

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH KOLKATA**

**I.A. NO. 57 /2024
IN**

ORIGINAL APPLICATION NO. 86/2024/EZ

IN THE MATTER OF:

PRADEEP SINGH SHEKHAWAT

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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4. Proof of service

66

FILED



MADHAV BHATIA, ADV.
A-446, LGF, Defence Colony,
New Delhi-110024,
Mob:9910572585
Email: madhavbhatia@vertarilegal.com

DATE: 08.08.2024**PLACE: KOLKATA**



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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I.A. NO. /2024

IN

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IN THE MATTER OF:

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**APPLICATION ON BEHALF OF THE APPLICANT FOR PLACING ON
RECORD ADDITIONAL DOCUMENTS**

MOST RESPECTFULLY SHOWETH:

1. That the present application is being filed to place on certain communications received from the Respondents to the counsel of the Petitioner during the pendency of the above captioned Original Application bearing OA No. 86/2024/EZ.
2. That the Original Application OA No. 86/2024/EZ has been being filed to raise a substantial question relating to the environment under Section 14 of the National Green Tribunal Act, 2010, arising out of the failure of the Respondents to curb the concerning surge in the illegal mining of minor minerals including

sand, gravel, clay and stone in the State of Assam, without obtaining the requisite permissions under the Air (Prevention and Control of Pollution) Act, 1981 (**'Air Act'**), The Water (Prevention and Control of Pollution) Act, 1974 (**'Water Act'**) and the Environment (Protection) Act, 1986 (**'EP Act'**). Further, by way of the said original application, the Applicant had sought directions against the Respondents to prohibit conducting auctions of Minor Mineral Concession Areas (MMCA) in various districts of State of Assam such as Cachar, Tinsukia, Udalguri, Goalpara, Golaghat, Kamrup Metro, Lakhimpur and Nagaon without following the mandatory procedure for preparation of a District Survey Report (**'DSR'**) which is a pre-requisite and a *sine qua non* for granting any mining leases(s)/permit under the provisions of the Environment Impact Assessment Notification dated 14.09.2006 (**'Notification dated 14.09.2006'**) issued by Union Ministry of Environment, Forest and Climate Change (**'Respondent No. 1'**) and as amended by way of Notification dated 15.01.2016.

3. That the grievance of the Applicant was that the Respondents are conducting auctions of minor minerals in various district of State of Assam without even the preparation of a District Survey Report, which is mandatory as per law.
4. That the above-captioned Original Application has been filed on various grounds which are not being repeated herein for the sake of brevity and the same may be read as part and parcel of this application.
5. That by way of E-Mail dated 01.07.2024, the Respondent No. 13 – District Commissioner, Lakhimpur communicated to the counsel of the Applicant, the Parawise comments dated 29.06.2024 in response to the original application filed by the applicant herein. However, it was later learnt by the counsel of the

Applicant that the said document had not been placed on record by the Respondents.

A true copy of the E-Mail dated 01.07.2024 along with the reply given by the Respondent No. 13 - District Commissioner, Lakhimpur as communicated to the counsel of the Applicant is annexed herewith and marked as **ANNEXURE A-19 (COLLY)**

6. That by way E-Mail dated 19.07.2024, Respondent No. 10 - District Commissioner, Goalpara communicated to the counsel of the Applicant, the Parawise comments dated 16.07.2024 in response to the original application filed by the applicant herein.

A true copy of the E-Mail dated 19.07.2024 along with the reply dated 16.07.2024 given by Respondent No. 10 - District Commissioner, Goalpara is annexed herewith and marked as **ANNEXURE A-20 (COLLY)**

7. That the Applicant had presumed that the said documents have been served to the applicant after duly being filed in the registry of this Hon'ble Tribunal.
8. That on the date of the hearing on 23.07.2024, when the counsel for the Applicant inspected the court records, the counsel realized that while the said documents were not on record of this Hon'ble Tribunal.
9. That during the course of the hearing, the said documents were handed over to the bench as well as the counsels for the other side during the course of hearing as the same were extremely material for the adjudication of the present Original Application as well as the IA No. 32/2024 filed for interim stay.



10. That the said documents are now being filed on record by way of abundant caution by way of the present Application as the said documents are extremely imperative for the adjudication of the Original Applications.
11. That a perusal of the said documents would show that the State of Assam has been conducting auctions that the State of Assam has been conducting auctions of Minor Mineral Concession Areas (MMCA) without obtaining the mandatory District Survey Report (DSR), which has still not been prepared. It is submitted that this represents a significant regulatory oversight that further exacerbates the challenges associated with illegal mining in Assam.
12. That failure of the Respondents to take steps in preparing District Survey Reports (DSRs) before auctioning of Minor Mineral Concession Areas (MMCA) in various districts of the State of Assam such as Districts of Cachar, Tinsukia, Udalguri, Goalpara, Golaghat, Kamrup (Metro), Lakhimpur, and Nagaon represents a serious dereliction of duty of the Respondents to comply with the environmental laws of the country, which needs to be addressed by this Hon'ble Tribunal at the earliest.
13. That the Applicant has a *prima facie* case as the said E-Auction/Tenders have been issued without the preparation of the DSR as has been mandated by the various decisions in *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348, as well as the SSMMG, 2016 and EMGSM 2020
14. That the balance of convenience lies in favour of the Applicant/Environment and no prejudice would be to the Respondents.

15. That the present application is bonafide and has been filed at the earliest opportunity and no prejudice would be caused to the Respondents

PRAYER

It is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a. Allow the present application and allow the Applicant to place the additional documents as Annexure A-19 (Colly) and Annexure A-20 (Colly);
- b. Pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the facts of the present case;

FILED

M Bhatia

MADHAV BHATIA, ADV.

A-446, LGF, Defence Colony,

New Delhi-110024,

Mob:9910572585

Email: madhavbhatia@vertarilegal.com

DATE: 08.08.2024

PLACE: KOLKATA



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH KOLKATA
ORIGINAL APPLICATION NO. /2024**

IN THE MATTER OF:

PRADEEP SINGH SHEKHAWAT ...APPLICANT

VERSUS

UNION OF INDIA & ORS. ...RESPONDENTS

AFFIDAVIT

I, Pradeep Singh Shekhawat, S/o Govind Singh, R/o A-34, A, Vivekanand Colony, Naya Khera, Jaipur, Rajasthan – 302023, aged about 37 Years, do hereby solemnly affirm and state on oath as under:

- 1. That I am the Applicant in the captioned matter and as such am fully conversant with the facts and circumstances of the case and competent to swear this Affidavit.
- 2. That I have gone through the contents of the above-captioned Original Application that has been drafted by my counsel according to my instructions and the contents of the same are true and correct to my knowledge.

17 AUG 2024

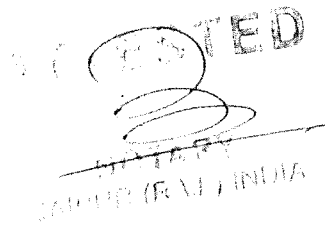
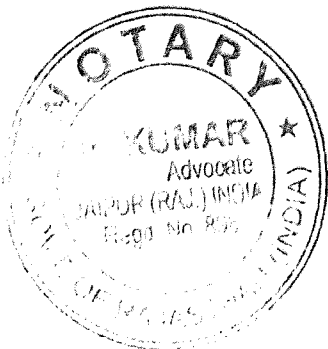
DEPONENT

VERIFICATION

Verified on this 7th day of Aug. 2024 that the contents of the present Affidavit are true and correct to my knowledge and nothing material has been concealed.

17 AUG 2024

DEPONENT






**Regarding Para wise reply against the I.A. No.32/2024/EZ in OA No. 862024EZ
Pradeep Singh Shekhawat Vs Union of India.**

DC Lakhimpur <dc-lakhimpur@nic.in>

Mon 01/07/2024 1:44 PM

To:Dr. Ravi Kota <cs-assam@nic.in>

Cc:Madhav Bhatia <madhavbhatia@vertarilegal.com>;dfo t lakhimpur <dfo.t.lakhimpur@gmail.com>

 1 attachments (9 MB)

OA No. 862024EZ Pradeep Singh Shekhawat Vs Union of India.pdf;

Sir,

Kindly find herewith an attachment.

With regards,
District Administration,
Lakhimpur.





GOVT. OF ASSAM
OFFICE OF THE DISTRICT COMMISSIONER: LAKHIMPUR: NORTH LAKHIMPUR
(DEVELOPMENT BRANCH)
No. DEV/1634/2023-DEVB-LKPR/253892

To,

The Chief Secretary to the Govt of Assam
Block-A, Assam Secretariat
Dispur, Guwahati, Assam

Sub- Regarding Para wise reply against the I.A. No.32/2024/EZ in O.A.
No.86/2024/EZ in the matter of (Pradeep Singh Shekhawat -vs-Union of India
&Ors.)

Sir,

With reference to the subject cited above, I have the honour to submit herewith the Para wise reply against the I.A. No. 32/2024/EZ in O.A 86/2024/EZ in the matter of (Pradeep Singh Shekhawat -vs-Union of India &Ors.) before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in respect of Lakhimpur District.

This is for favour of your kind information and necessary action.

Yours faithfully

Signed by
Gayatri Devidas Hyalinge

Date: 29-06-2024 20:24:07

District Commissioner
Lakhimpur

Memo No. DEV/1634/2023-DEVB-LKPR/253892 -A

Copy to-

1. The Principal Chief Conservator of Forests & Head of Forest Force (PCCF & HoFF) Environment and Forest Department, Guwahati, Assam
2. Sri Madhav Bhatia, Adv., Sri Aditya Pandey, Adv. A-446, LGF, Defence Colony,
New Delhi- 110024, madhavbhatia@vertarilegal.com
3. The Divisional Forest Officer (T) Lakhimpur, for information and necessary action.

E-signed
District Commissioner
Lakhimpur



Para wise reply against the I.A. No. /2024 in O.A. /2024 in the matter of (Pradeep Singh Shekhawat- vs- Union of India & Ors.)

- Para -1 : No comments.
 Para -2 : No comments.
 Para -3 : No comments.
 Para -4 : No comments.
 Para -5.1 : No comments.
 Para -5.2 : No comments.
 Para -5.3 : No comments.
 Para -5.4 : No comments.
 Para -5.5 : No comments.

Para -5.6 : The submission of the petitioner, pertaining to Lakhimpur District of Assam is not completely based on facts. It is admitted that, the District Survey Report pertaining to Lakhimpur District is under the process of preparation. However, the MCA, North Dikrong Sand and Gravel Mining Contract Area of 5.0Ha. (Mineable area 4.91Ha.) (B-2 category) was put to e-auction sale, by the Divisional Forest Officer, Lakhimpur, vide O.O. No.32 dtd.08-02-2024, after receipt of approved Mining Plan, under cover of letter No.GM/MM/86-B(40)/Pt.XI/ 6876-79, dtd.14-02-2023 (**copy of Mining Plan annexed as Annex.I**) and Environmental Clearance, vide Memo No.SEIAA.3379/2023/EC/2064-A, dtd.04-04-2023 (**Copy of E.C. annexed as Annex.-II**) in Dikrong river basin.

As per records, the North Dikrong MCA has been settled in favour of Sri Bishnu Protim Borah, after due process of competitive bidding and on receipt of approved Mining Plan and Environmental Clearance, as mentioned above, at an offered price of Rs.3,95,55,000/- (Rupees Three crore ninety five lakh fifty five thousand) only, for a period of 7 (Seven) years and is at present under operation by the MCA holder w.e.f. 23rd April/2024.

Para-6.a : The submission of the petitioner pertaining to Lakhimpur District is not completely true. As per records, the North Dikrong MCA was put to e-auction sale on receipt of approved Mining Plan from the Directorate and Geology and Mining, Assam and Environmental Clearance (E.C.) from SEIAA as per **Annexure-I** and **Annexure-II** mentioned above.

Para-6.b : No comments.

Para-6.c : No comments.

Para-6.d : The question raised by the petitioner is not completely base on facts and records, since Mining of North Dikrong MCA has been allowed on receipt of approved Mining Plan and Environmental Clearance from the concerned authorities as stated above.

Para-6.e : No comments.

Para-7.1 : No comments.

Para-7.2 : No comments.

- Para-7.3 : No comments.
Para-7.4 : Matter of records.
Para-7.5 : No comments.
Para-7.6 : No comments.
Para-7.7 : No comments.
Para-7.8 : No comments.
Para-7.9 : Matter of records.
Para-7.10 : No comments.
Para-7.11 : No comments.
Para-7.12 : No comments.
Para-7.13 : No comments.
Para-7.14 : No comments.
Para-7.15 : No comments.
Para-7.16 : No comments.
Para-7.17 : No comments.
Para-7.18 : No comments.
Para-7.19 : No comments.

Para-7.20 : The submission of the petitioner is base on news paper reports and not on site reports. Mention may be made that, all mining areas under Lakhimpur District are river bed mining. All the rivers of the District, originate from Arunachal Pradesh and the flood water of the rivers carry huge quantity of minor minerals, that get deposited in the plan river basin areas of the District.

The minings under Lakhimpur District are allowed only on receipt of approved Mining Plan and Environmental Clearance from the concerned authorities. Each mining area is monitored by the respective field units to check proper compliance of conditions of Mining and Environmental Clearance.

- Para-7.21 : Same as Para 5.6.
Para-7.22 : Same as Para 7.20.
Para-7.23 : Same as Para 5.6.
Para-8.1 : Mining under Lakhimpur District is being carried out as per approved Mining Plan and Environmental Clearance issued by the respective authorities, hence the allegation of the petitioner regarding illegal mining neglecting the duty to up hold Environmental loss and protection of citizens welfare is not completely true.

Para 8.2 : Same as Para 8.1.

Para 8.3 : Same as Para 5.6.

Para 8.4 : As already mentioned in reply to Para 5.6, North Dikrong MCA was put to e-Auction sale after receipt of approved Mining Plan & Environmental Clearance issued by the Directorate of Geology and Mining, Assam and State Environment Impact Assessment Authority (SEIAA) and at present the MCA is being operated w.e.f. 23-04-2024 by the approved MCA holder on deposition of due payment to the Govt. as per AMMC Rule-2013, as per records.

Para 8.5 : No comments.

Para 8.6 : No comments.



Para 8.7 : No comments.
Para 8.8 : No comments.
Para 8.9 : No comments.
Para 8.10 : No comments.
Para 8.11 : No comments.
Para 9 : Same as Para 5.6.
Para 10.a : No comments.
Para 10.b : The North Dikrong Sand and Gravel MCA was put to e-Auction sale vide O.O. No.32 dtd.08-02-2024, after receipt of approved Mining Plan & Environmental Clearance from respective authorities and at present the MCA is in operation by the MCA holder after depositing all dues as required under AMMC Rule-2013, w.e.f. 23-04-2024.

Therefore, the prayer of the petitioner may kindly be set aside since the MCA is in operation by the MCA holder following due process.

Para 10.c : Same as reply to Para 10.b.
Para 10.d : No comments.
Para 10.e : No comments.
Para 10.f : No comments.

Signed by
Gayatri Devidas Hyalinge
Date: 25-06-2024 17:48:37

District Commissioner
Lakhimpur



খনিজ সম্পদৰ
অৱেষ্টমেন্ট



GOVERNMENT OF ASSAM
DIRECTORATE OF GEOLOGY AND MINING
BHU-BIGYAN BHAWAN
DAKHINGAON,KAHILIPARA,GUWAHATI-19
Email: dgmassam@gmail.com
dgm.assam@gov.in

No. GM/MM/86-B (40)/ Pt.XI/ 687 ^{৬৪৭} _{৬৪৭} Dtd. Guwahati, the 14th Feb., 2023.

From : - Shri Ananda Kumar Das, ACS,
Director,
Directorate of Geology & Mining, Assam,
Kahilipara, Guwahati-19.

To : - The Divisional Forest Officer,
Lakhimpur Division, North Lakhimpur.

Sub : - Approval of Mining Plan alongwith progressive Mine Closure Plan in respect of **North Dikrong Sand & Gravel Mining Contract Area (Non Forest Land)(area 4.91 hec.) in Lakhimpur Dist.** of Assam State submitted under Rule 51& 52 of Assam Minor Mineral Concession Rules,2013.GPS Locations are :

- 1) 27.121803°N 94.821242°E
- 2) 27.121842°N 94.820364°E
- 3) 27.117078°N 94.821398°E
- 4) 27.117294°N 94.822454°E

Ref : - Your letter No. FLKT/B/North Dikrong Sand & Gravel MCA/ 2022/6850-51
Dtd. 14/11/2022 **The Mining Plan No. 4166**

Sir,

In exercise of the power conferred under under Rule 51 & 52 of Assam Minor Mineral Concession Rules,2013, I hereby approved the aforesaid Mining Plan (including Progressive Mine Closure Plan) prepared by **R.Q.P. Abhijit Bora**. This approval is subjected to the following conditions :

- 1) The Mining Plan alongwith Progressive Mine Closure Plan is approved without prejudice to any other law applicable to the mine area from time to time whether made by the Central Government, State Government or any other authority and without prejudice to any order or direction from any court of competent jurisdiction.
- 2) The proposals shown on the plates and/or given in the document is based on the lease map/sketch submitted by the lessee and is applicable from the date of approval.
- 3) It is clarified that the approval of aforesaid Mining Plan along with Progressive Mine Closure Plan does not in any way imply the approval of the Government in terms of any other provision of Mines & Minerals (Development & Regulation) Act,1957 or the Minerals (Other than Atomic & Hydro Carbon Energy Minerals) Concession Rules,2016 and any other laws including Forest (Conservation) Act,1980, Environment (Protection) Act,1986 or the rules made there under Mines Act,1952 and Rule & Regulation made there under.
- 4) Directorate of Geology & Mining, Assam has not undertaken verification of the mining lease boundary on the ground and does not undertake any responsibility regarding correctness of the boundaries of the precise area as furnished by the lessee.
- 5) At any stage, if it is observed that the information furnished data incorporated in the documents are incorrect or misrepresent facts, the approval of the document shall be revoked with immediate effect.

- 6) This approval is restricted in respect of the proposals contained therein within mining lease area and is applicable from the date of approval and maximum quantity of **Sand & Gravel** recommended for extraction is **90,000 cubic meter & 60,000 cubic metre respectively for five years to be used as filling & construction materials** subject to all statutory compliance and clearances for the mining activities to be carried out within the mining leasehold.
- 7) Adequate number of check dams and retaining walls shall to made & maintained in good conditions to prevent any anticipated detrimental impact on water regime.
- 8) "Safety Berm" of adequate dimension shall be kept at all the places in the vicinity of statutory barrier, high bench/escarpment. It shall also be ensured that no excavation is to be made in the vicinity of any high side wall/escarpment. Stability of benches, escarpments shall be closely monitored .It is the responsibility of the lessee to ensure the stability of all the escarpments/side/benches, Lessee shall take all necessary steps time to time so as to ensure the stability of ground, which includes but not limited to reduction of the high side wall to safe and stable condition within first year itself.
- 9) Sufficient safety Berm shall be maintained with respect to public road/village road.
- 10) In case of patta land, a certificate from Revenue Authority should be obtained that the mining area is a non agricultural land.
- 11) Violation of the provision of the Mining Plan including Progressive Mine Closure Plan shall liable to cancel the Mining Plan.
- 12) Environmental clearance must be obtained from the competent authority before execution except certain cases mentioned in Appendix IX of MOEF & CC Notification S.O.1224(E) dtd. 28th March,2020.
- 13) Divisional Forest Officer should confirm that the lease area does not fall in the National Park, Wild Life Sanctuary, Game Sanctuary, Bird Sanctuary etc including ecosensitive zone and does not affect the animals, birds and biodiversity in anyway.
- 14) There is no provision of mechanized or semi mechanized mode of extraction in case of river sand mining.
- 15) Blasting is not allowed.
- 16) The Divisional Forest Officer should ensure that no additional quantity is to be extracted.
- 17) NOC from DC is needed to obtain in case of earth cutting.

Encl: Approved Mining Plan alongwith Progressive Mine Closure Plan.

Yours faithfully,



Director,

Directorate of Geology & Mining, Assam.

Dtd. Guwahati, the

Feb., 2023

No. GM/MM/86-B (40)/Pt.XI/

Copy to :- 1) The Divisional Forest Officer, Lakhimpur

2) The Superintendent of Police, Lakhimpur

3) Office copy.

-for kind information and necessary action.
- for kind information and necessary action.

Director,

Directorate of Geology & Mining, Assam.

MINING PLAN

NORTH DIKRONG SAND & GRAVEL MINING CONTRACT AREA (NON-FOREST LAND)

DISTRICT: LAKHIMPUR (ASSAM)

(AREA ALLOTTED: 5.0 HECTARES
MINEABLE AREA: 4.91 HECTARES)



APPROVAL FROM
DIRECTORATE OF
GEOLOGY & MINING
ASSAM

SUBMITTED
UNDER RULE – 52 (1) OF THE
ASSAM MINOR MINERAL CONCESSION RULES 2013

Mining Plan is Approved

Borah Choudhury

Joint Director^T
Directorate of Geology & Mining, Assam
Kahilipara, Guwahati-19

BY:
THE DIVISIONAL FOREST OFFICER
(LAKHIMPUR DIVISION)
NORTH LAKHIMPUR,
DISTRICT: LAKHIMPUR (ASSAM)

Abhijit Bora

Abhijit Bora, Ph.D.

Regd. No. DGM/RQP/02/2014

6/2/2023

The Divisional Forest Officer,

Lakhimpur Forest Division, P.O. North Lakhimpur, District: Lakhimpur (Assam)

Ph. 9435103061

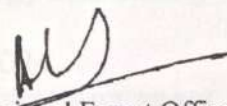
Date: ... 15/12/22 ...

CONSENT LETTER FROM THE APPLICANT

The Mining Plan in respect of the 'North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)' Mining Permit for sand and stone located in the Dikrong river bed, under Dikrong Beat, Harmutty Range of Lakhimpur Division, North Lakhimpur, District: Lakhimpur, Assam for collection of sand and stone for constructional purposes within the State of Assam has been prepared by Dr. Abhijit Bora, resident of 2F/3, Beaufort Apartment, Basisthapur Bye Lane-3, P.O. Beltola, Guwahati- 781028, and a RQP with Registration No. DGM/RQP/02/2014 from Directorate of Geology and Mining, Govt. of Assam, Guwahati with validity up to 09-09-2024, on behalf of the undersigned.

I hereby undertake that the Mining Plan so prepared by the said RQP has been made with my knowledge and consent and shall be acceptable and binding on me in all respect.

For and on behalf of The Divisional Forest Officer, Lakhimpur Division


Divisional Forest Officer
Lakhimpur Division
North Lakhimpur.


Abhijit Bora, Ph.D.
Regd. No. DGM/RQP/02/2014

CERTIFICATE

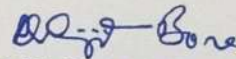
This is to certify that the Mining Plan in respect of the 'North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)' for sand and stone located near Gulajuli, P.O. Merbil, P.S. Laluk, District: Lakhimpur(Assam) in the Dikrong river bed, under Dikrong Beat, Harmutty Range of Lakhimpur Division, North Lakhimpur, District: Lakhimpur, Assam for collection of sand and stone from the Dikrong river bed measuring 5.0 Hectare, has been prepared in favour of the applicant The Divisional Forest Officer (Lakhimpur Division), under the relevant provisions of the Assam Minor Mineral Concession Rules, 2013.

The Applicant shall approach authorities concerned for any other permission, if required, during the process of the Mining Operation.

It is further certified that the information furnished in the Mining Plan is true and correct to the best of my knowledge.

Place: Guwahati

Date: 28/01/2023



Abhijit Bora, Ph.D.

Regd. No. DGM/RQP/02/2014
(ABHIJIT BORA)

Registration No. DGM/RQP/02/2014
Directorate of Geology and Mining
Govt. of Assam

Valid up to: 09-09-2024

Address: 2F/3, Beaufort Apartment,
Basisthapur Bye Lane-3,
P.O. Beltola, Guwahati- 781028

PARTICULARS OF THE RQP PREPARING THE MINING PLAN:

- | | |
|-----------------------------|---|
| 1. Name of the RQP | : Dr. Abhijit Bora |
| 2. Address | : 2F/3, Beaufort Apartment
Basisthapur Bye lane-3
P.O. Beltola
Guwahati- 781028 |
| 3. Registration No. | : DGM/RQP/02/2014
Directorate of Geology & Mining,
Govt. of Assam,
Kahilipara, Guwahati-19 |
| 4. Validity of Registration | : Upto 09-09-2024 |
| 5. Contact Number | : 9864043223 |
| 6 Email ID | : abhijitbora06@gmail.com |

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Annexure 1	Photostat copy of Letter from DFO to The Director, DGM

INTRODUCTION:

The Divisional Forest Officer (Lakhimpur Division), with his office at North Lakhimpur, District: Lakhimpur - 787001 (Assam) intends to operate a Sand and Gravel Quarry in the Dikrong River bed measuring 5.0 Hectares located near Gulaijuli, P.O. Merbil, P.S. Laluk, District: Lakhimpur(Assam) under Dikrong Beat, Harmutty Range of Lakhimpur Division, North Lakhimpur, District: Lakhimpur, Assam. The quarry will be handed over to the successful bidder as per the terms and conditions for the production of sand and gravel to meet up the local demand of sand and gravel for a period of 7 (seven) years, or as recommended by the Department of Environment & Forest, Government of Assam. The mining Plan is prepared for a period of 5 (five) years.

The location of the quarry site as has been recommended by the Department of Environment and Forest, Government of Assam to issue the Mining Contract is in the river bed of River Dikrong, which is a perennial river, for collection of sand and gravel, location of which is described above.

The proposed quarry site is under the jurisdiction of Dikrong Beat, Harmutty Range East Division, North Lakhimpur, District: Lakhimpur, Assam. The area is of 5.0 Hectares, and is the river bed of River Dikrong. The proposed site is not within any protected area under Archeological, Religious, Cultural heritage or Defense establishments. By opening a sand and gravel quarry as proposed, this area will be benefited by the generation of employment opportunities to the local people as well as the growth of economic activities.

Mining Plan is Approved

Banika Choudhary

Joint Director¹
Directorate of Geology & Mining, Assam
Kahilpara, Guwahati-19

Abhijit Bora

Abhijit Bora, Ph.D.
Regd. No. BGM/RQP/02/2014

GENERAL INFORMATION:**The Applicant:**

1. Name : The Divisional Forest Officer
(Lakhimpur Division)
2. Office Address : North Lakhimpur,
P.O. North Lakhimpur,
Dist. Lakhimpur,
Assam- 787001
3. Site Address : North Dikrong Sand & Gravel Mining
Contract Area (Non Forest Land)
Vill. Gulaijuli
P.O. Merbil
P.S. Laluk
District: Lakhimpur (Assam)
PIN: 787031
4. Status of Applicant : Governmental.
5. Mineral Occurring in the area and its use : Sand and gravel to be used for
any constructional & filling purposes.
6. Name of the Quarry : North Dikrong Sand & Gravel Mining
Contract Area (Non Forest Land)
7. Required quantity for extraction : 90000 Cu m for five years
(Sand) (Maximum)
60000 Cu m for five years

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Mining Plan is Approved*Borah Chelley*Joint Director
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- (Gravel) (Maximum)
8. Contract Period : 7 (seven) years
9. Mining Period : 5 (five) years
10. Forest Range & Division : Dikrong Beat, Harmutty Range
Lakhimpur Division,
North Lakhimpur,
District: Lakhimpur, Assam
11. Survey of India Toposheet No. : 83 E/16
involved
12. Latitude/ Longitude : Mining Contract Area
1. N27.121803⁰- E93.821242⁰
2. N27.121842⁰- E93.820364⁰
3. N27.117078⁰- E93.821398⁰
4. N27.117294⁰- E93.822454⁰
13. Nearest Railway Station : Harmutty
14. Nearest Airport : Tezpur
15. Nearest Highway : NH - 52

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LOCATION OF THE PROPOSED CONTRACT AREA:

The location of proposed quarry site is located in the river bed of Dikrong, which is a perennial river and falls under the jurisdiction of Dikrong Beat, Harmutty Range of Lakhimpur Division, North Lakhimpur, District: Lakhimpur, Assam. The location map of the proposed Contract area is shown in the Fig. 1.

The proposed site contains sand and gravel. The other details of the proposed Contract are as follows:

- | | | | |
|----|-----------------------------|---|--|
| 1. | Village | : | Gulaijuli |
| | P.O. | : | Merbil |
| | Police Station | : | Laluk |
| | District | : | Lakhimpur |
| | State | : | Assam |
| 2. | Term of the Mining Contract | : | 5 years |
| 3. | Total area | : | 5.0 Hectares (as per GPS
Coordinates) |
| 4. | Land use pattern | : | River bed with sand and gravel for
collection |

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THE ALLOTTED LAND AND THE TYPE OF SAND AND GRAVEL:

The total area proposed for the grant of Mining Contract to The Divisional Forest Officer (Lakhimpur Division) for collection of sand and gravel is 5.0 Hectares. The area is a part of the river bed of Dikrong River, as described earlier (Fig.2).

As per statement furnished by Divisional Forest Officer, Lakhimpur Division, the total area available for mining is 5.0 Hectares.

The available mineral of the Contract area i.e. 'sand and gravel' are to be extracted following the simple open cast quarrying practice as explained in subsequent chapters.

PROPERTIES OF THE SAND AND GRAVEL:

The sand available is coarse to medium mixed with gravel of different size and shape.

USE:

The minerals so available are suitable for use basically for filling purposes and other constructional purposes.

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RESERVE:

The calculated mineral reserves of the Contract area to be available for extraction are as stated below:

The area of the Contract site = 5.0 Hectares

The mineable area = 4.91 Hectares = 49100 Sq. M

The maximum depth allowed for extraction of the mineral = 3 M

So the total reserve of the minerals available would be = 49100×3
= 147300 Cu M

The above quantity may be termed as 'Inferred Reserve' of the mineral and the actual mineral reserve will be less than the inferred reserve as a considerable volume of the minerals will have to be left unmined for preparation of the benches/ steps as per opencast mining practice. This has been explained separately in the later chapters.

MINEABLE RESERVE OF THE MINERALS:

Assuming the river bed of the Mining Contract Area to be level area, the reserve of sand and gravel available for extraction can be estimated as stated below:-

The mineable area = 4.91 Hectares = 49100 Sq. M

Maximum depth allowed for river bed mining = 3M

So, the total reserve of the sand and gravel would be = $49100 \times 3 =$
147300 Cu M.

The void occurring due to the removal of sand and gravel from the river bed is gradually filled up with sand and gravel carried by the river current. This process is rapid during the rainy season and hence replenishes the reserve of the mineral (sand and gravel) every year. As there will be an accumulation of sand and gravel to a considerable extent during the rainy season and therefore

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within the Contract period of five years, it can be roughly be assed that 2 times the estimated quantity of the minerals, i.e. $147300 \times 2 = 294600$ Cu.M.

For extraction of the sand and gravel under the opencast mining method, three numbers of benches each of 1m depth and 1.5M width may be maintained as indicated in Fig. 3. Since the total period of the Mining Period would be 5 (five) years, the reserve of sand and gravel available for extraction per year would be about $(294600 / 5) = 58920$ Cu Metres.

Mining Loss being assumed as 5% during the extraction operation would be :- $(58920 \times 10\%) = 5892$ Cu.M

The mineable reserve of sand and gravel per year = $(58920 - 5892) = 53028$ Cu.M

Extraction/ collection work of river sand and gravel is normally carried out for 10 months in a year. The work remains suspended for the rest two months in the year due to seasonal monsoon rainfall and other related problems. Considering the number of working days, in a month to be 25 days, the total working days in a year would be = $(25 \times 10) = 250$ days.

So the extraction of river sand and gravel in a year (i.e. for 250 days) would be about = $(53028 / 365) \times 250 = 36320$ Cu M.

So, mineable reserve of sand and gravel during the awarded Mining Contract period of 5 years = $36320 \times 5 = 181600$ Cu.M

The aforesaid quantity of 36320 Cu.M of sand and gravel per year has been estimated considering extraction up to the maximum permissible depth of 3 metres in the river bed from the unmined top surface.

But the sand and gravel of the desired quantity for useful purposes may not be available in the Dikrong River bed up to 3 metres depth. Hence, the mineable reserve of sand and gravel and gravel available for extraction per year up to different depths is assessed as shown below.

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<u>Depth</u>	<u>Mineable reserve of sand and gravel available per year (Approx)</u>
3 metres	36320 Cu. M
2 metres	24212 Cu. M
1 metre	12106 Cu. M
0.5 metre	6053 Cu. M

Samples were collected from the field for Sieve Analysis in a NABL accredited laboratory to determine the volume percentage of sand and gravel available in the permit area. The methodology adopted for the same is described in the attached report. As per the report, sand and gravel (gravel & boulder) present in the area may be divided as 50% of minor mineral is sand, 41% of minor mineral is gravel with some silt (9%).

Hence, the minor mineral available per year in the Contract area is 18160 Cu.M as sand and 14891.2 Cu.M as gravel.

However, the Competent Authority may prescribe the quantity of sand and gravel to be extracted by the Mining Contract Holder as per the terms and conditions of the Contract taking into account the impact on the ecology and environment of the surrounding areas.

However, the quantity of sand and gravel allotted for extraction under the Mining Contract will be within the mineable reserve of sand and gravel available per year as depicted above.

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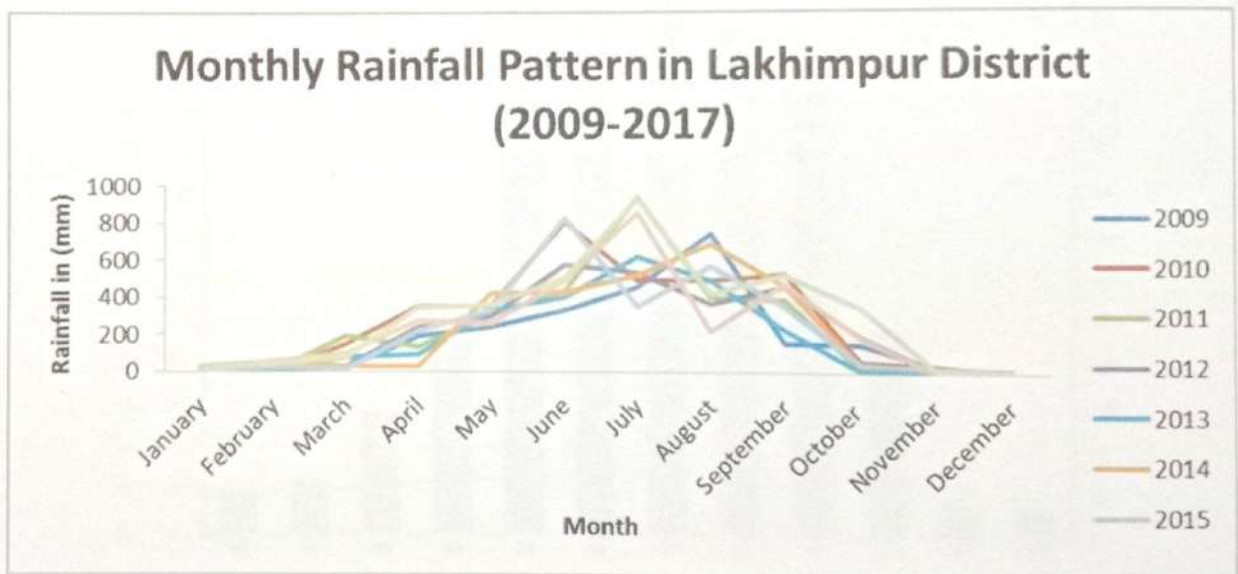
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CLIMATE AND RAINFALL:

This district is situated in the eastern part of Assam. The climate of the area is sub-tropical in nature with hot and humid summer, followed by dry autumn and cold winter. The average humidity is 90% while the average rainfall is 2015 mm. Heavy downpour from June to September under the influence of south-west monsoon is a common feature of the climate of the region. It shows increasing trend from south to north. The area records the maximum temperature of 23⁰C – 34⁰C during the summer months, while the months of December and January record the lowest temperature of 7⁰C – 15⁰C

Highest Temperature	: 34 °C
Lowest Temperature	: 7 °C
Average Annual Relative Humidity	: 90%
Average Annual Rainfall	: 2015 mm



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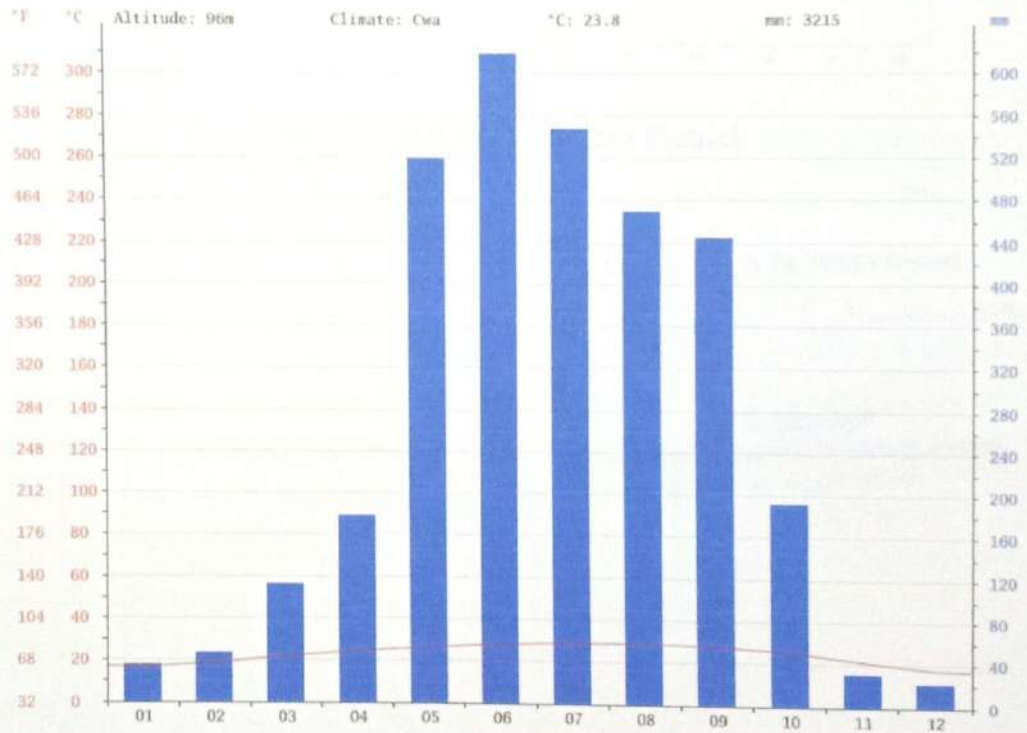
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	January	February	March	April	May	June	July	August	September	October	November	December
Avg. Temperature (°C)	16.4	18.5	21.8	24.3	26.2	28.1	28.8	28.8	27.9	25.7	21.4	17.5
Min. Temperature (°C)	10	12.8	16	19.4	22.2	24.6	25.3	25.3	24.4	21.4	15.7	11.2
Max. Temperature (°C)	22.8	24.2	27.7	29.3	30.2	31.7	32.4	32.3	31.5	30	27.1	23.9
Precipitation / Rainfall (mm)	35	47	112	178	519	618	548	469	444	192	31	22

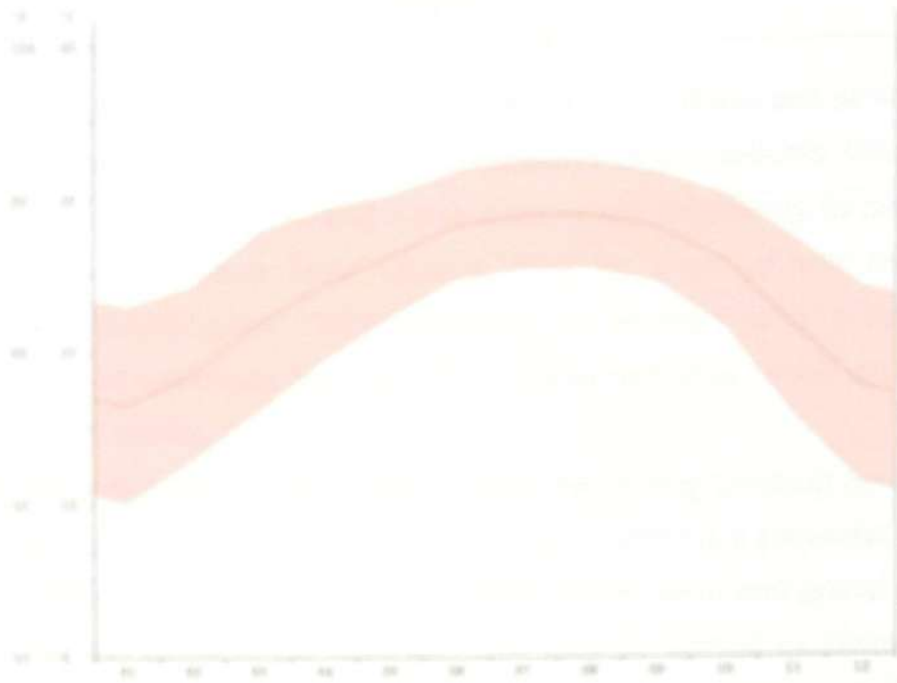
Climate Table/ Historical Weather Data of Lakhimpur District



Climate Graph of Lakhimpur District

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Temperature Graph of Lakhimpur District

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MINING:

In order to ensure mineral conservation, systematic mining and protection of environment, the Assam Minor Mineral Concession Rules (AMMCR), 1994 has been replaced by AMMCR, 2013 and it has been made mandatory to prepare Mining Plan and progressive Mine Closure Plan for grant of any mineral concessions like "Mining Lease", "Mining Contract" or "Mining Permit" in respect of minor minerals for systematic and scientific development of all mines, quarries as well as river bed mining.

In the present case, it is proposed to allow the Mining Contract holder to extract sand and gravel from the river bed of Dikrong, which is a perennial river. The Mining Contract site on the river bed contains mainly sand and gravel to be extracted as per the terms of the Contract. This may be termed as River Bed Mining.

The Mining Contract area being a compact deposit of river sand and gravel and to extract the same from this deposit, manual opencast method of mining is suggested. The holder will adopt the following:

1. The entire boundary of the Mining Contract area will be marked with boundary lines and pillars in all the corner points. The boundary pillars are to be numbered and marked with GPS coordinate there on. Extraction of sand and gravel is to be carried out with a bench height of 0.5 metre to 1.0 metre for the whole area. Use of explosives for mining is not required.
2. The sand and gravel extracted and stacked by the Mining Contract Holder will not exceed twice the average monthly production.
3. The extraction of sand and gravel will be restricted within the central 3/4th width of the river. The average mineable width of the Contract area is to be kept at 240 metres out of the average width of the river being 320 metres as per rule 39(iv) of AMMCR, 2013. (Fig.5)

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- 4. The depth of the river bed mining will not in any way exceed 3 metres at any point in the Contract area from the top of the unmined river bed as per rule 39 (iii) of AMMCR 2013.

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PRODUCTION OF SAND AND GRAVEL:

The Mining Contract proposed to be granted to the applicant The Divisional Forest Officer (Lakhimpur Division) in the river bed of Dikrong is for extraction of sand and gravel manually. The Dikrong River is a perennial river and hence, during the monsoon rains, considerable amount of transported mineral (sand and gravel) is transported by the flow of river water.

As per the Letter No. FLKT/ B/ North Dikrong Sand & Gravel MCA/ 2022/ 6850-21, dtd. 14.11.2022, of the Divisional Forest Officer of Lakhimpur Division, North Lakhimpur, the total Mining Contract period is five years.

As per the Letter No. FLKT/ B/ North Dikrong Sand & Gravel MCA/ 2022/ 6850-21, dtd. 14.11.2022, the total required quantity of the sand and gravel available for extraction in a year upto a depth of 3 metres would be = 30000 Cu M.

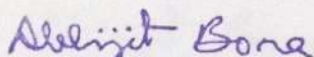
Considering total working days in a year for transportation of the sand and gravel as 250 days, maximum daily transportation of the minerals would be

$$= 30000 / 250 = 120 \text{ Cu M}$$

Considering the carrying capacity of the Trucks/Dumpers to be deployed is of 5 Cu M average, the total trips to be made by the Trucks/Dumpers would be = $120/5 = 24$ per day.

The sand and gravel will be transported from the Stacks to various government, semi-government and private consumers mainly for construction & filling up purposes.

The quantity of sand and gravel stated above is an estimated quantity that may be available for extraction considering the extent of the area of the Mining Contract Site. However, the competent authority shall decide and fix the quantity of sand and gravel to be lifted by the Mining Contract Holder as per terms and conditions of the Mining Contract with due emphasis on the impact on environment and ecology of the surrounding areas.



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PROGRESSIVE MINE CLOSURE PLAN:

The "Assam Minor Mineral Concession Rules 2013" published in March 2013, has made it mandatory to incorporate "Progressive Mine Closure Plan" in the Mining Plan vide Rule 52(5)(VIII) of the said rules. Such a Mine Closure Plan is useful in case of opencast mines or quarries only wherein the question of phased restoration, reclamation and rehabilitation of land affected by mining operation is involved.

The Dikrong River is a perennial river and hence, during the monsoon rains, considerable amount of transported mineral (sand and gravel) is transported by the flow of river water. The instant case of Mining Contract is a river bed mining for sand and gravel only. Sand and gravel is to be extracted from the river bed in a systematic manner as described in earlier chapters. The void created by extraction of sand and gravel from the river bed would gradually be filled up with the sand and gravel carried by the flow of river channel and would be replenished every year. This filling up process is slow in the dry season and rapid during the rainy season. The restoration of the river bed to its original position through natural process is more congenial to the aqua-marine environment than the reclamation with earth/ silt etc. brought from elsewhere. Since the river bed will regain its original position through natural process after closure of the mine on expiry of the Contract Period, a progressive mine closure plan would not be necessary in this case.

Mining Plan is Approved

Barka Choudhury

Joint Director¹

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CONCLUSION:

The proposed Mining Contract for river sand and gravel covering an area of 5.0 Hectares allotted to The Divisional Forest Officer (Lakhimpur Division), with his office at North Lakhimpur, District: Lakhimpur - 787001 (Assam), is meant for extraction/ collection of sand and gravel from the bed of Dikrong River within a period of five years. The river sand and gravel accumulated during rainy season by the flowing water is to be collected manually during the dry season when water level recedes. River bed mining process is not like other open cast mining operations of minerals, rocks etc. The following conclusions are drawn:

1. The Mining Contract involves collection of sand and gravel from Dikrong River bed within a period of five years at the rate of 18000 Cu. M per year for sand and 12000 Cu. M per year for gravel.
2. **There would be no cutting of trees and no blasting is carried out under this mining contract.**
3. The river bed mining does not necessitate any cutting of trees, drilling and blasting etc. As such chances of air pollution would be negligible.
4. Sand and gravel collection at limited quantity through manual means will have least impact on the water quality of the river.
5. Adverse impact on the surrounding environment due to operation of the Mining Contract will be negligible.
6. The extraction of sand and gravel from the river bed will not go beyond the depth of 3.0 metres from the unmined top level of the river bed at any point in no case as stipulated under the provision of rule 39(iii) of AMMCR, 2013.
7. The sand and gravel collection from the river bed would be utilized for various filling purposes.
8. The operation of the Mining Contract would help in upliftment of socio-economic scenario of the locality.

Mining Plan is Approved

Bala Choudhury

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Site Photographs

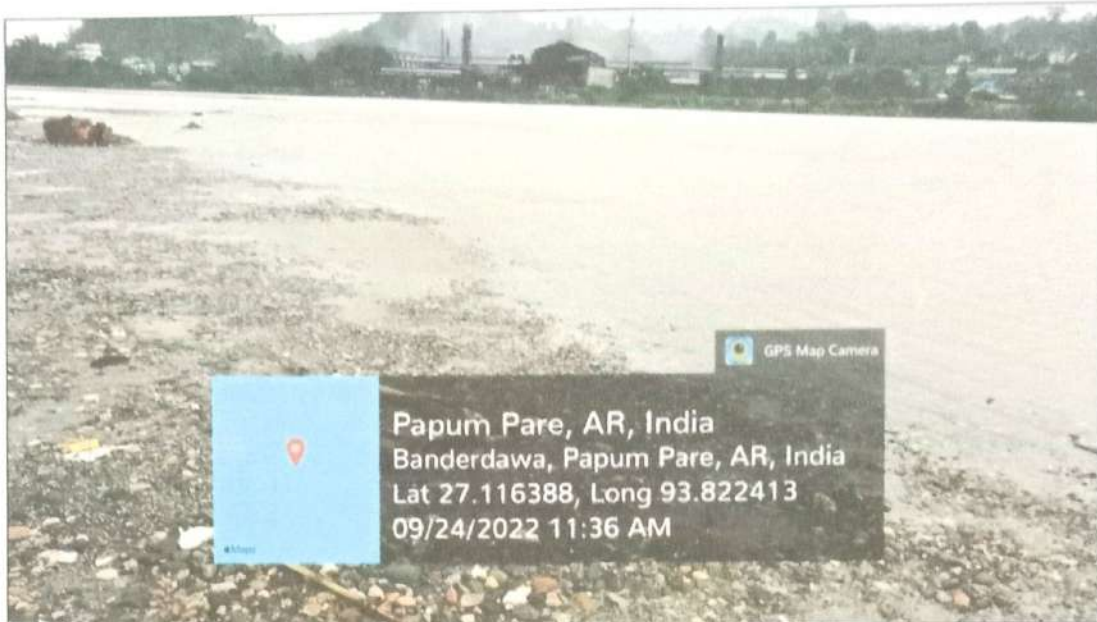


Plate: 1



Plate: 2

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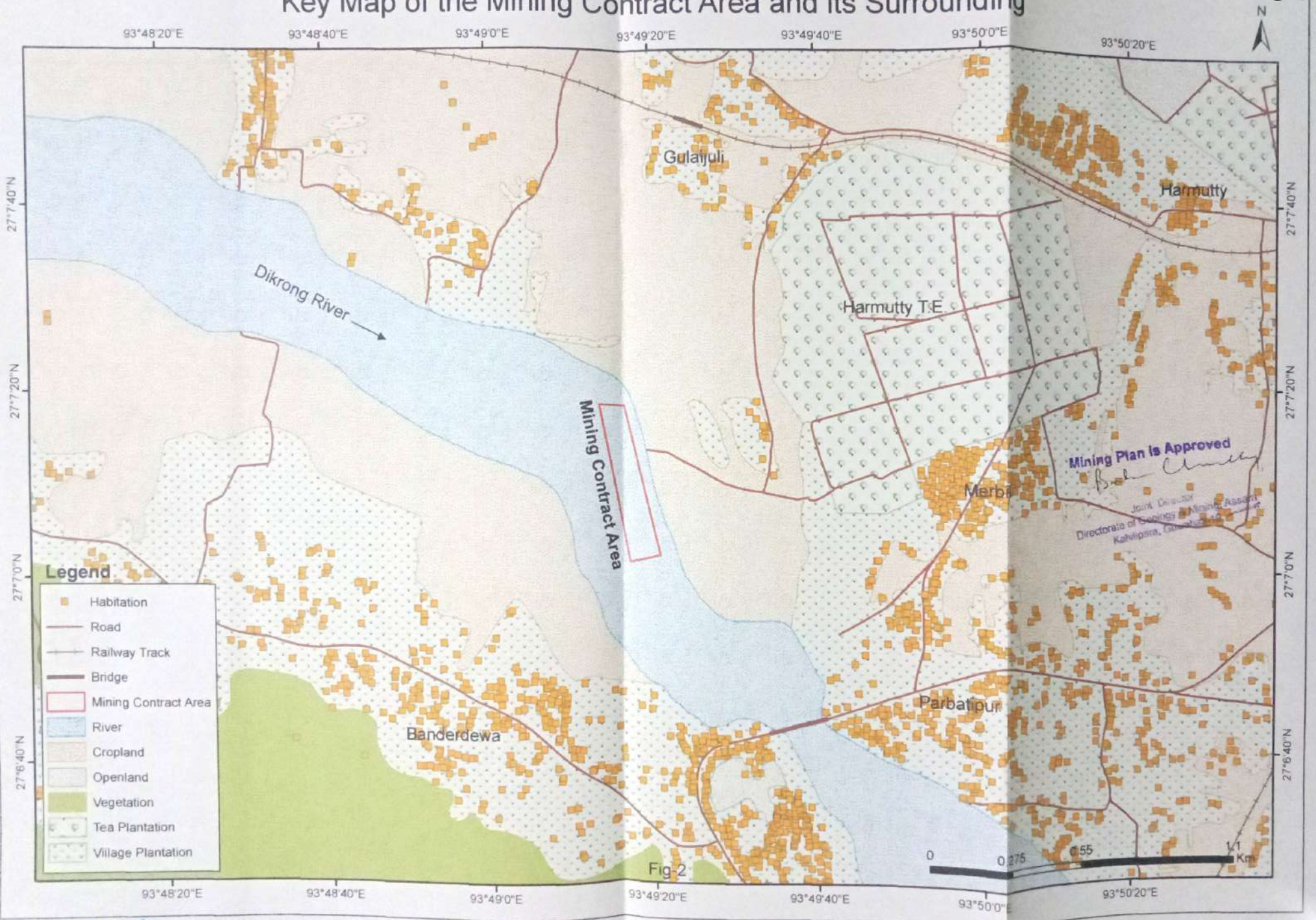
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Key Map of the Mining Contract Area and its Surrounding

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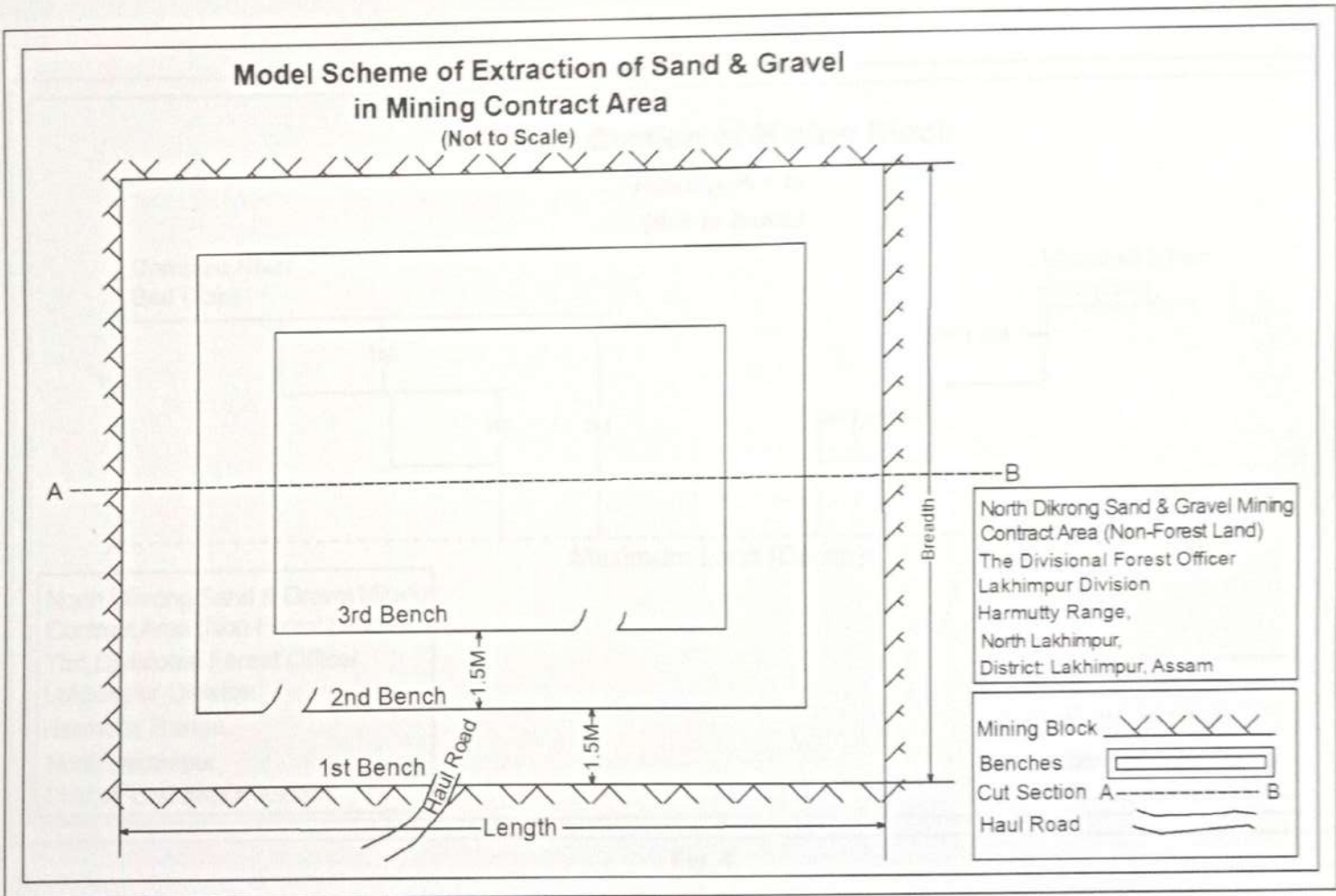


Fig. 3

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- 21 -

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Borah Chatterjee
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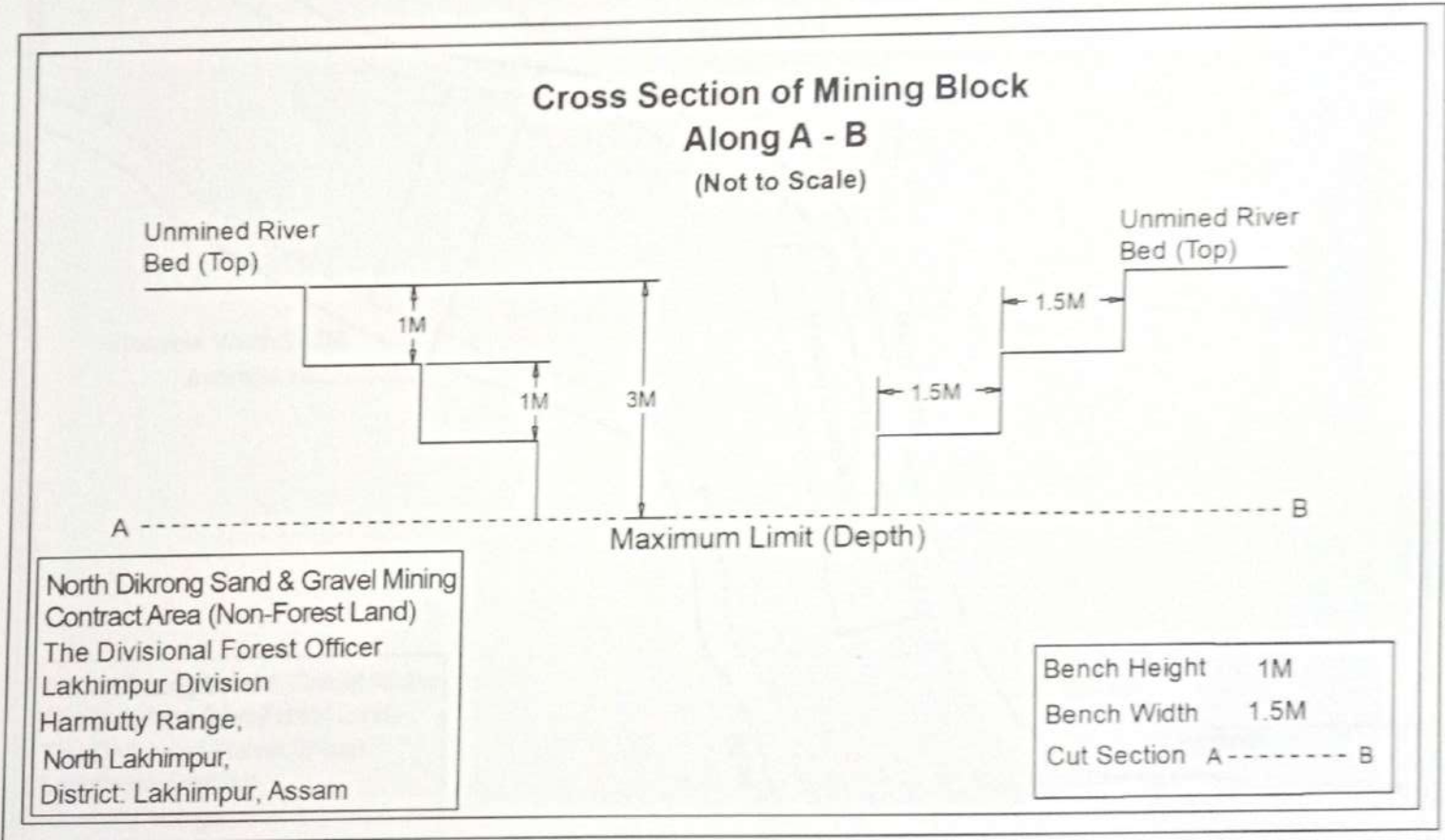


Fig. 4

Sketch Map showing Mineable Area in Dikrong River

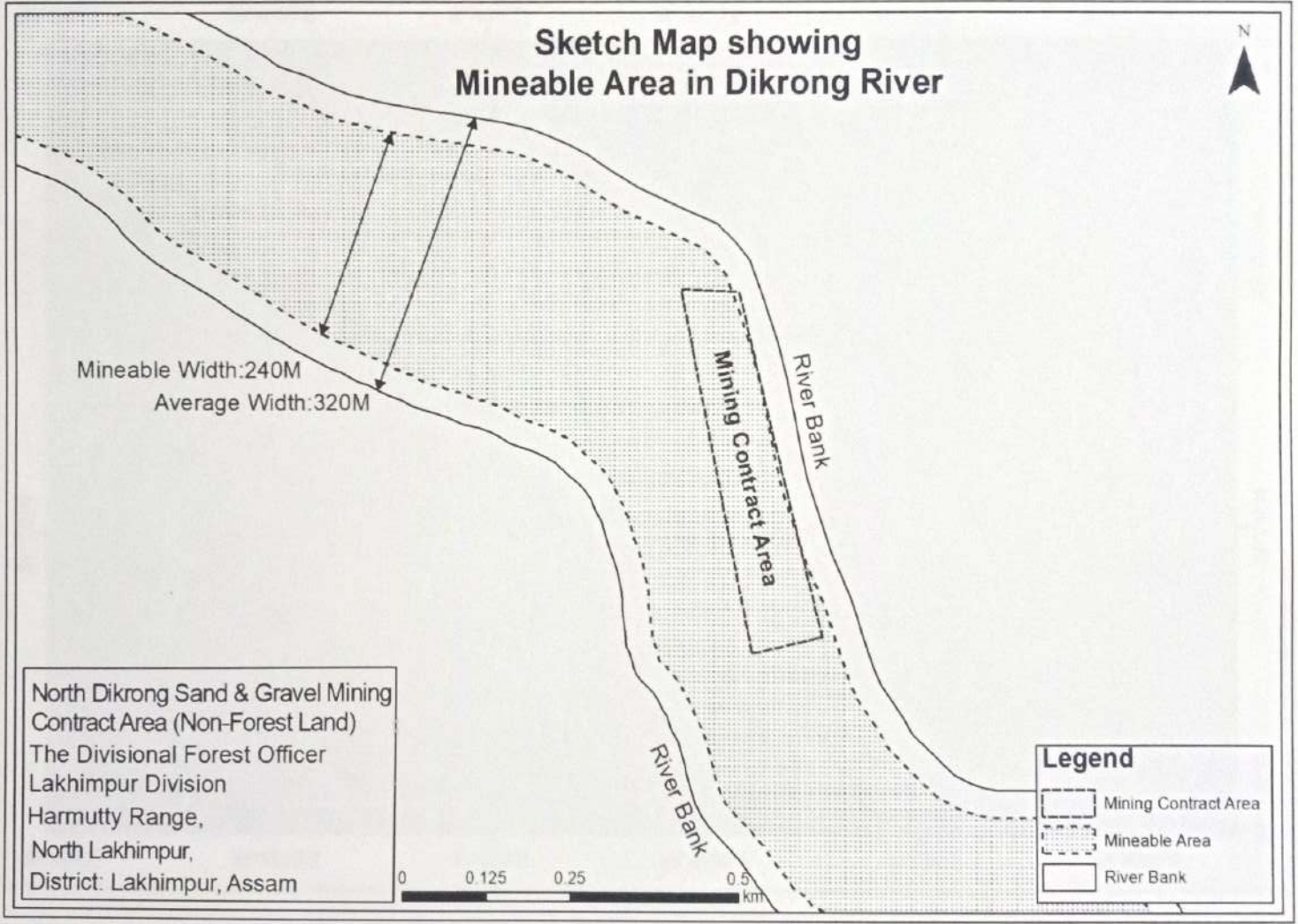


Fig. 5

North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)
The Divisional Forest Officer
Lakhimpur Division
Harmutty Range,
North Lakhimpur,
District: Lakhimpur, Assam

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B. Chatterjee

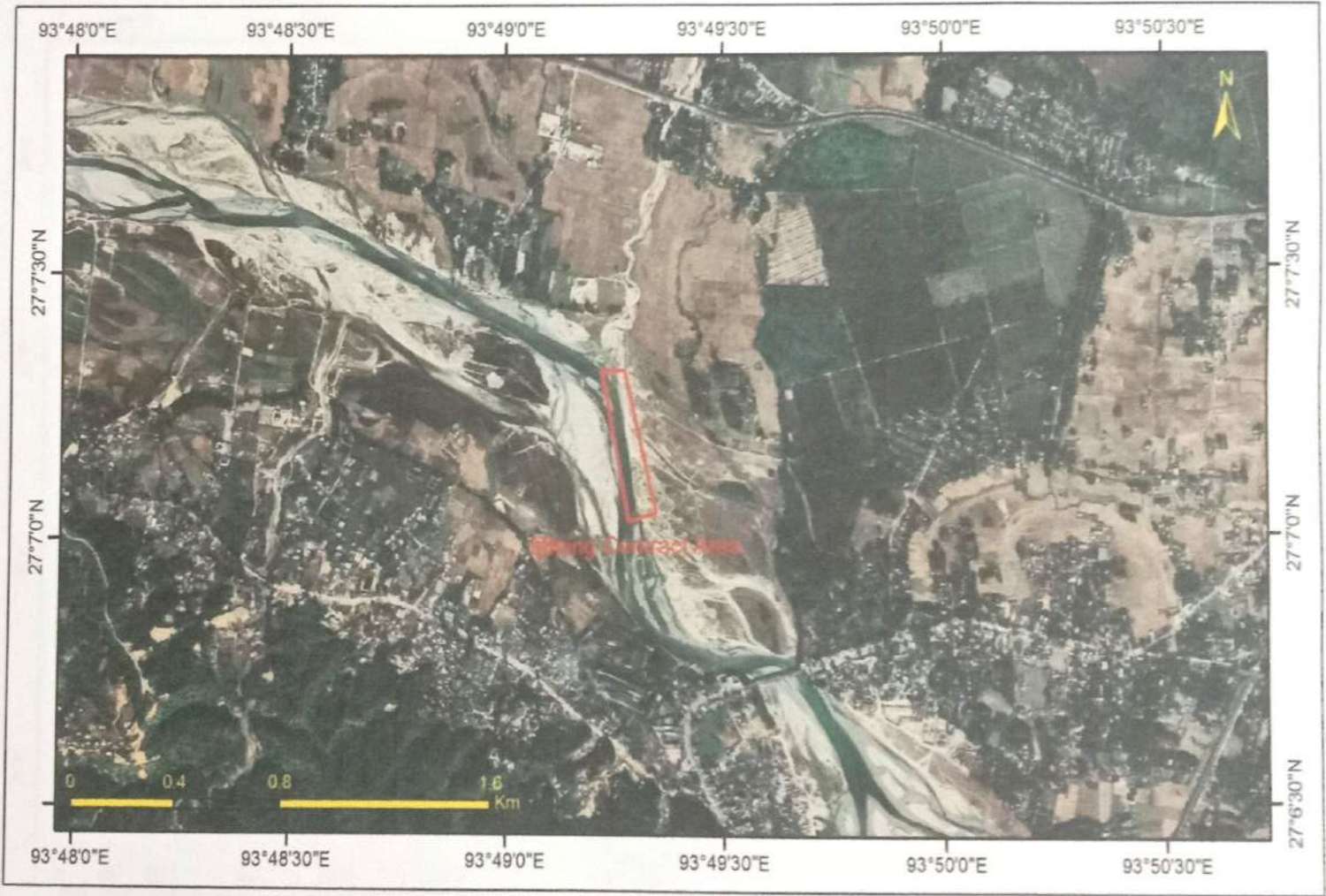


Fig.6: Google Earth image showing Mining Contract Area for sand & gravel in Dikrong River bed.

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Borah University

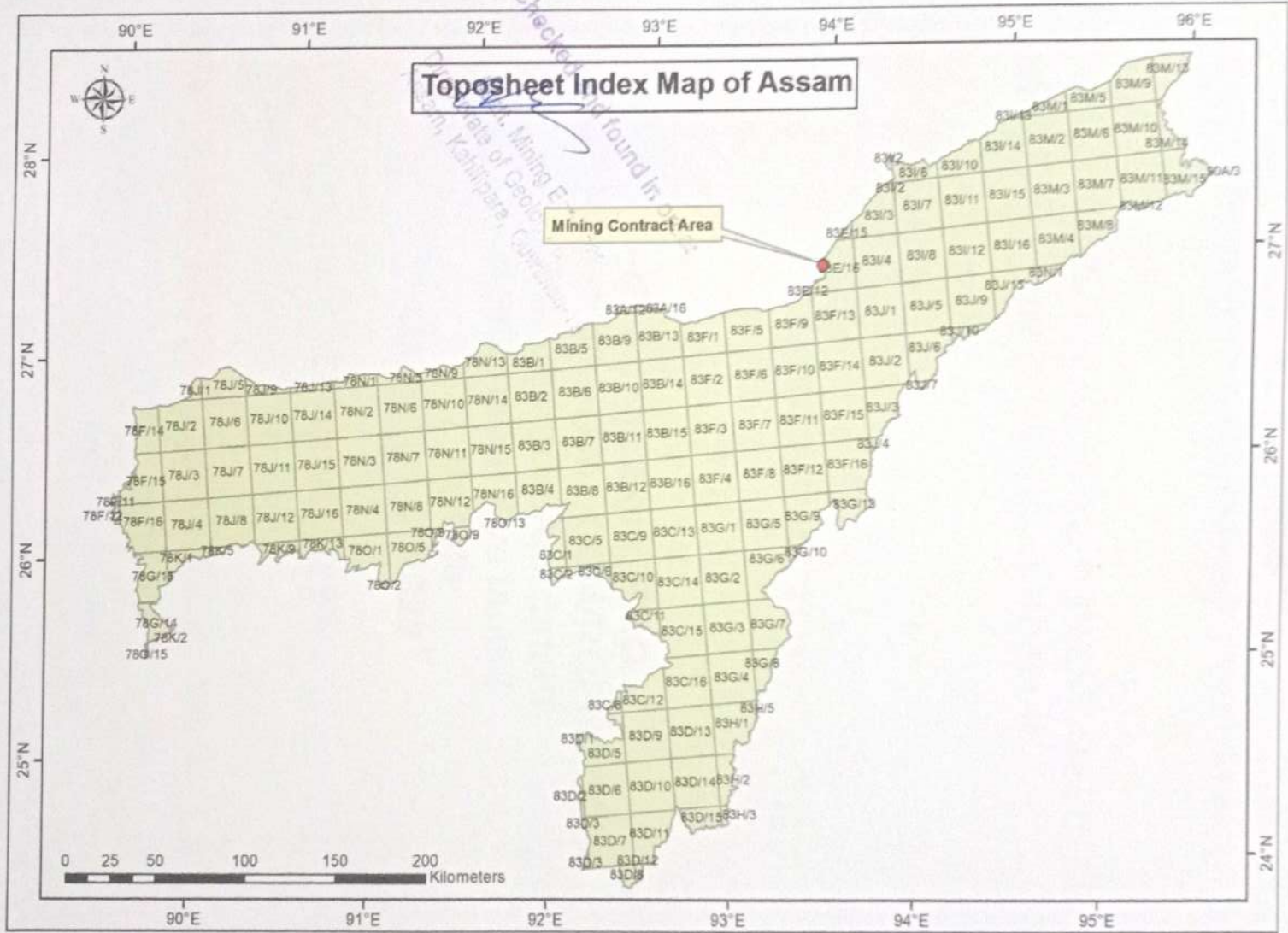


Fig.7: Toposheet Index Map of Assam showing Mining Contract Area

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 Kahilipara, Guwahati-19

REPORT ON**GRADATION OF MINOR MINERAL MATERIAL**

LOCATION: NORTH DIKONG SAND & GRAVEL MINING
CONTRACT AREA

**APPLICANT: THE DIVISIONAL FOREST OFFICER
LAKHIMPUR DIVISION, NORTH LAKHIMPUR.**

REPORT SUBMITTED

TO

**Mr Abhijit Bora, Ph.D.
RQP Registration No.: DGM/RQP/02/2014
2F/3, Beaufort Apartment
Basisthapur Bye lane-3
P.O. Beltola
Guwahati- 781028**

REPORT PREPARED BY:

RELIANT FOUNDATIONS PVT LTD

(An ISO 9001:2015 certified company) Accredited by NABL)

Reliant House, Sun-Polo Colony , Byelane - Dipar Boro Path ,
Near Ayursundra Superspecialty Hospital ,
Ahomgaon , GARCHUK Guwahati-781035

PHONE NO: 09435192896, 7086020945

Email: rel_engrs@yahoo.com

Site : North Dikrong Sand & Gravel Mining Contract Area

Distribution percentage of aggregate particle like Boulder, gravel sand etc present in naturally occurred quarry is determined through Sieve analysis.

It is done as per IS 2386-Part 1.

Procedure to determine particle size distribution of Aggregates.

- i) The test sample is dried to a constant weight at a temperature of $110 \pm 5^{\circ}\text{C}$ and weighed.
- ii) The sample is sieved by using a set of IS Sieves.
- iii) On completion of sieving, the material on each sieve is weighed.
- iv) Cumulative weight passing through each sieve is calculated as a percentage of the total sample weight.

Classification of aggregate as per IS 1498-1970 are as follows

<i>Designation</i>	<i>Size (mm)</i>
<i>Boulder</i>	<i>Above 300</i>
<i>Cobble</i>	<i>300-75</i>
<i>Gravel</i>	<i>75-4.75</i>
<i>Sand</i>	<i>4.75-0.075</i>



Three samples from different location are tested

Sample No	% Boulder	% Gravel	% Sand	% Silt
Sample1	0	43.67	48.75	7.58
Sample2	0	42.61	52.29	5.1
Sample3	0	38.36	49.38	12.26

From analysis of three samples on weight basis it is broadly classified as

Aggregate Type	Distribution In % by weight
Boulder	0
Gravel	41.54
Sand	50.14
Silt	8.31

Loose density of Gravel . = 1.46 Ton/m³
 Loose density of Sand . = 1.44 Ton/m³
 Loose density of Silt . = 1.42 Ton/m³

Aggregate Type	Aggregate Distribution Proportion				Rounded to
	Proportion by weight		Proportion by Volume		
	In %	In ratio	In ratio	In %	
Boulder	0	0.00	0.00	0.00	0
Gravel	41.54	1.00	0.68	41.16	41
Sand	50.14	1.21	0.84	50.37	50
Silt	8.31	0.20	0.14	8.47	9

Aggregate Type	Distribution In % by Volume
Boulder	0
Gravel	41
Sand	50
Silt	9



Location : North Dikrong Sand & Gravel Mining Contract Area

SIEVE ANALYSIS OF MINOR MINERAL MATERIAL

Sample1

Is Sieve Size (mm)	Weight Retained (gm)	% Weight Retained (gm)	Cumulative % of Retained	% of Passing
300	0	0.00	0.00	100.00
75	2548	4.47	4.47	95.53
20	11469	20.11	24.58	75.42
4.75	10891	19.10	43.67	56.33
0.075	27802	48.75	92.42	7.58
Pan	4325			
Total	57035			

% Boulder = 0.00 %
 % Gravel = 43.67 %
 % Sand = 48.75 %
 % Silt = 7.58 %



Location : North Dikrong Sand & Gravel Mining Contract Area

SIEVE ANALYSIS OF MINOR MINERAL MATERIAL

Sample2

Is Sieve Size (mm)	Weight Retained (gm)	% Weight Retained (gm)	Cumulative % of Retained	% of Passing
300	0	0.00	0.00	100.00
75	2165	3.49	3.49	96.51
20	12945	20.85	24.34	75.66
4.75	11348	18.28	42.61	57.39
0.075	32463	52.29	94.90	5.10
Pan	3167			
Total	62088			

% Boulder = 0.00 %

% Gravel = 42.61 %

% Sand = 52.29 %

% Silt = 5.10 %



Location : North Dikrong Sand & Gravel Mining Contract Area

SIEVE ANALYSIS OF MINOR MINERAL MATERIAL

Sample3

Is Sieve Size (mm)	Weight Retained (gm)	% Weight Retained (gm)	Cumulative % of Retained	% of Passing
300	0	0.00	0.00	100.00
75	2437	3.49	3.49	96.51
20	10926	15.63	19.12	80.88
4.75	13452	19.24	38.36	61.64
0.075	34521	49.38	87.74	12.26
Pan	8570			
Total	69906			

% Boulder = 0.00 %
 % Gravel = 38.36 %
 % Sand = 49.38 %
 % Silt = 12.26 %





IS Sieves



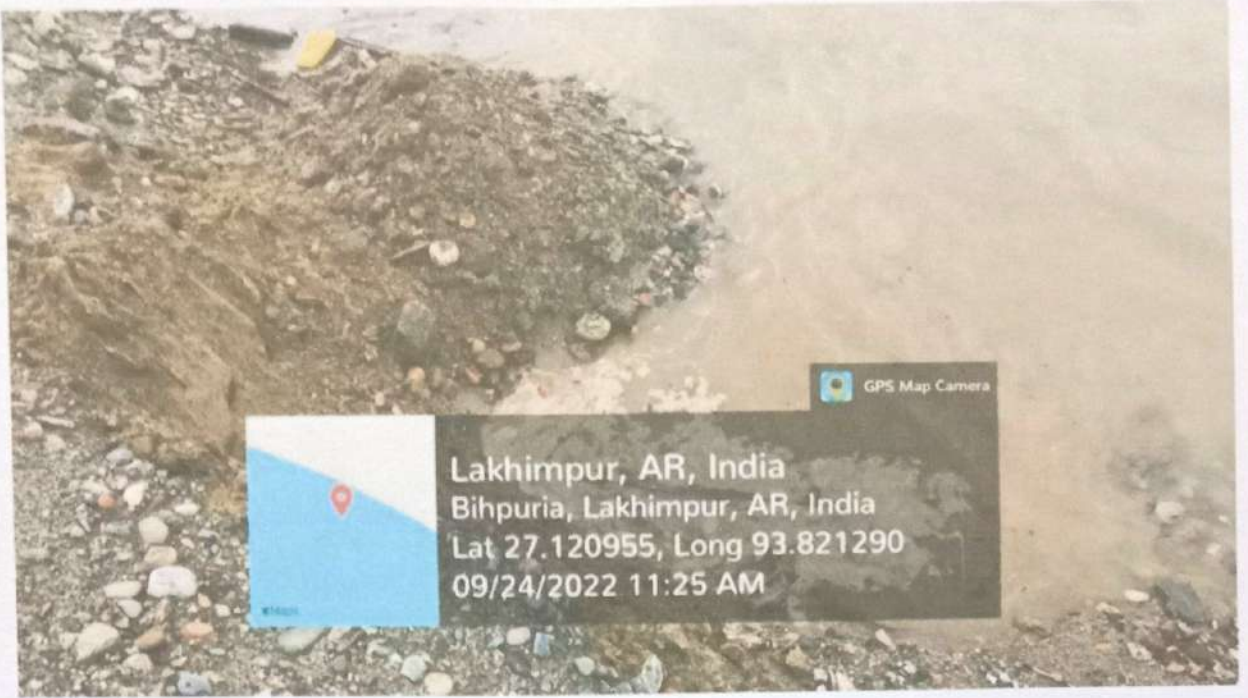
Digital Balance



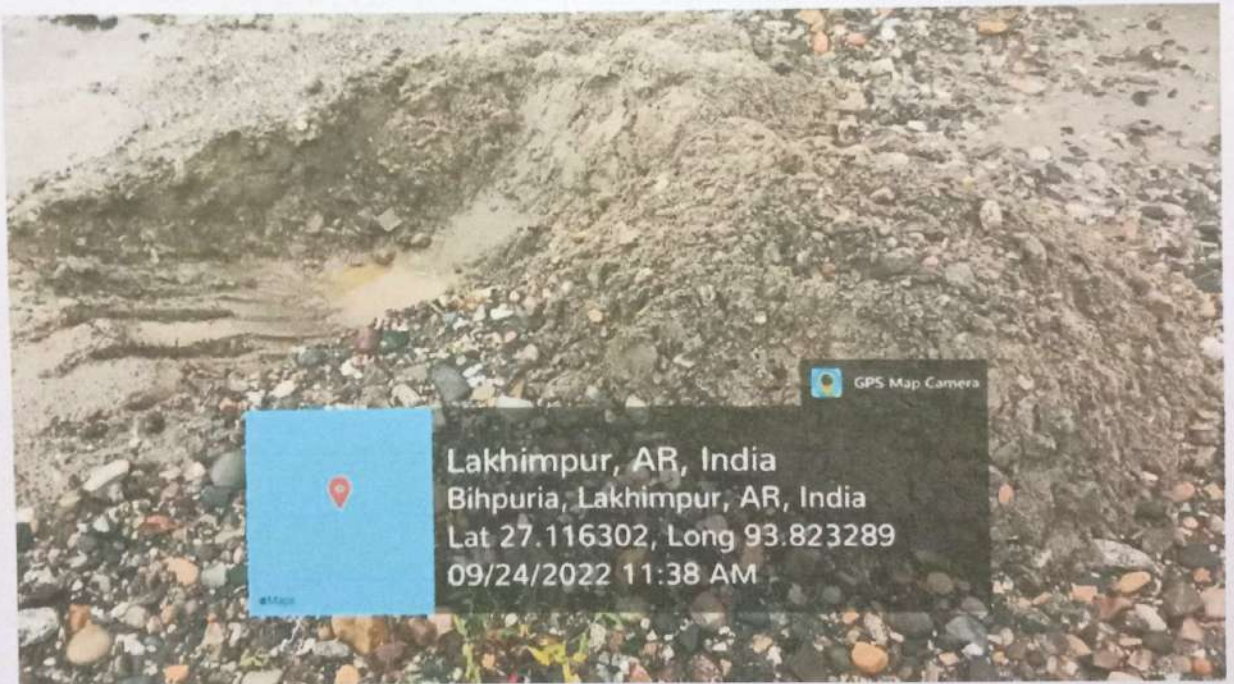
Hot Air Oven

Photograph of Equipment Used





Sample 1



Sample 2





Sample 3

Site Photo

Name of the Mahal: North Dikrong Sand & Gravel Mining Contract Area



GOVERNMENT OF ASSAM
OFFICE OF THE DIVISIONAL FOREST OFFICER :LAKHIMPUR DIVISION;
NORTH LAKHIMPUR. E-mail ID: dfo.t.lakhimpur@gmail.com

Letter No. FLKT/B/North Dikrong Sand & Gravel MCA/2022/ 6850-57 Date: 14/11/2022
To,

Dr. Abhijit Bora.
2F/3, Beaufort Apartment
Basisthapur, Bye Land-3
P.O- Beltola, Guwahati-28.
E-mail ID: abhijitbora06@gmail.com

Sub: Preparation of Mining Plan of North Dikrong Sand & Gravel Mining Contract Area (Non Forest land) 5Ha.

Ref:- O/o the PCCF & HoFF, Assam O.O. No.956 dtd.2nd August'2018.

Sir,

With reference to the subject cited above, I would like to inform you that, as per the Principal Chief Conservator of Forests & Head of Forest Force, Assam O.O.No.956 dtd.2nd Aug.'2018, you have been empanelled with the Principal Chief Conservator of Forests & Head of Forest Force, Assam for preparation of Mining Plan of Minor Minerals mentioned in Schedule 'Y' of the Assam Minor Mineral Concession Rules-2013.

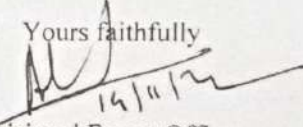
Hence, I would like to request you kindly to prepare Mining Plan of North Dikrong Sand & Gravel MCA, 5Ha. at your earliest for my onward necessary action.

In this connection, a copy of the "Information Memorandum" prepared by the undersigned is enclosed herewith for your ready reference.

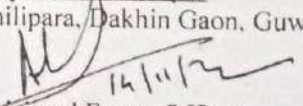
This is for favour of your kind information and necessary action.

Encl:- As stated above.

Yours faithfully

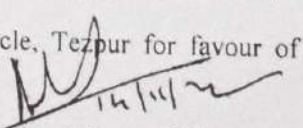

14/11/22
Divisional Forest Officer
Lakhimpur Division
North Lakhimpur.

Copy to the Director, Geology and Mining, Assam, Kahilipara, Dakhin Gaon, Guwahati-19 for favour of his kind information.


14/11/22
Divisional Forest Officer
Lakhimpur Division
North Lakhimpur.

Memo No. FLKT/A/North Dikrong Sand & Gravel MCA/2022/ 2932-34 Date: 14/11/2022
Copy to:

1. The Principal Chief Conservator of Forests & Head of Forest Force, Assam, Panjabari, Guwahati-37 for favour of his kind information.
2. The Addl. Principal Chief Conservator of Forests (T), Upper Assam Zone, Jorhat, for favour of his kind information.
3. The Conservator of Forests, Northern Assam Circle, Tezpur for favour of his kind information.


14/11/22
Divisional Forest Officer
Lakhimpur Division
North Lakhimpur.

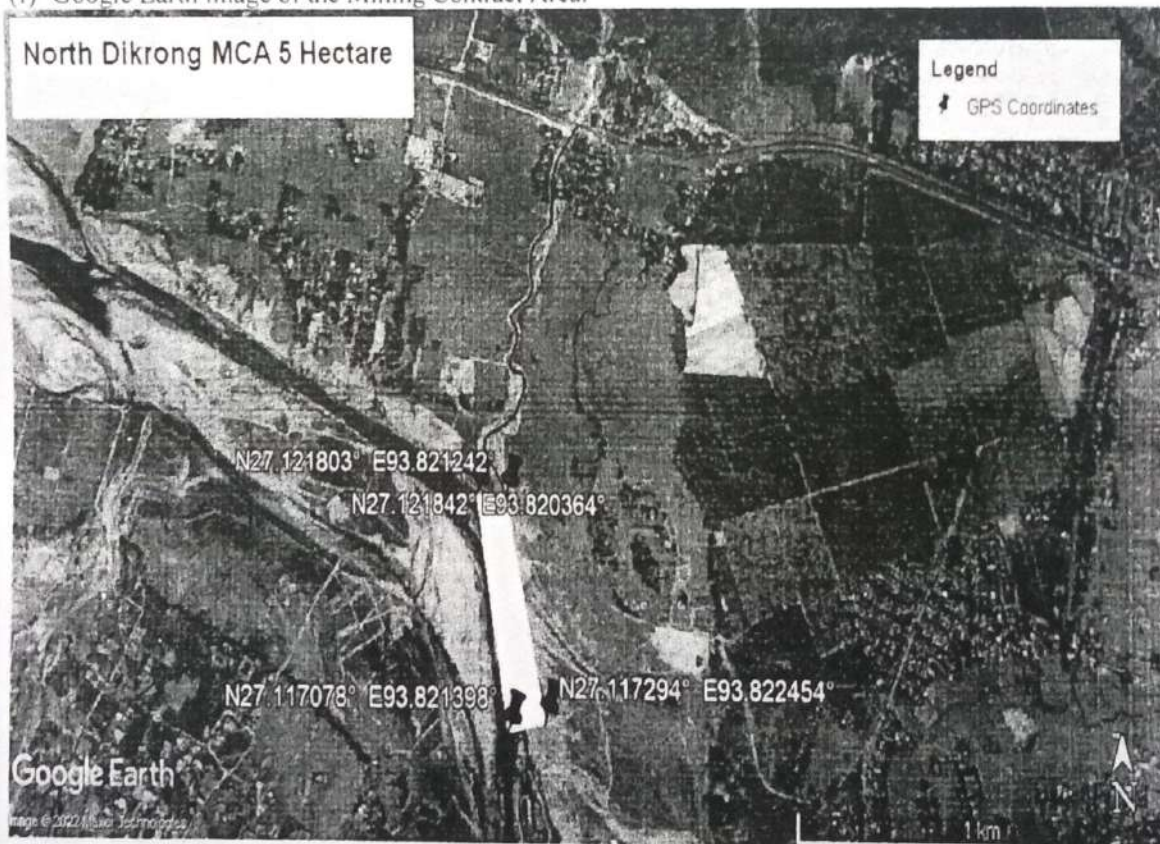
Schedule – A
“Information Memorandum”

1. Name of the Mineral Concession Area : North Dikrong Sand & Gravel MCA.
2. Division : Lakhimpur Division.
3. Range/Beat : Harmutty Range.
4. District : Lakhimpur.
5. Status of Land (Forest/Non-Forest) : Non Forest land.
6. Grant of Mining Contract for collection of Sand = 12000m³ & Gravel = 18000m³ per annum in the mining area subject to scientific assessment of RQP.
 - (a) Area and Estimated Reserves : 5Ha. with Sand = 84000m³ & Gravel = 126000m³
 - (b) Period of Contract/permit : 07 (seven) years from date of signing the agreement.
 - (c) Reserve Price : Rs.3,69,60,000/- (Rupees Three crore sixty nine lakh sixty thousand only).
 - (d) Earnest Money:

10% on reserve price, i.e. Rs.36,96,000/- (Rupees Thirty six lakh ninety six thousand only). However, the earnest money will be 50% of this amount if bidder is an individual belonging to S.T/S.C/OBC i.e. Rs.18,48,000/- (Rupees Eighteen lakh forty eighty thousand only).
 - (e) G.P.S. Co-ordinates of the mining area: The boundary pillars shall be installed on site by the successful bidder at these and other intermediate locations, as per the directions of competent authority, before start of mining operation.

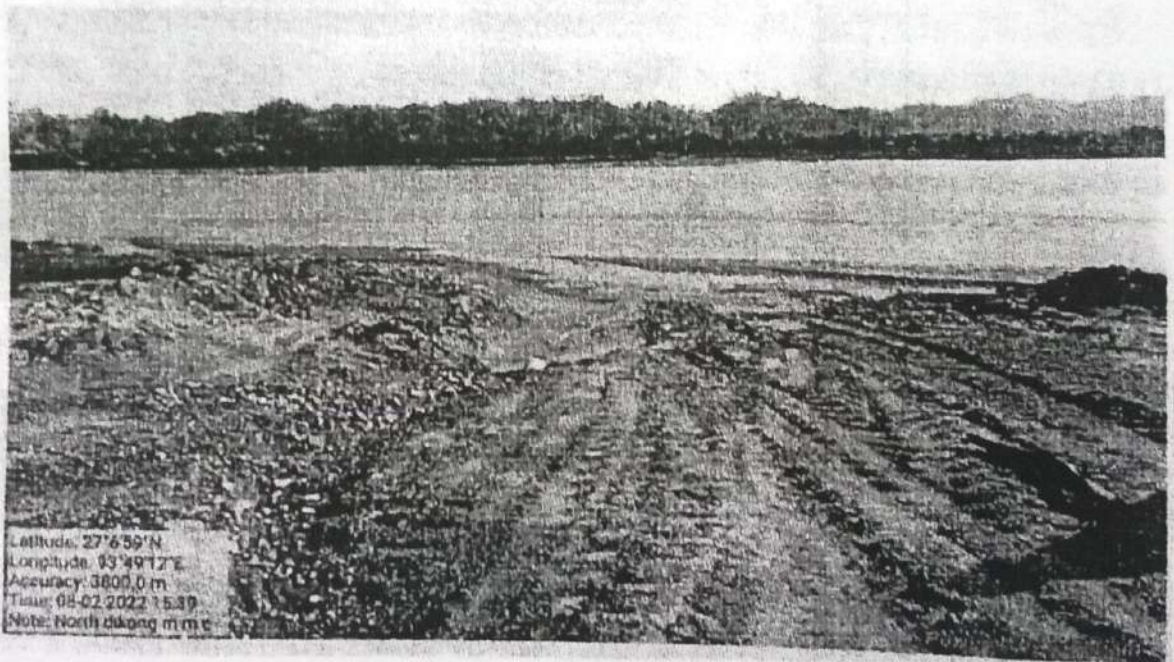
1. N27.121803° E93.821242°
2. N27.121842° E93.820364°
3. N27.117078° E93.821398°
4. N27.117294° E93.822454°

(f) Google Earth image of the Mining Contract Area:



(g) Representative photographs of the Mining Contract Area:

North Dikrong MCA

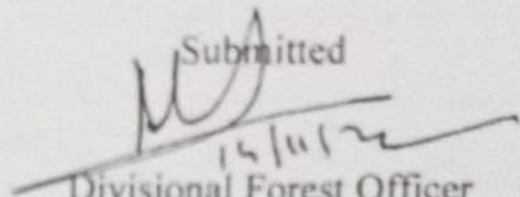


(h) Applicable Clearance:

- * The successful bidder shall have to get the Mining Plan prepared and approved by the competent authority as per provision of rules and bear all costs.
- * The successful bidder shall have to obtain Environment Clearance and other clearances from the competent authority, Govt. of Assam as per the instructions of the Ministry of Environment, Forests & Climate Change, Govt. of India issued vide S.O. 1533(E), dated 14.09.2006 and its subsequent amendments.

- * In case of Mineral concession Area is a Forest land, the Forest Clearance is to be obtained under Forest Conservation Act, 1980 from the Ministry of Environment, Forests & Climate Change, Govt. of India. The successful bidder has to deposit the necessary Net present value, Cost of Compensatory Afforestation, Overhead cost, plus other applicable cost for demarcation, Safety zone etc.
- * Quota for Govt. permits: Excess of Mining Plan Quantity over the bid quantity in case of Contract and Permit. However, for lease, maximum quota for Government works as specified by the competent authority.

Submitted


14/11/22
Divisional Forest Officer
Lakhimpur Division
North Lakhimpur.



952

CHALLAN
TR Form -5(a)

56

GRN	AS005566168202223Y	BARCODE					Date	29/01/2023-20:42:27	Form ID	
Department					Payer Details					
Geology and Mining										
Non-ferrous Mining and Metallurgical Industries102					TAX ID (If Any)					
Type of Payment					PAN No.(If Applicable)					
Office Name					Full Name		The Divisional Forest Officer Lakhimpur Division			
DIPK, Kharap, Metro GEOLOGY and MINING										
Year	2022-2023	CHQ Details	Amount In Rs.	Flat/Block No.	North Lakhimpur					
0853-00-102-7079-000 Approval Of Mining Plan			5000.00	Road/Sec/Building	P.O. Lakhimpur					
				Area/Locality	Dist. Lakhimpur					
				Town/City/District						
				PIN						
				Remarks (If Any)	Kimin Mining Contract Area					
				Amount In	Five Thousand Rupees Only					
Total			5,000.00	Words						
Payment Details					FOR USE IN RECEIVING BANK					
AXIS EASYPAY (No Charges)										
Cheque-DD Details					Bank CIN	Ref. No.	126197621	126197621		
Cheque/DD No.					Bank Date	RBI Date	29/01/2023 20:44:22	Not Verified with RBI		
Name of Bank					Bank-Branch		AXIS EASYPAY (No Charges)			
Name of Branch					Scroll No. , Date		Not Verified with Scroll			

Department ID :

Mobile No. : 9435103061



ENVIRONMENTAL
CLEARANCE



Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), ASSAM)

To,

The -1
DIVISIONAL FOREST OFFICE

S/O: Late Bhabesh Chandra Dev Choudhury, House No-10, Nandan Path,
Rukmininagar, Guwahati, West of GNRC Hospital, Supermatket, Assam
Sachivalaya, Kamrup Metro, Assam-781006 -781006

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)
in respect of project submitted to the SEIAA vide proposal number
SIA/AS/MIN/421054/2023 dated 05 Mar 2023. The particulars of the environmental
clearance granted to the project are as below.

1. EC Identification No.	EC23B001AS110138
2. File No.	SEIAA. 3379/2023
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)
7. Name of Company/Organization	DIVISIONAL FOREST OFFICE
8. Location of Project	ASSAM
9. TOR Date	N/A

The project details along with terms and conditions are appended herewith from page
no 2 onwards.

Date: 11/04/2023

(e-signed)
Indreswar Kalita
Member Secretary
SEIAA - (ASSAM)

*Note: A valid environmental clearance shall be one that has EC identification
number & E-Sign generated from PARIVESH. Please quote identification
number in all future correspondence.*

This is a computer generated cover page.

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environmental Single-Window Hub)



This has reference to your application for Prior Environmental Clearance proposal no. SIA/AS/MIN/421054/2023 dated 06/03/2023 along with Form-1, Mining Plan, D.F.O. letter, Google map with G.P.S. Co-ordinates and other relevant documents for Collection of Sand and Gravel from "North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)" under Lakhimpur Forest Division, Dist. Lakhimpur, Assam.

The quantity of Sand and Gravel to be collected is:

Sand and Gravel: 1,50,000cu.m. (One Lakh Fifty Thousand) only for 5 (Five) years (i.e. 90,000 cu.m. Sand + 60,000 cu.m. gravel = 1,50,000 cu.m.) @ 18,000cu.m. (Eighteen Thousand) Sand and 12,000cu.m. (Twelve Thousand) gravel only for per year.

Allotted Area: 5.0 Ha.

Mineable Area: 4.91 Ha.

The Sand and Gravel shall be extracted from the area of the GPS Co-ordinates mentioned below as per mining plan:

<u>Longitude (East)</u>	<u>Latitude (North)</u>
1. E- 93.821242 ⁰	N- 27.121803 ⁰
2. E- 93.820364 ⁰	N- 27.121842 ⁰
3. E- 93.821398 ⁰	N- 27.117078 ⁰
4. E- 93.822454 ⁰	N- 27.117294 ⁰


The Sand and Gravel shall be extracted manually from "North Dikrong Sand & Gravel Mining Contract Area (Non-Forest Land)" under Lakhimpur Forest Division, Dist. Lakhimpur, Assam.

The proposal was examined and processed in accordance with EIA Notification 2006 and its amendment thereof. The State Level Expert Appraisal Committee (SEAC), Assam examined the documents of the proposal for Collection of Sand and Gravel at its meeting held on 18/03/2023. Accordingly the application was discussed and thoroughly scrutinized by the SEAC and found that the project falls under I(a) and considered as B₂ Category of EIA Notification 2006 and subsequent amendments. The Committee recommended the project to the SEIAA, Assam for issuance of Environmental Clearance.


Based on the recommendation of the SEAC, the State Environment Impact Assessment Authority, Assam (SEIAA) considered the proposal in its meeting held on 29/03/2023 and accords Prior Environmental Clearance to the project as mentioned above under the provision of EIA notification 2006 and its subsequent amendments issued under Environment Protection Act 1986 subject to compliance of following specific and general conditions.

The operational area must be confined to the given 4.91 Ha proposed area bound by the coordinates mentioned above and there shall not be any other area of extraction contiguous to this. The project proponent is to submit a declaration in writing to this effect before commencement of the work.

I. Specific Conditions


Member Secretary
SEIAA, Assam

1. The legal status of the mining area remains unchanged.
2. The lease holder shall undertake adequate safeguard during extraction of Sand and Gravel and ensure that due to this activity, the hydro geological and ecological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area during the mining operation. 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.
3. Manual/Semi mechanize (*as per Mining Plan*) low impact extraction of Sand and Gravel shall be undertaken.
4. 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 as at 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. The status of implementation of measures taken shall be reported to SEIAA and work shall be completed before the start of mining.
5. Quarrying shall be restricted within the area as per GPS Co-ordinates mentioned above.
6. There shall be stockyard to stock mining material outside the quarry site. Parking shall not be made on public road.
7. The following measures are to be further implemented to reduce air pollution during transportation of mineral:
 - i. Roads shall be graded to mitigate the dust emission.
 - ii. Over filling of tippers and consequent spillage on the roads shall be avoided.
8. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 issued by the MoEF, Govt. of India.
9. Mining shall be limited to day time only.
10. No mining shall be carried out in the safety zone of any bridge and / or embankment.
11. No mining shall be carried out in the vicinity of natural / manmade archaeological sites.
12. No wildlife habitat will be disturbed and also aquatic Flora & Fauna of the river.
13. **Green belt development shall be carried out in 20% of total mine area either on river bank or along road side considering CPCB guidelines with native tree species in the mining area.**
14. User agency shall not make any fresh approach road over any part of the forest land but may use existing forest road only.
15. Transport of materials shall be done by covering the trucks/tractors with tarpaulin or other suitable mechanism so that no spillage of mineral/dust takes place.
16. Appropriate mitigation measures shall be taken to prevent any kind of pollution. It shall be ensured that there is no leakage of oil and grease from the vehicles used for transportation.
17. Special Measures shall be adopted to prevent the nearby settlement from the impacts of mining activities.
18. Dispensary facilities for first-aid shall be provided at site.



 Member Secretary
 SEIAA, Assam




19. Occupational health surveillance program of the workers should be undertaken periodically.
20. Conservation measures shall be taken for protection of Flora & Fauna in the core and buffer zone.
21. It shall be ensured that collection of mining materials does not disturb or change the underlying soil characteristic of river bed/basin, where mining is carried out.
22. It shall be ensured that mining does not in any way disturb the turbidity, velocity and flow pattern of the river water.
23. Conservation measures shall be taken for protection of flora & fauna in the core and buffer zone.
24. The fauna nesting area shall not be used for mining.
25. This Environmental Clearance is applicable only subject to receipt of mining permit by the project proponent from the Competent Authority as per AMMC Rule, 2013 and subsequent amendment.
26. Measures for prevention & control of Soil erosion & management of site shall be undertaken.
27. No river/Stream should be diverted for the purpose of Sand and Gravel mining. No natural water course and/or water resources are obstructed due to mining operation.
28. No extraction of Sand and Gravel in landside prone area.
29. **The proposed Mining area is approved that subject the condition that the active banks of the river should not suffer damages due to the proposed mining activities & strictly following all other terms and condition laid down in the approved mining plan.**
30. Controlled clearance of riparian vegetation to be undertaken.
31. Vehicles used for transportation of Sand and Gravel are to be permitted only with of fitness & PUC certificates.
32. Health & safety of workers should be taken care of spring sources should not be affected due to mining activities necessary protection measures are to be submitted.
33. The critical parameters such as PM_{10} , NO_x , SO_4 in ambient air within the impact Zone shall be monitors periodically and analysis report shall be submitted to SEIAA, Assam.

II. General Conditions

1. All necessary statutory clearance shall be obtained from competent authority in connection with mining operation and copies of the same shall be submitted to SEIAA, Assam.
2. Special measures shall be adopted to prevent nearby settlements from the impacts of mining activities, maintenance of roads through which transportation of minor mineral is to be undertaken shall be carried out regularly.
3. User agency shall comply with the provisions framed under Assam Minor Mineral concession Rule 2013 and subsequent amendment.
4. The SEIAA Assam may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.


 Member Secretary
 SEIAA, Assam

5. Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawals of this clearance and attract action under the provisions of Environment Protection Act. 1986.
6. The SEIAA, Assam may revoke or suspend the order, if implementation of any of the above conditions is not found satisfactory. SEIAA, Assam will monitor the operation area from time to time and the project proponent shall extend full cooperation for the same.
7. The above conditions will be enforced inter-alia under the provision of 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 & rules.
8. The Environmental Clearance is valid for a period of 5 (Five) years from the date of issue of this order.
9. Under Corporate Environment responsibility (CER), appropriate budgetary provision shall be made as per MoEFCC OM F. No. 22-65/2017-IA.III dated 01/05/2018 and 19/06/2018 commensurate with the total value of the work and to be spent for health improvement, education, drinking water facilities, and other socio-economic upliftment in and around the project area (radius of 10 KM from the project site) in consultation with a Committee having representatives from all sections of the population in the nearby villages and with information to the SEIAA on biannual basis.
10. The project proponent shall submit half yearly compliance reports in respect of the terms & conditions stipulated in this order to the SEIAA, Assam in PARIVESH PORTAL through individual User Id to the SEIAA. The Compliance Report should also include the work done under CER as in 9 above and also under Green Belt development in the project area (to be supported with photographs and other documentary evidences in both cases).
11. The Divisional Forest Officer, Lakhimpur Forest Division, Dist. Lakhimpur, Assam shall realize the Royalty as per existing rate & requested to mount due and regular surveillances on the mining operation to avoid occurrences of irregularities during the mining period. The DFO is also requested to arrange marking of the approved mining area on the ground fixing permanent boundary pillars before starting mining activities as mining is strictly permitted only within the approved mining site and not beyond the limit of the same. He will further ensure that necessary compliance of the terms and condition laid down in the EC be duly complied by the proponent in course of mining operation.


 04.04.2023.

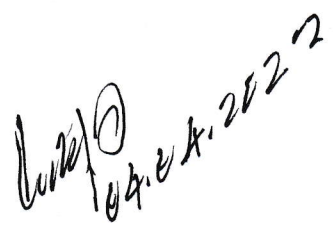
Member Secretary
 SEIAA, Assam
 Bamunimaidam, Guwahati-21.

Memo No. SEIAA.3379/2023/EC/ 2064 - A

Dated: 04/04/2023

Copy to:

1. The Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, MoEF, Indira Paryavaran Bhawan, Jorbagh Rd, New Delhi-110003.
2. The Secretary to the Govt. of Assam, Environment & Forest Department, Dispur, Guwahati-6 Cum Member Secretary, SEIAA, Assam for favour of kind information.
3. The P.C.C.F, HoFF, Govt. of Assam, Panjabari, Guwahati-37 for favour of kind information.
4. The Divisional Forest Officer, Lakhimpur Forest Division, Dist. Lakhimpur, Assam for information & necessary action to ensure that all **Specific Conditions & General Condition** are complied with.
5. The Integrated Regional Office, Ministry of Environment, Forest & Climate Change, 4th Floor, Housefed Building, G.S. Road, Rukminigaon, Guwahati-22 for information.
6. Office Copy.


Member Secretary
SEIAA, Assam

Bamunimaidam, Guwahati-21.


Signature Not Verified
Digitally signed by Shri Indreswar
Kalita
Member Secretary
Date: 4/11/2023 7:41:32 PM

Regarding Submission of parawise comments/reports etc in Original Application No.86/2024/EZ(I.A. No.32/2024/EZ) Pradeep Singh Shekhawat -VS- Union of India & Ors.

DC Office Goalpara <dcofficegoalpara@gmail.com>

Fri 19/07/2024 12:19 PM

To:Madhav Bhatia <madhavbhatia@vertarilegal.com>

 1 attachments (1 MB)

to adv 1907.pdf;

Please find herewith the attachment Regarding Submission of parawise comments/reports etc in Original Application No.86/2024/EZ(I.A. No.32/2024/EZ) Pradeep Singh Shekhawat -VS- Union of India & Ors.



64

GOVT OF ASSAM
OFFICE OF THE DISTRICT COMMISSIONER
GOALPARA (ASSAM)
(DEVELOPMENT BRANCH)

☎ 03663- 240030 / 240028

FAX – 240314

e-mail: dc-goalpara@nic.in

No.GDG-37/2024/ 13

Dated Goalpara the 16th, July,2024

To,

Madhav Bhatia, Adv.
Aditya Pandey, Adv.
A-446, LGF, Defence Colony,
New Delhi-110024,
Mob: 9910572585.

Sub Submission of para wise comments / reports etc.

Ref :: Original Application No.86/2024/EZ
(I.A. No.32/2024/EZ)
Pradeep Singh Shekhawat -VS- Union of India & Ors.

Sir/ Madam,

With reference to the subject cited above, I have the honour to enclose herewith the para wise comments / reports etc. received from the Divisional Forest Officer, Goalpara Division (T), Goalpara in connection with the order of National Green Tribunal Eastern Zone Bench, Kolkata, regarding Original Application No.86/2024/EZ (I.A. No.32/2024/EZ) Pradeep Singh Shekhawat -VS- Union of India & Ors. as sought for.

This is for favour of your kind information and necessary action.

Encl:- As stated above.
Sheets.

Yours faithfully,

District Commissioner,
Goalpara.

Dated Goalpara the 16th, July,2024

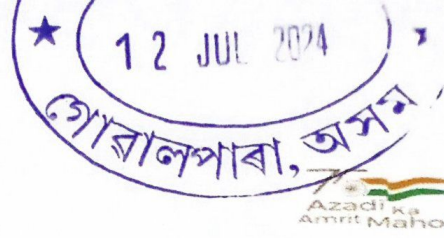
Memo No.GDG-37/2024/ 13

(A)

Copy to:-

C.A. to D.C for kind appraisal of the D.C., Goalpara.

District Commissioner,
Goalpara



65



Handwritten initials and date: 12/7

**GOVT. OF ASSAM
Environment & Forest Department**

OFFICE OF THE DIVISIONAL FOREST OFFICER::GOALPARA DIVISION(T)::GOALPARA

E-mail : dfo.t.goalpara@gmail.com

No. B/GLP (T)/NGT/Misc/2024-25/1620,

Date:11.07.2024.

To,

The District Commissioner,
Goalpara.

Sub: Regarding submission of para wise comments/ reports etc.

I.A No./2024 in O.A/2024 in the matter of Pradeep Singh Shekhawat—vs—UOI & Others.

Ref: Your letter No.GDG.37/2024/11, dtd.28-05-2024.

Sir,

With reference to the subject cited above, I have the honour to submit herewith the para wise Comments/ reports etc. in connection Para wise comments in the I.A No./2024 in O.A/2024 in the matter of Pradeep Singh Shekhawat—vs—UOI & Others as sought for.

Para wise comments in the I.A No./2024 in O.A/2024 in the matter of Pradeep Singh Shekhawat—vs—UOI & Others.

Para 1. All Minor Mineral Concession Areas in division are put to auction only after obtaining No Objection Certificate from the District Commissioner and the Water Resources Department preparation of the mining plan by the Geology and Mining Department, Govt. of Assam and provision of Environmental Clearance by the State Environment Impact Assessment Authority (SEIAA).

Para 2. Machinery is allowed only as per the Mining Plan and terms and conditions in EC.

Para 3. The process for engagement of NABET accredited agency is being carried out by the division for preparation of District Survey Report. The proposal with funding requirement is submitted to the competent authority for sanctioning.

Para 4 to 11. Same as Para 3

Para 12. No Comments

This is for favour of your kind information and necessary action.

Yours Faithfully,

TEJAS
MARISWA
MY

Digitally signed by
TEJAS MARISWAMY
Date: 2024.07.11
15:29:15 +05'30'

(Tejas Mariswamy, IFS)
Divisional Forest Officer,
Goalpara Division(T)::Goalpara.

**Application in OA 86/2024 in matter titled PRADEEP SINGH SHEKHAWAT vs UNION OF INDIA**

Apurv Yash <Apurvyash@vertarilegal.com>

Thu 22-08-2024 18:41

To:secy-moef@nic.in <secy-moef@nic.in>;cs-assam@nic.in <cs-assam@nic.in>;hoff-assam@gov.in <hoff-assam@gov.in>; chairman@pcbassam.org <chairman@pcbassam.org>;chmn-seiaa-as@gov.in <chmn-seiaa-as@gov.in>;dgmassam@gmail.com <dgmassam@gmail.com>;dc-cachar@nic.in <dc-cachar@nic.in>;dc-tinsukia@nic.in <dc-tinsukia@nic.in>;dc-udalguri@nic.in <dc-udalguri@nic.in>;dc-goalpara@nic.in <dc-goalpara@nic.in>;dc-golaghat@nic.in <dc-golaghat@nic.in>;c-kamrupm@nic.in <c-kamrupm@nic.in>;dc-lakhimpur@nic.in <dc-lakhimpur@nic.in>;dc-nagaon@nic.in <dc-nagaon@nic.in>
Cc:Madhav Bhatia <madhavbhatia@vertarilegal.com>;Litigation Team <LitigationTeam@vertarilegal.com>

1 attachments (10 MB)

IA for placing on record Additional Documents-DESKTOP-OLAK6BL.pdf;

You are requested to find attached the application seeking to place on record additional documents in the above captioned matter before the HON'BLE NATIONAL GREEN TRIBUNAL EASTERN ZONE KOLKATA BENCH.

Please note the application is tentatively listed on 30/09/2024 along with the Original Application and this mail shall be treated as proof of service for all purposes.

Regards
Apurv Yash
Associate

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