

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

Original Application No. 171 of 2020 (SZ)

**IN THE MATTER OF:**

Dr. SARVABHOUM BAGALI

.....APPLICANT

VS

STATE OF KARNATAKA & OTHERS

.....RESPONDENTS

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Place: *Bangalore.*

Date: *02.3.2022*

Through Counsel

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

Original Application No. 171 of 2020 (SZ)

**IN THE MATTER OF:**

Dr. SARVABHOUM BAGALI .....APPLICANT  
VS  
STATE OF KARNATAKA & OTHERS .....RESPONDENTS

**COUNTER AFFIDAVIT ON BEHALF OF THE STATE LEVEL  
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
KARNATAKA (RESPONDENT No. 3)**

**MOST RESPECTFULLY SHOWETH:**

I, Kiran Kumar B.S, currently working as Scientific Officer in the SEIAA, Karnataka, Bengaluru, do hereby solemnly affirm and state as under:-

1. That I, in my official capacity of in the SEIAA, Karnataka Bengaluru i.e. Respondent No. 3 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.

2. It is submitted at the very outset that the Respondent No. 3

denies each averment and/or submission made in the



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application which is contrary to and inconsistent with the averments made and facts stated in the present reply. It is submitted that the nothing stated in the application may be deemed to have been admitted by the Respondent No. 3 unless and until the same is expressly admitted in the present reply.

3. That a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Counter Affidavit to the aforesaid application, as and when required.
4. That the applicant in the present matter has alleged that the illegal sand mining being done at two different sites on the Krishna Riverbed in village Joldahadgi, Taluka Devadurga, District Raichur, Karnataka has been conducted by using Pokhland /JCB machines. It is also alleged in the application that during March 2020, a girl died by falling into the pit caused in the river Krishna by the contractors, who were engaged in sand mining and such things are still continuing.



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5. That the applicant has inter-alia prayed for that the Hon'ble Tribunal please to (a) Hold and declare that use of machinery in ordinary sand mining is not permissible as per EIA Notification.(b) Direct the Deputy Commissioner, Raichur District to immediately stop all sand mining using mechanized devices like JCB's Pokland machines etc., on riverbed of Krishna river (c) Direct the Deputy Commissioner, Raichur District to bring on record the recent (ongoing) environmental clearances, mining plans, contractor details etc. and file affidavit of compliance of Rule. 31R(3) of the Karnataka Minor Mineral Concession Rules, 1994 (d) Direct the Department of Mines and Geology to submit an affidavit detailing the format for quarrying lease used for ordinary sand in entire District (e) Direct MoEF & CC to constitute a Committee for issuing "Guideline on enquiry and payment of compensation in cases of loss of life connected to sand mining (f) direct the District Magistrate, Raichur District to conduct the enquiry in the death of minor girl (g) direct the State authorities to provide compensation to the family of the teenage girl (viii) Direct prosecution of the concerned sand mining contractors,



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government officials involved for their lapse and violation of the Karnataka Minor Mineral Concession Rules, 1994 EIA Notification, 2006, Sustainable Sand Mining Management Guidelines, 2016 and various orders Supreme Court and this Tribunal.

6. That it is further submitted that MoEF& CC, New Delhi has issued EIA Notification dated 14<sup>th</sup> September 2006 which requires certain projects to obtain prior Environmental Clearance ("EC") before any construction work in case of new projects or expansion and modernization of existing projects or activities. The Schedule to the Notification details the categories or projects or activities which require prior Environmental Clearance.
7. That it is further submitted that all projects and activities are broadly categorized into two categories - Category "A" and Category "B", based on the potential impacts on spatial extent and human health and natural and man-made resources. All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or



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activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment, Forest and Climate Change (MoEF&CC) and all projects or activities included as Category 'B' in the Schedule will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project.

8. That it is submitted that the MoEF& CC, New Delhi further came up with the notification having S.O. 141 (E) dated 15<sup>th</sup> January, 2016 which stipulates that 'B2' Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectares shall require prior environmental clearance from DEIAA (District Environment Assessment Authority). The DEIAA shall base its decision on the recommendations of DEAC (District level Expert Appraisal Committee), as constituted for this notification. The copy of



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the notification S.O. 141 (E) dated 15<sup>th</sup> January, 2016 is annexed herein and marked as **ANNEXURE -1**.

9. That it is respectfully submitted that the Environmental Clearances were issued to the alleged mining areas by the District Level Environment Impact Assessment Authority, Raichur vide letter No.DEIAA-OS-18 MIN/2017 and No.DEIAA-OS-25MIN/2017, dated 08.06.2017. Copy of the Environmental Clearances are enclosed at **ANNEXURE - 2 & ANNEXURE - 3** respectively.

10. It is most respectfully stated that in compliance of direction passed by Hon'ble National Green Tribunal in its order dated 04.09.2018 in O.A. 173/2018 in the matter of Sudarsan Das vs. State of West Bengal &Ors, MoEF& CC, New Delhi has formulated the new guidelines i.e. "Enforcement & Monitoring Guidelines for Sand Mining" (EMGSM-2020) supplemental to the existing guidelines i.e. Sustainable Sand Management Guidelines 2016 (SSMG-2016), which focus on the effective monitoring of the sand mining since from the identification of sand mineral sources to its dispatch and end-use by

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consumers and the general public. Further, this document will serve as a guideline for collection of critical information for enforcement of the regulatory provision(s) and also highlights the essential infrastructural requirements necessary for effective monitoring for Sustainable Sand Mining.

11. It is submitted that the EMGSM-2020 & SSMG-2016 shall be read and implemented in sync with each other. In case, any ambiguity or variation between the provisions of both these document arises, the provision made in "Enforcement & Monitoring Guidelines for Sand Mining-2020" shall prevail. Further, it is submitted that the Hon'ble National Green Tribunal, New Delhi in O.A No. 8 of 2018 (CZ) titled as SurajPagare&Anr. Vs State of M.P vide order dated 11.06.2020 directed the Principle Secretary, Mines; Director, Mines and State of Madhya Pradesh to follow the guidelines issued by MoEF in January, 2020 i.e EMGSM- 2020.

12. It is most respectfully submitted that the Hon'ble Tribunal vide order dated 26.02.2021 passed in the matter of Original Application No. 360/2015 titled as National Green Tribunal Bar Association versus Virender Singh (State of Gujarat)



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directed all the States/UTs to strictly follow the SSMG-2016 read with EMGSM-2020 reinforced by mechanism for preparation of DSRs, Environment Management Plans, replenishment studies, mine closure plans, grant of EC supra), assessment and recovery of compensation, seizure and release of vehicles involved in illegal mining, other safeguards against violations, grievance redressal, accountability of the designated officers and periodical review at higher levels ( in terms of the order referred by the Hon'ble tribunal in the order).

13. It is most respectfully submitted that the Regional Office, MoEF&CC is authorized to monitor the implementation of the stipulated conditions and environmental safeguards contained in the Environmental Clearance vide Circular No. J-11013/30/2009-IA.II (I) dated 3<sup>rd</sup> June 2009 issued by MoEF.

The copy of the Circular is enclosed at **ANNEXURE - 4**

14. That it is respectfully submitted that State Department of Mines and Geology is the nodal authority in the State for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act)



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and is entrusted with the enforcement and regulation of mining operations in a State including illegal mining.

15. *That in view of the submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass any order (s) as deemed fit and proper in the fact and circumstances of the matter.*



Deponent  
Scientific Officer, Grade-I  
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### VERIFICATION

Verified on this day 2<sup>nd</sup> of March, 2022 at Bengaluru, that the contents of the above affidavit are true and correct and as verifiable from official records and nothing material has been concealed there from.



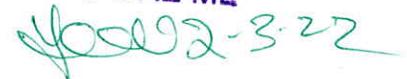
Deponent  
Scientific Officer, Grade-I  
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Place: Bengaluru.

Date : 02.03.2022.



SWORN TO BEFORE ME



G.B. TURAMARI  
ADVOCATE & NOTARY  
# 46/1, Behind Binny Mill  
1st Main Road, Ganganagar Extn  
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- 10 का.आ. 562(अ) तारीख 26 फ़रवरी 2014;
11. का.आ. 637(अ) तारीख 28 फ़रवरी 2014;
12. का.आ. 1599(अ) तारीख 25 जून 2014;
13. का.आ. 2601(अ) तारीख 7 अक्टूबर 2014;
14. का.आ. 2600(अ) तारीख 9 अक्टूबर 2014
15. का.आ. 3252(अ) तारीख 22 दिसम्बर 2014;
16. का.आ. 382(अ) तारीख 3 फरवरी, 2015;
17. का.आ. 811(अ) तारीख 23 मार्च, 2015;
18. का.आ. 996(अ) तारीख 10 अप्रैल 2015;
19. का.आ. 1142(अ) तारीख 17 अप्रैल 2015;
20. का.आ. 1141(अ) तारीख 29 अप्रैल 2015;
21. का.आ. 1834(अ) तारीख 6 जुलाई 2015;

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 15th January, 2016

**S.O. 141(E).**—Whereas in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment Notification, 2006, issued *vide* number S.O. 1533(E), dated the 14<sup>th</sup> September 2006, was published under sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, *vide* number S.O. 2588(E), dated 22<sup>nd</sup> September, 2015, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date of publication on which copies of Gazette containing the said notification were available to the public;

And whereas, copies of said notification were made available to the public on 22<sup>nd</sup> September 2015;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

And whereas, in pursuance to the order of Hon'ble Supreme Court dated the 27<sup>th</sup> February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease;

And whereas, as a result of the above said Order of Hon'ble Supreme Court, the number of cases which are now required to obtain prior environmental clearance has increased substantially;

And whereas, the Hon'ble National Green Tribunal, *vide* its order dated the 13<sup>th</sup> January, 2015 in the matter regarding sand mining has directed for making a policy on environmental clearance for mining leases in cluster for minor minerals;

And whereas, the State Governments have represented for streamlining the process of environmental clearance for mining of minor mineral;

And whereas, the Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on Sustainable Sand Mining detailing the provisions on environmental clearance for cluster, creation of District Environment Impact Assessment Authority and proper monitoring of sand mining using information technology and information technology enabled services to track the mined out material from source to destination;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

**In the said notification.-**

(a) in paragraph 2, after the words "in the said Schedule", the following words shall be inserted, namely:-  
"and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the said Schedule";

(b) after paragraph 3, the following paragraph shall be inserted, namely:-

**"3 A. District Level Environment Impact Assessment Authority:-**

- (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.
  - (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
  - (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.
  - (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.
  - (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
  - (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member-Secretary.
  - (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
  - (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
  - (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
  - (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
  - (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
  - (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
  - (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail. ";
- (c) in paragraph 4, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-  
"(iv) The 'B2' Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification." ;

(d) for paragraph 5, the following paragraph shall be substituted, namely:-

**"5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category 'A', 'B1 and B2' and 'B2' projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union

territory Administration with identical composition. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3 A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

(c) The EAC and SEAC shall be reconstituted after every three years.

(d) The authorised members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.”;

(e) for paragraph 6, the following paragraph shall be substituted, namely:-

**“6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made by the project proponent in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II after the identification of prospective site (s) for the project and/or activities to which the application relates; and in Form 1M for mining of minor minerals up to five hectare under Category ‘B2’ projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land, or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.”;

(f) in paragraph 7,-

(i) in sub-paragraph (i), under the heading “I. Stage (1)- Screening.”, the existing sub-paragraph shall be lettered as sub-paragraph “(A)” and after sub-paragraph as so lettered, the following sub-paragraph shall be inserted, namely:-

“(B) The cases as specified in Appendix IX shall be exempted from prior environmental clearance.”;

(ii) after sub-paragraph 7 (ii), the following sub-paragraph shall be inserted, namely:-

**“7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of other Minor Minerals:**

(a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.

(b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;

(g) in paragraph 8,-

(i) for the letters and word “EAC or SEAC”, the words and letters “EAC or SEAC or DEAC” shall be substituted;

(ii) for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee” wherever they occur, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(h) in paragraph 9, in sub-paragraph (i),-

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(i) in paragraph 10, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-

“(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.”;

(j) in paragraph 11, -

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(k) in the Schedule,-

(i) for item 1 (a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)
“1(a)	(i) Mining of minerals	≥50 ha of mining lease area in respect of non-coal mine lease  >150 ha of mining lease area in respect of coal mine lease  Asbestos mining	<50 ha of mining lease area in respect of non-coal mine lease  ≤150 ha of mining lease area in respect of coal mine lease	General Conditions shall apply except:  (i) for project or activity of mining of minor minerals of Category ‘B2’ (up to 25 ha of mining lease area);  (ii) River bed mining projects on account of inter-state boundary.

		irrespective of mining area		<p><b>Note:</b></p> <p>(1) Mineral prospecting is exempted.”;</p> <p>(2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;</p> <p>(3) The mining leases which have obtained environmental clearance under Environment Impact Assessment Notification, 1994 and Environment Impact Assessment Notification, 2006 shall not require fresh environmental clearance during renewal provided the project has valid and subsisting environmental clearance.</p>
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas.	All projects.		

(I) after Appendix VI, the following appendices shall be inserted, namely:-

**“APPENDIX VII**

**(See paragraph 3 A)**

**Qualifications and terms for the Experts in DEIAA and DEAC**

- 1. Qualification:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal training course together with prescribed practical training in the field leading to a B. Tech/ B.E./ B. Arch. Degree, or (iii) Other professional degree (e.g. MBA etc.) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/ article ship and pass examinations conducted by the concerned professional associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
- 2. Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
- 3. Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
- 4. Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.

5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

**APPENDIX VIII**  
**(See paragraph 6)**  
**FORM 1 M**

**APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY 'B2' FOR LESS THAN AND EQUAL TO FIVE HECTARE**

**(II) Basic Information**

- (viii) Name of the Mining Lease site:  
(ix) Location / site (GPS Co-ordinates):  
(x) Size of the Mining Lease (Hectare):  
(xi) Capacity of Mining Lease (TPA):  
(xii) Period of Mining Lease:  
(xiii) Expected cost of the Project:  
(xiv) Contact Information:

**Environmental Sensitivity**

Sl. No.	Areas	Distance in kilometer / Details
1.	Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.	
2.	Distance from infrastructural facilities Railway line National Highway State Highway Major District Road Any Other Road Electric transmission line pole or tower Canal or check dam or reservoirs or lake or ponds In-take for drinking water pump house Intake for Irrigation canal pumps	
3.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	
4.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	
5.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	
6.	Inland, coastal, marine or underground waters	
7.	State, National boundaries	
8.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	
9.	Defence installations	
10.	Densely populated or built-up area, distance from nearest human habitation	
11.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	
12.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	
13.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	
14.	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	

15.	Is proposed mining site located over or near fissure / fracture for ground water recharge	
16.	Whether the proposal involves approval or clearance under the following Regulations or Acts, namely:- (a) The Forest (Conservation) Act, 1980; (b) The Wildlife (Protection) Act, 1972; (c) The Coastal Regulation Zone Notification, 2011. If yes, details of the same and their status to be given.	
17.	Forest land involved (hectares)	
18.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders or directions of the Court, if any, and its relevance with the proposed project.	

(Signature of Project Proponent  
Along with name and address)

#### APPENDIX – IX

[See paragraph 7(i) (B)]

#### EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require prior environmental clearance, namely:-

1. Extraction of ordinary clay or sand, manually, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand, manually, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works like de-silting of village ponds or tanks, construction of village roads, ponds, bunds undertaken in Mahatama Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes, and community efforts.
6. Dredging and de-silting of dams, reservoirs, weirs, barrages, river, and canals for the purpose of their maintenance, upkeep and disaster management.
7. Traditional occupational work of sand by Vanjara and Oads in Gujarat *vide* notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14<sup>th</sup> February, 1990 of the Government of Gujarat.
8. Digging of well for irrigation or drinking water.
9. Digging of foundation for buildings not requiring prior environmental clearance.
10. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nala, drain, water body, etc., to deal with any disaster or flood like situation upon orders of District Collector or District Magistrate.
11. Activities declared by State Government under legislations or rules as non-mining activity with concurrence of the Ministry of Environment, Forest and Climate Change, Government of India.

#### APPENDIX - X

[See paragraph 7 (iii) (a)]

#### PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following:

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

1. Introduction
2. Overview of Mining Activity in the District
3. The List of Mining Leases in the District with location, area and period of validity
4. Details of Royalty or Revenue received in last three years
5. Detail of Production of Sand or Bajari or minor mineral in last three years
6. Process of Deposition of Sediments in the rivers of the District
7. General Profile of the District
8. Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.

9. Physiography of the District  
10. Rainfall: month-wise  
11. Geology and Mineral Wealth

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source.  
(b) District wise availability of sand or gravel or aggregate resources.  
(c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

**Drainage system with description of main rivers**

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District

**Salient Features of Important Rivers and Streams:**

S. No.	Name of the River or Stream	Total Length in the District (in Km)	Place of origin	Altitude at Origin

Portion of the River or Stream Recommended for Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

**Mineral Potential**

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

**Annual Deposition**


S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
Total for the District						

A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

**Methodology adopted for calculation of Mineral Potential:**

The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and location, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50 % to 60 % of the area of a particular river or stream. For example in some hill States mineral constituents like boulders, river born Bajri, sand up

to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.

#### APPENDIX - XI

[See paragraph 7 (iii) (b)]

#### PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR MINERALS INCLUDING CLUSTER

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation:-

- (1). The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2). The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3). There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4). Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5). The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigative measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearance's of individual project proponents in that cluster.
- (6). A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area.
- (7). Form IM, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8). The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.

#### Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation

Area of Lease (Hectare)	Category of Project	Requirement of EIA / EMP	Requirement of Public Hearing	Requirement of EC	Who can prepare EIA/ EMP	Who will apply for EC	Authority to appraise/ grant EC	Authority to monitor EC compliance
<b>EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease</b>								
0 - 5ha	'B2'	Form -IM, PFR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB MoEFCC Agency

> 5 ha and < 25 ha	'B2'	Form -I, PFR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC / SEIAA	nominated by MoEFCC
≥ 25ha and < 50ha	'B1'	Yes	Yes	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	
≥ 50 ha	'A'	Yes	Yes	Yes	Project Proponent	Project Proponent	EAC/ MoEFCC	
<b>EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation</b>								
Cluster area of mine leases up to 5 ha	'B2'	Form -IM, PFR and Approved Mine Plan	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	DEIAA SEIAA SPCB CPCB MoEFCC Agency nominated by MoEFCC
Cluster area of Mine leases > 5 ha and < 25 ha with no individual lease > 5 ha	'B2'	Form -I, PFR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	
Cluster of mine leases of area ≥ 25 hectares with individual lease size < 50ha	'B1'	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	SEAC/ SEIAA	
Cluster of any size with any of the individual lease ≥ 50ha	'A'	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/ MoEFCC	

## APPENDIX - XII

[See paragraph 10 (iv)]

## PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING

1. The security feature of Transport Permit shall be as under:

- (a) Printed on Indian Banks' Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
- (b) Unique Barcode.
- (c) Unique Quick Response (QR) code.
- (d) Fugitive Ink Background.
- (e) Invisible Ink Mark.
- (f) Void Pantograph.
- (g) Watermark.

2. Requirement at Mine Lease Site:

- (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.

- (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
- (c) Access control of mine lease site.
- (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.

3. Scanning of Transport Permit or Receipt and Uploading on Server:

- (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
- (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
- (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.

4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security features enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued.

When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

5. Checking On Route:

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.

6. Breakdown of Vehicle:

In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.”

[No. Z-11013/98/2014-IA-II (M)]

MANOJ KUMAR SINGH, Jt. Secy.

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers :-

1. S.O. 1737 (E) dated the 11th October, 2007;
2. S.O. 3067 (E) dated the 1st December, 2009;
3. S.O. 695 (E) dated the 4th April, 2011;
4. S.O. 2896 (E) dated the 13th December, 2012;
5. S.O. 674 (E) dated the 13th March, 2013;
6. S.O. 2204 (E) dated the 19th July 2013;
7. S.O. 2555 (E) dated the 21st August, 2013;
8. S.O. 2559 (E) dated the 22nd August, 2013;
9. S.O. 2731 (E) dated the 9th September, 2013;
10. S.O. 562 (E) dated the 26th February, 2014;
11. S.O. 637 (E) dated the 28th February, 2014;
12. S.O. 1599 (E) dated the 25th June, 2014;
13. S.O. 2601 (E) dated the 7th October, 2014;
14. S.O. 2600 (E) dated the 9th October, 2014
15. S.O. 3252 (E) dated the 22nd December, 2014;
16. S.O. 382 (E) dated the 3rd. February, 2015;
17. S.O. 811 (E) dated the 23rd March, 2015;
18. S.O. 996 (E) dated the 10th April, 2015;
19. S.O. 1142 (E) dated the 17th April, 2015;
20. S.O. 1141 (E) dated the 29th April, 2015;
21. S.O. 1834 (E) dated the 6th July, 2015.

NOTARY

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This is the annexure..... stated in the  
Affidavit of.....

  
**NOTARY**

**District Level Environment Impact Assessment Authority- Raichur**

(Constituted by MoEF, Government of India, Under section 3(3) E(P) Act, 1986 and S.O. 190(E) Notification of Ministry of Environment, Forest & Climate Change, 2016)

No. DEIAA-OS-18-MIN-2017

Date: 08.06.2017

To,

Sri. Ananda B Doddamani  
#68, Behind Chethan Collage,  
Akashaya colony,  
Hubbali, Dharwad District,  
Karnataka.

Sir,

**Sub:** Quarrying of River Sand in "Jolada Hadagi Sand Mining Block-1" Krishna river bed adjacent to Sy. No 4, 5, 6/1, 6/4 & 6/3 of Jolada Hadagi Village, Devadurga Taluk, Raichur District, Karnataka of Sri. Ananda B Doddamani - Issue of Environment Clearance- reg.

\*\*\*\*\*

This has reference to your application dated 06.06.2017 addressed to DEIAA, Raichur on the subject mentioned above. It has been noted that the proposal is for grant of environmental clearance under the provisions of EIA Notification, 2006, for quarrying of River Sand. The total quarry lease area of the project is 12.20 acre (4.93 Ha), which is a Government Revenue Land. Out of 4.93 Hectares of area, 3.83 Hectares area is for excavation and 1.10 Hectares area is for Safety zone. Working should be carried out as per MoEF guidelines. The water requirement for the project is 6.87 KLD will be purchased locally (mineral water for drinking & tanker water for other purposes). The Mines and Geology Department has approved quarrying plan. Capital cost of the project is about Rs. 75.5 Lakhs. It is reported that the lease area do not attract General conditions specified in the EIA notification 2006 and the amendments made there on.

Jolada Hadagi Sand Mining Block-1: - Extent 4.93 Hectare (12.20 Acres), Krishna river bed adjacent to Sy. No. 4, 5, 6/1, 6/4 & 6/3 of Jolada Hadagi Village, Devadurga Taluk, Raichur District, Karnataka. The area is located in Survey of India Topo Sheet No. 56 D/15 bounded by following co-ordinates of WGS - 84.

SL. No	Latitude	Longitude
1	N 16° 29' 40.30"	E 76° 56' 15.34"
2	N 16° 29' 45.21"	E 76° 56' 14.23"
3	N 16° 29' 48.12"	E 76° 56' 24.65"
4	N 16° 29' 43.30"	E 76° 56' 24.93"
WGS - 84 DATUM		

2. The District Expert Appraisal Committee (DEAC) appraised the project in its meeting held on 7<sup>th</sup> June 2017 recommended for issue of environmental clearance. The District Environment Impact Assessment Authority (DEIAA),

Raichur District has examined the application in its meeting held on 7<sup>th</sup> June 2017 in accordance with the EIA Notification 2006 and hereby accords environmental clearance under the provisions thereof to the above mentioned Sri. Ananda B Doddamani for Quarrying of River Sand of capacity 38,500 Tonnes Per Annum as per MoEF guidelines involving quarry lease area of 4.93 Hectares. The clearance is subject to implementation of the following conditions and environmental safeguards:

#### A. SPECIFIC CONDITIONS:

1. Quarry plan approved by the Department of Mines and Geology shall be strictly implemented and shall not be operated beyond the validity period of the approved quarry plan.
2. The quarry lease area to be properly demarcated using the lat-long coordinates and duly erecting 4 feet concrete/ granite pillars on the ground.
3. All the conditions stipulated in the Consent for establishment / operation issued, if applicable by the Karnataka State Pollution Control Board should be effectively implemented.
4. The DEIAA, Raichur reserves the right to withdraw the environmental clearance subject to any change in the quarrying policy by the State Government as may be applicable to this project.
5. Quarrying shall be undertaken strictly in accordance with provisions of MM (D&R) Act 1957/ KMMC RULES-1994 and all its amendments.
6. The quarrying of sand shall be undertaken as specified in the Quarrying plan.
7. Quarrying below subterranean water level shall not be undertaken.
8. No drilling and blasting operations shall be carried out.
9. No in stream mining shall be undertaken.
10. Waste rock shall be stacked appropriately in such a way that it does not obstruct the river flow and shall be used for backfilling of mined out pits.
11. The quarrying operations shall not intersect ground water table. Prior approval of the DEIAA / Ministry of Environment & Forests and Central Ground Water Authority shall be obtained for quarrying below water table.
12. Appropriate safety zone shall be maintained in proximity to any bridge and/or embankment and other permanent structures. No sand mining shall be under taken in such safety / buffer zones. Guidelines issued by the Ministry of Mines in this regard shall also be adhered to.
13. The project proponent shall ensure that no natural water force and/ or water resources are obstructed due to mining operations.
14. No sand mining / transportation from the river bed shall be undertaken between 6 PM to 6 AM.
15. Regular monitoring of ground water level and quality shall be carried out in and around the project by establishing a network of existing wells and installing new piezometers during the mining operation. The periodic monitoring [(at least four times in a year- pre-monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the data thus collected may be sent regularly to the Ministry of Environment

and Forests and its Regional Office, the Central Ground Water Authority and the Regional Director, Central Ground Water Board. If at any stage, it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.

16. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board within 3 months and report be submitted to the Authority.
17. The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (ground water or surface water) required for the project.
18. Appropriate mitigative measures shall be taken to prevent the pollution of Krishna River.
19. Mineral handling area shall be provided with the adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
20. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board within 3 months and report be submitted to the Authority.
21. Vehicular emissions should be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in quarrying operations and in transportation of sand.
22. Proper sanitary facilities should be installed for the colony/work place. Domestic waste generated should be disposed in a scientific manner. Proper first aid facilities and health care facilities should be provided for the labourers.
23. Plantation monitoring programme during post project period for ensuring survival and growth rate of plantation in reclaimed area.
24. A Final Quarry Closure Plan along with details of Fund utilization should be submitted to the DEIAA Raichur 5 years in advance of final quarry closure for approval.
25. The infrastructure of transport roads should be improved collectively by the quarry owners of the area.
26. 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 around loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
27. No quarrying shall be undertaken outside the lease area.
28. The project Authorities shall maintain a margin of 7.5 meters along the lease boundary.
29. Site specific eco restoration plan shall be implemented .
30. The project authorities shall also earmark at least 5 % of the total turnover of the project towards the corporate social responsibility and item-wise details along with time bound action plan shall be prepared and submitted to the Authority.

31. After completion of every monsoon the quantity has to be reassessed and a modified plan may be submitted. If required Environmental Clearance also has to be modified.

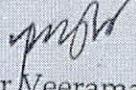
**B. GENERAL CONDITIONS:**

1. No change in quarrying technology and scope of working should be made without prior approval of the DEIAA Raichur.
2. No change in the calendar plan including excavation, quantum of mineral and waste should be made.
3. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the MoEF, Govt. of India, New Delhi.
4. Digital processing of the entire lease area using remote sensing technique should be done regularly once in three years for monitoring land use pattern and report submitted to DEIAA Raichur.
5. Data on ambient air quality (PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, NO<sub>x</sub>) should be regularly submitted to the DEIAA Raichur and the Regional Office, MoEF, Bangalore and the State Pollution Control Board / Central Pollution Control Board once in six months.
6. Fugitive dust emission from all the sources should be controlled regularly. Water spray arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
7. Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc should be provided with earplugs / muffs.
8. Waste water from the quarry should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th may 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap shall be installed before discharge of effluents.
9. 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 i.e. once in 3 months to observe any contractions due to exposure to dust and take corrective measures, if needed. Quarterly report in this regard should be submitted to the Department of Environment and Ecology, Govt. of Karnataka and the Karnataka State Pollution Control Board and the Regional Office, MoEF, Bangalore.
10. A separate environmental management cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the organization. The Environment management committee should be constituted with one of the member representing nearby village.
11. The project proponent shall take all precautionary measures during quarrying operation for conservation and protection of endangered fauna spotted in the study area. Action plan for conservation of flora and fauna shall be prepared and implemented in consultation with the State Forest and Wildlife Department. The proponent shall contribute towards the cost of implementation of the plan and / or Regional Wildlife Management Plan for conservation of wild life. The amount so

- contributed shall be included in the project cost. A copy of the action plan may be submitted to the DEIAA, Raichur within 3 months.
12. 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 DEIAA Raichur and the Regional Office, MoEF, Bangalore.
  13. The project authorities should inform the DEIAA Raichur and the Regional Office, MoEF, Bangalore regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
  14. The Regional Office of MoEF, Bangalore; DEIAA Raichur and the Karnataka State Pollution Control Board shall monitor compliance of the stipulated conditions. The project authorities should extend full co-operation to the Officer (S) of these offices by furnishing the requisite data / information / monitoring reports.
  15. The project proponent shall submit six monthly report on the status of the implementation of the stipulated environmental safeguards to the DEIAA Raichur and the Regional Office, MoEF, Bangalore; the Central Pollution Control Board and the Karnataka State Pollution Control Board.
  16. A copy of the clearance letter will be marked to the concerned Panchayat. Local NGO, if any, from whom suggestion / representation has been received while processing the proposal.
  17. The project proponent should display the conditions prominently at the entrance of the project on a big panel board for the information of the public.
  18. The Karnataka State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/ Tehsildar's office for 30 days.
  19. The project authorities should 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 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 website of the MoEF at <http://environmentclearance.nic.in/> and a copy of the same should be forwarded to the Department of Environment and Ecology, Government of Karnataka and the Regional Office, MoEF, Bangalore.
  20. 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 Environmental (Protection) Act, 1986.
  21. 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 16 of the National Green Tribunal Act, 2010.
  22. The DEIAA or any other competent authority may alter / modify the above conditions or stipulate any further condition in the interest of environment protection.

23. 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.
24. The above 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.

Yours faithfully,

  
Sri. Pujar Veeramallappa, K.A.S.  
Sub-Divisional Magistrate,  
Raichur Sub-Division  
& Member Secretary,  
DEIAA, Raichur District.

Copy to:

1. The Member Secretary, SEIAA, Department of Forest, Ecology & Environment, Room No. 709, 7th Floor, 4th Gate, Dr. B R Ambedkar Veedhi, M S Building, Bengaluru - 560 001
2. The Secretary, Ministry of Environment & Forests, Government of India, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi - 110 003.
3. The Director, Department of Mines and Geology, Khanija Bhavan, Race course road, Bangalore - 560 001.
4. The Member Secretary, Karnataka State Pollution Control Board, Bangalore.
5. The CCF, Regional Office, Ministry of Environment & Forests (SZ), Kendriya Sadan, IV Floor, E & F Wings, 17th Main Road, Koramangala II Block, Bangalore - 560 034.
6. Guard File.

This is the annexure..... stated in the  
Affidavit of .....

  
**NOTARY**



Annexure - 03.87

**District Level Environment Impact Assessment Authority- Raichur**

Minister of Environment, Government of India, Under section 3(3) E(P) Act, 1986 and S.O.190(E) Notification of Ministry of Environment, Forest & Climate Change, 2016)

No. DEIAA-OS-25-MIN-2017

Date: 08.06.2017

To,

Sri. P L Kambli  
NH 13, Ilakal Road,  
Hunagunda,  
Bagalkot District,  
Karnataka.

Sir,

**Sub:** Quarrying of River Sand in "Jolada Hadagi Sand Mining Block-2" Krishna river bed adjacent to Sy. No 190 & 191 of Jolada Hadagi Village, Devadurga Taluk, Raichur District, Karnataka of Sri. P L Kambli - Issue of Environment Clearance-reg.

\*\*\*\*

This has reference to your application dated 06.06.2017 addressed to DEIAA, Raichur on the subject mentioned above. It has been noted that the proposal is for grant of environmental clearance under the provisions of EIA Notification, 2006, for quarrying of River Sand. The total quarry lease area of the project is 12.20 acre (4.93 Ha), which is a Government Revenue Land. Out of 4.93 Hectares of area, 3.83 Hectares area is for excavation and 1.10 Hectares area is for Safety zone. Working should be carried out as per MoEF guidelines. The water requirement for the project is 6.9 KLD will be purchased locally (mineral water for drinking & tanker water for other purposes). The Mines and Geology Department has approved quarrying plan. Capital cost of the project is about Rs. 75.5 Lakhs. It is reported that the lease area do not attract General conditions specified in the EIA notification 2006 and the amendments made there on.

Jolada Hadagi Sand Mining Block-2: - Extent 4.93 Hectare (12.20 Acres), Krishna river bed adjacent to Sy. No. 190 & 191 of Jolada Hadagi Village, Devadurga Taluk, Raichur District, Karnataka. The area is located in Survey of India Topo Sheet No. 56 D/15 bounded by following co-ordinates of WGS - 84.

SL. No	Latitude	Longitude
1	N 16° 29' 40.20"	E 76° 56' 15.03"
2	N 16° 29' 45.21"	E 76° 56' 13.93"
3	N 16° 29' 43.61"	E 76° 56' 02.34"
4	N 16° 29' 38.36"	E 76° 56' 04.97"
WGS - 84 DATUM		

2. The District Expert Appraisal Committee (DEAC) appraised the project in its meeting held on 7<sup>th</sup> June 2017 recommended for issue of environmental clearance. The District Environment Impact Assessment Authority (DEIAA),

Raichur District has examined the application in its meeting held on 7<sup>th</sup> June 2017 in accordance with the EIA Notification 2006 and hereby accords environmental clearance under the provisions thereof to the above mentioned Sri. P L Kambli for Quarrying of River Sand of capacity 48,000 Tonnes Per Annum as per MoEF guidelines involving quarry lease area of 4.93 Hectares. The clearance is subject to implementation of the following conditions and environmental safeguards:

**A. SPECIFIC CONDITIONS:**

1. Quarry plan approved by the Department of Mines and Geology shall be strictly implemented and shall not be operated beyond the validity period of the approved quarry plan.
2. The quarry lease area to be properly demarcated using the lat-long coordinates and duly erecting 4 feet concrete/ granite pillars on the ground.
3. All the conditions stipulated in the Consent for establishment / operation issued, if applicable by the Karnataka State Pollution Control Board should be effectively implemented.
4. The DEIAA, Raichur reserves the right to withdraw the environmental clearance subject to any change in the quarrying policy by the State Government as may be applicable to this project.
5. Quarrying shall be undertaken strictly in accordance with provisions of MM (D&R) Act 1957/ KMMC RULES-1994 and all its amendments.
6. The quarrying of sand shall be undertaken as specified in the Quarrying plan.
7. Quarrying below subterranean water level shall not be undertaken.
8. No drilling and blasting operations shall be carried out.
9. No in stream mining shall be undertaken.
10. Waste rock shall be stacked appropriately in such a way that it does not obstruct the river flow and shall be used for backfilling of mined out pits.
11. The quarrying operations shall not intersect ground water table. Prior approval of the DEIAA / Ministry of Environment & Forests and Central Ground Water Authority shall be obtained for quarrying below water table.
12. Appropriate safety zone shall be maintained in proximity to any bridge and/or embankment and other permanent structures. No sand mining shall be under taken in such safety / buffer zones. Guidelines issued by the Ministry of Mines in this regard shall also be adhered to.
13. The project proponent shall ensure that no natural water force and/ or water resources are obstructed due to mining operations.
14. No sand mining /transportation from the river bed shall be undertaken between 6 PM to 6 AM.
15. Regular monitoring of ground water level and quality shall be carried out in and around the project by establishing a network of existing wells and installing new piezometers during the mining operation. The periodic monitoring [(at least four times in a year- pre-monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January); once in each season)] shall be carried out in consultation with the State Ground Water Board/Central Ground Water Authority and the

data thus collected may be sent regularly to the Ministry of Environment and Forests and its Regional Office, the Central Ground Water Authority and the Regional Director, Central Ground Water Board. If at any stage, it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out.

16. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board within 3 months and report be submitted to the Authority.
17. The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (ground water or surface water) required for the project.
18. Appropriate mitigative measures shall be taken to prevent the pollution of Krishna River.
19. Mineral handling area shall be provided with the adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
20. The project authority should implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board within 3 months and report be submitted to the Authority.
21. Vehicular emissions should be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in quarrying operations and in transportation of sand.
22. Proper sanitary facilities should be installed for the colony/work place. Domestic waste generated should be disposed in a scientific manner. Proper first aid facilities and health care facilities should be provided for the labourers.
23. Plantation monitoring programme during post project period for ensuring survival and growth rate of plantation in reclaimed area.
24. A Final Quarry Closure Plan along with details of Fund utilization should be submitted to the DEIAA Raichur 5 years in advance of final quarry closure for approval.
25. The infrastructure of transport roads should be improved collectively by the quarry owners of the area.
26. 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 around loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
27. No quarrying shall be undertaken outside the lease area.
28. The project Authorities shall maintain a margin of 7.5 meters along the lease boundary.
29. Site specific eco restoration plan shall be implemented .
30. The project authorities shall also earmark at least 5 % of the total turnover of the project towards the corporate social responsibility and

item-wise details along with time bound action plan shall be prepared and submitted to the Authority.

31. After completion of every monsoon the quantity has to be reassessed and a modified plan may be submitted. If required Environmental Clearance also has to be modified.

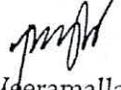
#### B. GENERAL CONDITIONS:

1. No change in quarrying technology and scope of working should be made without prior approval of the DEIAA Raichur.
2. No change in the calendar plan including excavation, quantum of mineral and waste should be made.
3. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the MoEF, Govt. of India, New Delhi.
4. Digital processing of the entire lease area using remote sensing technique should be done regularly once in three years for monitoring land use pattern and report submitted to DEIAA Raichur.
5. Data on ambient air quality (PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, NO<sub>x</sub>) should be regularly submitted to the DEIAA Raichur and the Regional Office, MoEF, Bangalore and the State Pollution Control Board / Central Pollution Control Board once in six months.
6. Fugitive dust emission from all the sources should be controlled regularly. Water spray arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
7. Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc should be provided with earplugs / muffs.
8. Waste water from the quarry should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap shall be installed before discharge of effluents.
9. 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 i.e. once in 3 months to observe any contractions due to exposure to dust and take corrective measures, if needed. Quarterly report in this regard should be submitted to the Department of Environment and Ecology, Govt. of Karnataka and the Karnataka State Pollution Control Board and the Regional Office, MoEF, Bangalore.
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- and Wildlife Department. The proponent shall contribute towards the cost of implementation of the plan and / or Regional Wildlife Management Plan for conservation of wild life. The amount so contributed shall be included in the project cost. A copy of the action plan may be submitted to the DEIAA, Raichur within 3 months.
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Yours faithfully,

  
Sri. Pujar Veeramallappa, K.A.S.  
Sub-Divisional Magistrate,  
Raichur Sub-Division  
& Member Secretary,  
DEIAA, Raichur District.

Copy to:

1. The Member Secretary, SEIAA, Department of Forest, Ecology & Environment, Room No. 709, 7th Floor, 4th Gate, Dr. B R Ambedkar Veedhi, M S Building, Bengaluru - 560 001
2. The Secretary, Ministry of Environment & Forests, Government of India, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi - 110 003.
3. The Director, Department of Mines and Geology, Khanija Bhavan, Race course road, Bangalore - 560 001.
4. The Member Secretary, Karnataka State Pollution Control Board, Bangalore.
5. The CCF, Regional Office, Ministry of Environment & Forests (SZ), Kendriya Sadan, IV Floor, E & F Wings, 17th Main Road, Koramangala II Block, Bangalore - 560 034.
6. Guard File.

This is the annexure..... stated in the  
Affidavit of .....

  
**NOTARY**

No. J-11013/30/2009-IA.II(I)  
**Government of India**  
**Ministry of Environment & Forests**

Paryavaran Bhavan,  
C.G.O. Complex, Lodi Road,  
New Delhi-110003.  
Telefax: 24362434

Dated the 3<sup>rd</sup> June, 2009

**CIRCULAR**

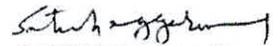
**Sub: Mandate / Guidelines of Monitoring to be followed by the Regional Offices of the Ministry of Environment and Forests – Instructions – Regarding.**

Some instances have been brought to the notice of the Ministry of Environment & Forests where Scientists or Officials of the Regional Offices of this Ministry have been directly interacting with various other Statutory and Regulatory Authorities on behalf of the project proponents on matters concerning the EIA Notification, 2006; such as exemption from public hearing, approval for change of technologies etc.

2. It may be noted that the Regional Offices are to monitor the implementation of the stipulated conditions and environmental safeguards contained in the Environmental Clearance letters, obviously after the project has been granted environmental clearance. Sometimes the Regional Offices are formally requested by the Ministry to provide any specific information as may be requisite for appraisal of any particular project.

3. In view of the above role, it has, therefore, been reiterated that the Regional Offices should not take up issues of any project proponent with various Statutory Authorities directly. Such cases should be invariably referred to the Ministry for advice and guidance, henceforth.

This issues with the approval of the Competent Authority.

  
(S.K. Aggarwal)  
Director

To

1. All the Regional Offices of MoEF
2. Member Secretaries of all the SEIAAs/SEACs

**Copy to:-**

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Director (SVA), Monitoring Cell, IA Division.

This is the annexure..... stated in the  
Affidavit of .....

  
**NOTARY**