



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, अयोध्या
UTTAR PRADESH POLLUTION CONTROL BOARD, AYODHYA

संदर्भसंख्या :
Ref. No. : A.77/O.A.No-462/2023/2024

दिनांक :
Dated : 07/08/2024

To,

The Deputy Registrar (Judicial),
National Green Tribunal,
Principal Bench,
New Delhi-110001

Sub.: RESPONSE ON BEHALF OF UTTAR PRADESH POLLUTION CONTROL BOARD, IN COMPLIANCE TO THE ORDER DATED 24.04.2024 PASSED BY HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 462 OF 2023 IN RAJA RAM SINGH VERSUS STATE OF U.P. & OTHERS.

Hon'ble Sir,

Kindly refer the subject mentioned above. In compliance of the order dated 24.04.2024 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. 462/2023 in the matter of Raja Ram Singh Versus State Of U.P. & Others, response on behalf of Uttar Pradesh Pollution Control Board is enclosed herewith for your kind perusal and further necessary action, Please.

Enclosures: As above

Sincerely Yours

(Dr TN Singh)
Regional Officer

Copy to:

1. Chief Environment Officer (Circle-6), U.P. Pollution Control Board, Lucknow.
2. Regional officer, U.P. Pollution Control Board, Ayodhya.

o/c
Regional Officer



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD



Lifestyle for
Environment

Ref. No. /सी-6/सो. 791/0 AN 462/2023-24

Dated

सेवा में,

क्षेत्रीय अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
अयोध्या।

विषय: माननीय एनजीटी, नई दिल्ली में विचाराधीन ओ०ए० संख्या 462/2023 राजा राम सिंह बनाम स्टेट ऑफ यूपी एवं अन्य में पारित आदेश दिनांक 24.04.2024 के अनुपालन में राज्य बोर्ड की ओर से दाखिल की जाने वाली आख्या के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक संदर्भित ओए में माननीय अधिकरण द्वारा पारित आदेश दिनांक 24.04.2024 के अनुपालन में दाखिल किये जाने वाले रिस्पॉन्स को विधि अनुभाग से विधिकृत कराने के उपरान्त संशोधित रिस्पॉन्स पर सदस्य सचिव महोदय द्वारा अनुमोदन प्रदान करते हुये माननीय अधिकरण में दाखिल किये जाने हेतु आपको अधिकृत किया गया है।

अतः उपरोक्तानुसार संदर्भित ओए में रिस्पॉन्स संलग्न कर आपको इस निर्देश के साथ प्रेषित की जा रही है कि उक्त रिस्पॉन्स को माननीय अधिकरण में तत्काल दाखिल करते हुये बोर्ड मुख्यालय को सूचित करना सुनिश्चित करें।

संलग्नक:-उपरोक्तानुसार

भवदीय,

(राजेन्द्र सिंह)

मुख्य पर्यावरण अधिकारी

(वृत्त-6)

प्रतिलिपि: मुख्य विधि अधिकारी (प्रभारी), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य पर्यावरण अधिकारी

(वृत्त-6)

T.C/12V, Vibhuti Khand Gomti Nagar, Lucknow - 226010

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO- 462/ 2023

IN THE MATTER OF:

Raja Ram Singh & Ors.

Applicant

Versus

State of UP & Ors.

Respondent

Order Date- 24.04.2024

Next Listing- 12.08.2024

**RESPONSE ON BEHALF OF UTTAR PRADESH
POLLUTION CONTROL BOARD, IN COMPLIANCE TO
THE ORDER DATED 24.04.2024 PASSED BY
HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI IN ORIGINAL APPLICATION NO.
462 OF 2023 IN RAJA RAM SINGH VERSUS STATE
OF U.P. & OTHERS.**

That the Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereafter referred as Hon'ble Tribunal) vide its order dated 24.04.2024 in Original Application No. 462 of 2023, Raja Ram Singh versus State of U.P. & Others has passed the order. The relevant excerpt of the order is as following:-

".....41. The exemption has to be hedged by appropriate conditions regarding (i) applicability of SSMG, 2016 and EMGSM, 2020, (ii) the period within which such removal is to be made, (iii) assessment of quantity of sand to be removed from agricultural field, (iv) method of excavation/removal of sand (v) measures to be taken to prevent illegal mining in the garb of short term permits for removal by farmers of sand deposited on the agricultural land by flood and (vi)



environmental safe guard measure required to present negative environmental impact.

42. The matter needs to be examined in the context of applicability to all States and UTs and formulation of appropriate guidelines imposing requisite environmental safe guards for grant and execution of short term permits for removal of sand deposited by flood on agricultural land.

43. The Director, Mining and Geology, U.P. and the Member Secretary, UPPCB and CPCB and MoEF & CC are directed to file their responses in this regard within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF..

.....”

Response

1. That the Ministry of Environment, Forest and Climate Change, New Delhi vide its notification dated 15.01.2016 has amended the Environment Impact Assessment Notification, 2006. In the aforesaid notification the activity “Removal of sand deposits on agricultural field after flood by farmers” is exempted from requirement of environmental clearance.
2. That in compliance to the Hon’ble Tribunal order dated 24.04.2024, the response of the Uttar Pradesh Pollution Control Board is that following environmental safe guards should be taken during and after execution of short term permits for removal of sand deposited by flood on agricultural land-

DURING EXECUTION:

- A.** The depth of sand quarrying shall be restricted to original top soil.
- B.** It shall be ensured that no sand quarrying of any type is undertaken within 50m of the distance mentioned in the proposal (whichever is higher) from both the banks of the river to control and avoid erosion of river banks.

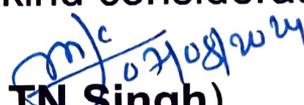
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- C.** To prevent air pollution due to the dust during sand quarrying operations and safeguard the persons in the sand quarry and depot site, constant water sprinkling on the pathways and dust prone areas may be done. The sand loaded vehicles are to be covered with a tarpaulin before moving out of the quarries/depots.
- D.** Suitable depots shall be located in the vicinity of the sand quarry site to facilitate the sale of sand. While selecting the site for depots, it must be ensured that the site is within 25 km from the sand quarry site and has an area of around 10-15 Acres with parking facilities and proper entry and exit for smooth movement of the vehicles.
- E.** Sand shall be loaded in the quarries in the GPS fitted vehicles and online transmit permit shall be issued by the competent authorities to the transporting vehicles to transport sand from the quarry to depots.
- F.** During operation of the quarries, the Mining Department shall ensure that at no point in time, the depth of quarry exceeds below original top soil.
- G.** Proper registers may be maintained at the entry and exit points of the sand quarry/depot sites and a Loading Register may be made available during inspection. An Inspection Register and a Complaint Register may be made available at the sand quarry/depot site.
- H.** The functioning time of quarries/depots shall be from 7.00 AM to 6.00 PM. No sand transporting vehicles to be parked inside the quarry/depot site during night time.
- I.** It is the obligation of the Mining Department to run the quarry in an environmentally friendly and ecologically sustainable manner.

AFTER EXECUTION:

- A.** It may be ensured by the officials of Mining Department that the total quantity of sand permitted in the permit shall not be exceeded in any case.
- B.** After the exhaustion of the quantity of sand, the sheds constructed at the quarry site may be removed. All the roads and pathways may be levelled so that there is no obstruction for the normal flow in the river.

Therefore, the above response on behalf of Uttar Pradesh Pollution Control Board is placed before this Hon'ble Tribunal for perusal and kind consideration.


(Dr TN Singh)

Regional Officer,
Uttar Pradesh Pollution Control Board,
Ayodhya