्षक पश्चिम शरीरा मय पुलिस बल एवं खनन सर्वेक्षक प्रयागराज तथा खान अधिकारी कौशाम्बी के साथ दिनांक 07.06.2020 को संयुक्त जांच की गयी, जिसमें पाया गया कि पट्टाधारक साईं कन्स्ट्रक्शन एण्ड सप्लायर्स प्रो० नीलम सिंह निवासी ग्राम-कटका पोस्ट-तामाखस, संतकबीरनगर द्वारा अपने स्वीकृत क्षेत्र में बालू/मोरम का खनन कार्य किया जा रहा है तथा पट्टा विलेख एवं स्वच्छता प्रमाण पत्र के शर्तों के विरुद्ध नदी के प्रवाह से भी बालू/मोरम का खनन मशीनों से किया गया है, जो पर्यावरण के शर्तों की अवहेलना है। उ०प्र० उपखनिज परिहार नियमावली 1963 के नियम 41(ज) का उल्लंघन किया गया है, जिसके कारण इस कार्यालय के पत्र संख्या 264/खनन सहायक कौ० दिनांक 18.06.2020 के माध्यम से रू० 5,00,000/- (पांच लाख रू०) वसूली हेतु नोटिस निर्गत की गयी।

बालू/मोरम के अवैध खनन/परिवहन की सूचना पर तहसील चायल स्थित ग्राम कटैया के खण्ड संख्या 10/17 से 10/18 क्षेत्रफल 24.28 हे० का उपजिलाधिकारी चायल, क्षेत्राधिकारी चायल, खान अधिकारी कौशाम्बी, थाना प्रभारी सरायअंकिल, चौकी प्रभारी तिल्हापुर एवं चौकी प्रभारी कनैली द्वारा दिनांक 19.03.2020 को संयुक्त निरीक्षण किया गया, जिसमें पाया गया कि तहसील चायल स्थित ग्राम कटैया में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 10/17 से 10/18 क्षेत्रफल 24.28 हे० में पट्टाधारक श्री मनीष ओझा पुत्र श्री रामदेव प्रसाद ओझा निवासी श्याम कालोनी निकट रेलवे स्टेशन भगवतीगंज जनपद बलरामपुर द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 5375 घनमीटर बालू/मोरम का

अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 2062/खनन सहायक कौ0 दिनांक 02.05.2020 के माध्यम से रू0 53,37,500/- (तिरपन लाख सैतीस हजार पांच सौ रू0) तथा उ0प्र0 उपखनिज परिहार नियमावली 1963 के नियम 41(ज) का उल्लंघन किये जाने के कारण रू0 5,00,000/- (पांच लाख रू0) वसूली हेतु नोटिस निर्गत की गयी है।

बालू/मोरम के अवैध खनन/परिवहन की सूचना पर तहसील चायल स्थित ग्राम रूसहाई सैदपुर के खण्ड संख्या 8/3 से 8/4 क्षेत्रफल 24.28हे0 का उपजिलाधिकारी चायल एवं खान अधिकारी कौशाम्बी द्वारा दिनांक 28.05.2020 को संयुक्त निरीक्षण किया गया, जिसमें पाया गया कि तहसील चायल स्थित ग्राम कटैया में प्रवाहित यमुना नदी में स्वीकृत खण्ड संख्या 8/3 से 8/4 क्षेत्रफल 24.28हे0 में पट्टाधारक मे0 सागर ब्रिक फील्ड प्रो0 संजय कुमार पुत्र स्व0 जगत नारायण निवासी महमूदपुर मनौरी तहसील चायल जनपद कौशाम्बी द्वारा अपने स्वीकृत क्षेत्र से बाहर लगभग 1540 घनमीटर बालू/मोरम का अवैध खनन/परिवहन करने पर इस कार्यालय के पत्र संख्या 158/खनन सहायक कौ0 दिनांक 05.06.2020 के माध्यम से रू0 18,86,000/- (अट्ठारह लाख छियासी हजार रू0) वसूली हेतु नोटिस निर्गत की गयी है।

शासनादेश संख्या 1971/86-12-371/05 दिनांक 30.07.2012 व 959/86-2013-371/2005 दिनांक 03.05.2013 के अनुपालन में अवैध खनन/परिवहन पर प्रभावी नियंत्रण हेतु अधोहस्ताक्षरी की अध्यक्षता में गठित जिला स्तरीय कार्यबल की बैठक प्रत्येक माह की जाती है। अधोहस्ताक्षरी द्वारा दिनांक 16.05.2019 को दिये गये निर्देशों के अनुपालन में खण्ड संख्या 11/29 से 11/30 क्षेत्रफल 24.28हे0, पट्टाधारक श्री जसपाल सिंह पुत्र श्री हुकुम सिंह निवासी 2/337 गुरूनानकपुरा भोटिया पड़ाव हल्द्वानी नैनीताल द्वारा अपने स्वीकृत क्षेत्र से बाहर बालू/मोरम का अवैध खनन/परिवहन करने के कारण अधोहस्ताक्षरी द्वारा दिनांक 30.06.2019 एवं खण्ड संख्या 9/25 से 9/26 क्षेत्रफल 16हे0 पट्टाधारिका श्रीमती सुकेता निषाद पत्नी श्री विनय कुमार निषाद निवासी 601/1ए/272बी मीरापुर थाना अतरसुईया तहसील सदर जनपद प्रयागराज के द्वारा पर्यावरण स्वच्छता प्रमाण में दिये गये दिशा निर्देशों का पालन न करते हुये अवैध खनन किया गया, जिसके कारण थाना सरायअंकिल में प्रथम सूचना रिपोर्ट दर्ज करायी है। पट्टाधारिका द्वारा दिये गये पट्टा विलेख के नियम एवं शर्तों तथा 41(ज) का उल्लंघन बार-बार किये जाने के कारण अधोहस्ताक्षरी द्वारा दिनांक 21.08.2019 को बालू/मोरम का पट्टा निरस्त कर दिया गया।

जिसके अनुपालन में अधोहस्ताक्षरी एवं पुलिस अधीक्षक कौशाम्बी के साथ समय समय पर निरीक्षण किया जाता है तथा अपर जिलाधिकारी, अपर पुलिस अधीक्षक, क्षेत्राधिकारी, उपजिलाधिकारी सहायक सम्भागीय परिवहन अधिकारी एवं खान अधिकारी के द्वारा जनपद कौशाम्बी में वर्ष 2020-21 में ओवरलोडिंग/अवैध परिवहन में कुल 221 वाहन पकड़े गये, पकड़े गये वाहनों पर अधोहस्ताक्षरी द्वारा अधिरोपित करते हुये शमन शुल्क रू0 61.12 लाख रू0 वसूल कर लेखाशीर्षक में जमा कराया गया तथा 05 प्रकरण पर एफ0आई0आर0 दर्ज करायी गयी एवं मा0 मुख्य न्यायिक मजिस्ट्रेट कौशाम्बी के समक्ष 15 प्रकरण में परिवाद दाखिल किया गया।

इसके अतिरिक्त यहां यह भी अवगत कराना है कि ग्राम भोपतपुर, जलालपुर भर्ती में बालू/मोरम के अवैध भण्डारण पाया गया, जिसको सीज करते हुये नीलामी की गयी। नीलामी से रू0 19.52 लाख निर्धारित लेखाशीर्षक में जमा कराया गया।

वर्तमान समय में मानसून सीजन होने के कारण दिनांक 01 जुलाई, 2020 से 30.09.2020 तक खनन कार्य प्रतिबन्धित है। बालू/मोरम की अवैध खनन/परिवहन की सूचना प्राप्त होने पर तत्काल नियमानुसार प्रभावी कार्यवाही की जाती है।

आख्या अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

अपर जिलाधिकारी (वि0/रा0)
खान अधिकारी
कौशाम्बी

अपर जिलाधिकारी (वि0/रा0)
प्रभारी अधिकारी खनिज
कौशाम्बी

06.07/20
(शनीष कुमार वर्मा)
जिलाधिकारी
कौशाम्बी

**MINUTES OF MEETING OF NGT OVERSIGHT COMMITTEE, U.P., LUCKNOW HELD ON
12.02.2021 AT 3:00 PM IN OA NO. 670/2018
IN RE: ATUL SINGH CHAUHAN VS. MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE
CHANGE & ORS.
THROUGH VIDEO-CONFERENCING**

Present: Hon'ble Mr. Justice SVS Rathore, Chairman, and

Dr. Anup Chandra Pandey, Member

Other dignitaries present:

- 1) Mr. Rajendra Singh, CEO, UPPCB
- 2) Dr. D. K. Soni, Additional Director, CPCB
- 3) Mr. Anil Kumar Sharma, Chief Mining Officer
- 4) Mr. Anjani Kumar Singh, Regional Officer, Prayagraj
- 5) Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj
- 6) Mrs. Shakuntala Gautam, Director Local Bodies, Urban Development
- 7) RO, Prayagraj, UPPCB

The issue in this case is regarding remedial action against sand mining in river Yamuna at Prayagraj and follow up directions given by Hon'ble NGT in **OA No. 670/2018** in re: *Atul Singh Chauhan versus Govt of UP*.

Applicant Atul Singh Chauhan had approached the Hon'ble NGT with the contention that lot of irregularities were taking place in mining in river Yamuna at Prayagraj (Allahabad). His contention was that the mining was allowed prior to the preparation of District Survey Report (DSR). He contended that it was being done in an unscientific way. Moreover, it was being done upto 4 to 6 meter deep using Pokland Machine. Mining was done without taking EIA clearance in violation of Supreme Court Judgment in *Deepak Kumar vs State of Haryana & others, (2012) 4 SCC 629*. 400 to 500 trucks of sand were daily transporting sand instead of permissible limit of 125 trucks per day. These trucks were carrying a load of 12 to 20 cubic meters instead of permissible limit of 6 cubic meters. Mining was being done in utter violation of orders passed by Hon'ble NGT in the cases of *Sudarshan Das vs. MoEF, Mustakeem vs. State of UP* and *Satyendra Pandey vs. Govt of India*.

The Oversight Committee reviewed the implementation of Hon'ble NGT order dated 07.07.2020 and 18.09.2020 regarding allegations by the applicant Atul Singh Chauhan. In this regard, various issues as pointed out in the order of Hon'ble NGT order passed in **OA No. 670 of 2018** in re: *Atul Singh Chauhan Vs. MOEF & CC* were discussed and status of the action taken by the concerned authorities in compliance of the order was reviewed. In the earlier meetings, the Committee recommend/ suggested the various departments and asked them to submit the latest compliance status on the issues covered in this matter.

Hon'ble NGT had constituted a Joint Committee under the Chairmanship of Commissioner, Prayagraj on 20.09.2018. The Committee while sending its report to Hon'ble NGT acknowledged that illegal sand mining was prevalent in that area. On 12.02.2019, Hon'ble NGT formed a Monitoring Committee under Chairmanship of Justice Rajes Kumar to examine the entire matter and send its report to Hon'ble NGT. On 09.05.2019, Hon'ble NGT examined the report of the Monitoring Committee. The Monitoring Committee in its report dated 29.03.2019 mentioned that illegal sand mining was going on in river Yamuna at Prayagraj. They came out with the following suggestions to solve the problem:

1. CCTV Cameras should be installed at mining points to verify the amount of sand extracted.
2. Regular patrolling should be done by the police to inspect the mining operations.
3. Daily reports regarding mining should be sent to the District Magistrate.
4. In case of any irregularity, FIR should be lodged.
5. The District Magistrate and the Superintendent of Police should carry out surprise checks.

Hon'ble NGT reiterated the order dated 10.11.2019 whereby it had directed that every vehicle carrying illegal sand should be confiscated and it should not be released without recovery of 50% of showroom price. This order has been affirmed by Hon'ble Supreme Court on 07.05.2019. Besides confiscation, environmental compensation should be levied against illegal mining which should be based on net present value of the cost of damage to environment along with the cost of restoration of environment as well as cost of illegally mined material.

Hon'ble NGT vide order dated 04.07.2019 examined the reports of Monitoring Committee dated 19.06.2019, 28.06.2019 and 02.07.2019. It directed removal of JCBs and other machines from the mining areas in river Yamuna. It also reiterated earlier directions of installing CCTV cameras, patrolling, surprise inspections and daily reports from the District

Magistrate. **On 28.02.2020**, Hon'ble NGT directed that there would be a single Oversight Committee (this Committee), which would be monitoring all environmental cases, which hitherto were monitored by separate committees. The directions were given are as follows-

9. The seized vehicles may be dealt with as per order of this Tribunal as modified recently vide order dated 19.02.2020 in *M.A. No. 16/2020 In Original Application No. 44/2016, Mushtakeem vs. MoEF & CC & Ors.*, as follows:

"5. Having regard to the above practical difficulty, we modify the orders dated 05.04.2019 and 26.07.2019.

Sr. No	Category of Vehicle	Penalty Amount
1	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and less than 5 years old.	Rs. 4 lacs
2	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and more than 5 years but less than 10 years old.	Rs. 3 lacs
3	For the remaining Vehicles year/ Equipments/ Excavators which are otherwise legally permissible to be operated and not covered by Serial No. 1 and 2.	Rs. 2 Lacs
<p>Note-I: On repetition of the offence by the same vehicle/ equipment, Order dated 05.04.2019 will be applicable.</p> <p>Note-II: The option of release may be available for a period of one month from the date of seizure and thereafter, the vehicles may be confiscated and auctioned.</p>		

6. The State may issue an appropriate Office Order/Rule to the above effect and publish the same. Needless to say, that any private contract between a financier and a debtor cannot affect the States' sovereign power to protect the environment and take incidental coercive measure for enforcement of rule of law. Lien of the State will override any private interest. The above compensation regime will be over and above any existing Rules or provisions. The amount collected may be remitted to the State PCBs/PCCs for being utilized for restoration of the environment.

7. The above course of action will be permissible to all the States at their option.

Hon'ble NGT also examined the Monitoring Committee's report dated 02.11.2019 wherein it was mentioned that in Prayagraj, out of 83 silica sand washing plants, only 12 had permission from UP Pollution Control Board. These 12 silica sand washing plants were using tube-wells for washing without getting permission from Central Ground Water Authority. UPPCB had been asked by the Monitoring Committee to seal these plants and invoke environmental compensation on them. The Monitoring Committee had asked to give them an opportunity of hearing before taking final decision.

Hon'ble NGT also mentioned that directions given in **order dated 04.09.2019 in OA No. 173/2018 in re: Sudarshan Das versus State of West Bengal and others;** order dated

26.04.2019 passed in OA No. 44/2016 in re: *Mushtakeem versus MoEF&CC and others* and order dated 13.09.2018 passed in OA No. 186/2016 in re: *Satendra Pandey versus MoEF&CC and another*, must also be followed in the State of UP.

Various issues involved in the matter were reviewed and discussed in today's meeting i.e., on 12.02.2021. Point-wise decisions taken by the Committee in the matter are detailed hereinunder:

Issue-1: Report regarding District Prayagraj. Recovery of damages for illegal mining and coercive measures against the vehicle involved in illegal sand mining

Action Taken: It was informed by Mr. Anjani Kumar Singh, Regional Officer, Prayagraj that the above penalty regime would be applicable for the offence committed for the first time but in case of repetition, penalty regime as provided in the order of Hon'ble NGT dated 10.11.2019 would be applicable. In the said order of Hon'ble NGT, it was directed that the State Government has to amend the rules and the confiscating officer is to be designated in consonance with amendments made and the amount so collected is to be remitted to State PCB/PCCs for being utilized for restoration of environment. The Hon'ble NGT had further directed that the above compensation regime will be over and above any existing rules or provisions.

Let the State Government issue an appropriate Office Order/Rule to this effect in accordance with the spirit of orders of Hon'ble NGT referred to herein above by incorporating State Amendment. The implementation has been initiated in district Prayagraj. As per the information, approx. 235 vehicles have been released by the Lower Court. In this regard, Mining department filed a revision in the District Judge Court. The Mandate has been issued. As per information given by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that the Mining Department sent a letter dated 22.09.2020 to Environment Department regarding the amendment in the Rule along with the compensation. The work is in progress. The Committee directed the Regional Officer to submit the copy of the action plan in this matter. **It was clearly observed that there is no amendment in the Rule by the Mining Department till date. It was also directed by the Committee that the Chief Secretary should look after this matter.**

Issue-2: Status of Pattas

Action Taken: The Committee was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that there are 51 areas identified as per DSR in Prayagraj. Out of 51 pattas, 19 are submerged and breakup of all 51 areas is annexed as **Annexure-1**. Moreover, 21 sand Blocks are in Yamuna River. Out of 21 Sand Blocks, 11 blocks are marked as water-logged area. The Working Lease Area- 02 (Balu Khand No. 5 & 6) and one sand blocks will be finalized today.

The Status of Sand Blocks (Yamuna River) in District Prayagraj are as follow:

S.No.	Details	Number of Blocks
1	Total No. of Sand Blocks in Yamuna River	21
2	Water Logged Area (Mining Lease cannot be granted by the directions of Hon'ble NGT and Hon'ble Supreme Court Orders)	11
3	Number of Re-advertised Sand Area	01
4	Pending in SEIAA (For Environmental Clearance)	04
5	Lease Deed Execution is in progress	02
6	Working Lease Area	02
7	Number of areas affected by Kumbh Mela	01

It was also informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that there are 06 running leases (pattas) in Ganga (Operational) and 04 running leases (pattas) in Yamuna. Presently, only 10 pattas are operational and 07 blocks are pending in SEIAA for Environment Clearance since last one year.

In this regard, the Committee had directed Mr. Ashish Tiwari, Member Secretary, UPPCB as well as Director, Environment, was to provide/clear the status of 07 pattas which are pending in SEIAA since last one year. Further, the Committee directed to submit the breakup of all 51 areas (**Refer Annexure-1**). Shri Ashish Tiwari, Member Secretary, UPPCB suggested for issuing direction to CPCB to make standard formula for compensation instead of different compensation regimes presently in vogue.

Issue-3: Status of Action Plan regarding Illegal sand mining

Action Taken: The Status of Action Plan regarding Illegal sand mining are as follows-

- The enforcement figures as given by district administration are as follows:

S. No.	Illegal mining cases	Illegal storage cases	Lodged FIRs	Illegal transport cases	Cases lodged in Hon'ble Civil Court
FY: 2018-19					
1	56	06	196	194	06
FY: 2019-20					
2	32	04	132	537	80
FY: 2020-21 (Upto Jan., 2021)					
3	26	09	166	449	370

- Regarding the above, it was informed that for preventing the illegal mining/transportation/storage transfer, task force has been constituted at Tehsil level.
- There are 02 mining areas on the Yamuna river bed in the district with installed CCTV Camera and Weigh-bridge on the mining exit route.
- The area of sub-mineralization is marked with geo-coordinate.
- The vacant mining areas through e-tender cum e-auction has been advertised by the DM vide office letter no. 1958 dated 22.12.2020, in which the process of e-tender cum e-auction is under process.
- Online form of E-form MM-11 is popular. A Portal has been created for verification of deposition of E-form MM-11 relative to the quantity of sub-stations used by the working organization.
- There is provision in the rules for installation of CCTV cameras and weighing machines in sand mining areas. Accordingly, CCTV cameras and weighing machines have been installed in sand mining areas.

Important Enforcement Work in Financial Year 2020-21 are given below:

1. FIR was lodged on **12.01.2020** in Thana- Karchana against illegal storage of Sand which was stored at Village- Diha, Tehsil- Karchana.
2. FIR was lodged on **12.01.2020** in Thana- Naini against illegal storage of Sand which was stored at Village- Diha, Tehsil- Karchana.
3. FIR was lodged on **02.03.2020** in Thana- Ghoorpur against illegal storage of Sand which was stored at Village- Baswar, Tehsil- Karchana.
4. FIR was lodged on **07.03.2020** against illegal storage of Sand which was stored at Tehsil- Sadar thana area Civil Lines

5. FIR was lodged on **17.04.2020** against illegal storage of Sand which was stored at Village Kasondhan @ Lakshagrih Tehsil Handiya.
6. FIR was lodged on **25.04.2020** at Police Station Ghoorpur against illegal sand excavated from river Yamuna and stored in Village Palpur and Amiliya, Tehsil- Karchana.
7. FIR was lodged on **25.04.2020** at Police Station Ghoorpur against illegal sand excavated from river Yamuna and stored in Village Baswar Tehsil Karchana.
8. FIR was lodged on **03.05.2020** at Police Station Lalapur against illegal sand excavated from river Yamuna and stored in Village Majhiyari Amad Tehsil- Bara.
9. FIR was lodged on **11.05.2020** at Police Station Lalapur against illegal sand excavated from river Yamuna in district boundary, Prayagraj and Kaushambi in Village- Semri & Nodiha, Tehsil- Bara.
10. FIR was lodged on **27.05.2020** at Police Station- Karchana against illegal sand excavated and stored in Village Diha, Tehsil Karchana.
11. FIR was lodged on **01.06.2020** at Police Station Kondhiyara against illegal sand excavated and stored in Village Benipur, Tehsil Karchana.
12. FIR was lodged on **04.06.2020** at Police Station Saraynat against illegal sand excavated and stored in Village Lilapur Kala & Lilapur Khurd, Tehsil Phoolpur.
13. FIR was lodged on **13.06.2020** at Police Station Industrial area Naini against illegal sand excavated and stored near UPSIDC Tehsil Karchana.
14. FIR was lodged on **23.06.2020** at Police Station Dhoomanganj against illegal sand excavated and stored in ADA Colony Tehsil Sadar.
15. FIR was lodged on **27.06.2020** at Police Station Kareli against illegal sand excavated and stored in Village Sadiya, Imillytola Tehsil Sadar.
16. FIR was lodged on **18.08.2020** at Police Station Naini against illegal sand excavated and stored in Village Chak Babura alimabad (ADA Colony) Tehsil Karchana.
17. FIR was lodged on **21.08.2020** at Police Station Handiya against illegal sand excavated and stored in Village Girdhacot Tehsil Handiya.
18. FIR was lodged on **05.10.2020** at Police Station Lalapur against illegal sand excavated and stored in Village- Semri & Nodiha, Tehsil- Bara.
19. FIR was lodged on **09.10.2020** at Police Station- Meja against illegal sand mining of stone excavated and stored in Village- Bhatauti, Tehsil Meja
20. FIR was lodged on **18.10.2020** at Police Station- Shankargarh against Shri Prabhakar Singh

Village- Garha Tehsil- Bara regarding illegal storage of silica sand after illegal mining transportation.

21. FIR was lodged on **18.10.2020** at Police Station- Shankargarh against Shri Bhanu Pratap Singh resident of Tehsil- Bara, Prayagraj regarding illegal storage of silica sand after illegal mining transportation.
22. FIR was lodged on **18.10.2020** at Police Station- Shankargarh Village- Garwa Tehsil- Bara against Shri Neeraj Gupta resident of Tehsil- Sadar regarding illegal storage of silica sand after illegal mining transportation.
23. FIR was lodged on **18.10.2020** at Police Station- Shankargarh against Shri Nathu Prajapati resident of Village- Janwa, Tehsil- Bara regarding illegal storage of silica sand after illegal mining transportation.
24. FIR was lodged on **22.10.2020** at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda and Mohabbatganj under Tehsil- Karchana.
25. FIR was lodged on **24.10.2020** at Police Station- Ghoorpur against unknown persons for illegal storage and transportation of sand in Village- Baswar under Tehsil- Karchana.
26. FIR was lodged on **24.10.2020** at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda and Mohabbatganj under Tehsil- Karchana.
27. FIR was lodged on **26.10.2020** at Police Station- Kareli against unknown persons for illegal storage and transportation of sand in Village- Saidpur and Kareda under Tehsil- Sadar.
28. FIR was lodged on **28.12.2020** at Police Station- Handiya against unknown persons for illegal storage and transportation of sand in Village- Usmapur Uparhar under Tehsil- Handiya.
29. FIR was lodged at Police Station- Ghoorpur against unknown persons for illegal storage and transportation of sand in Village- Baswar under Tehsil- Karchana.
30. FIR was lodged at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Mohabbatganj under Tehsil- Karchana.
31. FIR was lodged on 06.02.2021 at Police Station- Naini against unknown persons for illegal storage and transportation of sand in Village- Makauda, Mohabbatganj and Baswar under Tehsil- Karchana.

Issue-4: Status of 21 common area of Yamuna River located in Prayagraj Distt

Action Taken: The direction given by Hon'ble NGT dated 18.09.2020 was as follows:

“Let the District Magistrate, Prayagraj take further steps in the matter and maintain surveillance. The issue of compensation, if not already finalized, may be finalized with the assistance of CPCB and report furnished to the Oversight Committee. The Oversight Committee may give its further report of status as on 28.02.2021, before the next date.”

Status of 21 common area of Yamuna River located in Prayagraj District

- 1. Water Logged Area (Mining Lease cannot be granted by the directions of Hon'ble NGT and Hon'ble Supreme Court Orders)- 11 (Balu Khand No. 1,2,10,11,12,13,14,15,18,19,20)**
 - 2. Number of Re-advertised Sand Area- 01 (Balu Khand No. 8)**
 - 3. Number of Pending areas in SEIAA For Environmental Clearance- 04 (Balu Khand No. 7, 9, 16 21) Environmental Clearance Certificate is not obtained from the SEIAA for the said area.**
 - 4. Lease Deed Execution is in progress- 02 (Balu Khand No. 3 & 4)**
 - 5. Working Lease Area- 02 (Balu Khand No. 5 & 6)**
- Number of areas affected by Kumbh Mela- 01 (Balu Khand No. 17)**

Issue-5: Details of Enforcement of actions taken in financial year 2020-21 (near Yamuna River)

Action Taken: The Details of Enforcement of action taken in FY 2020-21 are as follows-

S. No.	Month	Number of Vehicles Caught	
		In Month	Till Month
1	April, 2020	13	13
2	May, 2020	51	64
3	June, 2020	34	98
4	July, 2020	13	111
5	August, 2020	88	199

The Committee was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that a letter no. 1919/M-228/2017 (Mining Rule) (V) dated 13.01.2021 is already dispatched for the purpose of effective control and curbing of illegal mining. An investigation team is being formed for monitoring on the Manda road, Rampur Meja Bhatauti, Ghoorpur route in the

district, which will work for 24*7 in three shifts.

Issue-6: Status of Environmental Compensation

Action Taken: The Committee was informed by Mr. Anjani Kumar Singh, Regional Officer, Prayagraj that no penalty has been realized so far from illegal miners. Regarding the above, it was informed that necessary action is to be taken by the CPCB & UPPCB in respect of environmental damage. The Government of Uttar Pradesh, Mining Department, Lucknow has requested the Principal Secretary, MOEF&CC, Govt. of U.P., Lucknow, through Govt. Letter No. 1672/86-2020 dated 22.09.2020 that given the order of the Hon'ble NGT related to the environment, it will not be appropriate to give instructions by the Mining Department.

In this regard, Mr. D. K. Soni, Additional Director, CPCB informed that the Expert Committee had prepared a report regarding scale of environmental compensation to deal with the cases of illegal mining and submit it to Hon'ble NGT. The matter was heard on 17.08.2020 and NGT asked the Expert Committee to consider views of amicus curie. The Expert Committee has submitted its view on 12.10.2020 (suggesting no changes in previous report). **The matter was listed for hearing on 14.01.2021 but has been adjourned to 26.02.2021.** Meanwhile, the Oversight Committee may consider issuing instructions to the concerned authorities to use the scale proposed by the Expert Committee to impose penalty for illegal mining in the areas in question.

Issue-7: Status of Detailed Report in regard to steps taken against illegal sand miners, vehicles confiscated, penalty imposed/realized, action taken against accountable officers, surprise inspections by District Magistrate, Prayagraj and Senior Superintendent of Police and daily reports submitted by the district administration to the Head Office at Lucknow.

Action Taken: It was informed by Mr. Mithilesh Kumar Pandey, Mining Officer, Prayagraj that under the Mines and Minerals (Development and Regulation) Act, 1957 (i.e., MMDR Act), the competent authority is the court of Chief Judicial Magistrate for lodging complaints. In the complaints, orders of the Hon'ble NGT are referred to. Confiscated vehicles are released by the court of Chief Judicial Magistrate concerned after obtaining an affidavit and trial continues in due course. On query being made that when the orders of Hon'ble NGT in this regard have been confirmed by Hon'ble Supreme Court then why the Chief Judicial Magistrate is releasing

the confiscated vehicles on affidavit and whether the Chief Judicial Magistrate is made aware of the above confirmation by Hon'ble Supreme Court on 07.05.2019 and even thereafter if confiscated vehicles are being released without payment of penalty, whether appeals are being preferred, the Chief Mining Officer replied that so far no appeal has been preferred, but they will do it now. Registration of vehicles is being done on the Vehicle Tracking System and mineral portal on the vehicles transporting the sub-mineral.

No progress has been filed/submitted to the Committee till date. The Committee directed to submit the copy of the detailed report by District Magistrate and Senior Superintendent of Police, Prayagraj in this regard.

Issue-8: Status of Inspection Report made against illegal sand mining in the Districts of Kanpur Dehat, Fatehpur, Chitrakoot and Kaushambi

Action Taken: It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that the inspection report has been received by the Mining Department from Fatehpur and Chitrakoot, but no report has been received by Kanpur Dehat and Kaushambi till date. It was also noticed that no report has been given by the Mining Department to the Committee. The Committee directed to submit the copy of the inspection report of Fatehpur and Chitrakoot and the State Mines Department was directed to get an inspection done against illegal sand mining in Kanpur Dehat and Kaushambi at the earliest and submit a detailed report.

Issue-9: Status of Task Force

Action Taken: The Committee was informed by Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj that task force has been constituted at district- level and tehsil-level (comprising of Sub Divisional Magistrate, Circle Officer and Assistant Road Transport Officer) to check/ for prevention of illegal mining/transportation/storage. Weekly reports are sent by Task Forces to SSP office. The Committee directed to submit the copy of the detailed report of task force at the earliest.

Issue-10: Status of Police Check-post in village Baswar, P.S. Ghoorpur

Action Taken: It was informed by Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj that the SSP, Prayagraj vide letter dated 14.04.2020 had directed SHO, Ghoorpur to

make arrangement for establishment of Police Chowki in Village Baswar but a police outpost has not yet been established in village- Baswar, P.S.- Ghoorpur till date. It was also informed that the SSP has been asked to set up a Police Chowki in Village Baswar by the DM because Village Baswar is sensitive area. The work is in progress.

Issue-11: License from UPPCB and CGWA (83 Silica Sand Mining Plants)

Action Taken: As per the earlier information given by Mr. Ashish Tiwari, Member Secretary, UPPCB informed that out of 83 Silica Sand Mining Plants which were identified, only 04 have permission from UPPCB. Rest all the plants were sealed for want of permission on the basis of inspection done by a Committee on 16.06.2020 and EC was imposed. District Magistrate has issued recovery certificate for realisation of the same.

Mr. Rajendra Singh, CEO, UPPCB informed about the present status of 83 Silica Sand Mining Plants, are as follows:

Total No. of Identified Silica Washing Plants	83
1. Valid Consent	05
2. Without Consent (Defaulter)	78
3. Action against defaulters	
(a) Closure Order/Directions	17
(b) EC+ Closure Order/Directions	61
(c) Recovery Certificate by DM	60

The Committee directed that Silica Sand Mining Plants be made operational only after obtaining environmental clearance from UPPCB. In this regard, Mr. Mithilesh Kumar Pandey, Senior Mines Officer, Prayagraj informed that the EC has been imposed on 61 Silica Sand Mining Plants along with Closure Order/directions.

Issue-12: Status of preparation of District Survey Report (DSR)

Action Taken: It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that the DSR for Prayagraj has been prepared as per the guidelines of MoEF. A State Level Committee has been constituted comprising representatives of Revenue Department, Forest Department,

Irrigation Department and Mining Department. The Committee directed that there is a need for preparation of DSR based on Physical surveys and replenishment studies, hence, the Committee observed that the pattas were the lease mandatory type and no physical surveys and replenishment studies has been done; because out of 51 areas, 19 are submerged and rest are unviable and has no tender process, however, there is need to be physical inspection by the concerned authorities.

Issue-13: Best practices (setting up of control rooms)

Action Taken: The Committee has been informed by Chief Mining Officer that Command Centre has been established at Lucknow. Monitoring of mining areas is also done through Geo-fencing conducted by Geo-coordinate by the Unified Command Centre established at the Directorate level.

Issue-14: Status of installation of CCTV cameras at every dumping site

Action Taken: Both the mining areas have CCTV cameras. CCTV camera is installed at the only point where sand mining is continuing as well as to check illegal sand mining and its transportation. This has also been incorporated in the Rule.

Issue-15: Installation of GPS

Action Taken: The Chief Mining Officer informed that process for installing GPS in vehicles is in progress.

Issue-16: Utilization of Electronic surveillance through UAVs/Remote Sensing and Night vision drones for checking mining activity at night

Action Taken: It was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that Electronic surveillance through UAVs/Remote Sensing and night vision drones is not being utilized for checking mining activity at night. The Committee directed the Mining Department to make arrangements of Electronic surveillance through UAVs/Remote Sensing and Night vision drones for checking mining activity at night especially in areas where sand mafias are active at night.

Issue-17: Status of Regular Patrolling done by the police to inspect the mining operations.

(As per the directions given by the Committee Senior Superintendent of Police has been instructed by District Magistrate)

Action Taken: Regarding the above, it was informed that a total of 449 vehicles have been detained in various Police Stations since April, 2020. Under Section-21(4A) of the MMDR Act, 1957, the Competent Court has the exclusive right to authorize/ dispose of the vehicles. A complaint has been filed in the Competent Court under Section-22 of the said Act, 1957 by Govt. Order No. 608(1)/86-10-24/09 dated 15.02.2010.

The Compliant filed in the Hon'ble Court ACJM Room No. 5 & 17 Allahabad does not include the provisions of NGT by the Hon'ble Court and 252 vehicles have been released. Revision has been filed before the Hon'ble Sessions Court, Allahabad against the vehicle release order. The Committee directed Mr. Anil Kumar Sharma, Chief Mining Officer to submit the report at the earliest.

Issue-18: Status of Storage Godowns at least 5 kms away from the river bank

Action Taken: The Committee was informed by Mr. Anil Kumar Sharma, Chief Mining Officer that mandate has been issued in this matter. The Committee directed to submit the copy at the earliest.

Issue-19: Status of Geo-fencing of sites

Action Taken: Mr. Anil Kumar Sharma, Chief Mining Officer informed that geo-fencing of sites, their physical demarcation has been done at the time of leasing along with the allotment of geo-coordinates to all the pillars.

Issue-20: Status of Environmental Audit by experts

Action Taken: Mr. Anil Kumar Sharma, Chief Mining Officer informed that the work has not yet started.

Issue-21: Status of Environment Restoration Fund

Action Taken: No work has been done till date.

Issue-22: Status of Mining activity as per the Provisions of EIA Notification 2006, Sustainable Sand Mining Guidelines, 2016; The Environmental Protection Act, 1986; The Water (Prevention and Control of Pollution) Act, 1974; The Air (Prevention and Control of Pollution) Act, 1981 and Regulations of CGWA

Action Taken: Report Awaited

Issue-23: Status of Compliance of Sand Mining Guidelines (i.e., Periodic review at CS level)

Action Taken: No work has been done at CS level to improve enforcement effort and sort out the co-ordinational issues.

Issue-24: Status of Detailed Restoration Plans

Action Taken: Dr DK Soni, Additional Director, CPCB informed that CPCB will provide necessary help to District Administration as and when requested for preparation of detailed restoration plans for areas where there has been damage to environment.

Issue-25: Status of Green Belts

Action Taken: Report by CPCB regarding Environmental Compensation towards environmental damage is under consideration by Hon'ble NGT.

12-02-2021

12-02-2021

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

Feb 12, 2021

Annexure: As above

Please visit our website: oscngt.upsdc.gov.in for more information.

जनपद प्रयागराज में डी0एस0आर0 के अनुसार चिन्हित किये गये 51 क्षेत्रों की स्थिति

क्र० सं०	नदी का नाम व तहसील.	क्षेत्र का विवरण		पट्टे की स्थिति व संक्षिप्त विवरण	अभ्युक्ति
		ग्राम	खण्ड संख्या / क्षेत्रफल (हेक्टेयर)		
1	2	3	4	5	6
1.	यमुना / बारा	प्रतापपुर	1 / 8.00	जलमग्न	-
2.	यमुना / बारा	पंडुवा	2 / 8.00	जलमग्न	-
3.	यमुना / बारा	विरवल, कैनुआ	10 / 8.00	जलमग्न	-
4.	यमुना / बारा	कजासा	11 / 8.00	जलमग्न	-
5.	यमुना / बारा	देवरिया, डीकर, इरावतगंज	12 / 8.00	जलमग्न	-
6.	यमुना / करछना	पालपुर, इमिलिया कलिजरा	13 / 10.00	जलमग्न	-
7.	यमुना / करछना	बसवार	14 / 12.00	जलमग्न	-
8.	यमुना / करछना	मोहबतगंज	15 / 8.00	जलमग्न	-
9.	यमुना / सदर	मैनापुर	18 / 4.00	जलमग्न	-
10.	यमुना / सदर	असरावल खुर्द	19 / 8.00	जलमग्न	-
11.	यमुना / सदर	फुलवा, बिसौना जोन्हवल	20 / 8.00	जलमग्न	-
12.	टोन्स / मेजा	गंगा-टोन्स नदी के संगम से इलाहाबाद-मीरजापुर सड़क मार्ग तक	36 / 4.00	जलमग्न	-
13.	टोन्स / मेजा	इलाहाबाद-मीरजापुर सड़क मार्ग से गढ़वा नाला (खैरामठ किला) तक	37 / 8.00	जलमग्न	-
14.	टोन्स / मेजा	ममौली	39 / 4.00	जलमग्न	-
15.	टोन्स / मेजा	कोहड़ार, इसौटा पताईडांडी	40 / 4.00	जलमग्न	-
16.	टोन्स / करछना	बनराही (घोरहट) से अरई तक	43 / 4.00	जलमग्न	-
17.	टोन्स / बारा / करछना	कोलूहा से गौरा (टोन्स-बेलन के संगम) तक	46 / 4.00	जलमग्न	-
18.	बेलन / कोरांव	पथरपुर कला से मगतपुर तक व दुड़ियाइ से तिवारीपुर	47 / 4.00	जलमग्न	-
19.	बेलन / कोरांव	कपासीकला से सीमा जनपद मीरजापुर तक (सम्पूर्ण नदी)	51 / 4.00	जलमग्न	-
20.	यमुना / करछना	जहांगीराबाद माघोपुर अरैल	17 / 4.00	माघ मेला (कुम्भ मेला) हेतु आरक्षित	-
21.	गंगा-मेजा / हण्डिया	रैपुरा से बामपुर व बिजौली से टेलाखास	35 / 4.00	मा० उच्च न्यायालय के आदेश से आच्छादित है।	-
22.	यमुना /	मडौका, मीरकपुर पट्टी (पश्चिम)	16 / 8.00	ई०सी० लम्बित	-

23.	यमुना/ सदर	आदमपुर (मदारीपुर) से सदियापुर तक	21/5.00	ई0सी0 लम्बित	-
24.	गंगा- करछना/ फूलपुर	खडसर से रघनिका व छिवैयाखास	24/4.00	ई0सी0 लम्बित	-
25.	यमुना/ बारा	मानपुर, ओझा पट्टी, बरहुला	7/8.00	ई0सी0 लम्बित	-
26.	यमुना/ बारा	जगदीशपुर	9/8.00	ई0सी0 लम्बित	-
27.	बेलन/ कोरांव	कुकरहटा से कोटिया तक व जमुआ	49/4.00	ई0सी0 लम्बित	-
28.	बेलन/ कोरांव	देवघाट, माड़ी	50/4.00	ई0सी0 लम्बित	-
29.	बेलन/ कोरांव	मगसर से सिपौवा तक व बांस से अमिलिया	48/4.00	पट्टा विलेख का निष्पादन की कार्यवाही में	-
30.	यमुना/ बारा	मिलोर	3/8.00	पट्टा विलेख निष्पादन की कार्यवाही में	-
31.	यमुना/ बारा	सेमरी	4/8.00	खनन पट्टा संचालित	-
32.	यमुना/ बारा	नोडीहा, अमिलिया	5/8.00	खनन पट्टा संचालित	-
33.	यमुना/ बारा	मझियारी भंभौर	6/10.00	खनन अनुज्ञा पत्र संचालित	-
34.	गंगा- करछना/ फूलपुर	कबरा से डीहा व ककरा से जमुनीपुर	25/4.00	खनन पट्टा संचालित	-
35.	गंगा- करछना/ फूल पुर/ हण्डिया	गडैला से पनासा व ढोकरी से चौधरान	27/5.00	खनन पट्टा संचालित	-
36.	गंगा- मेजा/ हण्डिया	परानीपुर II (बारा स्थित शिव मन्दिर से हाई टेन्शन लाइन के टावर तक) व अमिलौटी	30/5.00	खनन पट्टा संचालित	-
37.	गंगा- मेजा/ हण्डिया	परानीपुर V (परानीपुर मुख्य मार्ग से सीमा ग्राम भुईपारा तक) व लाक्षागृह	33/5.00	खनन पट्टा संचालित	-
38.	टोन्स/ करछना	गंगा-टोन्स के संगम से भगनपुर तक	42/5.00	खनन पट्टा संचालित	-
39.	गंगा- फूलपुर	देवरख/ छतनाग	22/5.00	अनुज्ञा पत्र स्वीकृत	-

40.	गंगा- करछना/ फूलपुर	मवैयालवायन से चौंदी तक व भदकार	23 / 4.00	अनुज्ञा पत्र स्वीकृत	-
41.	गंगा- करछना/ फूलपुर	सेमरहा से रामपुर व लीलापुर से शाहबाज	26 / 5.00	अनुज्ञा पत्र स्वीकृत	-
42.	गंगा- मेजा/ हण्डिया	गंगा-टोन्स नदी के संगम से पकरीसेवार तक एवं उसमानपुर से बढौली (बहारपुर)	28 / 5.00	विज्ञप्ति प्रकाशित	-
43.	गंगा- मेजा/ हण्डिया	परानीपुर I (ग्राम पकरी सेवार की सीमा से ग्राम परानीपुर में बारा स्थित शिव मन्दिर तक) व मवैया से राका	29 / 5.00	विज्ञप्ति प्रकाशित	-
44.	गंगा- मेजा/ हण्डिया	परानीपुर III (हाई टेंशन लाइन के टावर से निर्माणाधीन हाई टेंशन लाइन के टावर तक) व कंदला मवैया	31 / 5.00	विज्ञप्ति प्रकाशित	-
45.	गंगा- मेजा/ हण्डिया	परानीपुर IV (निर्माणाधीन हाई टेंशन लाइन के टावर से परानीपुर मुख्य मार्ग तक) व कंदला-कसौधन	32 / 5.00	विज्ञप्ति प्रकाशित	-
46.	टोन्स/ मेजा	गढ़वा नाला (खैरागढ़ किला) से भटौती तक	38 / 5.00	विज्ञप्ति प्रकाशित	-
47.	टोन्स/मेजा	शाहपुर से कौन्दी (टोन्स-बेलन के संगम) तक	41 / 5.00	विज्ञप्ति प्रकाशित	-
48.	टोन्स/रछना	बघेडा, घरवारा	44 / 6.00	विज्ञप्ति प्रकाशित	-
49.	टोन्स/रछना	सुलमई से सोढिया तक	45 / 6.00	विज्ञप्ति प्रकाशित	-
50.	यमुना/ बास	कचरा, मिश्रपुर, नगरवार	8 / 8.00	विज्ञप्ति प्रकाशन की कार्यवाही में	-
51.	गंगा- मेजा/ हण्डिया	भुइपारा, तन्दरिया व गौंडरी	34 / 5.00	विज्ञप्ति प्रकाशन की कार्यवाही में	-