

Item No. 04

Court No. 1

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

(BY HYBRID MODE)

Original Application No. 203/2021

Devidas Khatri

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 10.07.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Anoop Agarwal, Advocate

Respondents: Mr. Raj Kumar, Adv. for CPCB
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB
Mr. Mukesh Verma, Adv. for Mining Department
Mr. Sidhinath Singh Sengar, Adv. for M/s Modi Minerals Udyog

ORDER

1. In response to the joint Committee report dated 23.02.2023 filed in compliance with the order dated 01.08.2022 relating to mining and sand washing plants in Shankargarh Block, Prayagraj District, U.P., learned Counsel appearing for one of the Project Proponent – M/s. Amita Gupta & Shri Abhilesh Kumar Gupta has submitted to file some reports. Learned Counsel appearing for the State PCB has submitted that necessary steps are being taken against the violators. Response/objections, if any on the report, be filed within three weeks. The report has indicated that there are 7 leases for active mining out of 25 mining leases granted (18 leases have already been expired). Further, there are 42 Silica Sand Washing plants. The report has indicated several violations with respect to mining

and sand washing plants and some of the violations/deficiencies are as under:

- i. Most of the lease holders are undertaking mining operations out of their granted lease area.
- ii. Excessive production of minerals has been observed in comparison to their annual capacity against Environmental Clearance.
- iii. All lease holders are not complying with EC, mining plan and consent to operate.
- iv. Sand washing plants do not have well specified/prescribed conditions in CTO and no Effluent Treatment Plants (ETPs) and mode of disposal prescribed.

2. However, the report has not elaborated on restoration of mined areas, overall compliance with CTO conditions, extent of damages observed and other aspects.

3. State PCB is directed to further file report on the observations, identify all violators and actions taken for past violations and restoration of the area.

4. List the matter on 10.08.2023.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 10, 2023
Original Application No. 203/2021
DV