

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)  
AT CHENNAI**

**ORIGINAL APPLICATION NO. 91 of 2022**

V. Arul,  
President,  
Siruthavur Village Panchayat,  
No.315, Big Street,  
Siruthavur, Tiruporur Taluk,  
Chengalpattu District- 603105.

... Applicant

Vs.

1. The Government of India,  
Ministry of Environment, Forests & Climate Change,  
Represented by its Secretary,  
Indira Paryavaran Bhavan,  
Jor Bag Road, Aliganjh,  
New Delhi- 110003  
Ph: 11120819220  
Mail ID: mefcc@gov.in  
& 6 others

... Respondents

**COUNTER AFFIDAVIT AND DOCUMENTS FILED BY MOEF  
(1<sup>ST</sup> RESPONDENT)**

**Sai Srujan Tayi**

No. 319 (Old No. 155), Linghi Chetty Street,  
George Town, Chennai – 600 001.

Contact No: 98414 41438

Mail ID: sai@girisai.com

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI**  
**O.A. No. 91 of 2022**

V.Arul  
Chengalpattu Dt. - 603105

....Applicant

-Vs.-

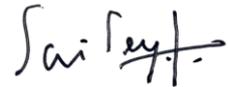
1. The Govt. Of India  
Ministry of Environment, Forest and Climate Change  
New Delhi – 110003 & 7 others

....Respondents

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**(1<sup>ST</sup> RESPONDENT)**

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Dated at Chennai this the 29<sup>th</sup> day of December 2022



Sai Srujan Tayi  
Counsel for MoEF& CC/1<sup>st</sup> Respondent  
Contact No: 98414 41438  
Mail ID: sai@girisai.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

Original Application No. 91 of 2022 (SZ)

**IN THE MATTER OF**

V.Arul,Chengalpattu District

...Applicant(s)

Versus

The Govt. of India, MOEF & CC,

Rep by its Secretary, New Delhi and Ors.

...Respondent(s)

**COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (RESPONDENT No. 1)**

**MOST RESPECTFULLY SHOWETH:**

I, Dr . R. Sridhar S/o P.Rengarajan aged about 41 years , currently working as Scientist 'D' in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office, Chennai, do hereby solemnly affirm and state as under:-

1. That I, in my official capacity Scientist ' D' in the Ministry Environment, Forest and Climate Change, Chennai i.e. Respondent No. 1 in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. It is submitted that a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Counter Affidavit to the aforesaid application, as and when required.



**Dr. R. Sridhar,**  
**Scientist 'D'**  
 Government of India  
 Min. of Environment Forest and Climate Change  
 Integrated Regional Office  
 1st Floor, Additional Office Block for GPOA,  
 Shastri Bhawan, Haddows Road  
 Nungambakkam, Chennai - 600 006.

3. That the applicant is aggrieved by the quarrying in violation of all the environmental laws and rules. Further, the petitioner has stated that the Public Works Department (PWD) is de-silting the lake because it is being exempted from obtaining Environmental Clearance. It is also stated that the 6th Respondent, i.e. Water Resources Development Department (WRDD) has taken a specific stand in reply that Environmental Clearance (EC) is exempted vide Ministry's Notification No.1224(E) dt. 28.03.2020 inter-alia for de silting works.
4. It is submitted that Hon'ble Tribunal vide order dated 06.09.2022 in Original Application no. 91/2022 in the matter of V. Arul vs. MoEF&CC & Ors. directed as follows:
- 'to find out whether any excessive mining is done and also whether the Environmental Clearance is required in such cases'.*
5. It is submitted that in compliance of the Hon'ble Tribunal directions, Integrated Regional Office (IRO), Chennai of Ministry of Environment, Forest and Climate Change conducted a site inspection on 11.10.2022. A copy of the report is annexed herewith as **Annexure- R1/1**.
6. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s).



**DEPONENT**

**Dr. R. Sridhar,**  
**Scientist 'D'**  
Government of India  
**Min. of Environment Forest and Climate Change**  
Integrated Regional Office  
1st Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road  
Nungambakkam, Chennai - 600 006.

## VERIFICATION

Verified at Chennai on this 20<sup>th</sup> day of December ,2022 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

**DEPONENT**

**Dr. R. Sridhar,**  
**Scientist 'D'**  
Government of India  
Min. of Environment Forest and Climate Change  
Integrated Regional Office  
1st Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road  
Nungambakkam, Chennai - 600 006.

**Site visit report in accordance with the Hon'ble NGT's order dated 6<sup>th</sup> September, 2022 in OA No. 91 of 2022 in the matter of V. Arul, Chengalpattu District vs the Govt of India, MOEF & CC and Ors.**

**1. The Honorable NGT order dated 6<sup>th</sup> September, 2022:**

In order to comply with the order issued on 6<sup>th</sup> September, 2022 by the Hon. NGT in the case of V. Arul, Chengalpattu District vs. MOEF & CC and Ors., OA No.91 of 2022, the Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi, requested the Integrated Regional Office (IRO), Chennai, to visit the mine area in question and submit a report. By order dated 6<sup>th</sup> September, 2022, the Honorable NGT noted that

*"The report of the 6th respondent has been filed of which we are not satisfied. Regarding the requirements of the Environmental Clearance, though the orders of the District Collector says that it is exempted as the 1st respondent is directed to find out whether any excessive mining is done and also whether the Environmental Clearance is required in such cases".*

**2. Inspection of the site:**

To ascertain the facts, a site visit to the Sirudavoor Lake was conducted by Dr. R. Sridhar, Scientist 'D' from the IRO, Chennai on 11<sup>th</sup> October, 2022. Shri Venkatesan, AEE, and Shri Ambalavanan, AE from the Water Resource Department (WRD), Chengalpattu District, as well as petitioner Shri Arul, the president of Sirudavoor Village, were present during the visit. **Annexure- I** contain pictures taken during the site visit. A list of those present during the site inspection on 11<sup>th</sup>October, 2022, is included in **Annexure II**.

**3. Observation made during the site visit:**

**3.1 Current state of the Sirudavoor Lake/Tank desilting and earth quarrying:**

In order to remove the blocks and encroachment, the project/activity entails quarrying ordinary soil in the Sirudavoor Lake/Tank contained in S.No. 627 in Sirudavoor Village, Chengalpattu District, Tamil Nadu.

The WRD was given permission by the District Collector in his proceedings dated 5<sup>th</sup> April, 2022 to take 5000 truck loads, or 30,150 square meters, of ordinary soil from the aforementioned lake for a 40-day period (from 6-4-2022 to 15-5-2022), in exchange

for paying a seniorage fee. Additionally, the District Collector granted an additional 20 days to remove the remaining ordinary earth from the aforementioned lake (19-5-2022 to 07-6-2022) in his proceedings dated 18<sup>th</sup> May, 2022 because the work was not completed by WRD. The permission was given in order to reduce encroachment, expand the lake's water storage capacity, and deal with any disaster or flood-like circumstance by removing common soil that had collected in the catchment and at the lake's entry point. The desilting process was completed on 7<sup>th</sup> June, 2022. Copy of Proceedings of District Collector, Chengalpattu District dated 5<sup>th</sup> April, 2022 and 18<sup>th</sup> May, 2022 are enclosed at **Annexure-V**

The Sirudavoor Lake has a total size of 233.51 Ha. Only the shallow entrance point area (photos provided in **Annexure-I**) and not the rest of the lake, underwent desilting activity.

**Removal of ordinary earth:** According to information provided by the WRD, only 27,300 sq. cubic meter of ordinary earth were removed from the aforementioned work, which is less than the permissible quantity (30150 sq. cubic meter).

Additionally, the permission acquired only allows for the removal of ordinary soil up to a depth of 0.9 meter. Along with the petitioner and WRD officials, the depth was measured across the desilting site during the site visit on 11<sup>th</sup> October 2022. The depth was measured manually at random points using a basic measuring tape because the desilting site is an open area and in shallow depth without much lake water. (Depth measurement photos are included in **Annexure-I**.) Below are the specifics of the depths measured at five different places:

| Sl. No. | Desilting site and Lat /Long                                   | Depth |
|---------|--|-------|
| 1.      | Site 1. desilting site near entry point                        | 1.0 m |
| 2.      | Site 2. Lat 12.689386 <sup>0</sup> Long 80.139532 <sup>0</sup> | 0.9 m |
| 3.      | Site 3. Lat 12.690812 <sup>0</sup> Long 80.140992 <sup>0</sup> | 0.9 m |
| 4.      | Site 4. Lat 12.690794 <sup>0</sup> Long 80.140972 <sup>0</sup> | 1.3 m |
| 5.      | Site 5. Lat 12.690624 <sup>0</sup> Long 80.141656 <sup>0</sup> | 1.1 m |

According to the field measurement, the depth was found in the ranges between 0.9 meter to 1.3 meter. The approved depth hasn't changed much or been exceeded because the average depth is about 1 m. Further, the ordinary earth that was removed from the tank (i.e., 27,300 sq. cubic meters) is within the permitted quantity (i.e., 30150 sq. cubic meter), in accordance with the permission obtained from the District Collector. It was observed that no signs of excessive mining were found.

### 3.2 Representation of the petitioner during the site visit:

Shri Arul, the president of Sirudavoor Village, who filed the case, was also heard during the site inspection on 11<sup>th</sup> October, 2022. The petitioner claims that the aforementioned site does not need any more desilting. He added that no more depth was needed because the desilting work that had already been done at the aforementioned site was sufficient. Additionally, he has requested that the approach road to the tank, which was harmed while transporting materials for desilting operations (Photos attached in **Annexure-I**), be restored and made so that locals can travel there safely.

### 4. Application of the Environmental Clearance (EC) under the EIA Notification, 2006 and Amendments issued in 2016 and 2020:

In accordance with the Environment (Protection) Act of 1986, the Ministry of Environment, Forests, and Climate Change of the Government of India published the Environment Impact Assessment (EIA) Notification, 2006 on 14<sup>th</sup> September, 2006, which mandates that certain projects obtain prior Environmental Clearance ("EC") before beginning any construction work, whether they are new projects or the expansion and modernization of existing projects or activities. The categories of projects or activities that call for prior environmental clearance are included in the schedule accompanying the notification.

Additionally, the Ministry amended the aforementioned EIA Notification, 2006, via notification dated 15<sup>th</sup> January, 2016, and another amendment followed by notification dated 28<sup>th</sup> March, 2020. The copy of the S.O. 141(E) Notification, dated 15<sup>th</sup> January 2016, is affixed and designated as **Annexure-III**. The **Annexure-IV** contains a copy of the Notification S.O. 1224 (E) dated 28<sup>th</sup> March, 2020.

According to the clause in APPENDIX-IX of the Notification dated 28<sup>th</sup> March, 2020, exemption from the requirement for environmental clearances is allowed in some cases. These include cases covered under "7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management" and "12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority".

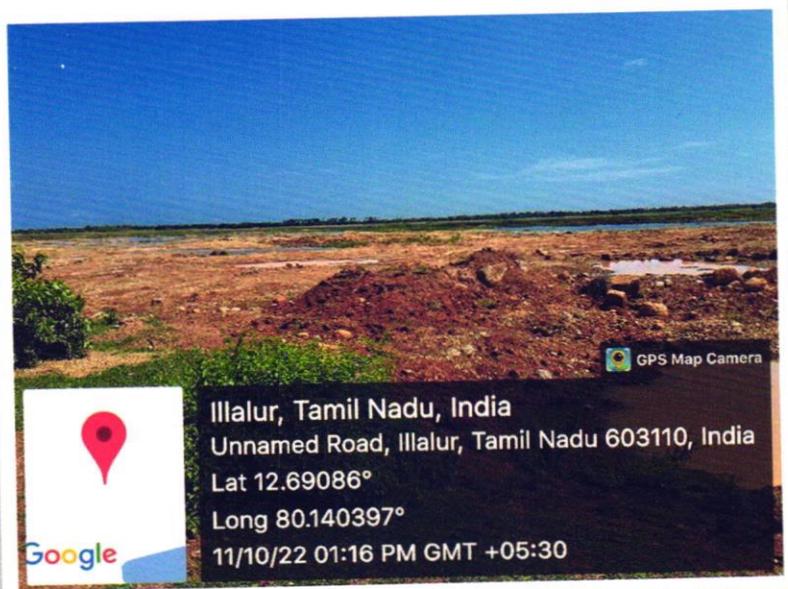
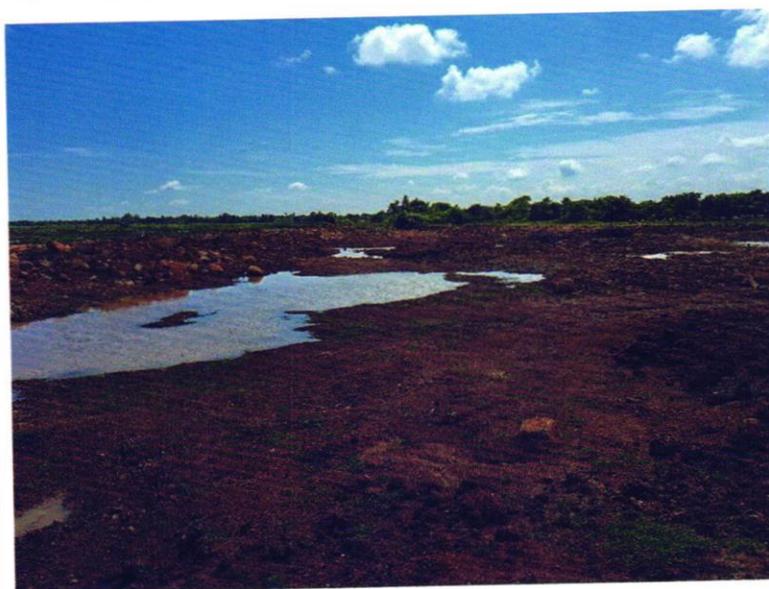
In light of the foregoing, it is noted that the above desilting activity carried out in the Sirudavoor Lake is exempt from obtaining environmental clearances in accordance with the provision mentioned in **Appendix-IX of the Notification dated 15th January, 2016 and its subsequent amendment via Notification dated 28th March, 2020**. The above environmental clearance exception applies to tank systems that require deepening to prevent flood damage.

  
(Dr. R. Sridhar)  
Scientist 'D'

Dr. R. Sridhar,  
Scientist 'D'  
Government of India  
Min. of Environment Forest and Climate Change  
Integrated Regional Office  
1st Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Maddur Road,  
Mambakkam, Chennai - 600 036.

## Annexure- I

Photos taken on 11<sup>th</sup> October, 2022, during the site visit to Sirudavoor Lake  
Site after desilting work



**On 11<sup>th</sup> October, 2022, petitioner Shri Arul, the village president, and representatives from the WRD participated in the site visit to Sirudavoor Lake.**

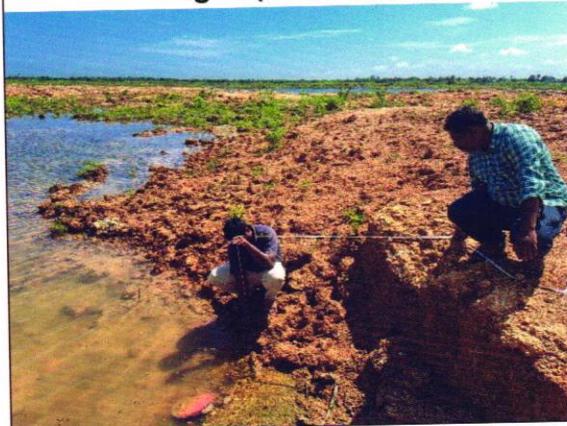


**Measuring depth at various points on the desilting site with the petitioner and WRD representatives**

**Fig 1. (1 m depth)**



**Fig 2. (0.9 m depth)**

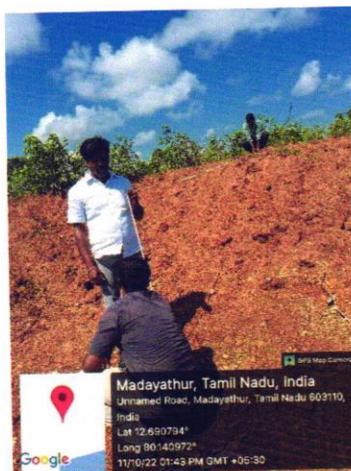


**Fig 3. (0.9 m depth)**



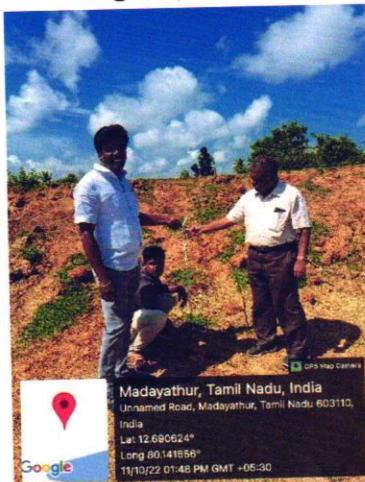
Illalur, Tamil Nadu, India  
Illalur, Tamil Nadu 603110, India  
Lat 12.689379°  
Long 80.139535°  
11/10/22 01:37 PM GMT +05:30

**Fig 4. (1.3 m depth)**



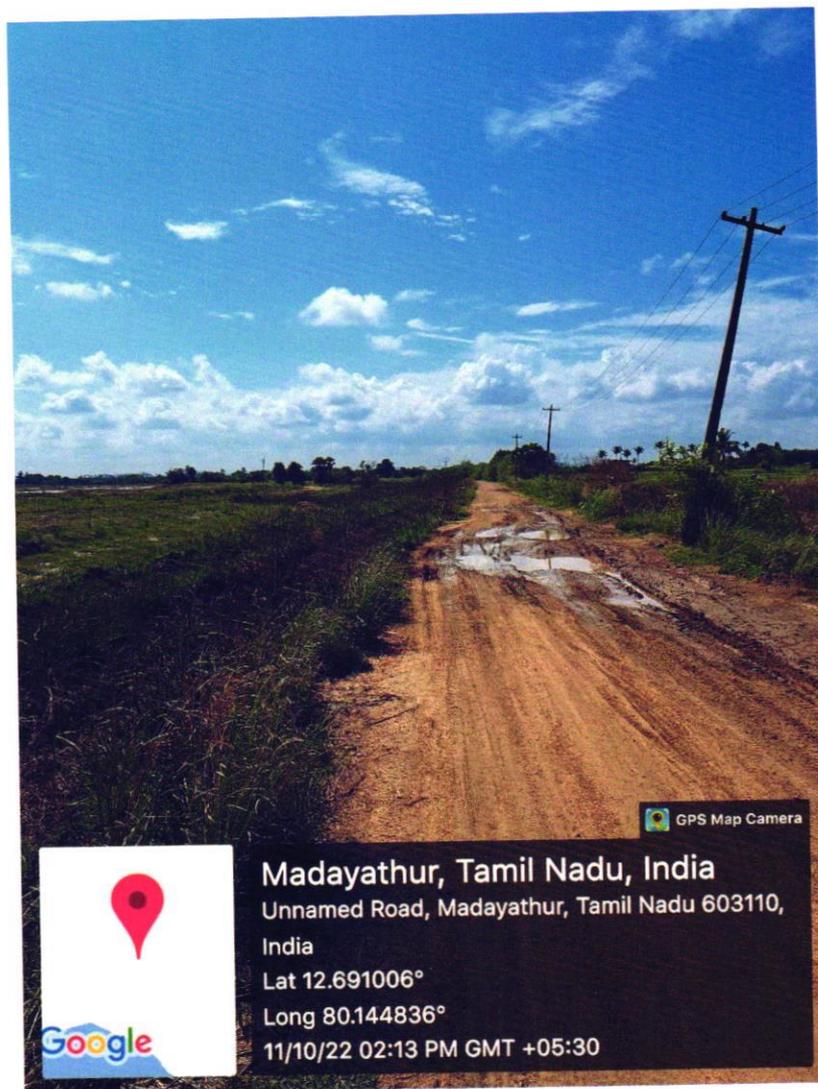
Madayathur, Tamil Nadu, India  
Unnamed Road, Madayathur, Tamil Nadu 603110,  
India  
Lat 12.699794°  
Long 80.140972°  
11/10/22 01:43 PM GMT +05:30

**Fig 5. (1.1 m depth)**



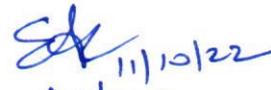
Madayathur, Tamil Nadu, India  
Unnamed Road, Madayathur, Tamil Nadu 603110,  
India  
Lat: 12.690624°  
Long 80.141858°  
11/10/22 01:48 PM GMT +05:30

**View of the Sirudavoor Lake access road after it was allegedly damaged by desilting work, according to the petitioner.**



OA 91 of 2022, NGT

Site inspection on 11/10/2022 at Sindharoor village,  
Thiruppur Taluk, chepalpetta Dt. (S.No. 627).

- ① V. Anand 
- ② C. Subashini 
- ③ Q. Anitha (Q. Venkatesh)  
ASST. (A.O.)
- ④ E. AMBALAVANAN   
AE/HPV
- ⑤ Dr. R. Sridhar,  
Secy-D 

- 10 का.आ. 562(अ) तारीख 26 फरवरी 2014;
11. का.आ. 637(अ) तारीख 28 फरवरी 2014;
12. का.आ. 1599(अ) तारीख 25 जून 2014;
13. का.आ. 2601(अ) तारीख 7 अक्टूबर 2014;
14. का.आ. 2600(अ) तारीख 9 अक्टूबर 2014
15. का.आ. 3252(अ) तारीख 22 दिसम्बर 2014;
16. का.आ. 382(अ) तारीख 3 फरवरी, 2015;
17. का.आ. 811(अ) तारीख 23 मार्च, 2015;
18. का.आ. 996(अ) तारीख 10 अप्रैल 2015;
19. का.आ. 1142(अ) तारीख 17 अप्रैल 2015;
20. का.आ. 1141(अ) तारीख 29 अप्रैल 2015;
21. का.आ. 1834(अ) तारीख 6 जुलाई 2015;

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 15th January, 2016

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

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

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

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

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

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

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

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

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

**In the said notification,-**

(a) in paragraph 2, after the words "in the said Schedule", the following words shall be inserted, namely:-

"and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the said Schedule";

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) in paragraph 7,-

(i) in sub-paragraph (i), under the heading “I. Stage (1)- Screening:”, the existing sub-paragraph shall be lettered as sub-paragraph “(A)” and after sub-paragraph as so lettered, the following sub-paragraph shall be inserted, namely:-  
“(B) The cases as specified in Appendix IX shall be exempted from prior environmental clearance.”;

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

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

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

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

(g) in paragraph 8,-

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

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

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

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

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

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

(j) in paragraph 11, -

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

(k) in the Schedule,-

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

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

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

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

**“APPENDIX VII**

**(See paragraph 3 A)**

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

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

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

**APPENDIX VIII**  
(See paragraph 6)

**FORM 1 M**

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

**(II) Basic Information**

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

**Environmental Sensitivity**

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

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

(Signature of Project Proponent  
Along with name and address)

**APPENDIX – IX**  
[See paragraph 7(i) (B)]

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

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

**APPENDIX - X**

[See paragraph 7 (iii) (a)]

**PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT**

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

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

The report shall have the following structure:

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

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

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

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

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

#### Drainage system with description of main rivers

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

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

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

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

#### Mineral Potential

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

#### Annual Deposition

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |

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

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

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

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

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

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

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

#### APPENDIX - XI

[See paragraph 7 (iii) (b)]

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

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

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

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

| Area of Lease (Hectare)  | Category of Project | Requirement of EIA / EMP             | Requirement of Public Hearing | Requirement of EC | Who can prepare EIA/ EMP | Who will apply for EC | Authority to appraise/ grant EC | Authority to monitor EC compliance                 |
|--|---------------------|--------------------------------------|-------------------------------|-------------------|--------------------------|-----------------------|---------------------------------|--|
| <b>EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease</b> |                     |                                      |                               |                   |                          |                       |                                 |  |
| 0 - 5ha  | 'B2'                | Form -1M, PFR and Approved Mine Plan | No                            | Yes               | Project Proponent        | Project Proponent     | DEAC/ DEIAA                     | DEIAA<br>SEIAA<br>SPCB<br>CPCB<br>MoEFCC<br>Agency |

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

## APPENDIX - XII

[See paragraph 10 (iv)]

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

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

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

2. Requirement at Mine Lease Site:

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

- (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
- (c) Access control of mine lease site.
- (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.
3. Scanning of Transport Permit or Receipt and Uploading on Server:
- (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
- (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
- (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.
4. Proposed working of the system:
- The State Mining Department should print the Transport Permit or Receipt with security features enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued.
- When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.
5. Checking On Route:
- The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.
6. Breakdown of Vehicle:
- In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.
7. Tracking of Vehicles:
- The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.
8. Alerts or Report Generation and Action Review:
- The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.
- The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.”

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

MANOJ KUMAR SINGH, Jt. Secy.

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

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





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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 28 मार्च, 2020

का.आ. 1224(अ).—खनिज विधि (संशोधन) अधिनियम 2020 (2020 का 2), खान और खनिज (विकास और नियामन) अधिनियम, 1957 (1957 का 67) (जिसे इसमें इसके पश्चात् एमएमडीआर अधिनियम कहा गया है) द्वारा 10 जनवरी, 2020 से प्रभावी संशोधन किया गया है और अन्य बातों के साथ कानूनी निर्वाधन के अंतरण के लिए उपबंधों से संबंधित नई धारा 8ख का अंतःस्थापन किया गया है;

और, एमएमडीआर अधिनियम की धारा 8ख की उप-धारा (2) यह उपबंध करता है कि इस अधिनियम में या तत्समय प्रवृत्त किसी अन्य विधि में अंतर्विष्ट किसी बात के होते हुए भी, धारा 8क की उप-धारा (5) और उप-धारा (6) के उपबंधों के अधीन अवसान होने वाले खनन पट्टे का सफल बोली लगाने वाला और उस अधिनियम के अधीन या तद्दीन बनाए गए नियमों के अधीन उपबंधित प्रक्रिया के अनुसार नीलामी के माध्यम से अर्जित सभी विधिमान्य अधिकार, अनुमोदन, निकासी, अनुज्ञप्ति और इसी प्रकार दो वर्ष की अवधि के लिए पूर्ववर्ती पट्टेदार पर निहित होना समझा जाएगा;

और, एमएमडीआर अधिनियम की धारा 8ख की उप-धारा (3) यह उपबंध करता है कि तत्समय प्रवृत्त अन्य विधि में अंतर्विष्ट किसी बात के होते हुए भी, यह उस भूमि पर जिसमें नया पट्टा के प्रारंभ से दो वर्ष की अवधि के लिए पूर्ववर्ती पट्टेदार द्वारा खनन संक्रियाएं कार्यान्वित किए जा रहे थे, निरंतर खनन संक्रियाओं को नए पट्टेदार के लिए विधिपूर्ण किया जाएगा;

और, एमएमडीआर अधिनियम को पूर्वोक्त संशोधन के प्रयोजन के लिए केंद्रीय सरकार, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का. आ. 1533 (अ), तारीख 14 सितंबर, 2006 (जिसे इसमें इसके पश्चात् ईआईए अधिसूचना, 2006 कहा गया है) के सुसंगत उपबंधों को सम्मिलित करने के लिए आवश्यक समझती है।

और, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में सड़कों के लिए साधारण पृथ्वी का उपयोग करने के लिए पूर्व पर्यावरणीय अनापत्ति की अपेक्षा के अधित्याग के लिए अभ्यावेदनों की प्राप्ति पर; और पारंपरिक समुदाय द्वारा अंतर ज्वारीय क्षेत्र के भीतर चूने के गोले (मृत भू-पटल), पवित्र स्थानों, आदि के मैनुअल निकासी;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकहित में, उक्त नियमों के नियम 5 के उप-नियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति के पश्चात् और अधिसूचना सं. का. आ. 4307 (अ), तारीख 29 नवंबर, 2019 को अधिकांत करते हुए, ईआईए अधिसूचना, 2006 में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में, -

(i) पैरा 11 में, उप-पैरा (2) के पश्चात् निम्नलिखित उप-पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

“(3) खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) की धारा 8क की उप-धारा (5) और उप-धारा (6) के उपबंधों के अधीन अवसान होने वाले खनन पट्टे का सफल बोली लगाने वाला और उस अधिनियम के अधीन और तद्दीन बनाए गए नियमों के अधीन उपबंधित प्रक्रिया के अनुसार नीलामी के माध्यम से चयनित नया पट्टा के प्रारंभ की तारीख से दो वर्ष की अवधि के लिए पूर्ववर्ती पट्टेदार पर निहित पूर्व पर्यावरणीय अनापत्ति विधिमान्य अर्जित किया गया समझा जाएगा और यह नया पट्टा प्रारंभ की तारीख से दो वर्ष की अवधि के लिए या उसमें उल्लिखित निबंधनों शर्तों के अनुसार नया पर्यावरणीय अनापत्ति, नया निकासी अभिप्राप्त होने तक, इसमें से जो भी पूर्वतर हो, उक्त पट्टा क्षेत्र पर पूर्ववर्ती पट्टेदार का स्वीकृत पर्यावरणीय अनापत्ति के निबंधनों और शर्तों के अनुसार निरंतर खनन संक्रिया नया पट्टेदार के लिए विधिपूर्ण होंगी;

परन्तु, सफल बोली लगाने वाला नया पट्टा मंजूर करने की तारीख से दो वर्ष की अवधि के भीतर विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति के लिए आवेदन करेगा और अभिप्राप्त करेगा।”;

(ii) अनुसूची के मद 1 (क) के सामने, स्तंभ (5) के खंड (2) के टिप्पण के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् :-

“(3) उक्त पट्टा के अवसान के पश्चात् पूर्ववर्ती पट्टेदार द्वारा खनन और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) के उपबंधों के अधीन खनन पट्टे के अवसान होने तक भीतर पड़ी पहले से ही खनिज वाह्य सामग्री का निष्क्रमण या निष्कासन और परिवहन उस अधिनियम के अधीन और तद्दीन बनाए गए नियमों के अधीन उपबंधित प्रक्रिया के अनुसार नीलामी के माध्यम से चयनित सफल बोली लगाने की इस प्रकार अनुज्ञात खनन हैसियत के भाग के रूप में नहीं होगा।”

(iii) परिशिष्ट – IX के लिए, निम्नलिखित परिशिष्ट प्रतिस्थापित किया जाएगा, अर्थात् :-

#### “परिशिष्ट – 9

कतिपय मामलों के पर्यावरणीय अनापत्ति की अपेक्षा से छूट

निम्नलिखित मामलों को पूर्व पर्यावरणीय अनापत्ति की अपेक्षा नहीं होगी, अर्थात् :-

1. मैनुअल खनन द्वारा साधारण मिट्टी या बालू की कुम्हारों द्वारा मिट्टी के घड़े, लैम्प, खिलौने, आदि बनाने के लिए उनकी प्रथाओं के अनुसार निकासी।
2. मैनुअल खनन द्वारा मिट्टी की टाइलें बनाने द्वारा जो मिट्टी की टाइलें बनाते हैं, के लिए साधारण मिट्टी या बालू की निकासी।
3. किसानों द्वारा बाढ़ के पश्चात् कृषि भूमि से बालू के जमाव को हटाना।

4. ग्राम पंचायत में अवस्थित स्रोतों से बालू और साधारण मिट्टी को वैयक्तिक उपयोग या ग्राम में समुदाय कार्य के लिए प्रथा के अनुसार खनन।
5. सामुदायिक कार्य जैसे ग्रामीण तालाबों या टैंकों से गाद हटाना, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार और गारंटी स्कीमों, अन्य सरकारी स्कीमों, प्रायोजित तथा सामुदायिक प्रयासों द्वारा ग्रामीण सड़कों, तालाबों या बांधों का संनिर्माण।
6. सड़क, पाइपलाइन, आदि जैसे रेखीय परियोजनाओं के लिए साधारण मिट्टी की निकासी, निष्कासन या प्रयोग करना।
7. बांधों, तालाबों, मेड़ों, बैराजों, नदी और नहरों की उनके अनुरक्षित तथा आपदा प्रबंधन के प्रयोजन के लिए तलमार्जन और गाद निकालना।
8. गुजरात में गुजरात सरकार की तारीख 14 फरवरी, 1990 की अधिसूचना सं. जीयू / 90 (16)/ एमसीआर-2189 (68) / 5 - सीएचएच द्वारा बंजारा और ओड द्वारा बालू के पारंपरिक उपजीविका कार्य।
9. पारंपरिक समुदाय द्वारा अंतर ज्वारीय क्षेत्र के भीतर चूने के गोलों (मृत भू-पटल), पवित्र स्थानों, आदि के मैनुअल निकासी।
10. सिंचाई या पेयजल के लिए कुओं की खुदाई।
11. यथास्थिति, ऐसे भवनों की नींव के लिए खुदाई जिनके लिए पूर्व पर्यावरणीय अनापत्ति अपेक्षित नहीं है।
12. जिला कलेक्टर या जिला मजिस्ट्रेट या किसी अन्य सक्षम प्राधिकारी के आदेश पर किसी नहर, नाला, ड्रेन, जल निकाय, आदि में होने वाली दरार को भरने के लिए साधारण मिट्टी या बालू का उत्खनन ताकि किसी आपदा या बाढ़ जैसी स्थिति से निपटा जा सके।
13. ऐसे क्रियाकलाप, जिन्हें राज्य सरकार द्वारा विधान या नियमों के अधीन गैर खननकारी क्रियाकलाप के रूप में घोषित किया गया है।”

[फा. सं. जेड-11013 / 47 / 2018-आई. ए. II (एम)]

गीता मेनन, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में सं. का. आ. 1533 (अ), तारीख 14 सितंबर 2006 द्वारा प्रकाशित की गई थी और निम्नलिखित सं. द्वारा पश्चात्कर्ती संशोधन किया गया :-

1. का. आ. 1949 (अ), तारीख 13 नवंबर, 2006;
2. का. आ. 1737 (अ), तारीख 11 अक्टूबर, 2007;
3. का. आ. 3067 (अ), तारीख 1 दिसंबर, 2009;
4. का. आ. 695 (अ), तारीख 4 अप्रैल, 2011;
5. का. आ. 156 (अ), तारीख 25 जनवरी, 2012;
6. का. आ. 2896 (अ), तारीख 13 दिसंबर, 2012;
7. का. आ. 674 (अ), तारीख 13 मार्च, 2013;
8. का. आ. 2204 (अ), तारीख 19 जुलाई, 2013;
9. का. आ. 2555 (अ), तारीख 21 अगस्त, 2013;
10. का. आ. 2559 (अ), तारीख 22 अगस्त, 2013;
11. का. आ. 2731 (अ), तारीख 9 सितंबर, 2013;

12. का. आ. 562 (अ), तारीख 26 फरवरी, 2014;
13. का. आ. 637 (अ), तारीख 28 फरवरी, 2014;
14. का. आ. 1599 (अ), तारीख 25 जून, 2014;
15. का. आ. 2601 (अ), तारीख 7 अक्टूबर, 2014;
16. का. आ. 2600 (अ), तारीख 9 अक्टूबर, 2014;
17. का. आ. 3252 (अ), तारीख 22 दिसंबर, 2014;
18. का. आ. 382 (अ), तारीख 3 फरवरी, 2015;
19. का. आ. 811 (अ), तारीख 23 मार्च, 2015;
20. का. आ. 996 (अ), तारीख 10 अप्रैल, 2015;
21. का. आ. 1142 (अ), तारीख 17 अप्रैल, 2015;
22. का. आ. 1141 (अ), तारीख 29 अप्रैल, 2015;
23. का. आ. 1834 (अ), तारीख 6 जुलाई, 2015;
24. का. आ. 2571 (अ), तारीख 31 अगस्त, 2015;
25. का. आ. 2572 (अ), तारीख 14 सितंबर, 2015;
26. का. आ. 141 (अ), तारीख 15 जनवरी, 2016;
27. का. आ. 648 (अ), तारीख 3 मार्च, 2016;
28. का. आ. 2269 (अ), तारीख 1 जुलाई, 2016;
29. का. आ. 2944 (अ), तारीख 14 सितंबर, 2016;
30. का. आ. 3518 (अ), तारीख 23 नवंबर, 2016;
31. का. आ. 3999 (अ), तारीख 9 दिसंबर, 2016;
32. का. आ. 4241 (अ), तारीख 30 दिसंबर, 2016;
33. का. आ. 3611 (अ), तारीख 25 जुलाई, 2018;
34. का. आ. 3977 (अ), तारीख 14 अगस्त, 2018;
35. का. आ. 5733 (अ), तारीख 14 नवंबर, 2018;
36. का. आ. 5736 (अ), तारीख 15 नवंबर, 2018;
37. का. आ. 5845 (अ), तारीख 26 नवंबर, 2018;
38. का. आ. 345 (अ), तारीख 17 जनवरी, 2019;
39. का. आ. 1960 (अ), तारीख 13 जून, 2019;
40. का. आ. 236 (अ), तारीख 16 जनवरी, 2020;
41. का. आ. 751 (अ), तारीख 17 फरवरी, 2020; और
42. का. आ. 1223 (अ), तारीख 27 मार्च, 2020।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 28th March, 2020

**S.O. 1224(E).**—WHEREAS, *vide* the Mineral Laws (Amendment) Act, 2020 (2 of 2020), the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) (hereinafter referred to as MMDR Act) has been amended with effect from the 10<sup>th</sup> day of January, 2020 and, *inter alia*, new section 8B relating to the provisions for transfer of statutory clearances has been inserted;

AND WHEREAS, sub-section (2) of section 8B of the MMDR Act provides that notwithstanding anything contained in this Act or any other law for the time being in force, the successful bidder of mining leases expiring under the provisions of sub-sections (5) and (6) of section 8A and selected through auction as per the procedure provided under this Act and the rules made thereunder, shall be deemed to have acquired all valid rights, approvals, clearances, licences and the like vested with the previous lessee for a period of two years;

AND WHEREAS, sub-section (3) of section 8B of the MMDR Act provides that notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the new lessee to continue mining operations on the land, in which mining operations were being carried out by the previous lessee, for a period of two years from the date of commencement of the new lease;

AND WHEREAS, in pursuance of the aforesaid amendment to the MMDR Act, the Central Government deems it necessary to align the relevant provisions of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 (hereinafter referred to as the EIA Notification, 2006);

AND WHEREAS, the Ministry of Environment, Forest and Climate Change is in the receipt of representations for waiver of requirement of prior environmental clearance for borrowing of ordinary earth for roads; and manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules, in public interest, and in supersession of the notification number S.O. 4307(E), dated the 29<sup>th</sup> November, 2019, hereby makes the following further amendments in the EIA Notification, 2006, namely:-

In the said notification,-

(i) in paragraph 11, after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:-

“(3) The successful bidder of the mining leases, expiring under the provisions of sub-sections (5) and (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and selected through auction as per the procedure provided under that Act and the rules made thereunder, shall be deemed to have acquired valid prior environmental clearance vested with the previous lessee for a period of two years, from the date of commencement of new lease and it shall be lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee on the said lease area for a period of two years from the date of commencement of new lease or till the new lessee obtains a fresh environmental clearance with the terms and conditions mentioned therein, whichever is earlier:

Provided that the successful bidder shall apply and obtain prior environmental clearance from the regulatory authority within a period of two years from the date of grant of new lease.”;

(ii) in the Schedule, against the item 1(a), in the column (5), after clause (2) of the Note, the following clause shall be inserted, namely:-

“(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.”;

(iii) for Appendix-IX, the following Appendix shall be substituted, namely:-

## “APPENDIX-IX

## EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require Prior Environmental Clearance, namely:-

1. Extraction of ordinary clay or sand by manual mining, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand by manual mining, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works, like, de-silting of village ponds or tanks, construction of village roads, ponds or bunds undertaken in Mahatma Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes and community efforts.
6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.
7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.
8. Traditional occupational work of sand by Vanjara and Oads in Gujarat vide notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
9. Manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community.
10. Digging of wells for irrigation or drinking water purpose.
11. Digging of foundation for buildings, not requiring prior environmental clearance, as the case may be.
12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority.
13. Activities declared by the State Government under legislations or rules as non-mining activity.”

[F. No. Z-11013/47/2018-IA.II (M)]

GEETA MENON, Jt. Secy.

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

1. S.O. 1949 (E), dated the 13<sup>th</sup> November, 2006;
2. S.O. 1737 (E), dated the 11<sup>th</sup> October, 2007;
3. S.O. 3067 (E), dated the 1<sup>st</sup> December, 2009;
4. S.O. 695 (E), dated the 4<sup>th</sup> April, 2011;
5. S.O. 156 (E), dated the 25<sup>th</sup> January, 2012;
6. S.O. 2896 (E), dated the 13<sup>th</sup> December, 2012;
7. S.O. 674 (E), dated the 13<sup>th</sup> March, 2013;
8. S.O. 2204 (E), dated the 19<sup>th</sup> July, 2013;
9. S.O. 2555 (E), dated the 21<sup>st</sup> August, 2013;
10. S.O. 2559 (E), dated the 22<sup>nd</sup> August, 2013;
11. S.O. 2731 (E), dated the 9<sup>th</sup> September, 2013;
12. S.O. 562 (E), dated the 26<sup>th</sup> February, 2014;
13. S.O. 637 (E), dated the 28<sup>th</sup> February, 2014;

14. S.O. 1599 (E), dated the 25<sup>th</sup> June, 2014;
15. S.O. 2601 (E), dated the 7<sup>th</sup> October, 2014;
16. S.O. 2600 (E), dated the 9<sup>th</sup> October, 2014;
17. S.O. 3252 (E), dated the 22<sup>nd</sup> December, 2014;
18. S.O. 382 (E), dated the 3<sup>rd</sup> February, 2015;
19. S.O. 811 (E), dated the 23<sup>rd</sup> March, 2015;
20. S.O. 996 (E), dated the 10<sup>th</sup> April, 2015;
21. S.O. 1142 (E), dated the 17<sup>th</sup> April, 2015;
22. S.O. 1141 (E), dated the 29<sup>th</sup> April, 2015;
23. S.O. 1834 (E), dated the 6<sup>th</sup> July, 2015;
24. S.O. 2571 (E), dated the 31<sup>st</sup> August, 2015;
25. S.O. 2572 (E), dated the 14<sup>th</sup> September, 2015;
26. S.O. 141 (E), dated the 15<sup>th</sup> January, 2016;
27. S.O. 648 (E), dated the 3<sup>rd</sup> March, 2016;
28. S.O. 2269(E), dated the 1<sup>st</sup> July, 2016;
29. S.O. 2944(E), dated the 14<sup>th</sup> September, 2016;
30. S.O. 3518 (E), dated 23<sup>rd</sup> November 2016;
31. S.O. 3999 (E), dated the 9<sup>th</sup> December, 2016;
32. S.O. 4241(E), dated the 30<sup>th</sup> December, 2016;
33. S.O. 3611(E), dated the 25<sup>th</sup> July, 2018;
34. S.O. 3977 (E), dated the 14<sup>th</sup> August, 2018;
35. S.O. 5733 (E), dated the 14<sup>th</sup> November, 2018;
36. S.O. 5736 (E), dated the 15<sup>th</sup> November, 2018;
37. S.O. 5845(E), dated the 26<sup>th</sup> November, 2018;
38. S.O. 345(E), dated the 17<sup>th</sup> January, 2019;
39. S.O. 1960(E), dated the 13<sup>th</sup> June, 2019;
40. S.O. 236(E), dated the 16<sup>th</sup> January, 2020;
41. S.O. 751(E), dated the 17<sup>th</sup> February, 2020; and
42. S.O. 1223(E), dated the 27<sup>th</sup> March, 2020.

**செங்கல்பட்டு மாவட்ட ஆட்சியர் அவர்களின் செயல்முறைகள்  
முன்னிலை திரு. A.R. ராகுல் நாத், இ.ஆ.ப.**

ந.க. எண். 3306 / கனிமம் / 2022

நாள்: 05.04.2022

**பொருள்:-** கனிமங்களும் குவாரிகளும் - செங்கல்பட்டு மாவட்டம் - திருப்போரூர் வட்டம் - சிறுதாலூர் கிராமம் - சிறுதாலூர் ஏரி புல எண்.627-ல் தடைகள் மற்றும் ஆக்கிரமிப்புகளை அகற்றுதல்- மேற்படி இடத்தில் கிடைக்கப்பெறும் 30,150 கன மீட்டர் (அ) 5,025 லாரி லோடுகள் சாதாரண மண்ணினை துறை ரீதியாக அகற்ற செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடநிலக்கோட்டம், காஞ்சிபுரம் அவர்களால் அனுமதி கோரியது - அனுமதி அளித்து உத்தரவிடப்படுகிறது.

- பார்வை:-**
1. செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடநிலக்கோட்டம், காஞ்சிபுரம் கடித எண்.இவ.அ/கோ.22 (கனிமம்) / 2022/ நாள்.07.03.2022.
  2. சுற்றுசூழல், வனம் (ம) பருவநிலை மாறுபாடு அமைச்சக S.O.1224 (E). பகுடெல்லி அவர்களின் அறிவிக்கை நாள்.28.03.2020.
  3. இவ்வலுவலக கடித எண். 3306/ க்யூ3 / 2022, நாள். 08.03.2021.
  4. வருவாய் கோட்டாட்சியர், செங்கல்பட்டு அவர்களின் அறிக்கை ந.க. எண்.அ1795/2022, நாள். 19.03.2022.

**உத்தரவு:**

செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடநிலக்கோட்டம், காஞ்சிபுரம் அவர்கள் கடிதத்தில் கடந்த 2021 ஆண்டு தீவிரம் அடைந்த வடகிழக்கு பருவ காலத்தில் அதிகமான மழை பொழிந்ததன் காரணமாக ஏரிகள் மற்றும் கால்வாய்களில் ஏற்பட்ட வெள்ள பாதிப்புகள் சரி செய்வதோடு தற்காலிக மற்றும் பகுதி நிரந்தர தீர்வுகளாக பல்வேறு ஆறுகள், ஓடை மற்றும் கிளை கால்வாயில் உள்ள ஆக்கிரமிப்புகள் அகற்றப்பட்டு நீர்ப்பாடையின் குறுகிய பகுதிகள் அகலப்படுத்தப்பட்டு வருகிறது என்றும்,

செங்கல்பட்டு வட்டம், சிறுதாலூர் கிராமம், சிறுதாலூர் ஏரி புல எண்.627ல் நீர் பிடிப்பு பகுதியில் உள்ள தடைகள், விவசாய ஆக்கிரமிப்புகள் அகற்றுதல் மற்றும் எதிர்வரும்

காலங்களில் ஆக்கிரமிப்புகள் ஏற்பட வாய்ப்புகள் உள்ளதால், அவ்விடத்தில் உள்ள சாதாரண மண்ணினை துறைத்தியாக தளத்திலிருந்து அப்புறப்படுத்த அனுமதி அளிக்குமாறும், சாதாரண மண் அப்புறப்படுத்துவதால் மழை மற்றும் வெள்ளக்காலங்களில் ஏற்படும் வெள்ள பாதிப்பிலிருந்து ஏரியினை பாதுகாப்பதோடு மட்டுமில்லாமல் ஏரியின் நீர் கொள்ளளவு அதிகரிப்படுவதோடு, அரசுக்கும் வருவாய் ஈட்டப்படுகிறது என்றும், இதனால் அப்பகுதியில் உள்ள விவசாய பெருமக்கள் பயனடைவர் என்றும்,

மேலும் இதுபோன்ற ஏரியில் உள்ள ஆக்கிரமிப்புகளை அகற்றி கரையை பலப்படுத்துதல், ஏரி பாறமரிப்பு, தூர்வாருதல் போன்ற வெள்ளத்தடுப்பு நடவடிக்கைகளை துறைத்தியாக மேற்கொள்ள பார்வை எண்.2-ல் காணும் அறிவிக்கையின்படி சுற்றுச்சூழல் இசைவு பெறுவதிலிருந்து விலக்களிக்கப்பட்டுள்ளது என்றும்,

எனவே, சிறுதாலூர் ஏரியின் புல எண்.627-ல் ஆக்கிரமிப்புகளை அகற்றி நீர்ப்பரப்பு பகுதியில் தூர்வாரி ஆழப்படுத்தி அதில் கிடைக்கப்பெறும் சாதாரணமண்ணினை கீழ்க்கண்ட கணக்கீட்டின்படி 30150 கமீ (அ) 5000 லாரி லோடுகளுக்கு (2 யூனிட்) உரிய உரிமவரி (Seigniorage Charges) செலுத்தி துறையின் மூலம் அப்புறப்படுத்த அனுமதி கோரியுள்ளார்.

நீர்ப்பிடிப்பு பகுதியில் மண் எடுக்க வேண்டிய பரப்பளவு விவரம்:

$$\begin{aligned} 335.00\text{m} \times 100.00\text{m} \times 0.90\text{m} &= 30150.00\text{m}^3 \\ &= 30150.00 / 5.66 \text{ m}^3 \\ &= 5326.86 \text{ (or) } 5000 \text{ Lorry Loads (2 Unit)} \end{aligned}$$

இந்நேர்வில் சிறுதாலூர் கிராமத்தில் உள்ள சிறுதாலூர் ஏரியின் நீர்ப்பரப்பு பகுதியான புல எண்.627-ல் ஆக்கிரமிப்பு பகுதிகளில் ஆக்கிரமிப்புகளை அகற்றும் போது கிடைக்கப்பெறும் சாதாரண மண் 30,150 கன மீட்டர் (அ) 5,000 லாரி லோடுகள் (2 Units) அப்புறப்படுத்த அனுமதி வழங்கும்படி கோரியுள்ளார்.

இது தொடர்பாக பார்வை 4-ல் காணும் இவ்வலுவலக கடிதம் மூலம் செங்கல்பட்டு வருவாய் கோட்டாட்சியர் அவர்களிடம் அறிக்கை கோரியதில் பார்வை 5-ல் பின்வருமாறு தெரிவித்துள்ளார்.

செங்கல்பட்டு மாவட்டம், சிறுதாலூர் கிராமம், சிறுதாலூர் ஏரி புல எண்.627-ல் நீர் பிடிப்பு பகுதிகளில் உள்ள தடைகள், விவசாய ஆக்கிரமிப்புகள் அகற்றுதல் மற்றும் எதிர்வரும் காலங்களில் ஆக்கிரமிப்புகள் ஏற்பட வாய்ப்புகள் உள்ளதால் அவ்விடத்தில் உள்ள சாதாரண மண்ணினை துறைநீதியாக தளத்திலிருந்து அப்புறப்படுத்த அனுமதி அளிக்குமாறும், சாதாரண மண்ணினை அப்புறப்படுத்துவதால் மழை மற்றும் வெள்ளக்காலங்களில் ஏற்படும் வெள்ள பாதிப்பிலிருந்து ஏரியினை பாதுகாப்பதோடும், ஏரியின் நீர் கொள்ளளவு அதிகரிக்கப்படுவதோடு, அரசுக்கும் வருவாய் ஈட்டப்படுகிறது எனவும், செயற்பொறியாளர், நீர்வள ஆதாரத்துறை மண் எடுக்க அனுமதி கோரிய புலம் நெ.63, சிறுதாலூர் தற்போதைய கிராம கணக்குகள் மற்றும் கனிணி கணக்குகளின் படி பின்வருமாறு தாக்கலாகியுள்ளது எனவும்,

UDR கணக்குகளின்படி கீழ்க்கண்டவாறு தாக்கலாகியுள்ளது.

| புல எண் | வகைபாடு          | விஸ்தீரணம்<br>(ஹெக்டேர்) | புலத்தின்<br>தன்மை |
|---------|------------------|--------------------------|--------------------|
| 627     | அரசு புறம்போக்கு | 233.510                  | சிறுதாலூர் ஏரி     |

கனிணி கணக்குகளின்படி கீழ்க்கண்டவாறு தாக்கலாகியுள்ளது.

| புல எண் | வகைபாடு          | விஸ்தீரணம்<br>(ஹெக்டேர்) | புலத்தின்<br>தன்மை |
|---------|------------------|--------------------------|--------------------|
| 627     | அரசு புறம்போக்கு | 233.510                  | சிறுதாலூர் ஏரி     |

மேலும், சிறுதாலூர் ஏரியின் புல எண்.627-ல் ஆக்கிரமிப்புகளை அகற்றி நீர்ப்பரப்பு பகுதியில் தூர்வாரி ஆழப்படுத்தி அதில் கிடைக்கப்பெறும் சாதாரண மண்ணினை கீழ்க்கண்ட கணக்கிட்டின்படி 30150 கமீ (அ) 5000 லாரி லோடுகளுக்கு (2 யூனிட்) உரிய உரிம வரி (Seigniorage Charges) செலுத்தி துறையின் மூலம் அப்புறப்படுத்த அனுமதி கோரியுள்ளனர், அதன் விவரம் கீழ்க்கண்டவாறு.

$$335.00\text{m} \times 100.00\text{m} \times 0.90\text{m}$$

$$= 30150.00\text{m}^3$$

$$= 30150.00 / 5.66 \text{ m}^3$$

$$= 5326.86 \text{ (or) } 5000 \text{ Lorry Loads (2 Unit)}$$

புலத்தின் நான்கெல்லைகளை விவரங்கள் பின்வருமாறு

|         |                                   |
|---------|-----------------------------------|
| வடக்கு  | நெ.61, மடையத்தூர் கிராம எல்லை     |
| தெற்கு  | நெ.64, பொருந்தவாக்கம் கிராம எல்லை |
| கிழக்கு | சர்வே எண்.626/2 மேய்க்கால்        |
| மேற்கு  | நெ.52, அச்சரவாக்கம் கிராம எல்லை   |

மேலும் மண் எடுக்க அனுமதி வழங்க கோரியுள்ள சிறுதாலூர் ஏரியில் இரண்டு மாத காலத்திற்கு பயிற்செய்வதற்கான நீர் ஆதாரம் உள்ளன என்றும், மேலும் சிறுதாலூர் கிராமத்திலிருந்து மண் எடுத்து செல்ல அனுசூபத்தை உள்ளது என்றும், மேற்படி மனு தொடர்பாக புலத்தணிக்கை செய்ததில் ஏரியின் கிழக்கு பகுதியில் 18 வீடுகள் ஆக்கிரமணம் செய்யப்பட்டுள்ளது என்றும், உயர் மின்னழுத்த கம்பிகள் கிழக்கு பகுதியில் உள்ளது என்றும், இந்நிலத்தில் கடுகாடு மற்றும் இடுகாடு ஏதும் இல்லை என்றும் புராதானச் சின்னங்கள் ஏதும் இல்லை என்றும் தெரிவித்துள்ளனர்.

எனவே நெ.63, சிறுதாலூர் கிராமம் புல எண்.627-யிலிருந்து 30150 கமீ (அ) 5000 லாரி லோடுகளுக்கு (2 யூனிட்) கனமிட்டர் மண்ணை அப்புறப்படுத்தி கொண்டு செல்ல கனிம விதிகளுக்கு உட்பட்டு அனுமதி வழங்கலாம் என வருவாய் கோட்டாட்சியர், செங்கல்பட்டு அவர்கள் தங்கள் அறிக்கையில் தெரிவித்துள்ளனர்.

செயற்பொறியாளர், நிர்வக ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக்கோட்டம், காஞ்சிபுரம் அவர்கள் அனுமதி கோரிய விண்ணப்ப புல எண்.627-ல் உள்ள கனிமத்தை அண்ணா பல்கலைக்கழக பொறியியல் கல்லூரி, திண்டுக்கல்லில் சோதனை செய்து அவர்கள் அளித்த 24.03.2022 நாளிட்ட அறிக்கையின்படி மேற்கண்ட கனிமம், "Clayey sands with Clays of low plasticity (SC-CL) சார்ந்தது என அறிக்கை சமர்ப்பித்துள்ளனர்.

பார்வை 2-ல் காணும் இந்திய அரசிதழில் சிறப்பு வெளியிடாக வெளியிடப்பட்டுள்ள இந்திய சுற்றுச்சூழல் மற்றும் வனத்துறையின் அறிவிக்கையின் பின் இணைப்பு IX வரிசை எண். 7-ல் அணை, நீர்ப்பிடிப்பு பகுதிகள், ஆறு, வாய்க்கால் ஆகியவற்றை பராமரிப்பு செய்யவும் ஆபத்துக்கள் ஏற்படாமல் நிர்வகிக்கவும் தூர்வாருவதற்கு சுற்றுச்சூழல் அனுமதி

பெறுவதிலிருந்து விலக்களிக்கப்பட்டுள்ளது. மேலும் வரிசை எண்.12-ல் நீர்நிலைகளில் உள்ள சாதாரண மண் மற்றும் கனிமண் ஆகியவற்றை வெள்ளத்தடுப்பு பணிகளுக்காக மாவட்ட ஆட்சியரின் உத்தரவின்படி அப்பறப்படுத்தவும் சுற்றுச்சூழல் அனுமதி பெறுவதிலிருந்து விலக்களிக்கப்பட்டுள்ளது.

ஏரியினை தூர்வாரி வெளியேற்றப்படும் சாதாரண மண்ணிற்கான உரிமக்கட்டணம், கனிம மதிப்பு, மாவட்ட கனிம வள அறக்கட்டளை நிதி மற்றும் பசுமை சங்க வரி கீழ்க்கண்ட அரசாணைகள் மூலம் நிர்ணயம் செய்து ஆணையிடப்பட்டுள்ளது.

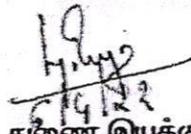
| வ. எண் | விவரம்                           | அரசாணை எண்   | ரூபாய்  |
|--------|----------------------------------|--|---|
| 1      | உரிமக்கட்டணம் (1 கன மீட்டருக்கு) | அரசாணை எண். 183, தொழில் துறை (எம்.எம்.இ.1), நாள் 28.12.2017  | ரூ.26/-   |
| 2      | கனிம மதிப்பு                     | அரசாணை எண். 107, தொழில் துறை (எம்.எம்.சி.2), நாள் 06.07.2017 | ரூ.100/-  |
| 3      | மாவட்ட கனிம வள அறக்கட்டளை நிதி   | அரசாணை எண்.90, தொழில் துறை (எம்.எம்.டி.1), நாள் 27.07.2017   | 12.01.2015-க்கு பின் குத்தகை பெறுபவர்களுக்கு உரிமகட்டணத்தில் 10%. |
| 4      | பசுமை சங்க வரி                   | அரசாணை எண்.23, தொழில் துறை (எம்.எம்.சி.2), நாள் 23.02.2022   | உரிமகட்டணத்தில் 10%.  |

இந்நேரத்தில் செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக்கோட்டம் காஞ்சிபுரம் அவர்களின் கோரிக்கையின் மீது செங்கல்பட்டு வருவாய் கோட்டாட்சியர் அவர்கள் அளித்த அறிக்கையில் தெரிவித்துள்ள பரிந்துரை ஏற்று செங்கல்பட்டு மாவட்டம், திருப்போரூர் வட்டம், சிறுதாலூர் கிராமம், புல எண்.627-ல் மொத்த விஸ்தீரணம் 233.5100 ஹெக்டேர் சிறுதாலூர் ஏரியை ஆழப்படுத்தி அதிக நீர் தேக்குவதற்கும், மழைகாலங்களில் ஏரியின் நீர்பரவல் பகுதியில் ஏற்படும் வெள்ள பெருக்கினால் வெள்ள பாதிப்புகள் ஏற்படாமலிருப்பதற்கும் மற்றும் ஏரியின் நீர்பரவல் பகுதியில் ஆக்கிரமிப்புகள் ஏற்படாமல் இருக்கவும் ஏதுவாக ஏரியை ஆழப்படுத்தி அதில் கிடைக்கப்பெறும் சாதாரண மண்ணினை அகற்ற கள அலுவலர்கள் மற்றும் பொதுப்பணித்துறையினரால் குறித்துரைக்கப்பட்ட நிபந்தனைகளை தவறாது கடைப்பிடிக்க வேண்டும் என்ற நிபந்தனைகளுக்குட்பட்டு தூர்வாரப்படும் 30,150 கனமீட்டர் (அல்லது)

5,000 லாரி லோடுகள் (ஒரு லாரி லோடு=6 கனமீட்டர்) சாதாரண மண்ணினை அகற்றி கொள்ள அரசுக்கு செலுத்த வேண்டிய உரிமக்கட்டணம் (Seigniorage fees) மற்றும் இதர தொகைகள் செலுத்தி நடைச்சீட்டுகள் வழங்கும் நாளிலிருந்து 40 நாட்கள் (06.04.2022 முதல் 15.05.2022 வரை) செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக் கோட்டம், காஞ்சிபுரம் என்பவருக்கு அனுமதி அளித்து உத்தரவிடப்படுகிறது.

ஓம்/- ராகுல் நாத்,  
நாள்: 05.04.2022,  
மாவட்ட ஆட்சியர்  
செங்கல்பட்டு.

/உத்தரவின் படி/

  
துணை இயக்குநர்/  
உதவி இயக்குநர்(பொ),  
புவியியல் மற்றும் சுரங்கத்துறை,  
செங்கல்பட்டு.

பெறுநர்,  
செயற்பொறியாளர்,  
நீர்வள ஆதாரத்துறை,  
கீழ்பாலாறு வடிநிலக்கோட்டம்,  
காஞ்சிபுரம்.



நகல்

- 1 வருவாய் கோட்ட அலுவலர், செங்கல்பட்டு.
- 2 வட்டாட்சியர், திருப்போரூர்.
- 3 கிராம நிர்வாக அலுவலர், சிறுதாவூர் கிராமம்.  
(வட்டாட்சியர், திருப்போரூர் மூலமாக).

- 500 - 4.

Translated Copy  
 PROCEEDINGS OF DISTRICT COLLECTOR, CHENGALPATTU  
 PRESENT: THIRU.A.R.RAGULNATH I.A.S.

Na.Ka.No.3306/Mines/2002

Date: 5.4.2022

Sub: Mines and Minerals – Chengalpattu District – Thiruporur taluk – Siruthavur Village – Siruthavur Lake S.No.627 – removal of blocks and encroachment – request by Executive Engineer, Water Resources Development Department – Keezh Palar Basin Division, Kancheepuram – to remove 30,150 cubic meter or 5025 lorry loads of ordinary sand from the above area – order for grant permission.

Ref: 1. Letter No.Eva.91/K022 (Mines/2022/dated 7.3.2022 by Executive Engineer Water Resources Development Department – Keezh Palaru basin division, Kancheepuram.

2. Report of Ministry of Pollution Forest and Environment changes in New Delhi Import in S.O.1224 (E ) dated 28.3.2020.

3. This office letter No.3306/03/2022 dated 8.3.2021.

4. Report of the Revenue Divisional Officer, Chengalpattu in Na.Ka.No.A1795/2022 dated 19.3.2022.

**ORDER:**

1. The Executive Engineer, Water Resources Department, Keezh Palar basin Division, Kancheepuram in his letter stated that in view of the heavy rain during North cast monsoon in the year 2021, in order to clear the damages in lakes and channels and for permanent solution to remove the encroachments in the river, stream, and branch channels and further widening the water channels.

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2. In order to remove the encroachment and blocks in the Siruthavur Lake comprised in S.No.627 in Siruthavur Village, Chengalpattu Taluk and there is a possibilities of encroachment in future and hence permission may be granted to remove the ordinary earth through Department in the above said area, in view of such a removal there is augmentation of income to Government and also safety to Lake during the flood time and further the capacity of lake would also be increased, by which the agriculturist<sup>of</sup> in the said area would be benefited.

3. Furthermore, as per report in the second cited reference, by removal of encroachment in the lake and strengthening of the bund, maintenance of lake and desilting of lake in order protect from flood through department is exempted from getting environment clearance.

4. Hence it has been requested to remove the encroachment in the Sirthavur lake comprised in S.No.627 desilting the said lake by removing in ordinary sand as per calculation below as 30150 cubic meter or 5000 lorry loads ( 2 units) by paying seignorage charges.

|   |  |
|---|--|
| Extent of removal of ordinary earth in the    |  |
| Water body.                                   | 30150 <sup>m<sup>3</sup></sup>         |
| 335.00X 100 <sup>m</sup> X 10.90 <sup>m</sup> | 30150.00/5.66 <sup>m<sup>3</sup></sup> |
|   | = 5326.86 (or) 5000                    |
|   | Lorry loads (2 units).                 |

It has been requested to grant permission to remove the 30150 cubic meter or 5000 lorry loads (2 Units), while removing the encroachments in

Sirudhavaur Lake water body comprised in S.No.627 in Siruthavur Village as per the letter 4<sup>th</sup> cited reference of this office requesting the Revenue Divisional Officer, Chengalpattu to submit a report to this effect, he submitted a report in 5<sup>th</sup> cited reference.

In view of the removal of blocks and agriculture encroachment, and there is possibility of future encroachment in the water body of Siruthavur lake comprised in S.No.627 of Siruthavur Village, Chengalpattu Taluk and hence the ordinary earth through department, by which there would be safety to lake during rainy reason as well as flood and also capacity of water level in lake would increase besides there is augmentation of revenue to Government. The area requested by Executive Engineer, WRD for removing the earth present revenue account and also computer data the details are as follows:

As per UDR account the following datas are seen

| S.No. | Classification       | Extent<br>Hec. | Nature of site. |
|-------|----------------------|----------------|-----------------|
| 627   | Government Porabmoke | 233.51.0       | Siruthavur Lake |

As per computer data stated is as follows:

| S.No. | Classification       | Extent<br>Hec. | Nature of site. |
|-------|----------------------|----------------|-----------------|
| 627   | Government Porabmoke | 233.51.0       | Siruthavur Lake |

Furthermore they requested to remove the encroachment in the water body and desilt of the Siruthavur lake comprised in S.No.627 and

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requested to removal of ordinary earth with a calculation of 30150 cubic meter or 5000 lorry loads (2 units) on payment of seignorage charges through department.

Details are as follows:

$$335.00^m \times 100^m \times 0.90^{m^3} = 30150.00^{m^3}$$

$$= 5326.86 \text{ (or) } 5000 \text{ Lorry loads (2 units).}$$

Boundaries of the site is as follows:

- By North - No.61 Madayathur Village boundaries
- By South - No.64, Poruthavakkam Village boundaries
- By East - S.No.622/2 Miekal (grazing)
- By West - No.52, Archaravakkam Village boundaries

Moreover there is sufficient water resources available in the Siruthavur Lake to do the agriculture activities for the period of 2 months. There is sufficient approach road available to transport the minerals from Siruthavur Village. On site inspection there are 18 houses encroached upon in the eastern side of lake, and there is a high tension electricity wire passes through in the eastern side and there is no graveyard and ancient monuments in these said area.

Hence the Revenue Divisional Officer, Chengalpattu in his report stated that permission can be granted to remove 30,150 cubic meter or 5000 lorry loads (2 units) of ordinary earth in S.No.627 of No.63, Siruthavur Village within the parameter of Mines Rules.

The mineral which is requested to quarry by the Executive Engineer. Water resources department Keezh Palar Basin Division, Kancheepuram has taken sample in survey No.627 sent to Anna University Engineering College, Dindugal testing the mineral and in their report dated 24.3.2022, the nature of mineral is clayey, SANDS with CLAYSoF low plasticity (SC-CL).

As per the Indian Gazette published in the 2<sup>nd</sup> cited reference in annexed IX serial No.7, wherein in order to avoid the danger and to preserve water bodies, river and channels for the purpose of maintenance the environmental clearance is exempted. Moreover as per serial No12 to remove the ordinary earth and clay in the water bodies for the purpose of flood relief the permission granted by the District Collector shall be exempted from getting environmental clearance.

Hence for removing the ordinary earth for the purpose of desilting in the lake seignorage fee, mineral cost are determine as per the following Government Order.

| S.No. | Details                         | Government Order   | Rupees      |
|-------|---------------------------------|--|-------------|
| 1     | License fee<br>( 1 cubic meter) | G.O.No.183<br>Industry<br>Department<br>(M.M.E.I.) dated<br>28.12.2017 | Rupees 26/- |

|   |   |   |   |
|---|---|---|---|
| 2 | Mineral value                                 | G.O.No.107,<br>Industries<br>Department<br>(M.M.E.I.) dated<br>6.7.2021 | Rupees 100/-  |
| 3 | District mineral<br>development<br>trust fund | G.O.No.90,<br>Industry<br>Department<br>(M.M.E.1) dated<br>27.7.2017    | 10% of license<br>fee for lessee<br>after 12.1.2015 |
| 4 | Green Toll tax                                | G.O.No.23,<br>Industrial<br>Department<br>(M.M.C.2) dated<br>23.2.2022  | 10% of license<br>fee                               |

Hence pursuant to the request of the Executive Engineer Water Resources Department, Keezh Palar Basin Division, Kancheepuram, on the basis of the recommendation of the Revenue Divisional Officer, Chengalpattu permitted to remove 30150 cubic meter or 5000 lorry loads (one lorry loads – 6 cubic meter) of ordinary sand in Siruthavur Eri comprised in S.No.627 over an extent of 233.50.00 Hecters in Siruthavur Village, Thiruporur Taluk, Chengalpattu District in order to protect the lake during rainy season and also depend lake in order to store the more water and also remove the encroachments. the Public Works Department adhere the conditions stipulated at the time of removal of ordinary sands besides they have to pay necessary seigniorage fee. The Executive Engineer Water Resources Department, Keezh Palar Basin Division, Kancheepuram is permitted to remove the ordinary earth for the period

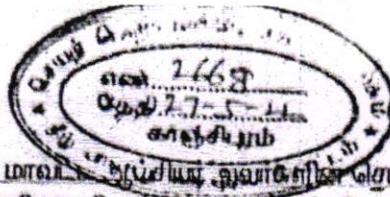
of 40 days ( from 6.4.2022 to 15.5.2022) from the date of receipt of dispatched slip.

Sd/- Ragulnath  
Asst. Director, Geology and Mining,  
Chengapattu.

To  
The Executive Engineer,  
Water Resources Department,  
Keel Palar Basin Division,  
Kancheepram.

Copy to:

1. Revenue Divisional Officer, Chengalpattu
2. Tahsildar, Tiruporur
3. Village Administrative Officer, Siruthavur Village



செங்கல்பட்டு மாவட்ட ஆட்சியர் அவர்களின் செயல்முறை முன்னிலை திரு. A.R. ராகுல நாத் இ.ஆ.ப.

ந.க. எண்.3306 /கனிமம் / 2022

|                 |            |
|-----------------|------------|
| செ. பொ.         | 809        |
| நாள்.ம.உ.       | 9/5/2022   |
| மு. வ. அ.       | 18-05-2022 |
| நாள்.18-05-2022 | 19/5/22    |
| கோ. க.          |            |

பொருள்:- கனிமங்களும் குவாரிகளும் - செங்கல்பட்டு மாவட்டம் - திருப்போரூர் வட்டம் - சிறுதாலூர் கிராமம் - சிறுதாலூர் ஏரிபுல எண்.627-ல் தடைகளை அகற்றுகதல் மற்றும் ஆக்கிரமிப்பு ஏற்படலாம் என்று உத்தேசிக்கப்பட்டுள்ள இடத்தில் கிடைக்கப்பெறும் 30,150 கன மீட்டர் (அ) 5,025 லாரி லோடுகள் சாதாரண மண்ணினை துறை நீதியாக அகற்ற அனுமதி கோரியது - அனுமதி அளித்து உத்திரவிடப்பட்டது - அனுமதி வழங்கப்பட்ட லோடுகளில் மீதமுள்ள 2,225 லாரி லோடுகள் எடுக்க அனுமதி கோரியது - - அனுமதி அளித்து உத்திரவிடப்படுகிறது.

- பார்வை:-
1. செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக்கோட்டம், காஞ்சிபுரம் கடித எண்.இவ.அ/கோ.22 (கனிமம்) / 2022/ நாள்.07.03.2022.
  2. சுற்றுலா, வனம் (ம) பருவநிலை மாறுபாடு அமைச்சக S.O.1224 (E). பதுடெல்லி அவர்களின் அறிவிக்கை நாள்.28.03.2020.
  3. இவ்வலுவலக கடித எண். 3306/ க்யூ3 / 2022, நாள். 08.03.2021.
  4. வருவாய் கோட்டாட்சியர், செங்கல்பட்டு அவர்களின் அறிக்கை ந.க. எண்.அ1795/2022, நாள். 19.03.2022.
  5. செங்கல்பட்டு மாவட்ட ஆட்சியர் அவர்களின் செயல்முறை ஆணை ந.க.எண்.3306/கனிமம்/2022, நாள்.05.04.2022
  6. செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக்கோட்டம், காஞ்சிபுரம் கடித எண்.இவ.அ/கோ.22 (கனிமம்) / 2022/ நாள்.09.05.2022.

#### உத்திரவு:

காஞ்சிபுரம், கீழ்பாலாறு வடிநிலக்கோட்டம், நீர்வள ஆதாரத்துறை, செயற்பொறியாளர் அவர்களின் கோரிக்கையின் மீது செங்கல்பட்டு வருவாய் கோட்டாட்சியர் அவர்கள் அளித்த அறிக்கையில் தெரிவித்துள்ள பரிந்துரை ஏற்று செங்கல்பட்டு மாவட்டம், திருப்போரூர் வட்டம், சிறுதாலூர் கிராமம், புல எண்.627-ல் மொத்த விஸ்தீரணம் 233.5100 ஹெக்டேர் சிறுதாலூர் ஏரியை ஆழப்படுத்தி அதிக நீர் தேக்குவதற்கும், மழைகாலங்களில் ஏரியின் நீர்பரவல் பகுதியில் ஏற்படும் வெள்ள பெருக்கினால் வெள்ள பாதிப்புகள் ஏற்படாவிருப்பதற்கும் மற்றும் ஏரியின் நீர்பரவல்

பகுதியில் ஆக்கிரமிப்புகள் ஏற்படாமல் இருக்கவும் ஏதுவாக ஏரியை ஆழப்படுத்தி அதில் கிடைக்கப்பெறும் சாதாரண மண்ணினை அகற்ற சள அலுவலர்கள் மற்றும் பொதுப்பணித்துறையினரால் குறித்துரைக்கப்பட்ட நிபந்தனைகளை தவறாது கடைப்பிடிக்க வேண்டும் என்ற நிபந்தனைகளுக்குட்பட்டு தூர்வாரப்படும் 30,150 கனமீட்டர் (அல்லது) 5,025 லாரி லோடுகள் (ஒரு லாரி லோடு = 6 கனமீட்டர்) சாதாரணமண் அகற்ற காஞ்சிபுரம் நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக் கோட்ட செயற்பொறியாளர் என்பவருக்கு முறையே லாரி லோடு ஒன்றுக்கு மேலே வரையறுக்கப்பட்ட உரிமக்கட்டணம் / மற்றும் இதர தொகைகள் செலுத்திய நாளிலிருந்து 40 நாட்கள் (06.04.2022 முதல் 15.05.2022 வரை) கால அவகாசத்தில் அகற்ற பார்வை 5-ல் கண்டவாறு அனுமதி அளித்து உத்தரவிடப்பட்டது.

பார்வை 6-ல் காணும் செயற்பொறியாளர், நீர்வள ஆதாரத்துறை, கீழ்பாலாறு வடிநிலக்கோட்டம், காஞ்சிபுரம் அவர்களின் கடிதத்தில் கடந்த வடகிழக்கு பருவ காலத்தில் அதிகமாக மழை பொழிந்ததன் காரணமாக ஏரிகள் மற்றும் கால்வாய்களில் ஏற்பட்ட வெள்ள பாதிப்புகள் சரி செய்வதோடு தற்காலிக மற்றும் பகுதி நிரந்தர தீர்வுகளாக பல்வேறு ஆறுகள், ஓடை மற்றும் கிளை கால்வாய்களில் உள்ள ஆக்கிரமிப்புகள் அகற்றப்பட்டு நீர் வழிப்பாதையில் குறுகிய பகுதிகள் அகலப்படுத்தப்பட்டு வருகிறது என்றும், இதில் செங்கல்பட்டு வட்டம், சிறுதாலூர் கிராமம், சிறுதாலூர் ஏரி புல எண்.627ல் நீர் பிடிப்பு பகுதியில் உள்ள தடைகள், விவசாய ஆக்கிரமிப்புகள் அகற்றுதல் மற்றும் எதிர்வரும் காலங்களில் ஆக்கிரமிப்புகள் தவிர்க்கும் பொருட்டு சிறுதாலூர் ஏரியின் புல எண்.627-ல் ஆக்கிரமிப்புகளை அகற்றி அதில் கிடைக்கப்பெறும் சாதாரண மண் 5025 லாரி லோடுகள் 40 நாட்கள் கால அவகாசத்தில் அகற்றிக் கொள்ள 06.04.2022 முதல் 15.05.2022 வரை பார்வை 6-ல் காணும் மாவட்ட ஆட்சித்தலைவர் செங்கல்பட்டு அவர்களால் அனுமதி அளிக்கப்பட்டது. இதில் நாளதுவரை 2800 லாரி லோடுகள் மட்டுமே அகற்றப்பட்டுள்ளது மீதமுள்ள 2225 லாரி லோடுகள் 15.05.2022 தேதிக்குள் அப்புறப்படுத்த இயலாத சூழ்நிலை உள்ளது என்றும்,

எனவே தளத்திலிருந்து சாதாரணமண் அப்புறப்படுத்தப்படும் போது பயன்படுத்தப்பட்ட வழித்தடம் சேதமடைந்துள்ளதாலும், தற்போது பொழிந்த மழையின் காரணமாகவும் தளத்திலிருந்து மண் அப்புறப்படுத்த இயலவில்லை என்றும், தற்போது



Proceedings of the Collector, Chengalpattu District

Present : Thiru. A.R. Ragulnath, I.A.S.

R.C No. 3306/Minerals/2022

Date : 10/05/2022

Sub Minerals and mines - Chengalpattu District-  
Thiruporur Taluk - Sirudavoor Village - Request  
made to remove departmentally ordinary soil by  
removing blockages and expecting encroachment  
be made in the lake and etc. situated at Sirudavoor  
village comprised in Survey No. 627 for removal  
ordinary soil qty an extent of 30,150 Cubic Mtrs.  
Or 5,025 lorry loads - Order issued granting  
permission - Request made to take remaining  
2,225 lorry loads in the permitted area - Order  
issued granting permission.

Ref (1) Letter No.EVA/D22 dated 07/03/2022 from  
the Executive Engineer, Water Resources  
Department, Lower Palar Basin Division

(2) Notification SO 1224 (E) dated 28/03/2020  
from the Ministry of Environment and Forest,  
Climate Change, Government of India, New Delhi.

(3) This office letter No. 3306/Q3/2022 dated  
08/03/2021.

(4) Notice R.C. No.A1795/2022 dated 19/03/2022  
from the Revenue Divisional Officer, Chengalpattu

(5) Proceedings R.C No. 3306/Minerals/2022 dated 05/04/2022 of the Collector, Chengalpattu District

(6) Letter No. EVA/D22 dated 09/05/2022 from the Executive Engineer, Water Resources Department, Lower Palar Basin Division.

#### ORDER

The order is issued by accepting the recommendations issued by the Revenue Divisional Officer, Chengalpattu in his report, based on the request of the Executive Engineer, Water Resources Department, Lower Palar Basin Division to deepen the Sirudavoor lake in an extent of 233.5100 hectares situated at Sirudavoor village comprised in Survey No. 627 to enable storage of more water, to prevent flood damage during flood season and to avoid encroachment on the catchment area of the lake and to remove the ordinary soil of 30,150 cubic meters or about 5,025 lorry load (One load contains 6 cubic Mtrs.) obtained due to deepening, subject to strictly following the conditions mentioned by the filed officers and Public Works Department and subject to removing the same within 40 days (06/04/2022 to 15/05/2022) from the date of payment of above prescribed Seigniorage and other charges to the

Executive Engineer, Water Resources Department, Lower Palar Basin Division, Kancheepuram as mentioned under reference (5). In the letter under reference (6), to the Executive Engineer, Water Resources Department, Lower Palar Basin Division stated that in addition to carrying out flood damage repair works in lakes and canals due to excess rain fall in the last north-east season, as a permanent and part solution the encroachments on the various rivers, streams, and branch canals are being removed and short water passage are widened and in that, the Chengalpattu District Collector vide his proceedings under reference (5) issued permission to remove the ordinary soil 5,025 lorry load in Sirudavoor lake situated at Sirdavoor village comprised in Survey No. 627 within 40 days (06/04/2022 to 15/05/2022) by removing blockages in water catchment area and encroachment in agricultural land and to avoid encroachments in future. Till date only 2000 lorry loads have been removed and the situation prevails that the remaining 2225 lorry loads cannot be removed by 15.05.2022;

Therefore, it is not possible to remove the ordinary soil removed the field due to recent rain and passage got damaged while removing ordinary soil and now it will take few more days to make alternative route and if the remaining 2225 lorry loads of ordinary soil are not removed from the field soil there is a possibility of encroachment in the coming days and hence he has requested an extension of approximately 25 days to remove the remaining 2225 lorry loads of ordinary soil.

In this instant, based on per the request of the Executive Engineer, Water Resources Department, Lower Palar Basin Division, Kancheepuram, order is issued to the Executive Engineer, Water Resources Department, Lower Palar Basin Division, Kancheepuram to remove 2,225 lorry load (or) 13,350 cubic meters (one lorry load - 5 cubic meters) after removing 2800 lorry load out of 5,025 lorry load ordinary soil removed from the Sirudavoor Village, Thiruporur Taluk, Chengalpattu district comprised in Survey No.627 from the area mentioned by the Public Works Department for 20 days (19.05.2022 to 07.06.2022) from the date of issuance of way bill after payment of seigniorage fees and other charges payable to

government to the Executive Engineer, Water Resources  
Department, Lower Palar Basin Division, Kancheepuram

Sd/-.....

A.R. Rahul Nath,  
(Date.18.05.2022)

District Collector Chengalpattu.

/ By Order /

Sd/-.....

Assistant Geologist  
Department of Geology and Mines  
Kanchipuram.

To  
The Executive Engineer  
Water Resources Department  
Lower Palar Basin Division  
Kancheepuram

Copy

- (1) The Revenue Divisional Officer, Chengalpattu.
- (2) The Tahsildar, Thiruporur.
- (3) The Village Administrative Officer, Sirudavoor Village,  
(Through The Tahsildar, Thiruporur).