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क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in

संदर्भ संख्या : 2588/NGT-142/OA-160/2022/2024

दिनांक 11/03/2024

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in & ngt.filling@gmail.com

Sub: Response on behalf of respondent no. 04 UPPCB with respect to Hon'ble NGT order dated 07.02.2024 passed in the matter of Om pal Vs State of U.P. & Anr in OA No-160/2022 (I.A No. 860/2023, I.A. No. 75/2023 and I.A. No. 12/2024.

Respected Sir,

With reference to the above-mentioned subject in compliance of Hon'ble National Green Tribunal, order dated 07.02.2024 in Response on behalf of respondent no. 04 UPPCB with respect to Hon'ble NGT order dated 07.02.2024 passed in the matter of Om pal Vs State of U.P. & Anr in OA No-160/2022 (I.A No. 860/2023, I.A. No. 75/2023 and I.A. No. 12/2024 reply/Response is hereby submitted for kind perusal and necessary action please.

Enclosure: As above.

Yours Sincerely

(Vikas Mishra)
Regional Officer

Copy to:

1. Member Secretary, U.P. Pollution Control Board, Lucknow for information.
2. Chief Environmental Officer, Circle-1, U.P. Pollution Control Board, Lucknow for information.
3. Shri Pradeep Misra, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action please.
4. Law Officer-I, U.P. Pollution Control Board, Lucknow for information.

Regional Officer

क्षेत्रीय कार्यालय : आई०एन०एस०-२, सेक्टर-१६, वसुन्धरा, गाजियाबाद-२०१०१२ फोन-०१२०-४१६०१०८
मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ २२६०१०

Response on behalf of respondent no. 04 UPPCB with respect to Hon'ble NGT order dated 07.02.2024 passed in the matter of Om pal Vs State of U.P. & Anr in OA No-160/2022 (I.A No. 860/2023, I.A. No. 75/2023 and I.A. No. 12/2024.

1- Background:-

In the matter of above the Hon'ble NGT has passed order on 07.02.2024 and directed following:-

“.....13. Responses by the State of Uttar Pradesh and respondent no. 5 in terms of order dated 17.10.2023 and replies to I.A. No. 860/2023 by the applicant and respondents no. 1 to 4 may be filed on or before 11.03.2024 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.....”

2-Response on behalf of respondent no. 04 UPPCB to the I.A. No. 860/2023:-

1. That, para no. 1, 3, 4, 5, 7, 8, 9 and 10 of the I.A. needs no comment.
2. That, in reply to para 02 of the I.A., it is submitted that in compliance of Hon'ble NGT order dated 10.03.2022, joint committee visited the mining site on 04.04.2022 and report was filled on 25.05.2022 before Hon'ble NGT. Copy of joint inspection report is attached as **Annexure-I.**
3. That, in reply to para 06 of the I.A. it is submitted that in compliance of Hon'ble NGT order dated 08.12.2022, joint committee comprising official from RO, UPPCB, Ghaziabad and Mining Department, Ghaziabad visited the mining site on 17.03.2023 to ascertain factual status with regard to compliance of conditions imposed in Environmental Clearance and report was filled on 24.03.2023. Copy of joint inspection report attached as **Annexure-II.**

According to joint status report environmental violations on the part of project proponent was observed. The project proponent had

obtained CTO from UPPCB on 05.01.2023, which is valid from 05.01.2023 to 31.12.2026 and the mining activity was carried out prior to 05.01.2023 without obtaining CTO from UPPCB. Copy of the CTO is attached as **Annexure-III**. Environment compensation of Rs. 55,00,000/- (Fifty-Five Lakhs only) was imposed on project proponent vide letter No. H99983/C-1/Samanya-1326/ParyaChatipurti/2023 dated 28.08.2023 for carrying mining activity without CTO. Copy of letter is annexed as **Annexure-IV**.

Further the project proponent stopped the mining activity since 31.01.2023 as the Environmental Clearance for said land expired on 31.01.2023 and presently no mining activity is in operation. Latest inspection of mining site was carried out by on 09.03.2024 by official from UPPCB, Ghaziabad. During visit no mining activity was being carried out. Copy of Inspection report is annexed as **Annexure-V**.

The above report is submitted for kind perusal.

(Vikas Mishra)
Regional Officer,
U.P. Pollution Control Board,
Ghaziabad



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क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in

संदर्भ संख्या : 515/NGT-142/OA-160/22/2022

दिनांक 23/05/2022

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in & ngt.filling@gmail.com

Mani

Sub: Report of the Joint Committee submitted in compliance to Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi Order dated 10-03-2022 in OA No-160/2022 Ompal & Ors. Versus State of Uttar Pradesh & Anr.

Respected Sir,

With reference to the above subject mentioned above the joint committee inspected the site in compliance of Hon'ble National Green Tribunal order dated 10-03-2022 in OA No-160/2022 Ompal & Ors. Versus State of Uttar Pradesh & Anr. joint Committee's report is hereby submitted for kind perusal and necessary action please.

Enclosure: Joint report.

Yours Sincerely

Utsav Sharma
(Utsav Sharma)
Regional Officer

Copy to:

- 1- Member Secretary, Central Pollution Control Board, New Delhi for information.
- 2- Member Secretary, U.P. Pollution Control Board, Lucknow for information.
- 3- Shri Pradeep Misra, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action please.
- 4- Law Officer-I, U.P. Pollution Control Board, Lucknow for information.
- 5- Chief Environmental Officer, Circle-1, U.P. Pollution Control Board, Lucknow for information.

Utsav Sharma
Regional Officer

9/11/22

क्षेत्रीय कार्यालय : आई०एन०एस०-२, सेक्टर-१६, वसुन्धरा, गाजियाबाद-२०१०१२ फोन-०१२०-४१६०१०८
मुख्यालय : TC-१२V, विभूति खण्ड, गोमती नगर, लखनऊ २२६०१०

**770
Compliance Report**

In

Original Application No. 160/2022

Ompal & Ors

Versus

State of Uttar Pradesh & Anr.

Order Date – 10.03.2022

**Filed on Behalf of:
Uttar Pradesh Pollution Control Board**

1. Background

The matter pertains to grievance raised by the applicant regarding illegal sand mining at Khasra no. 8, 9, 10, 11, 12, 13, 37 and 38 in village Pachayra Khand1, District Ghaziabad, Uttar Pradesh by contractor Mr. Mumtaz Ali up to the depth of 15-20 feet in river bed of River Yamuna in violation of environmental norms by using restricted use of pokland machineries causing damage to environment. The applicant has also submitted that due to this illegal sand mining, the flow of River Yamuna is shifted from main stream towards restricted area within 600 meters in Uttar Pradesh resulting in submergence of lands of land owners of Uttar Pradesh towards Delhi.

The said complaint has been received by Hon'ble Tribunal by post and in view of above allegations, Hon'ble Tribunal had passed following order on 10.03.2022:

Hon'ble NGT, Delhi on dated 10.03.2022 has passed following order:

"....2. Having regard to the seriousness of the allegations, it appears necessary to ascertain the factual position in the matter through a Joint Committee of the State PCB, and District Magistrate-Ghaziabad (Uttar Pradesh). The State PCB will be the Nodal agency for coordination and compliance. The Joint Committee may meet within four weeks and undertake site visit and look into the grievance of the applicant. Factual and action taken report may be furnished within three months 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...."

2. Compliance Report:

In compliance of Hon'ble Tribunal's orders, the Joint Committee comprising of nominated members from District Administration and State Board inspected the said site at Village Pachayra Khand, District Ghaziabad, Uttar Pradesh was carried out in presence of complainant Shri Ompal on 04.04.2022. The site was inspected by following officers:

- i) Mr. Vivek Kumar Shrivastav, Additional District Magistrate, Ghaziabad
- ii) Mr. B.K. Singh, Assistant Environmental Engineer, U.P. Pollution Control Board, Ghaziabad
- iii) Mr. Shiv Naresh Singh, Tehsildar, Loni, Ghaziabad
- iv) Mr. Kamal Kashyap, Senior Mining Officer Ghaziabad
- v) Mr. Navneet Pandey, Junior Engineer, Uttar Pradesh Pollution Control Board, Ghaziabad
- vi) Mr. Dinesh Kumar, surveyor, regional office, Mining Department, Ghaziabad
- vii) Mr. Sanjay Kumar, Regional kannongo, Tehsil Loni, Ghaziabad
- viii) Mr. Mahesh Kumar, Regional lekhpal, Tehsil Loni, Ghaziabad

During inspection it was informed by the representative of Mining department that sand mining permission has been granted in favour of Late Shri Fakir Mohammad resident- Mohammadabad, District-Jyotiba Phule Nagar- 244235 for a period of 05 years for total area of 16.183 in gata number 8m, 9m, 10m, 11m, 12m, 13m, 17m, 18m, 19m, 20m, 21m, 22m, 25m, 26m of village Pachayra block-1 , 27m, 30m, 37m, 38m, 39m, 40m, 41m, 53m, 54m, 55m, 56m, 57m, 237m, 238m, 239m, 240mm of village- Pachayara khand-1, tehsil- Loni, Ghaziabad.

The joint team conducted the site inspection of the area in question in the presence of the complainant Shri Ompal to ascertain issues raised by the complainant with regards to degradation of environment and violation of

environmental laws. Point-wise compliance status with respect to complaint is as follows: -

- a. Complaint has been made by the complainant Shri Ompal that illegal sand mining is being done by the lessee Shri Mumtaz Ali in Khasra No. 8, 9, 10, 11, 12, 13, 37 and 38.**

It was observed by the Joint Committee that the above mentioned Khasras come under the sanctioned lease area in favour of Mr. Mumtaz Ali. Mining work is being done by Mr. Mumtaz Ali in his approved area, which does not come under the category of illegal mining.

- b. Complain has been made by the complainant Mr. Ompal that illegal sand mining is being done by Mr. Mumtaz Ali lessee in the mining area of village Pachayra Khand-1 by doing 15-20 feet deep pit-**

It was noticed by the Joint Committee that a part of the sanctioned lease area is presently submerged and no pothole was found in the area which is dry.

- c. Complaint has been made by the complainant that the work of mining and loading of sand is being done by the lessee by heavy machines-**

It was noticed by the Joint Committee that the work of mining and loading of sand is being done by the excavator cum loading machine in the order of the Directorate's letter no. 414/M (Mining Policy)/2018 dated 21.06.2019 by the lessee.

- d. Complain has been made by the complainant that due to mining by the lessee, the Yamuna River has shifted within a distance of 600 meters from the bandh-**

In relation to the above complaint, it is to be informed that on the basis of joint investigation of Irrigation Department, Revenue Department and Mining Department at the time of lease settlement, the lease section has been formed as per the guide line of Irrigation Department. During the investigation by the joint team, it was noticed on the spot that the mining

work is being done by the lessee within the same geocoordinates in which mining permission is sanctioned. The boundary pillars of the approved mining lease are located on the same place outside 600 meters from pusta of Irrigation Department.

As per Joint report, complain made by complainant is baseless, copy of Joint report along with relevant documents is annexed as **Annexure-1**.

Report is being submitted for kind perusal and necessary action please.



(N. K. Pandey)
Junior Engineer
UPPCB, Ghaziabad



(B. K. Singh)
Assistant Environmental Engineer
UPPCB, Ghaziabad

संयुक्त जांच आख्या

मा० एन०जी०टी नई दिल्ली में योजित OA No. 160/2022 Om Pal & Ors. Versus State of Uttar Praesh & Anr. में पारित आदेश दिनांक 10.03.2022, द्वारा उ०प्र० प्रदूषण नियंत्रण बोर्ड तथा जिलाधिकारी गाजियाबाद की संयुक्त समिति के माध्यम से बालू खनन पट्टा ग्राम पचायरा खण्ड-1 के खसरा सं० 8, 9, 10, 11, 12, 13, 37 व 38 में अवैध बालू खनन की जांच किये जाने के आदेश दिये गये। उक्त आदेश के अनुपालन में उ०प्र० प्रदूषण नियंत्रण बोर्ड जनपद गाजियाबाद के प्रतिनिधि के रूप में श्री बी०के० सिंह, सहायक पर्यावरण अभियंता, उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद तथा जिलाधिकारी गाजियाबाद के आदेश दिनांक 15.03.2022 के द्वारा अपरजिलाधिकारी (वि०/रा०), गाजियाबाद को नामित किया गया। कार्यालय अपरजिलाधिकारी (वि०/रा०) गाजियाबाद के पत्र सं० 2247/एन०जी०टी०-142/ओपन-160/2022 दिनांक 26.03.2022, द्वारा जिला खनन अधिकारी, गाजियाबाद एवं तहसीलदार लोनी को उपरोक्त आदेश के अनुपालन में बालू खनन पट्टा ग्राम पचायरा खण्ड-1 में अवैध बालू खनन की जाँच के समय अपने अधीनस्थ स्टाफ एवं आवश्यक अभिलेखों सहित उपस्थित रहने हेतु निर्देशित किया गया। दिनांक 04.04.2022 को अपरजिलाधिकारी (वि०/रा०) गाजियाबाद, ज्येष्ठ खान अधिकारी गाजियाबाद, सहायक पर्यावरण अभियंता, उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद, तहसीलदार लोनी, सर्वेक्षक क्षेत्रीय कार्यालय गाजियाबाद, क्षेत्रीय कानूनगो एवं क्षेत्रीय लेखपाल द्वारा प्रश्नगत क्षेत्र का स्थलीय निरीक्षण शिकायतकर्ता श्री ओमपाल की उपस्थिति में किया गया, जिसकी जांच आख्या निम्नवत् है:-

जनपद गाजियाबाद के तहसील लोनी के अर्न्तगत ग्राम पचायरा खण्ड-1 के गाटा सं० 8मि०, 9मि०, 10मि०, 11मि०, 12 मि०, 13मि०, 17मि०, 18, 19, 20मि०, 21मि०, 22मि०, 25मि०, 26मि०, 27मि०, 30मि०, 37मि०, 38मि०, 39मि०, 40मि०, 41मि०, 53मि०, 54मि०, 55मि०, 56मि०, 57मि०, 237मि०, 238मि०, 239मि०, 240मि० के रकबा-16.183 हे० में 05 वर्ष की अवधि के लिये बालू खनन श्री मुमताज अली पुत्र स्व० श्री फकीर मौहम्मद निवासी-मौहम्मदाबाद, जनपद-ज्योतिबा फूले नगर- 244235 के पक्ष में स्वीकृत एवं संचालित है।

शिकायतकर्ता श्री ओमपाल द्वारा शिकायत की गयी है कि पट्टेधारक श्री मुमताज अली द्वारा खसरा सं० 8, 9, 10, 11, 12, 13, 37 व 38 में 15-20 फीट गहरे गड्ढे करके अवैध बालू खनन किया जा रहा है, साथ ही पट्टेधारक द्वारा भारी मशीनों द्वारा बालू खनन कर लोडिंग का कार्य किया जा रहा है, जिसके कारण पट्टेधारक द्वारा खनन करने से यमुना नदी बंधे से 600 मीटर की दूरी के अन्दर शिफ्ट हो गयी है।

उक्त शिकायत के सम्बंध में जांच के समय पाया गया कि उपरोक्त उल्लिखित खसरा सं० श्री मुमताज अली के पक्ष में स्वीकृत पट्टा क्षेत्र के अर्न्तगत आते हैं। श्री मुमताज अली द्वारा अपने स्वीकृत क्षेत्र में खनन कार्य किया जा रहा है, जो अवैध खनन की श्रेणी में नहीं आता है। स्वीकृत पट्टा क्षेत्र का एक हिस्सा वर्तमान में जलमग्न है एवं जो क्षेत्र सूखे में है उसमें किसी भी प्रकार का गड्ढा नहीं पाया गया। भारी मशीनों के सम्बंध में गठित टीम ने देखा कि जाँच के समय पट्टाधारक द्वारा निदेशालय के पत्र सं० 414/एम० (खनन नीति)/2018 दिनांक 21.06.2019 में उल्लेखित मशीन द्वारा कार्य किया जा रहा है। (निदेशालय के पत्र दिनांक 21.06.2019 की छायाप्रति एवं उ०प्र० उपखनिज (परिहार)नियमावली, 2021 के नियम-35 की छायाप्रति संलग्न है।)

उक्त शिकायत के सम्बंध में अवगत कराना है कि पट्टा व्यवस्थापन के समय सिंचाई विभाग, राजस्व विभाग एवं खनन विभाग की संयुक्त जांच के आधार पर सिंचाई विभाग के गार्ड लाईन के अनुसार की पट्टा खण्ड बना है। संयुक्त टीम द्वारा जांच के समय मौके पर देखा गया कि व्यवस्थापन के समय जो जियोकार्डिनेटस है, उसी जियोकार्डिनेटस के अन्दर ही पट्टेधारक द्वारा खनन का कार्य किया जा रहा है। सिंचाई विभाग के पुस्ता से 600 मीटर के बाहर ही स्वीकृत खनन पट्टे के सीमास्तम्भ यथा स्थान स्थित है। निरीक्षण के समय लिये गये फोटोग्राफ निम्नवत है:-



अतः शिकायतकर्ता की उपरोक्त शिकायत निराधार है।

उपरोक्तानुसार जांच आख्या सूचनार्थ एवं आवश्यक कार्यवाही हेतु सेवा में प्रस्तुत है।

क्षेत्रीय लेखपाल

क्षेत्रीय कानूनगो

सर्वेक्षक

क्षेत्रीय कार्यालय
गाजियाबाद

तहसीलदार
लोनी

सहायक पर्यावरण अभियंता,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
गाजियाबाद

ज्येष्ठ खान अधिकारी
गाजियाबाद।

अपरजिलाधिकारी (वि० / रा०)
गाजियाबाद।

प्रेमक,

निदेशक,

भूतत्व एवं खनिकर्म निदेशालय

लखनऊ।

सेवा में,

समस्त जिलाधिकारी

उत्तर प्रदेश।

पत्र संख्या: 4/4 /एम0-खनन नीति/2018

दिनांक: 21 जून 2019

विषय— उपखनिज बालू/मौरम के खनन व निकासी में मशीनों के प्रयोग के संबंध में।
महोदय,

उपर्युक्त विषय के संबंध में अवगत कराना है कि जगपदों में नदी तल में उपलब्ध उपखनिज बालू/मौरम के स्वीकृत खनन पट्टा क्षेत्रों का आकस्मिक निरीक्षण के दौरान यह तथ्य प्रकाश में आया है कि खनन पट्टाधारकों द्वारा बालू खनन एवं निकासी में मानक के विपरीत अत्यधिक भारी मशीनों का प्रयोग किया जा रहा है। वन पर्यावरण एवं जलवायु परिवर्तन मंत्रालय द्वारा सरकार नई दिल्ली के दिशा निर्देश एवं मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा पारित विभिन्न आदेशों में यह स्पष्ट किया गया है कि बालू खनन में प्रयुक्त एक्सवेटर कम लोडिंग मशीन की Boom Length तीन मीटर एवं Bucket Capacity एक घनमीटर से अधिक न हो परन्तु खनन पट्टा धारकों द्वारा Poclain आदि कम्पनियों के भारी मशीन का प्रयोग कर अत्यधिक गहराई में बालू का खनन किये जाने से पर्यावरण एवं पारिस्थितिकी पर कूप्रभाव पड़ने की सम्भावना है। अधिक खनन के कारण बालू की ओवरलोडिंग को बढ़ावा मिलता है।

अतः आपसे अपेक्षा है कि नदी तल में बालू एवं मौरम के खनन में मानक से अधिक Boom Length के एक्सवेटर कम लोडिंग मशीन का प्रयोग न हो, यह अपने स्तर से सुनिश्चित करने का कष्ट करें।

भवदीय,

(डॉ० रोशन जैकब)
निदेशक।

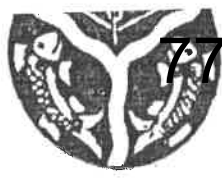
पत्र संख्या: /एम0-खनन नीति/2018 तदुद्दिनांक

प्रतिलिपि— निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1— प्रमुख सचिव भूतत्व एवं खनिकर्म उ० प्र० शासन लखनऊ।

2— समस्त जनपदीय ज्येष्ठ खान अधिकारी/खान अधिकारी/खान निरीक्षक को इस निर्देश के साथ प्रेषित कि उपरोक्तानुसार कार्यवाही सुनिश्चित करें।

(डॉ० रोशन जैकब)
निदेशक।



778

डब्ल्यू०/एन०पी०-९१/२०१४-१६

लाइसेन्स टू पोस्ट एट कन्सेशनल रेट

सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट

भाग-४, खण्ड (क)

(सामान्य परिनियम नियम)

लखनऊ, शुक्रवार, २९ अक्टूबर, २०२१

कार्तिक-७, १९४३ शक सम्वत्

उत्तर प्रदेश शासन

भूतत्व एवं खनिकर्म अनुभाग

संख्या ११५७/८८-२०२१-०३(सा०)-२०२१

लखनऊ, २९ अक्टूबर, २०२१

अधिसूचना

साधारण-७८

साधारण खण्ड अधिनियम, १८९७ की धारा २० के साथ पठित खान और खनिज (विकास और विनियमन) अधिनियम, १९५७ (अधिनियम संख्या ६७ सन् १९५७) की धारा १५ की उप धारा (१) द्वारा प्रदत्त शक्तियों का प्रयोग करके और उत्तर प्रदेश उपखनिज (परिहार) नियमावली, १९६३ का अधिक्रमण करके राज्यपाल उपखनिजों के परिहार को विनियमित करने तथा अन्य सम्बन्धित प्रयोजनों की दृष्टि से निम्नलिखित नियमावली बनाती हैं:-

उत्तर प्रदेश उपखनिज (परिहार) नियमावली, २०२१

अध्याय-१

प्रारम्भिक

१-(१) यह नियमावली उत्तर प्रदेश उपखनिज (परिहार) नियमावली, २०२१ कही जायेगी।

(२) इसका विस्तार सम्पूर्ण उत्तर प्रदेश में होगा।

(३) यह गजट में प्रकाशित किये जाने के दिनांक से प्रवृत्त होगी।

(४) यह राज्य में उपलब्ध समस्त उपखनिजों पर लागू होगी।

२-(१) जब तक सन्दर्भ से अन्यथा अपेक्षित न हो, इस नियमावली में-

(क) "अधिनियम" का तात्पर्य खान और खनिज (विकास और विनियमन) अधिनियम, १९५७ (अधिनियम संख्या ६७ सन् १९५७) से है;

(ख) कैप्टिव माइन्स का तात्पर्य ऐसे खनन पदटे से है जहां पदटा से उत्खनित खनिज के सम्पूर्ण मात्रा के ५० प्रतिशत से अधिक मात्रा का उपयोग, ऐसे उद्योग में किया जाता हो जिसका स्वामी स्वयं पदटेदार है;

(ग) "समिति" का तात्पर्य राज्य सरकार द्वारा सरकारी अधिसूचना संख्या-४३४३/१८-१२-९०-६०१/८७ दिनांक २९ अगस्त, १९९० द्वारा गठित समिति से है, जिसमें जिला अधिकारी अध्यक्ष और निदेशक के प्रतिनिधि तथा प्रभागीय वन अधिकारी सदस्य होंगे और जिसे राज्य सरकार ने नियम ७३ के अधीन 'आरक्षित वन क्षेत्रों के संबंध में अपनी शक्तियों को प्रत्यायोजित कर दी है;

संक्षिप्त नाम,
विस्तार, प्रारम्भ
और लागू होना

परिभाषाएं

(6) प्रत्येक पट्टाधारक द्वारा वित्तीय आश्वासन दिया जायेगा। वित्तीय आश्वासन की रकम स्वस्थाने चट्टान किस्म की खान के लिये पच्चीस हजार रुपये एवं बालू या मौरम या बजरी या बोल्टर या इनमें से कोई भी मिली जुली अवस्था में हो और जो नदी तल में, खनन और सहबद्ध क्रियाकलापों के लिये प्रयोग में लाये गये खनन पट्टा क्षेत्र के प्रति एकड़ खान में अनन्य रूप से पायी जाती हो, के लिये पन्द्रह हजार रुपये होगी। तथापि उपनियम(7) में विनिर्दिष्ट प्रारूपों में से किसी में दी गयी वित्तीय आश्वासन की न्यूनतम धनराशि प्रत्येक श्रेणी की खानों या संबंधित क्षेत्र के लिये दो लाख रुपये होगी :

प्रतिबंध यह है कि किसी पट्टाधारक से खनन और सहबद्ध क्रियाकलापों के क्षेत्र में वृद्धि के साथ वित्तीय आश्वासन की रकम बढ़ाये जाने की अपेक्षा की जायेगी:

अग्रतर प्रतिबंध यह है कि जहाँ पट्टाधारक खान को उत्तरोत्तर बंद करने के भाग के रूप में भूमि उद्धार और पुनर्वासन उपाय को हाथ में लेता है, वहाँ इस प्रकार व्यय की गयी रकम की गणना पट्टाधारक द्वारा पहले से ही व्यय की गयी वित्तीय आश्वासन की राशि के रूप में की जायेगी और पट्टेदार द्वारा दी जाने वाली वित्तीय आश्वासन की कुल धनराशि उस सीमा तक घटा दी जायेगी।

(7) वित्तीय आश्वासन या उसका कोई संशोधन निम्नलिखित प्रारूपों में से किसी एक में पट्टा विलेख निष्पादन के पूर्व पट्टेदार द्वारा यथास्थिति, जिलाधिकारी अथवा इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी को प्रस्तुत किया जायेगा:-

(क) किसी अनुसूचित बैंक से प्रत्यय-पत्र,

(ख) निष्पादन या प्रतिभूति बंध-पत्र,

(ग) प्रतिभूति का कोई अन्य प्रारूप या सक्षम अधिकारी को स्वीकार्य कोई अन्य गारन्टी।

(8) वित्तीय आश्वासन की निर्मुक्ति पट्टेदार द्वारा खान बंद करने की योजना में अन्तर्विष्ट उपबंधों के समाधानप्रद अनुमान के लिये दी गयी यथास्थिति जिलाधिकारी या इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी द्वारा प्रमाणित अधिसूचना पर प्रभावी होगी।

(9) यदि जिलाधिकारी या इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी के पास यह विश्वास करने के युक्ति-युक्त आधार हैं कि अनुमोदित "खान बंद करने की योजना" से जिसके संबंध में वित्तीय आश्वासन दिया गया था, परिकल्पित रूप में संरक्षा, भूमि उद्धार और पुनर्वासन उपाय "खान बंद करने की योजना" के अनुसार पूर्णतः या आंशिक रूप से कार्यान्वित नहीं किये गये हैं या नहीं किये जायेंगे तो जिलाधिकारी या इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी पट्टेदार को आश्वासन दी गयी राशि को प्रत्याहृत करने के लिये आदेश जारी करने के आशय की लिखित सूचना आदेश जारी किये जाने के दिनांक के कम से कम तीस दिन पूर्व देगा।

(10) उपनियम (9) में विनिर्दिष्ट सूचना की प्राप्ति के तीस दिन के भीतर यदि पट्टेदार से कोई लिखित समाधानप्रद उत्तर प्राप्त नहीं होता है, तो यथास्थिति जिलाधिकारी या इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी, प्रतिभूति रकम प्रत्याहृत करने के लिये आदेश पारित करेगा और ऐसे आदेश की एक प्रति राज्य सरकार को पृष्ठांकित की जायेगी।

(11) जिलाधिकारी या इस निमित्त राज्य सरकार द्वारा प्राधिकृत अधिकारी द्वारा आदेश जारी किये जाने पर संबंधित राज्य सरकार, संरक्षा भूमि उद्धार और पुनर्वासन के प्रयोजन के लिये वित्तीय आश्वासन के रूप में उपबंधित या अभिप्राप्त किये गये किसी प्रत्यय पत्र या बंध पत्र या किसी अन्य प्रतिभूति गारन्टी को वसूल कर सकेगी।

स्पष्टीकरण- इस नियम के प्रयोजनार्थ खनन संक्रियाओं में खानों की कार्यप्रणाली से संबंधित मशीनों का लगाना, ट्राम्बे बिछाना या सड़क निर्माण सम्मिलित है।

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in & ngt.filling@gmail.com

Date: 24 / 03 / 2023

No. : 1104/Mining/Gzb/22-23

Sub: Report of the Joint Committee in compliance of Hon'ble National Green Tribunal, Principal Bench, New Delhi Order dated 08-12-2022 in OA No-160/2022 Ompal & Ors. Versus State of Uttar Pradesh & Anr.

Respected Sir,

With reference to the above-mentioned subject the Joint Committee inspected the site in compliance of Hon'ble National Green Tribunal order dated 08-12-2022 in OA No-160/2022 Ompal & Ors. Versus State of Uttar Pradesh & Anr. Joint Committee's report is hereby submitted for kind perusal and necessary action please.

Enclosure: Joint report.

Yours Sincerely


(Mohd. Mahboob)
Senior Mines Officer
Ghaziabad.

Compliance Report**In****Original Application No. 160/2022*****Ompal & Ors******Versus******State of Uttar Pradesh & Anr.*****Order Date – 08.12.2022****Filed By:**

(Mohd. Mahboob)
Senior Mines Officer
Ghaziabad U.P.

1. Background

The matter pertains to grievance raised by the applicant regarding illegal sand mining at Khasra no. 8, 9, 10, 11, 12, 13, 37 and 38 in village Pachagarha Khand1, District Ghaziabad, Uttar Pradesh by contractor Mr. Mumtaz Ali up to the depth of 15-20 feet in river bed of River Yamuna in violation of environmental norms by using restricted use of pokland machineries causing damage to environment. The applicant has also submitted that due to this illegal sand mining, the flow of River Yamuna is shifted from main stream towards restricted area within 600 meters in Uttar Pradesh resulting in submergence of lands of land owners of Uttar Pradesh towards Delhi.

The said complaint has been received by Hon'ble Tribunal by post and in view of above allegations, Hon'ble Tribunal had constituted a Joint Committee and perused the report of the Joint Committee on following dates.

In its order dated 08.12.2022, Hon'ble Tribunal had directed the Project Proponent to file an affidavit regarding point-wise compliance of the conditions imposed at the time of grant of EC by SEIAA and CTE/CTO by UPPCB and the statutory environmental norms be filed within one month and Director, Mining and Geology along with UPPCB were directed to thereupon verify the factual position and submit status report regarding compliance.

In pursuant to the above-mentioned orders of the Hon'ble Tribunal, the Project Proponent has not provided copy of proof of

submission of compliance status in Hon'ble Tribunal, however, copy of additional affidavit dated 06.03.2023 being submitted in Hon'ble Tribunal has been given in Mining Department, Ghaziabad on 16.03.2023. In view of said reply, the officers of Mining Department, Ghaziabad and Regional Office, Uttar Pradesh Pollution Control Board, Ghaziabad carried out joint inspection of the mining site on 17.03.2023 to ascertain factual status with regards to compliance of conditions imposed in the Environmental Clearance as claimed by the Project Proponent. No mining was being done on site at the time of inspection. Further mining was carried out only for a period of twenty days between 12/01/2023 to 31/01/2023 since last order of Hon'ble Tribunal and was stopped thereafter as the Environment Clearance for said parcel of land as expired on 31-01-2023. Same was corroborated by Shri Mahipal Singh present on behalf of the complainant. Photographs taken at the time of inspection are as below:





Status of compliance as claimed by the Project Proponent in their response was verified by the joint team, point-wise status of compliance has been tabulated hereunder.

COMPLIANCE OF STIPULATED GENERAL AND SPECIFIC CONDITIONS OF ENVIRONMENTAL CLEARANCE

Part-A -General conditions:-

Point no.	General conditions as per Environment clearance issued	Compliance as per PP	Compliance on Site
1.	This environmental clearance is subject to allotment of mining lease in favour of project proponent by District Administration/Mining Department	The Mining lease documents are completely compatible with Environment Clearance document.	PP has stopped work on site since 31.01.2023 as mining lease cease to exist.

2.	Forest clearance shall be taken by the proponent as necessary under law.	The land is non forest land. Already the Letter of intent was granted to us after getting NOC form forest department	Forest clearance is not applicable on present site.
3.	Any change in mining area, khasra numbers, entailing capacity addition with change in process and or mining technology, modernization and scope of working shall again require prior Environmental Clearance as per the provisions of EIA, Notification, 2006 (as amended)	Agreed	To be complied at the time of mining in the area. Mining to be done strictly in Khasra Numbers listed in Lol and EC.
4.	Precise mining area will be jointly demarcated at site by project proponent and officials of mining/Revenue department prior to starting of mining operations. Such site plan, duly verified by competent authority along-with copy of the Environmental Clearance letter will be displayed on a hoarding/board at the site. A copy of site plan will also be submitted to SEIAA within a period of 02 months	Agreed	Neither Site plan nor copy of EC was displayed on site.
5.	Mining and loading, shall be done only within day hours time.	Mining has been done in daytime only and single shift operation	Mining was found closed at the time of inspection.
6.	No mining shall be carried out in the safety zone of any bridge and/or embankment	Mining has had been done with due respect to mining guideline, No mining has been done in safety zone of any bridge and or embankment	Mining was found closed at the time of inspection.
7.	It shall be ensured that standards related to ambient	The environmental quality parameters are	Ambient Standards are not met in entire

	air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with Water sprinklers and other dust Control measures should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent	within standards specified by CPCB as evident from test reports already attached with this compliance report. Sprinkling of water has been regularly practiced on haul roads and loading/unloading points during working period	District. Anti-smog gun was found installed on site at the time of inspection. Same was not in operation as mining was closed. No sprinkler tankster observed on-site. PP has annexed a photograph of sprinkler along with their response. Same needs to be verified at the time of operations.
8.	All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.	Agreed	PP has obtained CTO from Board on 05.01.2023. Thus, the said condition was violated as mining was started before obtaining CTO.
9.	Parking of vehicles should not be made on public places.	There is limited movement of vehicles as the workers are from nearby villages they are using cycles but the employee coming through other vehicles has been instructed not to park near public places.	Very light vehicular movement observed in the area.
10.	No tree-felling will be done in the leased area, except only with the permission of Forest Department	The lease area is devoid of trees thus no cutting of trees has been done	No tree plantation observed in the mining lease area.
11.	It shall be ensured that excavation of minor minerals	The mining has been practiced as per	No Mining activity was observed at

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

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

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

	collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.	onsite, the labours hired are from nearby villages	submitted.
26.	Measures shall be taken for control of noise level to the lands prescribed by CPCB	Agreed	No test report regarding same submitted during operation submitted.
27.	Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities maintenance of village roads through which transportation of minor minerals is to be undertaken, shall be carried out by the project proponent regularly at his own expenses.	Agreed	No record regarding same submitted during operation submitted.
28.	Measure for prevention & control of soil erosion and management of soil shall be undertaken. Protection of dumps against erosion, if any, shall be carried out with geo textile matting or other suitable material.	Agreed	No record or photographic evidence regarding same submitted.
29.	Project Proponent shall explore the possibility of using solar energy wherever possible.	Agreed	No solar panel observed on site.
30.	Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CSR component shall be prepared based on need of local habitant. Income generating measures	As per letter issued by gram Pradhan claiming that Under Corporate environment Responsibility programmes project proponent has distributed stitching Machines distributed blankets to	Detailed report regarding work done under different heads, cost incurred and sustainability as well as quality of these works should be submitted by the PP. Also, same

	which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.	economically weaker people of village Pachayara (Gram Pradhan letter & pictures enclosed). Project proponent has also got installed handpumps in village Pachayara (pictures enclosed)	should be verified by competent authority and certificate with regards to completion of work be issued to PP.
31.	Possibility for adopting nearest three villages shall be explored and details of civic amenities such as roads, drinking water etc proposed to be provided at the project proponent's expenses shall be submitted within 02 months from the date of issuance of Environment Clearance.	Agreed	No record or photographic evidence regarding same submitted.
32.	The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow. SEIAA, U P and UPPCB	Agreed	No report with regards to expenditure of funds earmarked for environmental protection submitted in Regional Office, UPPCB.
33.	Action plan with respect to suggestion/improvement months	The suggestion made by public hearing panel and public has implemented.	Action Plan not submitted in Regional Office, UPPCB.
34.	Environmental clearance is subject to obtaining clearance under the Wild Life Protection, Act. 1972 from the competent authority, if applicable to this project.	Agreed	Not Required

35.	The proponent shall observe every 15 day for nesting of any turtle in the area. Based on the observations so made, if turtle nesting is observed, necessary safeguard measures shall be taken in consultation with the State Wildlife Department. For the purpose, awareness shall be created amongst the workers about the nesting sites so that such sites, if any, are identified by the workers during operations of the mine for taking required safeguard measures. In this regards, the safety, notified zone should be left so that the habitat/nesting area is undisturbed.	No nesting sites has been observed till date	Not observed.
36.	The project proponent shall undertake adequate safeguard measures during extraction of river bed material and ensure that due to this activity the hydro geological regime of the surrounding area shall not be affected.	Adequate safeguard measures has been adopted, Mining has been done strictly in adherence to EC issued & no hydro geological regime of the surrounding area has been affected.	No mining observed at the time of inspection. Needs to be verified during operation phase.
37.	The project proponent shall obtain necessary prior permission of the competent Authorities for withdrawal of requisite quantity of water (surface water and groundwater) required for the project.	No ground water withdrawal of water done onsite the water requirement has been done by water tankers supplied form local vendors	No borewell observed on site.
38.	Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It	Agreed	Needs to be verified during operation phase. Mitigation Measure Plan not submitted

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

	shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban local Body and the local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent		submitted.
43.	The environmental statement for each financial year ending 31st March in Form V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and forests, Lucknow by e-mail	Agreed	Not submitted.
44.	The green cover development/tree plantation is to be done in an area equivalent to 20% of the total leased area either on river bank or along road side (Avenue Plantation)	Plantation has been done along approach road and community places in village pachayara, (pictures enclosed)	No such plantation observed on site on the approach road.
45.	Debris from the river bed will be collected and stored at secured place and may be utilized for strengthen the	Agreed	No Mining activity was observed at the time of inspection.

	embankment.		
46.	Safety measures to be taken for the safety of the People working at the mine lease area should be given, which would also include measure for treatment of bite of poisonous reptile/insect like snake.	Agreed	Needs to be verified during operation phase. On-site dispensary needs to be made operational.
47.	Periodical and Annual medical checkup of workers as per Mines Act and they should be covered under ESI as per rule	Agreed	No record submitted.

Part B- Specific conditions

Sl no.	Specific conditions as per environment clearance issued	Compliance as per PP	Compliance on Site
01	Project proponent should ensure all sapling should survive any mortality will be replaced.	Agreed	Report with regards to mortality rate and replacement done thereof not submitted.
02	Site photographs should be submitted with date and time.	Site photographs enclosed	Camera was found installed near weigh bridge but may not be operational as there was no mining activity going on.
03	Provision for small cylinder to workers should be made for cooking.	Workers are from local villages, no cooking provision done onsite, workers have been carrying lunchbox with them	Needs to be verified during operation phase. On-site cooking provisions not available.

04	The capacity of trucks/tractor for loading purpose will be in tonnes as per PWD and Transport Department applicable norms and standard fixed by the Government.	Trucks/tractors loading in tonnes as per Transport Department applicable norms and standard fixed by the Government.	Compliance report need to be submitted by PP along with vehicle details.
05	Provide suitable mask to the workers.	Agreed	Needs to be verified during operation phase.
06	Approach road kaccha is to be made motarable and tree saplings to be planted on both sides of the road	Approach road has been strengthened and plantation carried out	Not complied.
7	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a QCI, NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance	Agreed	No such study has been undertaken by project proponent.
08	Provision for two toilets and hand pumps should be made at mining site.	Provision of bio-toilets has been made onsite, and for drinking water facility water tankers has been made available (picture of water tanker enclosed)	Bio-toilets not observed on site as site closed since 30/01/2023.
09	Drinking water for workers would be provided by tankers.	Water tanker provision has been made onsite	Proof of purchase needs to be submitted.
10	Mining will be carried only according to the approved mining plan.	Mining is based on approved mining plan	No Mining activity was observed at the time of inspection.
11	A buffer/safe tone shall be maintained from the habitation as per mining guidelines	Mining site is quite away from settlement & proper buffer zone has been maintained as per mining guideline	No Mining activity was observed at the time of inspection.

12	Total Project Cost has been submitted as Rs. 1,10,36,850/-. A CSR plan with minimum Rs. 5,51,842/- work to be executed with installation of five hand pumps for drinking water, solar light in villages of streets, construction of two numbers of toilets at the primary school with name displayed and address and details of beneficiary and gram Pradhan along with phone number, photographs should be submitted to Directorate as well as to the District magistrate/Chief Development Officers, Ghaziabad, U.P.	Agreed	Proof of receipt of Plan in Directorate as well as to the District magistrate/Chief Development Officers office not furnished.
13	Detail of works under CSR which has to be executed as above is to be submitted with an affidavit to Directorate as well as to the District magistrate/Chief development officers, Ghaziabad, U.P.	Agreed	Proof of receipt not furnished.
14	Health/insurance card, Medical claim, regular health checkup camps, facilities shall be provided to the regular/temporary/Contractual or any base workers. Copy of receipt shall be produced to the Directorate of Environment along with the compliance report.	Health checkup camps being organized annually for health check up of workers	Documentary and photographic evidence proof of such camps not furnished by PP.
15	The Environmental clearance will be co-terminus with the	Agreed	That the EC granted to the PP was

	mining lease period.		transferred EC whose validity was co-terminus with the earlier lease deed granted to one Gurbaj Singh which has expired on 31-01-2023 hence making the EC void.
16	Project falling within 10 KM area of Wild life Sanctuary is to obtain a clearance from National Board Wild life (NBWL) even if the eco sensitive zone is not earmarked	Project site is not in eco-sensitive zone	Site not in notified eco-sensitive zone
17	Geo coordinates should be verified by Director. DGM/District Magistrate/ Regional Mining Officer/ NHAI and should be submitted SEIAA/SEAC, Secretariat as earliest	Verified Geo-coordinates by mining officer Ghaziabad has been submitted to SEIAA/SEAC, UP	Has not been submitted.
18	In case it has been found that the E.C. obtained by providing incorrect information, submitting that the distance between the two adjoining mines is greater than 500m and area is less than 25ha, but factually the distance is less than 500 m and the mine is located in cluster of area equal or more than 25ha, the E C issued will stand revoked	Agreed	Area in less than 25 Hac.

19	The project proponent shall in 2 years conduct detailed replenishment study duly authenticated by a OCI, NABET accredited consultant, and the District Mines Officer which shall form the basis for midterm review of conditions of Environmental Clearance.	Agreed	No Such study has been conducted by Project proponent.
20	The mining work will be open-cast and exclusively manual. No mechanical work or drilling/blasting should be involved at any stage	Agreed	No Mining activity was observed at the time of inspection.
21	It shall be ensured that there shall be no mining of any type within 03 m or 10%, of the width which-ever is less, shall be left on both the banks of precise area to control and avoid erosion over river bank. The mining is confined to extraction of sand/moram from the river bank only	Mining has been done as per SSMG guideline 2016	No Mining activity was observed at the time of inspection.
22	The project proponent shall undertake adequate safeguard measures during extraction of river bank material and ensure that due to this activity the hydro-geological regime of the surrounding area shall not be affected	Mining depth is above ground water table. No intersection of ground water table done	No Mining activity was observed at the time of inspection.

23	The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed at this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked 'Non mining aerial, distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.	I strictly adhere to plan submitted for mining and rules prescribed. No mining has been carried out in monsoon season	No Mining activity was observed at the time of inspection.
24	The project proponent shall ensure that wherever deployment of labour attracts the Mines Act, the provision thereof shall be strictly followed	I strictly adhere that applicable Mines Act, the provision thereof strictly followed	No Mining activity was observed at the time of inspection.
25	The project proponent will provide personal protective equipments (PPE) as required, also Provide adequate training and information on safety and health aspects Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.	Personnel protective equipment's has been provided to workers	Needs to be verified at the time of operation. Documentary/Photographic proof of same not furnished by PP.
26	The critical parameters such as PM 10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be	Environmental parameters has been monitored and reports are attached herewith	One time reporting does not meet requirement of EC. Routine reports need to be furnished by PP.

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

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

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

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

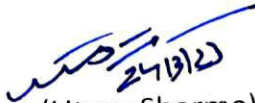
			observed on site.
44	During the school opening and closing time vehicle movement will be restricted.	Agreed	Need verification during operation phase.
	You shall also ensure that the proposed site is not a Part of any no development zone as re-quired/prescribed/identified under law. In case of violation, this permission shall automatically deem to be cancelled. Also, In the rent of any dispute on owners, or land use of the proposed site, this clearance shall automatically deem to be cancelled.	I assure that the project site is not located in no development zone	Present issue pertains to addition of Khasra in Mining Lease without obtaining NOC from the land owner, the applicant in present case.
45	The above stipulated conditions will be enforced inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974. the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along-with their amendments and rules made there under and also any other orders passed by the Hon"ble Courts of law relating to the subject matter.	Agreed	Need no comment

46	The project proponent will have to submit approved plans and proposals incorporating the conditions specified in the Environmental Clearance within 03 months of issuance of this clearance. The SEIAA/MoEF reserves the right to revoke the environmental clearance, if conditions stipulated are not implemented to the satisfaction of SEIAA/MoEF. SEIAA may impose additional environmental conditions or modify the existing ones, if necessary.	Agreed	Need no comment
47	This is to request you to take further necessary action in matter as per provisions of Gazette Notification No. S.O. 1533(E) dated 14/09/2006, as amended and send regular compliance reports to the authority as prescribed in the aforesaid notification	Agreed	Need no comment

The above compliance report is being put up for your kind perusal and directions.


(Navneet Pandey)
AEE,UPPCB Ghaziabad


(Mohd. Mahboob)
Senior Mining Officer
Ghaziabad


(Utsav Sharma)
Regional Officer
UPPCB, Ghaziabad



Uttar Pradesh Pollution Control Board

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.in, Website: www.uppcb.com

172377/UPPCB/Ghaziabad(UPPCBRO)/CTO/both/GHAZIABAD/2022

Date: 05/01/2023

To,

M/s

SHRI MUMTAJ ALI

8Mi,9Mi,10Mi,11Mi,12Mi,13Mi,17Mi,18,19,20Mi,21Mi,22Mi,25Mi,26
Mi,27Mi,30Mi,37Mi,38Mi,39Mi,40Mi,41Mi,53Mi,54Mi,55Mi,56Mi,57
Mi,237Mi,238 Mi, 239Mi,240 Mi, Khand 01,
Panchayara,GHAZIABAD,201102

Application Id- 18982490

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to SHRI MUMTAJ ALI located at 8Mi,9Mi,10Mi,11Mi,12Mi,13Mi,17Mi,18,19,20Mi,21Mi,22Mi,25Mi,26Mi,27Mi,30Mi,37Mi,38Mi,39Mi, 40Mi,41Mi,53Mi,54Mi,55Mi,56Mi,57Mi,237Mi,238 Mi, 239Mi,240 Mi, Khand 01, Panchayara,GHAZIABAD,201102. subject to the provisions of the Water Act, Air Act and the orders that may be made further and subject to following terms and conditions :-

1. This CCA SHRI MUMTAJ ALI **granted for the period from 05/01/2023 to 31/12/2026** and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	sand Mining (3,23,600 Cubic meter/Annum)	00	Metric Tonnes/Day
2	Area-16.183 Hectare	00	Metric Tonnes/Day

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	0.5 KLD	Septic Tank	

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
-------	-----------	----------

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
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3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
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Emmission Quality Standards

S No.	Stack no	Parameters	Standards
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In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of

this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/process /fuel/ Plant machinery failing which consent would be deemed void.
2. The Unit shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
3. The Unit shall dispose the hazardous waste through authorized recyclers/TSDF and comply with the

provisions of Hazardous and Other Wastes (Management and Trans-boundary Movement) Amendment Rules, 2016 as amended.

- 4.The Unit should be operated in such a way so that there is no adverse impact on public and environment.
- 5.The Unit shall submit quarterly monitoring reports of treated effluent from a certified / approved laboratory under E.P. Act 1986.
6. Unit shall comply with CAQM direction passed time to time.
- 7.Unit shall comply with CAQM direction no. 66 regarding operation of units during GRAP.
- 8.Unit shall comply with the Environmental Clearance dated 10.09.2020 issued to the PP.
- 9.Unit will follow all the guidelines/conditions regarding NOC issued by the District Magistrate, Ghaziabad and Mining Department.
- 10.The unit will have to ensure permission from the UPGWD/CGWA for ground water extraction and it will be the responsibility of the industry to comply with the various conditions of the permission taken.
- 11.Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 55 and 62 regarding DG sets and any other directions that CAQM gives in this context.
- 12.If the CPCB or UPPCB issues the Closure order against the industry this consent order stands automatically suspended for that period.
- 13.The unit shall submit Environmental Statement in prescribed form V as per rule no.14 of E.P Rules 1986.
- 14.The unit shall abide by all the orders / directions issued by Hon'ble Supreme Court, Hon'ble High Court, Hon'ble National Green Tribunal, CAQM, Central Pollution Control Board and U.P Pollution Control Board for protection and safeguard of environment issued from time to time.
- 15.Any source of emission other than that mentioned in the Air consent seeking application will not be permitted by the Board.
- 16.The unit should ensure the operation of the air pollution control system such as water sprinklers etc in such a manner that the air emission confirms with the standards prescribed under the E.P Act 1986 as amended.
- 17.The unit shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section- 21/22 of air Act 1981 (as amended respectively).
- 18.The unit should be operated in such a way so that there is no adverse impact on public and environment.
- 19.MSW waste should be suitable segregated. A separate and isolated MSW collection center should be provided.
- 20.The Unit shall develop proper green belt and rain water harvesting system as per guidelines. For green belt at least 8 feet height plants should be planted which shall be properly protected as proper irrigation and manoeuvring arrangements shall be made. For the development of the green belt the guidelines issued vide Board office order no. H10405/220/2018/02 Dt. 16-02-2018 shall be complied.
- 21.Unit shall establish Miyawaki forest as per the GO no. 1011/81-7-2021-09(writ)/2016 dated 13.10.2021 of Deptt. of Environment, forest and climate change and BG of Rs. 50,000/- be deposited within a month time along with the proposal for proposed plantation.
- 22.Unit shall comply with the CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) direction no. 53 and 62-66 and other direction issued time to time regarding use of cleaner fuel and any other directions that CAQM gives in this context.
- 23.Unit shall ensure calibration of weighment Bridge before starting mining.
- 24.Unit shall operate and maintain/upgrade the air pollution control device in such manner that emission should be as per norms prescribed by CAQM.
- 25.For operation of DG sets during GRAP period unit shall comply with CAQM direction no. 55 and 68.
- 26.Unit shall submit latest stack/ambient air monitoring report from NABL approved laboratory within one month.
- 27.Unit shall comply with Environment clearance/permissions obtained for mining from competent

authority.

28. This CTO will be the subject of Hon'ble NGT Order in OA no. 160/2021 Om Pal & Ors. Vs. State of Uttar Pradesh Anr.

29. This CTO will be the subject of decision passed in Revision no. 20(R)/2022 Mumtaj Ali Vs. Commissioner Meerut and Ors. regarding the imposition of Environmental Compensation of RS. 69,07,160/-.

PRADEEP SHARMA Digitally signed
by PRADEEP SHARMA
Date: 2023.01.05
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**CEO
C-1.**

Copy to:

Regional Officer, U.P. Pollution Control Board, Ghaziabad.

PRADEEP SHARMA Digitally signed by
PRADEEP SHARMA
Date: 2023.01.05
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**CEO
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उ० प्र० प्रदूषण नियंत्रण बोर्ड,

टी०सी०-12 वी, विभूति खण्ड,
गोमती नगर, लखनऊ

पंजीकृत

पत्रांक 499983 / सी-1 / सा०-1326 / पर्या० क्षतिपूर्ति / 2023

दिनांक 28/8/23

सेवा में,

मैसर्स श्री मुमताज अली,
पुत्र स्व० श्री फकीर मोहम्मद
निवासी मौहम्मदाबाद,
ज्योतिबा फूले नगर-244235

विषय : मैसर्स श्री मुमताज अली, पुत्र स्व० श्री फकीर मोहम्मद के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।

महोदय,

उपर्युक्त विषयक राज्य बोर्ड के पत्र संख्या-92590/सी-1/सा०-1326/ पर्या०- क्षति० का० ब०नो०/2023, दिनांक-25.04.2023 का अवलोकन करने का कष्ट करें। उक्त पत्र के माध्यम से राज्य बोर्ड द्वारा पट्टाधारक श्री मुमताज अली पुत्र स्व० श्री फकीर मोहम्मद निवासी मौहम्मदाबाद, ज्योतिबा फूले नगर के पक्ष में स्वीकृत उपखनिज बालू खनन पट्टा क्षेत्र, जनपद गाजियाबाद के तहसील लोनी अन्तर्गत, ग्राम-पचायरा, खण्ड-1, के गाटा संख्या-8मि०, 09मि०, 10मि०, 11मि०, 12मि०, 13मि०, 17मि०, 18मि०, 19मि०, 20मि०, 21मि०, 22मि०, 25मि०, 26मि०, 27मि०, 30मि०, 37मि०, 38मि०, 39मि०, 40मि०, 41मि०, 53मि०, 54मि०, 55मि०, 56मि०, 57मि०, 237मि०, 238मि०, 239मि०, 240मि०, लोनी, गाजियाबाद के विरुद्ध प्रथम वर्ष दिनांक-22.10.2020 से 01.05.2021 (192 डिफाल्टर दिसव) एवम् द्वितीय वर्ष दिनांक-15.11.2021 से 07.11.2022 तक (358 डिफाल्टर दिवस) कुल 550 डिफाल्टर दिवस हेतु रुपया-10,000/- प्रतिदिन की दर से कुल रुपया-55,00,000/- (रुपया पचपन लाख मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु कारण बताओ नोटिस जारी किया गया था जिसका कोई उत्तर/प्रत्यावेदन अभी तक इस कार्यालय में प्राप्त नहीं हुआ है। उक्त अनुक्रम में क्षेत्रीय अधिकारी, गाजियाबाद द्वारा मा० एन०जी०टी० द्वारा पारित आदेशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दोषी इकाईयों के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु बनायी गयी गाइड लाइन के आधार पर आपकी इकाई के विरुद्ध दिनांक-22.10.2020 से 01.05.2021 (192 डिफाल्टर दिसव) एवम् द्वितीय वर्ष दिनांक-15.11.2021 से 07.11.2022 तक (358 डिफाल्टर दिवस) कुल 550 डिफाल्टर दिस हेतु रुपया-10,000/- प्रतिदिन की दर से कुल रुपया-55,00,000/- (रुपया पचपन लाख मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने संबंधी आख्या/संस्तुति प्रेषित की गयी है।

अतः मा० एन०जी०टी० द्वारा पारित आदेशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दोषी इकाईयों के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु बनायी गयी गाइड लाइन के आधार

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पर बोर्ड के क्षेत्रीय कार्यालय, गाजियाबाद से प्राप्त आख्या एवम् संस्तुति तथा उक्त पर सक्षम स्तर से प्राप्त अनुमोदनोपरान्त आपकी इकाई के विरुद्ध रूपया-10,000/-प्रतिदिन की दर से कुल 550 डिफाल्टर दिनों हेतु रूपया-55,00,000/- (रूपया पचपन लाख मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित की जाती है एवम् निर्देशित किया जाता है कि अधिरोपित पर्यावरणीय क्षतिपूर्ति रूपया-55,00,000/- (रूपया पचपन लाख मात्र) को उ0प्र0प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थित बैंक के खाता संख्या-701502010002104 आईएफसी कोड-UBIN0570150 में 15 दिन के अन्दर जमा करते हुए साक्ष्य सहित बोर्ड को सूचित करें अन्यथा की दशा में नियमानुसार अग्रिम कार्यवाही की जायेगी।

भवदीय,

(विवेक राम)

मुख्य पर्यावरण अधिकारी वृत्त-1

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित :-

1. जिलाधिकारी, गाजियाबाद ।
2. जिला खनन अधिकारी, गाजियाबाद ।
3. क्षेत्रीय अधिकारी, उ0प्र0प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित ।

मुख्य पर्यावरण अधिकारी, वृत्त-1

Inspection report of M/s SHRI MUMTAJ ALI, 8Mi, 9Mi, 10Mi, 11Mi, 12Mi, 13Mi, 17Mi, 18, 19,20Mi, 21Mi,22Mi, 25Mi,26Mi,27Mi, 30Mi, 37Mi, 38Mi, 39Mi, 40Mi, 41Mi, 53Mi, 54Mi, 55Mi, 56Mi, 57Mi, 237Mi, 238 Mi, 239Mi, 240 Mi, Khand 01, Panchayara, GHAZIABAD.

In compliance of Hon'ble National Green Tribunal order dated 07.02.2024 passed in the matter of Om pal Vs State of U.P. & Anr in OA No-160/2022 (I.A No. 860/2023, I.A. No. 75/2023 and I.A. No. 12/2024 inspection of mining site was carried out on 09.03.2024. During visit no mining activity was being carried out. Further the project proponent stopped the mining activity since 31.01.2023 as the Environmental Clearance for said land expired on 31.01.2023 and presently no mining activity is in operation. Photographs taken during visit is given below: -



Above report is submitted for your kind pursual and necessary action.

Kunwar Santosh Kumar
(Kunwar Santosh Kumar)
A.E.E.

Regional Officer

[Signature]