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BEFORE THE NATIONAL GREEN TRIBUNAL
(EASTERN ZONAL BENCH),
KOLKATA, WEST BENGAL

FINANCE CENTRE, 3rd FLOOR, NEW TOWN

[Under section 25 of the National Green Tribunal Act, 2010]

Execution Application NO. 2 OF 2025

Arising out of

Appeal No.24/2023/EZ



IN THE MATTER OF

- (i) Mohammad Ilyas
- (ii) Md Saraj
- (iii) Arun Kumar Ladia

.....Appellant

VERSUS

State of Jharkhand & ORS

..... Respondents

INDEX

Sl. No.	Particulars	Annexure	Page Nos
1.	Affidavit		1-9

25 FEB 2025

- X -

2.	The acknowledgement e-mail dated 18.02.2025 of SEIAA with enclosures, Jharkhand- Annexure A 1		10-13,
3	Copy of the reply of the Applicant to SEIAA dated 20/02/25- Annexure A2		14-30
4	Copy of the Receipt of transfer Application of EC dated 7/2/23- Annexure A3		31,
5	The copy of the notification dated 3/11/23- Annexure A4		32-34,
6	copy of the authorization- Annexure A5		35,

Paushali Banerjee

Paushali Banerjee

Advocate

7 A Kiron Shankar Roy Road

Kolkata-700001





BEFORE THE NATIONAL GREEN TRIBUNAL
(EASTERN ZONAL BENCH),
KOLKATA, WEST BENGAL
FINANCE CENTRE, 3rd FLOOR, NEW TOWN
[Under section 25 of the National Green Tribunal Act, 2010]

Execution Application NO. 2 OF 2025

Arising out of

Appeal No.24/2023/EZ

IN THE MATTER OF
 Mohammad Ilyas & Ors

.....Appellant

VERSUS

State of Jharkhand & ORS

..... Respondents

Affidavit on behalf of the Applicant

I, Mohammad Ilyas S/o Ahmad Ali, by occupation- business, aged about 48 years, resident of Nimadih. P.O. –Arkhang, P.S.- Dhanwar, District-Giridih Appellant no.1 of the Appeal, solemnly affirm and say as follows:



1. That I am the Appellant No. 1 herein and I am fully conversant with the facts and circumstances of the case and I am competent to affirm this affidavit on behalf of the Appellant no.2 and 3 herein. I am affirming this Affidavit to bring on record certain documents received by the Applicant issued by SEIAA.

2. I say that before bringing on record the documents issued by SEIAA, I say as follows:

(a) the direction of this Hon'ble Tribunal in order dated 23.08.2024 passed by NGT, Eastern Zone Bench, Kolkata in Appeal No. 24/2023/EZ in the matter of Mohammad Ilyas and others Versus State of Jharkhand & Ors was upon " *the Respondent No.1, State Respondent, Government of Jharkhand, to carry out the expert exercise for determination of siting criteria for stone quarries/mines with reference to notified and demarcated forest/forest land and complete the same within a period of two months and notify the siting criteria for establishment of stone mines and stone crushers with reference to the notified and demarcated forest/forest land consistent with existing laws, if not already in existence.*"

(b) I say that to carry out the directions of this Hon'ble Tribunal as stated in the abovementioned paragraph the State should constitute an expert committee and contemplate the sitting criteria for stone quarries from forest land and frame guidelines accordingly .



- (c) I say that the entire exercise of determination of sitting criteria is not exclusively related to the stone crusher of the applicant of this Application, but to the entire State, as specifically directed by this Hon'ble Tribunal.
- (d) I say that at the cost of repetition, that an without constituting an expert committee with all the state respondents including the forest department, CPCB and others concerned it is not possible for the State to *"carry out the expert exercise for determination of siting criteria for stone quarries/mines with reference to notified and demarcated forest/forest land "* as directed in paragraph 65 of the order and judgement dated 23.08.2024 passed by NGT, Eastern Zone Bench, Kolkata in Appeal No. 24/2023/EZ in the matter of Mohammad Ilyas and others Versus State of Jharkhand & Ors.
- (e) I say that the State without constituting an expert committee and starting with the procedure of framing guidelines is fixated with only the matter of the Applicant of this Application. The guidelines framed for *"determination of siting criteria for stone quarries/mines with reference to notified and demarcated forest/forest land"* shall automatically apply to the Applicant of this matter as and when such guidelines are framed.
3. I say that Petitioner no.3 have received an e-mail from SEIAA, Jharkhand on 18.02.2025 at 5:54 PM after conclusion of hearing dated 18.02.2025 before National

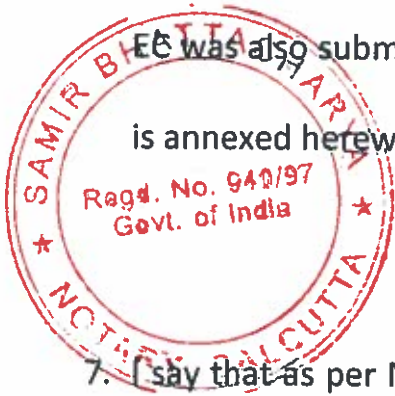


Green Tribunal, Kolkata in Execution Application No. 02/2025/EZ. The acknowledgement e-mail dated 18.02.2025 of SEIAA, Jharkhand is annexed as **Annexure- A1.** to this supplementary affidavit wherein the date and time of its receipt is clearly visible. Two letters i.e Letter No.610 dated 17/02/25 of SEIAA and letter no. 3846 dated 28/12/24 of DFO are attached with this email dated 18/02/25.

4. I say that in the letter no.610 dated 17/02/25 SEIAA (attached with the email of SEIAA dated 18.02.25) have sought for the reply of the Applicant with signatures and also asked for clarification regarding challans of the stone mine from 31/12/14 to 19/08/21 already sent by the Applicant to SEIAA is in the name of MD Ilyas and MD Siraj whereas the Environmental Clearance is issued to Arun Kr Ladia.
5. I say that the Applicant immediately submitted reply dated 20/02/25 to SEIAA, but surprisingly the receipt clerk of SEIAA, Jharkhand assessed the contents of the reply and then spoke to someone over mobile and thereafter received the reply by marking as **"Incomplete Reply"** which indicates that either the receipt clerk was instructed by someone from SEIAA, Jharkhand to write so while accepting the reply or in the alternative the Member Secretary, SEIAA, Jharkhand has delegated his powers to the receipt clerk for assessing the reply *prima facie* while making any receipt. Copy of the reply dated 20/02/25 is annexed herewith and marked as **Annexure -A2.**



6. I say that the mining lease was transferred in the name of MD Ilyas and MD Saraj vide transfer deed dated 26/11/21 duly registered on 30/11/21 and accordingly CTO dated 9/12/21 was issued by the State Pollution Control Board. An application of transfer of EC was also submitted on 7/2/23. Copy of the Receipt of transfer of EC dated 7/2/23 is annexed herewith and marked as **Annexure A3**.



7. I say that as per MOEF notification dated 3/11/23 it is "clarified that subsequent to transfer/acquisition/ demerger/change in name etc., of a project/ unit having a valid EC, from one legal entity to another, all the accumulated environmental obligations as per the valid EC applicable at the time of such transfer shall be deemed to have been transferred to the new entity from the date of such transfer/ acquisition/ demerger/ change in name etc...." It is also stated in the notification that validity of the EC granted for mining projects shall be valid for the project life as laid down in the mining plan,subject to a maximum of thirty years ----"The copy of the notification dated 3/11/23 is annexed herewith and annexed with this Affidavit as **Annexure A4**.

8. I say that subsequent to the transfer Application of EC in accordance to the notification of MOEF dated 3/11/23, it is deemed that the EC of Arun Ladia is already transferred to MD Ilyas and MD Siraj.

~~X~~

9. I say that in my reply dated 20/02/25 to SEIAA annexed with this Affidavit, I have also stated that I was present during the inspection conducted by SEIAA on 25/10/24 through my authorized representative Avinash kumar and Applicant no.3 was present on 16/01/25 , it is evident from the letter dated 25/10/24 and 16/01/25 that are annexed with the reply dated 20/02/25 to SEIAA ,that I am duly represented. I annex copy of the authorization being **Annexure A5** to this Affidavit that display that Mr Avinash Kumar was the authorized representative of the Applicant.

10. *I say that the relief claimed in the Execution Application may be allowed .*



~~X~~



VERIFICATION

I, Mohammad Ilyas S/o Ahmad Ali resident of Nimadih. P.O. - Arkhango, P.S.- Dhanwar, District-Giridih, do verify that

- 1. I am the Applicant No.1 and I on behalf of the other two Applicants verify this Affidavit being one of the transferee of the mining lessee as such I am aware of the facts of this Application before this Hon'ble Tribunal
- 2. That the contents of paras..... 1, 5, 6 & 9of the Application are based on information and/or derived from sources I verily believe to be true. I have not suppressed any material facts; the rest of the paragraphs are my humble submissions.

or

or

Md. Ilyas.
Appellant

Date- 25.02.2025

Prepared in my office

Paushalik Banerjee
Advocate

Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CrPC

Notary

25.2.25

Samir Bhattacharya
Notary Govt. of India
Regd. No.- 940 / 97
CITY CIVIL COURT, CALCUTTA

25 FEB 2025

19/02/2025 20:17

Gmail - Fwd: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of ...

Annexure - 'A1'

M Gmail

Amif Agarwal <caamitag1@gmail.com>

Fwd: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ
M/s Mohammad Ilyas & Ors Vs State of Jharkhand & Ors के संबंध में।

1 message

arun ladia <aladia999@gmail.com>
To: "caamitag1@gmail.com" <caamitag1@gmail.com>

Tue, Feb 18, 2025 at 8:16-PM

----- Forwarded message -----

From: member secretary Selaa <msselaa.jhk@gmail.com>

Date: Tue, 18 Feb, 2025, 5:54 pm

Subject: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of Jharkhand & Ors के संबंध में।

To: <aladia999@gmail.com>

Sir,

Please find the attachment.



With regards,

Member Secretary,
SEIAA, Jharkhand

2 attachments

SEIAA Letter No. 610 Dt. 17.02.2025.pdf
266K

DFO Letter No. 3846 dt 28.12.2024.pdf
1483K



~~X~~

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड
State Level Environment Impact Assessment Authority, Jharkhand
 पौधशाला परिसर, घुर्वा नस स्टैंड के समीप, पो0+थाना-घुर्वा, राँची झारखण्ड, 834004
 ई-मेल. misseina.jhkk@gmail.com; वेबसाइट. www.jseina.in

पत्रांक : 610

राँची, दिनांक : 17 02 2025

प्रेषक:

सदस्य सचिव,
SEIAA,
झारखण्ड, राँची।

सेवा में,

श्री अरुण कुमार लाडिया,
पिता : स्व० विश्वनाथ प्रसाद,
ग्राम : टुण्डी, पोस्ट + थाना : गिरिडीह,
जिला : गिरीडीह- 815301,
झारखण्ड।



विषय : - माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता द्वारा
वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of
Jharkhand & Ors के संबंध में।

प्रसंग : - 1. SEIAA का पत्रांक 319, दिनांक 22.12.2022, पत्रांक 280, दिनांक 15.
10.2024 एवं पत्रांक 338, दिनांक 26.11.2024।
2. वन प्रमंडल पदाधिकारी, गिरिडीह पूर्वी वन प्रमंडल का पत्रांक 1704,
दिनांक 20.05.2023, ज्ञापांक 3373, दिनांक 18.10.2024 एवं ज्ञापांक
3846, दिनांक 28.12.2024।

महाशय,

उपर्युक्त प्रासंगिक विषयक माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी
बेंच, कलकत्ता द्वारा वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of
Jharkhand & Ors में पारित न्यायादेश दिनांक 23.08.2024 के आलोक में आपके पत्थर
खनन परियोजना मौजा : लखनपुर, थाना : बेंगाबाद, जिला : गिरिडीह के
खेसरा सं० 4 एवं 5 (अंश) (1.81 एकड़/0.732 हे०) में आदेश पारित किया
जाना है।

उल्लेख्य है कि प्रश्नगत मामले पर पुनर्विचार कर आदेश पारित करने
हेतु इस कार्यालय के पत्रांक 280, दिनांक 15.10.2024 द्वारा आपसे 03 बिन्दुओं पर

प्रतिवेदन की मांग की गई है। इस क्रम में आपके पत्रांक शून्य दिनांक 18.11.2024 से 03 बिन्दुओं पर प्रतिवेदन समर्पित किया गया है। आपके प्रतिवेदन के अवलोकन से स्पष्ट होता है कि :-

1. वन प्रमंडल पदाधिकारी, गिरिडीह पूर्वी वन प्रमंडल, गिरिडीह के पत्रांक 3373, दिनांक 18.10.2024 से स्थलीय जाँच हेतु दिनांक 25.10.2024 को पूर्वा० 11.00 बजे निर्धारित की गई थी। आपके पत्रांक शून्य दिनांक 23.10.2024, जो वन प्रमंडल पदाधिकारी, गिरिडीह पूर्वी वन प्रमंडल, गिरिडीह को संबोधित है, के कंडिका 5 में सहमति दी गई है तथा अपने जवाब में भी उपस्थित रहने की बात लिखी गई है। लेकिन आपके पत्रांक शून्य दिनांक 18.11.2024 के साथ संलग्न परिशिष्ट 3 (Annexure 3) के अवलोकन से स्वतः स्पष्ट होता है कि संयुक्त स्थलीय जाँच कार्य में आप स्वयं उपस्थित नहीं रहे हैं जिससे स्थलीय जाँच कार्य संपादित नहीं किया जा सका है।

पुनः वन प्रमंडल पदाधिकारी, गिरिडीह पूर्वी वन प्रमंडल, गिरिडीह के पत्रांक 3846, दिनांक 28.12.2024 (छायाप्रति संलग्न) द्वारा संयुक्त स्थलीय जाँच हेतु दिनांक 16.01.2025 को पूर्वा 11.00 बजे तिथि निर्धारित की गई। परन्तु दिनांक 16.01.2025 को की गई संयुक्त स्थलीय जाँच की कार्रवाई में आपके द्वारा भाग लिया गया था कि नहीं, साक्ष्य उपलब्ध करावें।

2. आपके विरुद्ध खनन पट्टा स्थल पर वन प्रमंडल पदाधिकारी, गिरिडीह पूर्वी वन प्रमंडल, गिरिडीह द्वारा अवैध खनन कार्य करने का आरोप लगाया गया है, जिसे आपके द्वारा नकारा गया है। आपके प्रतिवेदन के अनुसार इसका संज्ञान Chief Judicial Magistrate द्वारा भी लिया गया है तथा यह मामला मा० उच्च न्यायालय, झारखण्ड में विचाराधीन है।
3. आपसे दिनांक 01.08.2021 से दिनांक 28.02.2023 तक की अवधि के संदर्भ में संबंधित जिला खनन पदाधिकारी द्वारा निर्गत माईनिंग चालान की सत्यापित प्रति की मांग की गई है। आपके प्रतिवेदन में दिनांक 19.08.2021 से दिनांक 01.11.2022 तक का Md. Ilyns एवं Md. Saraj के पक्ष में निर्गत ऑनलाईन चालान की प्रति भेजी गई है, जो संबंधित जिला खनन पदाधिकारी द्वारा सत्यापित नहीं है।

मा० राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता द्वारा वाद सं० 24 of 2023/EZ M/s Mohammad Ilyns & Ors Vs State of Jharkhand & Ors में दिनांक 23.08.2024 के कंडिका 64 में निम्न न्यायादेश पारित है :-

"..... in case there are rules or guidelines in existence with regard to the siting criteria issued by the Forest Department or State Government the SEIAA, Jharkhand shall consider the same with regard to facts of the present case and pass fresh order in this regard."

उक्त आदेश के विधिसम्मत अनुपालन हेतु में खनन पट्टा से सीमांकित वन भूमि की दूरी का संयुक्त स्थलीय जाँच आवश्यक है।

उसी प्रकार कंडिका 58 एवं 67 में निम्न न्यायादेश पारित है :-

"The Hon'ble NGT has observed that project proponent has encroached in to plot no. 1 and carried out mining operation which is a clear violation of the condition C (2) of Environmental Clearance dated 31.12.2014 and this matter was also to be taken in to consideration while passing appropriate order."

उपरोक्त तथ्य के आलोक में पुनः आपसे निम्नलिखित अभिलेख/दस्तावेज की मांग की जाती है :-

1. संयुक्त स्थलीय जाँच का प्रतिवेदन जिस पर आपका हस्ताक्षर हो।
2. दिनांक 01.08.2021 से दिनांक 28.02.2023 तक की अवधि में किये गये खनन कार्य से संबंधित जिला खनन कार्यालय द्वारा निर्गत माईनिंग चालान की सत्यापित प्रति।

इस कार्यालय के पत्रांक EC/SEIAA/2014-15/518/2014/703, दिनांक 31.12.2014 द्वारा आपके पक्ष (श्री अरुण कुमार लाडिया) में पर्यावरणीय स्वीकृति निर्गत की गई थी। लेकिन आपके द्वारा दिनांक 19.08.2021 से दिनांक 01.11.2022 तक Md. Ilyas एवं Md. Saraj के पक्ष में निर्गत ऑनलाईन चालान की प्रति भेजी गई है। कृपया इसे स्पष्ट करें।

वांछित प्रतिवेदन के अभाव में माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता द्वारा पारित न्यायादेश दिनांक 23.08.2024 का अनुपालन वांछित है।

कृपया इसे अत्यावश्यक समझें एवं वांछित प्रतिवेदन पत्र निर्गत होने की तिथि से 01 सप्ताह के अंदर इस कार्यालय में समर्पित करना सुनिश्चित करें।

अनु० : यथोक्त।

विश्वासभाजन्

12/10/2024
सदस्य सचिव,

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,
झारखण्ड, राँची।

५



Annexure - 'A2'



Date: 20.02.2025

To,

The Member Secretary

State Level Environment Impact Assessment Authority, Jharkhand

Dhurwa, Ranchi - 834004

Sub: National Green Tribunal Eastern Zone Bench Kolkata order dated 30.07.2024 uploaded on 23.08.2024 in Appeal No. 24/2023/EZ Mohammad Ilyas Versus State of Jharkhand

Ref: E-Mail of SEIAA Jharkhand dated 18.02.2025 received at 5:54 PM

Sir,

1. Undersigned Arun Kumar Ladia has received an e-mail from SEIAA, Jharkhand on 18.02.2025 at 5:54 PM after conclusion of hearing dated 18.02.2025 before NGT, Kolkata in Execution Application No. 2/2025; the acknowledgement of which is annexed at Annexure-1 marking date and time of receipt of e-mail.

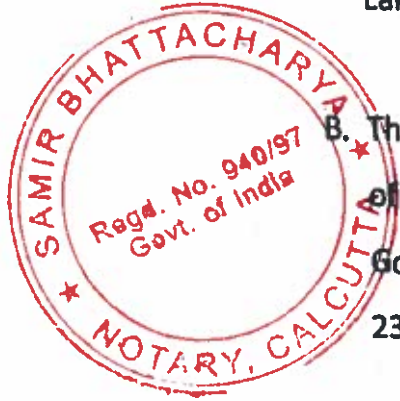
2. Undersigned takes this opportunity to reply the attached Notice No. 610 dated 17.02.2025 of Member Secretary, SEIAA, Jharkhand herein below-

Regarding compliance of notices of DFO, Giridih East

A. Undersigned is in receipt of two notices of DFO, Giridih East bearing No.3373 dated 18.10.2024 and No.3846 dated 28.12.2024 both of which have been complied by the project proponent vide reply dated 23/24.10.2024/25.10.2024/16.01.2025. Project Proponent was duly

- X -

present at demarcation site on 25.10.2024 and 16.01.2025, however the DFO Giridih East or the concerned Forest Range Officer did not present the authentic map demarcating notified forest area of 49.90 Acres out of full plot area of 81 Acres regarding plot No. 01 of Mauza Lakhanpur (Annexure-2 series).



B. The DFO Giridih has not yet communicated a compliance notification of Department of Forest, Environment and Climate Change, Government of Jharkhand in terms of Para 65 of NGT Order dated 23.08.2024.

C. SEIAA, Jharkhand being a statutory authority cannot escape from its duties and responsibilities under the cover of DFO, Giridih East for compliance of NGT Order dated 23.08.2024 including Para 65 of the order of NGT.

Regarding Forest Offence Case No. 2656/2022

A. As far as the Forest Offence Complaint Case No. 2656/2022 under Section 33(1)(b) and 33(1)(c) of the Indian Forest Act is concerned, the named accused persons Md Saraj and Md. Ilyas have moved Hon'ble High Court of Jharkhand against cognizance dated 16.08.2024 taken by learned Chief Judicial Magistrate, Giridih in Cr.M.P. 3049/2024. Hon'ble High Court of Jharkhand has already issued notices to Opposite Party No. 2 to 3 vide order dated 12.11.2024 (Annexure-3). Hence this issue stands subjudiced.

- X -

Issuance of mineral transit challan in favour of Md. Ilyas and Md Saraj

- A. The mining lease stands transferred in the name of Md. Ilyas and Md Saraj vide transfer deed dated 26.11.2021 duly registered on 30.11.2021 and accordingly the Jharkhand State Pollution Control Board, Dhurwa, Ranchi has issued CTO dated 09.12.2021 treating Md Ilyas and Md Saraj as occupier/Agent of Arun Kumar Ladia (Annexure-4). JIMMS Portal of Department of Mines and Geology has got a legal status at Rule 2(k) of Jharkhand Minerals Rules, 2017 and as such copies from JIMMS Portal of State Government does not require attestation from District Mining Officer, Giridih. The transfer deed is at paper book page No. 41-80 of Appeal No. 24 of 2023/EZ.
- B. During the pendency of Execution Application No. 2/2025, no new issues could be raised by either party beyond the order dated 23.08.2024 passed by NGT in Appeal No. 24/2023/EZ.

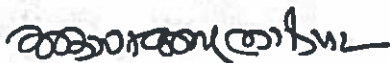
3. An extract of operative part of order of NGT dated 23.08.2024 is reproduced below for ready reference-

"68. We, therefore, allow the present Appeal and set aside the order of the SEIAA, Jharkhand, dated 08.08.2023 and direct the SEIAA, Jharkhand, to reconsider the matter and pass fresh order in the light of the observations made hereinabove within a period of two months"



- ~~17~~
4. That the period of two months has expired way back on 23.10.2024 and the second abeyance order dated 15.10.2024 passed by SEIAA, Jharkhand is hit by principle of *res judicata* and also in gross contempt of NGT order dated 23.08.2024. As such you are requested to immediately restore the environment clearance dated 31.12.2014 as compliance window of two months cannot be stretched indefinitely.

Yours faithfully



Arun Kumar Ladia



Md. Ilyas & Md. Saraj

stonemines4@gmail.com

Enclosure: As above... 3... Pages



18/02/2025, 20:17

Gmail - Fwd: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of

Annexure - 1

M Gmail

Amit Agarwal <caamitag1@gmail.com>

Fwd: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ
M/s Mohammad Ilyas & Ors Vs State of Jharkhand & Ors के संबंध में।

1 message

arun ladia <aladia999@gmail.com>

Tue, Feb 18, 2025 at 8:16 PM

To: "caamitag1@gmail.com" <caamitag1@gmail.com>

----- Forwarded message -----

From: member secretary Seiaa <msseiaa.jhk@gmail.com>

Date: Tue, 18 Feb, 2025, 5:54 pm

Subject: माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच, कलकत्ता में दायर वाद सं० 24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs
State of Jharkhand & Ors के संबंध में।

To: <aladia999@gmail.com>

Sir,

Please find the attachment.

With regards,

Member Secretary,
SEIAA, Jharkhand

2 attachments

SEIAA Letter No. 610 Dt. 17.02.2025.pdf
266K

DFO Letter No. 3846 dt 28.12.2024.pdf
1483K

Annexure - 2 Series



SAVE SAL TREE



SAVE JHARKHAND

**कार्यालय, वन प्रमण्डल पदाधिकारी, गिरिडीह पूर्वी वन प्रमण्डल।**

मोहनपुर, पोस्ट-पचम्बा, जिला-गिरिडीह, पीम कोड-815316

email-giridih-east@gov.in, Phone No.-06592-222177

पत्रांक- 3373 दिनांक- 18/10/2024

सेवा में,

श्री अरुण कुमार लाडिया,
पिता-स्व० विश्वनाथ प्रसाद,
ग्राम-टुण्डी, पोस्ट+थाना-गिरिडीह,
जिला-गिरिडीह-815301, झारखण्ड।

विषय - माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच कलकत्ता में दायर वाद संख्या-24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of Jharkhand & Ors के संबंध में।

प्रसंग - सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड, रांची का पत्रांक-280 दिनांक-15.10.2024.

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र की छाया प्रति इस पत्र के साथ संलग्न प्रेषित है। सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड, रांची के उक्त निदेश के आलोक में स्थलीय जाँच हेतु दिनांक-25.10.2024 11.00 बजे तिथि निर्धारित की जाती है। जाँच हेतु निर्धारित तिथि को आप वन क्षेत्र पदाधिकारी, खुरचुड़ा वन प्रक्षेत्र से सम्पर्क (मोबाईल नं०-9431389028, 8292881275) स्थापित कर विषयक खनन स्थल से वनभूमि की दूरी जाँच कार्य में उपस्थित रहना सुनिश्चित करें, ताकि अग्रतर कार्रवाई की जा सकें। आप अनुपस्थित रहते हों तो यह माना जायगा कि आपको इस संबंध में कुछ नहीं कहना है एवं इस संबंध में एकतरफा निर्णय ले लिया जायगा। सूचनार्थ प्रेषित।

अनु०-यथोक्त।

विश्वाभ्रभाजन,

[Signature]
वन प्रमण्डल पदाधिकारी,
गिरिडीह पूर्वी वन प्रमण्डल।
18.10.24
[Signature]



SAVE SAL TREE



SAVE JHARKHAND

कार्यालय, वन प्रमण्डल पदाधिकारी, गिरिडीह पूर्वी वन प्रमण्डल।

मोहनपुर, पोस्ट-पचम्बा, जिला-गिरिडीह, पीन कोड-815316

email-dfo-giridih@gov.in, Phone No.-06532-222127

पत्रांक-3846

दिनांक-28/12/2024

सेवा में,

श्री अरुण कुमार लाडिया,
पिता-स्व० विश्वनाथ प्रसाद,
गिरिडीह टुण्डी रोड, पो०+थाना-गिरिडीह,
जिला-गिरिडीह,
पिन कोड-815301 (झारखण्ड)

विषय - माननीय राष्ट्रीय हरित न्यायाधिकरण, पूर्वी बेंच कलकत्ता में दायर वाद सं०-24 of 2023/EZ M/s Mohammad Ilyas & Ors Vs State of Jharkhand & Ors के संबंध में।

प्रसंग - सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड, रांची का पत्रांक-338 दिनांक-26.11.2024

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र की छायाप्रति इस पत्र के साथ संलग्न प्रेषित है। सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड, रांची के उक्त निदेश के आलोक में संयुक्त स्थलीय जाँच हेतु दिनांक-16.01.2025 पूर्वाह्न 11:00 बजे तिथि निर्धारित की जाती है। जाँच हेतु निर्धारित तिथि को आप वन क्षेत्र पदाधिकारी, खुरघुटा वन प्रमण्डल से सम्पर्क (मोबाईल नं०-9431369028) स्थापित कर विषयक खनन स्थल से वनभूमि की दूरी जाँच कार्य में उपस्थित रहना सुनिश्चित करें, ताकि अग्रतर कार्रवाई की जा सके। आप अनुपस्थित रहते हो तो यह माना जायगा कि आपको इस संबंध में कुछ नहीं कहना है एवं इस संबंध में एकतरफा निर्णय ले लिया जायगा।

सूचनार्थ प्रेषित।

अनु०-यथोक्त।

विश्वासप्रजन,

वन प्रमण्डल पदाधिकारी,
गिरिडीह पूर्वी वन प्रमण्डल।

28-12-24



23/10/24
 24/10/24

-X-



Date: 23.10.2024

To,

The Divisional Forest Officer

Giridih East

Sub: National Green Tribunal Eastern Zone Bench Kolkata order dated 30.07.2024 uploaded on 23.08.2024 in Appeal No. 24/2023/EZ Mohammad Ilyas Versus State of Jharkhand

Ref: DFO Giridih East Letter No. 3373 dated 18.10.2024/SEIAA Jharkhand Letter No. 280/15.10.2024

Sir,

1. With reference to final order dated 30.07.2024/23.08.2024 of NGT, Kolkata you are humbly requested to provide an authenticated map of Plot No. 01 of Mauza Lakhanpur jointly authenticated by Secretary, Forest and Secretary, Revenue (or their authorised officer) clearly demarcating protected forest land measuring 49.90 Acres /48.02 Acres and balance non-forest land measuring 81-49.9 = 31.1 Acres as because the distance of mining lease is to be measured from protected forest/reserve forest only and not *jungle jhari* land in terms with Specific Condition A-6/10 of environment clearance No. 703 dated 31.12.2014 of SEIAA, Jharkhand.
2. A copy of siting criteria for stone mining lease notified by the State Government of Jharkhand in compliance to Para 65 of NGT order dated 30.07.2024/23.08.2024 would be the next requirement.
3. You will agree that an authentic forest-non forest map is a condition precedent before any joint survey on ground by the forest and revenue

27

- 22 -

- officers regarding which you are requested to make adequate arrangements.
4. As far as the Forest Offence Complaint Case No. 2656/2022 under Section 33(1)(b) and 33(1)(c) of the Indian Forest Act is concerned, the named accused persons Md Saraj and Md. Ilyas have already moved Hon'ble High Court of Jharkhand on 13.09.2024 against cognizance dated 16.08.2024 taken by learned Chief Judicial Magistrate, Giridih in Cr.M.P. 3049/2024. Hence the forest offence matter is subjudiced before Hon'ble High Court of Jharkhand.
 5. Undersigned shall be present at site on 25.10.2024 / 11:00 AM along with copies of my two registered deeds dated 24.11.2014 over Plot No.01 total area 1.00 Acres of Mauza Lakhanpur which is my raiyati land.

Yours faithfully



Arun Kumar Ladia
Mob-6201466876

Copy to: Forest Range Officer, Khurchutta



- 28 -



सेवा में,
श्रीमान नेंज पदाधिकारी, पूर्वी वन प्रमण्य केन्द्र
बिहार

विषय :- जिला वन प्रमण्य पदाधिकारी पूर्वी वन
प्रमण्य मोहनपुर पंचायत के कार्यालय
से प्रेषित पत्रांक :- 3873 दिनांक-18-10-24
के आशोक में माली हेतु भौजा लखनपुर
किन्तु खसत का खसत-01 जोर सं. 01 का
केवाला जमा करते के संबंध में।

अज्ञात,
सामर पूर्वक कदम चिन्ति में अरुण कुमार
भाषीना भौजा लखनपुर किन्तु खसत नं-01 के संबंध
जो सं. 01 का केवाला जमा कर रहा है।

- ① केवाला सं. - 9519 रकमा - 0.56 ए०
- ② केवाला सं. - 9520 रकमा - 0.44 ए० तथा
अपनी उपस्थिति हेतु - अज्ञात कुमार को
आपके कार्यालय में भेजा है।

Arun K.

For
Arun K. Ladia
Date: - 25/10/24

दिनांक 16.01.2025

- X -

सेवा में

वन क्षेत्र पदाधिकारी
शुश्रूचा वन प्रमोक्ष

विषय:- वन प्रमोक्ष पदाधिकारी गिरिडीह पूर्वी वन प्रमोक्ष का
पत्रांक 3846 दिनांक 28.12.2024

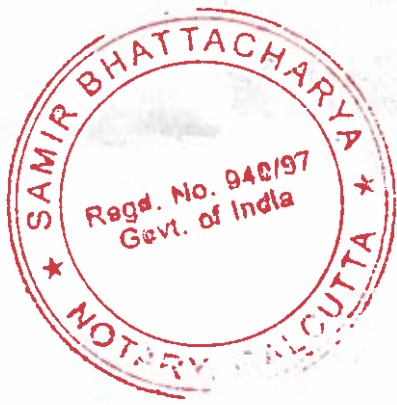
महोदय,

1. उपर्युक्त विषयक अधीक्षकावरी के पूर्व पत्र दिनांक 25.10.2024 का कृपया सर्वम को विचारते जिसके द्वारा भौजा (एकवर्ष के खाता 0001 (लाट 0001 (अंश) में मेरे द्वारा चारित दो केपाला विषय कुल रकबा 0.56 एकड + 0.44 एकड = 1.00 एकड होता है, जमा किया गया था। (प्रतिबलणन)

2. भौजा (एकवर्ष के खाता 0001 का कुल रकबा 81 एकड है जिसमें से 49.90 एकड मात्र अधिसूचित वन भूमि है। अतः एव सीमांकन कार्य हेतु 81.00 एकड पूर्ण-लाट में 49.90 एकड अधिसूचित वन भूमि का सत्यापन तथा उपलब्ध कराते की कृपा करें।

3. वन प्रमोक्ष पदाधिकारी गिरिडीह पूर्वी के आदेश के आनुपालन में मैं दिनांक 16.01.2025 को पूर्वाह्न 11.00 बजे संयुक्त स्थानीय जांच हेतु उपस्थित हूँ।

S. K. Tandi
16/01/2025



विश्वनाथ ठाकुर
अमरकुमार ठाकुर
मोबाइल नं 6201466876

Annexure - 3

~~26~~

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3049 of 2024

Md. Saraj @ Md. Saraj Mian & Another ... Petitioners
 Versus
 The State of Jharkhand & Others ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Rahul Kumar, Advocate
 For the State : Ms. Vandana Bharti, Addl.P.P.

Order No:-02 Dated:-12-11-2024

Heard the parties.

Issue notice to the opposite party Nos.2 to 3

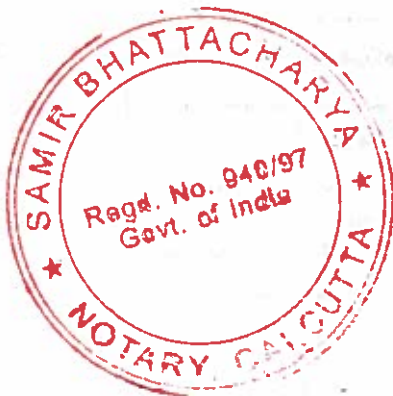
The petitioners are directed to file requisites for service of notice upon the opposite party Nos.2 to 3 by registered post with A/D as well as under process of the court within four weeks; failing which, this Cr.M.P. shall stand dismissed without further reference to the Bench.

Rule is made returnable within six weeks.

In case requisites are filed, list this case after receipt of the service report of the notice issued to the opposite party Nos.2 to 3.

(Anil Kumar Choudhary, J.)

Saraj/



Annexure - 4

- 28 -

JHARKHAND STATE POLLUTION CONTROL BOARD

TOWNSHIP ADMINISTRATION BUILDING, HEC COMPLEX, DHURWA, RANCHI 834004
Telephone: 0651-2400850 (Fax) 2400851/2400852/2401847/2400979/2400139

Ref No. JSPCB/RO/HEZB/CTO-11732173/2021/186

Dated: 2021-12-09

Consent to operate (CTO) under section 25 /26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981

1. Application (a) dated 2021-12-07 of Arun Kumar Laha Stone Miner, Occupier Name Shri Mohanlal Dey and Shri Mahi Shari for consent under section 25 (1)(b)/25 (1) (c)/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(1) of the Air (Prevention & Control of Pollution) Act, 1981..

2. Documents Relied Upon:

(i) The content of Environmental Clearance vide Ref. No. EC / SBIAA / 2014 -15/518/2014/703 dated 31.12.2014.

(ii) The CTE Ref No.- D - 498 (N), date- 16/02/2012 accorded under section 25 (1) (a) of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 (1) of the Air (Prevention & Control of Pollution) Act, 1981.

(iii) The CTO Ref No.- JSPCB/RO/HEZB/CTO-7737144/2020/35, date- 13/03/2020 accorded under section 25 (1) (c) of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 (1) of the Air (Prevention & Control of Pollution) Act, 1981.

(iv) The content of mining lease deed which is valid from 05.02.2015 to ten years. I.e. 04.02.2025.

(v) The content of inspection report Ref. No. III dated 09.12.2021.

3. The consent is granted under section 25 / 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 to operate the project in Mann-Lakhanpur, P S -Lakhanpur, District-GIRIDIH, as follows:

Project	Site-Area		Investment (Rs)	Product & Capacity	Period of CTO
	Plot Nos.	Area			
Water Expansion	04, 05(F), Khasra no. - 04	1.81 Acres	40.50 Lacs (as per application)	Stone Boulder - 35 TPD (As per EC)	31/03/2023

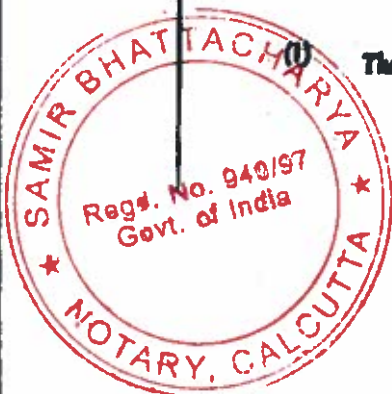
(A) Specific Conditions



- ~~XXXX~~
1. That, the occupier shall do sprinkling of water regularly on haul roads and dusty areas.
 2. That, The Occupier shall maintain good house keeping and contribute Pradhan Mantri Kisan Samrathya Abhiyan in your mines locality.
 3. That, the occupier shall submit Ambient Air Quality Report & Noise Level Monitoring Report within consent period.
 4. That, the occupier shall supply Stone Boulder only to those stone crushing units which have valid Consent to operate order from the Board and shall maintain record of it and shall show the record to the Inspecting Officer at the time of inspection.
 5. That, the occupier shall make agreement with transporters to transport stone boulder in fully covered and leak proof vehicles.
 6. That, the occupier shall preserve live soil of the mine(s) and shall reclaim mined out areas by filling it (them) with over burden and live soil and shall do tree plantation over it (them). In no case live soil shall be stored out of mine lease area and report to J.S.P.C. Board.
 7. That, the occupier shall maintain the planted trees & continue plantation shall be done.
 8. That this grant of consent shall not absolve the project proponent from making compliance of other statutory obligations prescribed under any law or direction of courts or any other instrument for the time being in force.
 9. That, the occupier shall submit application for renewal of consent under section 25/26 of the Water (prevention & Control of Pollution) Act, 1974 and under section 21 of the Air (prevention & Control of Pollution) Act, 1981 again 120 days prior to the date of expiry of this consent with documents showing compliance of all of the above conditions.
 10. That, the occupier shall comply all the conditions mentioned in Environmental Clearance vide Ref.No. EC/SRIA/2014-15/518/2014/703 dated 31.12.2014 and submit the compliance report within stipulated time i.e. six monthly report.
 11. That this consent is being issued on the basis of information/ documents/ certificate submitted by the unit. The consent may be revoked automatically in case of any wrong information/ documents/ certificate found over after.
 12. That, this CTO shall not in any way, adversely affect or jeopardize the legal proceeding, if any, instituted in the past or that could be, instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.

(B) General Conditions :

That, the occupier shall maintain the National Ambient Air Quality Standard given below:



S.N.	Pollutant	Time Weighted Average	Concentration in Ambient Air	
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Govt.)
(1)	(2)	(3)	(4)	(5)
1.	Sulphur Dioxide (SO ₂), µg/m ³	Annual 24 hours	50 80	20 30
2.	Nitrogen Dioxide (NO ₂), µg/m ³	Annual 24 hours	40 80	30 60
3.	Particulate Matter (size less than 10 µm) or PM ₁₀ , µg/m ³	Annual 24 hours	60 100	60 100
4.	Particulate Matter (size less than 2.5 µm) or PM _{2.5} , µg/m ³	Annual 24 hours	40 60	40 60
5.	Ozone(O ₃), µg/m ³	8 hours 1 hour	100 180	100 180
6.	Lead (Pb) µg/m ³	Annual 24 hours	0.50 1.0	0.50 1.0
7.	Carbon Monoxide (CO) mg/m ³	8 hours 1 hour	02 04	02 04
8.	Amonia (NH ₃) µg/m ³	Annual 24 hours	100 400	100 400
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05
10.	Benzo(a) Pyrene(BaP) Particulate Phase only ng/m ³	Annual	01	01
11.	Arsenic (As) ng/m ³	Annual	06	06
12.	Nickel (Ni) ng/m ³	Annual	20	20

Note: Serial no. 1 to 4 - Mandatory
Serial no. 5 to 12 As applicable for specific type of industry.



~~21~~

That, the occupier shall maintain the emission quality within the standard and the quantity, as follows:-

SN	Parameter	Standard
1	Particulate Matter	N.A.
2	Sulphur Dioxide	N.A.
3	Oxides of Nitrogen	N.A.
4	Quantity of Emission	N.A.

(2) That, the occupier shall keep process effluent in closed circuit and the quality of effluent from other sources in conformity with the standard (a) and the discharge quantity as below:

SN	Parameter	Standard
1	Total Suspended Solids	N.A.
2	BOD	N.A.
3	COD	N.A.
4	Oil & Grease	N.A.
5	Quantity of Discharge	N.A.

(3) That, the occupier shall dispose of solid wastes as follows:

SN	Waste Type	Mode of Disposal
1	Hazardous Carbonaceous Wastes	N.A.
2	Hazardous Non-Carbonaceous Wastes	N.A.
3	Non-Carbonaceous Non-Hazardous solid wastes/ Mine Over Burden	N.A.

(4) That, the occupier shall keep D G Set(s) within acoustic enclosure and shall keep the height(s) of exhaust pipe(s) as per Central Pollution Control Board norm.

(5) That, the occupier shall install and maintain Central Ground Water Board/ State Ground Water Directorate approved system of rain water harvesting- run-ground water recharge and submit the photographic view of the structure within a month.

(6) That, the occupier shall grow and maintain greenery of the project in the periphery and other available spaces and shall continue enhancing its plant density and biodiversity.

(7) That, the occupier shall submit environmental statement with supporting stoichiometric calculations analysis reports, every year latest by 30th September of the next financial year.



~~30~~

- (9) That, the acceptor shall submit report(s) duly numbered and issued by an NABL accredited / ISO 9001:2008 and OHSAS 18001:2007 certified laboratory in compliance sub-para (2), (3), (4) and (5) of paragraph 3 of this CTO yearly at required periodicity.
 - (10) That, this CTO is valid subjected to the validity of mining Lease/Leasing Plan/Block/Lease/Environmental Clearance, if applicable. In case of an renewal of Mining Lease/Leasing Plan, this consent shall be treated as revoked automatically.
 - (11) That, this CTO is issued from the environmental angle only and does not absolve the acceptor from other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with these conditions laid down in all other laws for the time being in force, rests with the industry/ unit/ acceptor.
 - (12) That, this CTO shall not in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be, instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.
 - (13) That, the acceptor shall comply with all applicable provisions of the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention & Control of Pollution) Cost Act, 1977; the Air (Prevention & Control of Pollution) Act, 1981; and the Environment (Protection) Act, 1986 and Rules made there under.
4. That, this CTO shall not absolve the acceptor from making compliance of other statutory prescribed under any law or direction of courts or any other instrument for the time being in force.
 5. That, this CTO is being issued on the basis of information/ documents/ certificates submitted by the unit. This CTO will be revoked if any of the information/documents/certificates/undertaking given by the acceptor is found false/fabricated/forged in future.
 6. The Order shall be valid subject to compliance of all other legal requirements applicable to the unit.
 7. The State Board reserves the right to revoke, withdraw or make any reasonable variation / change / alterations in conditions of this consent.

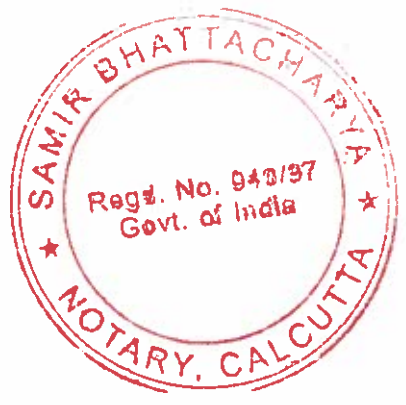
This is issued with the approval of the Competent authority

A. K. Yadav
 Digitally signed by A. K. Yadav
 Date: 2021.12.09 14:13:42 +0530
 [Ashok Kumar Yadav]
 Regional Officer, Hazaribagh
 Dated : 2021-12-09

Memo No. : JSPCB/RO/RZB/CTO-1175217/2021/186

Copy to: Sri Mohammad Ilyas and Sri Md Saif, Partner M/s Arun Kumar Ladin (Rising Mine), Al-Lakhanpur, P.O.- Chapandih, Dist.- Giridih / Deputy Commissioner, Giridih / District Mining Office, Giridih / Director of Industries, Ranchi / Member Secretary, National Green Tribunal, Ranchi for information and necessary action.

A. K. Yadav
 Digitally signed by A. K. Yadav
 Date: 2021.12.09 14:13:11 +0530
 [Ashok Kumar Yadav]
 Regional Officer, Hazaribagh



~~31~~

Annexure - A3

Acknowledgement Slip for Transfer of EC

This is to acknowledge that the proposal for Transfer of EC has been successfully submitted on the portal of the SEIAA.

Following should be mentioned in further correspondence

1. **Proposal No.** : SIA/JH/MIN/297401/2023
2. **Category of the Proposal** : Non-Coal Mining
3. **Name of the proposal** : Lakhanpur Stone Mine
4. **Date of submission** : 07 Feb 2023
5. **Name of the Project proponent along with contact details**
 - a) **Name of the proponent** : MOHAMMAD ILYAS
 - b) **Mobile No.** : 9431160524
 - c) **State** : Jharkhand
 - d) **District** : Giridih
 - e) **Pincode** : 825418



Annexure - 'A4'

~~32~~

File No. IA3-22/19/2023-IA.III [E226246]

Government of India

Ministry of Environment, Forest and Climate Change
(IA Division)Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi - 110003Dated: 3rd November, 2023OFFICE MEMORANDUM

Subject: Clarification on the time period within which the Environmental Clearance (EC) has to be transferred after transfer/ acquisition/ demerger/ change in name etc., of the Company- reg.

As per the provisions of para 11 of the Environmental Impact Assessment Notification, 2006 and subsequent amendments, a prior Environmental Clearance (EC) granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior EC was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

2. The validity of EC for all projects/activities, other than mining projects, means the period from which a prior EC is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity or completion of all construction operations in case of construction projects relating to item 8 of the Schedule, to which the application for prior environmental clearance refers.

3. In case of the mining projects (item 1a of the Schedule), the validity shall be calculated from the date of execution of the mining lease. The prior EC granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier: Provided that the period of validity may be extended by another twenty years, beyond thirty years, as per the provisions of the EIA Notification 2006.

4. It has now been brought to notice that there is ambiguity with regard to the term validity of the prior EC within which the EC has to be transferred. The matter has been examined in the Ministry and it is clarified that the "Validity of Environmental Clearance" involves two phases of the project, which are validity of Construction or Installation Phase and validity of Operational Phase.

5. The validity of construction or installation phase means duration from the date of grant of prior EC by the Regulatory Authority for projects other than mining (item 1(a) of the Schedule) for:-

- a) Completion of all construction activities, in case of construction projects (item 8 of the Schedule), to which the application for prior-EC, refers to and, shall be limited only to such activities as may be the responsibility of the project proponent as a developer. Or;
- b) Completion of installation of plant and machinery including commencement of production/operation in all other cases (other than item 8 of the Schedule), to which the application for prior-EC, refers to.

6. The validity of Operational phase of projects, except mining (item 1a of the Schedule), shall be perpetual for the remaining life of the project in respect of the completed part of the project. In case of partial completion of a production/operation/activity/ construction, the CTO obtained shall be taken into account to ascertain the level of completion, for which the EC shall be considered to be valid for perpetuity.

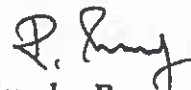
7. In this regard, it is hereby clarified that subsequent to transfer/acquisition/demerger/change in name etc., of a project/unit having a valid EC, from one legal entity to another, all the accumulated environmental obligations as per the valid EC applicable at the time of such transfer shall be deemed to have been transferred to the new entity from the date of such transfer/ acquisition/demerger/change in name etc. Accordingly, as per the provisions of EIA Notification 2006 and its amendments, the transferor /transferee shall apply for transfer of EC in the laid down proforma on PARIVESH along with all the requisite documents within twelve months of such transfer/ acquisition/ demerger / change in name etc., of the Company.

8. Provided, that where the application for transfer has been filed online in the laid down proforma, after a period of twelve months but within twenty-four months from the date of change in transfer/acquisition/demerger/change in name etc., of the Company, the delay shall be condoned at the level of the Minister in charge of Environment, Forest and Climate Change, Govt. of India or Chairman, State Level Expert Appraisal Committee, as the case may be.



- 24 -

9. Application for transfer of EC after a period of twenty-four months from the date of transfer/ acquisition/ demerger / change in name etc., of the Company, shall be considered as a non-compliance of EC condition and action shall be initiated on the project proponent as per the existing rules.
10. The project proponents, who have not yet applied till date for transfer of EC as per the provisions of EIA Notification 2006, even after one year from the date of change in ownership and/or change in name of the Company, shall apply for the same within a period of 6 months from the date of issue of this Office Memorandum, and the same shall not be considered as non-compliance of EC condition.
11. Further, in addition to the documents required to be submitted as per the provisions of the EIA Notification 2006 for EC transfer, the applicant shall also submit the proof of submission of application to the concerned SPCB/PCCs for transfer of CTE/CTO.
12. This is issued with the approval of the Competent Authority.


 (Sundar Ramanathan)
 Scientist 'E'

To

1. Chairman/Member Secretary, CPCB.
2. Chairperson/Member Secretaries of all the State/UT, PCBs/PCCs
3. Chairperson/Member Secretaries of all the EACs.
4. Chairperson/Member Secretaries of all the SEIAAs/ SEACs.
5. All Officers of IA Division

Copy to:

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS (EF&CC)
3. Sr PPS to Secretary (EF&CC)
4. Sr PPS to DGF&SS (EF&CC)
5. Sr PPS to AS(TK)/Sr PPS to JS(SKB)
6. Website, MoEF&CC/Guard File



~~35-~~

Annexure - 'A5'

प्राधिकार पत्र दिनांक- 25/10/2024

मै अरुण कुमार लाडिया वन विभाग के पत्रांक 3373
दिनांक 18/10/2024 के आलोक में दिनांक
25/10/2024 को नापी हेतु अविनाश कुमार को अपना
प्रतिनिधि नियुक्त करता हूँ।

अविनाश कुमार

Avinash K.R.

अरुण कुमार लाडिया

अरुण कुमार लाडिया



25 FEB 2025