

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

IN THE MATTER OF:

Original Application No. 177/2025/EZ

RIZWAN

...Applicant

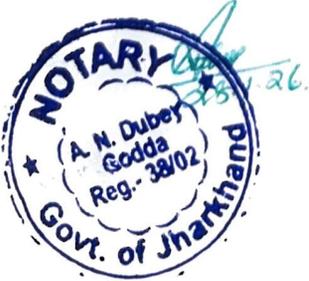
-Versus-

STATE OF JHARKHAND & ORS.

...Respondents

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AISHWARYA RAJYASHREE

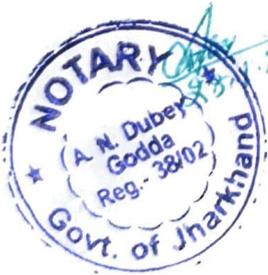
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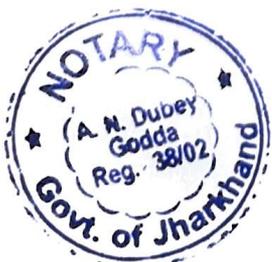
...Respondents

406
Date 28.1.26
Sunny Kumar
This is identified by Sri.
Dhirendra Kumar Sahu
affirmed on Dec 9, 2025
Anant Narayan Sahu
Notary, Godda

**COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENT NOS. 1 TO 4
HEREIN**

I, Sunny Kumar, son of Pramod Kumar Sahu, aged about 32 years, by Religion - Hinduism, by Occupation - Service under Government of Jharkhand in the office of District Mining Officer, Godda, Jharkhand, having office at Lohia Nagar, Godda, Pincode – 814133, Jharkhand, do hereby solemnly affirm and state as follows:

- 1. That, I am the District Mining Officer, Godda, Jharkhand, Jharkhand, and that I am aware of the facts and records in the instant case and have gone through the allegations and contentions in the Original Application as such I am competent to make and affirm the instant Affidavit. That, instant Counter Affidavit has been duly approved by

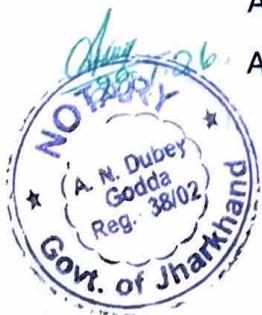


Respondent Nos. 1 to 4 herein and Further, I have been duly authorized by the Respondent Nos. 1 and 2 herein to file this Counter Affidavit.

2. That, I am a law-abiding Citizen of India and very much respect the Constitution and Judicial System of India.
3. That in pursuance and in compliance to the order dated 19.09.2025 of the Hon'ble Tribunal in the instant Original Application this Counter Affidavit is being filed by the Respondent Nos. 1 to 4 herein.
4. That this affidavit is being filed for bringing necessary facts and statements on record for just and proper adjudication of this case.
5. That at the outset, the Respondents most respectfully submit that the present Original Application filed under Sections 14 and 15 of the National Green Tribunal Act, 2010 is not maintainable, barred by limitation, and devoid of any cause of action. It is based on incorrect facts, misinterpretation of law, and premature apprehensions of environmental harm where no mining activity has yet commenced. The reasons for the same, are as follows:

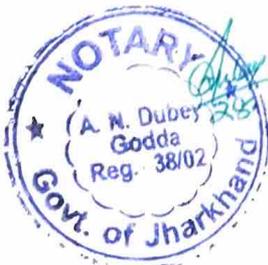
A. Lack of Locus Standi:

It is most respectfully submitted that the present Original Application is not maintainable for want of *locus standi* of the Applicant. As per the scheme of Sections 14, 15, read with Section



18(2) of the *National Green Tribunal Act, 2010*, an application can be entertained only where a substantial question relating to environment arises, and the person approaching the Tribunal has sustained or is likely to sustain an environmental injury, or is an aggrieved person with a direct and tangible connection to the environmental matter concerned. In the present case, the Applicant resides in Banka/Bhagalpur District, Bihar, which lies entirely outside the territorial and ecological boundaries of District Godda, Jharkhand. The Applicant has failed to establish any direct, immediate, or even probable environmental injury to himself or his property. No material is placed on record to show that the Applicant's life, health, livelihood, or environment has been adversely affected or is likely to be affected by the preparation of the DSR or issuance of the Auction Notice for sand mining in Godda district. It is also submitted that bona fide public interest actions are protected under environmental law, but vexatious or distant challenges by persons unconnected with the area in question are not maintainable. Accordingly, the present OA, being instituted by a person situated in another State and unconnected with the impugned area, is not maintainable on account of lack of locus standi, and is liable to be dismissed at the threshold.

B. Compliance with Law and Judicial Directions:



The District Survey Report (DSR) for Godda District was prepared, verified, and finalized in complete conformity with the directions of the Hon'ble Supreme Court in *State of Bihar v. Pawan Kumar* [(2022) 2 SCC 348], the Sustainable Sand Mining Management Guidelines, 2016 (SSMG-2016), and the Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMGSM-2020).

- C. The NABET-accredited consultant (M/s Sathi Planners Pvt. Ltd.) was engaged only for data compilation and draft preparation under the work order dated 13.10.2022. The Sub-Divisional Committees of Godda and Mahagama — consisting of representatives from Divisional Forest Officer, Sub-Divisional Officer (both Godda and mahagama sub-division), District Mining Officer, Assistant Director Geology, Executive Engineer Irrigation Division and Member Secretary, Jharkhand State Pollution Control Board — conducted field inspection and physical verification, verified the consultant's data, and finalized the DSR.
- D. Before finalization, the draft DSR was published on the District website and an advertisement was issued in local newspapers, inviting public comments and objections for a period of one month. Despite wide circulation, no objection or comment was received from any individual or organization. Only thereafter was the DSR finalized by the Sub-Divisional Committees and forwarded to SEAC and SEIAA for appraisal and approval.



E. The DSR underwent multi-tier expert scrutiny:

- i. The State Expert Appraisal Committee (SEAC), in its 99th and 101st meetings, raised 24 and 10 specific objections respectively, all of which were rectified and verified.
- ii. The State Environment Impact Assessment Authority (SEIAA), in its 103rd meeting dated 01-02.04.2023, approved the DSR after due consideration.

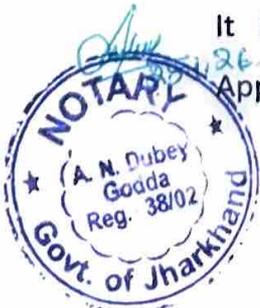
Hence, the allegation that the DSR was prepared “mechanically” or “without application of mind” is baseless.

F. The Auction Notice dated 02.09.2025 is purely procedural, intended only to identify potential bidders. It does not authorize any mining operations.

Mining can commence only after completion of the Replenishment Study, approval of Mining Plan, grant of Environmental Clearance (EC), and Forest NOC, as mandated under Rule 6(III)(L) of the *Jharkhand Sand Mining Rules, 2025* and *Clauses 21, 22, 23, 31 & 33* of the *Model Tender Document*. (Paragraph m, r, t and u)

G. Limitation and Absence of Continuing Cause of Action:

It is most respectfully submitted that the present Original Application is barred by limitation under Section 14(3) of the



National Green Tribunal Act, 2010. The cause of action, if any, arose much earlier when the District Survey Report (DSR) for Godda District was duly finalized and approved by the competent authorities in the year 2023, and not in 2025 as claimed by the Applicant. The present Application, filed much thereafter, is therefore time-barred.

It is further submitted that there exists no continuing cause of action. The DSR approval and auction notice do not constitute a recurring or ongoing environmental violation but represent discrete administrative steps undertaken in accordance with statutory procedure. Mere apprehension of possible future environmental impact does not extend or revive limitation.

Accordingly, the present Application, having been filed beyond the prescribed period and in the absence of any continuing environmental injury, is not maintainable in law and liable to be dismissed at the threshold.

In view of the above facts, the present Original Application is liable to be dismissed at the threshold as it is Barred by limitation, filed by a person lacking locus standi or proximity, Premature, as no mining has commenced and Misconceived, as the DSR and Auction process have been undertaken strictly as per law and judicial directions.



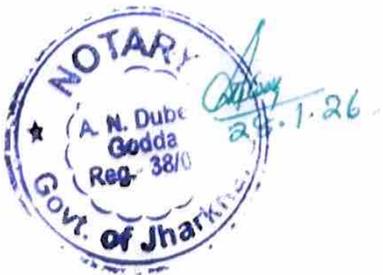
6. That before dealing with the parawise reply to the Original Application, the following facts are needed to be put before this Hon'ble Tribunal for its kind consideration:

- a. Sri Vijay Kumar Ojha, then Director Geology, Department of Mines and Geology vide memo no. Bhu.Ni.Anve-95/2021-2139 Ranchi dated 13.10.2022 issued Work Order in favour of M/s Sathi Planners Private Limited for Preparation/Updation and Revision of DSR of sand in Jharkhand.

Photocopy of said work order is annexed herewith and marked as **ANNEXURE A.**

- b. That after receiving draft DSR from Empanalled QCI-NABET Accredited Agency M/s Sathi Planners Private Limited, Deputy Commissioner, Godda vide order memo no 1162/m dated 21.11.2022 formed sub-divisional committee for detailed physical survey/verification of ghats and upon review of public opinions/comments (if received), prepare final District Survey Report (DSR) sand.

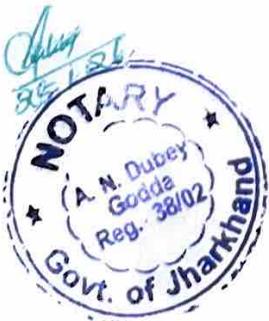
Photocopy of Order memo no. 1162/m dated 21.11.2022 is annexed herewith and marked as **ANNEXURE B.**



- c. That the same draft DSR vide Letter no. 1161/m dated 21.11.2022 of Deputy Commissioner, Godda was sent to District Information Officer, Godda for publication in district website (after publication of advertisement in local newspaper (enclosed in page 125 of approved DSR)) for minimum one month and the same DSR was sent to Member Secretary, SEIAA Jharkhand by Deputy Commissioner, Godda vide letter no 1165/M dated 21.11.2022 for necessary action.

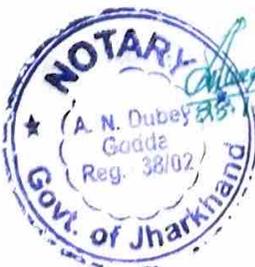
Photocopy of letter no. 1161/M dated 21.11.2022 and Deputy Commissioner, Godda letter no. 1165/M dated 21.11.2022 is annexed herewith and marked as **ANNEXURE C & D** respectively.

- d. That in the 99th MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 07th, 08th, 09th, 10th and 11th DECEMBER, 2022 draft DSR (sand) of Khunti, Lohardaga, Latehar, Palamu 24 point objection was raised and it was insisted that DSR should be prepared in the light of Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & Ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors and Enforcement and Monitoring Guidelines for Sand Mining 2020. The final DSR should be prepared in the light of above guidelines and Hon'ble Apex Court & Hon'ble NGT



direction and to be submitted for appraisal. The following objections which was raised are detailed in table below.

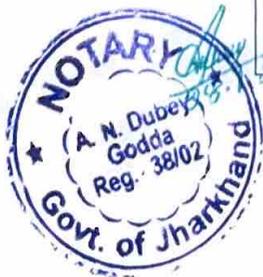
Serial No.	Objections Raised.
1	The DSR submitted was at a draft stage. The final DSR after approval by Sub Divisional Committee, Deputy Commissioner and incorporation of the Public comments is to be submitted for appraisal by SEAC.
2	The final DSR should be signed by all members of the Sub Divisional Committee and the Consultant involved in the preparation of the same. All pages of the DSR should be signed by the authorized officer of the DC/ Sub Divisional Committee.



3	The draft DSR submitted is based only on part survey. In the submitted draft DSR the complete area of the river/ rivers have not been surveyed, only some selected ghats/leases have been surveyed. The complete potential area should be demarcated before proposing the sand leases/ ghats as per EMGSM guideline 2020.
4	The field survey of pre-monsoon period is to be included in final DSR.
5	The DSR should be placed in the public domain for atleast 01 (One) month from the date of publication of the advertisement for obtaining comments of the public. The comments received shall be placed before the concerned Sub Divisional Committee for consideration. The final DSR should be submitted to SEIAA, after incorporation of all replies of the comments received from the public.
6	Demand and supply of the river bed material through market survey needs to be carried out. In addition to this, future demand for the next five years also needs to be considered to justify the number & area of the sand ghat to be included in the final DSR.



7	The sand ghats / leases have not to be proposed on the confluence / meanders / concavities /active channels of the river.
8	The Khata & Khasra (class / nature of land including "Jungle Jhari") of the lease area should be certified by the concerned Circle Officer (CO) and to be incorporated in the final DSR.
9	The distance of sand leases / ghats from the Forest / Wildlife Protected area / Birds ' Sanctuary/ Wildlife Sanctuary / National Park / Eco Sensitive Zone should be verified and certified by the concerned DFO's of the respective Territorial and Wildlife division.
10	The undertaking regarding presence of aquatic animal in the river in proximity of the proposed sand ghats should be verified and certified by concerned Govt. Departments like Zoological Survey of India.
11	The proposed leases/ ghats should meet all the siting criteria of State Pollution Control Board/ SEIAA.
12	Clear and high resolution color satellite images of the proposed potential sand mining area should be submitted with final DSR including the date of photographs/

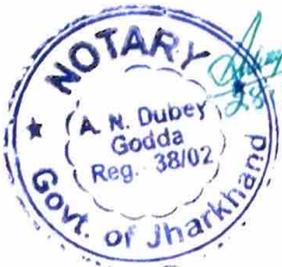


	Geocoded location. Details of all such satellite imageries should be included in the final DSR.
13	The table of estimation of sand resources after pre-monsoon and post monsoon survey should be included in the final DSR.
14	All primary & secondary data should be supported with relevant references and documentary evidences in the final DSR.
15	Bulk density and specific gravity of the sand should be certified by NABL accredited laboratory.
16	Concave side of the river should be avoided for identification of sand leases/ ghats.
17	KML files of Existing leases/ ghats and proposed leases/ ghats should be provided.
18	Cluster and contiguous cluster formation should be followed as per EMGSM guidelines, 2020.
19	Average length and width of the river should be Included and mining should be restricted to 3/4th of the river width



	and mining should be restricted within 60% of the mineable reserve.
20	Transportation routes should be defined for the proposed mining sites and duly certified from the competent Authorities.
21	All the annexures given in the EMGSM guidelines, 2020 should be filled and included in the final DSR.
22	Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary should be addressed in the final DSR, if applicable.
23	In addition to above any other applicable criteria as required under SSMG, 2016 & EMGSM guidelines, 2020 should be included in the final DSR.
24	The presentation of the final DSR at the time of appraisal by SEAC should cover all the points of SSMG, 2016 & EMGSM guidelines, 2020.

Photocopy of the Relevant Extract of the 99th Meeting of SEAC is annexed herewith and marked as **ANNEXURE E**.



- e. Since no public opinion/comment was received, it was decided by sub-divisional committee (godda subdivision) that all 19 ghats of Category I and all 16 sand ghats of Category II to be inspected and verified physically. Against the same, physical inspection-cum-verification was undertaken and after assessing the situation on the ground draft DSR was updated and final DSR was prepared by sub-divisional committee (godda subdivision). Furthermore, it was decided that final DSR prepared by sub-divisional committee to be sent for seeking approval of SEIAA, Jharkhand. Meeting was held on 16.01.2023 and Meeting proceeding memo no was 125/go dated 31.01.2023.

Photocopy of Meeting proceeding memo no. 125/go dated 31.01.2023 is annexed herewith and marked as **ANNEXURE F**.

- f. It was highlighted in Sub-divisional Committee meeting (mahagama sub-division) held on 31.01.2023 that no public opinion/comment was received and there was only 5 sand ghat of Category I in mahagama sub-division and no (zero) sand ghat of Category II was located in mahagama sub-divisional. It was decided that final DSR prepared by sub-divisional committee to be sent for seeking approval of SEIAA, Jharkhand. Sub-divisional Committee (mahagama sub-division) Meeting proceeding memo was no 195/go dated 31.01.2023.

Photocopy of Meeting proceeding memo no. 195/go dated

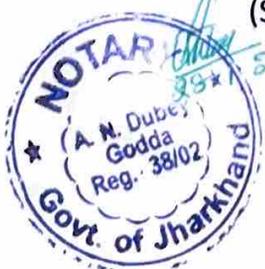


31.01.2023 is annexed herewith and marked as **ANNEXURE G**.

- g. Meeting under chairmanship of Deputy Commissioner, Godda along with members of sub- divisional committee (both sub-division) was held on 02.02.2023. It was unanimously highlighted that no(zero) public opinion/comment was received and also Final DSR sand has been prepared by sub-divisional committees after physical inspection-cum-verification and finally recommended for seeking approval from SEIAA, Jharkhand. It was also underlined that SEAC, Jharkhand in its 99th Minutes of Meeting has raised 24-point objection and that objection has been duly complied and included before preparation of final DSR by sub- divisional committee. Lastly Deputy Commissioner, Godda was please to forward the final DSR prepared by sub-divisional committee to SEIAA, Jharkhand for approval. Meeting proceeding memo no. was 128/M dated 03.02.23.

Photocopy of Meeting proceeding memo no 128/M dated 03.02.23 is annexed herewith and marked as **ANNEXURE H**.

- h. Vide letter no 138/m dated 04.02.2023 Deputy Commissioner, Godda forwarded DSR and after physical verification it was duly approved by Sub-divisional committees for approval by SEIAA Jharkhand.
- i. In the 101st meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand held on 20th, 21st, 22nd, 23rd and 24th FEBRUARY,



2023, 10 point Shortcoming in Draft DSR of Godda district was raised and it was asked that DSR should be revised including the shortcomings and submit the same for reconsideration. 10 points objections which was raised are detailed in table below.

Serial No.	Shortcoming Highlighted
1	The basis of deciding the size of the Ghats is required to be detailed.
2	The photographs provided must display the date, time and location of the place where the photographs have been taken and the purpose of photographs.
3	The number of zones must be listed in a table along with the coordinates of the zone, the reference point and the details of Ghats in each zone.
4	The table providing the detail of the Ghats should also include the river on which the Ghat is located.
5	The Ghats have been categorized as category 1 & 2 Ghats. The criteria for this categorization is to be detailed in the DSR.
6	The distance from the bridges and highways have not been



	provided. The same should be provided along with the basis of the distance from the bridges and highways as required point no. 4.3 (h) at page no. 22 of EMGSM 2020.
7	The replenishment study should clearly specify the percentage of sand replenished for each proposed Ghats.
8	Details of flora & fauna found in aquatic bodies of the area to be included in the DSR report.
9	All annexures of EMGSM 2020 should be properly filled and included in the DSR.
10	Table providing the chronology of the work done is to be included in the DSR.

- j. After complying the shortcoming DSR sand was again sent to SEIAA, Jharkhand vide letter no. 358/m dated 17.03.2025 of Deputy Commissioner, Godda for approval.

Photocopy of letter no. 358/m dated 17.03.2025 of Deputy Commissioner, Godda is annexed herewith and marked as **ANNEXURE I.**

- k. SEAC Jharkhand in it's 102nd meeting dated 21.03.2023 accepted the rectification and has recommended the final DSR sand of Godda



district to SEIAA Jharkhand for approval.

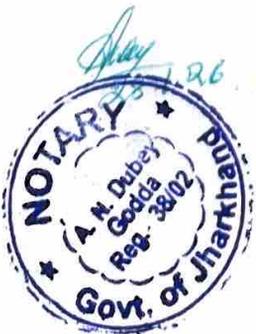
- I. SEIAA, Jharkhand in it's 103rd meeting dated 01.04.2023 and 02.04.2023 approved DSR sand of Godda District. Further approval letter 06 dated 02.04.2023 was issued to Deputy Commissioner, Godda regarding the same.

Photocopy of SEIAA, Jharkhand approval letter 06 dated 02.04.2023 is annexed herewith and marked as **ANNEXURE J**.

That upon perusal of page 09 of approved DSR it is evident that draft DSR prepared by NABET accredited agency has been duly verified and inspected site physically then only final DSR was prepared and signed-cum-approved by committee members of sub-divisional committee along with Deputy Commissioner, Godda. Moreover, directions of Hon'ble Supreme Court, provisions of *Sustainable Sand Mining Management Guideline-2016 (SSMG-2016)* and *Enforcement & Monitoring Guidelines for Sand Mining (EMGSM-2020)* has been imbibed in it's true sense and spirit.

- m. The Government of Jharkhand vide gazette no 217 dated 13.05.2025 (notification no Kha.Ni.(Vividh)-95/2024-1111/M dated 09.05.2025) published *Jharkhand Sand Mining Rules, 2025*.

That as per rule 2(L) - "*Annual Mineral Concessional Value*" means *final price offer of the preferred bidder*.



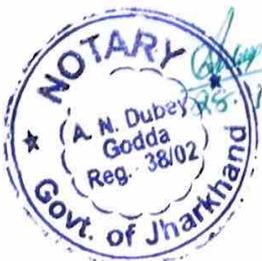
That as per rule 2(m) - "Bid Amount" shall be the final Annual Mineral Concessional Value on the basis of all necessary statutory clearances like Environmental Clearance etc.

That as per rule 2(t) - "Annual Mineable sand quantity" means quantity of sand deposit as per statutory clearances for the operationalization of sand deposit.

That as per rule 6(III)(L) "Excavation of sand shall be adhered to Sustainable Sand Mining Management Guideline-2016 (SSMG-2016), Enforcement & Monitoring Guidelines for Sand Mining (EMGSM-2020) and Environment Clearance. Under no circumstances mechanized lifting/excavation of sand shall be allowed from these category of streams/rivers. In any case no machinery shall be used to excavate the sand from river/stream of this category." Was mandated.

That as per rule 6(V) - "Payments:-

- a. Bid amount shall be for the period of first year of allocation that will start from the execution of Lease deed. Bid amount for the second and subsequent year shall be One Hundred and Ten Percent (110%) of bid amount of the previous lease year.
- b. Earnest Money deposit shall be Ten Percent (10%) of the



reserve price, that to be deposited by the prospective bidder along with their tender document. For Preferred Bidder Performance Security deposit shall be Ten Percent (10%) of annual mineral concessional value as quoted in the auction within fifteen working days of issuance of Letter of Intent (LOI). Performance Security deposit shall be adjusted in the last/third installment.

- c. *Initially Annual Mineral Concessional Value shall be calculated as per annual mineable sand quantity of District Survey Report and finally as per Environmental Clearance for the first and subsequent Year of lease period, which is termed as bid amount, that shall be deposited/adjusted proportionately as per following table: - ...”*

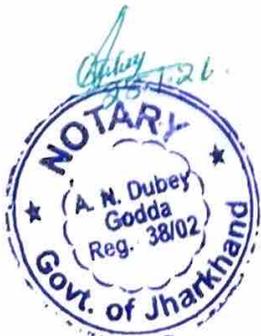
From the above it is clear that annual mineable sand quantity of District Survey Report is for auction purpose and no actual mining will be undertaken as per Initially Annual Mineral Concessional Value. In fact, after taking into account subsequent Replenishment Study as mandated by EMGSM guidelines 2020, final quantity mineable will be calculated and then only Mining Plan Preparation, EC granting process and then actual mining permission will be granted.

Photocopy of Jharkhand Sand Mining Rules, 2025 is annexed herewith and marked as **ANNEXURE K**.



- n. The Department of Mines and Geology vide letter no 1329/M dated 23.05.2025 issued procedure to be undertaken for determining Reserve Price under rule 6(iv)(c) of Jharkhand Sand Mining Rules 2025.
- o. The Department of Mines and Geology vide order no 1357/M dated 29.05.2025 under rule 6(iv)(b) of Jharkhand Sand Mining Rules 2025 formed committee for disposing e-auction process in the district, under chairmanship of Deputy Commissioner concerned.
- p. The Director Mines vide letter no 1863/M dated 29.07.2025 issued Model Tender Document Draft.
- q. The Director Mines vide letter no 1988/M dated 19.08.2025 issued Revised Model Tender Document.
- r. The Director Mines vide letter no 2045/M dated 23.08.2025 issued Revised Model Tender Document.

That the said Model Tender Document in its Clause 31 mentions the mandate of subsequent Replenishment Study by the lessee (if allotted) as per EMGSM guidelines 2020. And as per clause 33 lessee (if allotted) will have to adhered to Sustainable Sand Mining Management Guideline-2016 (SSMG-2016), Enforcement & Monitoring Guidelines for Sand Mining (EMGSM-2020) and Environment Clearance, Mines and Mineral Development Act, 1957



Jharkhand Sand Mining Rules 2025 and other applicable rules and acts.

Further, clause 21, 22 and 23 reaffirms mandate that actual mining will only be allowed after obtaining all statutory clearance for instance Forest NOC Report, Environmental Clearance, Consent to Operate and others as required under law.

Also, Clause 21(iv) mentions permissible mining quantity will be as per mining plan, Environmental Clearance, NOC under Air And Water Act by pollution department (whichever is less).

These provisions ensures that mining operations cannot commence or continue beyond the environmentally permissible limits fixed by the competent regulatory authorities, thereby safeguarding compliance with all applicable environmental norms.

Further, the Tender Document has already been enclosed to Annexure A-12 of instant Original Application.

- s. Tender Committee meeting held on 14.08.2025, 25.08.2025 and various decisions pertaining to online Sand Ghat e-auction was taken.
- t. That Member Secretary, SEIAA Jharkhand vide letter 411 dated 29.08.2025 sent letter to Secretary Mines, Mines and Geology Department informing concerned district DSR has been approved as

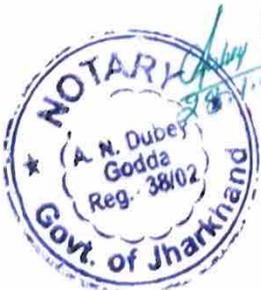


per EMGSM 2020 guidelines and as per then replenishment study. Letter also highlighted the fact and need of Replenishment Study as per EMGSM 2020 guidelines after DSR approval and before allotment of Environmental Clearance to any sand ghat. In compliance of that subsequent Replenishment Study as mandated by EMGSM guidelines 2020 is required, was highlighted to Secretary Mines, Jharkhand and copy of it was forwarded to all Deputy Commissioner's Jharkhand for knowledge and necessary action.

Above letter of SEIAA, Jharkhand was forwarded to All Deputy Commissioners, Jharkhand vide letter no 2148/M dated 02.09.2025 of Director Mines, Mines and Geology Department, Jharkhand for pointwise compliance.

Since earlier, the Director Geology, Mines and Geology Department issued work order on 13.10.2022 for Preparation/Updation and Revision of DSR of sand in Jharkhand. Deputy Commissioner, Godda upon receiving the letter of director mines has requested Director Geology, Mines and Geology Department vide letter no 747/M dated 03.10.2025 to conduct subsequent Replenishment Study as mandated by EMGSM guidelines 2020 and send the same at the earliest.

Photocopy of Member Secretary, SEIAA Jharkhand letter 411 dated 29.08.2025, letter no 2148/M dated 02.09.2025 of Director Mines, Mines and Geology Department and Deputy Commissioner, Godda

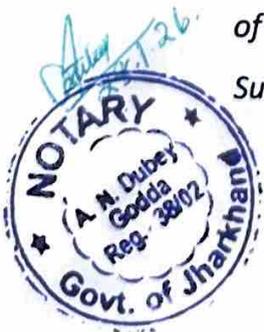


letter no 747/M dated 03.10.2025 is enclosed herewith and marked as **ANNEXURE L, M & N.**

- u. Impugned auction Notice Inviting Tender (NIT) Published on 02.09.2025.
 - v. Tender Committee meeting held and Technical Evaluation of the Bid received was done on 20.09.2025.
7. Now dealing with the parawise contentions of the Applicant, below are the Reply to the same:

That with regard to the synopsis and para I (A) of Original Application it is submitted as follows;

- i. That the contents of the Synopsis are denied as incorrect, misleading, and contrary to record. The Applicant's allegations regarding the validity of the District Survey Report (DSR) for District Godda, Jharkhand, and the subsequent Auction Notice dated 02.09.2025, are misconceived, based on selective reading of documents, and devoid of any factual or legal foundation.
- ii. That the DSR for District Godda has been validly prepared and finalized in conformity with the directions of the Hon'ble Supreme Court in *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348, and in adherence to the *Sustainable Sand Mining Management Guidelines, 2016 (SSMG-2016)*



and *Enforcement and Monitoring Guidelines for Sand Mining, 2020 (EMGSM-2020)*.

- iii. The allegation that the DSR was prepared solely by a private NABET-accredited consultant (M/s Sathi Planners Pvt. Ltd.) and not by the Sub-Divisional Committee is factually incorrect. The said consultant was only engaged for preliminary data collection and draft preparation as per the work order dated 13.10.2022 issued by the Director, Geology, Department of Mines and Geology, Jharkhand.
- iv. Subsequently, Sub-Divisional Committees were duly constituted by the Deputy Commissioner, Godda, vide Order No. 1162/m dated 21.11.2022, in compliance with the *Pawan Kumar* judgment. Sub-Divisional Committee, comprising Divisional Forest Officer, Sub-Divisional Officer (both Godda and mahagama sub-division), District Mining Officer, Assistant Director Geology, Executive Engineer Irrigation Division and Member Secretary, Jharkhand State Pollution Control Board, conducted physical inspection and site verification of sand ghats.
- v. Despite the advertisement being published and the draft report uploaded on the District portal for a full one-month period, no objections or comments were received from any person or organization. Thereafter, the DSR was finalized and forwarded to the SEAC for scrutiny and approval.

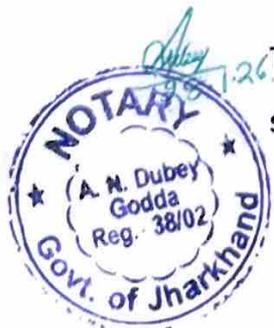


- vi. The SEAC, Jharkhand, in its 99th and 101st meetings, raised specific technical objections (24 and 10 points respectively), which were duly complied with by the SDC before resubmission. The SEIAA, Jharkhand, after considering the compliance report and the final draft, approved the DSR in its 103rd meeting dated 01-02.04.2023, vide approval letter No. 06 dated 02.04.2023.
- vii. Hence, the DSR was prepared, reviewed, and finalized by the competent Sub-Divisional Committees, and not delegated or outsourced in violation of *Pawan Kumar*. The Applicant's assertion that it was "wholly prepared by a private consultant" is contrary to record and an attempt to mislead this Hon'ble Tribunal.
- viii. It is respectfully submitted that the *Pawan Kumar (2022) 2 SCC 348* was duly complied with, as the Sub-Divisional Committees themselves undertook the functions of field verification, analysis, and approval. The consultant's limited role in technical drafting does not vitiate the process, especially when the final DSR was approved, signed, and adopted by the Sub- Divisional Committees and the SEIAA.
- ix. It is further submitted that the DSR cannot be rendered "non-est" merely because preliminary data collection was assisted by an accredited consultant, as long as the statutory committee itself prepared and finalized the report after due verification which is exactly the factual position here.



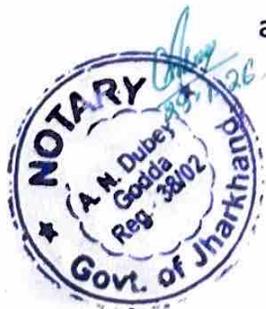
- x. The allegations that the DSR has been prepared *dehors* the law, or in contravention of *Pawan Kumar, Deepak Kumar, or Gaurav Kumar*, are misconceived and untenable. The Respondents have acted strictly in accordance with law, and every procedural and environmental safeguard mandated by the Apex Court and the MOEF Guidelines has been scrupulously observed.
- xi. The Applicant's averments that such preparation violates settled principles of administrative law (*Taylor v. Taylor, LIC v. Escorts, etc.*) are irrelevant, as no delegation of statutory responsibility occurred. The process followed in District Godda faithfully conforms to the model envisaged in *State of Bihar v. Pawan Kumar (2022) 2 SCC 348* — wherein the Sub-Divisional Committees function as the competent authority responsible for preparation and supervision of the District Survey Report, while limited technical assistance from accredited consultants is utilised only for data compilation and analysis, without delegation of statutory responsibility.
- xii. In light of the above, the allegations made in the Synopsis and sub-para (A) of the OA are denied in toto, and it is submitted that the DSR of District Godda is valid, lawful, and binding, having been prepared and approved after due public notice, expert scrutiny, and adherence to all applicable laws and guidelines.

That with regard to the synopsis I (B) of Original Application it is submitted as follows;



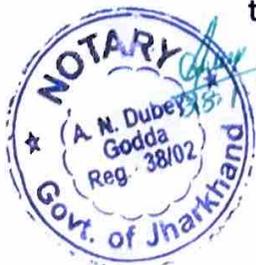


- i. That the averments contained in Para I(B) of the Original Application are wholly denied as being false, misconceived, and contrary to the record. The Applicant's allegation that the mining lease areas approved in the DSR include the entire river channel or submerged river portions is factually incorrect and based on a misreading of satellite imagery without technical verification.
- ii. It is submitted that the Sub-Divisional Committees conducted field-level physical verification and ground-truthing of sand ghats before finalizing the DSR, as recorded in the meeting proceedings Memo Nos. 125/Go dated 31.01.2023 (Godda Sub-Division) and 195/Go dated 31.01.2023 (Mahagama Sub-Division). The Committees specifically ensured that the proposed sand ghats are located on dry and accessible riverbeds and not within permanently submerged or ecologically sensitive zones.
- iii. The allegation that "most of the lease areas are wholly or substantially submerged" is not supported by any empirical data or authenticated mapping. The satellite images relied upon by the Applicant are not a valid substitute for the official ground verification conducted by the Sub-Divisional Committees through field inspections.
- iv. The preparation of the DSR was undertaken in accordance with the *Sustainable Sand Mining Management Guidelines, 2016* (SSMG-2016) and the *Enforcement and Monitoring Guidelines for Sand Mining, 2020*



(EMGSM-2020). In conformity with these guidelines, proposed mining below the water table or within submerged areas is not permissible and has accordingly been kept outside the scope of proposed mining activities in the district. The Applicant's reliance on *Medha Patkar v. State of M.P.* (OA No. 78/2015, CZ) is misconceived, as the said judgment merely reaffirmed the principles of the SSMG-2016 prohibiting mining in submerged or in-stream areas. The DSR for Godda conforms to these principles and limits excavation to a depth of 3 meters in accordance with para 4.3 of the EMGSM-2020. No mining has been carried out in any submerged or environmentally sensitive zone.

- v. The allegation that submerged areas were included "to maximize revenue" or "circumvent Clause 4.3(r) of EMGSM-2020" is baseless and speculative. The actual mineable quantity shall be determined only after completion of the Replenishment Study and grant of Environmental Clearance (EC). The Annual Mineable Quantity mentioned in the DSR serves only as a basis for calculating the initial Annual Mineral Concessional Value for the purpose of auction, in accordance with Rule 2(t) and Rule 6(V)(c) of the Jharkhand Sand Mining Rules, 2025 and as per clause 21(iv) of tender document (enclosed in annexure A-12 of Original Application).
- vi. It is pertinent to note that no mechanized mining or excavation below the water column is permitted under the Jharkhand Sand Mining



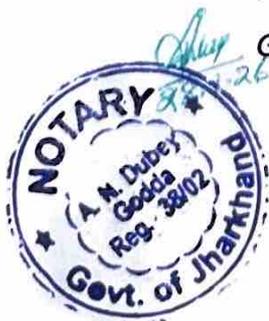
Rules, 2025 and EMGSM-2020. The entire regulatory framework ensures that extraction is restricted to the replenished sand quantity and non-submerged, ecologically sustainable zones.

- vii. Further, Mining operations are strictly prohibited during the monsoon months and at any time when the river is in flow or submerged, to ensure safety and natural replenishment.
- viii. Therefore, the assertion that the DSR includes wholly or partly submerged river channels, or that the same is *per se* illegal, is factually incorrect, technically unsustainable, and legally untenable. The DSR has been prepared and approved after full compliance with environmental safeguards and judicial guidelines, ensuring that no mining occurs in submerged, ecologically sensitive, or prohibited areas.

Hence, the contents of synopsis para I(B) of the OA are denied in entirety, except those that are matters of official record.

That with regard to the synopsis para I (C) of Original Application it is submitted as follows;

- i. That the averments contained in Para I(C) of the Original Application are denied as incorrect, misleading, and contrary to record. The allegation that the District Survey Report (DSR) for District Godda was prepared in violation of the *Sustainable Sand Mining Management Guidelines, 2016 (SSMG-2016)* and *Enforcement and Monitoring*



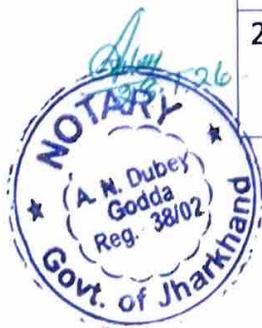
Guidelines for Sand Mining, 2020 (EMGSM-2020) is factually baseless and legally unsustainable.

- ii. The DSR for District Godda was prepared strictly in accordance with the EMGSM, 2020 and *SSMG, 2016*, as specifically required by the Hon'ble Supreme Court in *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348.

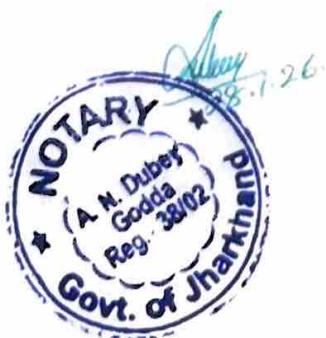
The Respondents ensured strict adherence to Clauses 4.1.1, 4.3, 5.0 thereof, of EMGSM, 2020 — relating to identification of mining zones, environmental safeguards, replenishment rate, and monitoring requirements and others.

- iii. That the violation shown in the table has been duly complied with, following is point wise compliance (already ensured) of the violation shown.

Sl. No.	EMGSM, 2020	COMPLIANCE
1.	4.1.1(b) requires a detailed River survey/ audit to identify the source of River bed material.	For compliance of 4.1.1(b) and 4.1.1(d) mandated annexure – I has been recorded in approved DSR sand of Godda district. (page 126 of approved DSR)
2.	4.1.1 (e), 4.3 (r) & (m) requires a survey of	Detailed Survey for capturing OGL has been done

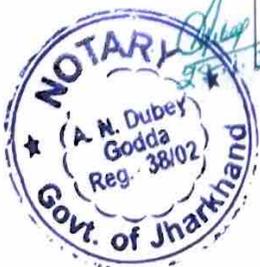


<p>entire river bed identifying 3/4th of the River or 7.5 m which is to be identified on a map and the remaining 1/4th to be kept as 'No Mining Zone'.</p>	<p>using UAV/DGPS. Area of deposition has been identified accordingly. All Sand ghat boundaries has been fixed after leaving the 1/4th of the River width for bank's safety (It is evident from interpretation of any map enclosed in DSR using legend in bottom left side) that. Tonnage factor of sand has been calculated by analyzing sand samples from NABL accredited laboratory (page 136 of approved DSR).</p>
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3.	4.1.1 (c) & (g) mandates identification of No Mining Zones considering Environmental factors.	Both the provisions has been complied which is evident from interpretation of any map enclosed in DSR using legend in bottom left side. No mining zone has been identified by measuring distance from bridges and permanent structures.
4.	4.1.1 (f) requires erection of permanent boundary pillars after identification of an area of aggradation and deposition.	It is mentioned in approved DSR page 12 that Boundary pillars will be fixed while fixation of the mining lease boundary subsequent to district level verification.
5.	4.3 (f) states that Sand and gravel shall not be allowed to be extracted where erosion may occur, such as at the concave bank.	This objection was also raised by SEAC, Jharkhand in it's 99 th meeting proceeding and the same has been complied with.
6.	4.3 (r) requires that the area for removal	

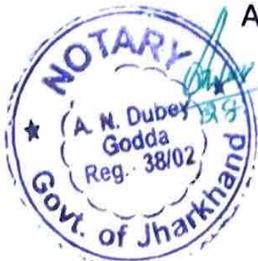


	of minerals shall not exceed 60% of the mine lease area.	
7.	4.0, 4.1, 5.0, 5.1 requires the excavation to be restricted to the Replenishment rate of the river.	<p>No actual mining permission has been granted. Rule 6(V) of Jharkhand Sand Mining Rules 2025 mentions annual mineable sand quantity of District Survey Report is for auction purpose and no actual mining will be undertaken as per Initially Annual Mineral Concessional Value. In fact After taking into account subsequent Replenishment Study as mandated by EMGSM guidelines 2020, final quantity mineable will be calculated and then only Mining Plan Preparation, EC granting process and then actual mining permission will be granted.</p> <p>As further clarified in Clause 21(iv) of the Tender Document (Annexure A-12 of the OA), the permissible mining quantity shall be limited to</p>



		whichever is lesser among the quantities approved under the Mining Plan, Environmental Clearance, and NOC under the Air and Water Acts.
8.	9.3 requires Districts/ States where the River is the District/State boundary, the draft DSR to be put up for public consultation in both districts and a combined Task force is to be constituted.	As per point no 17 of DSR approval letter of SEIAA, Jharkhand it mentions – <i>“An undertaking with reference to Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary has been provided.”</i> Further the DSR has been kept in public domain for one month after publication of advertisement in local newspaper. (page 125 of DSR)

- iv. The Sub-Divisional Committees (Godda and Mahagama) undertook field inspections, physical verification, and mapping of each proposed sand ghat, ensuring compliance with the parameters of EMGSM 2020 and SSMG 2016. The findings were duly incorporated in the DSR before its submission to the State Expert Appraisal Committee (SEAC), Jharkhand for scrutiny (Paragraph e

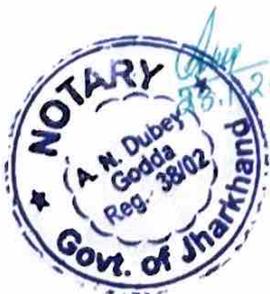


to g of the statements of facts section).

- v. The SEAC in its 99th and 101st meetings raised specific queries and 24-point and 10-point objections concerning compliance with EMGSM, 2020. These objections were rectified and reverified before the DSR was finalized. The SEAC, upon being satisfied that the DSR adhered to EMGSM 2020, recommended it to the SEIAA, Jharkhand, which approved the same in its 103rd meeting dated 01-02.04.2023 (Paragraph d, i to l).
- vi. The allegation of the applicant that *“all 16 mining leases proposed in the DSR are below 5 hectares”* is factually incorrect and misleading. A bare perusal of pages 77 to 84 of the approved DSR for District Godda clearly shows that not all mining leases are below 5 hectares. For instance, the Asarimadhuri Teliyatikar Sand Ghat measures 11.29 hectares, while the Lauambua Pasai Sand Ghat measures 5.51 hectares.

The Applicant has therefore placed incorrect facts before this Hon'ble Tribunal. The categorization and area determination of each sand ghat were made on scientific and geomorphological criteria, following the Sustainable Sand Mining Management Guidelines, 2016, the Enforcement & Monitoring Guidelines for Sand Mining, 2020, and the directions of the Hon'ble Supreme Court in *Pawan Kumar v. State of Bihar* (2022) 2 SCC 348.

The delineation of lease areas is thus based on river morphology





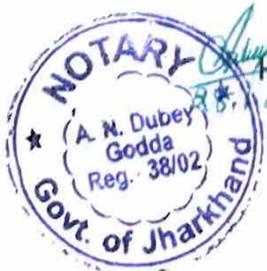
and safety parameters, not for the purpose of avoiding environmental appraisal, and every identified ghat will require Environmental Clearance (EC) from SEIAA, Jharkhand prior to any mining activity.

vii. It is further submitted that the Jharkhand Sand Mining Rules, 2025, notified vide Gazette No. 217 dated 13.05.2025, expressly incorporate Rules 6(III)(L) mandating strict compliance with SSMG-2016 and EMGSM-2020, prohibition on mechanized mining, and adherence to replenishment studies before actual excavation. Hence, no violation of the said guidelines can be alleged.

viii. The Applicant's insinuation that lease sizes were fixed to avoid EIA/EMP is wholly speculative and unsupported by any evidence and demonstrably false. The Respondents categorically submit that no Environmental Clearance (EC) has yet been granted to any ghat, and ECs, when sought, will be appraised in accordance with the cluster and replenishment provisions of EIA, 2006 and EMGSM, 2020.

ix. Therefore, it is submitted that the DSR was prepared, verified, and approved strictly as per the SSMG, 2016 and EMGSM, 2020 guidelines, and that no deviation, dilution, or procedural illegality has occurred. Thus, the allegations in Para I(C) are false, misconceived, and devoid of substance.

Hence, the contents of para I(C) of the Original Application are denied





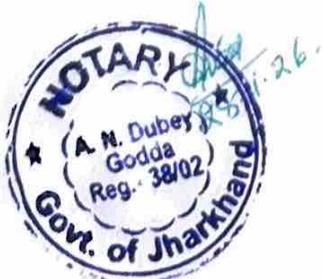
in entirety, except what is a matter of official record.

That with regard to the synopsis para I (D) of Original Application it is submitted as follows;

- i. That Without prejudice to the foregoing submissions, it is respectfully submitted that the objections raised in this paragraph pertain exclusively to Respondent No. 5 & 6, who is the competent authority to reply the same. The averments made herein are, therefore, denied insofar as they relate to Respondents No. 1 to 4.

That with regard to the synopsis para II (A) of Original Application it is submitted as follows;

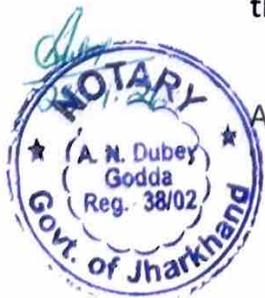
- i. The averments made in para II (A) of the Original Application are denied.
- ii. Prior to issuance of the E-Auction Notice dated 02.09.2025, the answering Respondents ensured that:
 - a. each sand ghat proposed in the DSR had been duly identified, verified and approved through the Sub-Divisional Committees (paragraph e to r of Statement of Fact);
 - b. As per clause 21, 22 and 23 of Tender Document the successful bidder/lessee shall obtain all statutory clearances, including forest clearance or NOC, before



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commencement of mining operations. This provision ensures that mining operations cannot commence or continue beyond the environmentally permissible limits fixed by the competent regulatory authorities, thereby safeguarding compliance with all applicable environmental norms.

- iii. From paragraphs of Statement of Facts, Auction is merely an offer of mining rights, and actual mining can commence only after the successful bidder secures Environmental Clearance (EC), Consent-to-Operate and Forest NOC and others. Hence, the auction notice is subject to the obtaining of all statutory clearances before execution of lease.
- iv. The answering Respondents reiterate that no mining activity has commenced in any ghat lacking statutory clearance, and that the condition requiring Forest NOC and EC has been explicitly incorporated in the tender document. The process therefore fully complies with the *EIA Notification 2006*, *SSMG 2016*, *EMGSM 2020* and the *Jharkhand Sand Mining Rules 2025*.
- v. The allegation that the answering Respondents auctioned areas without Forest NOC is therefore factually incorrect and legally untenable. The answering Respondents have acted strictly within their statutory powers.



Accordingly, the averments in synopsis II(A) are denied in toto, except



where supported by official record.

That with regard to the synopsis para II (B) of Original Application it is submitted as follows;

- i. The Applicant's assertion that no replenishment study has been conducted before issuance of the auction notice dated 02.09.2025 is factually incorrect and legally misconceived. The process for the subsequent replenishment study has already been initiated, in compliance with the Enforcement & Monitoring Guidelines for Sand Mining (EMGSM)-2020 and the directions of the State Environment Impact Assessment Authority (SEIAA), Jharkhand.
- ii. As stated in the statement of facts section, the Member Secretary, SEIAA Jharkhand, vide Letter No. 411 dated 29.08.2025, formally directed the Secretary, Department of Mines and Geology, that:

"Subsequent replenishment study as mandated under EMGSM-2020 must be carried out after approval of DSR and before grant of Environmental Clearance to any sand ghat."

Further, such such directive was circulated to all Deputy Commissioners of Jharkhand for compliance through Director, Mines vide Letter No. 2148/M dated 02.09.2025.

- iii. Acting on the above directive, the Deputy Commissioner, Godda has requested the Director, Geology, Department of Mines & Geology, vide Letter No. 747/M dated 03.10.2025, to undertake

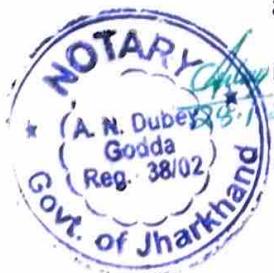


the replenishment study and submit the report at the earliest. Thus, the replenishment study process is already in motion and will be completed prior to issuance of any Environmental Clearance (EC).

- iv. The E-Auction Notice dated 02.09.2025 is only an invitation to participate for identifying the preferred bidder. It does not permit or authorize mining operations. Under Rule 6(V)(c) of the Jharkhand Sand Mining Rules, 2025, the annual mineable sand quantity in the DSR serves merely as a provisional basis for determining Initial Annual Mineral Concessional Value for auction. The actual mineable quantity is finalized only after completion of the replenishment study and grant of EC.

The same has also been clarified in Clause 21(iv) of the Tender Document (Annexure A-12 of the Original Application), the permissible mining quantity shall be limited to whichever is lesser among the quantities approved under the Mining Plan, Environmental Clearance, and NOC under the Air and Water Acts.

- v. The EMGSM-2020 (para 5.0) mandates replenishment studies to assess the volume of sand available for sustainable mining each year. The Respondent authorities have fully incorporated this requirement into their administrative process. Subsequent to allotment of sand ghat also, replenishment study has also been mandated each year as per EMGSM - 2020.



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- vi. The reliance placed on *Raj Kumar v. State of U.P.* (OA No. 140/2021) is misconceived, instead it pertained to continuation of ongoing sand mining leases in Uttar Pradesh, where annual replenishment studies mandated under the EMGSM, 2020 had not been conducted within the due period. In contrast, in the present case:
- a. No mining is yet operational under the 2025 auction;
 - b. The replenishment study is underway; and
 - c. Mining will commence *only after* completion of the replenishment study and grant of EC.

Hence, the principle laid down in *Raj Kumar v. State of U.P.* does not apply to the present matter.

- vii. The Respondent State has built multiple procedural safeguards:
- a. No lease deed will be executed until replenishment data is approved;
 - b. No EC will be granted without replenishment assessment;
 - c. Monitoring mechanism (as per EMGSM 4.3 & Rule 6(III)(L)) ensures extraction within sustainable limits.
- viii. The allegation that the auction notice dated 02.09.2025 was issued "without replenishment study" is erroneous. The replenishment study has been formally mandated, is already

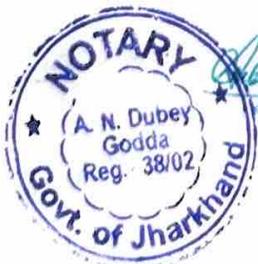


underway, and mining cannot commence without its completion and EC approval. The auction notice merely initiates the bidding process and does not contravene EMGSM-2020 or SSMG- 2016.

Accordingly, synopsis paras II (B) is without merit and liable to be rejected.

That with regard to the synopsis para II (C) of Original Application it is submitted as follows;

- i. The Applicant's assertion that the Impugned Auction Notice dated 02.09.2025 authorizes mining "above the replenished rate" mentioned in the 2022 Replenishment Study is factually incorrect, premature, and legally misconceived. The Auction Notice does not determine, sanction, or permit extraction quantities, it merely initiates the bidding process based on Initial annual mineable quantities drawn from the approved *District Survey Report (DSR)*. These figures serve only as a financial baseline for calculating the final Annual Mineral Concessional Value for auction purposes, not as a physical extraction limit.
- ii. As stated in the Statement of Facts, under Rule 6(V)(c) of the *Jharkhand Sand Mining Rules, 2025*:

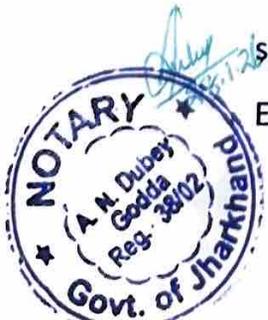


“Initially Annual Mineral Concessional Value shall be calculated as per annual mineable sand quantity of the District Survey Report and finally as per Environmental Clearance for the first and subsequent years of lease period....”

which means that the initial annual mineable quantity is subject to modification after (a) the Replenishment Study, (b) preparation of a Mining Plan, and (c) grant of Environmental Clearance (EC). Therefore, the mineable quantity in the DSR or auction document cannot, and does not, authorize extraction beyond replenishment limits.

Similarly, as per tender document Clause 21, 22 and 23 of the Annexure A-12 of Original Application reaffirms mandate that actual mining will only be allowed after obtaining all statutory clearance for instance Forest NOC Report, Environmental Clearance, Consent to Operate and others as required under law. Moreover, Clause 21(iv) mentions permissible mining quantity will be as per mining plan, Environmental Clearance, NOC under air and water act by pollution department (whichever is less). These provisions ensures that mining operations cannot commence or continue beyond the environmentally permissible limits fixed by the competent regulatory authorities, thereby safeguarding compliance with all applicable environmental norms.

- iii. As detailed in the Statement of facts section, the Member Secretary, SEIAA Jharkhand, vide Letter No. 411 dated 29.08.2025, directed that subsequent replenishment studies be undertaken in accordance with EMGSM-2020 before any EC is granted. The Director of Mines, through



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Letter No. 2148/M dated 02.09.2025, circulated this directive to all Deputy Commissioners, and the Deputy Commissioner, Godda, promptly sought initiation of the study through Letter No. 747/M dated 03.10.2025 addressed to the Director, Geology. Hence, subsequent replenishment study is already under process, and no mining can begin until the new replenishment study are done.

iv. The Applicant's reliance on *Anuj Singh v. State of U.P.*, O.A. No. 284/2023 (order dated 19.07.2023), and *Balbir Sandhu v. Union of India*, O.A. No. 532/2023 (order dated 22.04.2025) is misplaced. *Anuj Singh v. State of U.P.* judgment dealt with ongoing mining operations being continued without contemporaneous replenishment studies. And *Balbir Sandhu v. Union of India* dealt with approval of mining plan being contrary to contemporaneous DSR, SSMG- 2016 and EMGSM – 2020 guidelines, In contrast, here:

- A. No mining activity has yet commenced;
- B. Replenishment study has been initiated before operationalisation;
- C. Mining Plan will be in accordance to replenishment-certified quantity, SSMG- 2016 and EMGSM – 2020 guidelines; and
- D. Mining will start only after EC is granted based on replenishment-certified quantity.

Therefore, the principle laid down in those cases does not apply to the present matter.

Similarly, the recent judgment dated 22.08.2025 in *UT of J&K v. Raja*



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Muzaffar Bhat, C.A. No. 8055/2022 reiterates that replenishment study is mandatory before extraction, not before *auction*. The Respondents are in complete compliance with this requirement.

- vi. The Model Tender Document issued by the Director of Mines expressly provides:
- A. Clause 31: Subsequent to lease allotment after fulfilling all legal, judicial requirement. Lessee must conduct replenishment study through accredited agencies as per EMGSM- 2020;
- B. Clause 33: Lessee must adhere to *SSMG-2016, EMGSM-2020, MMDR Act, 1957, Jharkhand Sand Mining Rules, 2025*, and EC conditions. Thus, even post-auction, replenishment-based restrictions are statutorily and contractually binding on the lessee.
- vii. Under the statutory framework, the lessee can operate only within replenished, EC-approved limits, monitored by the District Tact Force and State Pollution Control Board. Mechanised lifting is also expressly prohibited by Rule 6(III)(L) of the *Jharkhand Sand Mining Rules, 2025*. Hence, the apprehension of “excessive or disproportionate mining” is unfounded.
- viii. The Auction Notice dated 02.09.2025 does not authorize or permit mining above the replenished rate;
- A. The subsequent replenishment as EMGSM guidelines 2020 has already been initiated before any mining begins;

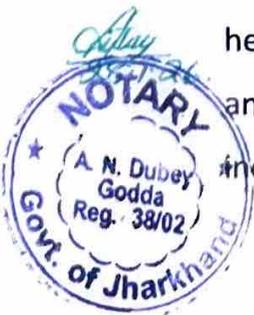


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- B. Final extraction quantities will be determined only after EC based on that study; and
- C. The entire process conforms with *SSMG-2016*, *EMGSM-2020*, and judicial directions in *Pawan Kumar, Anuj Singh, Balbir Sandhu, and Raja Muzaffar Bhat*.

Accordingly, synopsis paras II (C) is factually untenable, legally unsustainable, and devoid of merit.

8. With regard to paragraphs 1 and 2 of the Original Application, it is stated that regarding addresses for service of notices are formal in nature and hence require no reply. However, it is submitted that Respondents Nos. 1 to 4 are properly represented and competent to respond to the issues raised.
9. The contents of para 3 are denied except to the extent that SEIAA, Jharkhand (and not SEIAA, UP) approved the *District Survey Report (DSR)* for District Godda vide its 103rd Meeting held on 01–02.04.2023, approval letter dated 02.04.2023, as clearly recorded in the statement of facts).
10. With regard to paragraph 3 of the Original Application, it is stated that the approval was issued only after multiple rounds of scrutiny, objection, and compliance by the Sub-Divisional Committees and SEAC.
11. It is further stated that the Auction Notice dated 02.09.2025, impugned herein, is merely a procedural step for identifying prospective bidders and does not authorize any mining activity until all statutory clearances including Replenishment Study, Mining Plan, Environmental Clearance

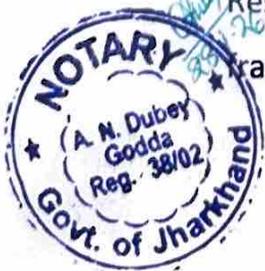


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(EC), and Forest NOC are duly obtained. Hence, the prayer seeking quashing of the DSR and the Auction Notice is misdirected, premature, and unsustainable.

12. With regard to paragraph 4 of the Original Application, it is stated that the statement that the Applicant is affected by the preparation of the DSR is denied. The Applicant resides in Bhagalpur District, Bihar, outside the territorial jurisdiction of the DSR in question. No evidence has been produced to demonstrate any direct, immediate, or local environmental injury caused to the Applicant's property, livelihood, or right to life. It is also submitted that no mining activity has yet commenced under the 2025 auction; therefore, no actual or imminent environmental harm exists. The grievance is speculative and based on assumptions. Further, the DSR for Godda District has been prepared strictly in compliance with the directions of the Hon'ble Supreme Court in *State of Bihar v. Pawan Kumar* (2022) 2 SCC 348, incorporating the provisions of *Sustainable Sand Mining Guidelines (SSMG-2016)* and *Enforcement & Monitoring Guidelines for Sand Mining (EMGSM-2020)*. The Sub-Divisional Committees conducted physical inspections and field verifications and the DSR was approved only after compliance with SEAC's 24-point objection and 10-point scrutiny.

13. With regard to paragraph 5 of the Original Application, it is stated that the allegation that the DSR was "faulty" and would result in irreversible environmental damage is unsubstantiated and contrary to record. The Respondents have acted under a detailed legal and procedural framework to ensure sustainable management of riverbed sand mining,



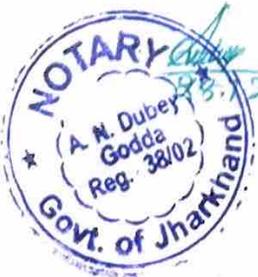
including:

- i. Preparation and verification of DSRs by statutory Sub-Divisional Committees;
- ii. Approval by expert bodies (SEAC and SEIAA) after multi-level scrutiny;
- iii. Mandatory replenishment study before any EC or mining operation; and
- iv. Strict adherence to Rule 6(III)(L) of the *Jharkhand Sand Mining Rules, 2025*, prohibiting mechanised mining and mandating compliance with EMGSM-2020.

The *Auction Notice* itself is conditional, explicitly requiring successful bidders to obtain all environmental and statutory clearances before any mining. Hence, the apprehension of “rampant flouting of environmental norms” is unfounded and speculative.

14. With regard to paragraph 6 of the Original Application, it is stated that the averment, Applicant has no personal interest but only seeks environmental protection is noted. However, it is submitted that no cause of action exists at this stage because:

- i. No mining has commenced;
- ii. The subsequent replenishment study as per EMGSM-2020 is already underway;
- iii. All environmental safeguards under *SSMG-2016*, *EMGSM-2020*, and *Jharkhand Sand Mining Rules, 2025* are in force; and
- iv. The Applicant has not demonstrated any specific environmental

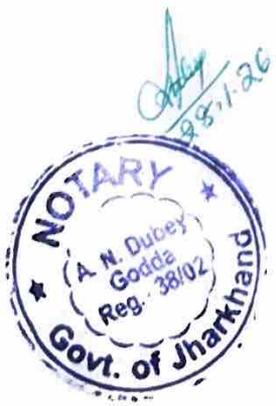


violation and any alleged harm.

The Application, therefore, constitutes a premature and preventive challenge, not grounded in any existing environmental damage or actionable breach.

15. With regard to paragraph 7 of the Original Application, Save and Except what are matters of records, it is stated as follows:

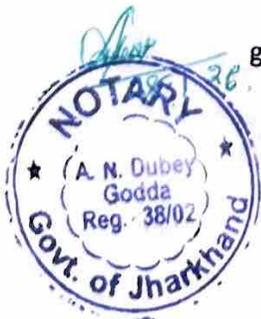
- a. The contents of sub-para 7(i) are a matter of record.
- b. With regard contents of sub-para 7(ii), the judgment of the Hon'ble Supreme Court in *Deepak Kumar v. State of Haryana*, (2012) 4 SCC 629 is admitted to the extent it emphasises the need for regulated and environmentally sustainable sand mining. However, the present case strictly follows that principle, as all mining operations in Jharkhand are subject to replenishment based clearance, physical verification and environmental safeguards under SSMG, 2016 and EMGSM, 2020. The Applicant's general apprehension is misplaced, as no mining has commenced in Godda District pursuant to the 2025 auction.
- c. With regard contents of sub-para 7(iii), the same are partly admitted to the extent they refer to the insertion of Appendix X and XI to the EIA Notification, 2006. It is submitted, however, that following subsequent judicial and administrative developments (e.g., *Pawan Kumar*, 2022 (2) SCC 348), the process for preparation and approval of DSRs has evolved. The



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DSR for Godda district was prepared in compliance with the later framework and SEIAA approval process.

- d. With regard contents of sub-para 7(iv), the issuance of SSMG, 2016 are admitted as a matter of record. The answering Respondents submit that these Guidelines have been fully adhered to while preparing and approving the DSR for Godda District, as detailed in the Statement of Facts.
- e. With regard contents of sub-para 7(v), the reliance placed on *Medha Patkar v. State of M.P.* (OA No. 78/2015, CZ) is misconceived. The said judgment merely reaffirmed the general principle under the *Sustainable Sand Mining Guidelines, 2016* that no mining shall be conducted in submerged or in-stream areas. No mining has been and will be carried out in Godda District without environmental clearance, and no submerged or prohibited river area has been demarcated for extraction.
- f. With regard contents of sub-para 7(vi), the contents are noted. The quashing of DEIAA and DEAC by this Hon'ble Tribunal in *Satender Pandey v. UOI* (order dated 13.09.2018) was duly taken into account in subsequent regulatory reforms, and the functions now stand vested with SEAC/SEIAA at the State level.
- g. With regard contents of sub-para 7(vii), the issuance of EMGSM, 2020 by MoEF&CC is admitted. The answering Respondents submit that the DSR for Godda District was prepared in strict



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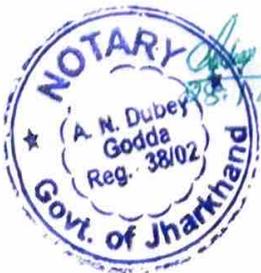
adherence to the provisions of EMGSM, 2020, including Clauses 4.1.1, 4.3, and 5.0.

- h. With regard contents of sub-para 7(viii), the same is noted as a statement of the judgment passed by this Hon'ble Tribunal in *Pawan Kumar v. State of Bihar* (order dated 14.10.2020).
- i. With regard contents of sub-para 7(ix), it is admitted that the Hon'ble Supreme Court in *State of Bihar v. Pawan Kumar*, (2022) 2 SCC 348 directed that DSRs be prepared by Sub-Divisional Committees. Further, the answering Respondents submit that in Jharkhand, the draft DSR for Godda district was in fact verified, and then final DSR was prepared and approved by the Sub-Divisional Committees after physical inspection and public notice. The consultant's draft served only as a technical input, which does not invalidate the DSR once duly adopted by the competent committee.
- j. With regard contents of sub-para 7(x), the judgment in *Raj Kumar v. State of U.P.*, OA No. 140/2021 (order dated 06.05.2022) and subsequent dismissal of Civil Appeal Nos. 8035–8036/2022 by the Hon'ble Supreme Court are matters of record. However, the directions therein related to active leases without replenishment validation. In Jharkhand, no mining has been undertaken without prior replenishment study and EC, hence, the principle laid down in *Raj Kumar v. State of U.P.* does not apply to the present matter.



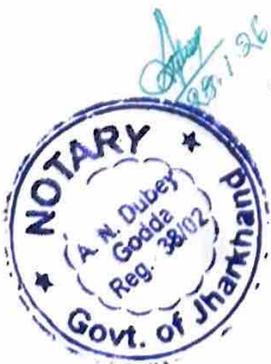


- k. With regard contents of sub-para 7(xi), the same is denied. It is stated that the answering Respondents submit that the engagement of M/s Sathi Planners Pvt. Ltd., a QCI-NABET accredited agency, was undertaken vide Memo No. Bhu.Ni.Anve-95/2021- 2139 dated 13.10.2022. Moreover, the engagement was for drafting assistance and data collection; final verification, update and approval were carried out by the Sub-Divisional Committees and approved by SEAC/SEIAA.
- l. With regard contents of sub-para 7(xii), the same is denied. It is stated that the Public notice inviting objections/ comments on the draft DSR was duly published and uploaded on the District Portal vide Letter No. 1161/M dated 21.11.2022 after corresponding press advertisement. No objections were received within the stipulated period, and thereafter, the DSR was finalized. The question of conducting public hearing in the adjoining district of Banka, Bihar does not arise, as jurisdiction lies exclusively within Jharkhand.
- m. With regard contents of sub-para 7(xiii), the directions in *Anuj Singh v. State of U.P.*, O.A. No. 284/2023 are acknowledged, but fully complied with in Jharkhand. The DSR for Godda was prepared with replenishment study data, and replenishment studies process prior to EC/operationalisation is underway (Statements of facts paras 'r', 't'- 'u').



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- n. With regard contents of sub-para 7(xiv), the same is denied. It is stated that the allegation that SEAC Jharkhand approved the DSR in a hurried or perfunctory manner is baseless. It is further stated that SEAC raised detailed technical objections in its 99th and 101st meetings, which were addressed before the final approval in the 102nd meeting. The answering Respondents reiterate that SEAC/SEIAA are independent expert bodies functioning under the EIA framework.
- o. With regard contents of sub-para 7(xv), the same is denied and disputed. It is stated that the SEIAA Jharkhand approved the DSR for Godda District on 01–02 April 2023 after due scrutiny and upon SEAC's recommendation. Respondents Nos. 1 to 4 have no control over SEIAA's deliberations and rely upon their recorded proceedings as conclusive evidence of due process.
- p. With regard contents of sub-para 7(xvi), the same is Admitted that Respondent No.4 (District Mining Officer, Godda) issued the e-Auction Notice dated 02.09.2025 for 16 sand ghats. It is further, reiterate that issuance of the Auction Notice is a pre-operational step and does not permit mining until all statutory clearances (replenishment study approval, EC, forest NOC etc.) as mandated by the Tender Document and Jharkhand Rules.
- q. With regard contents of sub-para 7(xvii), it is reiterated that the Original Application is misconceived, as all statutory and judicial requirements have been duly followed by the answering



Respondents.

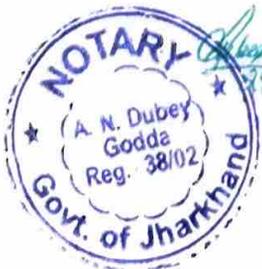
16. Save and except what are matters of records, It is denied the statements made in Grounds of the said Original Application. It is stated that the grounds mentioned there under are all baseless, vague and have no legal stand.

i. With regard to Ground A, the statements made therein are denied. It is stated that the DSR for District Godda was prepared, verified, and finalized by the Sub-Divisional Committees in strict compliance with State of Bihar v. Pawan Kumar (2022) 2 SCC 348.

- a. Sathi Planners Pvt. Ltd. was engaged only for data compilation and draft preparation.
- b. The Sub-Divisional Committees conducted physical inspections, verified ghats, and prepared the final DSR, approved by SEIAA. Hence, the allegation that the DSR was “prepared by a private consultant” is factually incorrect and legally untenable.

ii. With regard to Ground B, the statements made therein are denied. It is stated that the DSR strictly adheres to SSMG-2016 and EMGSM-2020, as confirmed during SEAC’s detailed scrutiny.

- a. SEAC raised 24 specific objections in its 99th Meeting and later 10 additional shortcomings in its 101st Meeting, all of which were rectified prior to final approval.
- b. SEIAA’s approval dated 02.04.2023 followed compliance and due appraisal.



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- c. The table mentioned in the Synopsis to the Original Application stands duly replied to in the preceding paragraphs of this Counter Affidavit. Thus, the claim of hurried or perfunctory approval is baseless.
- iii. With regard to Ground C, the statements made therein are denied. It is stated that both SEAC and SEIAA functioned as independent expert bodies, raising specific technical objections, ensuring compliance, and appraising the final DSR.
- iv. With regard to Ground D, the statements made therein are denied. It is stated that physical inspections by the Sub-Divisional Committees (Godda & Mahagama) excluded submerged and ecologically sensitive zones. Moreover, extraction shall be restricted to a depth not exceeding 3 metres or up to the water level, whichever is less, as per the Sustainable Sand Mining Management Guidelines, 2016. Hence, no submerged zone has been approved for mining; allegation is factually false.
- v. With regard to Ground E, the statements made therein are denied. It is stated that the auction notice does not authorize mining. Mining can commence only after Forest NOC and EC are granted. Hence, this ground is premature.
- vi. With regard to Ground F, the statements made therein are denied. It is stated that, a bare perusal of pages 77 to 84 of the approved DSR for District Godda clearly shows that not all mining leases are below 5 hectares. For instance, the Asarimadhuri Teliyatikar Sand Ghat covers

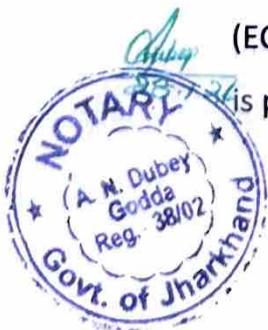




11.29 hectares, and the Lauambua Pasai Sand Ghat covers 5.51 hectares. Thus, the allegation that the leases were fragmented to evade EIA/EMP or public consultation is unfounded. The delineation of lease areas is based on hydrological and geological parameters, and any cluster-related appraisal, where applicable, will be duly addressed at the Environmental Clearance stage by the competent authority. No evasion of Appendix XI or Deepak Kumar directions occurred. The Mining plans and ECs will be appraised considering cluster proximity before operations.

vii. With regard to Ground G, the statements made therein are denied. It is stated that the Member Secretary, SEIAA, Jharkhand directed all districts to conduct replenishment studies before granting ECs (Letter No. 411 dated 29.08.2025). The Deputy Commissioner, Godda immediately requested the Director, Geology to conduct the replenishment study before EC issuance in timely manner. (Letter No. 747/M dated 03.10.2025; Statement of Facts). Thus, replenishment study is already initiated; mining will not commence before its completion.

viii. With regard to Ground H, the statements made therein are denied. It is stated that actual extraction will be based on subsequent replenishment studies (already initiated) and Environmental Clearance (EC) quantities. Hence, the allegation of exceeding replenishment rate is premature and incorrect.



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- ix. With regard to Ground I, the statements made therein are denied. It is stated that the Gaurav Kumar decision mandates mining only up to replenished limits, which the Respondents fully accept and follow. No mining has begun and replenishment study is underway. The DSRs and auction conditions expressly incorporate SSMG-2016, EMGSM-2020, and replenishment limits.
- x. With regard to Grounds J and K, the statements made therein are denied. It is stated that Anuj Singh v. State of U.P. judgment dealt with ongoing mining operations being continued without contemporaneous replenishment studies. And Balbir Sandhu vs. Union of India dealt with approval of mining plan being contrary to contemporaneous DSR, SSMG- 2016 and EMGSM – 2020 guidelines. In our case, no mining has commenced, and replenishment studies are being conducted in advance. The Mining Plan will be in accordance to replenishment-certified quantity, SSMG- 2016 and EMGSM – 2020 guidelines. The State's procedure fully satisfies those NGT directives.
- xi. With regard to L, the statements made therein are denied. It is stated that the DSR has been prepared with due scientific rigor, field verification, and multi-level expert review. The Mining will begin only after updated replenishment data, EC, Forest NOC, and adherence to all safeguards under Jharkhand Sand Mining Rules, 2025. The apprehension of "irreversible damage" is speculative and unfounded.

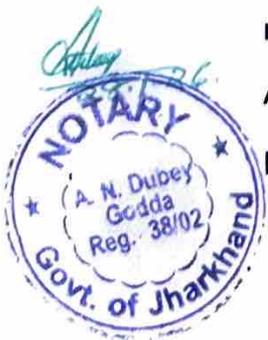
17. That in reply to the limitation paragraphs it is stated as follows:





- a. The averments relating to limitation are denied as being incorrect and misconceived. The cause of action, if any, arose much earlier when the District Survey Report (DSR) for Godda District was duly finalized and approved by the competent authorities in the year 2023, and not in 2025 as claimed by the Applicant.
- b. The draft DSR was duly published on the district website in November 2022, following advertisement in local newspapers, inviting public comments/objections for a period of one month.
- Despite wide publication, no objection or public comment was received from any individual or organization.
 - Thereafter, the Sub-Divisional Committees of Godda and Mahagama undertook physical verification and review of all sand ghats and finalized the DSR after due process.
- c. The final DSR was then approved by SEIAA, Jharkhand in its 103rd meeting dated 01– 02.04.2023, and the approval was communicated on 02.04.2023. Hence, the cause of action, if any, crystallized in 2023 — not in July 2025 when the DSR was merely re-uploaded for public access.
- d. The auction notice dated 02.09.2025 does not constitute a “fresh cause of action” as it is only an administrative step to invite bids and does not authorize or commence any mining activity.

Accordingly, the present Original Application is barred by limitation, premature, and devoid of any live environmental dispute attracting



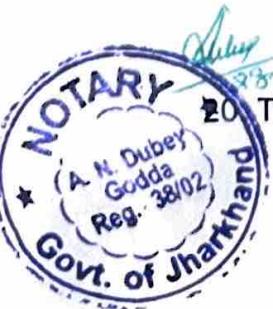
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the jurisdiction of this Hon'ble Tribunal under Sections 14 and 15 of the NGT Act, 2010.

18. In light of the above submissions and the factual position on record, it is most respectfully prayed that this Hon'ble tribunal may be pleased to :

- a. Dismiss the Original Application as being barred by limitation, premature and filed by a person without locus standi;
- b. Hold and declare that the Distict Survey Report (DSR) for District Godda has been lawfully prepared, verified and approved in accordance with the Hon'ble Supreme Court's directions in Pawan Kumar (2022) 2 SCC 348, the EIA notification, 2006, and the SSMG-2016 and EMGSM-2020 guidelines;
- c. Uphold the legality and validity of the Auction Notice dated 02.09.2025, which merely commences the e-auction process and is subject to replenishment study, EC and other statutory clearances;
- d. Reject the Applicant's prayers seeking quashing of the DSR, Auction Notice, or related proceedings, as the same are based on incorrect facts and erroneous assumptions; and
- e. Pass such other or further orders as this Hon'ble tribunal may deem fit and porper in the facts and circumstances of the present case.

19. In the aforesaid circumstances, It is submitted that the Original Application be dismissed with cost otherwise the Respondent shall suffer for no fault on their part.



20. That the statements made in paragraphs nos. 1 to 4 are all true to my

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knowledge and the statements made in paragraphs nos. 5 to 13 are all derived from the records, which I verily believe to be true to my knowledge and those contained in rest of the paragraphs are my humble submission before this Hon'ble Tribunal.



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VERIFICATION

I, Sunny Kumar, son of Pramod Kumar Sahu, aged about 32 years, by Religion - Hinduism, by Occupation - Service under Government of Jharkhand in the office of District Mining Officer, Godda, Jharkhand, having office at Lohia Nagar, Godda, Pincode - 814133, Jharkhand, is filing this Counter Affidavit and that the contents of affidavit are true and correct to the best of my knowledge and belief..

Date: 28/01/2026

Place: Godda

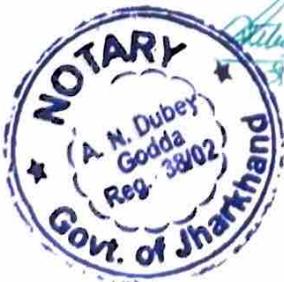
Attested
28/01/2026



Deponent

Identified by me:

Chandra kumar Singh
Advocate *28/01/2026*



Annexure- 'A'

GOVERNMENT OF JHARKHAND
DEPARTMENT OF MINES & GEOLOGY
DIRECTORATE OF GEOLOGY
ENGINEERS' HOSTEL, 2ND FLOOR, DHURWA, RANCHI
E-MAIL: dir-geology@jharkhandmail.gov.in

Letter No:-Bhu.Ni.Anve-95/2021 - 2139

M/Ranchi, Date:- 13.10.2022

From,

Vijay Kumar Ojha
Director, Geology

To,

M/s Sathi Planners Private Limited,
Lake Avenue, Kanke Road,
Behind Cambrian Public School
Ranchi, Jharkhand - 834008
Email-abhijit@sathi planners.com

Subject: Work Order for Preparation/Updation and Revision of District Survey Report (DSR) of Sand in Jharkhand.

Sir,

This is to inform you that M/s Sathi Planners Private Limited has been submitted lowest financial offer for Preparation/Updation and Revision of District Survey Report (DSR) of Sand under the guideline of Enforcement and Monitoring Guidelines for Sand Mining 2020 (EMGSM-2020), Sustainable Sand Mining Management Guidelines 2016 (SSMMG-2016), Ministry of Environment, Forest and Climate Change January 2020 (MoEF&CC) and follow Gazette of India 15th January 2016 and 25th July 2018 and also guidance of Hon'ble Court of Jharkhand and Supreme Court of India. In consequence of that Directorate of Geology intend to give work order for Preparation/Updation and Revision of District Survey Report (DSR) of Sand on the lowest rate decided by the Departmental Purchase Committee.

2. Scope of work:-

- i. Preparation of District Survey Reports of Sand for 6 districts of Jharkhand (as per list contained in this letter further).
- ii. Preparation of DSR of Sand should be done as per the procedure and the parameters lay down under the Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining 2020 read in sync with each other and carried out as per format prescribed by the MoEF& CC, Govt vide Notification dated 25 July 2018.
- iii. In preparation of DSR of other minor minerals including Sand, various guidelines and direction given by Honourable NGT and MoEF& CC, Govt and SEIAA Jharkhand shall be strictly adhered to.
- iv. The selected agency will have to update the DSR as per prevailing law, guidelines, rules and regulations issued by competent authority.

[Handwritten Signature]



- v. The selected agency will have to prepare DSR and approval there of as existing law and guideline/circular issued by the competent authority.
- vi. This will be a continuous and progressive work by way of updation of relevant information as per guideline over a period of 5 (Five) year.
- vii. District Survey Report (DSR) shall be submitted to Respective DMO through respective Assistant Director, Geology who shall after due diligence forward that to Deputy Commissioner of the concerned district for verification and needful action.
- viii. The concerned Deputy Commissioner will verify the DSR in respect of the relevant facts pertaining to the physical and geographical features of the district which shall be in line with scientific findings based on the parameters prescribed in the Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining 2020. After such verification, the Deputy Commissioner after following all procedure to check the DSR and will get it vetted by Committee at district level shall forward the DSR for examination and evaluation by the State Expert Appraisal Committee (SEAC) having regarding to the fact that the SEIAA comprises of technical/scientific experts.
- ix. The SEAC after appraisal of the report shall forward it to the SEIAA for consideration and approval if it meets all scientific/technical requirements.
- x. DSR approved by the SEIAA shall be taken as final outcome of the Agency and will be submitted by the agency to Director, Geology/Director Mines.
- xi. Any modification/ correction if required and asked to do after scrutiny of District Survey Report (DSR) at various levels shall be done under time limit by the agency.
- xii. NGT order dt. 05.09.2022 of original application No. 54/2022/EZ must be complied.

3. District Details: -

Following is the list of district your agency has been allotted for DSR Preparation-

Sl. No.	District	Unit Rate (Rs. In Lakh) (Inclusive of all taxes)
1.	Jamtara	Rs. 20.03 (Rupees Twenty Lakh Three Thousand only)
2.	Dumka	Rs. 20.03 (Rupees Twenty Lakh Three Thousand only)
3.	Godda	Rs. 18.05 (Rupees Eighteen Lakh Five Thousand only)
4.	Latehar	Rs. 18.03 (Rupees Eighteen Lakh Three Thousand only)
5.	Bokaro	Rs. 20.06 (Rupees Twenty Lakh Six Thousand only)
6.	Palamu	Rs. 20.01 (Rupees Twenty Lakh One Thousand only)

[Handwritten Signature]



4. All terms and conditions mentioned in Expression of Interest No- 08/2021-22 of Directorate of Geology, Department of Mines & Geology, Government of Jharkhand will be applicable and the agency will execute the work accordingly.
5. The Agency shall have to submit the Performance Security Deposit in the form of Bank Guarantee. Performance security deposit shall be 20% of the contract value excluding the taxes. The performance security deposit shall be returned after completion of the warranty period to the satisfaction of the Directorate of Geology and satisfactory performance of the work.
6. You are directed to provide email ID and mobile numbers of each member of your survey team for better communication.
7. Your agency will report progress of work fortnightly to project in-charge as well as Directorate of Geology.
8. Your agency will work under the supervision of authorized representative of Directorate of Geology.
9. **Payment and Termination of Work Order:**
 - i. Payment shall be made after approval of District Survey Report (DSR) by the SEIAA. The company shall submit certified final bill after completion of work to the Directorate of Geology, 2nd floor Engineers' Hostel no-2, Dhurwa Ranchi with completion certificate duly certified by authorized field officer of Directorate of Geology and concern District Mining Officer.
 - ii. In case of any breach of Terms & Conditions mentioned in work order or in the Expression of Interest No. 08/2021-22 of Directorate of Geology, Department of Mines & Geology, work order will be cancelled and the security money and payment will be forfeited after giving 15 day of notice.
 - iii. Any dispute will be mutually settled by the parties. In case any further legal dispute, jurisdiction will be Ranchi only.
10. This work order is being issued after the approval of competent authority.

Yours faithfully,

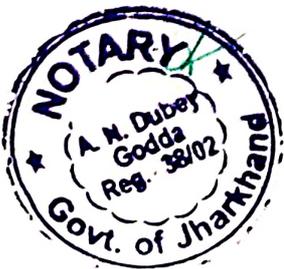
(Signature)
13.10.2022
(Vijay Kumar Ojha)
Director, Geology

Memo no.- Bhu.NI.Anve-95/2021 - 2139

Copy to:- All Concerned Deputy Director, Geology/Assistant Director, Geology for Information and necessary action.

Ranchi/Date:- 13.10.2022

(Signature)
13.10.2022
Director, Geology



Annexure- 'B'

जिला दण्डाधिकारी-सह-उपायुक्त का कार्यालय, गोड्डा।

(खनन शाखा)

-: आदेश :-

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के अधिसूचना संख्या- 3611(अ), दिनांक 25.07.2018 एवं Enforcement and Monitoring Guidelines for Sand Mining 2020 के तहत बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) तैयार किया जाना है।

गोड्डा जिला हेतु बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन भूतत्व निदेशालय के Empanelled QCI-NABET Accredited Agency साथी प्लानर्स, राँची द्वारा दाखिल किया गया है, जिसे Public Opinions/Comments हेतु जिला के Website पर प्रकाशित किया गया है। उक्त प्राप्त DSR के अंतरिम प्रतिवेदन में प्राप्त Public Opinions/Comments पर विचार कर चिन्हित बालूघाटों का भौतिक सर्वेक्षण करते हुए सब-डिविजनल कमिटी द्वारा समीक्षोपरान्त आवश्यक संशोधन कर जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप अनुमोदन हेतु SEIAA, Ranchi को भेजा जाना है।

अतः पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के अधिसूचना संख्या- 3611(अ), दिनांक 25.07.2018 के आलोक में उक्त कार्य हेतु अधोहस्ताक्षरी की अध्यक्षता में निम्न रूप से सब-डिविजनल कमिटी का गठन किया जाता है-

1. वन प्रमण्डल पदाधिकारी, गोड्डा
2. अनुमण्डल पदाधिकारी, गोड्डा/महागामा
3. जिला खनन पदाधिकारी, गोड्डा
4. सहायक निदेशक, भूतत्व, जिला भूतात्विक कार्यालय, दुमका
5. कार्यपालक अभियंता, सिचाई प्रमण्डल गोड्डा (शिविर- महागामा)
6. क्षेत्रीय पदाधिकारी, झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद, दुमका।

गोड्डा जिला के लिए बालूघाट का साथी प्लानर्स, राँची द्वारा उपलब्ध कराये गये जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन के अनुसार चिन्हित बालूघाटों का सर्वेक्षण एवं Public Opinions/Comments के समीक्षोपरान्त जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप तैयार कराना सुनिश्चित किया जाय।


(DMo Godda)


उपायुक्त
गोड्डा

ज्ञापांक : 1162/एम.,

दिनांक : 21 नवम्बर, 2022

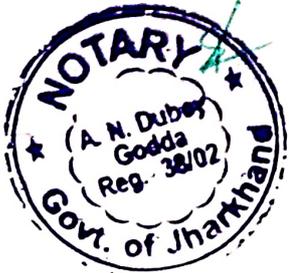
प्रतिलिपि : सभी संबंधित पदाधिकारी को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

प्रतिलिपि : निदेशक, खान, झारखण्ड, राँची को सूचनार्थ प्रेषित।

प्रतिलिपि : सचिव, खान एवं भूतत्व विभाग, झारखण्ड, राँची को कृपया सूचनार्थ प्रेषित।


(DMo Godda)


उपायुक्त
गोड्डा



Annexure- 'C'

उपायुक्त का कार्यालय(खनन शाखा), गोड्डा।

पत्रांक : 1161 /एम०,

प्रेषक :

उपायुक्त,
गोड्डा।

सेवा में,

सूचना एवं विज्ञान पदाधिकारी,
गोड्डा।

गोड्डा, दिनांक : 21 नवम्बर, 2022

विषय : गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन जिला के Website पर प्रकाशन के संबंध में।

महाराज,

उपर्युक्त विषयक भूतत्व निदेशालय के Empanalled QCI-NABET Accredited Agency साथी प्लानर्स, रौंची द्वारा गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन दाखिल किया गया है, जिसे Public Opinions/Comments हेतु जिला के Website पर कम-से-कम एक माह तक प्रकाशित किया जाना है।

अतः जिला के Website पर प्रकाशन हेतु प्राप्त उक्त जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन की सॉफ्ट प्रति ई-मेल के माध्यम से इस पत्र के साथ भेजी जा रही है।

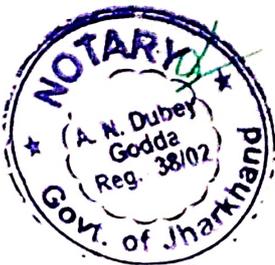
आवश्यक कार्रवाई हेतु प्रेषित।

अनुलग्नक : यथोक्त।

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विकासभाजन

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20/11/22
गोड्डा।



उपायुक्त का कार्यालय(खनन शाखा), गोड्डा। Annexure- 'D'

पत्रांक : 1165/एम0,

प्रेषक :

उपायुक्त,
गोड्डा।

सेवा में,

सदस्य सचिव,
राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA).
झारखण्ड, राँची।

गोड्डा, दिनांक : 21 नवम्बर, 2022

विषय : गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन उपलब्ध कराने के संबंध में।

महाशय,

उपर्युक्त विषयक भूतत्व निदेशालय के Empanelled QCI-NABET Accredited Agency साथी प्लानर्स, राँची द्वारा गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन दाखिल किया गया है, जिसे Public Opinions/Comments हेतु जिला के Website पर दिनांक 21.11.2022 को प्रकाशित कर दिया गया है। प्राप्त जिला सर्वेक्षण प्रतिवेदन (DSR) का अंतरिम प्रतिवेदन की एक प्रति इस पत्र के साथ संलग्न कर अग्रेत्तर कार्रवाई हेतु भेजी जा रही है।

सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

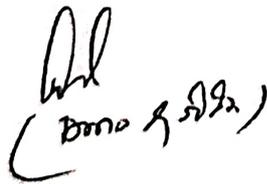
अनुलग्नक : यथोक्त।


(A. M. Dubey)

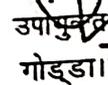
ज्ञापक : 1165/एम.,

दिनांक : 21 नवम्बर, 2022

प्रतिलिपि : निदेशक, खान, झारखण्ड, राँची को सूचनार्थ प्रेषित।


(A. M. Dubey)

विश्वसिभाजन


उपायुक्त,
गोड्डा।


उपायुक्त,
गोड्डा।



Annexure- 'E'

MINUTES OF THE 99TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), JHARKHAND HELD ON 07TH, 08TH, 09TH 10TH and 11TH DECEMBER, 2022.

The 99th meeting of State Level Expert Appraisal Committee (SEAC), Jharkhand was held on 07th, 08th, 09th 10th and 11th December, 2022 under the Chairmanship of Shri Ashok Kumar Singh, IFS (Retd.) in the Conference Room at SEAC, Ranchi.

The following members were present:

1. Shri Ashok Kumar Singh, IFS (Retd.) - Chairman
2. Dr. Kirti Avishek - Member
3. Shri Niranjan Lal Agarwalla - Member
4. Dr. Raju Kumar - Member
5. Dr. Ajay Govind Bhatt - Member
6. Shri Srikant Verma, IFS - Secretary

SEIAA forwarded various projects to the SEAC for the technical appraisal after the last SEAC meeting held on 02nd, 03rd, 04th and 05th November, 2022. These projects have been put up for discussions. Besides, these Projects, wherein PP's were asked to provide requisite information / clarifications in the earlier meeting of SEAC, were also considered for appraisal. The Project Proponents have been asked to make technical presentation for the appraisal of their projects before the committee.

The following observations / recommendations were made during the presentation (Project -wise), as under:-

Day 1: December 07th, 2022 [Wednesday]

A. Deputy Commissioner, Khunti or through authorized representative and M/s Crystal Consultants, Ranchi.

i. Draft District Survey Report (DSR) of Sand, Khunti

The DSR was submitted by Deputy Commissioner, Khunti. He was represented by District Mining Officer, Khunti Md. Nadeem Safi and Assistant Director, Geology, Ranchi Smt. Anima Xess at the SEAC meeting on 07.12.2022.

During the meeting the consultant M/s Crystal Consultants, Ranchi submitted as follows :

1. The DSR submitted was at a draft stage. The final DSR after approval by Sub Divisional Committee, Deputy Commissioner and incorporation of the Public comments is to be submitted for appraisal by SEAC.
2. The final DSR should be signed by all members of the Sub Divisional Committee and the Consultant involved in the preparation of the same. All pages of the DSR should be signed by the authorized officer of the DC/ Sub Divisional Committee.
3. The draft DSR submitted is based only on part survey. In the submitted draft DSR the complete area of the river/ rivers have not been surveyed, only some selected ghats/



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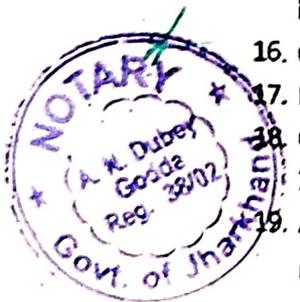
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leases have been surveyed. The complete potential area should be demarcated before proposing the sand leases/ ghats as per EMGSM guideline 2020.

4. The field survey of pre-monsoon period is to be included in final DSR.
5. The DSR should be placed in the public domain for atleast 01 (One) month from the date of publication of the advertisement for obtaining comments of the public. The comments received shall be placed before the concerned Sub Divisional Committee for consideration. The final DSR should be submitted to SEIAA, after incorporation of all replies of the comments received from the public.
6. Demand and supply of the river bed material through market survey needs to be carried out. In addition to this, future demand for the next five years also needs to be considered to justify the number & area of the sand ghat to be included in the final DSR.
7. The sand ghats / leases have not to be proposed on the confluence / meanders / concavities / active channels of the river.
8. The Khata & Khasra (class / nature of land including "Jungle Jhari") of the lease area should be certified by the concerned Circle Officer (CO) and to be incorporated in the final DSR.
9. The distance of sand leases / ghats from the Forest / Wildlife Protected area / Birds Sanctuary/ Wildlife Sanctuary / National Park / Eco Sensitive Zone should be verified and certified by the concerned DFO's of the respective Territorial and Wildlife division.
10. The undertaking regarding presence of aquatic animal in the river in proximity of the proposed sand ghats should be verified and certified by concerned Govt. Departments like Zoological Survey of India.
11. The proposed leases/ ghats should meet all the siting criteria of State Pollution Control Board/ SEIAA.
12. Clear and high resolution color satellite images of the proposed potential sand mining area should be submitted with final DSR including the date of photographs/ Geocoded location. Details of all such satellite imageries should be included in the final DSR.
13. The table of estimation of sand resources after pre-monsoon and post monsoon survey should be included in the final DSR.
14. All primary & secondary data should be supported with relevant references and documentary evidences in the final DSR.
15. Bulk density and specific gravity of the sand should be certified by NABL accredited laboratory.
16. Concave side of the river should be avoided for identification of sand leases/ ghats.
17. KML files of Existing leases/ ghats and proposed leases/ ghats should be provided.
18. Cluster and contiguous cluster formation should be followed as per EMGSM guidelines, 2020.
19. Average length and width of the river should be included and mining should be restricted to 3/4th of the river width and mining should be restricted within 60% of the mineable reserve.



A [Signature] 2 [Signature] [Signature] [Signature]

20. Transportation routes should be defined for the proposed mining sites and duly certified from the competent Authorities.
21. All the annexures given in the EMGSM guidelines, 2020 should be filled and included in the final DSR.
22. Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary should be addressed in the final DSR, if applicable.
23. In addition to above any other applicable criteria as required under SSMG, 2016 & EMGSM guidelines, 2020 should be included in the final DSR.
24. The presentation of the final DSR at the time of appraisal by SEAC should cover all the points of SSMG, 2016 & EMGSM guidelines, 2020.

The Committee is of the view that the DSR should be prepared in the light of Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors and Enforcement and Monitoring Guidelines for Sand Mining 2020.

The final DSR should be prepared in the light of above guidelines and Hon'ble Apex Court & Hon'ble NGT direction and to be submitted for appraisal.

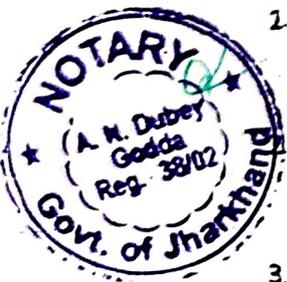
B. Deputy Commissioner -cum- District Magistrate, Lohardaga or through authorized representative and M/s Crystal Consultants, Ranchi.

i. Draft District Survey Report (DSR) of Sand, Lohardaga

The DSR was submitted by Deputy Commissioner -cum- District Magistrate, Lohardaga. He was represented by District Mining Officer, Lohardaga Sri Ramnath Ray and Assistant Director, Geology, Gumla Sri Rakesh Raushan Banna & Smt. Jaya Kerketta, Lohardaga at the SEAC meeting on 07.12.2022.

During the meeting the consultant M/s Crystal Consultants, Ranchi submitted as follows :

1. The DSR submitted was at a draft stage. The final DSR after approval by Sub Divisional Committee, Deputy Commissioner and incorporation of the Public comments is to be submitted for appraisal by SEAC.
- The final DSR should be signed by all members of the Sub Divisional Committee and the Consultant involved in the preparation of the same. All pages of the DSR should be signed by the authorized officer of the DC/ Sub Divisional Committee.
3. The draft DSR submitted is based only on part survey. In the submitted draft DSR the complete area of the river/ rivers have not been surveyed, only some selected ghats/



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leases have been surveyed. The complete potential area should be demarcated before proposing the sand leases / ghats as per EMGSM guideline 2020.

4. The field survey of pre-monsoon period is to be included in final DSR.
5. The DSR should be placed in the public domain for atleast 01 (One) month from the date of publication of the advertisement for obtaining comments of the public. The comments received shall be placed before the concerned Sub Divisional Committee for consideration. The final DSR should be submitted to SEIAA, after incorporation of all replies of the comments received from the public.
6. Demand and supply of the river bed material through market survey needs to be carried out. In addition to this, future demand for the next five years also needs to be considered to justify the number & area of the sand ghat to be included in the final DSR.
7. The sand ghats / leases have not to be proposed on the confluence / meanders / concavities / active channels of the river.
8. The Khata & Khasra (class/ nature of land including "Jungle Jhari") of the lease area should be certified by the concerned Circle Officer (CO) and to be incorporated in the final DSR.
9. The distance of sand leases/ ghats from the Forest / Wildlife Protected area / Birds Sanctuary/ Wildlife Sanctuary/ National Park/ Eco Sensitive Zone should be verified and certified by the concerned DFO's of the respective Territorial and Wildlife division.
10. The undertaking regarding presence of aquatic animal in the river in proximity of the proposed sand ghats should be verified and certified by concerned Govt. Departments like Zoological Survey of India.
11. The proposed leases/ ghats should meet all the siting criteria of State Pollution Control Board/ SEIAA.
12. Clear and high resolution color satellite images of the proposed potential sand mining area should be submitted with final DSR including the date of photographs/ Geocoded location. Details of all such satellite imageries should be included in the final DSR.
13. The table of estimation of sand resources after pre-monsoon and post monsoon survey should be included in the final DSR.
14. All primary & secondary data should be supported with relevant references and documentary evidences in the final DSR.
15. Bulk density and specific gravity of the sand should be certified by NABL accredited laboratory.
16. Concave side of the river should be avoided for identification of sand leases/ ghats.
17. KML files of Existing leases/ ghats and proposed leases/ ghats should be provided.
18. Cluster and contiguous cluster formation should be followed as per EMGSM guidelines, 2020.
19. Average length and width of the river should be included and mining should be restricted to 3/4th of the river width and mining should be restricted within 60% of the mineable reserve.



Handwritten signatures and initials are present at the bottom of the page, including a large signature on the left, a signature with a small '4' above it in the center, and a signature on the right. There are also some scribbles and marks at the bottom right.

- 20. Transportation routes should be defined for the proposed mining sites and duly certified from the competent Authorities.
- 21. All the annexures given in the EMGSM guidelines, 2020 should be filled and included in the final DSR.
- 22. Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary should be addressed in the final DSR, if applicable.
- 23. In addition to above any other applicable criteria as required under SSMG, 2016 & EMGSM guidelines, 2020 should be included in the final DSR.
- 24. The presentation of the final DSR at the time of appraisal by SEAC should cover all the points of SSMG, 2016 & EMGSM guidelines, 2020.

The Committee is of the view that the DSR should be prepared in the light of Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors and Enforcement and Monitoring Guidelines for Sand Mining 2020.

The final DSR should be prepared in the light of above guidelines and Hon'ble Apex Court & Hon'ble NGT direction and to be submitted for appraisal.

C. Consideration of Proposals

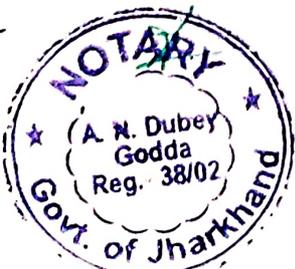
- 1. Integrated Municipal Solid Waste Management Facility Project of Ranchi Municipal Corporation, Village : Jhiri, Tehsil : Kanke, Distt. : Ranchi, Jharkhand.

(Proposal No. : SIA/JH/MIS/73513/2022)

Name of the consultant: Ascenso Enviro Pvt. Ltd. Noida, Uttar Pradesh

The PAs did not turn up for the appraisal. There was no intimation either from the Project Authorities or their consultant regarding not attending the meeting. A very serious view was taken by the Committee of this negligent attitude of the Project Authorities/ consultant.

The consideration of the project is therefore deferred and will be taken up for appraisal after receiving specific request from PAs.

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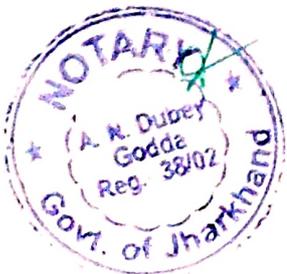
Annexure- 'F'

दिनांक 16.01.2023 को अनुमंडल पदाधिकारी, गोड्डा की अध्यक्षता में सम्पन्न सब-डिविजिनल कमिटी, गोड्डा अनुमंडल के बैठक की कार्यवाही :

उपस्थिति :- उपस्थिति पंजी के अनुसार।

सर्व प्रथम अनुमंडल पदाधिकारी, गोड्डा द्वारा बैठक में उपस्थित सभी समिति सदस्यों का स्वागत किया गया एवं तदुपरांत जिला खनन पदाधिकारी को बैठक की कार्यवाही प्रारम्भ करने हेतु निदेशित किया गया।

1. जिला खनन पदाधिकारी द्वारा बताया गया कि निदेशक, भूतत्व, झारखण्ड, राँची द्वारा निर्गत कार्यदेश ज्ञापांक 2139, दिनांक 13.10.2022 के आलोक में QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप तैयार कर उपलब्ध कराया गया है, जिसे पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रायल, भारत सरकार के अधिसूचना संख्या- 3611(अ), दिनांक 25.07.2018 एवं Enforcement and Monitoring Guidelines for Sand Mining 2020 के अनुपालन में Public Opinions/Comments हेतु दिनांक 21.11.2022 को जिला के Website पर Upload कराते हुए उपायुक्त, गोड्डा के स्तर से कार्यालय पत्रांक 1165/एम0, दिनांक 21.11.2022 द्वारा सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण (SELAA), झारखण्ड, राँची को उपलब्ध कराया गया है।
2. जिला खनन पदाधिकारी द्वारा जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप की प्रति सभी सदस्यों को अवलोकन हेतु उपलब्ध कराते हुए बताया गया कि इस DSR के प्रारूप में किसी प्रकार का संशोधन हेतु आम-जन का कोई भी Opinion/Comment प्राप्त नहीं हुआ है।
3. जिला सर्वेक्षण प्रतिवेदन (DSR) के प्रारूप का अवलोकन के पश्चात् कमिटी के सदस्यों द्वारा गोड्डा अनुमंडल के चिन्हित Category-I के उन्नीस (19) एवं Category-II के सोलह (16) बालूघाटों का निरीक्षण कर भौतिक सत्यापन करने का निर्णय लिया गया।

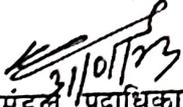


तत्पश्चात् चिन्हित बालूघाटों का भौतिक निरीक्षण/सत्यापन किया गया एवं वस्तु स्थिति के अवलोकनोपरान्त तैयार उक्त DSR में आवश्यकतानुसार संशोधित कराया गया।

4. QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए तैयार जिला सर्वेक्षण प्रतिवेदन (DSR) पर SEIAA, राँची का अनुमोदन प्राप्त करने की कमिटी द्वारा अनुशंसा की गई।

अन्त में सधन्यवाद बैठक की कार्यवाही समाप्त की गयी।

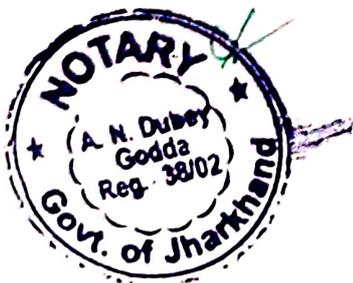

जिला खनिज पदाधिकारी,
गोड्डा।


अनुमंडल पदाधिकारी,
गोड्डा।

ज्ञापांक : 125/गो०, दिनांक : 31/01/2023

- प्रतिलिपि : 1. मेसर्स साथी प्लानर्स प्रा.लि., राँची को सूचनार्थ एवं अनुपालनार्थ प्रेषित।
2. सब-डिविजनल कमिटी, गोड्डा अनुमंडल के सभी सदस्यों को सूचनार्थ प्रेषित।
3. उपायुक्त, गोड्डा को कृपया सूचनार्थ प्रेषित।


अनुमंडल पदाधिकारी,
गोड्डा।



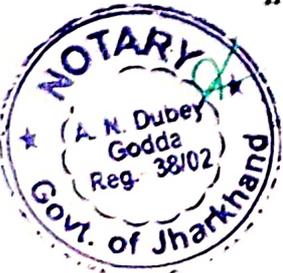
Annexure- 'G'

दिनांक 30.01.2023 को अनुमंडल पदाधिकारी, महागामा की अध्यक्षता में सम्पन्न सव-डिविजिनल कमिटी, महागामा अनुमंडल के बैठक की कार्यवाही :

उपस्थिति :- उपस्थिति पंजी के अनुसार।

सर्व प्रथम अनुमंडल पदाधिकारी, महागामा द्वारा बैठक में उपस्थित समिति के सभी सदस्यों का स्वागत किया गया एवं तदुपरांत जिला खनन पदाधिकारी को बैठक की कार्यवाही प्रारम्भ करने हेतु निदेशित किया गया।

1. जिला खनन पदाधिकारी द्वारा बताया गया कि निदेशक, भूतत्व, झारखण्ड, राँची द्वारा निर्गत कार्यादेश ज्ञापांक 2139, दिनांक 13.10.2022 के आलोक में QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप तैयार कर उपलब्ध कराया गया है, जिसे पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के अधिसूचना संख्या- 3611(अ), दिनांक 25.07.2018 एवं Enforcement and Monitoring Guidelines for Sand Mining 2020 के अनुपालन में Public Opinions/Comments हेतु दिनांक 21.11.2022 को जिला के Website पर Upload कराते हुए उपायुक्त, गोड्डा के स्तर से कार्यालय पत्रांक 1165/एम0, दिनांक 21.11.2022 द्वारा सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA), झारखण्ड, राँची को उपलब्ध कराया गया है।
2. जिला खनन पदाधिकारी द्वारा जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप की प्रति सभी सदस्यों को अवलोकन हेतु उपलब्ध कराते हुए बताया गया कि इस DSR के प्रारूप में किसी प्रकार का संशोधन हेतु आम-जन का कोई भी Opinion/Comment प्राप्त नहीं हुआ है।
3. जिला सर्वेक्षण प्रतिवेदन (DSR) के प्रारूप का अवलोकन से ज्ञात हुआ कि महागामा अनुमंडल अन्तर्गत Category-I के पाँच (05) बालूघाट चिन्हित है, जबकि Category-II का एक भी बालूघाट चिन्हित नहीं है।



ll (h)

4. QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए तैयार जिला सर्वेक्षण प्रतिवेदन (DSR) पर SEIAA, राँची का अनुमोदन प्राप्त करने की कमिटी द्वारा अनुशंसा की गई।

अन्त में सधन्यवाद बैठक की कार्यवाही समाप्त की गयी।

जिला खनन पदाधिकारी,
गोड्डा।

अनुमंडल पदाधिकारी,
महागामा

ज्ञापांक : 195/एएए, दिनांक : 30-01-2023

- प्रतिलिपि : 1. मेसर्स साथी प्लानर्स प्रा.लि., राँची को सूचनार्थ एवं अनुपालनार्थ प्रेषित।
2. सब-डिविजिनल कमिटी, महागामा अनुमंडल के सभी सदस्यों को सूचनार्थ प्रेषित।
3. उपायुक्त, गोड्डा को कृपया सूचनार्थ प्रेषित।

अनुमंडल पदाधिकारी,
महागामा



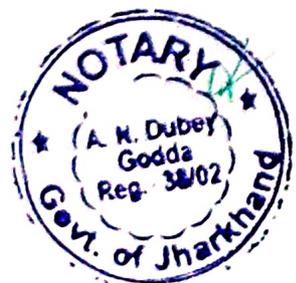
Annexure- 'H'

दिनांक 02.02.2023 को उपायुक्त, गोड्डा की अध्यक्षता में गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) के संबंध में आहूत बैठक की कार्यवाही :

उपस्थिति :- उपस्थिति पंजी के अनुसार।

सर्व प्रथम उपायुक्त, गोड्डा द्वारा बैठक में उपस्थित सभी समिति के सभी सदस्यों का स्वागत किया गया एवं तदुपरांत जिला खनन पदाधिकारी को बैठक की कार्यवाही प्रारम्भ करने हेतु निदेशित किया गया।

1. जिला खनन पदाधिकारी द्वारा बताया गया कि निदेशक, भूतत्व, झारखण्ड, राँची द्वारा निर्गत कार्यदेश ज्ञापांक 2139, दिनांक 13.10.2022 के आलोक में QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप तैयार कर उपलब्ध कराया गया है, जिसे पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रायल, भारत सरकार के अधिसूचना संख्या- 3611(अ), दिनांक 25.07.2018 एवं Enforcement and Monitoring Guidelines for Sand Mining 2020 के अनुपालन में Public Opinions/Comments हेतु दिनांक 21.11.2022 को जिला के Website पर Upload किया गया है।
2. जिला खनन पदाधिकारी द्वारा जिला सर्वेक्षण प्रतिवेदन (DSR) का प्रारूप की प्रति सभी सदस्यों को अवलोकन हेतु उपलब्ध कराते हुए बताया गया कि इस DSR के प्रारूप में किसी प्रकार का संशोधन/आपत्ति हेतु आम-जन का कोई भी Opinion/Comment प्राप्त नहीं हुआ है।
3. जिला सर्वेक्षण प्रतिवेदन (DSR) के प्रारूप में Category-I का कुल चौबीस (24) बालूघाट एवं Category-II का सोलह (16) बालूघाट चिन्हित है। सब-डिविजिनल कमिटी, गोड्डा / महागामा के द्वारा बालूघाटों का निरीक्षण / सत्यापन करते हुए अंतिम रूप DSR पर SEIAA, Ranchi का अनुमोदन हेतु अनुशंसा किया गया है।
4. QCI-NABET accredited Agency मेसर्स साथी प्लानर्स प्रा. लि., राँची द्वारा गोड्डा जिला का बालू खनिज के लिए तैयार जिला सर्वेक्षण प्रतिवेदन (DSR) Enforcement



Dr

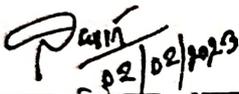
Day

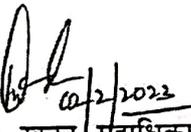
May

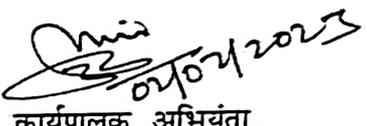
Dr

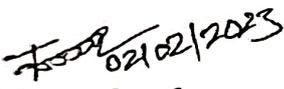
and Monitoring Guidelines for Sand Mining 2020 के सभी मापदंडों पर विन्दुवार प्रस्तुति दिया गया। इसी क्रम में SEAC, Ranchi के 99वें बैठक में DSR(for Sand) के बारे में कुल 24 बिन्दुओं पर दिये गये सुझाव पर भी चर्चा की गयी। उक्त सभी 24 बिन्दुओं का अनुपालन प्रतिवेदन मेसर्स साथी प्लानर्स प्रा. लि. राँची द्वारा तैयार कर DSR में समावेशित किया जा चुका है। सभी सदस्यों द्वारा तैयार बालू खनिज के जिला सर्वेक्षण प्रतिवेदन (DSR) का अनुमोदन पर सहमति जतायी गयी, तदोपरान्त उपायुक्त द्वारा जिला खनन पदाधिकारी को जिला सर्वेक्षण प्रतिवेदन (DSR) पर SEIAA, राँची का अनुमोदन प्राप्त करने हेतु अग्रेत्तर कार्रवाई करने का निदेश दिया गया।

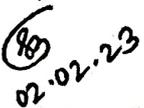
अन्त में सधन्यवाद बैठक की कार्यवाही समाप्त की गयी।

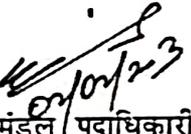

02/02/2023
सहायक निदेशक, भूतत्व,
दुमका।

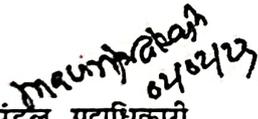

02/02/2023
जिला खनन पदाधिकारी,
गोड्डा।


02/02/2023
कार्यपालक अभियंता,
सिंचाई प्रमंडल, गोड्डा।


02/02/2023
क्षेत्रीय पदाधिकारी,
प्रदूषण नियंत्रण पर्वद, दुमका।


02.02.23
अनुमंडल पदाधिकारी,
महागामा।


02/02/23
अनुमंडल पदाधिकारी,
गोड्डा।


02/02/23
वन प्रमंडल पदाधिकारी,
गोड्डा।

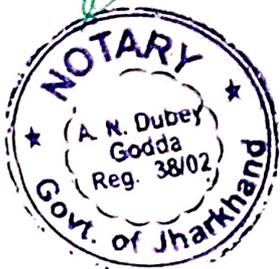

उपायुक्त
गोड्डा।

ज्ञापक : 128 /एम0, दिनांक : 03 फरवरी, 2023

प्रतिलिपि : निदेशक, खान, झारखण्ड, राँची/निदेशक, भूतत्व, झारखण्ड, राँची को सूचनार्थ प्रेषित।

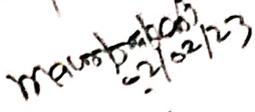
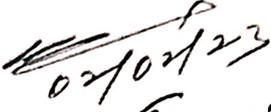
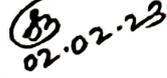
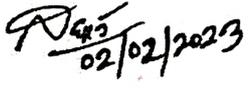
प्रतिलिपि : सदस्य सचिव, राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, राँची को सूचनार्थ प्रेषित।

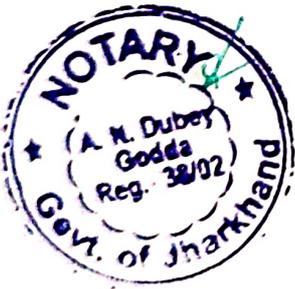
प्रतिलिपि : सचिव, खान एवं भूतत्व विभाग, झारखण्ड, राँची को कृपया सूचनार्थ प्रेषित।




उपायुक्त
गोड्डा।

दिनांक-02.02.2023 को उपायुक्त, गोड्डा की अध्यक्षता में गोड्डा जिला का बालू खनिज के लिए जिला सर्वेक्षण प्रतिवेदन के संबंध में बैठक उपस्थिति पंजी:-

1. उपायुक्त, गोड्डा। 
2. वन प्रमंडल पदाधिकारी, गोड्डा। 
3. अनुमंडल पदाधिकारी, गोड्डा। 
4. अनुमंडल पदाधिकारी, महागामा। 
5. जिला खनन पदाधिकारी, गोड्डा। 
6. कार्यपालक अभियंता, सिंचाई प्रमंडल, गोड्डा। 
7. सहायक निदेशक, भूतत्व, दुमका। 
8. क्षेत्रीय पदाधिकारी, झा0रा0प्र0नि0प0, दुमका। 
9. साथी पल्लासी। 



Annexure- 'I'

उपायुक्त का कार्यालय(खनन शाखा), गोड्डा।

पत्रांक : 258/एम0,

पेपक :

उपायुक्त,
गोड्डा।

सेवा में,

सदस्य सचिव,
राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA),
झारखण्ड, राँची।

गोड्डा,दिनांक : 17 मार्च, 2023

विषय : गोड्डा जिला के बालू खनिज का तैयार जिला सर्वेक्षण प्रतिवेदन (DSR) का अनुमोदन के संबंध में।

प्रसंग : इस कार्यालय का पत्रांक 138/एम0, दिनांक 04.02.2023

महाशय,

उपर्युक्त विषयक QCI-NABET accredited Agency मेंसर्स साथी प्लानर्स प्रा. लि., राँची

द्वारा Jharkhand Sand Mining Policy, 2017 एवं Enforcement and Monitoring Guidelies for Sand Mining 2020 का अनुपालन करते हुए गोड्डा जिला के बालू खनिज का तैयार जिला सर्वेक्षण प्रतिवेदन (DSR) प्रसांगिक पत्र के द्वारा अनुमोदन हेतु भेजी गई है। SEAC, Ranchi के 101वीं बैठक दिनांक 22.02.2023 में दिये गये निदेशों का अनुपालन करते हुए गोड्डा जिला के बालू खनिज का जिला सर्वेक्षण प्रतिवेदन (DSR) में आवश्यक संशोधन कर ली गई है।

अतः गोड्डा जिला के बालू खनिज का संशोधित जिला सर्वेक्षण प्रतिवेदन (DSR) पर अनुमोदन हेतु मूल प्रति अत्र-सह संलग्न कर भेजी जा रही है।

सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

अनुलग्नक : यथोक्त।


17/03/23
(DMO Godda)

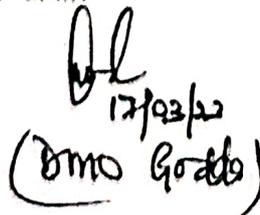
विकासभाजन

उपायुक्त
गोड्डा।

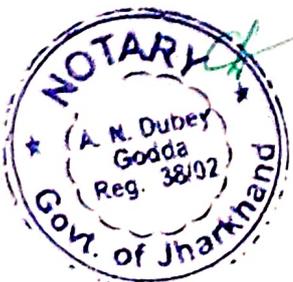
ज्ञापांक : 258/एम.,

दिनांक : 17 मार्च, 2023

प्रतिलिपि : सचिव, खान एवं भूतत्व विभाग, झारखण्ड, राँची/निदेशक, खान, झारखण्ड, राँची को सूचनार्थ प्रेषित।


17/03/23
(DMO Godda)


उपायुक्त
गोड्डा।





Annexure- 'J'

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड

State Level Environment Impact Assessment Authority, Jharkhand

बौधशाला परिसर, धुर्वा, बस स्टैण्ड, के समीप, पो.स्थाना-धुर्वा, रॉंची झारखण्ड 834004

ई-मेल: chr-seiaa.jhr@gov.in एवं msseiaa.jhkr@gmail.com; वेबसाइट: www.jseiaa.org

पत्रांक:- 06

दिनांक:- 02.04.2023

प्रेषक:

सदस्य सचिव,
राज्य स्तरीय पर्यावरण समाघात निर्धारण
प्राधिकरण (SEIAA), झारखण्ड।

सेवा में,

उपायुक्त,
जिला : गोड्डा।

विषय : गोड्डा जिला का बालू खनिज से संबंधित DSR के अनुमोदन के संबंध में।

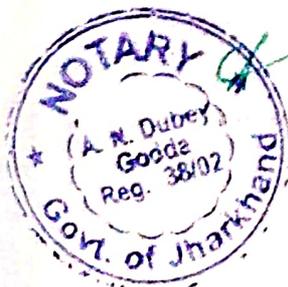
प्रसंग : आपका कार्यालय का पत्रांक-358/एम0, दि0-13.03.2023।

महाशय,

उपर्युक्त विषयक आपके कार्यालय के प्रासंगिक पत्र दिनांक 13.03.2023 द्वारा गोड्डा जिला का बालू खनिज से संबंधित DSR की एक प्रति अनुमोदन हेतु दिनांक 18.03.2023 को SEIAA कार्यालय में समर्पित किया गया।

तदनुसार SEAC, झारखण्ड की 102वीं बैठक दिनांक 21.03.2023 से दिनांक 25.03.2023 में Sri Meghlal Tuddu, DMO, Godda and Sri Niral Dhan, Assistant Director, Geology, Dumka की उपस्थिति में M/s Sathi Planners Pvt. Ltd. consultant द्वारा दिनांक 21.03.2023 में SEAC के समक्ष Presentation दिया गया, जिसमें DSR के Salient Features निम्नवत् बताये गये:-

1. The final DSR submitted is duly signed by all members of the Sub Divisional Committee and the Consultant. All the pages of the DSR are signed by the authorized officer of the Sub Divisional Committee.
2. The final DSR consists of the complete potential area and is demarcated as Potential Resource Area (PRA) / Sand Leases / Ghats as per Enforcement and Monitoring Guidelines for Sand Mining (EMGSM), 2020.
3. The replenishment study of pre & post monsoon period is included in final DSR.
4. The final DSR has been placed in the public domain for 01 (One) month from the 20.11.2022. As per the Sub Divisional Committee no comments/ observations were obtained.
5. Demand and supply of the river bed material has been provided. The future demand for next 05 years is included in the final DSR.
6. The PRA / Sand Leases/ Ghats have not been proposed on the confluence/ meanders /concavities/active channels of the river.



File

File

File

7. Khata & Khasra numbers of the lease area certified by the concerned Circle Officer (CO) are incorporated in the final DSR.
8. The distance of PRA / Sand Leases/ Ghats from the Forest/ Wildlife Protected area/ Birds Sanctuary/ Wildlife Sanctuary / National Park / Eco Sensitive Zone has been verified and certified by the concerned DFOs of the respective Territorial and Wildlife division.
9. A report detailing the presence of aquatic animal in the river in proximity of the proposed PRA / Sand Leases / Ghats is included in the final DSR.
10. The proposed PRA / Sand Leases / Ghats meet the siting criteria of State Pollution Control Board/ SEIAA.
11. High resolution color satellite images of the proposed potential sand mining areas are included in final DSR.
12. Bulk density and specific gravity of sand sample data has been provided by NABL accredited laboratory.
13. Cluster and contiguous cluster formation as per EMGSM guidelines. 2020 has been included in the Annexures.
14. Mining is restricted to 3/4th of the river width and 60% of the mineable reserve.
15. Transportation routes for movement of sand are provided in the final DSR.
16. All the annexures as per EMGSM guidelines, 2020 are included in the final DSR.
17. An undertaking with reference to Point no. 9.3 of the EMGSM guidelines, 2020 regarding monitoring of mining near inter-district or inter-state boundary has been provided.
18. The representative of the Sub Divisional Committee along with the Consultants have affirmed that all the guidelines of EMGSM guidelines, 2020 /Hon'ble Apex Court in Civil Appeal no. 3661-3662/2020, Pawan Kumar vs State of Bihar & ors, Hon'ble NGT in O.A. no. 54/2022/EZ, Bhumi Adhigrahan Visthapan Avam Punarvas Kisan Samiti vs State of Jharkhand & ors have been followed in preparation of the final DSR.

SEAC द्वारा उपरोक्त तथ्यों के आलोक में सर्वसम्मति से आपके द्वारा समर्पित DSR को अनुमोदन हेतु SEIAA को अपनी अनुशंसा भेजी गयी।

SEAC की DSR Godda को अनुमोदन हेतु भेजी गयी अनुशंसा के आलोक में SEIAA, झारखण्ड की 103वीं बैठक दिनांक 01.04.2023 एवं दिनांक 02.04.2023 में विचार किया गया।

विचारोपरांत SEAC द्वारा की गयी अनुशंसा के आलोक में SEIAA द्वारा सर्वसम्मति से गोड्डा जिला का बालू खनिज से संबंधित DSR का अनुमोदन किया गया।

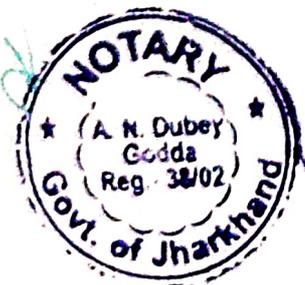
गोड्डा जिला का बालू खनिज से संबंधित अनुमोदित DSR की एक मूल प्रति अत्र-सह-संलग्न कर आपको अग्रतर कार्रवाई हेतु भेजी जा रही है।

अनु० यथोक्त।

विश्वासभाजन,

सदस्य सचिव, 02/04/2023

राज्य स्तरीय पर्यावरण समाघात निर्धारण
प्राधिकरण (SEIAA), झारखण्ड।





सत्यमेव जयते



**THE
JHARKHAND GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY**

23 VAISHAKH 1947 (S)

No. 217

RANCHI TUESDAY 13TH MAY, 2025

DEPARTMENT OF MINES AND GEOLOGY

NOTIFICATION

9th May, 2025

No.Kha.Ni.(Vividh)-95/2024-1111/M.--In exercise of the power conferred by Section-15 of The Mines and Minerals (Development and Regulation) Act, 1957; the Government of Jharkhand hereby makes the following rules:-

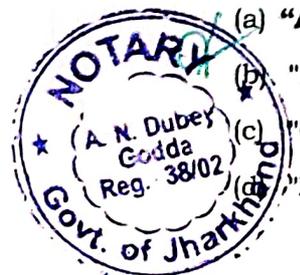
1. SHORT TITLE, EXTENT AND COMMENCEMENT

- (i) These rules may be called "Jharkhand Sand Mining Rules, 2025".
- (ii) It extends to the entire State of Jharkhand.
- (iii) It shall come in to force from the date of publication of notification in Jharkhand e-gazette.

2. DEFINITIONS

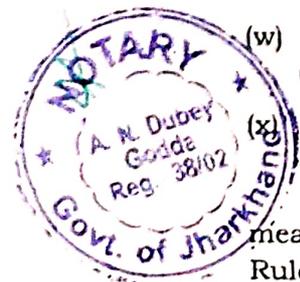
In this Rules, unless the context otherwise requires:-

- (a) "Act" means The Mines and Minerals (Development and Regulation) Act, 1957;
- (b) "State" means the State of Jharkhand;
- (c) "Government" means the State Government of Jharkhand;
- (d) "Department" means the Department of Mines & Geology of the State;



- (c) **"Director Mines"** means Director, Directorate of Mines.
- (f) **"Deputy Commissioner"** means the Deputy Commissioner of the District;
- (g) **"Additional Director Mines"** means Additional Directors of Mines Directorate of Department.
- (h) **"Deputy Director Mines"** means Deputy Directors of Mines Directorate of Department.
- (i) **"District/Assistant Mining Officer/Mining Inspector"** means District/Assistant Mining Officer/Mining Inspector of Mines Directorate of Department.
- (j) **"Lessee"** means the holder of the mining or quarry lease of sand and as defined in Jharkhand Minor Mineral Concession Rule 2004 as amended.
- (k) **"Reserve Price"** means the base price of auction to be calculated by the District Committee as per the guidelines issued by the Directorate of Mines.
- (l) **"Annual Mineral Concessional Value"** means final price offer of the preferred bidder.
- (m) **"Bid Amount"** shall be the final Annual Mineral Concessional Value on the basis of all necessary statutory clearances like Environmental Clearance etc.
- (n) **"Person"** means the entity under relevant provisions that allows to do business with all valid certification and eligibility criteria.
- (o) **"District Survey Report"** means A District Survey Report for each mineral and for each district shall be prepared by the committee constituted as per the judgment of Hon'ble Supreme Court of India in case of CIVIL APPEAL Nos. 3661-3662 of 2020, The State of Bihar and Others Vrs. Pawan Kumar and Others.
- (p) **"Earnest Money Deposit"** means Earnest Money deposit shall be Ten Percent (10%) of the reserve price.
- (q) **"Performance Security"** means Performance Security deposit shall be Ten Percent (10%) of annual mineral concessional value as quoted in the auction
- (r) **"Preferred Bidder"** means the person who shall submit the highest bid amount in the auction.
- (s) **"JIMMS"** means Jharkhand Integrated Mines and Mineral Management system under the Department of Mines and Geology.
- (t) **"Annual Mineable sand quantity"** means quantity of sand deposit as per statutory clearances for the operationalization of sand deposit.
- (u) **"Mining Plan"** means a plan prepared and approved as per the Jharkhand Minor Mineral Concession Rule 2004 as amended.
- (v) **"Month"** means a calendar month or part there of;
- (w) **"Year"** means Financial Year from first day of April of the year to thirty first day of March of succeeding year.
- (x) **"Notification"** means a notification as published in the Official Gazette of the State;

Words and expressions used but not defined in these Rules shall have the same meanings defined in the Act and all the respective Mineral Act(s) and all the respective Rules, as assigned to them under all those such Acts; Rules; Notifications or Regulations made or issued there under.



3. APPLICABILITY

These rules shall apply to all sand bearing lands/ river stream as mentioned in the District Survey Report (Sand) of the concerned district.

4. Prohibition and Restriction of Sand Mining:-

Notwithstanding anything contained in the other rules for the time being in force in relation to the matter connected with sand mining, the excavation of sand is prohibited without valid mineral concession.

5. Maximum Area for mineral concession for Sand Mining: -

Notwithstanding anything contained in any other rules for the time being in force in relation to the maximum area of mineral concession of minor mineral, sand mining lease shall not be granted to a person for an area exceeding one thousand hectares in the State.

6. PROCESS AND MANAGEMENT OF SAND BEARING LAND AND GHATS**I. Preparation of District Survey Report: -**

The Department shall issue necessary guidelines or directives as and when required for an effective preparation or updation of District Survey Report.

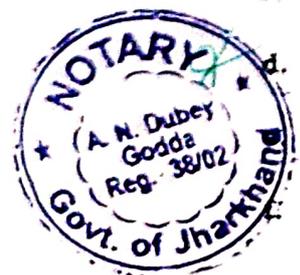
II. Categorization of Streams/Rivers: -

- a. Identification of the sand available in different order of streams such as 1st, 2nd, 3rd, 4th, 5th order or more shall be carried out by the District Survey Committee based on its size and capacity.
- b. Based on District Survey Report the Survey Committee shall categorize the sand in 1st order and 2nd order stream/river as Category-1 and 3rd order and above as Category-2.
- c. Notwithstanding anything mentioned in above sub rule (a) & (b), the sand available/deposited on any land or excavated during distillation/cleaning of natural/regulated water streams/bodies shall be categorized as category-2.
- d. However, based on recommendation of District Survey Committee and depending upon local conditions/requirements, the State may review and change the positioning of a particular order of stream/river into a particular category of Category-1 or Category-2.

III. Management of Sand Deposits of Category-1 Streams/Rivers:

- a. The sand deposits of Category-1 stream/rivers will be kept fully free from domain of grant of mining lease.
 - b. The sand from this category can be used only for non-commercial purposes such as domestic purpose, Community purposes, Government Sponsored Schemes etc.
 - c. Gram Panchayat/Local Self Government shall be responsible for supervision of sand collection from such area.
 - d. There shall be no transfer or subletting of the sand deposits from these Streams/Rivers.
- The sand from these Streams/Rivers shall be free from any taxes, royalty or levy.

For the purpose of maintenance of the approach road, management, supervision etc. a nominal Maintenance Charge shall be levied by Gram Panchayat/Local Self Government per unit volume of sand lifted/collected/dispatched, as per the rate decided by Directorate of Mines.



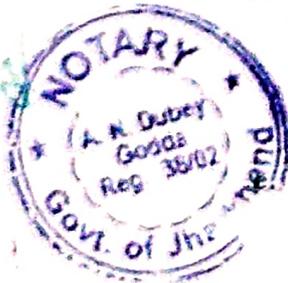
- e. It shall be responsibility of Gram Panchayat/Local Self Government to ensure that sand from these deposits is not used for any commercial purposes and to regulate the same, a receipt-cum-dispatch challan will be issued by the Gram Panchayat/Local Self Government in the format as prescribed by the State.
- h. The maintenance charge so collected shall be deposited in the account of Gram Panchayat/Local Self Government.
- i. The book keeping of this account shall be maintained by Gram Panchayat/Local Self Government according to prevailing rules and guidelines of the Gram Panchayat/Local Self Government.
- j. Under no circumstances the sand shall be allowed to be stored from these Streams/Rivers.
- k. This shall be the responsibility of the Gram Panchayat/Local Self-Government to restrict sand mining in prohibited areas as directed by the Department.
- l. Excavation of sand shall be adhered to Sustainable Sand Mining Management Guideline-2016 (SSMG-2016), Enforcement & Monitoring Guidelines for Sand Mining (EMGSM-2020) and Environment Clearance. Under no circumstances mechanized lifting/excavation of sand shall be allowed from these category of streams/rivers. In any case no machinery shall be used to excavate the sand from river/stream of this category.
- m. The Deputy Commissioner shall put in place proper administrative/enforcement mechanism to ensure no commercial/illegal extraction of sand from these orders of streams/rivers.

IV. Auction of Sand Deposits of Category-2 Streams/Rivers: -

- a. The sand deposits of Category-2 shall be managed through allocation by competitive bidding (e-auction).
- b. The e-auction shall be conducted by the District Committee as constituted by the Department of Mines and Geology, Government of Jharkhand under chairmanship of Deputy Commissioner.
- c. Reserve Price of the auction shall be determined by the District Committee as per the guidelines issued by the Directorate of Mines. After two unsuccessful attempts of auction the Reserved Price shall be re-determined after due consideration of all socio, technical and economical aspects.
- d. Model Tender Document for e-auction shall be prepared by Directorate of Mines.

V. Payments:-

- a. Bid amount shall be for the period of first year of allocation that will start from the execution of Lease deed. Bid amount for the second and subsequent year shall be One Hundred and Ten Percent (110%) of bid amount of the previous lease year.
- b. Earnest Money deposit shall be Ten Percent (10%) of the reserve price, that to be deposited by the prospective bidder along with their tender document. For Preferred Bidder Performance Security deposit shall be Ten Percent (10%) of annual mineral concessional value as quoted in the auction within fifteen working days of issuance of Letter of Intent (LoI). Performance Security deposit shall be adjusted in the last/third installment. Initially Annual Mineral Concessional Value shall be calculated as per annual mineable sand quantity of District Survey Report and finally as per Environmental Clearance for the first and subsequent Year of lease period, which is termed as bid amount, that shall be deposited/adjusted proportionately as per following table: -



Sl. No.	Installment	Schedule for payment
1	First Installment (50%)	a. Before grant of first permit for the first year. b. 15 th March for Subsequent year.
2	Second Installment (25%)	15 th October
3	Third Installment (25%)	15 th January

In case of failure of payment of installments, the generation of e-challan shall be stopped and it shall be re-opened only after payment of advance payment of installment

- d. Royalty and contribution to the District Mineral Foundation Trust of the sand deposit shall be payable as per schedule/table mentions in the Rule 6(V)(c), and Income Tax, Environmental Cess, Management Fee, GST, Stamp Value and Registration Charges etc. shall be paid as per applicable law.

VI. Period of allocation :-

- a. Allocation of the Sand mining lease shall be for a period of five years.
b. Government may extend the period as deemed fit under special circumstances.
c. The sale price of sand must be entered in the JIMMS e-challan.

VII. Execution of Lease Deed:

- a. A grant order shall be issued to the preferred bidder/Letter of Intent holder after depositing Performance Security.
b. Lease deed in the format as prescribed in Jharkhand Minor Mineral Concession Rules, 2004 as amended shall be executed after acquiring all necessary clearances.

VIII. Surrender of the allocation :-

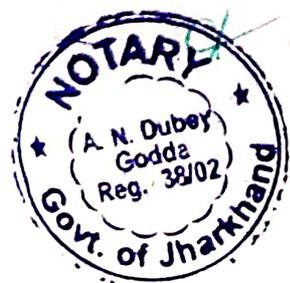
The lessee may surrender the lease after payment of all installments for that year. In case of non-payment of all installments of Annual Mineral Concessional value or bid amount, Royalty and others, the security deposit along with other payments, if any, shall be forfeited.

IX. Cancellation of Lease Deed :-

Deputy Commissioner of the district shall premature terminate the lease in case non-payment of dues for more than ninety days, violation of any contractual terms or engagement in any illegal sand mining activity.

X. Online Sand Portal :-

- a. All transactions (online and offline) and activities (Excavation/Storage/Transportation/Sale price declaration etc.) shall be monitored by Central Electronic Documentation System. Department of Mines and Geology may nominate any Government Agency or Government Company for this purpose at a fee.



- b. State Government may use JIMMS or any other system for the purposes as mentioned in above sub-rule (a).
- c. For the Management of Central Electronic Documentation System, the expenditure incurred shall be compensated by the Department of Mines and Geology by Management Fee.

7. Rules, Direction/Terms and Conditions to be followed by the lessee: -

All applicable rules, direction and terms & conditions for the operation of sand ghats or excavation of sand from sand bearing land shall be followed by the lessee.

8. Penalty: -

Provision for action to be taken against the illegal mining, transportation and storage of sand, shall be invoked as mentioned in The Jharkhand Minerals (Prevention of illegal mining, transportation and storage) Rules 2017 as amended from time to time.

9. Buffer Stock: -

Sand Lessee shall maintain the buffer stock of sand through dealer licence. For this purpose, identification of land and subsequent necessary approvals shall be done by sand lessee. This doesn't bar the operation of dealer license already issued/to be issued as per prevailing provisions.

10. Preferential right to the State Government

For the purposes as may be decided by the State Government, for the reasons to be recorded, the state government shall have preferential right to purchase all or part of sand available in stockyard/sand bearing land/sand ghats through the Department of Mines and Geology.

11. Guidelines to be issued by the State Government for desiltation/cleaning

Sand excavated or collected during desiltation/cleaning of any water stream or body shall be disposed of as per guidelines to be issued by the Department of Mines and Geology in this regard.

12. Necessary amendments in others Rules: -

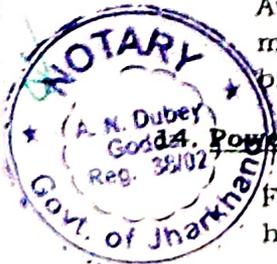
To avoid any ambiguity with respect to provisions of others rules effective in this regard, necessary amendments shall be done in the others relevant rules in due course

13. Power to rectify apparent mistakes: -

Authority issuing letter/direction shall have opportunity to rectify the apparent mistake related to calculation error or typographical error as and when its comes or brought to the knowledge.

Power to issue direction and guidelines: -

For effective implementation of these rules Department of Mines and Geology shall have power to issue guidelines and directions



15. Validity of Environment clearance: -

In case of lapsing/surrender/premature termination of sand lease, the environment clearance shall be valid for the rest of the period of its validity. Environment Clearance and other statutory clearances shall be valid mutatis mutandis for the new sand lessee.

16. Appeal: -

1. Any appeal against the order/direction issued by the District Mining Officer in case of lease of up to 5 Hectare shall be preferred before Concerned Deputy Director, Mines and in case of lease of more than 5 Hectare shall be preferred before Additional Director, Ranchi within 90 days of such issuance of order/direction. Appeal shall be accompanied with a fee of rupees 500 only.
2. In case of District Mining Officer being the Deputy Director, Mines also of the concerned circle, appeal shall be preferred before the Additional Director, Ranchi.

The concerned Deputy Director, Mines or Additional Director, Mines, Ranchi may, for the reasons to be recorded in writing, set-aside or modify the order/direction against which such appeal is preferred.

17. Revision: -

1. Any revision against the order/direction issued by the Deputy Commissioner shall be preferred before Mines Commissioner within 90 days of such issuance of order/direction. Revision shall be accompanied with a fee of rupees 1000 only.
2. Mines Commissioner may, for the reasons to be recorded in writing, set-aside or modify the order/direction against which such revision is preferred.

18. Over-riding effects of these rules: -

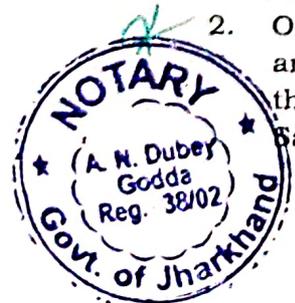
Notwithstanding anything contained in the others rules time being enforced in relation to the purpose of these rules, these rules shall have the overriding effect over those rules.

19. Recovery of Demand

An outstanding demand payable under this rule, after period of thirty days from the date of determination of demand; providing opportunity of hearing, shall be recovered as an arrear of land revenue.

20 . Repeal and Saving: -

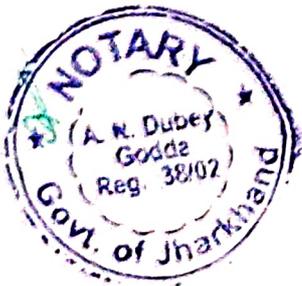
1. On the commencement of these rules, the Jharkhand Sand Mining Policy 2017 and its subsequent amendments shall cease to be in force except as regards things, done or omitted to be done before such commencements.
2. On the commencement of these rules, any matter or act to which these rules apply, any reference to the Jharkhand Sand Mining Policy 2017 in the rules made under the Act or any other documents shall be deemed to be replace with the Jharkhand Sand Mining Rules 2025 to that extent, it is not repugnant to the context thereof.



3. After the notification of these rules, any earlier executed lease deed/deemed lease shall be valid till the date of validity of lease deed or as period defined in the order for deemed lease; subsequently the process of mineral concession shall be adhered to these rules.
4. On the commencement of these rules, for matter connected with the period/extension of earlier allocated sand ghats, keeping in view the provisions, order of Hon'ble Courts if any etc; decision shall be taken by the Department of Mines and Geology.

By the order of the Governor of Jharkhand,

Arava Rajkamal,
Secretary to the Government





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राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड

State Level Environment Impact Assessment Authority, Jharkhand

पौधशाला परिसर, धुर्वा बस स्टैण्ड के समीप, पो0+थाना-धुर्वा, राँची, झारखण्ड, 834004

ई-मेल. msseiaa.jhk@gmail.com; वेबसाइट. www.jseiaa.in

Annexure- 'L'

पत्रांक :

राँची, दिनांक :

प्रेषक:

सदस्य सचिव,
SEIAA,
झारखण्ड, राँची।

सेवा में,

सचिव,
खान एवं भूतत्व विभाग,
झारखण्ड सरकार।

विषय : - बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ Replenishment study सुनिश्चित कराने के संबंध में।

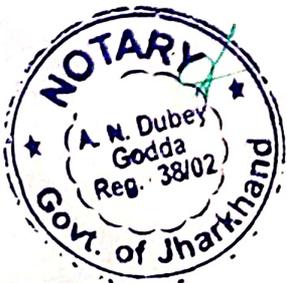
महाशय,

उपर्युक्त विषयक सूचित करना है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के EIA अधिसूचना, 2006 के अनुसार श्रेणी 'बी' अंतर्गत लघु खनिज के 0 से 5 हेक्टेयर के परियोजनाओं को बी-2 अंतर्गत पर्यावरणीय स्वीकृति एवं 5 हेक्टेयर से अधिक क्षेत्रफल के परियोजनाओं को बी-1 अंतर्गत Terms of Reference (for conducting EIA / EMP study) के पश्चात् पर्यावरणीय स्वीकृति SEIAA के स्तर से निर्गत किया जाता है।

उल्लेख्य है कि झारखण्ड राज्य अंतर्गत बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ सभी जिलों का जिला सर्वेक्षण रिपोर्ट (District Survey Report) Sustainable Sand Mining Management Guideline (SSMMG). 2016 एवं Enforcement & Monitoring Guidelines for Sand Mining (EMGSM). 2020 के आलोक में एवं Replenishment study के आधार पर अनुमोदित किया जा चुका है, जिसकी सूची इस पत्र के साथ संलग्न है।

अनुमोदित जिला सर्वेक्षण रिपोर्ट (District Survey Report) के आधार पर Monsoon के पूर्व लगभग 54 मामलों में पर्यावरणीय स्वीकृति एवं लगभग 32 मामलों में Terms of Reference (ToR) निर्गत किया गया है। जिन मामलों में पर्यावरणीय स्वीकृति निर्गत है उनमें Replenishment study के संदर्भ में निम्नवत शर्त अधिरोपित किया गया है, जिसका अनुपालन ससमय किया जाना है :-

"Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA / SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less"



Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 के अनुसार जिला सर्वेक्षण रिपोर्ट (District Survey Report) के स्वीकृति के पश्चात् subsequent years में **Replenishment study** निम्न प्रकार से किया जाना है :-

"..... For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river. Based on the replenishment rate future auction may be planned."

खान एवं भूतत्व विभाग, झारखण्ड सरकार के अधिसूचना संख्या Kha.Ni.(Vividh) – 95/2024 1111/M, दिनांक 09.05.2025 के द्वारा Jharkhand Sand Mining Rules, 2025 निर्गत किया गया है, जिसके कंडिका 6 (III) L में भी बालू उत्खनन Sustainable Sand Mining Management Guideline (SSMMG), 2016, Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 एवं पर्यावरणीय स्वीकृति के आलोक में किया जाना है।

अतः अनुरोध है कि Monsoon के पश्चात् बालू उत्खनन के सभी मामलों में Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 के अनुसार **Replenishment study** कराने एवं तदनुसार **Replenishment study** के आधार पर खनन योजना का निर्माण एवं अनुमोदन कराने हेतु सभी उपायुक्त एवं सभी जिला खनन पदाधिकारी को अपने स्तर से निर्देशित करने की कृपा की जाय, ताकि पर्यावरणीय स्वीकृति प्रदान करने में **Replenishment study** के संदर्भ में किसी प्रकार की वैधानिक अड़चन उत्पन्न न हो।

अनु० : यथोक्त।

विश्वासभाजन्

ह०/-

सदस्य सचिव,

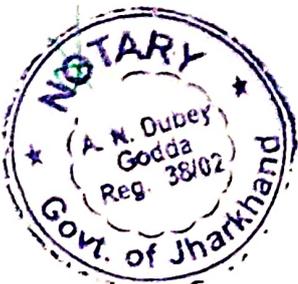
राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,
झारखण्ड, राँची।

ज्ञापांक : 411

दिनांक : 29/08/2025

प्रतिलिपि :

1. निदेशक, खान एवं भूतत्व विभाग, झारखण्ड सरकार को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
2. सभी उपायुक्त, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
3. बालू प्रभारी, झारखण्ड राज्य खनिज विकास निगम लि० (JSMDC Ltd.) को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
4. सभी जिला खनन पदाधिकारी, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।



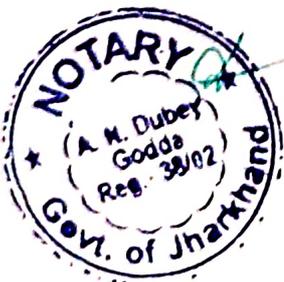
Sp 20/8/25

सदस्य सचिव,

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,
झारखण्ड, राँची।

Approval status of District Survey Report of Sand in the State of Jharkhand.

Sl. no.	District	The SEAC meeting in which DSR was recommended for Approval.	The SEIAA meeting in which DSR was Approved		
1.	Godda	102 nd meeting dated 21-25.03.2023	103 rd meeting dated 01-02.04.2023		
2.	Latehar				
3.	Pakur				
4.	Gumla				
5.	East Singhbhum				
6.	Dhanbad				
7.	West Singhbhum				
8.	Saraikela-Kharsawan				
9.	Simdega				
10.	Ramgarh				
11.	Lohardaga				
12.	Giridih				
13.	Bokaro				
14.	Garhwa			103 rd meeting dated 14-18.04.2023	104 th meeting dated 27-28.04.2023
15.	Chatra				
16.	Deoghar				
17.	Khunti				
18.	Hazaribag	104 th meeting dated 22-26.05.2023	105 th meeting dated 28-29.05.2023		
19.	Koderma				
20.	Dumka				
21.	Palamau				
22.	Jamtara				
23.	Ranchi	105 th meeting dated 15-19.06.2023	106 th meeting dated 03-04.07.2023		
24.	Sahibganj	110 th Meeting dated-17-21.10.2023	110 th meeting Dated-27-29.10.2023		



झारखण्ड सरकार
खान एवं भूतत्व विभाग
खान निदेशालय

Annexure- 'M'

पत्रांक-ख०नि०(विधि)-95/2024

2148 /एम०, राँची, दिनांक- 02.09.2025

प्रेषक,

राहुल कुमार सिन्हा
निदेशक, खान।

सेवा में,

सभी उपायुक्त,
झारखण्ड

विषय :- बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ Replenishment study सुनिश्चित कराने के संबंध में।

प्रसंग :- राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA), झारखण्ड का ज्ञापांक-411, दिनांक-29.08.2025

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के माध्यम से सदस्य सचिव, SEIAA द्वारा बालू उत्खनन के मामले में पर्यावरणीय स्वीकृति के परियोजनार्थ Replenishment study सुनिश्चित कराने के संबंध में अनुरोध किया गया है, जिसकी छायाप्रति इस पत्र के साथ संलग्न कर प्रेषित की जा रही है।

अनुरोध है कि उक्त पत्र का बिन्दुवार अनुपालन सुनिश्चित किया जाय।

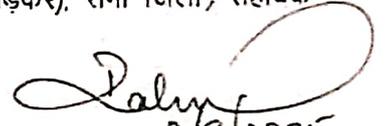
अनुलग्नक-यथोक्त।


29/08/25
(राहुल कुमार सिन्हा,
निदेशक, खान

ज्ञापांक-

2148 /एम०, राँची, दिनांक- 02.09.2025

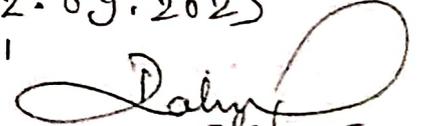
प्रतिलिपि-अपर निदेशक, खान, राँची/सभी उप निदेशक, खान (मु० छोड़कर), सभी जिला/सहायक खनन पदाधिकारी, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।


29/08/25
निदेशक, खान

ज्ञापांक-

2148 /एम०, राँची, दिनांक- 02.09.2025

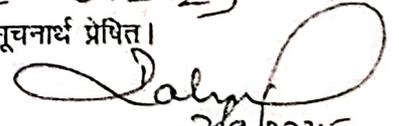
प्रतिलिपि-सदस्य सचिव, SEIAA, झारखण्ड, राँची को सूचनार्थ प्रेषित।

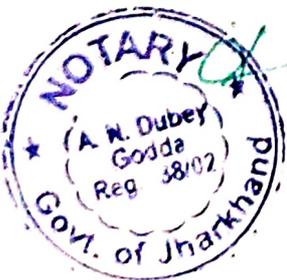

29/08/25
निदेशक, खान

ज्ञापांक-

2148 /एम०, राँची, दिनांक- 02.09.2025

प्रतिलिपि-सचिव, खान एवं भूतत्व विभाग, झारखण्ड, राँची को सादर सूचनार्थ प्रेषित।


29/08/25
निदेशक, खान





698

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राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, झारखण्ड
State Level Environment Impact Assessment Authority, Jharkhand
पौधशाला परिसर धुर्वा एस स्टैंड के समीप, पो0+थाना-धुर्वा, राँची, झारखण्ड, 834004
ई-मेल. msseiaa.jhkr@gmail.com; वेबसाइट. www.jscaiaa.in

पत्रांक :

राँची, दिनांक :

प्रेषक:

सदस्य सचिव,
SEIAA,
झारखण्ड, राँची।

सेवा में,

सचिव,
खान एवं भूतत्व विभाग,
झारखण्ड सरकार।

विषय :- बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ
Replenishment study सुनिश्चित कराने के संबंध में।

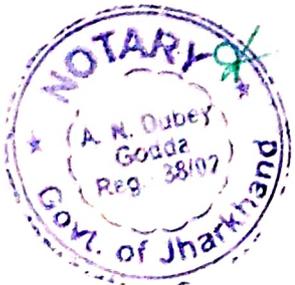
महाशय,

उपर्युक्त विषयक सूचित करना है कि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के EIA अधिसूचना, 2006 के अनुसार श्रेणी 'बी' अंतर्गत लघु खनिज के 0 से 5 हेक्टेयर के परियोजनाओं को बी-2 अंतर्गत पर्यावरणीय स्वीकृति एवं 5 हेक्टेयर से अधिक क्षेत्रफल के परियोजनाओं को बी-1 अंतर्गत Terms of Reference (for conducting EIA / EMP study) के पश्चात् पर्यावरणीय स्वीकृति SEIAA के स्तर से निर्गत किया जाता है।

उल्लेख्य है कि झारखण्ड राज्य अंतर्गत बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ सभी जिलों का जिला सर्वेक्षण रिपोर्ट (District Survey Report) Sustainable Sand Mining Management Guideline (SSMMG), 2016 एवं Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 के आलोक में एवं Replenishment study के आधार पर अनुमोदित किया जा चुका है, जिसकी सूची इस पत्र के साथ संलग्न है।

अनुमोदित जिला सर्वेक्षण रिपोर्ट (District Survey Report) के आधार पर Monsoon के पूर्व लगभग 54 मामलों में पर्यावरणीय स्वीकृति एवं लगभग 32 मामलों में Terms of Reference (ToR) निर्गत किया गया है। जिन मामलों में पर्यावरणीय स्वीकृति निर्गत है उनमें Replenishment study के संदर्भ में निम्नवत शर्त अधिरोपित किया गया है, जिसका अनुपालन ससमय किया जाना है :-

"Replenishment study shall be conducted during pre-monsoon and post monsoon every year and study report have to be submitted to SEIAA / SEAC, Jharkhand. The production shall be restricted to 60% of the replenished quantity or the proposed quantity in the mine plan, which ever is less"



Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 के अनुसार जिला सर्वेक्षण रिपोर्ट (District Survey Report) के स्वीकृति के पश्चात् subsequent years में Replenishment study निम्न प्रकार से किया जाना है :-

"..... For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river. Based on the replenishment rate future auction may be planned."

खान एवं भूतत्व विभाग, झारखण्ड सरकार के अधिसूचना संख्या Kha.Ni.(Vividh) - 95/2024 1111/M, दिनांक 09.05.2025 के द्वारा Jharkhand Sand Mining Rules, 2025 निर्गत किया गया है, जिसके कंडिका 6 (III) L में भी बालू उत्खनन Sustainable Sand Mining Management Guideline (SSMMG), 2016, Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 एवं पर्यावरणीय स्वीकृति के आलोक में किया जाना है।

अतः अनुरोध है कि Monsoon के पश्चात् बालू उत्खनन के सभी मामलों में Enforcement & Monitoring Guidelines for Sand Mining (EMGSM), 2020 के अनुसार Replenishment study कराने एवं तदनुसार Replenishment study के आधार पर खनन योजना का निर्माण एवं अनुमोदन कराने हेतु सभी उपायुक्त एवं सभी जिला खनन पदाधिकारी को अपने स्तर से निर्देशित करने की कृपा की जाय, ताकि पर्यावरणीय स्वीकृति प्रदान करने में Replenishment study के संदर्भ में किसी प्रकार की वैधानिक अड़चन उत्पन्न न हो।

अनु० : यथोक्त।

विश्वासभाजन्

ह०/-

सदस्य सचिव,

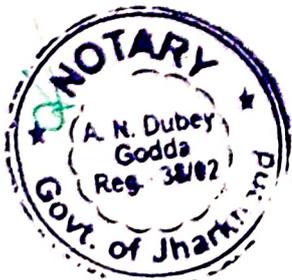
राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,
झारखण्ड, राँची।

ज्ञापांक : 411

दिनांक : 29/05/2025

प्रतिलिपि :

1. निदेशक, खान एवं भूतत्व विभाग, झारखण्ड सरकार को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
2. सभी उपायुक्त, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
3. बालू प्रभारी, झारखण्ड राज्य खनिज विकास निगम लि० (JSMDC Ltd.) को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
4. सभी जिला खनन पदाधिकारी, झारखण्ड को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।



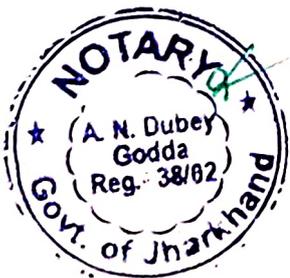
Sp 29/05/25

सदस्य सचिव,

राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण,
झारखण्ड, राँची।

Approval status of District Survey Report of Sand in the State of Jharkhand.

Sl. no.	District	The SEAC meeting in which DSR was recommended for Approval.	The SEIAA meeting in which DSR was Approved
1.	Godda		
2.	Letchar		
3.	Pakur		
4.	Gumla		
5.	East Singhbhum		
6.	Dhanbad	102 nd meeting dated 21-25.03.2023	103 rd meeting dated 01-02.04.2023
7.	West Singhbhum		
8.	Saraikela-Kharsawan		
9.	Simdega		
10.	Ramgarh		
11.	Lohardaga		
12.	Giridih		
13.	Bokaro		
14.	Garhwa		
15.	Chatra	103 rd meeting dated 14-18.04.2023	104 th meeting dated 27-28.04.2023
16.	Deoghar		
17.	Khunti		
18.	Hazaribag		
19.	Koderma		
20.	Dumka	104 th meeting dated 22-26.05.2023	105 th meeting dated 28-29.05.2023
21.	Palamau		
22.	Jamtara		
23.	Ranchi	105 th meeting dated 15-19.06.2023	106 th meeting dated 03-04.07.2023
24.	Sahibganj	110 th Meeting dated-17-21.10.2023	110 th meeting Dated-27-29.10.2023



Annexure- 'N'

उपायुक्त का कार्यालय(खनन शाखा), गोड्डा।

पत्रांक : १५१ /एम०,

प्रेषक :

उपायुक्त,
गोड्डा।

सेवा में,

निदेशक, भूतत्व,
भूतत्व निदेशालय
झारखण्ड, राँची।

गोड्डा, दिनांक : ०५ अक्टूबर, 2025

विषय : बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ Replenishment Study सुनिश्चित कराने के संबंध में।

प्रसंग : सदस्य सचिव, SEIAA, झारखण्ड, राँची का ज्ञापांक 411 दिनांक 29.08.2025
खान निदेशालय का पत्रांक 2148/एम०राँची, दिनांक 02.09.2025

महाशय,

उपर्युक्त विषयक खान निदेशालय के प्रसांगिक पत्र के द्वारा सदस्य सचिव, SEIAA, झारखण्ड, राँची का ज्ञापांक 411 दिनांक 29.08.2025 उपलब्ध कराते हुए बिन्दुवार अनुपालन सुनिश्चित करने हेतु निदेशित किया गया है।

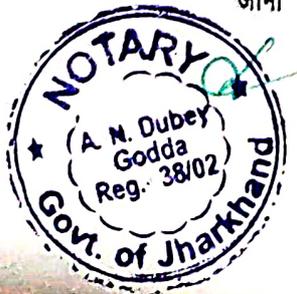
सदस्य सचिव, SEIAA, झारखण्ड, राँची का ज्ञापांक 411 दिनांक 29.08.2025 में उल्लेख है कि "...झारखण्ड राज्य अंतर्गत बालू उत्खनन के मामलों में पर्यावरणीय स्वीकृति के परियोजनार्थ सभी जिलों का जिला सर्वेक्षण प्रतिवेदन (District Survey Report) Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining (EMGSM) 2020 के आलोक में एवं Replenishment Study के आधार पर अनुमोदित किया जा चुका है....."

गोड्डा जिला का जिला सर्वेक्षण प्रतिवेदन (बालू) SEIAA, Jharkhand के 103^{वाँ} बैठक में अनुमोदित किया गया है एवं अनुमोदित जिला सर्वेक्षण प्रतिवेदन (बालू), SEIAA, Jharkhand के पत्रांक 06 दिनांक 02.04.2023 के द्वारा भेजी गई है।

EMGSM Guidelines 2020 के अनुसार निम्न शर्तें अधिरोपित किया गया है-

"Initially replenishment study requires four surveys. The first survey needs to be carried out in the month of April for recording the level of mining lease before the monsoon. The second survey is at the time of closing of mines for monsoon season. This survey will provide the quantity of the material excavated before the offset of monsoon. The third survey needs to be carried out after the monsoon to know the quantum of material deposited/replenished in the mining lease. The fourth survey at the end of March to know the quantity of material excavated during the financial year. For the subsequent years, there will be a requirement of only three surveys. The results of year-wise surveys help the state government to establish the replenishment rate of the river."

झारखण्ड सरकार के द्वारा अधिसूचित Jharkhand Sand Mining Rules 2025 के नियम 6(III)(L) के अनुसार भी बालू उत्खनन Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining (EMGSM) 2020 एवं पर्यावरणीय स्वीकृति के आलोक में किया जाना है।

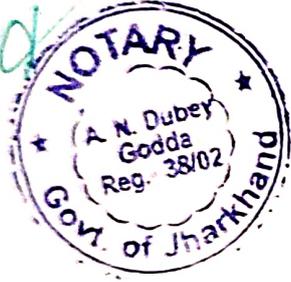


विदित हो कि गोड्डा जिला के लिए यालू खनिज का जिला सर्वेक्षण प्रतिवेदन तैयार करने हेतु भूतत्व निदेशालय, झारखण्ड, राँची के द्वारा Empanelled OCI-NABEI Accredited Agency भेसर्स साधी प्लानर्स, राँची के पक्ष में कार्यदेश संख्या Blu.Ni-Anve-95/2021-2139, दिनांक 13.10.2022 निर्गत है।

अतः SEIAA, Jharkhand एवं निदेशक खान, खान एवं भूतत्व विभाग के प्रसांगिक पत्रों एवं आपके द्वारा निर्गत कार्यदेश संख्या- Blu.Ni-Anve-95/2021-2139, दिनांक 13.10.2022 के आलोक में अनुरोध है कि Sustainable Sand Mining Management Guidelines 2016 and Enforcement & Monitoring Guidelines for Sand Mining (EMGSM) 2020 के अनुसार Replenishment study करते हुए शीघ्र प्रतिवेदन उपलब्ध कराने की कृपा की जाय।

अनुलग्नक : प्रसांगिक पत्रों की छायाप्रति।

विश्वनाथराज
03/10/22
उपायुक्त,
गोड्डा।





Aishwarya Rajyashree <advaish.hc@gmail.com>

Re: O.A No. 177/2025/EZ (Rizwan -Vs- State of Jharkhand & Ors.)

1 message

Aishwarya Rajyashree <advaish.hc@gmail.com>

30 January 2026 at 14:42

To: ASHOK PRASAD <ashokadvhc@gmail.com>, Vanshdeep Dalmia <vanshdeepdalmia@gmail.com>

Sir,
Please find the copy of the Counter Affidavit filed by Respondent Nos. 1 to 4 in the abovecaptioned matter, for your reference.
Thanking you.

Regards,
Aishwarya Rajyashree
Advocate.

 Counter Affidavit of DMO Godda.pdf